

— STUDIA EUROPEJSKIE —
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REFUGEES IN CENTRAL EUROPE**

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ARTICLES





*Tomasz Stepniewski**

The Russia-Ukraine War, NATO's Eastern Flank, and Ukrainian Refugees in Central Europe

Abstract

The countries of NATO's eastern flank representing the so-called Bucharest Nine include Poland, Romania, Bulgaria, Estonia, Lithuania, Latvia, Slovakia, the Czech Republic, and Hungary. Over recent decades, NATO has adapted to new challenges and threats to the security environment. This article attempts to examine the ongoing armed conflict between Russia and Ukraine from the perspective of NATO's eastern flank countries as well as to answer the following research questions: are NATO member states adequately responding to the threats arising from the armed conflict between Russia and Ukraine, and will NATO be revitalised as a result of Russia's revisionist policy?

Keywords: Ukraine, Russia, Central Europe, Ukrainian Refugees, Eastern Neighbourhood, Security, War

Introduction

The countries of NATO's eastern flank form the so-called Bucharest Nine, and include: Poland, Romania, Bulgaria, Estonia, Lithuania, Latvia, Slovakia, the Czech Republic, and Hungary (Pawłowski, 2020; Jankowski, Stepniewski, 2021). Over the decades, NATO has adapted to new challenges and threats to the security environment (Stepniewski, 2020; Stepniewski, 2011). The Alliance's need to adapt has been very clear since 2014, when Russia, with its neo-imperial policy towards Ukraine, "woke up the dragon" upon which NATO began to adapt to the new security reality in Central and Eastern Europe by increasing spending on

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armaments, along with the modernisation of its armed forces, command structures, and relocation of troops, etc. Since 2014, we have been dealing with an armed conflict between Russia and Ukraine in the Donbas (along with the annexation of Crimea by Russia), which has changed the way in which security in Eastern Europe and, more broadly, throughout Europe is perceived. As of 24 February 2022, i.e., with the start of Russia's full-scale invasion of Ukraine, not only did the way of thinking about international order and security change, but, above all, the perception of Russia as an unpredictable participant in international relations changed also. Russia has become a serious threat and a challenge to the international order. This article attempts to look at the ongoing armed conflict between Russia and Ukraine from the perspective of NATO's eastern flank countries as well as to answer the following research questions: are NATO member states adequately responding to the threats arising from the armed conflict between Russia and Ukraine, and will NATO be revitalised as a result of Russia's revisionist policy?

NATO's Interests in Eastern Europe

It should be emphasised that – especially in the era of Russia's full-scale war with Ukraine – the modern international system consists of a series of regional security complexes. NATO, as a security system, somehow collides in Eastern Europe and the Black Sea region with other regional security systems. Three regional security complexes intersect in these regions: the European regional security complex (*European RSC*), a post-Soviet regional security complex (*Post-Soviet RSC*), and the Middle East Regional Security Complex (*Middle Eastern RSC*). In addition to the indicated regional security complexes, there is also the Balkans complex and the Caucasus mini complex (Celikpala, 2010).

It must also be mentioned that Russian politicians quite often raise the argument that the Russian Federation under Vladimir Putin is pursuing a policy of “gathering Russian lands”, or, more precisely, a neo-imperial policy (Bieleń, Skrzypek, 2010; Marciniak, 2001). A few years ago, the argument of gathering Russian lands might have seemed abstract, but after 2014, and now after the events of February 2022, it appears that Russian politicians, led by Putin, are implementing this idea. The concept of “gathering Russian lands” was confirmed in Putin's speech as early as in 2007 at the Munich Security Conference and then in 2015 at the 70th Session of the UN General Assembly in New York. These statements confirm the thesis that the current international order requires change and that Russia is striving to achieve its goals.

The War in the Donbas Since 2014 and the “Grey Security Zone” of Eastern Europe

I have emphasised many times in my papers (Polegkyi, Stepniewski, 2020; Fiszer, Stepniewski, Świder, 2019; Fiszer, Stepniewski, 2017; Stepniewski, 2016) that the activities currently undertaken by the Russian Federation on the international arena are aimed at the restoration of *status quo ante*. In the 1990s, we dealt with the weakening of the international position of Russia, the successor to the USSR. At the beginning of the 21st century, its activities began to be characterised by the increasing importance of military and energy factors and the rejection of sentimental rhetoric in favour of a strictly pragmatic approach (Toal, 2017; Reichardt, Stepniewski, 2020; Orenstein, 2019). The terms “economisation of politics” or “petropolitics” are often used to describe Russia’s relationship with its neighbours. 2014’s armed conflict with Ukraine not only changed the perception of Russia as a neighbour, but also challenged all the post-Soviet region integration projects involving Ukraine, and raised questions about the future of this area.

Nevertheless, it should be noted that over the last two decades, Russia has shown enormous determination in reintegrating the post-Soviet region. Guaranteeing itself hegemonic influence in the post-Soviet space and ejecting the West serves – in Russian eyes – to strengthen its status as a regional and global power, and to realise a range of more minor interests of a socio-economic nature. In addition, in order to defend its sphere of influence, Russia has not hesitated to follow a confrontational policy towards the West.

While analysing the conflict between Russia and Ukraine, it must be remembered that Russia, in its foreign policy, in particular towards the post-Soviet states, is guided by an imperial mentality. George Soroka wonders how the United States would behave if, for example, Russian military bases were to be installed in Cuba. Would it not spark a reaction from the US such as an attempt to stop or prevent the implementation of such a plan?¹ This seems to be a rhetorical question. This way of thinking among Russian decision-makers is confirmed by the words of Andrej Krickovic, who noted that the Russians “only respect powers such as the USA, China, and Germany. People often do not understand it. «The Kremlin talks about sovereignty all the time, while it does not obey it itself!». However, for Russians, sovereignty does not apply to small nations. From their perspective, America

¹ The author participated in the Harvard Summer School 2015 lectures on “Introduction to Comparative Politics”, led by George Soroka, PhD (Lecturer on Government and Assistant Director of Undergraduate Studies, Harvard University).

should not interfere in the affairs of Russia or China, and small states are, well, just potential loot” (Węzyk, 2015).

When analysing a map of Eastern Europe, Russia’s military presence in this area should be kept in mind. We can define Eastern Europe as a “grey zone of security” due to the fact that these countries do not belong to, for example, NATO or other organisations acting effectively for regional cooperation and security. Although the countries of Eastern Europe and the Caucasus have operated in various regional structures, they do not guarantee security. These include structures such as: the Organization for Democracy and Economic Development (GUAM: Georgia, Ukraine, Azerbaijan, Moldova), the Community of Democratic Choice (2005), or the Black Sea Synergy (2007), and the Eastern Partnership (comprising: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine), which was established in 2009. None of these multinational structures guaranteed hard security for the countries in this region. These structures are aimed at strengthening cooperation and increasing stability in the region, and in the case of the Eastern Partnership, at bringing the countries of Eastern Europe and the South Caucasus closer to the standards of the European Union (Stepniewski, 2021). At the same time, the frozen conflicts occurring in this region may directly or indirectly affect the stability and security of Central European countries and the European Union as a whole. Using the frozen conflicts, Russia may affect the internal politics of countries involved in such conflicts, including Abkhazia, Transnistria, Nagorno-Karabakh, South Ossetia as well as the Donetsk region in Ukraine and Russian-annexed Crimea. It is worth noting here that maintaining control over Donbas, in the event of a failure to conquer the entire territory of Ukraine, is one of the key measures with which the authorities in the Kremlin can destabilise Ukraine, thus hindering its rapprochement with Western structures. There should be no expectation that the Russian Federation will voluntarily give up this region, even if it was a condition for normalising relations with the West.

A Turning Point – Russia’s Aggression Against Ukraine (Since February 2022)

Russia, under the rule of Vladimir Putin, by deciding to attack all of Ukraine, has achieved opposite results to those assumed: (1) it has integrated the West against Russia; (2) it has integrated NATO countries and increased the spending by individual countries on armaments (*inter alia*, Germany declared higher expenses on armaments); (3) the West

has imposed far-reaching sanctions on Russia that will significantly hit the Russian economy; (4) Russia suffered enormous material and human losses during the first three months of the invasion of Ukraine; (5) Russia failed to defeat Ukraine quickly and force the Ukrainian decision-making centre in Kiev to surrender; (6) Russia was unsuccessful in persuading other post-Soviet states to initiate military involvement on the side of Russia against Ukraine; (7) the freezing of the conflict in Ukraine may have far-reaching consequences for Russia and its position in the post-Soviet region.

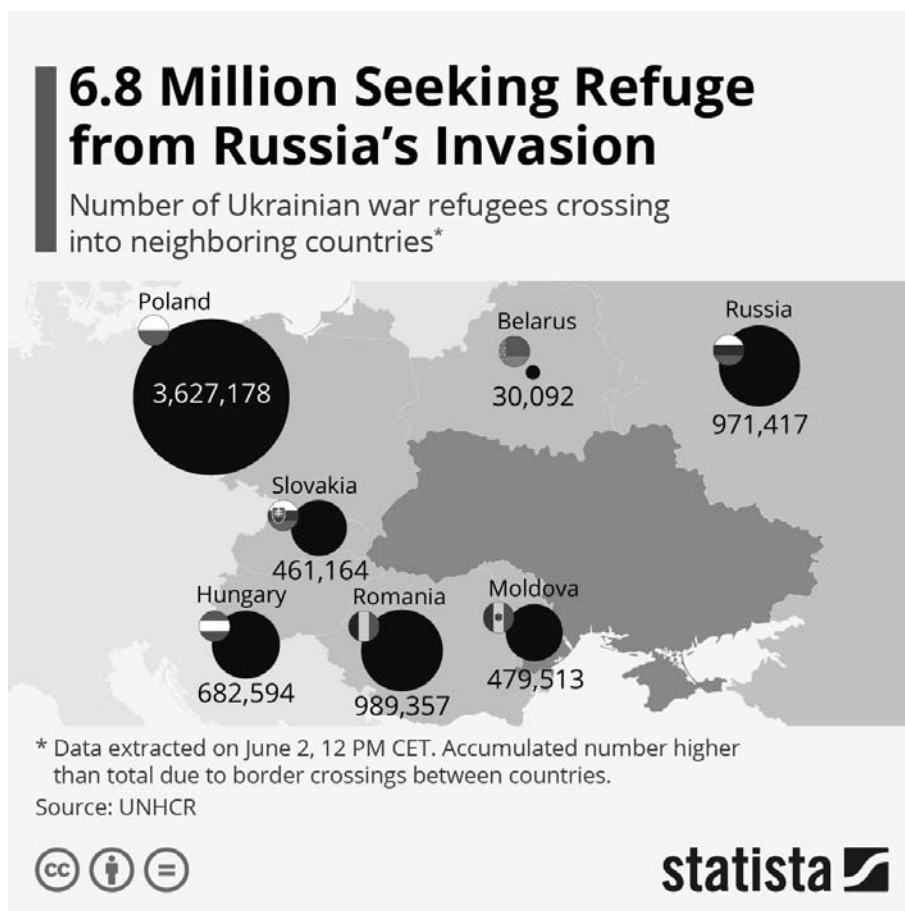
Certainly, Russian intelligence misjudged the condition of the Ukrainian state, the motivation of Ukrainian citizens, and the condition of the Ukrainian army (i.e., the level of training, armament, and morale). The attitude of civil society, which both supports the Ukrainian army and helps people in need who are fleeing from the battlefields, also must not be underestimated. Furthermore, today's modern media, which allows us to analyse the present conflict on an ongoing basis and send images from Ukraine to the whole world, plays a pivotal role. Thus, the local conflict (as the Russian side likes to define this military conflict) is present on TV screens all over the world. In addition, the activities of such analytical centres such as the Conflict Intelligence Team (CIT), which analyses the war in Ukraine and informs the international community on the progress of the fighting, do not serve Russia's goals in Ukraine.

After three months of the full-scale aggression from the Russian Federation against Ukraine, it was already known that it was not possible to quickly capture Kiev and establish a puppet government, and that most of the north-eastern part of the country had not succumbed to Russian attacks and still remains in the hands of the Ukrainians. At this point (May 2022), the Russians are concentrating their attacks on the Donbas and the south-eastern part of Ukraine in order to break up the Ukrainian army and establish both coastal control and a corridor connecting Transnistria with Russian territory. It all depends on the course of military operations, but it can already be said that for both sides the prospect of a quick conclusion of the war is not close. The most important thing is to gain an advantage on the battlefield and turn the tide of victory to one's own side. The West's support for peace negotiations between Russia and Ukraine will also be of essence.

In early June 2022, more than 10 million Ukrainian citizens were forced to leave the country due to the war which was started on 24th February 2022 by Russia. The table below shows which countries have accepted the largest number of refugees from Ukraine. The statistics are not accurate,

because many people who had to leave Ukraine have not registered as refugees in the countries where they are staying. In addition, a large number of people were forcibly displaced to Russia from eastern Ukraine.

Table 1. 6.8 Million Seeking Refuge From Russian Invasion



Source: *Statista*. Available at: <https://www.statista.com/chart/26960/number-of-ukrainian-refugees-by-target-country/> (Access 22.06.2022).

Conclusions

The objective of this paper was to conduct a general review of the security situation of Central and Eastern European countries during the war between Russia and Ukraine. This full-scale war is continuing and its fi-

nal end cannot be predicted at this point. The article attempts to point out that NATO countries have come together to impose sanctions on Russia and help Ukraine, which is in a “grey security zone” and not a NATO member. Until February 2022, NATO’s mistake was to perceive Russia’s actions only through the prism of the Ukrainian conflict (the Ukrainian crisis as something local, internal). The situation of threat and a full-scale war in the vicinity of NATO’s eastern flank countries is the best proof of this. From the point of view of conventional threats, it is Russia and its neo-imperial policy that currently pose the greatest peril on the European continent. Failure to reflect on the change in the security situation in Eastern Europe may have far-reaching consequences for NATO as an organisation and its individual member states. The same opinion is shared by Heinrich Brauss, Lieutenant General (retired), and Joachim Krause, Director of the Institute for Security Policy at the University of Kiel, who, even before the outbreak of full-blown war, argued that “when our attention is drawn to climate change, migration crises, the EU crisis, and several other problems requiring cooperation-based solutions, completely unprovoked, Putin’s Russia has been preparing for regional wars in Europe which may be won by means of nuclear threats” (Jungholt, 2019), and pointed out that “the deployment of Russia’s new middle-range weapons ought not to be viewed in isolation, but should be analysed in the context of Russia’s comprehensive strategy for the times of peace, crisis, and war” (Jungholt, op.cit.).

Heinrich Brauss’ statement offers a perfect conclusion for the paper. Brauss believes that NATO members must improve their “capacity to respond and consolidate the most endangered region of the organisation, i.e., the Baltic Sea region and Poland, by the consistent application of provisions of Warsaw and Brussels NATO summits” (Jungholt, op.cit.). If NATO member states are not aware of the threats posed by their immediate neighbourhood, they may lose the time it takes to catch up. It is to be hoped that Russia’s war with Ukraine will result in decisions being taken quickly and that they will be adequate to the growing threat on NATO’s eastern flank. At a time when Russia is pursuing its geopolitical goals, only a policy of deterrence can be effective.

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*Iryna Gerlach**
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Ukrainian Migration Crisis Caused by the War

Abstract

The open Russian military invasion of Ukraine supported by Belarus launched in February 2022 has changed the usual state of affairs and caused the economic, humanitarian, and migration crises. Several millions of Ukrainian people had to move to safer regions of the country, and a significant share of them (mostly women, children, and elderly people) have left abroad in search of safer living conditions, which has become the worst migration crisis since the World War II. Many Ukrainian citizens have been forced to move to Russia. Poland hosts the largest number of Ukrainian citizens among the EU countries (about 60% of all refugees), much less left for Romania, Hungary, Slovakia, and Germany. Almost every European country helps Ukraine in some way or another, hosting its residents and providing asylum. The aim of this article is to investigate the tendencies and changes of forced migration in Ukraine in the conditions of war.

The collective protection of displaced persons allows immediate assistance to many people in conditions of emergencies and reduces pressure on the system of asylum provision authorities. This decision provides the right to Ukrainians to live, work, and receive assistance in the EU countries avoiding the lingering process of asylum application submission and long waiting for the respective decision. The article highlights the comparison of standards for providing temporary protection of displaced persons in the EU countries that have accepted most of them.

Certainly, the situation with the mass movement of people or leaving abroad will have negative consequences for Ukraine. The return of forcibly displaced from Ukraine will depend on what way of legal stay abroad

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they choose (status of “forced” tourist, refugee, or temporary protection). Moreover, the duration of hostilities and efficiency and complexity of actions taken by state and local authorities to implement economic and social reforms will have much effect. The article offers various development scenarios for Ukraine and ways and incentives for returning Ukrainian citizens to their Motherland.

Keywords: Migration Crisis, Refugees, Forced Migration, Ukraine, Temporary Protection Status, European Union

Introduction

The large-scale Russian military invasion of Ukraine that started on 24 February 2022 and the total violation of international humanitarian law and rules of war by the aggressor have caused mass casualties among civilians and the large-scale destruction of civil infrastructure. It has forced millions of people to leave their homes in the search of safety, protection, and assistance. According to the United Nations High Commissioner for Refugees, the number of people forced to leave their homes from the start of the war till mid-April 2022 was about 12 million (UNHCR Regional Bureau of Europe, 2022), and 5.1 million of them left Ukraine (Natsionalnyi Instytut Stratehichnykh Doslidzhen, 2022). Obviously, most of those forced to flee the country are women and children (90%).

As of 23 April 2022, mostly the countries Ukraine borders were the major recipients of displaced persons from Ukraine. In the first days of the war, these countries simplified the border crossing procedure. Poland hosts most Ukrainian citizens (2.9 million people), which is about 60% of all refugees. Much fewer people have moved to Romania (782,000) and other neighbors (Kulchytska, 2022) (see Table 1). Moreover, according to official data, almost 600,000 Ukrainians have left (or were forced to leave) for Russia and 24,000 for Belarus (UNHCR Regional Bureau of Europe, 2022). Even according to Russian sources, most Ukrainian refugees in Russian Federation are the residents of the so-called LNR and DNR (about 400,000) (Natsionalnyi Instytut Stratehichnykh Doslidzhen, 2022). People are forcibly taken to the aggressor state from the areas of hostilities, as repeatedly testified from Mariupol and other cities suffering consistent Russian attacks. However, according to the Ukrainian Parliament Commissioner for Human Rights, the figure is much higher, amounting to over 700,000. It's a well-known fact that 113,000 were taken to Russia on February 21–23 from the temporarily occupied areas of Donetsk and Luhansk oblasts. Moreover, during the war, the residents of villages

and cities occupied by the enemy were also forcibly taken to the Russian Federation. For the moment, it is hard to control their number. The estimates of Ukrainian authorities indicate that about 40,000 people were taken from Mariupol and its suburbs alone.

Among other countries, most refugees from Ukraine are registered in Germany (331,600), the Czech Republic (300,000), Bulgaria (185,000), and Italy (95,000) (The UN Refugee Agency, 2022). However, these figures show only the fact of border crossing rather than the final destination.

Table 1. Refugees Fleeing Ukraine to Neighboring Countries From 28 February to 25 April¹

Country	People
Republic of Poland	2 922 978
Romania	782 598
Russia	614 318
Hungary	496 914
Republic of Moldova	435 275
Slovak Republic	357 560

Source: based on data of UNHCR, the UN Refugee Agency.

Migration Crisis in Ukraine in Figures

The United Nations High Commissioner for Refugees, Filippo Grandi, says that the migration crisis in Ukraine is the fastest growing one since World War II (The Economist, 2022). Over 10% of residents fled the country during a month and a half of the large-scale war alone. On the positive side, Ukrainian citizens have got an opportunity to save their lives and retain mental health. Moreover, almost the entire area of the country is under constant threat of the enemy's air attacks to a certain extent. Meanwhile, the massive fleeing of the population, in addition to military losses (3,000 servicemen) (Rakurs, 2022) and substantial losses of civilians (over 20,000 civilians died in blocked Mariupol alone) (Informatsiine ahentstvo Interfax Ukraina, 2022), poses a threat to demographic, economic, and social security of the country. Therefore, the issue of returning our citizens to their Motherland will be of utmost importance after the end of the war. The solution depends on many factors. Naturally, Ukraine's victory, creation of a safe and peaceful environment, and quick restoration of de-

¹ The total data in the Table is higher than the number of refugees fleeing Ukraine (5.2 million) since it takes into account people crossing the border between Romania and Moldova

stroyed cities and settlements are the first and necessary conditions. Yet, a lot will rest on the motives and initial intentions of displaced persons. At first glance, the results of research of the Razumkov Center Sociology Service conducted in March 2022 at border checkpoints in Zakarpatska oblast seem to be quite optimistic. They show that most people leaving abroad due to hostilities were planning to return to Ukraine after the end of the war (79%) (Razumkov tsentr, 2022). Only each tenth respondent expressed the determination to remain abroad, and the rest (11%) hesitated to answer. There is a reason to believe that the percentage of those eager to return will be much lower (e.g., the survey of forcibly displaced people from Ukraine in Poland conducted by the Polish agency EWL revealed only 58% of those eager to return home) (Mind, 2022). In addition to this, slightly more than half of the respondents are residents of the East and South of the country, 45% – residents of central oblasts, and only 4% – western oblasts of Ukraine. So, the respondents are mostly from areas of hostilities or close to the line of contact, or their settlements have faced shelling and air attacks. Since the same research wasn't conducted at border checkpoints in Lvivska oblast, based on our own observations, we can assume that the percentage of those eager to return might have turned out to be much lower. Because a substantial share of people (mostly from western regions of Ukraine) used simplified entry terms to take children abroad (without a notarized parental consent) or realize their intentions to arrange their lives abroad. Yet, this issue needs detailed research.

How quickly the forcibly displaced people from Ukraine come back depends on the mode of their legal stay abroad (status of “forced” tourist, refugee, or temporary protection). Regarding the first option, it can be used by all holders of biometric passports that allow them to stay in the EU countries for 90 days. If they are provided with housing (stay with relatives or acquaintances), they do not need financial assistance and are not obliged to register in the host country. It is obvious that the category of displaced people will return first, and the percentage of returns in this group will be the highest.

However, most of those fleeing war formalize their refugee status or ask for temporary protection. Under these statuses, a person gets more or less similar rights (accommodation, right to employment, access to housing, medical and social assistance, access to education for children and teenagers), but the ways they get or lose them and regulations are different. It is worth mentioning that on 4 March 2022, the European Union, for the first time, activated Article 5 of the Directive on minimum standards for giving temporary protection in the event of a mass influx of displaced persons (2001/55/EC as of 20 July 2001) (Council Implementation

Decision, 2022). The directive regulates immediate protection of citizens from third countries that are forced to escape *en masse* war or violation of human rights to the EU territory since it is very difficult to perform the standard procedure of providing asylum that stipulates an individual approach to the review of applications in conditions of the unexpected arrival of many refugees. The collective protection of displaced people allows helping many people without delay in emergencies and reduces the pressure on the system of granting asylum. The solution has given Ukrainians the right to live, work, and receive assistance in 26 of 27 EU countries avoiding the lingering process of asylum application submission and long waiting for the respective decision.

It is worth mentioning that the temporary protection period is one year with an opportunity to prolong it to three years. However, if the war ends and the situation in Ukraine stabilizes, the temporary protection period will cease earlier.

The refugee status guarantees the right to permanent residence in the respective country. Meanwhile, the refugee status application procedure has some peculiarities in different EU countries (passport retention for application processing period that can last for 6–9 months, a ban to leave the country, and impossibility of employment during this period) (Hanziienko, 2022). Taking into account the advantages and disadvantages of each status, the choice of a displaced person depends on the motives mentioned above. So those eager to return home right after the hostilities end choose temporary protection.

On 21 March 2022, European Commission issued Operational guidelines on the Temporary Protection Directive that specifies the categories of persons covered or not covered by the right to temporary asylum and defines family members that can reunite with refugees and the rules for dealing with children and movement between the EU countries, etc. The Council of the European Union approved a 10-point plan for war refugees from Ukraine (Deutsche Welle, 2022c). The first point is the establishment of a unified arrival registration system. Currently, the registration systems of different countries aren't connected, but the information exchange platform is underway (Natsionalnyi Instytut stratehichnykh doslidzhen, 2022). According to Ylva Johansson, the Commissioner for Home Affairs, the platform will help avoid double registration. The platform is being developed by the EU agency that manages large-scale IT systems in justice and security (eu-LISA). The platform will allow national authorities to see who of Ukrainian refugees and where applied for registration following the temporary protection mechanism and who received it (Deutsche Welle, 2022b).

EU countries pay considerable attention to securing access to information, and a single European website for Ukrainian citizens was launched in March. Information hubs were organized on the border, in transport hubs, and in settlements to provide refugees with information on possible move and accommodation.

EU Countries Hosting the Largest Number of Ukrainian Refugees

Poland, which hosts the largest number of Ukrainian citizens, has taken a range of measures to make their movement and stay in the country comfortable. In particular, the entry procedure was simplified as much as possible (they could cross the border even with internal passports), and free travel was introduced for all types of public transport. They don't have to contact assistance centers, they just show their Ukrainian passports with border crossing stamps after 24 February 2022 directly in place of service. It is worth mentioning that almost half of EU countries started to gradually introduce free travel for Ukrainian refugees (Slovak Republic, Austria, Romania, Germany, Hungary, etc.). Other countries provide free travel for Ukrainians for some types of transport (e.g., only railway), transport operators, or in some big cities.

Forcibly displaced persons that have found temporary protection in Poland are assigned an identification number PESEL (Serwis Rzeczypospolitej Polskiej, 2022) that grants access to medical care, employment, and education and stipulates a one-time payment of PLN 300 (about UAH 2,100) per adult and PLN 500 (UAH 3,500) per child. Additional one-time financial assistance (PLN 700) Ukrainians can receive under the UN program. Moreover, Poland grants social payments under various programs for support of families with children, including the purchase of school supplies and co-funding the nursery, kids club, or guardianship fees. So even mothers with small children can find employment. Children from Ukraine get an opportunity to study for free in public schools, not even knowing the language (school organizes additional language lessons for them), and students continue their studies. Although Poland has unfolded a broad network of volunteer support to Ukrainians, Poles are also additionally encouraged by the Government. Individuals or organizations providing housing and catering to Ukrainians receive PLN 1,200 a month (UAH 8,500) but only for 60 days.

The President of Poland Andrzej Duda has signed three bills to facilitate the stay of refugees from Ukraine. According to Rzechpospolita (Rzechpospolita, 2022), the first one is the so-called special act on as-

sistance to Ukraine that provides that the refugees arriving from other countries after 24 February can apply for assistance same as those coming directly from Ukraine. The second law outlines the procedure of registration of minor Ukrainians, including those arriving in Poland without legal guardians. The register is designated to secure an opportunity for the Polish Government to give the Ukrainian party information about the fate of children in the country's territory. The third adopted law regulates the validity of the Ukrainian driver's license in Poland and transport registration. In particular, it suspends the requirement for mandatory replacement of a Ukrainian driver's license with a Polish document for 6 days from the receipt of a permanent or temporary residence permit till late 2022.

Romania is the second country by the number of hosted forcibly displaced people from Ukraine. Asylum seekers in Romania have a chance for free accommodation and catering in one of six regional centers managed by the General Immigration Inspection. Ukrainians, same as other foreigners, have the right to work on the same terms as Romanian citizens in three months since applying for temporary protection. The Government and civil society developed the Dopomoha platform that simplifies the asylum procedure and the search for accommodation and job. Ukrainian citizens entering Romania with biometric passport have the right to free medical care and examination for 90 days.

According to the UN, about 570,000 refugees arrived in Hungary from the beginning of the war till May 8 (Telex, 2022). It is a significant number, although the Hungarian Government had previously named an even higher figure. Hungarian policy has also announced the number of Ukrainians entering the country from Romania. According to their information, Hungary has welcomed more than a million Ukrainian refugees already.

On May 6, Hungarian National Directorate-General for Aliens Policing published the data showing that 20,275 Ukrainians have applied for the so-called "asylum status" since the beginning of the war (Infopost. Media, 2022). It is the meager number of arrivals from Ukraine. This status gives the right to medical care, attending school, accommodation, catering, free language courses, and HUF 22,000 (€ 58) of financial assistance a month.

The Hungarian National Directorate-General for Aliens Policing has announced that 10,251 Ukrainians have refugee status as of May 6 (Infopost. Media, 2022). The lack of information and proper communication is the reason why so many Ukrainian refugees have applied for this status. Traditionally, Ukrainians stay in Hungary for several days and go further

to the countries of Western Europe. According to the police, the number of fleeing from Ukraine in the country was from 15,000 to 20,000. Last week this figure stabilized within 4,000–6,000 (Infopost.Media, op.cit.).

The obvious fact is that most refugees go further to Hungary – mostly to Western Europe. However, the Hungarian Government keeps insisting on a significant number of Ukrainians being welcomed by Hungary.

On April 21, the Speaker of the National Assembly Gergely Gulyás announced at the press conference that 625,000 Ukrainian refugees had arrived in Hungary since the beginning of the war, although the UN reports a much lower figure. The difference can be in the fact that the Government also includes in the statistics those arriving from Romania.

The experience shows that the procedure of application for asylum in Hungary goes far from smoothly. For instance, 52 times more people have submitted similar applications in Poland by late April and 19 times more in the Czech Republic. Even in Spain, 2.5 times more people have applied for this legal status than in Hungary (Infopost.Media, op.cit.).

With regard to the Slovak Republic, 56,800 people that have crossed the Ukrainian-Slovakian border have applied for one-year residence, but only 142 people have applied for refugee status. These figures were announced by the Ukrainian Ambassador to Slovakia Yuri Mushka (Ukrinform, 2022). These people can count on medical care, although not entire scope of medical assistance but only emergency care, and they can use transport and motorways for free. Any person that is provided with temporary asylum has the right to free movement in the Slovak Republic, travel to another EU country, and even travel to Ukraine and return to the territory of the Slovak Republic anytime. If you decide to return to Ukraine not planning to return to the Slovak Republic as a refugee, you must reject temporary asylum in writing, addressing it to the Migration Office of the Ministry of Interior of the Slovak Republic (Ua.gov.sk, 2022).

According to Ambassador, 56,800 are legally staying in Slovakia and not going to leave the country. Other forcibly displaced either cross the country to move further to the Czech Republic or the countries of Western Europe or haven't registered yet. Commentating on the intentions of forcibly displaced, Mushka informs that our compatriots mostly want to return to Ukraine, and some are already going back as the situation slightly stabilizes (Ukrinform, 2022).

Germany received the largest number of Ukrainian citizens among the countries not bordering Ukraine (since the beginning of the large-scale war). The Federal Ministry of the Interior and Community informs that 266,000 refugees from Ukraine were registered in the country as of late March 2022 (Komisarova, 2022). Ukrainians can get here for free

from Poland, Hungary, Austria, and the Czech Republic. The temporary protection application procedure is simplified as much as possible for Ukrainian citizens in some German regions (they just have to send the scanned passport and completed questionnaires by e-mail to the Office on Foreigners). Temporary protection includes a limited list of medical services. Full medical insurance is granted only to employed refugees. For that matter, Ukrainians have to receive a permit. If people are not accommodated in a dormitory provided by social service agencies and are not getting material assistance (clothes, food, furniture), they have the right to the financial assistance of the state in the amount of € 367 per month per an adult. The size of the child allowance depends on age (under 6 years – € 249, from 6 to 17 – € 326, adults under 25 living with parents – € 294) (Deutsche Welle, 2022a). Free German courses are organized for Ukrainians. Pupils and students have a chance to continue their studies in Germany. The main problems here are the deficit of accommodation, especially in large cities, and far too high rent. Obviously, temporary stay facilities (e.g., school gyms) do not have needed conveniences. Therefore, the Wunderflats platform offering free accommodation or discounts for Ukrainians was created. Moreover, there is an opportunity to get social housing compensated by the state.

EU provides financial and logistical assistance to Poland and Romania, which host the largest number of Ukrainians, same as to Moldova. Several EU countries and Norway previously offered to welcome 14,500 Ukrainian refugees from Moldova. Other countries will prepare additional sites they can move to (Deutsche Welle, 2022b).

A particular burden parameter formed based on the data on displaced persons from Ukraine, the total number of refugees, and the ratio of these parameters to the population is planned for introduction (Natsionalnyi Instytut stratehichnykh doslidzhen, 2022). Meanwhile, Poland and Germany call for a more distinct solidarity scheme, in particular for allocation of a fixed amount of funds from the EU to the hosting country for each accommodated refugee.

The system of quotas for the redistribution of refugees between the EU countries will not work since Ukrainians have the right to stay 90 days in the EU under a visa-free regime, and they can choose any country they want to stay in. Experts' calculations confirmed by the data of mobile operators allow arguing that the third part of Ukrainians having crossed the Polish border do not stay in the country but head to other states (Mind, op.cit.). To facilitate their movement, a decision was made to reinforce the coordination of transport connections and cooperation with Great Britain, the USA, and Canada.

Moreover, European Union has already launched the solidarity platform where each country provides information on how many refugees from Ukraine it can take. Namely, the information includes accommodation for a longer stay of Ukrainians in the EU. EU home affairs ministers agreed to create an index that would help unload the countries hosting most people. The index should contain the following data: how many displaced from Ukraine are in each EU country, how many refugees are in total from all over the world, and how these figures correlate with the population there. The information on the state of affairs should be updated regularly (Deutsche Welle, 2022b).

European Union is also developing an action plan to prevent the exploitation of Ukrainian refugees by criminal groups. It is of utmost importance since most of them are women and children. Moreover, the ministers agreed to attract Europol and activate the European Interdisciplinary Platform Against Criminal Threats (EMPACT). In such a way, the EU is trying to prevent criminals or people from terrorism databases from entering its territory.

According to Deutsche Welle, EU bodies can potentially use € 17 billion from the pandemic recovery fund and unused funds from the previous seven-year budget period (2014–2020). However, Ylva Johansson, the Commissioner for Home Affairs, doesn't confirm this figure, just mentioning that European Commission is looking for funding opportunities (Deutsche Welle, 2022b).

Conclusions

The research shows that most Ukrainians that have left their Motherland due to war have family members that remain in Ukraine (Mind, op.cit.). On the one hand, it can be an essential incentive for return. Therefore, according to the optimistic scenario, a significant part of people who have left abroad will return to Ukraine after the war ends.

On the other hand, the longer the war continues the more people will leave. Moreover, for many Ukrainian refugees, this time can be enough to arrange their lives abroad. After the martial law is terminated, their husbands that have no right to leave Ukraine currently can join them. Therefore, according to the pessimistic scenario, the end of war can lead to a new powerful wave of international migration generated by the relatives of those who left abroad during the war and those urged by the fear of poverty (which often is the consequence of the after-war economic crisis).

The realization of the optimistic scenario depends on the efficiency and complex nature of measures taken by state and local authorities. Since

220,000 Ukrainians lost their homes due to Russian hostilities, in addition to their gradual restoration, it is necessary to expand the range of housing for temporary residence. Despite the fact that Verhovna Rada of Ukraine has registered the bill on reimbursement of destroyed and damaged housing, its implementation will take time. It is worth noting that the President of Ukraine Volodymyr Zelenskyi has announced before that the World Bank will allocate \$ 4.8 billion to rebuild Ukraine (Bovsunovska, 2022). Meanwhile, social infrastructure needs recovery and modernization as soon as possible (roads, schools, kindergartens, etc.). The mechanisms of returning citizens to Ukraine can be efficient only after these urgent problems are solved. The development of such mechanisms must be based on the results of the sociological monitoring of relevant problems, needs, and intentions of people forced to leave their country. The monitoring also has to determine the relevance and opportunities to develop a circular migration model. Meanwhile, there is a need for an active awareness-raising campaign to form the citizens' understanding and recognition of their importance and the significance of their contribution to the processes of the country's recovery.

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Integration Policy of Immigrants With Particular Emphasis on Ukrainian Children in Poland

Abstract

Migrations have accompanied humankind for hundreds of years. The journeys made to “pursue bread” as the Polish put it, have been ingrained in historical and social processes taking place on both regional and global scales. Decisions to relocate are frequently underpinned by economic reasons, but political, religious, social or climatic reasons can also be factors. These decisions are taken by adults, but their scope and effects also extend to children. The challenges that these children face come in the form of problems with adaptation, education, and the priority of values, oftentimes – loneliness, a lack of close relations, and a reduced sense of security during their stay in foreign environments. The refugee situation is a specific case and a challenge for children. The aim of this article is to highlight the problem of the integration/assimilation of Ukrainian children in Poland who have arrived here as a result of their parents’ informed migration decisions, as well as those who have ended up here as a consequence of the war that Russia has been waging against Ukraine since 24th February 2022.

Keywords: Migrations, Ukraine, Integration of Children, Assimilation, Ukrainian Refugees

Introduction

The demographic situation in EU countries is, frankly, dreadful. The fertility rate fluctuates at around 1.53 (Eurostat, 2022) while the threshold for generational renewal is 2.1. Europe has two ways out of this demographic trap:

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a/ enacting a pro-family policy, which requires several years to see its effect and involves significant financial outlay. The governments of European countries are reluctant to implement this solution, since the results are not immediate and leave them with nothing to brag about in their subsequent election campaigns. What is more, the family model, dominated nowadays by 2+0, and naturally influenced by a number of factors including that of the economic, social, and mental, would have to be addressed and changed.

b/ migrations, which can play the role of a “lifebuoy”, but only under the condition of a well-prepared adaptation policy of host countries in order to avoid social tensions as a result of the influx of “aliens” in frequently homogeneous societies.

Migrations are a common phenomenon today and their tendency is rising. It is estimated that currently over 200 million people – 3% of the world’s population – live in a country other than where they were born (Zintegrowana, 2022). Should this pace of growth continue, there will exist approximately 400 million migrants in 2050. In addition to purely economic reasons, migrations will occasion due to extreme climate changes (such as droughts, floods, and typhoons) as well as wars and ethnic conflicts.

Regardless of the push and pull factors, children are among migrants changing their place of residence every single day. And irrespective of whether they are the children of migrants or refugees, they are treated as objects and not as subjects of the events and processes. Their life situation changes through the decisions of adult guardians and children have to live with those decisions’ consequences. Naturally, while considering decisions to migrate, there is room to prepare children for change, to familiarise them with what is to come. The situation is much more complicated when choosing to leave a safe place in the event of a war, persecution or a natural disaster.

Another possible and indeed frequent case is when a child is left in a country under the guardianship of one parent or relatives (usually grandparents). We can then observe the phenomenon of what is known as Euro-orphanhood (Informacje, 2008), which has been broadly covered specialised literature. (Walczak, 2008; Winnicka, 2007; Kozak, 2010). In the context of the social and emotional development of a child, this solution is undesirable since it can cause a number of negative effects such as emotional disorders, longing, loneliness, fear, and, in the long term – dropping-out of school, running away from home, health problems, psychosomatic ailments, aggressive behaviour, committing misdemeanours or, in extreme situations, even felonies.

The adaptation of children in a host society has been analysed in the following article.

Children as Passive Ukrainian Emigrants

The decision to migrate is frequently made by an entire family or a family member in advance after having analysed the advantages and disadvantages of a destination country, taking into account the inherent benefits and losses. If a child takes part in emigration, a responsible parent will try to prepare them for the inevitable change. But the confrontation with the “new” occurs after the arrival. Parental decisions to relocate affect children at different stages of those children’s development and emotional maturity, and sometimes such choices come as an absolute surprise and destroy their safe-haven. They end up in a foreign country, a different society and peers, and have to adapt to these new conditions. Their “adaptation path” will depend to a large extent on the attitude of the host society towards foreigners, the country’s integration policy, the scale of cultural differences or the “migration potential” of a child.

Poland is a country with limited migration experiences. For years, Polish society was considered homogeneous. In the 2011 National Census, 97.09% of the respondents declared Polish nationality (the results for 2021’s census are yet to be released).

Taking into account the needs of the labour market, it is easier to accept in such a society “strangers” with relative cultural affinity. Ukrainians or Belarusians are good examples in Poland’s case.

Pursuant to data from the Office for Foreigners, in December 2021, the number of Ukrainian citizens with valid residence permits in Poland exceeded 300,000. People (Urząd, 2021). The foregoing data does not encompass persons staying in Poland temporarily under visa-free travel or on a visa basis. Data collected from mobile networks in terms of login locations and the language used claimed that over 1.5 million Ukrainian citizens were staying in Poland before the outbreak of the Russian-Ukrainian war (Selectivv, 2021). A significant group of these migrants are children.

Prior to the Russian aggression on Ukraine (24th February 2022), over 100,000 Ukrainian children were studying in Polish schools.

The right to education in a host country is regulated by various legal regulations, both Polish and international (Klaus, 2008).

At the international level, the most important of these regulations are: the Convention for the Protection of Human Rights and Fundamental Freedoms as of 20th March 1952 (Convention, 1952), the International Covenant on Economic, Social and Cultural Rights as of 19th December 1966 (UN General Assembly, 1966), and the Convention on the Rights of the Child as of 20th November 1989 (UN General Assembly, 1989).

The right to education is also outlined in strictly European documents: the Council Directive of the European Communities on the education of the children of migrant workers adopted on 15th July 1977 (Council Directive, 1977), the Charter of Fundamental Rights of the European Union as of 14th December 2007 (Charter of Fundamental Rights, 2007), the European Parliament Resolution on educating the children of migrants as of 2nd April 2009 (European Parliament Resolution, 2009), the Council Conclusions on the education of children with a migrant background as of 26th November 2009 (Council Conclusions on the education, 2009) and the Green Paper of the European Commission “Migration and Mobility: Challenges and Opportunities for EU Community Education Systems” of 3rd July 2008 (Green Paper, 2008).

Polish law, similarly to the legislation of other countries, also regulates access to education for the children of foreigners. This is stated in the Constitution of the Republic of Poland as of 2nd April 1997 (Constitution of the Republic of Poland, 1997) and the Act of 14th December 2016 – Education Law (Ustawa, 2016) and the Regulation of the Minister of National Education of 23rd August 2017 on the education of persons who are not Polish citizens and persons who are Polish citizens, who were educated in schools operating in the education systems of other countries (Rozporządzenie, 2017).

The inclusion of a young person in the Polish education system is not, however, without barriers. Factors such as different former education systems, changing schools, attending schools in different countries, coming from a different cultural or religious background with a different system of values, feeling lonely or insecure in a new society, being misunderstood or simply unable to speak the language should be taken into account. A gradual, consistent overcoming of these barriers may only lead to potential integration success.

There are two models of integration policy in terms of the education of immigrant children in EU Member States. These are, namely, the integration model and the separation model. In line with the first model, children go to school together with children from their host country and are enrolled in classes according to their age or attend lower grades. They take part in additional language classes in order to overcome language barriers. This model applies, *inter alia*, in Ireland, Italy, and Sweden. The separation model involves teaching immigrant children in separate classes until their host country language skills are sufficient enough to enable them to attend lessons in “normal” classes. This model is present, *inter alia*, in Germany, Romania, and the Netherlands (Todorovska-Sokolovska, 2009). There is also a third model considered by researchers to be the optimal model. Pur-

suant to that model, foreign children learn the language of the host country in separate classes, while lessons in which no subject knowledge is required, e.g. physical education, technical or artistic classes, take place together with the students of the host country. This allows for contact with peers from a given country and eliminates integration barriers more quickly.

The selection of the model including migrant children in a host country's education system depends on the migration experience of the country, its developed migration policy and strategy, the readiness of the society and preparation of teaching personnel to the presence and collaboration with "strangers", and, finally, the financial capabilities of the state.

Due to the fact that Poland lacks a migration policy, the existence of one coordinating centre and the migration experiences of Polish society, the tasks related to the adaptation of migrant children rest mainly with non-governmental organisations and local communities.

Cooperation with the environment of migrant children, including their families, is extremely important in the adaptation process. The family, in turn, is in a terribly difficult situation, because it has to re-define its role and authority in a host society. The child naturally feels and experiences the stress of the people who have brought stability and a sense of security to their life and supported them. The question arises; who is to undertake this kind of work and cooperation? The simplest answer that comes to mind is teachers – with their professional knowledge, pedagogical preparation, and empathy for young people whom they are to co-educate.

In order to provide tangible help to a migrant child, the teacher should try to obtain any necessary information about the student, i.e.: – where they come from, what their family situation is, and how long the family wants to stay in Poland. The teacher should also prepare Polish students in the classroom for the presence of a new, possibly slightly "different" member of the school community, showing the advantages of this difference and the need for tolerance. In the educational process, the teacher should not discourage the student by overly criticising their achievements, but should rather appreciate the effort made and, at the same time, try not to alienate Polish students by being too lenient towards their Ukrainian counterparts. First and foremost, the teacher should provide linguistic support to such students so that they can take full advantage of the educational offer as soon as possible. Parents of a foreign student should also be involved in the adaptation process, be engaged in school life and work on their sense of belonging to the school community. What is also important is to involve parents of Polish students in this process – to tame their fears of the foreigners' "otherness", and to prepare them for conversations and discussions with their own children.

The inclusion and integration of foreign children into the Polish school system require financial support. The system of financing education in Poland without the “burden” of migrant children already shows serious shortcomings. Finding funds for additional language classes and remedial classes ensures the encounter of serious difficulties, both at the ministerial and local levels. Such deficiencies are frequently “patched up” with support from EU projects but these, however, are characterised by temporality and changing priorities, which, as a consequence, leads to the discontinuity of undertaken actions. This is the case, for example, with the engagement of cultural assistants to help foreign children. The problem, however, is that a school that applies for and obtains financial support for the employment of such assistants (because not all schools requiring such support receive it) may benefit from the programme itself for a year or two, until the end of the said project. But the problem of migrant students’ presence does not disappear after this time, so we face a lack of continuity in the adaptation process. The same applies to assistance provided to Polish language teaching or other integration activities.

Assistance, both linguistic and integrative, provided by Polish educational authorities or state structures is extremely limited. It rests principally on NGO’s and local government institutions.

Refugee Children From Ukraine Following Russia’s Aggression on 24 February 2022

Pursuant to data from the Border Guard, over 3.2 million refugees from Ukraine, mainly women and children, have crossed the Polish-Ukrainian border since 24th February, the day of the commencement of Russia’s aggression against Ukraine (Rzeczpospolita, 2022). The number of children without guardianship or under the guardianship of “not parents” (e.g. siblings) is relatively high. The threat of war has forced entire orphanages with their guardians to be evacuated from Ukraine.

According to UNICEF Spokesperson James Elder, 55 children *a minute* have fled their country since the beginning of the war in Ukraine. This means that one child becomes a refugee almost every second. Over 1.5 million of Ukraine’s youngest people have fled the country. In other words, in Ukraine, on average, more than 75,000 children have become refugees every day since the outbreak of the war (Malinowski, 2022).

The Deputy Director General of UNICEF Poland, Renata Bem, calculates that children constitute more than half of the Ukrainian refugees in Poland. In the official registers, however, maintained by the government, there are about 900,000 of them (Bem, 2022).

The Minister of Education and Science, Przemysław Czarnek, during a meeting in a school on 25th April 2022, provided the number of 190,000 Ukrainian children he said were included in the Polish education system (Lemaniak, 2022). This number, however, in the context of the data presented above, means that the majority of Ukrainian children still remain outside the Polish education system.

The situation of refugee children is, in some respects, similar to that of migrant children discussed above, but there are a number of issues that require the situation to be analysed separately.

The significant difference is the uncertainty regarding how long Ukrainian children will be included in the Polish education system. Some families have already stated that they definitely want to return to their homes in Ukraine once the war is over (but how long will the war last?), some are looking for residence in other EU countries or Canada, where there is a large Ukrainian diaspora, and some have declared their intention to stay in Poland. Nowadays, it can be perceived in terms of the social and financial burden, but when we account for the demographic situation in Poland, it can be seen as an opportunity to tap into the constantly growing labour market in the future – after all, it is mainly young women with children who arrive.

The most important task is, following the time that should be given to a child to “overcome” the experiences of fleeing war, to include them in the world of their peers and create the foundations of normality.

Parents/family are extremely important in the life of refugee children. They create their immediate environment and a sense of security and it is they who should be the starting point for building a new world for such children by engaging them in school life, decision-making processes, as well as social activities, and not only approaching them in crisis situations. After all, they are the ones who know their children best; their potential, strengths, and weaknesses, as well as ways of reaching them.

Similarly to migrant children, the model of educational adaptation of refugee children is of significant importance. Such children may be included in the Polish education system - but this requires an expansion of schools and the employment of more teachers, as discussed in the subsequent part of the article, or they should remain in the Ukrainian education system, e.g., in the form of distanced learning – which also requires some assistance, namely technical and in the form of accommodation and the supply of equipment.

Their inclusion in the Polish education system, promoted by Polish Minister of Education and Science Przemysław Czarnek, may occasion in the form of “normal” or “preparatory” classes. An individual education

programme, as practiced in some countries, is undoubtedly characterised by a more intense learning of the language of the host country, but also involves a lengthy separation of these children (usually 12–24 months) from their local peers. Therefore, an adequate assessment of the transition moment to joint classes seems indispensable as well as defining “bridges” connecting these children with the rest of the school during the transition period in order to prevent such isolation.

According to preliminary estimates, about 90% of enrolled Ukrainian students ended up in classes with Polish students, with the remaining 10% ending up in preparatory classes. Preparatory classes are where students follow the Polish core curriculum, but also learn Polish. Until recently, there could be up to 15 students in such classes. This number has lately increased to 25 persons.

Contrary to what Minister Czarnek says, Ukrainian students enrolled in Polish classes do not speak Polish. These are Ukrainian and Russian-speaking students, which constitutes a great challenge for the teachers conducting classes. How is one to communicate with a student who does not speak Polish? How does one work with a child who often does not want to be here? The former Minister of Education, Anna Zalewska, assured her audience in one of her interviews that approximately 12 thousand teachers already know Ukrainian or Russian. However, according to data from Statistics Poland (GUS), there are over half a million teachers in Poland. 4.5 million Polish students are covered by the education system. If you want to add even half of the 700,000-900,000 Ukrainian children to the system, these 12 thousand teachers would merely be sufficient for a large city, not the entire education system.

According to expert estimates, if 10,000 new children arrive in a city, 10 new schools and 500 new teachers should materialise so as to accommodate them.

According to a Union of Polish Metropolises (UMP) report, the following number of children have arrived in the following Polish metropolises:

Having analysed these numbers, the question arises regarding possible solutions to the problem. It is impossible to include a significant number of children in the existing school system, with a specific housing infrastructure and teaching staff, without increasing the size of the classes. In public discussions, however, claims as regards the deterioration of education quality for Polish children emerged. The leading voice belongs to the Minister of Education and Science, Przemysław Czarnek: “Multiplying challenges for the education system (...) is, to say the least, an irresponsible action. It will cause harm not only to Polish citizens who

Table 1. The Number of Children That Have Arrived in Polish Cities (Status as of 1st April 2022)

City	Number of Ukrainian children
Gdańsk	38,122
Katowice	18,998
Kraków	42,701
Lublin	16,866
Poznań	14,158
Rzeszów	30,802
Warsaw	63,259
Wrocław	42,090

Source: Report on Ukrainian refugees in Polish cities, Union of Polish Metropolises (UMP), <https://metropolie.pl/arttykul/raport-miejaska-goscinnosc-wielki-wzrost-wyzwania-i-szansy>, status as on 1 April 2022.

have the right to quality education and refugee children faced with unfulfilled challenges, but also to the image of Poland as a country helping refugees fleeing a humanitarian catastrophe” (Pacewicz, 2022). The words of the former Minister of Education, Anna Zalewska, reverberate similarly: “Polish parents would not forgive us if we destroyed their children’s education system” (Suchecka, 2022). These voices in Polish society with xenophobic tendencies may intensify with time and with the increase of financial expenditures related to helping refugees.

As has already been highlighted hereinabove, one solution to the conundrum of educating Ukrainian children who have arrived in Poland since the outbreak of the war in Ukraine is their remote participation in classes conducted at first by schools in their country, then centrally by the Ukrainian Ministry of Education. The Ukrainian Ministry of Education and Science launched a special platform on 14th March which enabled Ukrainian students to continue their education, participate in real-time lessons and use digital textbooks, films, and educational materials. This will allow a number of students to complete their education in line with their home education system in this academic year. To facilitate that, however, Poland is required to provide equipment, infrastructure, and technical support. In situations where education takes place only from home, it means no contact with peers, staying in accommodation of varying quality, and sometimes results in the inadvertent immersing of oneself in the war-related trauma of one’s homeland. Due to the circumstances, the majority of the refugee children have been forced to make use of remote education this school year in accordance with the Ukrainian curriculum (according to the Ministry of Education and Science estimates, this in-

volves as many as up to 500,000 children). It is vital that such solutions are only temporary and that the perspective for the future is brighter and well prepared.

Conclusions

Countries wherein large groups of refugees, including children, arrive face a number of challenges to avoid situations of conflict, aggression, and social exclusion in the future. The event that gives rise to a refugee exodus usually happens all of a sudden and finds governments mostly unprepared and which struggle to cope with it. It is therefore crucial to effectively consult local governments, schools, parents and, without doubt, non-governmental organisations involved in helping and protecting human rights even in non-crisis conditions. Their activities, however, cannot be based solely on project funding, because, as emphasised before, this does not allow for the continuity of the undertaken integration activities, and thus significantly reduces their effectiveness. It is also in the interest of the educational authorities of host countries to establish educational paths that meet the individual needs of students and to support the teachers who encounter these “alien” students first.

What seems to be extremely important in the integration process of refugee children, and especially in their adapting to the new reality, even for a limited period of time, is to prevent long breaks in the educational process. Leaving home, interacting with peers, focusing attention on something other than the traumatic past left behind can play a vital role in a child’s life. It is difficult to learn, say, maths when, for instance, two weeks ago you were sitting in a Kharkiv shelter during the shelling of the city.

It would be by all means extremely desirable to provide children with psychological counselling, but the situation in Poland in this respect is alarming even for Polish children, and the isolation caused by COVID-19 has significantly exacerbated it in recent years. Nowadays, the problem is even greater since several hundred thousand people with traumatic experiences have come to Poland. War trauma may lead to isolation, withdrawal, apathy, along with frustration and aggressive behaviour. The Ministry of Education and Science strongly emphasises that psychological and pedagogical help should be provided, but these are merely declarations. Without actioned financial and professional support, it will never take a tangible form.

In crisis situations, just like the one in Poland following the influx of a large number of refugees, it is vital to work with society. People who have

direct contact with refugees (officials, teachers, schoolchildren, and local communities) should receive particular support and accelerated training in multicultural education and tolerance for “aliens”. This problem was neglected in the social consciousness, because there were allegedly no “aliens” in Poland and we did not want there to be. The media can play a crucial role here, provided that the channels and content of the message are set up correctly.

The challenges related to the influx of refugees raise questions regarding the need for systemic solutions, since no one is capable of assessing the course of future events.

Is there a lack of a top-down regulatory system in terms of education? It seems that what is actually missing is the exact opposite. Now it is time for the Ministry of Education and Science (MEiN) to withdraw from any attempts to centrally control and counteract various problems. What is required is a clear and precise legal framework and financial support established in collaboration with experts. The best help is when it is provided quickly and on the ground there and then. It is also cheaper to do something at the rural or county level than to manage a crisis centrally.

No temporary measures should be taken in terms of education (similarly to areas such as housing or health care), because such makeshift solutions last the longest and are difficult to eradicate. Additionally, some refugee children and their parents will stay in Poland and will therefore remain in public systems.

The inclusion of migrants/refugees in the decision-making and advisory processes related to them is essential and extremely helpful in the integration processes. This allows for a better and more prompt diagnosis of problems, their comprehension, and the minimising of their negative consequences. This is especially pertinent in a situation when a city’s population increases by over a dozen percent. It will inevitably affect the labour market, apartment rental prices, and the quality and availability of services (public transport, care, educational and medical services). And this may cause aversion to newcomers and instigate social protests, even in Polish society that is extremely amicable, benevolent, and open today.

The head of the Ministry of Education, Przemysław Czarnek, says that he “is a born optimist” and believes that children from Ukraine will soon return to their homes. But faith will not solve all the problems. The MEiN is responsible for 4.5 million young Poles, and now it will have to extend this responsibility to an additional 700,000–900,000 Ukrainian children. According to the MEiN, 47 students from Ukraine have declared their willingness to take the Polish secondary school-leaving examination (the so-called “matura” exam), and 9,000 young people in Poland will take the

Ukrainian secondary school-leaving examination this summer. The exam will take place at six universities indicated by MEiN, and the Polish government co-finances its organisation. It is an unprecedented event in the history of Polish education, but it also addresses the needs of Ukrainian students. Seven thousand Ukrainian students have declared their willingness to take the eighth-grade exam (taken at the end of primary school) in Poland. They were provided with some benefits, including mathematics tasks translated into Ukrainian and extended time to complete the Polish language exam, which, however, sounds rather odd.

Conversations with our Ukrainian friends frequently revolve around a question whether we want to Polishise Ukrainian children, which echo historical Polish-Ukrainian animosities. One would demand/request that no burden is transferred to children and no demons are awoken, especially for the purpose of building political capital of dubious quality. Let us not create a fiction of parallel education, segregation, aversion, of pretence. Children of Polish migrants in Germany or Great Britain are included in the local education systems, provided with support when needed and are able to adapt to new conditions, provided we, as adults, do not complicate it and treat it as natural. It is crucial to ensure that Ukrainian children do not lose their cultural and national identity since it is their identity that will constitute their strength and create positive social attitudes also in the host society. Such institutions as Saturday schools, established by embassies, friendship societies, NGO's or churches should play a supporting role here. Integration is not assimilation.

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A Theoretical Modelling of International Migration on the Explanation of the Nature and Motives of Labour Migrants From Ukraine to Poland

Abstract

This article considers the concepts and theories of international migration which answer questions about the current trends of migration flows. Particular emphasis has been placed on the transformation of established perceptions of women's migration as, under the influence of globalisation in the modern system of international coordinates, there is a trend that is interpreted as the "feminisation" of international migration. Designing theories and concepts of international migration on an explanation of the motives and specifics of the adaptation of Ukrainian labour migrants in Poland offers a basis upon which to argue that each of them is appropriate for application. In addition, a theoretical modelling of migration policy has been presented. In practice, national governments use such models of migration policy as: the complete exclusion of immigration into a country or profess a "closed-door policy", differentiated exclusion/segregation, integration as a gradual and weaker form of assimilation, the so-called "selective policy", and the assimilation, multicultural or "open-door policy". Future scenarios for the modelling of migration flows represented by leading international organisations

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have been designed. The multidimensional MIPEX Index, according to which Poland's policy on migrants is assessed as "equality on paper", is lower than the EU average, and, with a score of an estimated 40 points out of a possible 100, has been used to assess the trends of modern migration policy of the Republic of Poland. The new migration model of Poland leans towards a model of a differentiated integration of migrants rather than a multicultural policy or assimilation. It has been concluded that migration policy should be based on the principle of "tripartism"/scenarios (the 'win-win-win' concept) and benefit the donor state, the recipient state, and the migrants themselves.

Keywords: Migration, Concepts of Migration, Models of Migration, MIPEX Index, Labour Migration, Poland, Ukraine

The problem of regulating migration flows in the modern system of international coordinates occupies one of the leading places in international politics, especially in the context of globalisation. Migration issues are studied from different angles, and, as the problem of migration has an interdisciplinary dimension, it contains a basic, political, economic, social, cultural, and environmental focus. The problem of migration is dynamic, because a set of exogenous and endogenous factors permanently influence the circulation of migration flows.

Today, the world is facing an unprecedented phenomenon, namely the COVID-19 pandemic, which has undoubtedly foisted significant changes upon all areas of human life, including trends in migration flows. Observing the situation with migration in Ukraine, gives us reason to assert the fact that both before and in the post-Coronavirus period, the outflow of the Ukrainian working population cannot be stopped, because the key motive for this outflow is economic in its nature. As long as there is a significant difference in wages, migration flows from Ukraine to neighbouring countries (and not only) where wages are significantly higher, will continue. Of all the countries, the largest share of labour migrants from Ukraine is concentrated in Poland. According to unofficial estimates (since migrants can be legal/illegal), this is about from 1.3 million to 1.7 million Ukrainians in the neighbouring country.

The attractiveness of Poland for labour migrants from Ukraine is explained by a number of factors, among which are: the development of migration networks; the wage gap between Ukraine and Poland; its geographical location, access to the Polish market, especially the informal sector; linguistic and cultural affinities; geographical proximity and, in part, safety in the workplace and safety in the vicinity.

The study is also actualised by the fact that the territorial representation of Ukrainian workers in Poland has changed due to the aggression of the Russian Federation in eastern Ukraine in 2014. Therefore, the projection of existing concepts and models, forecasts of international migration and their application on an explanation of the motives and problems of adaptation of Ukrainian labour migrants in its eastern neighbouring country is, in our opinion, appropriate.

The Projection of Concepts of International Migration on the Explanation of the Nature and Motives of Ukrainian Labour Migration to Poland

Referring to the etymology and interpretation of the term “migration”, it should be noted that it was introduced into scientific use for the first time by German scientist, geographer and cartographer, and pioneer of migration research – Ernst Ravenstein. In his scientific exploration “The Laws of Migration”, the researcher defines migration as a continuous process caused by factors that he represents in four groups: the migrant’s initial place of residence; the stage of their movement; the place of entry; and personal factors (Bezuhlyi, 2018, p. 2).

We subscribe to the idea that voluntary migration is the movement of people at will, and is caused by personal reasons. One of the types of such migration is actually labour migration (Sokołowicz, Lishchynskyy, 2018). The term ‘labour migration’ appeared in 1990 in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Convention fixes the definition of labour migration, namely: a migrant worker is a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national (United Nations, 1990, paragraph 1, Article 2). Thus, labour migration is the relocation of the working population from some states to others, caused by, *inter alia*, economic reasons. Labour migration is due to the uneven distribution of labour resources in regions and countries, as well as the desire of people to do easier work and receive higher salaries. Today there are two types of labour migration: low-skilled labour from developing countries to developed countries and highly qualified professionals – the so-called professionals’ migration, or “brain-drain” (Kirian, 2013, p. 56).

Theories of migration can be conditionally classified into two groups, those that study processes at the micro level, the focus of their research – the root causes of migration, and those that focus on the macro level, where the centre of attention is society as a whole, a state, a world com-

munity, and relations between the subjects of world economy and politics (Ryndzak, 2015, p. 79).

The theoretical and methodological base of concepts of migration developed in various ways today offers a foundation to the claim that the most attractive element for the assessment of migratory sentiments of society, in our opinion, is the concept of push and pull factors (Nosek, 2018, p. 23), which has been presented and finalised by researcher Everett Lee. Migration is interpreted as a function of the relative attractiveness of sending countries and countries of entry, and the presence of barriers is interpreted as a restriction of migration processes. According to Everett Lee's migration model, a push is a factor that motivates people to leave places. A push occurs under the influence of economic, cultural, and environmental factors. Within these three groups of factors, there are many conditions that can motivate a push. Among the most notable are "limited capacity", discrimination, war, and the loss of wealth, among others. The factor that motivates people to move to a new place – a pull, similar to a push factor, is divided into economic, cultural, and environmental factors. That is, among the factors prevailing are: employment opportunities, improving living conditions, social security, and an attractive climate. According to Everett Lee, all migration factors can be divided into four groups: 1, factors associated with an area of origin; 2, factors associated with an area of destination; 3, intervening obstacles; and 4, personal factors (Novosad, 2020, p. 18).

To this day, there are active discussions in the scientific community about the priority of existing strategies for adapting migrants to new conditions. There is no single correct one, and so therefore, they are classified differently.

Given that the focus of our study is the problem of the adaptation of Ukrainian labour migrants, then the strategy of adaptation (*acculturation*) presented by John Berry (Nosek, 2018, p. 39) seems appropriate here. Among the strategies of acculturation, the researcher distinguishes integration, assimilation, separation, and marginalisation. At the core of migrant adaptation strategies, John Berry sees two dimensions/aspirations – to maintain their former culture and accept a new one (Hirnyk, 2014).

Acculturation is interpreted as the process of direct and long-term contact between people from different cultures. Thus, according to accepted approaches, assimilation is defined as a variant of acculturation in which the immigrant has fully identified with a new culture. Quite often this is accompanied by a denial of the culture to which the migrant belongs. Separation is understood as a complete denial of a "new culture" or

a culture of the majority and maintaining a commitment to their culture. Provided that the migrant does not identify himself or herself neither with the culture of the majority, nor with the culture of the minority, then ethnocultural marginalisation is coming (Blynova, 2016).

A harmonious process is multiculturalism, which involves the integration of the migrant, their identification with both their own and a new culture. Thus, preserving ethnic identity helps to overcome the consequences of “culture shock” and maintain positive self-identification. Integration can achieve a positive effect only under the condition of mutual adaptation, which provides for the acceptance of the right for each group to live as culturally unique peoples. In this way, the end point of acculturation is adaptation, including that of the social and cultural, psychological, and economic (Blynova, op.cit.).

The process of adaptation in another environment with different cultural characteristics depends on the following factors: firstly, there is the degree of similarity or difference between cultures. In order to assess/determine the degree itself, various indices of cultural distance (cultural dimensions), which include language, religion, family structure, climate, and food and clothes are used. Secondly, there are the features of the culture from where the migrant comes – a knowledge of cultural code; and thirdly, the specifics of the recipient country, mainly the way in which the “host party” exerts an acculturational influence on the “visitors” (Novosad, op.cit., pp. 21–22).

In the process of adaptation, labour migrants in a destination country accept certain things immediately and easily, and they also have to put up with other things, but, to a greater extent, they feel the “transition shock” (Kalervo Oberg) (Novosad, op.cit.). “Culture shock” is interpreted as meaning that entering a new culture is permanently accompanied by the loss of friends and status, along with neglect, surprise, and discomfort during the realisation of differences between cultures, and confusion in value orientation and personal identity.

Modernity is characterised by many transnational ties under the influence of globalisation, and therefore quite often leads to transformation in various spheres of public life, and hence to significant transformations of currently known theoretical concepts. One such transformation was the departure from the classical understanding of migration as the phenomenon of a unilateral flow of people from a sending country to a recipient country.

Instead of categories, researchers of emigration and immigration more often began to use the concept of “transmigration or transnational migration” (Jaskułowski, Pawlak, 2016, p. 138), which implies the procedural,

relational nature and dynamics of the phenomenon of migration. The transnational perspective assumes that migrants connect the spaces of two nation-states, which can no longer exist as separate political units, but as a common field of activity, such as that of the social, cultural, economic, and political. Thus, Luis Guarnizo, referring to the thoughts of Pierre Bourdieu, offers a *transnational* concept that defines a “set of dualistic dispositions” of migrants (Jaskułowski, Pawlak, op.cit.).

The transnational concept provides a migrant’s “reaction” or “response” to their migration situation in which “traditional families become transnational and multilocal families” (Jaskułowski, Pawlak, op.cit.).

A notable entity in the study of migration is also The Hypothesis of the Mobility Transition, the creator of which is considered to be Wilbur Zelinsky (Synkovets, 2016). The innovative approach of Mr Zelinsky (Skeldon, 2012) is determined by the fact that he took the role of globalisation in changes in international migration into account, and considered migration processes from a structural-dynamics perspective and in connection with other dynamic processes, both demographic and socio-economic, including: economic growth, transport development, the formation of new channels of information transmission, increasing (or decreasing) economic opportunities, and increasing the welfare of the population as a condition for the formation of migration intentions.

In 1987, József Böröcz, an economist in the theory of relative difference known as the “Relative Inequality Theory of Migration”, grouped migrants by dividing them to “positive” and “negative” (Synkovets, op.cit., p. 14). Depending on the relative difference between countries that send and receive labour, some migrants are more skilled and motivated than the indigenous population, and it also applies to the US population (a “positive” migrant group), while others are less skilled or motivated (a “negative” group).

In view of this, mobility is evaluated as a positive when it comes to tourist businessmen, “highly skilled” migrants, and migrant knowledge, while others are seen as a negative (Jaskułowski, Pawlak, op.cit.) – for example, “illegal” migrants, refugees, and “low-skilled migrants”.

The theory of “social networks” (Piché, 2013) is also attractive in the context of related migration research. This concept has been actualised simultaneously with the growing importance of globalisation processes in the lives of migrants, and is used along with the concept of “chain migration”/the concept of “migration network”. The main message of the theory of migration networks was to answer the question of the duration of migration. Migration networks are a set of interconnections connecting migrants (arrived, experienced), returned migrants, and non-migrants, the

scope of which covers both the recipient country and the donor country. Kinship, friendship, and joint ownership play a key role here. According to many researchers, these are the bonds that make up the migration networks, explaining the transfer of funds and resources to migrants' countries of origin. In contrast to neoclassical theories – those focused mainly on the individualism and specificity of migrants – research has focused on the context of “affiliation” and “community”, which is the result of a relationship such as family or friendship. The theory of social networks, or “Network Theory” (Synkovets, 2016, p. 13) at the micro level explains the links between participants and their influence on the decision to migrate to another country, often combining individual migrants with their families and jobs before and after a change of residence. Sharing information and building strong relationships is the foundation on which the migration network is built. It is often the case that communities of former migrants help their compatriots find work and adapt to new living conditions.

Since the main motive for migration is the economic factor, economic theories on the study of migration flows should not be overlooked. Among economic theories, the “dual labour market theory” (Jaskułowski, Pawlak, op.cit.), developed by British economist Arthur William Lewis in 1954, in an article entitled “Economic Development with Unlimited Supplies of Labour”, stands out. An important consequence of neoclassical theory is the thesis that in the long run, as a result of changes in the supply and demand of labour in sending and receiving countries, the main reason for migration was primarily the difference in wages.

Experts consider that the most popular theory for studying the issues of international migration today is the “theory of the neoclassical economic approach”, which focuses on the study of “human capital mode” (Verbovyi, 2011, p. 3), and treats the phenomenon of labour migration as a result of economic development. The main factor in migration is the receiving of high wages, which is a key push factor in the recipient countries where the migrant worker comes from and, accordingly, a pull factor in the donor countries. The point is that a labour migrant has the opportunity to calculate all the necessary costs, including transport, accommodation, the issue of adapting to a new place, and the inherent psychological burden. This theory has two dimensions, namely those of the micro and macro. At the micro level, the theory summarises that a migrant goes abroad to improve his or her standard of living, in the hope that their income will outweigh their costs. Then there is the macro level – wherein the demand for labour of certain qualifications exceeds supply. Thus, migration flows, in theory, are mainly directed from less developed countries

with a surplus of (low-paid) labour to more developed countries with limited labour and high wages. As long as there is a significant difference in wages, migration flows will continue.

A prominent place among the theories of international migration is occupied by Verbovyi's "Institutional Approach" theory (Verbovyi, 2011, p. 4), which is aimed at studying the migratory behaviour of a population which is formed with the full support of various governmental and non-governmental organisations, law firms, social services, humanitarian organisations, mafia structures etc. The level of support from these structures will have a direct, proportional effect on the share of migration. Such firms and organisations have providing assistance to workers as their main goal, but, of course, not without benefit to themselves. Among the range of services offered, there are also those of an illegal nature, such as the facilitating of illegal border crossing, fake marriages, the forgery of documents and visas, etc. International statistics show that these types of firms and organisations are key supply channels for migrants.

Gender aspects have not been the focus of research in migration theories for a long time. However, today, this area is considered to be key among researchers. The origins of research on gender aspects in migration are associated primarily with the intensification of the feminist movement in the 1960s.

The traditional portrait of labour migrants is usually of men, due to the assumption that women are their dependants. However, according to Ernst Ravenstein's "migration laws", women are actually more prone to migrate. This is confirmed by statistics which have recorded the share of women in the structure of international migration at the level of 50% (Oishi, 2002).

Modern foreign researchers, such as M. Abraham, K. Aspurgand, and T. Hinz (Abraham, Aspurgand, Hinz, 2010) argue that the state plays a decisive role in shaping international models of female migration. The migration policies of the countries are different; there are those that do not restrict the migration of men, but restrict or even prohibit the migration of women. The emigration policy of the countries explains the basic laws of female migration, and the key factor at the level of the agent is the autonomy of migrant women. Researchers hypothesise that for the large-scale migration of women, they must have greater autonomy and decision-making power in the household.

Based on their research, scientists deduce the patterns of international migration of women through three levels of analysis by the "sender": (1) the state; (2) individuals; and (3) society (Abraham, Aspurgand, Ginz, op.cit.). At the state level, emigration policy treats men and women dif-

ferently. Because women are not a valuable workforce, but rather a neutral one, and are symbols of national dignity and pride, governments usually pursue a protective and restrictive policy on female emigration.

Such current trends as globalisation and technological progress have changed social perceptions of women's employment and their independent departure from their own communities. The growing demand for female labour is gradually changing the traditional established norms that previously limited women's mobility. The mechanism of international migration of women is extremely complex, and therefore requires an "integrated approach" with different levels of analysis (Abraham, Aspurgand, Ginz, op.cit.).

One of the newest theories developed by the International Union for the Scientific Study of Population (IUSSP) is the "Synthetic Theory of International Migration" (Synkovets, op.cit., pp. 15–16). The analysis covers six theories, namely: neoclassical theory, the new economic theory of labour migration, the dual labour market theory, the world systems theory, the social capital theory, and the theory of aggregate causality.

The International Union for the Scientific Study of Population defines international migration as the result of social, economic, and political transformations, accompanied by the spread of capitalist market relations to pre-market and non-market societies (as follows from the „hypothesis of world systems" theory). The study shows that migrants do not come from poor, isolated places that are cut off from world markets, but from those regions and countries that are experiencing a phase of rapid change due to their inclusion in the global trade, information, and production network. So, we can summarise that international migration is not the result of insufficient market development, but to the contrary; it is the result of the development of the markets themselves.

A similar view is held by Douglas Massey (Castles, Miller, 2011), who laid the foundation for building an accurate and comprehensive international migration theory for the 21st century. The researcher concluded that international migration is not the result of insufficient market development, but the development of the markets themselves. In addition, he argues that the study of international migration is often carried out within the framework of two separate branches of the social science. The first one is aimed at the causes, course, types, and consequences of migration, and the second one focuses on methods of adaptation in host societies.

Modern Ukrainian researcher Kristina Novosad notes that Douglas Massey, in his scientific exploration on international migration, focuses more on international migrants, who belong to the category of migrants "searching for opportunities", but omits two other categories of migrants, such as: "migrants of survival" and "migrants of persecution"

(Novosad, op.cit., p. 4). The researcher states the fact that labour migrants from Ukraine and other developing countries belong to all three categories of migrants. Labour migration, that which is undertaken in order to increase earnings and improve living standards, must be distinguished from migration as an escape from poverty and unemployment. Recently, the number of migrants trying to avoid outright violence, persecution, and/or military conflict has increased.

Theoretical Modelling of Migration Policy: Demonstrative Practices of Their Application

In the Sustainable Development Goals (SDGs) adopted in 2015, UN Member States have committed themselves to promoting, by 2030, an “orderly, safe and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” (UN, 2015) (Migration data portal, 2020b).

It is clear that there is no universal definition of migration policy in scientific literature. However, we rely on the approach presented by the International Organization for Migration (IOM), whose glossary in 2019 states that “migration policy is a set of legal norms, laws and regulations, as well as organizational structures (subnational, national, regional and international) and processes that shape and regulate states’ approaches to migration in all its forms, guarantee rights and responsibilities and are designed to promote international cooperation” (Migration data portal, 2020b).

In the practice of migration policy, national governments are guided by three key strategies. Among these strategies are the following: firstly, there is the “closed-door” policy, aimed at curbing the influx of migrants; secondly, there is the “open-door” policy, which is the complete opposite of the previous policy and aims to stimulate immigration and countries to develop approaches to their resettlement and adaptation; and thirdly, a “selective strategy” aimed at state regulation of migration flows, taking into account the situation on the labour market and demographic situation. It is worth noting that states are increasingly using a selective migration policy strategy (Rovenchak, 2010).

Accordingly, countries, taking into account the historical, cultural, social, and mental characteristics of their societies and the situation on the labour market, including the demographic situation, choose for themselves the most favourable model of migration policy. The most studied and well-known models are five in number, the first one being – *the complete exclusion of immigration into a country*; the second – *differentiated exclusion or segregation*; the third – *integration as a gradual and weaker form*

of assimilation; the fourth – *assimilation*; and, finally, the fifth one – the *multicultural migration policy*.

We consider it expedient to dwell on the characteristics of each of these migration models which are inherent in the states.

Thus, the first model assumes that the state refuses to accept immigrants, and thereby solves the problems of ethnocultural separation and conflict. Practically, in the context of globalisation, this type of model is no longer implemented by countries. In addition, the prohibition of legal immigration leads to an increase in the number of illegal migrants, which is a reason for the growing number of criminal problems, such as: a lack of opportunity of legal employment which transfers their activity into the criminal sphere, and a lack of civil rights which automatically transforms migrants into objects of criminal encroachments (Korolevska, 2019).

The key feature of the second model – “differential exclusion or segregation” – is mainly aimed only at the temporary entry of migrants into a country, if their permanent stay in the recipient country is treated as a threat.

This model provides for the temporary inclusion of immigrants in certain subsystems of society (the labour market), but exclusion from other spheres of social life (political life, social security, and citizenship). Ultimately, the implementation of the migration model of “segregation” in destination countries inevitably leads to discrimination.

The third model of migration policy is integration as a gradual and weaker form of assimilation. At the same time, the goal remains to completely eliminate ethnocultural differences, and to absorb the culture of immigrants by the dominant culture in the recipient society.

The main motive for the implementation of the fourth model of assimilation by countries involves the inclusion of migrants in the recipient country’s society on the basis of a unilateral process of changing linguistic, cultural, and social characteristics. Segregation is one of the mechanisms that motivate migrants to assimilate. An alternative is clearly emerging for the migrant; the choice of ethnocultural identity and segregation, or, the loss of ethnocultural identity and full inclusion in the host society (Korolevska, op.cit.).

And, accordingly, the fifth one, the “multicultural” model, is based on the recognition of the presence in society of different ethnic groups and the need to manage their relationships, the focus of which is to ensure not only migrant, but indigenous population equality in all areas while preserving the migrants’ native culture. Such model of migration policy is based on anti-discrimination, legal norms, an equal opportunities policy, and is distinguished by the rapid granting of full political and civil rights to migrants.

It is worthwhile, in our opinion, to represent the levels of assimilation, which have been distinguished by the Western researcher Hartmut Esser. The scientist identifies cultural assimilation (knowledge, skills, language); structural assimilation (approval in education and in the labour market); social assimilation (network of relationships, marital behaviour); and emotional assimilation (identification dictated by feelings) (Hokkhan, 2016).

Obviously, integration is impossible without some degree of assimilation. Under the influence of globalisation, societies/civilisations choose their own vector of regulation of “immigration expansion” (“assimilation, differential exclusion, multiculturalism”), which is important to take into account when fathoming the relationship between a country’s “own” and its “foreign” people as a social consequence of migration.

Migrants have violated the “security climate” and contributed to destructive actions in many spheres of life. Examples can be found in the realms of the shadow economy, criminal structures, and extremist organisations, which have created serious threats to the national security of European states (Hokkhan, op.cit.).

The resettlement of migrants by enclaves is a kind of barrier to the formation of open and positive relationships with local residents and, of course, is a catalyst for conflict situations, as it divides the parties into two groups in one area. In the scientific community, such settlement of migrants by enclaves is referred to as “ghetto”. Migrant communities can easily acquire the nature of a ghetto, wherein the population dealing with high unemployment lives mainly through social transfers (Hokkhan, op.cit.). Instead of assimilating, migrants form micro-societies with their own culture. A modern Ukrainian researcher, Demir Gökhan, cites the Turkish district of Kreuzberg (Berlin) and Green Lanes (London) as examples (Hokkhan, op.cit., p. 38).

Referring to the scientific achievements of the English sociologist Anthony Giddens, the modern scholar Olha Ryndzak identifies three models of integration policy (Ryndzak, 2014, p. 73).

1. The ‘assimilation’ model, the meaning of which is that immigrants shall abandon their customs and traditions, and accept the norms and values of the host society. Most importantly, newly arrived migrants need to learn the language and adapt to the style of clothing and lifestyle of the majority. The assimilation model assumes that immigrants will concede their excellent linguistic, cultural, and social characteristics and will not differ from the majority of the population. The role of the state in assimilation is to create favourable conditions for individual adaptation and transformation of culture and most values through the

persistent use of dominant language and education in migrant children's schools.

2. The 'alloy' model (crucible, melting pot) means that immigrants shall not "dissolve" in the values of the dominant majority, but be absorbed in order to facilitate the formation of new cultural patterns. The theory of the "melting pot", or "outbreeding", is a concept that emerged in the Anglo-Saxon emigrant states. This concept is also known by its less popular names, such as: "salad", or "mosaic" (relative to Canada). The essence of the alloy model is that all nations and races in a new place of residence (in an emigrant state) must mix freely, forming a "supernation". In general, this model has features that are also inherent in multiculturalism, as it does not indicate the dominant (main) culture, but contributes to the mixing of ethnic groups into one political nation. This concept is especially relevant and practically implemented in the United States (Diedush, 2015, p. 73).

3. Cultural pluralism implies that immigrants maintain their own culture in a destination country alongside the culture of the majority. Meanwhile, migrants take an active part in the economic and political life of the recipient country. According to the migration model of cultural pluralism, immigrants have the right to develop their own language and maintain their own customs. This model is often interpreted as a cultural mosaic to emphasise that different cultures do not mix with each other, but coexist side by side.

In order to clearly distinguish between assimilation policy and countries officially listed as being multicultural, migration specialists and experts identify assimilation as a "melting pot", while multiculturalism is portrayed as a "colourful cultural mosaic", or a "dish with chopped salad" (Rovenchak, op.cit.). If the result of the assimilation policy is a figurative "melting pot", countries with the official status of being multicultural are portrayed as a "colourful cultural mosaic" or a "bowl of coarsely chopped salad" – a multinational society consisting of ethnic groups that preserve their culture, language, religion, way of life. Government institutions, meanwhile, do not aim to equalise them in terms of ethnic and/or national origin, language, religion, skin colour, etc., but to establish equality in all social, political, and public spheres, other rights of different nations, ethnic groups, races, and religions while preserving all ethnocultural features (Rovenchak, op.cit.).

Modern Ukrainian researcher Olha Rovenchak (Rovenchak, op.cit., p. 153), in her study entitled "Integration Component of Migration Policy", presenting a comparative analysis of immigration policies and integration adaptation components of the policies of 17 immigration countries,

attributed the migration assimilation model to various analysed countries such as France and Israel; while countries using the differential exclusion model include: Switzerland, Austria, Ukraine, the Russian Federation, Great Britain, Germany, the USA and others; whereas multiculturalism is embodied in Australia and Canada. Focusing on the model of migration policy of the Republic of Poland, it should be noted that, so far, the country is not classified as one which employs the multicultural model, nor which operates under the differential exclusion model.

It is worth noting that Poland's immigration policy has focused on pendulum and short-term migration, as this type is the most profitable given the current needs of the labour market. Also, there is the interesting fact that Poland develops its own migration policy, taking into account the concept of the dominant culture. The Polish government does not envisage the transformation of its state from monocultural to multicultural, which is confirmed by the fact that there is a clear limit of stay for foreigners.

In our view, the migration policy model of the Republic of Poland tends to be more towards the selective integration of migrants/differentiated exclusion than towards assimilation or multicultural integration. This is confirmed by the fact that due to the changing demographic situation, Poland is considering the possibility of launching active migration measures to resettle "from selected countries" (Ewropejska Prawda, 2021).

Such recruitment mechanisms will take into account both the qualifications of foreigners and the factors that help in their integration and subsequent assimilation. Poland's migration policy should be conducted in accordance with the concept of the dominant culture, which sets certain limits for immigrants to function in the country, and not in accordance with the model of multiculturalism.

Therefore, considering the various approaches to the implementation of migration policy by national governments, we can single out key conceptual approaches to the study of migration policy of individual states:

The pluralistic model. Migration policy is defined as a component of the international political system and as a process in which a set of entities – from entrepreneurs to churches, from trade unions to ethnic associations – seek to get concrete benefits without focusing on the systemic quality of society as a whole. Pluralism presupposes that equal rights in all spheres of public life should be granted to immigrants without expecting them to give up their diversity. However, as a rule, ethnic groups must adapt to the core values of their host country (Chaikovskiy, 2019). Again, migration policy is defined as a component of the international political system and, in this way, immigration control is seen

as an urgent need due to the mismatch of global market forces and sovereign state entities that have territorial boundaries. According to this approach, the limits of the effectiveness of state control depend on the existence of an international regime of “enshrined liberalism”, which covers a number of human rights instruments and agreements, both international and national (Malynovska, 2018). However, even with the application of a pluralistic model of state migration policy, which applies the same restrictive measures, the nature, scale, and intensity of efforts to curb immigration differ significantly.

The Class Model. The application of the class model in practice is still popular when explaining the flows of illegal migration. This is the so-called “back-door” policy; an active strategy of states that provides a flexible workforce. As a conclusion, countries that put the class model into practice and allow the flow of illegal migrants are not considered weak in protecting national borders, but rather “objective focused” in importing migrants into the weakest positions from a legal point of view. Migration policy is aimed at bringing the need for a reserve army of industrial workers in line with the real need to avoid social unrest and high levels of conflict in relations between domestic and foreign workers.

The Realistic Model. Researchers who take a realistic view argue that public interests are key to understanding how states manage immigration flows. The Geneva Convention of 1950 stipulates clearly that states own the undisputed sovereignty concerning who enters and exits their territory. In *Politics Among Nations: The struggle for Power and Peace*, Hans Morgenthau (1993) presents several key assumptions of realism in international political theory. All of them are relevant to an explanation of the status of the international migration regime: 1) Paradigm 1: The state is the central actor on the world stage. 2) Paradigm 2: The natural state of international politics is that of anarchy. 3) Paradigm 3: Interest is the essence of politics and states seek to have the greatest amount of power. 4) Paradigm 4: It is the intrinsic nature of the human actors who control the states that shape the states. So, from a classical realist standpoint, the global governance of migration is ruled by a state’s balance of power (Faure, 2018).

The Neo-corporatist Model. In the area of immigration policy, the neo-corporatist model focuses on how the destination country of migrants aligns transnational and international constraints with the structure of its domestic interests. For example, the Australian neo-corporatist model is based on state selection using a points system with extensive business and labour participation. Australian practices are shifting towards the US

demand-driven model as employers - rather than government officials - are selecting increasing percentages of permanent immigrants from pools of temporary foreign workers and foreign students already in Canada and Australia rather than from abroad (Koslowski, 2022, p. 108). The Australian government does not select immigrants on its own but rather turns to industry cooperation with labour to determine which immigrant skill sets are needed by the Australian economy. In this way, government, industry, and labour collectively shape immigration policy much like neo-corporatist economic development strategies adopted by the governments of smaller European states with exports constituting large shares of GDP (Koslowski, 2013, p. 4).

The Communicative Model. Representatives of this model explain that migration policy is a system of communicative actions that act as a chain of mediations. In the framework of this approach, research focuses on the social component; the context of making immigration policy, rather than on whose interests this model serves. A number of features of immigration policy relate to the context of policy making rather than the specifics of immigration. New technology, especially new media, help migrants a lot and immigrants communicate with each other via new media and networks. Migrants use all available communication opportunities, yet they still have communication problems. National and local authorities bear great responsibility in this regard (Cereci, 2019, p. 21).

The Gravitational Model. This is a theoretical model similar to Newton's law of gravity and used in urban planning to predict the migration rates between two regions/countries. It is based on the idea that with the increasing importance of the regions, the number of interactions between them increases, and with increasing distance under equal conditions, the number of interactions decreases (Shvets, 2016). This model has long been popular for the analysis of economic phenomena related mainly to the movement of goods and services, capital, and labour. Researchers can use this model, for example, to assess the impact of visa restrictions on migration flows. The gravitational model assumes that flows between two countries are directly proportional to their size (population or GDP) and inversely proportional to the physical distance between them (similar to Newton's law of gravity) (Ramos, 2016).

Thus, we can conclude that among the representatives of the scientific community there is no unity nor a clear position in the theoretical modelling of migration policy. Each of the models has its advantages and disadvantages, and even the multicultural model does not always work in practice.

Migration Policy Trends: Global Dimension and Forecasts (Migration Data Portal, 2020a)

The future of global migration differs in the forecasts of leading organisations and institutions on trends in migration flows and tendencies. Let us focus on the coverage of some of them.

For example, researchers at the Vienna Institute of Demography, taking into account the views of experts, project global flows of international migrants for five-year periods from 2015 to 2060 in three different scenarios. According to their estimates, the number of international migrants in these decades will remain at the same level as now, will reach its peak in 2040–2045, and then decrease slightly. The lower scenario assumes 29 million international migrants worldwide, with the average being 33 million, with the upper being 50 million. Such indicative global levels depend mainly on the region. According to the average scenario, researchers predict that there will be 8 million international migrants in Europe and North America by 2055–2060; 5 million in West Asia; 4 million in Africa; 3 million from the post-Soviet countries; and about 1 million in Oceania, Latin America, East Asia, South East Asia, and South Asia, respectively.

According to estimates of the UN Population Division for 2019, a constant level of net migration is expected between 2019 and 2100. Net migration is “the difference between the number of immigrants arriving and the number of emigrants leaving a country over a certain period of time“. At the global level, the sum of such migration levels is zero, which means that the number of immigrants arriving in all countries is the same as the number of people leaving the same countries. According to the report, it is quite obvious that the level of migration will be constant until 2100, as migration flows “have historically not been significant and have no crucial impact on the size and composition of the national population”.

Previous UN estimates, to the contrary, have predicted that net international migration by 2095–2100 will reach half the level projected for 2045–2050 (Migration Data Portal, 2020a). Taking this assumption into account and interpreting net migration as gross immigration, researchers had predicted that in 2010–2015, registered total net immigration in the world would amount to 25 million, and was expected to decrease to 16.6 million. During 2020–2025, there will be a further reduction to 13.7 million for the five-year periods between 2030–2050. In comparing the estimates of the UN and the Vienna Institute of Demography, the researchers concluded that, although the UN estimates were lower than expected be-

cause they had taken into account only gross immigration and not gross migration – the trends are quite similar.

The Organization for Economic Co-operation and Development (OECD, 2017) has developed descriptions of global migration scenarios for 2030. In a scenario characterised by the successful implementation of the Sustainable Development Goals, the change in average annual global migration flows during 2015–2030 compared to 2000–2015 will increase by 3.3 percent, but remain below 4 percent. In contrast, under the scenario of conflict and unilateral and uncoordinated international cooperation, future flows will fall below 3% during 2015–2030 compared to 2000–2015.

In a research study, the Global Migration Data Analysis Centre (GMDAC) of the International Organization for Migration (IOM) and the Dutch Interdisciplinary Demographic Institute combined two separate methodological approaches (Migration data portal, 2020a): migration scenarios and the Delphi survey. According to the results, the total immigration flow to the European Union (EU) in 2030 may increase between 21% and 44% compared to the average annual immigration flows recorded between 2008 and 2017.

It is worth noting three probable developments in the labour migration of Ukrainians to Poland: that of optimistic, pessimistic, and realistic scenarios. The optimistic scenario mainly envisages a stabilisation of the Ukrainian economy and an improvement of the labour situation in Poland. The pessimistic scenario – the main parameters of economic development in Ukraine will decrease significantly by 2030 compared to the level of 2019–2020. Under such conditions, seasonal migration will become more long-term. The third scenario is the realistic scenario, in which the economic indicators of 2019–2020 levels will not improve significantly, but will not decrease.

To these three scenarios there should be added an additional one, a model of Ukrainian labour migration to Poland after the COVID-19 pandemic (Astramovich-Leik, Turchyn and Ivasechko, 2021, p. 22).

In our opinion, whichever of these scenarios develops, labour migration of Ukrainians to Poland or to other EU Member States will continue and gain momentum as long as there is a significant difference in wages.

So, we can summarise that after analysing the represented trends regarding the future of migration flows, there is confidence that they will only intensify.

Poland's Position in the Index of Integration Policy MIPEX 2020

In recent years, Poland has become an increasingly attractive country for immigrants, among whom Ukrainians make up the largest percentage. In 2016, the largest number of work permits related to employment (almost half a million) was recorded for third-country nationals among EU Member States. Thus, we can summarise that Poland, whose citizens over the past three decades have significantly influenced European migration processes and formed a new diaspora, numbering more than 2 million people, is being transformed from a land of emigration to a country of immigration.

Despite the fact that Poland has not been as strongly affected by the migration and refugee crisis as other EU Member States, the forced migration rate began to play a crucial role in the country's key political development after the 2015 parliamentary elections. In 2016, a key document on migration policy, "Poland's Migration Policy – Its Current Status and Postulated Actions" (2012), developed by the previous government in collaboration with partners from scientific circles and civil society, was suspended. Although this should have been quickly replaced by a new policy strategy, to date, this has not happened.

In June 2019, during a conference, a document entitled "Polish Migration Policy", prepared by the Ministry of Internal Affairs and Administration (dated June 10, 2019), was presented in the Parliament. This document contains 70 pages of text, describing the key reasons for the new migration policy, including the abolition of the previous key policy document, the demographic crisis, one of the lowest overall birth rates in the world, dynamic ageing, migration processes, and depopulation in the country. The ambitious goal is to promote the construction of a "Polish model of active migration policy" that would improve the management of emigration and immigration processes and the integration of foreigners, as well as create an incentive for foreigners to settle in Poland. However, such a migration policy should not jeopardise the security of the state (Pędziwiatr, 2019).

The term "security" occurs more than 70 times throughout the document. According to experts and analysts, this contradicts the realities of Polish migration, as it is usually its citizens or members of the Polish diaspora living outside the country, rather than immigrants living in Poland, who are involved in violations of the law. However, this feature of the document is closely related to the significant securitisation of certain types of migration by the mentioned government in the form of speech

acts, as well as bureaucratic and technical practices. It is contradictory, as Polish researcher Konrad Pędziwiatr notes, that on the one hand, the presented document recognises that immigrants are needed to alleviate some of the country's future problems, and on the other hand, portrays them as threats to national security and Polish culture.

Focusing in the document on persons seeking international protection, this draft of the new migration policy of Poland mostly mentions them in the context of them being a security threat. The term “refugee” is mentioned 24 times in the document and is usually associated with illegal migration, threats to national security, and forced evictions. Persons fleeing persecution and war are represented as fake refugees who abuse migration laws. The analysed document provides for further restrictions on their admission and restrictions on the types of persons who can apply for asylum. As a result, the researcher notes, the proposed recommendations, if implemented, could further jeopardise the rights of asylum seekers in Poland (Pędziwiatr, *op.cit.*).

In our opinion, it is worth noting the phases of migration policy in Poland. Thus, the modern Polish researcher Agnieszka Weiner identifies 4 key phases, namely: Phase I – its chronological framework 1990–1997; Phase II – 1998–2001; Phase III – 2001–2003; Phase IV – since 2004. In our opinion, this list should be extended and a Phase V should be added – from 2014–2019, in which the military actions of the Russian Federation in eastern Ukraine became the drivers of migration flows to Poland, forming a large proportion of internally displaced persons who were forced to seek asylum within Ukraine and abroad. In addition, 2014–2015 was the peak of the migration crisis in the EU. And, obviously, such a factor as the introduction of a visa-free regime between Ukraine and the EU in 2017 also significantly affected Poland's migration policy. We propose adding to the realities of today a Phase VI, which began its countdown in 2020 and is associated with the spread of the COVID-19 pandemic (Weinar, 2005).

To assess the current integration policy of Poland, we consider it appropriate to use the Integration Policy Index (MIPEX), which is composed by a consortium of European organisations led by the Migration Police Group and covers 52 countries. The MIPEX index is multidimensional, as it analyses integration policy in seven areas: access to the labour market; family reunification; education; long-term stay; participation in the political life of the country; obtaining citizenship; and protection against discrimination.

Non-EU citizens have faced a number of obstacles in Poland. Thus, according to MIPEX for 2020, the country's integration policy is estimated at 40 out of 100 points. MIPEX classifies Poland's approach to the integration of migrants as “Equality on paper” (Migrant integration policy index,

2019). As in most Central and Eastern European countries, immigrants in Poland enjoy some basic rights but do not have equal opportunities. Poland still needs to invest in equal rights and equal opportunities for immigrants, which are below average compared to most MIPEX countries. Poland's current policy encourages the public to perceive immigrants not as equals but as strangers. Immigrants in Poland face many obstacles in several areas, mainly the labour market, education, health care, and political participation. Under such a restrictive policy, the public experiences a higher level of xenophobia and a lower level of social trust, which leads to less contact and fewer positive experiences with immigrants. Poland's integration policy is estimated to be below the EU average (Migrant integration policy index, op.cit.).

There is an interesting opinion of Ludwika Wlodek (Babakova, 2021), a Doctor of Science, as well as a Polish writer, reporter, sociologist, and lecturer at the University of Warsaw, who gives an interview about her book "Worse Children of the Republic", wherein she analyses and compares the situation with migrants in France and Poland. Her conclusion is that, unfortunately, the majority always distrusts the minority. The migrants who are in France and Poland, are all treated equally stereotypically. Migrants are, *a priori*, perceived as builders or cleaners. Migrant doctors, engineers, and businessmen etc do not like this approach, as their potential is not fully appreciated and, eventually, this annoys them.

Ludwika Wlodek also emphasises that there is no such thing that some people treat migrants especially badly, but there is a difference in the approaches of the elites. The French situation is better than the Polish situation, because in France these topics are actively discussed, and, as the expert notes, there is recognition of the problem. In her opinion, there is no serious debate on migration in Poland today. There are either naive stories about how wonderful it is to receive people from all over the world, or tales of paranoid inculcation in front of strangers. There is no talk about demography, nor about the problem of an ageing society, and that without migrants the Polish economy simply would not cope.

The very issue of migration in France has existed for a long time – the post-war welfare of the French was built by migrants. In Poland, this topic is relatively new, but it does not justify the government labelling labour migrants from Ukraine as refugees. Change takes time, along with some critical mass (Babakova, 2021).

We can summarise that migration still has a positive effect on the development of countries of migrants' origins. Today, it is popular to create a three-party winning scenario («win-win-win»), in which migration processes have a positive effect on countries of origin, the countries of desti-

nation and the migrants themselves. The positive impact of migration is that migrants use their rights in the host country to find work, develop their skills, earn money, some of which is transferred to their countries of origin, while for destination countries the benefit is the employment of migrants in unpopular areas. First of all, the increase in remittances is assessed as a new and additional source of funding for economic development. Through remittances, migration has a direct impact on poverty reduction in countries of origin. In addition, the positive effect is also in social exchanges in the form of information flow, ideas, values, etc. Migration is also seen as a positive factor that leads to a more balanced dynamic of supply and demand in the labour market, and therefore international migration is expected to have contributed to reducing inequality and to have led to a better distribution of the benefits of globalisation.

Conclusions

Migration policy should be based on ensuring the principle of tripartism/(«win-win-win») (Fogel, 2018) a three-party winning scenario, which, in this context, means a predominance of positive effects for both the recipient state, the donor state, and labour migrants. Thus, when weighing the positive and negative consequences of labour migration, those that promote a tripartite partnership will prevail. The point is that for well-thought-out and balanced migration policy, the interaction of three parties should be coordinated: the donor state, the destination state and the labour migrants (Castles, Miller, 2011), all of whose opinions should be taken into account while constructing migration policy.

Based on our analysis of a large number of literature sources, we have found that there are four categories of key problems for labour migrants abroad related to adaptation: firstly, there are domestic problems, such as: finding a job, housing, adaptation to life in the city, the cost of living, and the organisation of time; secondly – the social and psychological, including the following: longing for loved ones and the homeland, and the need to be independent and to find new friends; thirdly, the educational, among which are things distinguished such as: differences in the values of education, requirements for educational work, and teacher-student relations; fourthly, cultural and communication, which are characterised mainly as a lack of proficiency/low level of proficiency in the local language, cultural differences, diversity of ethnic composition, features of the local mentality, etc.

Today's political practice shows that one of the priority issues on the agenda of Ukrainian-Polish relations is the problem of regulating labour

migration from Ukraine to the Republic of Poland. Today, Poland is considered by Ukrainian workers both as a “destination” country and as a transit territory for further migration to the leading countries of Western Europe. According to the latest opinion polls of Ukrainian labour migrants, migration to Poland specifically is perceived by them not as an opportunity to improve their financial situation in the first place, but as the achievement of higher social living standards. Among this share, we can distinguish: firstly, short-term migrants who come only for seasonal work, and secondly, migrants who do not rule out the possibility of staying in a host country, in this case the Republic of Poland, permanently or immediately purposefully migrate without any thoughts about returning to Ukraine.

This is an ambiguous situation, due to a number of objective reasons and factors, most of which have negative consequences. The presence of unresolved issues related to migrant workers makes adjustments in the development of relations between Ukraine and Poland.

The represented concepts, theories, and approaches, in our opinion, can be applied in order to study and explain the situation around Ukrainian workers in Poland. That is why there is a need to study the specifics of migration from Ukraine to Poland which will analyse the factors, the motives, the structure of migrants, the consequences for the economic and political situation of Ukraine and Poland, the features of legal regulation, along with the threats and obstacles to cooperation. Therefore, an intensification of cooperation is appropriate today.

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*Janusz Balicki**

Migration Crisis on the Polish-Belarusian Border (2021–2022) From a Humanitarian and Human Rights Perspective

Abstract

The aim of this article is an attempt to answer the questions: how should Poland's policy towards the crisis on the border with Belarus be assessed from the humanitarian and human rights perspective? How should a country, in this case Poland, behave towards those crossing the border of that country, in a situation of deceitful importation and the subsequent use of innocent immigrants/ refugees as tools for hostile actions against a neighboring state by the authoritarian regime of Belarus?

The article also attempts to answer a question about the challenges faced by non-governmental organisations and the important role they play in a situation where state policy is at variance with international law and basic ethical principles whereby human rights are violated.

The analysis of the situation on the Polish-Belarusian border, based on the assumption that each state has a duty to protect its border, but at the same time it has a duty to protect human life and to make sure that the law is respected on that border, allows for the conclusion that Polish policy is in conflict with international law and basic ethical principles. The article also shows the challenges faced by civic organisations and the very important role that civic organisations play in this situation.

Keywords: Migration Crisis, Belarusian Border, Humanitarian Perspective, Human Rights

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Introduction

Christopher Bertram, in his book: *Do States Have the Right to Exclude Immigrants?* (Bertram, 2018), poses the question, do states have the right to expel immigrants from their territory? It seems that citing this author's dilemma may be useful when trying to assess Polish policy towards the migration crisis, or more precisely the humanitarian crisis, on the border with Belarus, which was deliberately provoked by Alexander Lukashenko as retaliation for EU sanctions. Since mid-2021, the Belarusian regime has embarked on a large-scale campaign to bring in immigrants from Asia, the Middle East and Africa, promising to help them reach Western Europe.

According to an Amnesty International Report, tens of thousands of people, mainly from Syria, Iraq and Afghanistan, who were promised "help" to cross the border into Poland, Lithuania or Latvia, found themselves in Belarus for a very long period of time. Polish authorities reported nearly 40,000 attempts to cross the border in 2021. After a pause due to the colder winter months, more migrants and refugees again attempted to cross into Poland in early 2022, encountering barbed wire fences and multiple and repeated pushbacks by the Polish Border Guard (Amnesty International Report, 2022, p. 5).

Lukashenko's actions are, in a way, reminiscent of the method used against the United States in 1980 by Fidel Castro, a dictator close to him in ideology and personality, who 'pushed' not only his political opponents to Florida, but also emptied prisons of criminals and psychiatric hospitals of patients in order to threaten the stability of the region (Griffin, 2022).

Of course, we are not comparing in this case the people who were used by Fidel Castro and Lukashenko, only their methods. Within two months, around 120,000 Cubans arrived in Miami, Florida. At first they instilled fear in the people of Florida and Castro triumphed, but in the end "the city rose from its economic collapse, racked up billions in debt, and ceased to be primarily a place for rich American renters to live. The Cubans changed the demographic proportions, made Miami a largely Spanish-speaking metropolis, but also a prosperous one, the window of the US to the Caribbean Sea and Latin American countries. The crisis caused by Fidel Castro became Florida's opportunity. The dictator died and Miami lives better than before the wave of refugees. Disaster was expected and success was achieved" (Smoleński, 2022).

Comparing Lukashenko's actions to Fidel Castro is not entirely accurate, because we do not have people on the border who the dictator wanted to get rid of, but people, often families with small children, who

themselves left their own country because of the prevailing conflicts, human rights violations and poverty.

The aim of this article is to try to answer the questions: what was the Polish policy towards the crisis on the Belarusian border from the humanitarian and human rights perspective? How should a country, in this case Poland, behave towards those crossing the Polish border in a situation of deceitful importation and subsequent use of innocent immigrants/refugees as tools for hostile actions against a neighboring country by an authoritarian Belarusian regime? The provocative question posed at the beginning of the Introduction from the title of Christopher Bertram's publication, 'do states have the right to expel immigrants', may prompt a deeper reflection on the treatment of immigrants/refugees in Białowieża (East Poland).

The main source materials in this article, apart from the Amnesty International Report (Poland: Cruelty not Compassion, At Europe's other Borders, 2022), are the Report of the Granica Group (GG) (Klaus, 2021) and materials on the situation at the border published by organisations and associations cooperating with the GG. The Granica Group is a social movement helping forced migrants who have found themselves on the territory of Poland. The movement monitors cases of human rights violations. It works closely with the following entities: Nomada. Association for the Integration of a Multicultural Society; Association for Legal Intervention; Homo Faber; Polish Migration Forum; Helsinki Foundation for Human Rights; Salam Lab (Peace Laboratory); Open House; Halina Nieć Legal Aid Centre; Chlebem i Solą; Uchodźcy.info; RATS Agency; Conflict Kitchen Foundation; Strefa WolnoSłowa Foundation and Przystanek "Świetlica" for refugee children.

It is worth mentioning that as part of the project "Social Archive of Humanitarian Crisis" funded by a grant from the Batory Foundation, a series of articles is being written presenting selected stories of migrants from the Arab Middle East countries – Iraq, Syria, Lebanon, Jordan and Yemen – trying to get to Europe through the Belarusian-Polish border (Centrum Archiwistyki Społecznej, 2022).

This article consists of three parts. The first presents the situation on the Polish-Belarusian border on the basis of the Amnesty International Report (2022), the Granica Group Report (2021) and current media news. The second chapter analyses the Polish Government reaction to the crisis on the border with Belarus in the light of international and EU law documents. The third chapter focuses on assessing Poland's reaction to the crisis on the border with Belarus from a humanitarian and human rights perspective.

Situation on the Polish-Belarusian Border From the Beginning of the Crisis Until Mid-2022 Inclusive

The presentation of the situation on the Polish-Belarusian border is necessarily incomplete. Already at the beginning of its appearance, the Polish authorities introduced a state of emergency, preventing or severely hampering the work of journalists. The same was and is true for NGOs trying to monitor and help people trapped between one border and the other. Nevertheless, situations have been documented which make it possible to reconstruct, at least in a limited way, the experiences of those there.

An example of this is the open letter that Murad Ismael – a Yazidi – wrote to the Polish public on this issue. Here is an extract from it: “As I write this letter to you, Polish people, my heart is filled with fear about what may have happened to a group of refugees who have been abandoned on the border, in the wilderness, in sub-zero temperatures, for over two weeks. The group, which includes children, women and elderly people, sent me a plea for help via social media on Saturday, 9 October. On the same day, a young Yazidi man who was asking for help sent me a video of the group. It included people from the Yazidi minority and Kurds from Iraq and Syrian Arabs. Some of the Yazidis in the group had previously spent seven years in camps in Iraq” (Klimowicz, 2021).

Both I and many people who saw this testimony and the images of terrified young children and elderly people were devastated. For example one elderly Yazidi couple had not been in contact with their family in Iraq for almost two weeks (Klimowicz, *op.cit.*).

According to research contained in the Amnesty International Report, foreigners who arrived in Belarus were “lured by attractive travel packages” containing information about the possibility of easily reaching the Europe of their dreams. Upon arrival in Belarus, they were given instructions on how to go to the Belarus-Poland border and what to do next. It seemed that all they had to do was walk a few kilometers to the border, cross it and wait for further transport to their destination countries. However, the reality turned out to be far from the promises of the organisers of the “excursions”. This is clearly shown in this extract:

“After entering the ‘zone’, often with difficulty and after paying the Belarusian border guards, people had to make their way to the Polish border fences, avoiding capture by the Belarusian border guards, who often forcibly transported people to ‘assembly points’, where they violently forced them to attempt to cross the Polish border in groups. After inevitable pushback by Polish border guards or capture by Belarusian border guards,

people were forcibly detained at ‘assembly points’ for days or weeks along with dozens or even hundreds of others, without food, water or shelter, and then brutally and repeatedly forced to repeatedly cross into Poland, beaten, chased by police dogs and forced to cross frozen rivers” (Amnesty International, 2022, p. 5).

According to Amnesty International, some of the refugees made 20 to 30 or even more attempts to cross the border. Although many had experienced torture and persecution in their own countries, they were completely unprepared for the experience they faced at the Polish-Belarusian border:

“I believed I was building a safer future for my daughters somewhere in Europe, but if I had known I would end up in the forest for 53 days, living worse than an animal, begging for food and melting snow to drink water, I would never have left Syria,” 36-year-old Khafiz from Damascus told Amnesty International during an interview on 15 March 2022, after leaving a guarded detention centre for foreigners in Poland (Amnesty International, *op.cit.*).

Poland’s Attitude Towards the Migration Crisis on the Border with Belarus in the Light of International and EU Law Documents

It is hardly surprising that in the international law on the admission of immigrants and refugees there is no case study that appeared as a result of Lukashenka’s policy, although, as noted in the Introduction, the idea of ‘punishing’ migrants was applied in 1980 by Fidel Castro against the United States. Nevertheless, if we take a look at the basic documents of international and EU law on immigrants and refugees, we can find the basic principles enabling the assessment of Poland’s response to the migration crisis.

The Geneva Convention of 28 July 1951 is a continuation of agreements concluded in the interwar period within the framework of the League of Nations and after the war – the UN Charter and the UN Universal Declaration of Human Rights (10 December 1948). The preparation of the Geneva Convention was a need arising from the massive population movements during and after the Second World War. It is estimated that during the six years of the Second World War, almost 60 million Europeans were forcibly relocated. This number was more than 10 times greater than the migration during and after the First World War. The Convention was therefore drafted to deal with the hundreds of thousands of refugees who, after the war, did not want to return to their countries because of the Yalta division of Europe.

It is widely believed that the Geneva Convention represented the first international agreement covering the most relevant aspects of the refugee issue.

According to the Convention:

A refugee is a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who has no nationality and, being outside the country of his former habitual residence as a result of similar events, is unable or, owing to such fear, is unwilling to return to that country (art. 1, para. 2) (Balicki, 2012, pp. 156–157).

Non-refoulement:

The Convention obliges States not to expel a refugee lawfully present in their territory on grounds other than national security or public order (Art. 32). It guarantees that a State shall not expel or return a refugee to the frontiers of its territory where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion. However, this does not apply to a refugee who is a danger to the security of the state or society (Art. 33) (Balicki, 2012).

With time, the Geneva Convention of 1951 was incorporated into the law of the European Union, as can be clearly seen in the findings of the European Council Summit in Nice (2000) creating the Charter of Fundamental Rights of the European Union. The Charter contains two articles dealing explicitly with the issue of refugees – Article 18, which speaks of the right to asylum, and Article 19, which prohibits collective expulsion and extradition in specific cases.

Article 18: Right to asylum: The right to asylum shall be guaranteed, respecting the provisions of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty establishing the European Community.

Article 19: Protection in the event of removal, expulsion or extradition:

(1) Collective expulsions shall be prohibited.

(2) No one may be removed or expelled to a State or surrendered to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment.

Since the entry into force of the Lisbon Treaty, the Charter has become a document binding on Member States and plays an even greater role in the protection of refugees in the European Union. It guides the drafting of asylum and immigration legislation and the work of the Commission in this area (Gondek, 2003, p. 209).

In turn, the Laeken European Council (14–15 December 2001) dealt with many important issues relating to asylum and immigration policy. The European Council committed itself to adopting a common asylum and immigration policy on the basis of the Tampere conclusions as soon as possible, striking the necessary balance between the protection of refugees, in accordance with the principles of the 1951 Geneva Convention, their legitimate aspirations for a better life, and the capacity of the Union and its Member States to take in third-country nationals (39).

The Seville European Council (21–22 June 2002) expressed the will to press ahead resolutely with the Tampere program to create an area of freedom, security and justice in the European Union and the need to develop a common Union policy in the separate but closely related fields of asylum and immigration. The handling of migratory flows in cooperation with countries of origin and transit, and the inclusion of migration issues in the work of future Presidencies, were considered to be a priority (27).

Efforts to manage migratory flows together must balance a policy of integrating immigrants in accordance with international law and conventions, in particular the 1951 Geneva Convention, with determined action to combat illegal immigration and human trafficking (28). It is important to provide refugees with immediate and effective protection, while at the same time putting in place measures to prevent abuse of the system and to ensure the speedier return to their home country of those whose asylum applications have been rejected (29) (Balicki, 2021, *op.cit.*, p. 43).

The Lisbon Treaty was signed by EU leaders in 2007 and ratified in 2009. Article 78: states that the Union shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. This policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, as well as with other relevant treaties (Wersja Skonsolejowana Traktatu o funkcjonowaniu Unii Europejskiej, 2008).

**Polish Law, Regulating Humanitarian Protection:
The Act on Foreigners (Legal status updated on
29.05.2022):**

Journal of Laws 2021.0.2354 i.e. Act of 12 December 2013 on foreigners

Chapter 8. Control of the legality of the foreigners' stay on the territory of the Republic of

Poland and the foreigner's obligation to return

Chapter 3. Consent for residence for humanitarian reasons and consent for tolerated stay

Article 348. Act on foreigners

Conditions for granting a permit for humanitarian residence:

A foreigner shall be granted a permit for residence on humanitarian grounds on the territory of the Republic of Poland if the obligation to return:

1) may be effected only to a country in which, within the meaning of the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950:

(a) his right to life, liberty and security of person would be threatened or

(b) would be liable to be subjected to torture or to inhuman or degrading treatment or punishment, or (...).

2) would violate his/her right to family or private life, as defined in the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950,

3) would violate the rights of the child, as set out in the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989, to the extent that it would seriously endanger the child's psycho-physical development (LexLege 2022; Chlebny, 2019; Dąbrowski, 2011).

It follows from this summary presentation of international and EU law on the issue of non-refoulement of immigrants and refugees that Poland's policy towards persons arriving in Belarus and attempting to cross the Polish border is in clear breach of this law. Under the Geneva Convention and EU law there is an obligation to accept and examine an application for refugee status. If there are no grounds for granting refugee status, it may be deported to the country of origin, if it is a safe country, but not to Belarus, which is not such a country.

The Polish Reaction to the Belarusian Border Crisis From a Human Rights Perspective

Poland's reaction to the crisis on the border with Belarus is not, however, only about the violation of international and EU migration law, but also about the human dimension, and one could even say that it is about taking actions that are contrary to the values of European civilisation.

These actions are all the more incomprehensible because, as we know, migration law, which governs a very sensitive human sphere, provides for the possibility, in certain cases, of granting so-called humanitarian protection. Why has this not been used? As *Wprost* magazine reported, at the end of September 2021, Polish services took illegal migrants with children to the border, who had earlier been seen near the Border Guard post in Michałów, leaving them in an unspecified place. In mid-October, information was published by Tomasz Molga in "Wirtualna Polska", citing Iraqi Faruq Khalaf Hasan, that the wanted children were camping with other children and twenty elderly women in the forest, starving on the border strip near Białowieża ("We are in the cold forest, some of us are sick, especially the elderly women and children. We hardly have any food"). They cannot turn back to Belarus because the guards do not allow them. When they tried, they were beaten by the Belarusian guards. They cannot go to Poland either, because the border guards there do not allow them. They also have no chance to return from Belarus to Iraq (Molga, 2021).

In the photos presented by Tomasz Molga in "Wirtualna Polska", they are 10-year-old Emad Ali Saado and Thamr Kamal Khlaf. There is also 8-year-old Danila Dakhil Sado among them. The youngest child is only a few months old Malak Mahir Sado, who according to the man was unwell. According to Faruq, the member of the group, at the border have been a total of 150 people. Some of the people have been stuck there for 32 days. "We need political asylum anywhere. It does not matter to us whether it is in Poland or Germany. We were already caught by the Polish Border Guard. They didn't even take documents or fingerprints from us, they just pushed us back across the border. Polish policemen or guards are watching us all the time. I can see them even now, they are standing nearby. They are watching whether we will try to cross the border again. We are afraid of them (...)" (Molga, op.cit.).

The description of this situation immediately raises the question: why is this happening? How to explain it? It is not about the attitude of the Border Guard, because it is a service which only carries out orders from the central authority.

Christopher Bertram, mentioned at the beginning, says that immigration is one of the most controversial topics in politics today. In the UK, concerns about immigration contributed to the vote to leave the European Union in June 2016. In the United States, migration from Mexico and Central America had a major impact on Donald Trump's victory in the presidential election. In 2015, forced migration, in the form of hundreds of thousands of people seeking safety from conflicts in Syria and other parts of the Middle East, became central to the European political agenda before the election, eagerly exploited by populist politicians, especially in Hungary and Poland (Bertram, *op.cit.*, pp. 1–2).

Bertram notes, despite deep differences on both facts and principles, politicians and commentators from the populist right, the 'neoliberal' centre and the traditional left share the assumption that immigration policy should be determined by what 'we' need. The question he poses is whether the state has the right to exclude immigrants and whether individuals have the right to migrate and start new lives in countries other than those in which they were born or of which they are citizens?

Politicians, commentators and opinion makers who present the immigration debate in terms of costs and benefits for 'us' assume that the state (and democratic electorates) have the right to shape immigration policy as they see fit (Bertram, *op.cit.*).

Is this really the case? Is it possible to view newcomers from countries of extreme poverty, undemocratic states where human rights are violated or there are constant conflicts, as people who should be accepted or deported, only in terms of their suitability for our country? Worst of all, however, are the behaviours that insult basic moral standards and humanity in "civilised" Europe. This issue was already present in the migration crisis of 2015–2016, when thousands of people drowned trying to reach Europe. No wonder Pope Francis described the Mediterranean as a great graveyard and while on the island of Lampedusa he eloquently recalled the words from Genesis: "Cain, where is your brother?" (Balicki, 2021, p. 291).

Conclusions

The aim of this article was to try to answer the question: how to assess the Polish policy towards the crisis on the border with Belarus in 2021–2022 from the humanitarian and human rights perspective? In the situation of deceitful importation and subsequent use of innocent immigrants/refugees as tools for hostile actions against a neighbouring state by the authoritarian Belarusian regime, how should a country, in this case Poland, act towards those crossing its border?

The article also attempted to draw attention to the question of the challenges faced by NGOs and the important role they play when state policy contradicts international law and violates basic ethical principles and human rights. As the Border Group points out, “it is not fair to present the two values – protecting human rights and protecting state security – as contradictory or mutually exclusive. This is not the case. Every state has a duty to protect its border, but at the same time it has a duty to protect human life and to seek to ensure that the law is respected on that very border” (Klaus, 2021, p. 29).

It is also difficult to dispute another opinion of this Group, ‘putting up walls on borders makes hostile countries even more hostile’. This results in increased violence and human trafficking. Walls do not bring security or a sense of comfort – neither to the inhabitants, nor to the migrants, nor to the neighbours on the other side of the wall. It is worth remembering that Belarusians have needed help for many years and have benefited from this help in Poland. The Wall additionally traps these people (Klaus, op.cit.).

Christopher Bertram, author of *Do States Have the Right to Exclude Immigrants?* – reflects on the responsibilities of citizens of a state whose authorities do not deal with immigrants and refugees as they should. He cites, among other examples, the infamous Greek islands (for example Lesbos).

Given the willingness of states to criminalise and punish the actions of those who help illegal migrants, one can understand, in his opinion, individuals who do not want to expose themselves to such punishments, limiting their actions to protests against injustice or choosing the usual political means. All the more praiseworthy, according to him, are the attitudes of ordinary citizens who help unfairly treated foreigners.

Finally, it is worth quoting the statement of the founder of the Polish Migration Forum, currently MEP Janina Ochojska on the crisis at the border, entitled: “A wall on the border as a symbol of double standards”. It is impossible not to notice how diametrically different is the approach to refugees coming from Ukraine and those on the Polish-Belarusian border. As Janina Ochojska says, the latter “have become hostages”. She emphasises that the wall built on the border has separated those in need from access to medical and legal assistance and information. Janina Ochojska states explicitly that what is happening on the Polish-Belarusian border is a violation of the Geneva Convention (...). “Holes have already been cut in the wall, undermines have been made – because nothing can stop people saving their lives and their children’s lives”. According to Janina Ochojska, there is no justification for this particularly cruel solution. It is

important that all cases of violence at the border are documented. “This must not be forgotten. It must be constantly brought to the attention of those in power and spoken of in the European Parliament. (...) This is not the most important topic for the EU, even though it concerns human life – a lot needs to change here”. A proposal to solve the problem is to use new technologies. “In the age of electronic security, it is possible to protect the border in a modern way. (...) The EU border in particular is the most sensitive border, so it should not be guarded by primitive means but by modern ones” (Pikuła, 2022).

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Polish Cities and Their Experience in Integration Activities – The Case of Warsaw

Abstract

In recent years, the issues of integration – related on the one hand to people referred to as foreigners, immigrants, newcomers, etc. – and on the other hand to host societies – have been gaining importance in the Central and Eastern European (CEE) countries, including Poland. Before the political and socio-economic transformation at the turn of the 1980s and the 1990s, it was a country relatively closed to international migration. Only in the early 1990s did it open up to migration flows. That was also the time when the state's policy in this area had been gradually emerging. The preparations for EU membership enforced the process of developing a national migration policy. Poland's accession to the EU in 2004 and to the Schengen zone in 2007 saw its full involvement in EU migration governance in terms of internal and external policies, and thus the further Europeanisation of national law, public policy, and practices in the field of migration management. Recent years have seen a change in Poland's migration status, which has now become an emigration-immigration state, and the near future may bring about its transition into a new immigration state, especially in connection with the influx of large numbers of forced migrants from Ukraine since the end of February 2022. At the time of writing, that is mid-2022, Poland does not have a formalised integration policy at the central level. National law provides integration measures only for beneficiaries of international protection (persons with refugee status and subsidiary protection), which concerns a very small group of foreigners. However, the last two decades have seen increased involvement at the local government level (especially in cit-

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ies) in integration. This is a process taking place in local communities with the support of other actors such as NGOs, informal associations, or universities. One such example is Warsaw, the capital of Poland, where the largest number of migrants, both voluntary and forced, live. This paper aims to explore the selected practices undertaken by some of Warsaw's municipal institutions and offices, which can be treated as an important part of the local integration policy and which could be a role model for other cities less experienced in immigrant integration.

Keywords: Migration, Integration, Mainstreaming, Migration Policy, Integration Policy, Warsaw, Poland, Ukraine, Warsaw City Hall

Introduction

Poland, until recently, had been a typical emigration country. This trend was even strengthened after it acceded to the European Union in 2004, when Poles were given unrestricted access to some of the Member States' labour markets. In the last decade, and from 2014 in particular, major changes in the migration character of the country can be observed. Thanks to the significant and steadily increasing immigration of foreigners mainly from Ukraine and other Eastern Partnership countries obtaining a job in Poland, the country's migration status changed to that of an emigration-immigration country. However, it will likely become a new immigration country in the near future due to changes taking place on the map of international migrations in Europe and its neighbourhood (Duszczyk et al., 2018, p. 130; Okólski, Wach, 2020, p. 146). Additionally, since February 24th 2022, the massive influx of Ukrainian citizens escaping war in their country has sped up this process. It is also important to mention that most immigrants – seeking work, education, or a safe place to reside because of the situation in their country – mostly choose large cities, among which Warsaw was and still is the leader. The capital of Poland not only attracts the biggest number of foreigners but is also home to the most diverse population, comprising Ukrainians, the Vietnamese, Chinese and citizens of EU countries (Górny et al., 2018, pp. 22–23). Moreover, it is often a new home for a relatively large number of forced migrants compared with other Polish cities.

Despite rapid changes in the migration character of the country, Poland has no general migration strategy. The most recent document on the subject from 2012, entitled *Migration Policy of Poland: Its Present State of Play and Proposed Activities*, was annulled in autumn 2016. Additionally, an official strategy of migrant integration was never implemented after 1989. This

situation is one of the reasons why Polish cities started to develop their own, local approaches in order to be up to the new task of accommodating and integrating their new members of society. It also fits in with the trend of the “local turn”, where the role of local actors is strengthened, and often local governments play a leading and most important role in shaping integration policy (Dekker et al., 2015, pp. 633–634; Scholten, Penninx, 2016, p. 91; Penninx, Garcés-Mascareñas, 2016, p. 156). The most visible, and often mentioned, examples of local integration policies can be found in Gdansk, Cracow, and Wrocław – cities that decided to implement their local strategic documents in multiculturalism and immigrant integration. Nonetheless, with its mainstreaming approach and intentional lack of a specific, separate policy toward foreigners living in the city, Warsaw is often treated as a municipality with the longest, in post-communist times, history of significant immigration to the city and various examples of good practices in the integration field. It is also a place where the biggest number of local institutions and non-governmental organisations (NGOs) operate to support multiculturalism and the integration of foreigners (Szostakowska, 2017, p. 140). However, many separate initiatives undertaken by various state and non-state actors make it challenging to track Warsaw’s scattered local integration policy of Warsaw and cause difficulties in assessing this policy.

This paper aims to explore the selected practices undertaken by some of Warsaw’s municipal institutions and offices, which can be treated as an important part of the local integration policy and could be a role model for other cities less experienced in the field of immigrant integration. Programs and actions undertaken by NGOs, but not in cooperation with the city (financially or organisationally), will not be treated as a part of the city’s initiatives and, for this reason, will not be described, even though the importance of this core component of the integration system is unquestionable. The paper is based on desk research including local, often unpublished documents and notes, individual in-depth interviews with representatives of local institutions and NGOs involved in supporting migrants residing in Warsaw, involvement in many local bodies dealing with the multiculturalism and integration and participant observation in the realisation of projects and programs aimed at foreigners and their integration.

Local Integration Policy or Mainstreaming Approach

Examples from those EU countries with a long immigration history prove that the “local turn” in integration policy is fact. Recently, a similar situation can be observed in Poland, wherein cities more and more often adopt a proactive attitude and, in the light of the lack of a central

policy, decide to build their own integration solutions and activities. Some, like Gdansk, Cracow or Wroclaw, decided to implement policies aimed at multiculturalism and foreigners, others, like Warsaw decided to move towards more generic and broad-based policies concerning all city residents, which can be described as a mainstreaming approach. It is important to remember that mainstreaming does not mean abandoning and not recognising the diversity of groups and individuals making up the local community. This approach assumes considering their interests in various general policies such as social, labour market, education, health or housing policy. Another critical element of mainstreaming is effective coordination between individual sectors so as not to overlook these interests (Collett, Petrovic, 2014, p. 11; Benton et al., 2015, pp. 3–5; Scholten et al., 2016, pp. 284, 286–287, 299; Scholten, van Breugel, 2018, pp. 4, 6, 15). It is fair to say that the examples known from the Polish cities prove that, apart from a few exceptions, adequate preparation of the institutions and their staff is still lacking. Moreover, especially before the last massive influx of Ukrainians in early 2022, some of the local decision-makers did not take into account the issues related to the presence of the foreigners in the cities as being the most urgent and important, despite declaring that their cities are inclusive and open to everyone. That approach can be called “mainstreaming by accident” (Józwiak et al., 2018, pp. 47, 67).

In Warsaw’s case, the substantial manifestation of the mainstreaming approach is visible in local programs and strategies, and can be found in the opinion of representatives of municipal institutions. As early as 2005, Warsaw wanted to be perceived as an inclusive, open European metropolis, where all inhabitants, despite their background, education, faith or nationality could feel at home, which was reflected in the *Development Strategy of the Capital City of Warsaw until 2020* (Warsaw City Hall, 2005). Additionally, in *The Social Strategy of Warsaw. A Strategy for Solving Social Problems for 2009–2020*, implemented in 2008, an increasing number of diverse foreigners living in Warsaw was mentioned and shown as a potential threat to social cohesion if the insufficient mechanisms of social dialogue and integration activities, lack of synergy, and dispersion of individual activities undertaken by different local institutions were not addressed and fixed (Warsaw City Hall, 2008). *The Social Strategy of Warsaw* set a goal of strengthening the sense of community of the inhabitants of Warsaw and also promoting the idea of “the citizen of Warsaw”, understood as an inclusive term for all people living, working or studying in the metropolitan area (Warsaw City Hall, 2008, pp. 22, 24, 54, 64). That kind of approach can be understood as an attempt to face the reality of Poland’s largest city with the most significant number of diverse foreigners but also a hub for the largest number

of entities i.e., institutions, NGOs or informal associations, operating in the broadly understood field of multiculturalism and the integration of foreigners (Szostakowska, 2017, p. 140). Moreover, Warsaw can be also characterised as a home for the largest number of beneficiaries of international protection (forced migrants granted refugee status or subsidiary protection) in Poland. This group (although relatively small compared to all foreigners living in Warsaw), due to its status, particular needs, and potential exposure to social exclusion, requires a specific approach which is reflected in the activities undertaken by a number of local institutions.

The mainstreaming approach and lack of specific strategy toward foreigners who are treated as “the citizens of Warsaw” and not mentioned as a particular target group, can also be observed in subsequent local documents, including *#Warsaw2030. Strategy* (Warsaw City Hall, 2018a). Nonetheless, the extensive city administration and the multitude of entities whose competences may overlay one another can be factors hindering the coordination and yet ensuring the coherence of the tasks related to foreigners and their integration.

Local Integration Policy in Warsaw – Many Pieces Make a Whole

Considering Polish reality, a relatively large diversity of foreigners living in Warsaw can be seen as one of the reasons why it is not easy to adopt uniform programs answering all the needs of these groups as is done in other cities in Poland. It can lead to independent actions undertaken by individual entities specialised in their field of activity (e.g., culture, education or social policy), including anti-discrimination training sessions, multicultural workshops or through the financing various projects related to the broadly-understood integration of foreigners and short initiatives implemented by NGOs, such as cultural events or festivals.

Despite some obstacles with the coordination of activities in the field of foreigner integration, Warsaw could become a role model for other municipalities where various initiatives are undertaken to build the local systems of the foreigner integration. An important example of efforts to prepare space for cross-sector partnership and cooperation and also to involve representatives of foreigners living in Warsaw and hear their voice (e.g., NGOs supporting foreigners or run by the foreigners themselves) is the Sectoral Social Dialogue Commission for Foreigners (Warsaw City Hall, 2022) established in 2012. As an initiative and advisory body, it can consult and co-create urban solutions in the fields related to foreigners and their integration. It aims to increase the effectiveness of initiatives

undertaken by local institutions, along with communication between them and NGOs or informal associations. However, despite the fact that its effectiveness is often questioned by some of its members, the idea of cross-sectoral cooperation and consultation is highly valuable and worth replicating in other cities (Winiarska, Wojno, 2018, p. 359; Gulińska, Małyugina, 2015, pp. 77–78).

Another important and interesting initiative realised in Warsaw is the Multicultural Center, established in 2014, when Warsaw City Hall made its premises available for the Center and co-financed the project of a partnership of NGOs which run it. The Multicultural Center's main goal is to support intercultural dialogue and integration of the local community (including foreigners, ethnic minorities etc.), as well as to strengthen the image of Warsaw as a multicultural city, open to all residents. Moreover, it is a place where different actors, formal and informal, can use the space for their projects related to multiculturalism and integration (Fundacja Stocznia, 2021, p. 5; Duszczyk et al., 2018, p. 137; Okólski, Wach, 2020, p. 164). Over the years, different NGOs have offered different activities and forms of help, including cultural events, info points for foreigners, access to legal and labour market advisors, anti-discrimination, psychological, and educational counselling/seminars, and Polish language courses (Winiarska, Wojno, 2018, p. 360).

The Multicultural Center is not the only place in Warsaw where foreigners can access free counselling; a steadily increasing number of foreigners residing in the city, along with an evermore obvious need of additional, sustainable actions, caused Warsaw City Hall – under one of the calls for offers – to finance a number of projects run by NGOs between 2018–2021. Four organisations selected in the competition were obliged to provide specialist counselling for foreigners in their field of expertise (e.g., legal counselling, health issues, labour market activation, social matters, and intercultural mentoring). Moreover, in order to increase the effectiveness of these actions and improve cooperation between institutions and NGOs, all partners were obliged to coordinate their actions during regularly scheduled meetings (Warsaw City Hall, 2018b).

It is important to highlight those selected initiatives described above are only an example, and play only a small part of the approach based on mainstreaming, which Warsaw City Hall has adopted. It can be seen as a will to build a relatively stable and sustainable structure of various actions, implemented by various actors – with the important role of NGOs – which all together constitute local integration policy. Despite some ups and downs and many shortcomings, especially in the field of communica-

tion and cooperation between the local institutions themselves, the institutions and NGOs, Warsaw as a city has at least some core elements of integration policy that could be developed relatively easily.

Experiences With the Integration of Refugees – The Case of the Warsaw Family Support Centre

As previously mentioned, Warsaw is home to the largest number of beneficiaries of international protection (people with refugee status or subsidiary protection) living in Poland. Despite the fact that refugees are relatively a small group compared to the number of other foreigners living in Warsaw, their specific status and the fact that they are prone to social exclusion make the task of their integration an important one. Therefore, apart from the elements of the local integration policy mentioned above which are focused on a wide range of foreigners and not only to forced migrants, Warsaw has developed solutions and structures specialising in supporting the latter over the years.

The main actor in this field in Warsaw is the Warsaw Family Support Center, a municipal institution (at the ‘poviat’ level; the 2nd tier of local administration) responsible for integrating the beneficiaries of international protection (Wach, Pachocka, 2021). Since 2000, and after an amendment to the *Law on social assistance* (2003), Family Support Centers have been responsible for implementing individual integration programs (IIPs). The IIP, the only stable element of central integration policy, is a form of integration support provided to the narrow group of foreigners who have been granted refugee status and subsidiary protection and which is also provided to their family members who come to Poland on the basis of the family reunification and who have received temporary residency status. The program, lasting for a maximum of 12 months, includes a financial benefit for subsistence costs and to cover Polish-language-course costs, specialised social counselling and the covering of health insurance costs if needed (Wach, Pachocka, op.cit.; Sobczak-Szelc et al., 2020, pp. 25–31, Sobczak-Szelc et al., 2021, pp. 280–282). Moreover, a social worker who works with refugees in the frame of IIP should provide any and all necessary information and support them in establishing and maintaining contact with other institutions and NGOs, as well as conduct other activities supporting the integration process (Duszczuk et al., 2018, p. 135; Okólski, Wach, 2020, p. 160). The standard of the support offered in the integration program should be the same in all municipalities in Poland. Nonetheless, Warsaw is the unquestionable leader in this field, consistently implementing the biggest

number of IIPs annually¹ (see Figure 1), and is the city which hosts the most diverse group of foreigners from over 40 countries and territories. Moreover, realising that the timeframe of the integration program is insufficient for most refugees and in order to expand the integration offer, the Warsaw Family Support Center decided, back in the early 2000s, to implement additional elements which, with some exceptions, cannot be obtained in other cities.

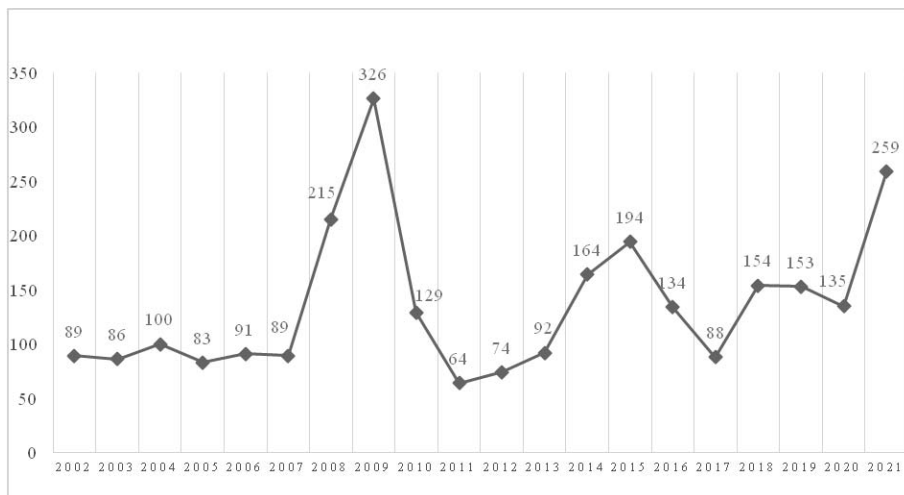


Figure 1. Number of IIPs Implemented by the Warsaw Family Support Center Between 2002 and 2021

Source: Authors' own elaboration based on the Warsaw Family Support Center's Annual Reports.

One of the additional forms of support for beneficiaries of international protection provided by the Warsaw Family Support Center is housing support. Besides the possibility of applying for a social or communal flat from the districts on a general basis, foreigners enrolled in integration programs and requiring special housing support may also apply for a right

¹ Annually, between 2002 and 2004 and also between 2014 and 2016, over 55% of all IIPs in Poland were implemented by the Warsaw Family Support Center. Since 2018, the data collected by the Voivodeship Offices and the Ministry of Family and Social Policy has made it impossible to compare the number of IIPs implemented, but the high number of IIPs implemented only in Warsaw compared to relatively low number of decisions granting international protection in Poland suggest that this percentage could be at a similar or even higher level.

to live in a “protected flat” run by the Centre since 2011.² The period of stay in that kind of flat should coincide with the period of implementing IIP and should not exceed 12 months. Nevertheless, in particular cases, this stay may be extended (e.g., in the case of serious illness or during a period of time when a foreigner is waiting for a flat from the city’s housing stock). The purpose of this kind of housing support is, in particular:

- to ensure appropriate living conditions, enabling one to run an independent household,
- to provide assistance in integration with the local community, especially in the case of potential cultural differences,
- to create opportunities for acquiring an independent apartment, increase competencies related to the knowledge of the Polish language and culture, acquire or increase professional qualifications, and to seek employment,
- to create the possibility of the independent solving of life-based, emotional, and family difficulties – with appropriate specialist support (e.g., social workers and psychologists),
- to enable the development and consolidation of a sense of responsibility for one’s own life.

Another form of housing support for beneficiaries of international protection, which is specific to Warsaw, is the so-called “housing contest” (Warszawskie Centrum Pomocy Rodzinie, 2022), also organised by the Warsaw Family Support Center in cooperation with Warsaw City Hall’s Housing Office and Assistance and Social Projects Office. Foreigners who complete an IIP and do not succeed in obtaining a social or communal flat in the general procedure can participate in a contest to receive a recommendation to obtain a communal flat (since 2021, the Center can issue up to 20 recommendations per year). Annually, a special qualification commission, which consists of five representatives (two from the Warsaw Family Support Center, one each from the Housing Office, Assistance and Social Projects Office, and one from NGOs operating in the capital) evaluates applications, taking into consideration criteria such as:

- one’s family situation,
- housing situation,
- health situation,
- financial situation,
- level of integration.

² From 2011 to 2018, thirteen families and six independent people – a total of 51 people, including 29 children – took advantage of the “protected flat” housing support.

The procedure is not only to support foreigners who are in a unfavourable housing situation, but also to promote those who were distinguished by their involvement in the implementation of the integration programs. It is also important to mention that besides Warsaw, there are cities such as Gdansk and Lublin have some kind of special housing support programs or solutions dedicated to foreigners, but Warsaw's offer is definitely the most generous, despite still not meeting all inherent needs.

As was mentioned before, Warsaw City Hall is now recognising the need for additional support beside individual integration programs, especially for those who are particularly at risk of social exclusion. That is why, since 2008, the Warsaw Family Support Center, as a unit specialised in the integration of foreigners with international protection status, has been obtaining funds from the European Social Fund (ESF) and the Asylum, Migration, and Integration Fund (AMIF) to run additional projects in the field of refugee integration. The free offer available as part of projects including "Integration for Independence" (2008–2015), "Welcome to Warsaw" (2016–2017), "Support-Activation-Inclusion" (2017–2018) and "Support for Social and Employment Activation" (2020–2022) slightly differ from each other but the core elements, diagnosed as being the most important in the integration process, remain unchanged. It includes activities like:

- social work,
- consultations with family assistants,
- specialist counselling (e.g., with nurses, psychologists, and career counsellors),
- vocational training,
- Polish language courses (group or individual, and provided by professional teachers) etc.

All the abovementioned projects are not only a helpful tool for social workers implementing IIPs, but also provide necessary support to foreigners when their IIPs end. The projects run by the Warsaw Family Support Center, together with IIPs and housing support, have become a part of the systemic and holistic approach to the task of the integration of beneficiaries of international protection in Warsaw. That makes the city the leader in this field, despite still-visible problems with the coordination and appropriate use of available resources.

Preparing for the (Un)expected – The Importance of Local Pilot Integration Programs

An essential component of local integration activities are certain pilot programs that allow the city to test and check the effectiveness of the new potential institutional solutions that can be ultimately transformed into systemic and regular municipal activities. An example of this is a project entitled “Warsaw Test Project of the Integration of Foreigners with Regard to the Needs of the Labour Market” (WITEK) implemented between 2017–2019 (Gać, Pachocka, *op.cit.*; Wach, Pachocka, 2021; Sobczak-Szelc et al., 2020, pp. 33–34). It was coordinated by Warsaw City Hall’s Assistance and Social Projects Office in close cooperation with the Warsaw Family Support Centre and other state and non-state actors. The abovementioned public administration institutions were supported by another local government body, namely the Labour Office of the Capital City of Warsaw. Other partners included NGOs and the private sector (the Human Capital Assessment Foundation, the Ocalenie Foundation, the Sustinae Foundation, and the Foreign Education Centre), along with higher education institution representatives as individual, expert researchers from the SGH Warsaw School of Economics. This was a truly multi-stakeholder and cross-sector project assuming the quick integration of selected foreigners – specifically the beneficiaries of international protection through their vocational activation on the local labour market. The project’s main objective was to test the local integration model focused on inclusion in Warsaw’s labour market targeted at foreigners with refugee status or subsidiary protection in Poland, all while considering their needs and socio-economics profiles. Ultimately, this pilot group included ten people living in Warsaw involved in IIPs. In addition, the city’s goal was to determine to what extent the proposed model could be used in practice on a larger scale in the future (Gać, Pachocka, *op.cit.*). Despite the main emphasis on ensuring the independent socio-economic functioning of the project participants after its completion, the project activities were highly comprehensive. They covered a diagnosis of language proficiency, socio-occupational diagnosis/professional (vocational) potential diagnosis, Polish language courses, social work and assistance, specialist support (e.g., that of the psychological, psychiatric, medical, etc.), housing support, support in the field of social functioning, and strengthening professional competences/vocational activation (Gać, Pachocka, *op.cit.*, Sobczak-Szelc et al., 2020, pp. 33–34). The entire project was monitored on a regular basis, both in terms of the participants’ progress and cooperation between the partners. An eventual assessment showed that a particularly important

component of the program was free housing support during the duration of the project, which gave foreigners a sense of stability and allowed them to focus on other aspects of integration, including education, Polish language courses, and the labour market (Gać, Pachocka, op.cit.). The good practices and the lessons learned from such programs may be helpful today, given that Poland is becoming a new immigration country.

Conclusions: When the (Un)expected Comes

Late February 2022 and the subsequent weeks brought sudden changes in the forced migration flows in the CEE due to another, most-brutal-to-date aggression brought by Russia against Ukraine.

It does not and will not remain without impact on the system of forced migration management in the discussed region and its countries, such as Poland (Jaroszewicz et al., 2022). It also impacts the broadly understood system of humanitarian aid, as well as reception and integration support in Poland.

So far, as of late May 2022, over 6.7 million people have fled from Ukraine, making their way abroad (UNHCR). Four EU Member States along with Moldova were the primary recipients. Poland was the primary host country for forced migrants from Ukraine; the UNHCR reported an influx of 3.6 million people in late May into Poland. However, this number is mostly based on data from official border crossing points and does not reflect the number of people staying in the country. Even if there are no comprehensive estimates in this regard, attempts are being made to fill this gap in order to be able to plan and implement appropriate public actions for migrants. Duszczuk and Kaczmarczyk (2022) estimated in their analysis based on available statistics from late April that around 1.55 million Ukrainians who fled have stayed in Poland and discussed three possible scenarios of future developments. The influx of such a large number of forced migrants to Poland has led to a multi-actor and multilevel humanitarian and reception response from both state and non-state actors, national and international. A unique role was played by NGOs, along with ordinary residents, and local authorities in small and large towns, including Warsaw (Jaroszewicz et al., op.cit.; Łukasiewicz et al., 2022). Based on the *Law on assistance to Ukrainian citizens in connection with the armed conflict on the territory of the country* (2022), many Ukrainians have decided to benefit from a special form of temporary protection status in Poland, which gives them wide access to public services in the country (legal stay for 1.5 years, access to the labour market, healthcare, education, etc.). Currently, Poland is moving

from the humanitarian aid phase to the reception phase and, ultimately, integration. Still, the future will bring numerous challenges regarding the needs of migrants, the scale of the needed support, the possibility and efficiency of the Polish public service system, and the state's long-term strategy, which is not yet available (Pachocka, 2022).

The role of cities is crucial in this situation, and this applies especially to the capital and its authorities. According to data obtained from Warsaw City Hall, on May 20, 2022, the estimated number of people who "passed through" Warsaw in connection with the influx of the forced migrants from Ukraine was 768,000 (which corresponds to 43% of Warsaw's population), the estimated number of people staying in Warsaw and the metropolitan area at the peak of the crisis was 290,000 (16% of Warsaw's population), and the estimated number of new permanent residents in Warsaw was 160,000 (9% of Warsaw's population). Another important statistic includes the number of Ukrainians that applied for the so-called "UKR status" which refers to those of them that had left Ukraine due to the Russian aggression and can receive a PESEL,³ as stipulated by the 2022 law. So far, the total number of applications for Poland (since 15.03.2022) was 1.1 million, and for Warsaw – 106,594 (the percentage of applications registered in Warsaw made up 10% of Poland's total applications). Since the first weeks of the war in Ukraine, Warsaw City Hall has been providing multidimensional humanitarian support in terms of basic needs, accommodation, medical care, etc., and also in education, the labour market, and/or social assistance. The current situation poses numerous questions to the city's authorities regarding the number of new residents from Ukraine that will stay longer, their demographic and socio-economic profile, their needs and expectations, and the efficiency of the public service system (Pachocka, op.cit.).

In this paper, we have discussed the selected experiences of Warsaw to date in the field of migrant integration, mainly through the prism of the activities of local authorities. As one can see, the City already has a well-functioning framework for the local integration system, albeit focused on the beneficiaries of international protection under the state's social policy (which results from national law). The City has also implemented the WITEK integration test project, which showed how the crucial issue for successful socio-economic integration at the local level – for foreigners with legal residence status – is housing security. Thus, we can conclude that the key challenge in the coming months in connection with the large number of new residents of Warsaw from Ukraine will be to provide them

³ PESEL number – Universal Electronic System for Registration of the Population is an 11-digit number that allows for the identification of a specific person.

with adequate housing conditions in the medium term. Another strategic issue will be the more profound reflection of the state (government) on the implementation of a comprehensive integration policy in legal, institutional, infrastructural, human, and financial terms. The cities themselves, even Warsaw as the capital, will soon be, to use the idiom, “driving on fumes” at the expense of their current inhabitants.

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The Problem of Otherness: Poland's Immigration Policy and the Virtues of Parochialism

Abstract

Over the past decade, immigration has been the main driver shaping Poland's migration policy. This has given rise to the concept and problem of an immigrant as an "other" who should be adjusted to Polish reality. The idea of parochialism is helpful in addressing the matter of the looking-glass self and its consequences for immigration policy. This article aims to interpret Poland's immigration policy in the context of parochialism and its virtues. It points to the consequences of a migration paradigm shift generated by modernisation and indigenisation. The methodology embraces a theoretical framing of parochialism, an interpretive political analysis approach, a qualitative content analysis, and an interpretation of selected public opinion polls and surveys. The argument developed in this article holds that Poland's immigration policy after 2015 has been marked by the tendency to favour parochialism as an attitude which captures immigrants in the exclusionary formula of "others". The mobilisation of the Polish population to oppose the inflow of immigrants is in line with their "domestication" according to ethno-nationalist standards. Such process facilitates the implementation of Poland's immigration policy by shifting responsibility from the central authorities to local communities.

Keywords: Poland, Immigration, Parochialism, Domestication

Introduction

For a long time, a general opinion prevailed about Poland in that it was an emigration country (Okólski, 2021). The long history of waves of Polish emigres leaving their motherland because of poverty, oppression,

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injustice, and hopelessness consolidated a pattern of the Polish migration as a form of exile and martyrdom and the Polish diaspora as an example of solidarity, brotherhood, and self help. Despite the fact that Polish emigration was “surrounded by myths, symbols, cultural codes and stereotyped framings” (Garapich, 2014), it cultivated the image of a stranger coming to a strange land where he or she must overcome the feeling of otherness by being domesticated by indigenous actors and institutions.

Over the past two decades, Poland has transformed from a traditional emigration country to an emigration-immigration state (Szyłko-Skoczny, Duszczyk, 2010, p. 10). Moreover, as Szonert and Łodziński (Szonert, Łodziński, 2016, p. 4) argue, immigration has been the main driver shaping Poland’s migration policy in the 21st century. Therefore, the problem of otherness must be perceived in the context of both the contemporary experience and the legacy of the past as the reverse image of a migrant being an “eternal wanderer” and the other “by default”. The Poles, used to praising their compatriots living in a diaspora, have to learn to coexist with members of other diasporas settling in Poland as their land of destination. Polish nationals have been confronted with the necessity to discern certain patterns of otherness as everyday experiences.

Against the predominant background of an externalisation of the Poles’ attitudes towards contemporary migration (reinforced by their accession to the EU), the inflow of foreigners triggered a specific kind of imagination determined by the attitude attributed to a contact with an “other”: that of the looking-glass self (Cooley, 1922, pp. 184–185). Building on Cooley’s classical concept, this applies to a symbolic interaction between a Pole’s identity as a member of a migrant nation and an immigrant who arrives to Poland with the expectation of being accepted as a person in need of assistance or protection. A question arises: How does a Pole attribute the same virtues to themselves and the same vices to the immigrant (the “other”) while being aware that their image in the eyes of the immigrant may be, in many aspects, identical with the predominant pattern of the immigrant in society? The concept of parochialism is helpful in addressing the matter of the looking-glass self and its consequences for immigration policy. This article aims to interpret the Polish immigration policy in the context of parochialism and its virtues. It points to the consequences of a migration paradigm shift generated by the concomitant processes of modernisation and indigenisation.

The argument developed in this article holds that Poland’s immigration policy during the government of the United Right (Zjednoczona Prawica) coalition (since 2015) has been marked by the tendency to favour parochialism as an attitude which captures immigrants in the exclusion-

ary formula of “the other”. An auxiliary argument suggests that parochialism as a predominant pattern of indigenisation of the perception of the “others” (immigrants and refugees) has tended towards its altruistic variant which mobilised an indigenous population to oppose the inflow of those migrants who resist “domestication” and show inherent features of alienation (in terms of race, religion, language, or customs).

The methodology applied for the research presented in this article embraces the following elements: (1) a theoretical framing built on the concept of parochialism; (2) an interpretive political analysis approach to the study of public discourse; (3) a qualitative content analysis of policy documents, official statements, public speeches, and media coverage for the years 2015–2022; and (4) an interpretation of selected public opinion polls and surveys concerning attitudes of the Poles towards foreigners. An important disclaimer must be applied here; the present analysis excludes the effects of the Russian aggression against Ukraine in 2022 on Poland’s official position towards migrants and refugees, because of the relatively short period of the ongoing military and humanitarian imbroglio and inability to critically assess the structural consequences of the war in Ukraine for migration processes and policies in Poland and in Europe.

Parochialism: A Theoretical Outline and the Polish Experience

The attitude to immigrants in Poland has been increasingly shaped by the recreation of parochialism as a cautious group attitude deserving praise for its traditional, tribal, and ethno-nationalist virtues.

Polish parochialism is the result of the historical evolution of the Polish nation, its peripheral location in relation to the centres of development and modernisation, its predominantly rural population and the strong position of the Catholic Church (Mayblin, Piekut, Valentine, 2016; Porter-Szűcs, 2011, chap. 6). Marginalisation and isolation from the main streams of progress and modernisation have resulted in the concentration of everyday life around the traditional institutions of local life: a mansion, a parish, and a local state authority, or – to quote a 16th-century poem – a Squire, a Bailiff, and a Parson.

Today, the parochial mentality is still strongly embedded in many rural areas, especially in the eastern and south-eastern part of Poland, as well as in small and medium cities, located far from the centres of development and devoid of direct benefits derived from EU membership and economic growth. The sense of nativeness, life in the local community, and ethno-

linguistic identity generate a fear of the “other”: an alien, an immigrant, a refugee, a Muslim, a Jew. The Polish Episcopate, the central organ of the Catholic Church, has contributed to the petrification of the conservative and parochial mindset, also with regard to immigration, recommending “prudence” and pointing to the responsibility of “secular authority” for handling the refugee issue.

Parochialism is strengthened to a considerable extent by inferiority complexes. The Polish inferiority complex is a typical result of the loss of the status of European power in the 18th century and the shift to the periphery. The feeling of humiliation, historical injustice, instrumental treatment by the great powers, and the growing distance to the rich and developed West have contributed to the sense of being “second-class Europeans” (Kurczewska, 2003, pp. 86–88). It was reinforced under Communist rule, when the Soviet-type economy and Communist party apparatus produced a poor, backward *homo sovieticus*. Fed by the stories told by numerous Polish emigrants who settled mostly in the United States, the inhabitants of Poland became depressed by the bleak picture of their daily existence. After the fall of communism, Poles quickly got themselves Europeanised and westernised. Nevertheless, the sense of discrimination, marginalisation, disrespect, and abuse continued as a result of a bitter confrontation with the reality of life in Western Europe, with terms of employment, cultural diversity, and with moral freedom. With the explosion of anti-immigrant propaganda in 2015, it erupted into a chauvinist, ultra-nationalist and intolerant discourse, particularly visible on social media, but also present in some radical views and opinions publicly shared by representatives of the ruling party.

The above-presented structural grounds for the parochial behaviour of the Polish people need to be captured in a theoretical and conceptual framework. Parochialism is commonly understood as an individual or group attitude towards a social reality which structures collective behaviour around local, indigenous, and inner-circle affairs. It is associated with a tendency to focus on issues that are being debated within a given group, a community, or a society (Poulson, Campbell, 2010, p. 32). It is marked by a passive attitude towards the political system, the diffusion of roles along political, economic, and religious orientations. It puts a considerable emphasis on autonomous local communities. Parochialism manifests itself at the grass-roots level. It addresses local actors (autonomous local authorities, religious leaders, grassroots activists) and, if necessary, local representatives of central authorities or nation-wide political parties and social movements. It reduces the scale and extent of social ties, making them not only smaller, but also more homogeneous due to the efficiency-

enhancing effects of similarity or social affinity with parochial interactions (Bowles, Gintis, 2004, p. 18).

Despite the diversity of identities and individual roles performed in local communities (every member of such community has their own sense and understanding of parochialism), external factors significantly shape group behaviour and foster cooperation among the individuals. “Outer” impulses, disturbing and unwelcomed, trigger basically negative reactions activating defence postures and the manifested rebuff. The “other” (a “not-one-of-us”, an outsider, a foreigner, a stranger, an alien) is often perceived in terms of their being or causing a disturbance, interference, anxiety, or threat. The increasing presence of the others encourages a parochial community to “close the ranks” and cooperate in absorbing or deterring external influence. Relative in-group homogeneity spurs parochial cooperation in two instances: as a protection and promotion of in-group coherence (in-group love), and as a derogation and the fighting of rivalling out-groups (out-group hate) (De Dreu et al., 2014, p. 4). Thus, the group logic of parochialism breeds social exclusion and reduces tolerance and the diversity of interactions within a given community, as well as with external actors. It also bolsters parochial forms of behaviour epitomised by particularism, localism, and familism. Likewise, it endorses sentiments and practices which restore archaic social distinctions and diffuse an intolerance of strangers (Bowles, Gintis, 2004, p. 3).

A spatial dimension of parochialism entails the constant connection with homeland. This evokes a strong sense of territorial confinement and the desire for unity, solidarity, and protection. The formation of local attachments and the sources of identification and belonging (Tomaney, 2012, pp. 659–661), reflected in everyday interactions, constitute the main determinants of spatial settings and “parochial places”. Parochiality can be produced in a specific location which often is delimited by territorial boundaries. The need for bordering stems from the parochial spatial property; the parochial realm offers a degree of physical and emotional safety. The reductionist construction of parochial “home territories” creates an antithesis of “our” place and homeland and “theirs” (Hewitt, 1983, p. 253). An exclusionary formula of belonging and anchorage makes the parochial realm inhospitable or even hostile to “strangers” or “outsiders” (Lofland, 1998, p. 118).

Bowles and Gintis (Bowles, Gintis, 2004) argue that parochialism increases specific problem-solving capacities. It evokes altruistic sentiments within a community or social group bound by kinship, ethnicity, race, cultural affinity, or national identity. In-group altruism promotes mutual trust and reduces communication difficulties. The intersection of paro-

chialism and altruism, conceptualised by Choi and Bowles (Choi, Bowles, 2007, pp. 636–640), addresses the social solidarity and group benefits resulting from hostility towards other groups. Parochial altruism is based on a combination of in-group tendencies to discriminate and cooperatively engage in violent aggression against out-group members (De Dreu et al., 2015). Parochial altruists “give preferentially to their own members and punish those who harm group members more severely than if the victim is not an insider” (Choi, Bowles, op.cit., p. 638). Parochial behaviour, consisting in preferences for favouring the members of one’s own social group, is altruistically internalised through egalitarian norm taking and expressed by a determination to enter conflict with norm-breakers and punish them for disobedience. Redistribution preferences also matter as material incentives for in-group solidarity (Rueda, 2018, p. 228). Parochial altruism prefers wealth-maximising action with a lower moral cost, which might be disturbed by the necessity for redistribution modifications in the face of incoming migrants (immigrants competing for available jobs or refugees in need of at least minimum material assistance). Thus, parochial altruism engenders fear of the “other” as a contender for jobs and as a prospective consumer of welfare benefits so far guaranteed to indigenous social groups. It also arouses a reluctance to provide refugees (and asylum seekers) with a greater public aid which might affect the redistribution model in a way that could reduce welfare benefits for the indigenous communities.

Applying the main patterns of parochial behaviour to the attitudes towards the “others”, one should underline the following features:

- (1) in-group indifference to the “outer” world and a preference for exclusionary reaction to the presence of the “others”;
- (2) ethno-nationalistic rites of inclusion (kinship, language, culture, and religion as threshold conditions);
- (3) integration through “domestication” in local parochial places as a mechanism of anxiety management and a reduction of uncertainty associated with the “others”.

Immigration Trends in Poland

According to estimates of the Central Statistical Office, the number of foreign nationals living in Poland amounted to 2,106,000 at the end of 2019, which constituted 5.5% of Poland’s total population (GUS, 2020). This was an average EU level. According to Eurostat (2022a), 5.3% of people living in the EU on 1 January 2021 were non-EU citizens. The number of long-term residents reached the level of 500,000 in August

2021 (Dudziak, 2021), which was five-fold higher than in 2010. This illustrated an impressive transition from an insignificant number of foreigners residing in Poland in the period following the fall of Communist rule and the subsequent two decades. Still in 2011, the share of foreign nationals as long-term residents in the total population of Poland equalled 0.2% (GUS, 2011). As a result, immigration policy had long been an essentially secondary issue, overwhelmed by the dynamic and large-scale outflows of the indigenous Poles, chiefly due to the membership in the EU (Pacek, 2020, pp. 91–94).

However, the need to compensate for the negative consequences of emigration on the labour market, the more and more attractive conditions of employment and residence, and the getting used to the presence of the increasing foreign population has allowed for a gradual absorption of substantial immigrant groups and their accommodation to local circumstances. Under the rule of the United Right coalition (dominated by the Law and Justice party led by Jarosław Kaczyński), the intense growth of the immigrant population has been conditioned by several factors.

Firstly, the majority of the immigrants arrived from neighbouring countries, belonging to the common ethnolinguistic group (Slavs), religion (Christianity), and customs and habits. Their “rites of passage” were relatively mild and quick. Their otherness was relatively soft and expressed by some specific traits and behavioural patterns: a specific labour ethos, a distrust of authorities, in-group solidarity (“washing one’s dirty linen at home”), and underdeveloped professional skills. However, those deficits have been considerably reduced by “parochial adjustment” facilitated by a snowball effect of migrant settlement. The regular inflows of immigrants from Eastern Europe – mainly from Ukraine (64% of the total immigrant population in Poland) and Belarus (5%) – have been greatly assisted in their adaptation by compatriot settlers and ingrained in the local contexts of parochiality framed by cultural and linguistic proximity. The virtue of parochialism has been revealed by inclusionary mechanisms facilitating the adjustment of the immigrants to local conditions through the cultural and ethnolinguistic “goodness to fit”. As public opinion polls have shown, “parochial adjustment” coincides with a depoliticisation of the migration issue, especially with reference to Ukrainian nationals.

Secondly, Poland has been relatively strict when it comes to granting international protection. The hardening of Poland’s stance during the migration crisis in Europe in the mid-2010s was due to the Law and Justice’s interpretation of the crisis in terms of refugee pressure. The Polish government, afraid of the prospects of the arrival of asylum seekers (and international refugees subject to the relocation procedure in the EU) in

terms of poor reception infrastructure and cultural backlash, vehemently opposed the reception of refugees and hardened its already tough stance on asylum applications. In the beginning of 2016, the number of foreigners enjoying international protection in Poland (asylum and refugee status; subsidiary protection; residence permits for humanitarian reasons or tolerated stay and temporary protection) was 5,550. Within this number, 1,359 were granted refugee status (MRPiPS, 2016). According to Eurostat, the recognition rate was just 3%, which means that the number of positive decisions on asylum applications in 2015 was only 695. This has not changed substantially in subsequent years. In 2020, the number of asylum applications was roughly 2,785 and only 135 of those applicants were granted international protection (Eurostat, 2022b).

The post-2015 Polish official discourse on refugees consisted of dissuading prospective asylum seekers from lodging an application in Poland and even denying foreigners in need of international protection the ontological status of refugee. This was strengthened by the use of the word “refugee” as a misnomer and a widespread tendency to replace it with other synonymous or euphemistic terms, such as economic migrants (Gruszczak, 2021). As a result, the very word “refugee” acquired negative connotations which was evidenced in public opinion polls conducted in the midst of the migration crisis. The number of respondents opposing the reception of “refugees” rose sharply from 21% in May 2015, to 38% in August 2015. It was 53% in January 2016, and 61% in April 2016 and fluctuating between 52 and 60% until June 2018, and slightly decreased to 48% in September 2021 (CBOS, 2021, p. 2).

Thirdly, the negative attitude towards asylum seekers and refugees did not preclude an interest in attracting foreigners to the Polish economy. The declaration on entrusting work to a foreigner for an employment period of up to 24 months, submitted by Polish employers to the local labour offices, may serve as a reliable indicator of a relative openness of Polish entrepreneurs to foreign manpower. This has coincided with the positive attitudes of Polish society towards labour migration (CBOS, 2016; CBOS, 2020).¹ The number of declarations has increased enormously since the beginning of the second decade of the 21st century. In 2011, it was 163,984. In 2014 it amounted to 387,398 and three years later it had skyrocketed to 1,824,464. In 2020, due to the COVID-19 pandemic, the number of declarations decreased to 1,595,599, yet in 2021 it reached a record-high of 2,065,416 (Wortal publicznych służb zatrudnienia, 2018, 2021).

¹ In a survey conducted in December 2016, 85% of the respondents approved the employment of foreigners in Poland.

Openness to labour migration may be explained on nothing more than pragmatist and utilitarian grounds. There are substantial benefits from foreign manpower accompanied by a relatively low level of involvement and duties on the part of the authorities. Simply put, the state does the minimum required to regulate the residence of the labour immigrants and needs not be preoccupied with them, for they are self-sufficient, including in the matters of in-group security and justice, and are distrustful of the authorities.

Poland's Immigration Policy as Seen Through the Lens of Parochialism

Parochial politics praises traditional community life absent from external elements which might disturb local customs and orders. The presence of an outsider is the cause of anxiety and the exodus of the locals provokes regret and a sense of loss. Therefore, a parochial migration policy aims to defend parochial communities against an undesired arrival of "aliens" and to prevent them from disturbing the local order by their very appearance. Likewise, such a policy welcomes compatriots, especially those returning from "exile", and the "domesticated others" who want to and can adjust to local conditions and put down roots in the parochial structures. The Polish immigration policy has disclosed some features of parochialism which offer us an insight into the structural background of the problem of otherness.

A first, comprehensive assessment of the migration policy was adopted by the Polish government only in July 2012 (*Polityka migracyjna Polski*, 2012). It conceived immigration as a compensatory mechanism for the intensive emigration which followed Poland's accession to the EU in 2004 and the gradual opening of labour markets in EU Member States to Polish citizens. It was noticed in that document that increased immigration in Poland is natural and – due to economic and demographic determinants – largely unavoidable. However, the government warned of some risks and challenges accompanying that trend, addressing therefore the essence of a parochial reaction to an intensifying inflow of strangers. To quote the document: "When using the potential of foreigners residing or settling in Poland (along with cultural potential), one should take into consideration the emerging new challenges, e.g., counteracting negative phenomena related to migration. These include, first of all, potential social tensions and intolerance on the part of the citizens of the host country resulting not only from cultural differences, but also from more or less conscious competition on the labour market, especially in the event of economic fluc-

tuations” (Polityka migracyjna Polski, 2012, p. 13). Priority was given to foreigners of Polish origin, repatriated persons, and holders of the Pole’s Card (Karta Polaka in Polish). The argument was that “representatives of these groups, due to their cultural and historical proximity, do not cause difficulties and problems in social interactions, as these people integrate relatively easily with Polish society” (Polityka migracyjna Polski, 2012, p. 25). Yet another proposition incorporated into the principles of the immigration policy concerned financial and tax incentives for the returning Polish emigrant workers. There have been no reliable data thus far, however, to prove that those measures have been effective. Nevertheless, the intent to convince Polish labour migrants to return to their homeland has been a salient point in the immigration agenda.

Preferences for the Polish diaspora were legally sanctioned in 2007 when the Polish parliament adopted a law on the Pole’s Card. The holder of the Card has the right to visa-free travel to Poland, multiple crossings of its borders, and is entitled to various benefits and forms of assistance provided by the Polish state. However, an applicant for a Pole’s Card must prove that at least one parent or grandparent, or two great-grandparents, are or were of Polish nationality, or Polish citizens. Moreover, the applicant must sign a written declaration on belonging to the Polish nation. A 2016 amendment to the law on the Pole’s Card introduced further facilitations. The holders of the Card are exempt from fees for temporary and permanent permits. Persons who were granted a settlement permit can apply for Polish citizenship upon having stayed at least one year on Poland’s territory. Also, family reunion rights can be enjoyed by bearers of the Card. Members of their families can obtain a visa for Poland and later apply for a temporary stay permit. Arriving in Poland, the holder of the Card can then request a financial assistance from the state for a 9-month period (EMN News, 2016). Pole’s Cards have enjoyed popularity, especially among the descendants of Polish nationals of the inter-war period (currently, citizens of Ukraine and Belarus constitute over 91% of the card holders). Over 308,000 of those documents were granted in the period between 2008–2020 (Statistics Poland, 2020, p. 468).

The priority given by the government to ethnic Poles has coincided with a fear of multiculturalism as a privilege of the others (non-Poles, non-Catholics, non-Slavs). The Strategy for Responsible Development adopted by the government in 2017 warned against “solving demographic problems and the needs of the labour market exclusively through immigration of people who are religiously and culturally distinct” (SOR, 2017, p. 152). This, according to the above document, “in the long run may outweigh potential gains and threaten the cohesion of social structures”

(SOR, op.cit.). Another document outlining the Polish migration policy emphasised that “the paradigm of immigration and integration based on the multiculturalism model needs to be re-evaluated towards the concept of a leading culture” (Polityka migracyjna Polski, 2019, pp. 2–3). Prospects for anchoring the immigration policy in the controversial concept of a leading culture (*Leitkultur*) left no doubt about a preferred model of integration and the “domestication” of foreigners. The above-quoted document pointed out that “the system of integration of foreigners should set integration as a certain obligation, and not only one of the options that can be chosen by a foreigner. The objective that should be pursued in this context should first be an effective integration, and then the assimilation of a foreigner” (Polityka migracyjna Polski, 2019, p. 3).

Integration of foreigners has been one of the key postulates concerning Poland's immigration policy. In the 2012 policy document adopted by the government, this matter was framed by general EU guidelines of integration of third-country nationals. Nevertheless, it also placed emphasis on some elements typical of assimilation and not integration. Since 2015, emphasis has been placed on assimilation as a security-motivated process of “social prophylaxis” and control preventing immigrants from looking for alternative values to those predominant in Poland as the host country. In addition, it was underlined in migration policy documents that integration based on multiculturalism in Europe ended in fiasco. Therefore, “a final solution, ensuring the maintenance of social cohesion and counteracting potential cultural violence, should therefore be selective immigration followed by the assimilation of foreigners, preceded by intensive integration activities” (Polityka migracyjna Polski, 2019, p. 42).

Fear of “the others” after 2015 has been strongly associated with racial, religious, and cultural factors, along with indifference to humanitarian arguments and issues. It was fuelled by the post-2015 Polish official discourse at least on two occasions: the 2015–2016 migration crisis in Europe and the 2021–2022 humanitarian tragedy at the Polish-Belarusian border. Attitudes towards refugees shifted under PiS rule, moving towards open aversion. Already during the electoral campaign in 2015, PiS leader Kaczyński warned against receiving refugees and made a direct causal link between refugees, especially Muslims, and terrorism in Europe. Religious and racial factors have been another interesting aspect of that discourse. The troublemaking “others” have been commonly identified in Poland with the inflows of Muslims (so-called “Arabs”) who flood European countries, undermine public order and abuse their right to international humanitarian assistance. The xenophobic narrative constructed by the Law and Justice party correlated with certain attitudes of the public towards foreigners. The surveys

conducted since 2002 have proven that Poles strongly dislike ethnic and religious communities, such as Muslims (commonly identified with “Arabs”), Roma, and Jews. Although anti-Semitic statements and slogans have considerably abated, the antipathies to Roma and Muslims have remained strong. A surge of anti-Muslim and anti-Arab sentiment has been observed since mid-2015. In March 2016, antipathy to “Arabs” reached the level of 67%. Accordingly, the majority of respondents (64%) highlighted the intolerance and aggressive features of Islam: 57% thought that it encourages violence, and 51% believed that Muslims approve of violent actions against other religions (CBOS, 2015). Arabian people have historically been the most disliked group of foreigners, with the disapproval indicator oscillating between 67% in 2016 and 46% in 2022 (CBOS, 2015, p. 4).

Conclusions

Parochial attitudes are widespread in Polish society, and are reflected in the migration policy of the Polish government. They favour the ethno-national criteria of inclusion and place special emphasis on language as the key means of a successful “domestication” of immigrants. Simultaneously, they contain a significantly negative message, warning the indigenous population of the strangers in terms of criminal activities, labour security, and even terrorism (Olbrycht, 2021). A fear of immigrants, fuelled by the Polish authorities, has resulted in the fact that in the post-2015 period, only 5–9% of the Poles have been willing to accept refugees unconditionally and allow them to settle.

Irrespective of the exclusionary repercussions of parochialism, especially in its altruistic form, immigration policy may be more effective and make a better use of the virtues of parochialism. Taking into consideration the ideological and doctrinal principles of the post-2015 ruling coalition, parochialism may be useful to explore and develop the following mechanisms of immigration:

- 1) A better integration of “domesticated” foreigners.

Parochialism may reconcile the assimilatory forms of integration with the emphasis put on the ethno-linguistic fitness of an immigrant. By co-existing with immigrants on an everyday basis, local communities may be much more helpful than state officials in implementing adaptation programmes of linguistic and cultural education. The locals can teach the “aliens” more quickly and more efficiently, particularly if the latter come from similar parochial millieux in their country of origin.

- 2) A stronger internalisation of the problems of foreigners in the context of local, parochial cultural patterns.

Parochialism in its inclusionary form may facilitate an effective handling of a wide range of problems and issues transferred by the immigrant population from their past, such as poverty, health issues, shiftlessness, or inexperience. Parochial rules facilitate the selection of immigrants, giving unambiguous preferences to those who meet the parochial standards of adaptability and denying those who resist “domestication”.

3) Introducing a bottom-up capacity for self-organisation, without the need to involve central authorities.

A successful domestication (by assimilation and integration mechanisms) of immigrants in local communities to a considerable extent relieves the authorities of the necessity (and duty) to manage the immigrants in terms of international obligations, domestic norms, and security-related concerns. Parochial rules and regulatory mechanisms supplement the law and its enforcement and make the authorities intervene as a last resort.

The Polish case proves the rule: The stronger and more diversified contact is with the “others”, the higher the level of approval for their presence and willingness to host them on a temporary or even permanent basis. The example of the Ukrainian immigrants and their coming to Poland offers convincing evidence of Poles “getting used” to their constant presence and accepting their contribution to every-day life in Poland². Faced with the amassing inflow of immigrants, the Polish state and society should appreciate the virtues of parochialism as an inclusionary formula of tackling the immigration issue.

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² Public opinion polls show that the percentage of those declaring sympathy towards Ukrainians have increased from 27% in 2016 to 43% in 2021. See CBOS, 2022, p.3.

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The EU Integration Process of the Western Balkans in the Aftermath of 2015's Refugee Crisis

Abstract

The worst contemporary refugee crisis that occurred during the summer of 2015 challenged the basic values of the European Union. There had never been a time when the need for a consistent approach, both from the individual Member States and the EU as a whole, was more urgent. The Union's response during 2015's refugee crisis was unreliable, fragmented, and it largely affected the Western Balkan countries that are now aspiring to become EU Member States. This paper analyses how the EU's response to the refugee crisis has affected and still affects the countries in the Western Balkans, which are all in different stages of their European integration. The refugee crisis created many challenges for the Western Balkan countries which are all weak democracies and which have unstable institutions. This paper also analyses the numerous domestic costs connected to these countries when faced with the refugee crisis. Finally, the paper argues that, although largely harmonised with the EU *acquis*, the legislative and institutional frameworks for migration management in Western Balkan countries need further adjustment.

Keywords: Refugees, Refugee Crisis, Western Balkan, EU Enlargement, Security

Introduction

The summer of 2015 was a period when EU leaders were facing the worst contemporary refugee crisis that challenged the basic values of the European Union. The crisis required a consistent approach, and called for

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collective and individual Member States to fulfil their responsibilities to refugees. There was an urgent need for a common European response to refugee arrivals; a response which was needed to meet the EU's collective obligations in international law, as reaffirmed in the EU legal order, in the EU Charter of Fundamental Rights, the EU Treaties, and legislation. Furthermore, the EU's response to the refugees' influx largely affected the countries on the EU borders that are currently aspiring to become EU Member States. This was mainly due to the fact that a record number of migrants who entered the EU via Greece were trying to make their way via the Western Balkan route through North Macedonia, then Serbia, and further on to other EU countries. Because of this, Serbia and North Macedonia were put under enormous pressure to deal with the huge refugee influx. It was further expected from them to make an effort to stop the migrants even before they had entered their territory. Other countries in the region such as Albania, Bosnia and Herzegovina, Kosovo, and Montenegro were not directly affected in the sense that refugees crossed the territories of their states, but they were left vulnerable if the route changed to include them. The paper explores how the EU's response to the refugee crisis has affected all these countries in the Western Balkans, which are all in different stages of their European integration. It also examines the effects the refugee crisis had on the EU integration process of the Western Balkan countries. In this context, the paper considers the migration and security standards imposed on these countries within their EU integration process. It examines the changes to the legal and institutional framework in these countries as a response to the highly complex system for migration management.

The second part of the paper analyses the role of the Western Balkan route during the 2015 refugee crisis and the implications of the Turkey deal. It also focuses on the repercussions that the EU's incoherent action had during the crisis for the countries on this route. The third part focuses on the EU integration process of the Western Balkan countries during and after the 2015 refugee crisis, examining the implications this crisis had on the process, with special emphasis on the way forward for the future. It elaborates on the new Six Flagship initiative that was developed for EU enlargement in the region. Finally, the fourth part explores how the EU standards connected to migration and security have been applied and further strengthened in the pre-accession period in the countries of the Western Balkans.

Setting the Scene: The Role of the Western Balkan Route

After the end of the Cold War and the break-up of Yugoslavia, the “Western Balkan route” became relevant because of two categories of migrants. On the one hand, numerous migrants coming from the Western Balkan countries were and still are seeking to move to the EU. These are mainly young people that are often disappointed with the political situation in their countries of origin, disappointed with the lack of opportunities and the economic hardship, and are migrating into the EU in a search of a better life. Nevertheless, this kind of migration was not the focus of the 2015 migration and refugee crisis and is not part of the analysis in this paper. On the other hand, largely owing to its strategic geopolitical location, the Western Balkans has become an important hotspot on one of the main migration routes to the EU. An increasing number of refugees and migrants from outside the region – mainly from Afghanistan, Pakistan, Palestine, Syria, Somalia, and North Africa – were arriving from Turkey and Greece and were transiting the region using the Western Balkan route (Milan, 2018; Longinović, 2018; Zaragoza-Cristiani, 2017; Cocco, 2017; Šelo Šabić, Borić, 2016). The route became a popular passageway into the EU in 2012 when Schengen visa restrictions were relaxed for five Balkan countries – Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the Republic of North Macedonia.

In was during the 2015 when the record number of migrants arriving in Greece had a direct, knock-on effect on the Western Balkan route. The migrants who entered the EU via Greece were trying to make their way through to North Macedonia and Serbia, on to Hungary and then further on mainly to Austria, Germany, and Sweden.¹ Many of the refugees that were using this route lodge asylum claims in one or more of the Western Balkans countries, but very often departed even before getting their claims processed. Another large number of migrants and refugees that were crossing the Western Balkan route were using illegal border crossings. These irregular movements which were very often connected with trafficking in persons and human smuggling, were additional concerns for the states on the migration route (Taleski, 2016; Brunovskis, Surtees, 2019; Pastore, 2018; Zielonka, 2017). These developments only added to the hardship experienced by the Western Balkan countries that

¹ During all of 2015, the region recorded 764,000 detections of illegal border crossings by migrants, a 16-fold rise from 2014. The top-ranking nationality was Syrian, followed by Iraqis and Afghans. The numbers presented are according a Frontex estimate. The CoE numbers are 100,000 higher than Frontex’s estimate for the same period of time.

are, as has already been noted, fragile democracies with weak institutions, and for a very long time have been the countries of origin, transit, and destination of migrants, mostly for the purposes of sexual exploitation and forced labour. The transnational crime connected with the illegal crossing of migrants during the 2015 crisis has put additional strain on the countries' weak institutional systems, posing a great security threat, and negatively affecting access to protection for those in need of it (European Parliament Briefing, 2016).

During the 2015 refugee crisis, with intensifying control on the crossing point between Libya and Italy, and with the building of a fence along the Hungarian-Serbian border, a geographical reorientation of the migrants' route was made (Stojanović, 2015). These events had spill-over effects on the political dynamics in the Western Balkan states (Bačić, Selanec, 2015; Sardelić, 2017). The fence on the Hungarian border diverted the Western Balkan route to Croatia, which put additional pressure on the Western Balkan countries. Serbia and North Macedonia sought to stop migrants even before they had entered their territory. These Western Balkan countries are not part of the European Common Asylum Policy, and therefore were not able to use any of the EU's mechanisms. Nevertheless, they were left to be the external frontier of the Union (Brsakoska Bazerkoska, 2017a). Other countries in the region, such as, Albania, Bosnia and Herzegovina, Kosovo, and Montenegro were not directly affected in the sense that refugees crossed the territories of their states. However, all these countries felt vulnerable if the route changed to include them. The governments there took preventive measures in terms of increasing border control, monitoring possible illegal crossings, taking part in meetings at the European level and forming joint border controls with neighbouring states (Šelo Šabić, 2017). During 2015, when the refugee crisis was in full swing, the situation in the Western Balkans demonstrated that border control is not sufficient to solve a crisis of that magnitude. The reliance of refugees and migrants on smugglers as well as the likelihood that people go underground was further amplified and remains a problem to this day.

The Implications of the Turkey Deal

The refugee deal with Turkey, from March 2016, provided for Turkey to take back all refugees and migrants making their way to Greece in the future, based on the EU designating Turkey as a safe, third country for asylum seekers (Weber, 2017).² According to the deal, for each Syr-

² This was agreed despite the fact that the majority of international human and asylum rights organisations rejected this designation for Turkey.

ian returned from the Greek islands, the EU would resettle another one from Turkey to the Union. In addition, once the number of refugees and migrants passing through the Aegean had been lowered substantially, EU Member States would voluntarily resettle a larger number of the 3 million Syrian refugees from Turkey (EU-Turkey Statement, 2016). With the EU-Turkey deal, the number of migrants passing through the Western Balkans has been significantly reduced. According to Frontex data, irregular border detections decreased from around 60,000 in January to less than 2,000 detections in September 2016 (Frontex Risk Analysis, 2017). With the deal, transit along the Western Balkan route was no longer permitted. It should be noted that the closure of the Western Balkan route was not initiated from within the region. It was Austria and the four Visegrad countries - Hungary, Poland, the Czech Republic, and Slovakia that started to actively work towards a closure of the route in early 2016. This was done in close cooperation with Western Balkan governments but against the priorities of the Greek government.

From the present perspective, the fact is that the Balkan route has not been entirely sealed off. There are an estimated 41,000 migrants (DW, 2019) waiting at the infamous camps on islands such as Moria on Lesbos and Vathy on Samos, in Greece. Many of these migrants are keen to move on to other EU Member States and they, once again and when able, will use the Western Balkan route. Considering these developments, it is understandable that human smuggling has become a booming business. Back in 2017, the estimate was that the smuggling business was worth around €2 billion a year (Trauner, Neelsen, 2017). Even today, and despite the COVID-19 pandemic, there are numerous reports that the smuggling operations are still ongoing on the Western Balkan route (Balkan Insight, 2020). The official “closure” of the Western Balkan route had created another situation that is a burden to the countries in the Western Balkans. Namely, it left a number of migrants trapped, especially in Serbia and North Macedonia. According to the estimates from the EU and UNHCR, in 2017 there were around 8,000 migrants stranded in Serbia (Le Blond, 2017). In reality, the numbers differ because many migrants hide and refrain from starting asylum procedures in the Western Balkan countries.

This paper will further explore how these developments and the exposure of the Western Balkan countries during the 2015 refugee crisis have influenced the process of EU integration in the region.

The EU Integration Process in the Western Balkans Under the Influence of the Refugee Crisis

The context of EU integration in the Western Balkans is different, mainly because the region is characterised by legacies of war and a political climate that enabled the flourishing of organised crime, corruption, and illegal migration. The EU had firstly to stabilise the region after the dissolution of SFRY and then associate the newly-emerged countries. The Stabilization and Association Process was launched in 1999 and granted the countries from the Western Balkans the status of potential candidate countries. In 2003, the Thessaloniki Agenda promoted political dialogue and cooperation in the area of the Common Foreign and Security Policy (CFSP), the strengthening of parliamentary cooperation and institution building (Council of the European Union, 2003). Therefore, the EU conditionality policy in the Balkans was designed as a multi-dimensional instrument directed towards reconciliation, reconstruction, and reform. The six Western Balkan countries that are moving towards EU membership are all in different stages of their integration. Serbia and Montenegro have already opened their negotiations with the Union, specifically in 2014 and 2012 respectively, while to North Macedonia and Albania the draft negotiating framework was presented in July 2020 following the decision of the Council in March 2020. Due to political reasons the opening of the accession talks with these two countries has been delayed and it materialized in July 2022. It is Bosnia and Herzegovina and Kosovo that are in the very early stages of their Euro-integration path as potential candidates – having the Stabilisation and Association Agreements only entered into force in 2015 and 2016 respectively.

In the context of the EU integration process of the Western Balkan countries, and also outside that context, the 2015 refugee crisis was a completely new situation for the region. Traditionally, the Western Balkan countries had a very limited view of migration. As Šelo Šabić explains, this is the case because migration in the region was mainly intra-regional for economic reasons, or it was towards third countries for both economic and political reasons (Šelo Šabić, op.cit.). The break-up of the former Yugoslavia and the wars that raged through the newly established countries during the 1990s produced hundreds of thousands of refugees and internally displaced persons who found shelter either in neighbouring countries or across the world (Šelo Šabić, op.cit.). During the 2015 refugee crisis, the circumstances were rather different. The majority of the migrants passing on the Western Balkan route had Europe in mind as their final destination. Nevertheless, the countries on their route were in no way equipped with the appropriate

mechanisms to provide them with the necessary protection while passing through. A huge burden has been put on the countries' infrastructure, their social structure, and their health structure.

One very important, but also very overlooked issue following the 2015 refugee crisis and the closure of the Western Balkan route, is the impact of this crisis on the EU integration process of the Western Balkan countries (Bieber, 2015; Cocco, op.cit.). It has been argued in existing literature that, following the refugee crisis of 2015, the process of securitisation of migration is ongoing in the Western Balkans (Šelo Šabić, op.cit.; Gatta, 2019; Hyndman, 2008; Huysmans, 2000; Léonard, 2010). However, the dynamic is not the same in each country, as the securitisation of the crisis led to policy changes within the countries. It also led to changes in their relationship with the EU. It has to be taken into account that the basis for the securitisation of migration in the Western Balkan countries is not necessarily driven by the same concerns. Nevertheless, this crisis put the Western Balkans back on the political map of Europe. It underlined the strategic importance of the region for the EU's stability and security (Wunsch, Dimitrov, 2016). In 2015, the EU convened a mini-summit that included Balkan countries and which produced not only promises of greater coordination and information sharing, but also financial and technical assistance. Although there was no effort to include the countries of the Western Balkans in institutional mechanisms to deal with the crisis – in exchange for their cooperation with the EU to address the crisis – the Western Balkans governments extracted significant political concessions from the EU.

In the cases of North Macedonia and Serbia, the EU was ready to overshadow the growing violations of the basic human rights of refugee seekers and, moreover, to turn a blind eye to the developing authoritarian tendencies by the political elites in both countries in the name of political stability (Benedetti, 2017). This was especially self-evident in North Macedonia's case, where the Prime Minister at that time, Nikola Gruevski, was indicted for a number of violations of human rights in the country. The 2015 wire-tapping scandal in the country exposed massive scale electoral fraud, corruption, abuse of power, and a raft of other economic and violent offences committed by the PM and his closest allies from the then-ruling VMRO-DPMNE (Brsakoska Bazerkoska, 2015; Brsakoska Bazerkoska 2017b). Despite a huge popular movement going on in the country against the then PM and his policy, the EU Commissioner for Enlargement - Johannes Hahn, during his visit of the country in January 2016, said that "despite all the talk about new elections, we should not forget that there is a very serious refugee crisis in Europe..."

it is also about the European, Euro Atlantic perspective, where I believe a strong, decisive government, which can take decisions, is important” (YouTube, 2016). It was evident that the country was slipping into authoritarianism, but the EU kept supporting the government in order to contain the unfolding refugee crisis. On the other hand, Serbian Prime Minister Vučić has been accused of systematically violating the rights of freedom of expression and the media’s freedom in general (Benedetti, op.cit.; Freedom of the Press, 2016). Despite these developments, Vučić insisted that Serbia is more European than the EU Member States considering the way it dealt with the refugee crisis (Avramović, Jovanović, 2015). In this context one very important issue emerged – whether the progress of EU integration can be materialised in exchange for maintaining stability when it comes to the refugee crisis. Benedetti correctly points out that the EU made a big mistake by relying on corrupted and authoritarian leaders to contain the refugee crisis instead of using the strong political and economic leverage and the tools of the EU enlargement policy to seriously face both the internal and the external dimensions of the crisis in a concrete way (Benedetti, op.cit.).

After the formal closure of the Western Balkan route with the signing of the EU-Turkey deal, the Western Balkan region slipped back once again into the background of EU interests. The Western Balkans’ brief moment in the public eye of the refugee crisis has done very little to foster more strategic thinking and to develop more long-term solutions on how to stabilise the countries in the region, and ensure their sustainable democratic transformation and economic development (Wunsch, Dimitrov, 2016). The EU’s response during the refugee crisis in Western Balkans was centered on fighting the symptoms. The insistence from the EU on the need for strong leaders dealing with the situation has intensified the tendency of bad actors to undermine fundamental European values in exchange for geopolitical interests and stability (Brsakoska Bazerkoska 2017b).

The promises from the EU of greater coordination and information sharing along with financial and technical assistance during the crisis came with no effort to include the countries of the Western Balkans in institutional mechanisms to deal with the crisis (Brsakoska Bazerkoska 2017a). Political cooperation has been under the microscope, while the issues connected with smuggling and human trafficking have received very little attention. Also, there was very little interest about the substance and impact of sharing information and cooperation when it comes to organised crime in connection to the refugee crisis.

If the future brings a reactivation of the Western Balkan route, the EU might be in a position to come up with a better response if the coordina-

tion mechanisms between EU and non EU Members function properly. There needs to be a specific focus and support on concrete registration and reception capabilities on the ground.

The Path Forward: The Six Flagship Initiative

The securitisation approach to the crisis on the EU level was manifested in the creation of the European Border and Coast Guard (EBCG) in 2016 (Carrera, Den Hertog, 2017). The time-frame in which the EBCG was established and put into operation was less than one year and is now operating with significantly increased resources and capacities. In this manner, the transformation of Frontex into a new agency has been rapidly carried out. With the establishment of the new Commission in 2019, this trend towards greater security and enhanced border control has been reinforced and reaffirmed. Building strong external borders is the centrepiece of the EU strategy for assessing the refugee flow to the bloc (Zielonka, 2017). There is also a strong impetus to cooperate with the Western Balkan countries which were at the forefront of the 2015 refugee crisis. In May 2019, the EBCG launched the first ever joint operation outside the EU, on the basis of an *ad hoc* status agreement concluded between the EU and Albania (Consilium). Similar initiatives have also been launched with Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia.

Despite these developments, one burning question remains – are strong borders the only way to address a possible future refugee crisis? Moreover, connected to the Western Balkan countries, when emphasis is shifted from the rule of law towards security, it might require a significant change of the substance of EU integration. If a future refugee crisis arises and Western Balkan countries once again find themselves expected to be guardians of the EU, the EU would have to offer tangible gains and benefits. In this sense, it would mean that the EU integration once again risks being perceived by the public as something which has zero transformative aims.

For that reason, the EU needed to reassess its enlargement policy in the Western Balkans, towards building strong democratic countries, paying more attention to the respect of the rule of law as one of the main pillars of the conditionality policy, but also including the issues connected with migration and security. The six flagship initiatives were introduced as a way forward in EU integration for the Western Balkans. The initiatives identify the main areas of common interest for the EU and the Western Balkans in the process of future integration of the countries in the region. The initiative to reinforce engagement on security and migration is one of the six pillars. With this initiative, one of the cornerstones

of the new EU-Western Balkans strategy is the strengthening of the cooperation on security and migration through joint investigating teams and cooperation with the European Border and Coast Guard (Communication COM, 2018). The initiative on security and migration was deemed necessary in order to further step up strategic and operational cooperation with the Western Balkans on migration and border management. These initiatives are aimed at increasing the effectiveness of EU conditionality and the credibility of the EU in the hope of bringing more security to the Union. As the former President of the European Commission Jean-Claude Juncker once stated: “investing in the stability and prosperity of the Western Balkans means investing in the security and future of our Union” (EEAS).

In this context, the EU’s conditionality needs to be exploited in its full complexity in order to close the gap between the need for stability and security on one hand, and the rule of law on the other. In the event of another refugee crisis, there must be a response based on a genuine acceptance of certain basic principles, such as the respect of human rights and the rule of law. With an approach that is based on solidarity, collective action, and a sharing of responsibility not only within the Union but also with the countries on their path to the EU membership, future challenges can be overcome. (Kirchner, Nechev, 2020; Nechev, 2020).

The following part of this paper will look into the level of the Western Balkan countries’ preparedness in terms of their legal and institutional framework to cope with the challenges connected to migration and security issues.

Migration and Security Standards: The Legislative and Institutional Framework of the Western Balkans

The Western Balkan countries are in different stages of their EU integration and their status differs significantly. Nevertheless, they are all largely harmonised with the EU *acquis*. What presents itself as a challenge is the need to further adjust and improve the legal and institutional framework to the highly complex system for migration management. This is the case because, despite the fact the Western Balkan countries have relevant laws and migration management systems in place, the high number of crossings during the 2015 refugee crisis have put a strain on their legislative system. The main challenges these countries faced comprised of how to ensure consistent implementation of the relevant legislation without having the sufficient capacity to receive migrants and to comply with international standards (Brsakoska Bazerkoska, 2017a).

At present, the delicate balance between refugee arrivals and the institutional capacities to address their needs is still tainted by a noticeable increase of the entries in the countries on the Western Balkan route. The COVID-19 pandemic has had an unprecedented impact on mobility, on border and migration management systems, and also on the prevention and control of the spread of the virus. The pandemic has affected around 21,000 migrants, refugees, and asylum seekers who are currently present in the region (Save the Children, 2020). These developments have put additional pressure on reception and protection systems. The issues connected with the conditions at the reception and transit centres cause continuous difficulties in the Western Balkan countries. The transit centres are not suitable for long-term stays, and the authorities in the Western Balkan countries continue to be reluctant to provide anything more than a temporary stay. This is a product of the consistent use of the anti-refugee and anti-migration rhetoric in everyday political life. A poorly informed public is very prone to nationalism and xenophobia which, in turn, creates additional troubles in implementing standards (IOM). Also, arbitrary detentions and the smuggling of migrants are the most burning issues that need to be addressed throughout the constant improvement of the legislative and institutional capacities of the Western Balkan countries.

The legislative and institutional framework connected to migration and security and its improvement, along with further development needs, will be examined. Initially, the main framework, both legislative and institutional, in the Western Balkans connected to the countries' asylum policies is laid out in the tables below:

Table 1. Key Laws That Regulate International Protection in Western Balkan Countries (the data in the table is according to IOM)

Republic of North Macedonia	Law on asylum and temporary protection
Albania	Law on asylum, on the integration and family reunion of persons granted asylum in the Republic of Albania
Serbia	Law on asylum of the Republic of Serbia
Montenegro	Law on asylum of Montenegro
BiH	Law on the movement and stay of foreigners and on asylum
Kosovo	Law on asylum

Source: European Parliamentary Research Service, 2016a

Table 2. First-instance Institutions Deciding on Asylum Requests (the data in the table is according to IOM)

Republic of North Macedonia	Asylum Department at the Ministry of Interior
Albania	Directorate for Nationality and Refugees at the Ministry of Interior
Serbia	Office for Asylum at the Ministry of Interior
Montenegro	Office for Asylum at the Ministry of Interior
BiH	Asylum Department at the Ministry of Security
Kosovo	Department of Citizenship, Asylum and Migration at the Ministry of Interior

Source: European Parliamentary Research Service, 2016b

During and after the 2015 refugee crisis, many Western Balkan countries adjusted their legislation on asylum in order to reduce the inhuman treatment in the reception centres; to improve the asylum procedure (in terms of allowing people to register their intention to seek asylum at the border and granting them a 72-hour legal stay before formally seeking asylum); and also to define those which are the safe countries. Additionally, connected with the legislation regulating asylum, the Laws on Foreigners in the Western Balkan countries play a very important role. Amendments to the Laws on Foreigners in the region were related mainly to visa policy issues, and the issuance of electronic visas and residence permits for some special categories of foreigners. Moreover, most Western Balkan countries adopted different types of by-laws for the implementation of relevant laws on foreigners and asylum (Unijat, 2019).

Another ongoing trend in the region was the establishment of special reception centres near the borders so that migrants could be profiled and registered immediately upon their arrival. This trend was most visible in Serbia, Montenegro, and Albania, especially during 2019 and 2020. Similarly, the structural and organisational changes in the organisation of relevant national institutions were addressed during that period (Unijat, *op.cit.*).

Despite the abovementioned changes in the legislative and institutional framework in the Western Balkan countries, there are numerous challenges these countries are facing in connection to the greater refugee and migrant flow that was detected during 2019 and 2020. The lack of border staff and relevant equipment is still present, and these issues need to be tackled further. Fighting against trafficking in human beings and strengthening police capacities for border management are also a chronic pain in the side of Western Balkan countries. The underlying message of the Zagreb Declaration from 6 May 2020 was that cooperation in ad-

addressing migration challenges, including combating migrant smuggling, has demonstrated its value and will further develop and profit from tools such as cooperation with Frontex, EASO, and Europol (Zagreb Declaration, 2020).

Conclusions

The paper has explored how, as a result of the refugee crisis, Western Balkan countries have come under serious strain which, to some extent, has made them victims of the EU's handling of the situation. The refugees transiting through these countries on the Western Balkan route, have strained already-overstretched institutional capacities to their breaking points. The early response to the crisis highlighted an absence of effective channels of communication and coordination within the EU and also between EU and non-EU countries. The domino effect of closed borders also caused bilateral tensions in the region. Subsequently, these developments have influenced the core of the EU integration process in the Western Balkan countries. The EU was ready to overshadow the developing authoritarian tendencies in the Western Balkan countries in exchange for the provision of political stability. In this context, the paper has explored how the rule of law has been chronically under-enforced, especially because of the need to maintain stability during the refugee crisis at the expense of democracy. It has considered how the EU needs to keep democracy and the rule of law principles at the heart of the EU accession process, merging them with a new approach towards migration and security, and working further on the coordination mechanisms that can be swiftly triggered in order to synchronise responses and exchange information should they be needed in the future.

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The Concept of “Good Governance” in the Context of the European Integration Process

Abstract

There are many influential studies relating to the phenomenon of “good governance” in legal, economic or political dimensions. The major purpose of this paper is to present an interdisciplinary approach that attempts to integrate legal, economic, and political fields to analyse the indicated concept. This article aims at illustrating the interactions and interdependences between “good governance” and the school of law and economics, especially within the European Integration process, founded on the said principles. Apart from legal and economic issues, the indicated areas form a specific field of politics which should be perceived through the prism of political science. The economic approach requires focusing attention on the process of profit maximisation, however, one should not ignore the element of classical political disputes. The hypothesis of this article is the following statement: the decomposition of the liberal idea of law and economy may translate into a downturn of the European supranational structures, leading to the modification of institutions relying on the principles of “good governance”.

Keywords: Good Governance, Law, Economics, European Integration Process

Introduction

A number of valuable analyses of the phenomenon of “good governance” have been developed, concerning, *inter alia*, its legal, economic, and political aspects. The literature on this subject, both at the national and

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international levels, seems to be dominated by specific scientific disciplines with a rigorous delineation of boundaries between particular fields. However, the essence of “good governance” should encourage researchers to move beyond such rigidly defined areas by unifying efforts aimed at presenting the multidimensional nature of this concept. The premise of this article is to propose interdisciplinary research instrumentation to evaluate the legal and economic aspects of the presented issue.

Both the idea of “good governance”, and the school of law and economics raise a number of disputes and polemics, simply because their scope is rather unclear and brings together many opposing statements. A clear delimitation of those research fields by specifying their semantic meaning may create some difficulties, particularly in the context of multi-level management structures, linking local environments with national and/or global levels. This attempts to show mutual relations and interdependencies as well as interactions between the described phenomena, especially in the context of the EU supranationalisation process, the pillar of which is the implementation of “good governance” for the optimisation of economic cycles and the technocratic effectiveness of created regimes.

Foundations for the presented issues should be sought in liberal philosophy, referring to the desired structure of public authority, and be aimed at ensuring prosperity in the realities of the market economy. Despite evident legal and economic connotations, indicated research areas create a specific field of politics that should be explored using political-science apparatus. An economic perspective would require focusing attention on the maximisation of benefits in the management of the public sphere, formed within the multifaceted integration system of Europe. However, one should not ignore an element of classical politics, which – despite liberal aspirations to “non-political politics” – is an important component of “good governance”, referring to real conflicts of values as well as disputes over the common good.

It raises the question of whether the crisis of a liberal paradigm may be correlated with the disintegration of supranational structures. The hypothesis of this paper is as follows: a downturn of the liberal idea of law and economy may translate into decomposition within the European supranational project, resulting in the modification of institutions, composed according to the rules of “good governance”.

Considerations on the Concept of “Good Governance” – The European Dimensions

It is worth noting that the dissemination of the rules of “good governance” is performed mainly through liberal, international institutions,

whose task is to rationally and effectively organise relations between various entities based on effective legal regulations (Wilkin, 2014). It develops in opposition to traditional hierarchies and methods of exercising power, relying on an institutionalised use of force. In contrast to the autocratic forms of management, the phenomenon of “good governance” promotes the relational functioning of various actors. They operate in an eclectic system resembling a network of diverse stakeholders, leading to a new division of competences and responsibilities. This phenomenon calls into question existing schemes and proposes a multiplicity of network interactions at all management levels (Berniak-Woźny, 2017). Its main assumption is the creation of an environment not dominated by a specific entity. Hence, an appropriate field to observe it seems to be the process of EU institutionalisation, perceived by theoreticians of multi-level governance as an amorphous network with many decision-making and execution centres.

This concept is a challenge to traditional thought due to its multidimensionality, which manifests itself in its functioning of non-hierarchical networks of interdependence, and bringing together public and non-public actors (Zirk-Sadowski, 2011). In these networks, none of the entities abuse a dominant position because no one has the power to unilaterally induce others to a specific activity. Due to the dispersion of decision-making, there is a change in the perception of the public sphere, where activities can be taken by entities operating in independent configurations. In this approach, public bodies are not able to control all resources, so in some areas they are inferior to private entities which use available capabilities more efficiently. It contributes to the discussion, conducted within the school of law and economics, on the relationship between the common good and particular interests in the face of an increasing combination of public and private resources.

“Good governance” is connected with a tendency to substantial institutionalisation, but at the same time it pushes to resist excessive formalisation and bureaucratisation. This prompts the consensus, allowing the selection of the most effective methods to build agreements that minimise the risk of unilateral strategies. It is worth mentioning that unilateral actions, paradoxically, do not lead to profit maximisation. Cooperative behaviours based on common institutions serve as a better guarantee of realising individual interests. Conducting permanent negotiations in this kind of format allows one to reduce the costs of mutual interactions and leads to an improvement of economic effectiveness of assumed obligations. It is related to the concept of sharing or jointly exercising power, where traditionally-perceived sovereignty is replaced by cooperation within network structures.

The aim of disseminating “good governance” is to provide an optimal environment for an individual perceived as a selfish *homo oeconomicus*, who strives to maximise their interest. It multiplies solutions based on multi-level management with the citizen’s welfare as the central point of reference. Different levels of “governance” are being penetrated, ranging from “local” through “European” to “global”, leading to a hyperpluralist reality with blurred boundaries (Schneider, Cederman, 1994). It becomes indispensable because of many actors with opposing interests in situations of the dispersion of resources and demonopolisation of state power. In the analysed approach, cooperation, interdependence and competition are intertwined and social order is not organised around one decision-making centre.

This paradigm conceptualises power as a phenomenon driven by the “ruled”, with a subsidiary role of the “rulers” who perform tasks entrusted to them for the benefit of the whole. Shaping the environment through the principles of “good governance” leads to a “no formal government” policy, which is a dynamic, interactive, and continuous socio-political process that transforms the traditional decision centre. At the root of “good governance” lies the issue of providing public services in a non-hierarchical environment in which no one has the resources to independently pursue their own assignments (Rutkowski, 2009). It has been noticed that the implementation of the discussed principles increases the probability of economic growth, leading to a well-being of the majority of system participants. The equal treatment of economic and environmental reasons, sometimes perceived in terms of the postulate or ideal, means social development and the improvement of the well-being of citizens. Indeed, individuals are at the centre of this concept, as the pursuit of their interests is one of the main aims of implementing the principles of “good governance”. It is to foster greater participation of citizens in public affairs, which potentially leads to an efficiency of public institutions that will provide better quality services to their clients. The implementation of those principles also allows one to minimise the risk of anti-development threats, such as corruption or unstable law, by ensuring a proper functioning of the judiciary (Wegner-Kowalska, 2017).

According to the presented theory, bureaucratic institutions should be as transparent to the public as possible in order to guarantee the participation of society at all stages of policy execution. Instruments for providing public services should be commensurate with assumed goals and implemented in an adequate manner. The performance of higher-level offices should be auxiliary to the activities carried out at lower-management layers. Authorities are expected to cooperate with each other loyally and

coherently, both in the national and European dimensions. “Good governance” is monitored and assessed on the basis of policy coherence and effectiveness to increase citizens’ trust in institutions as well as to facilitate the interaction of individuals with public administration.

It is worth referring to transnational institutionalisation as a set of decision-making bodies that exercise power at regional, national, and European levels. For this supranational structure, citizens remain the source of the legitimacy of activities. EU “governance” is a kind of “subjectless” scheme that “happens” itself, so there is no single entity that controls it (Pawłowska, 2016). Power is realised without a clear division between the “rulers” and the “ruled”, which integrates state actors with private organisations, markets, and societies. An interpenetration of the above-mentioned fields leads to a blurring of the boundaries between them. Original hierarchy is weakened by the autonomous self-regulation of citizens who are in favour of the neoliberal limitation of a state’s functions to private entities, which leads to the privatisation and commercialisation of some public services. The concept of “good governance” promotes the idea of an “invisible hand of the market”, which is a more effective tool for meeting the needs of individuals by limiting nation state interventionism.

The abovementioned paradigm is designed to generate “win-win” interactions. Non-political and technocratic management should improve the efficiency of public institutions by replacing coercive measures with transparent deliberation, discourse, and communication. Institutional capacity to execute policies in an efficient, impartial, and accountable manner can be ensured. Those network structures should be democratic, leading to an alternation of power through free elections, and guarantee public participation. Democratically functioning societies rely on the following principles: the accountability of public authorities, respect for minority rights, ensuring social consensus, and economic security. This is complemented by a well-functioning market economy favouring private business. Private entities have the possibility of pan-European expansion thanks to the institutions of the common market. Neoliberal deregulation is conducive to maximising the profit of private companies.

Law & Economics and the Problem of “Good Governance”

When debating on “good governance” through the prism of an economic analysis of law, it is worth pointing out that the essence of this formula is to shape various regimes in a regular, predictable, and stable manner (Jones, 2018). This idea seems to be saturated with liberal thought,

according to which state actors are transmission belts of the preferences of social groups. A democratic regime creates a framework for execution of their will. Therefore, the most valued political system is democracy, which makes it possible to materialise the views of individuals. The essential policy tool remains the institutionalisation of internal and external relations, because network bodies facilitate the fulfilment of citizens' needs. The emphasis on local, regional and/or global cooperation comes from societies seeking to obtain economic benefits. By focusing on the well-being of the individual as a selfish *homo oeconomicus*, the concept of "good governance" corresponds to the principles of law and economics (Brożek, Stelmach, Załuski, 2017).

The dissemination of those rules is motivated by a desire to increase the utility of public institutions and private entities. Permanent network-building behaviours – within local, national and/or supranational bodies – are the rational option for actors seeking stabilisation in cooperation structures. These institutions lead to a modification of criteria of rational action in the spirit of collective problem solving. Taking into account economic calculation, entities guided by their own interests come to the conclusion that in a decentralised environment, maintaining cooperative behaviour will bring them more benefits. The theory of rational choice arising from an economic analysis of law proposes to resolve the dilemma of unilateralism/multilateralism in favour of the postulate of establishing common institutions. Losses caused by staying outside of such organisms tend to be higher than the costs incurred for functioning in the above-mentioned bodies (Cooter, Ulen, 2011). Cooperation in a polyarchical environment without one supervising entity is not the result of courtesy or good will. Entities pursuing their own interests initiate mutually profitable cooperation and distance themselves from unilateral activity perceived as being ineffective.

It is worth asking how institutions founded on the principles of "good governance" change the criteria of rational activity of their participants. In response, it can be pointed out that these regimes ensure access to information for all parties and uphold the observance of common values. They facilitate an atmosphere of trust and loyal cooperation which, in turn, reduces transaction costs. Their main task is to create lasting relationships and long-term cooperation by resolving disputes in an economically-effective manner. It becomes a field of repetitive behaviours, which guarantees their continuation in the future and discourages violations of established rules of cooperation (Martin, Simmons, 2013). One can come to the conclusion that regimes of "good governance" change the structure of payments achieved by entities, by increasing them compared to

unilateral activities. The will to create network structures is motivated by selfishly-defined interests and these institutions change the environment of the public sphere, making cooperation more profitable (Baier, Bergstrand, 2004). In this sense, individuals support the creation of economically effective laws at the local level and then – in the conditions of globalisation – they want to export these regulations in the supranational sphere, so that the actions of other groups do not limit their preferences. According to the school of law and economics, entities are inclined to create self-limiting communities using instruments of rational law and the principles of “good governance” to limit risks, reduce costs, and facilitate convergence.

Analysing the issue of “good governance” from an economic point of view, the demand for enhanced cooperation should lead to integration as an inevitable and irreversible phenomenon. The economic growth resulting from unification processes results in strengthening prosperity as well as fostering greater caution when carrying out more risky activities. The abovementioned creates an appetite for generating supranational structures to meet the expectations of democratic societies.

A Crisis of European “Good Governance”?

The issue of circulation of principles of “good governance” in the event of a crisis, with particular emphasis on the symptoms of downturn in the processes of supranational institutionalisation in Europe, seems to be problematic. There is a temptation to temporarily suspend or withdraw from the rigours of “good governance” in favour of the direct management of public services (Webber, 2014). In the face of crisis situations, traditional hierarchies and dependencies based on national institutions often prove greater in usefulness in restoring order and a sense of security. It may, however, herald a decline in integration processes, and a weakening importance of the rules of “good governance” by returning to more rigid, homogeneous hierarchies and limiting multi-level management models (Bookmann, 1992).

“Good governance” is often not followed by the proper placement of responsibility for activities carried out, which seems necessary to ensure the accountability of democratic authorities. The issue of holding authorities accountable for decisions taken is of key importance and cannot be easily resolved. The functioning of public authorities in the conditions of hyperpluralism and polycentricity may weaken capabilities and blunts the sense of responsibility. “Governance without government” can be a tempting proposition within economic prosperity by providing a direc-

tive for decision-making in times of economic, social, and political stabilisation. However, in situations of crisis, it is difficult to find systemic balance, and threats arise where sovereign power is divided between various levels of management. The concept of state agendas as one of many players in decision-making networks highlights some shortcomings in defining legal or political accountability and in allocating the resources necessary to cope with emergencies. The usefulness of such structures, especially within a crisis, may be questioned when there is a need for traditional political power to act with its clearly defined responsibility (Börzel, 2018).

The rules of “good governance” may be considered a source of threats in crisis situations, because their implementation leads to a dispersion of resources and a delay in the response to various challenges. It turns out that the implementation of these principles in eclectic structures does not improve the position of citizens and is not a tool for the realization of the common good. It becomes the environment’s responsibility to introduce rule of the “strongest” (for example global corporations or the wealthiest individuals). This paradox is difficult to reconcile with the postulate of democratic and transparent management processes within amorphous networks bringing together various entities. It also becomes noticeable to strive for two opposing values, namely the unlimited freedom and right to the self-realisation of individuals on one hand, and their unconditional social and economic security on the other hand (Kurrild-Klitgaard, 2002).

Economics remains entangled in cultural and ethical values and *L&E* research seems to be lacking reflection on the meaning of the non-economic aspects of the governance model. Treating the school of law and economics as the only method of assessing the management phenomenon might be unreasonable due to its noticeable selectivity. It lacks a clear universalising dimension, which calls into question the possibility of examining the multifaceted phenomenon of “good governance”. There is an opinion that the postulates of an economic analysis of law are feasible only among liberal democracies during their economic prosperity (Ikenberry, 2018). Crisis situations challenge the diffusion and institutionalisation of these types of rules. According to the school of law and economics, regimes run by the principles of “good governance” should be effective in an economic sense. Nevertheless, the process of EU institutionalisation shows that even economically efficient institutions may erode in the conditions of a downturn. The supranational community – for decades – generated profits for participants, but, after a series of crises, the organisation began to be perceived as a source of potential risk. Scepticism emerged,

resulting in the conclusion that it is safer outside supranational institutions, so the centrifugal tendencies in bodies adhering to the principles of “good governance” have intensified. Under certain conditions, liberal projects may contribute to the spread of crises and undermine the rationale of the entire system.

The currently observed crisis of the Euro-integration process may, however, be a temporary slowdown and, after a period of regression, cooperation will return to its former effectiveness. Despite the impression of a downturn, many levels of cooperation work satisfactorily and, at the same time, new initiatives are emerging that respond to the needs of individuals (Vollaard, 2014). The tools of supranational institutions are designed to solve problems, so proposals to re-nationalise and strengthen the intergovernmental component may be economically ineffective. The phenomenon of de-institutionalisation can be perceived as a periodic increase in the flexibility of existing cooperation formulas, resulting from a temporary divergence of interests of their participants. Differentiation understood in this manner may consist in creating derogations in specific areas of cooperation or transferring selected competences back to the national level in order to obtain short-term benefits. Disintegration may also result in the replacement of the current principles of cooperation with other rules in the form of modified “good governance”. Organisms such as EU structures achieve a significant level of sustainability by supporting state actors in facing collective problems and achieving goals. If these actors decide to use unilateral methods, then interest in joint organisations will diminish, but it is long-term process that can be reversed through a new integration impulse (Pepinsky, 2017).

Sovereign actors of world politics, essentially those with the power to leave organisations, are resistant of such scenarios, especially with regard to membership in the most integrated regimes. Due to institutionalisation, a serious crisis does not result in a sudden decomposition of institutions, but in the modification of the rules governing them. In this approach, the disintegration of supranational structures is rather unlikely, as it would require the accumulation of various factors. Moreover, its institutions anchored in the principles of “good governance” may prove to be economically effective in combating common threats. It is difficult to imagine the process of the disintegration of bodies because it would have to be associated with the loss of existing benefits (Berglund, 2006). It would create barriers to cooperation that network institutions have so far removed and would therefore be financially costly. The necessity to adapt to the new conditions would bring a significant increase in transaction expenditure (Alexandrakis, Jones, 2006).

Conclusions

Integrating research on the phenomenon of “good governance” with such areas as legal, economic or political science may lead to a more accurate elucidation of the multi-faceted nature of this issue. Although, it should be noted that it does not necessarily guarantee obtaining a clear and unambiguous view on scientific problems that were included in this text. The concept of “good governance” and the rules of an economic analysis of law will continue to cause numerous academic disputes, serving as a field for clashing various statements. This may be particularly visible in research on mutual relations and interactions between the indicated phenomena in relation to the processes of transnational institutionalisation, creating a platform for multi-level governance. This issue should become the subject of more in-depth studies and analyses, especially in the face of crises that may affect the network organisms of supranational cooperation in the future.

As indicated in the content of this article, the decomposition of the liberal idea of law and economy may translate into disintegrative tendencies within the European unification project, leading to a modification of its central institutions relying on “good governance”. The results of such a process are not yet certain. However, the temptation to temporarily suspend or withdraw from these standards in favour of authoritative management of public institutions is visible. In the face of crises, traditional dependencies based on national components are perceived as being useful in restoring order and a sense of security, which underlines the problem of the re-nationalisation of the supranational sphere. This process heralds a crisis of integration phenomena and a weakening of the impact of the principles of “good governance” by returning to rigid hierarchies that supersede multi-level management structures. On the other hand, national remedies, in terms of economic calculations, may occur to be more expensive than functioning in the amorphous networks of EU institutions. Threats triggering states of emergency are global in nature, so the school of law and economics, pragmatic in its meaning, seems to postulate a shift towards supranational institutionalisation based on the principles of “good governance” in those areas where network organisms can achieve desired effects. Taking into account the above, it needs to be stressed that a comprehensible analysis of the directions of the development of European Union bodies, with regard to the governance phenomenon, ought to be the subject of a separate scientific paper.

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