Poland: becoming a country of sustained immigration

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1. General introduction Marek Okólski

1.1. Is it legitimate, within the IDEA framework, to deal with immigration to Poland?

At present, Poland remains one of several major migrant sending countries in Europe. A plausible estimate by the Central Statistical Office (CSO; the Polish acronym – GUS) suggests that, during the first 18 months after Poland’s accession to the EU (i.e., until 31 December 2006), the stock of Polish temporary migrants increased by around one million – an amount equivalent to 2.6 per cent of its total resident population. In the same period, Poland’s stock of foreign residents grew by some 20 thousand, meaning that, for every 50 Poles that left their home country, only one incoming foreigner arrived in their place.

It is therefore more than fair to observe that 1) Poland can still be described as a net emigration country, and 2) immigration to Poland is still very limited. According to the most recent population census taken in 2002, foreign nationals residing in Poland constituted merely 0.2 per cent of the total population – an amount far lower than that observed in western European countries or in many other European countries still in transition. Today, six years later, the situation is no different.

Bearing all this in mind, why – especially within the framework of a project so closely focused on immigration trends as IDEA – are we keen to study immigration to Poland?

The answer to this question is rather simple: we hope to observe and analyse immigration as a lasting and complex social phenomenon in its very beginnings. Unlike most other social changes whose origins are studied retrospectively, once their existence has been widely perceived and recognised, our research aims at tracking the inflow of foreigners to Poland from the processes’ incipient, “embryonic” phase –well before it becomes extensive and widely acknowledged. Hopefully, this will provide us with better insight into this particular social change “in the making”.

As we will show in this report, there are a variety of reasons to anticipate a transformation in the population movements currently observed in Poland – in the relatively near future. We predict a rapid shrinking of the outflow and a rise in the inflow of migrants, leading ultimately to a change in Poland’s migration status: from a country of net emigration to one of net immigration. Furthermore, we hypothesise that firstly, major underlying factors of that change are (or will be) similar to those responsible for the migration status change of the present net immigration countries of Europe, and, secondly, immigration to Poland will follow a course and exhibit structural characteristics similar to those experienced by those countries.

Studying immigration as an emerging phenomenon – especially drawing from the abundant experiences of countries where it has already had a meaningful social impact – also has great practical potential. We have numerous reasons to believe that our study, combined with the results of research carried out by the other IDEA research teams, will provide Polish policy makers with substantive information that could enhance efforts to pursue proactive (and therefore relatively effective) rather than reactive (as was previously the case) migration policies.

1.2. Conceptual considerations, basic assumptions and report structure

An experience common to contemporary European societies has been a transition from massive emigration to massive immigration, and, as a consequence, a change in the country’s migration status – from one of net emigration to one of net immigration. Massive (and net) emigration occurs as a result of early modernisation combined with its inescapable consequence – a rapid and steady
population growth, typical during the early phases of a demographic transition. What, in turn, causes massive (and net) immigration is, above all, the relative abundance of capital and relative scarcity of labour in (post-) modern European economies that operate in a highly competitive global economic environment. Typical root-causes of this new situation in European countries include, on the one hand, a demographic stagnation (or decline) and ageing and, on the other hand, the emergence of a specific structure of the labour market that involves its advanced segmentation. An insufficient supply of native labour and low mobility combined with an excessive demand for unskilled and low paid workers opens the way for an inflow of foreigners. As a structurally determined process, a country’s transition from one with a prevalence of emigration to one with a prevalence of immigration takes shorter or longer depending on a host of factors that include migration policy and other regulatory measures (Okólski 2007).

In all respects, Poland belongs to a group of “latecomers” with regard to the transformation described above. Its modernisation began only in the final decades of the 19th century, and was interrupted or derailed as a result of the complete devastation wrought by WWI and WWII, the nationalisation of almost all economic assets and the imposition of central planning in the late 1940s. Poland only began resuming modern economic reforms as late as 1989. An accelerating and consistently high positive population growth had also appeared by the end of 19th century but, due to substantial demographic losses during WWII, only reappeared in the late 1940s. Mass emigration also began relatively recently, just a few decades before the outbreak of WWII. But it, too, was abruptly stopped shortly after the end of WWII and reinitiated only in the 1980s (Iglicka 2001; Okólski 1998a). No wonder, then, that at present, Poland – unlike most countries of western, northern and southern Europe – has still to complete basic modern changes, including transferring its population and workforce from underdeveloped regions, semi-traditional sectors and – generally speaking – semi-subsistence economy to the poles of modernity, be it inside Poland or abroad.

And yet, it could be said that all preconditions for a change in migration status have either already been or may soon be met in Poland. Most of its redundant workforce has been dispersed among the more mature economies of the West. Its economy has been tuned to meet the requirements of competitive international markets. And although the transformation of the Polish labour market is still only halfway finished, it is, gradually but steadily, acquiring the attributes of an effective mechanism of labour allocation and balancing. In some of its sectors or occupations a genuine demand for foreign labour has already surfaced, and that demand finds a supply in a number of other sending countries. Finally, because for almost a quarter of a century now Poland’s total fertility rate has been on the decline and, since the late 1980s, has been below replacement level (recently much below 1.5), the inflow of new cohorts to the labour force has been diminishing. Moreover, very recently the working-age native population as a whole has begun to decrease. Bearing all this in mind, we foresee that, once immigration to Poland has been initiated as a mass and long-lasting phenomenon, it will follow what seems to be a universal European migration cycle and, in the manner suggested above, take a similar course and exhibit structural characteristics akin to those experienced by other European countries (Kaczmarczyk & Okólski 2008a).

It stems from the above that migration as a mass phenomenon, viewed in a national perspective, requires a long-term perspective in order to be adequately described and fully understood. Unfortunately, taking a sufficiently long perspective – that is, preferably one reaching back to the beginnings of mass emigration – would neither be fruitful nor possible in case of Poland. The country’s migration history is full of discontinuities, so much so that the very notion of Poland becomes somehow obscured when it comes to an analysis of macro-social processes extending over the 19th and 20th centuries. That is, due to the disappearance of Poland as a geo-political entity, that continued until 1918, owing to its partition by three foreign states, as well as the radical territorial

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1 This is so even if the temporary emigration of the workforce is not accounted for.
and population changes brought about by the decisions of anti-fascist allies at Yalta when Poland finally re-emerged as a sovereign state, most empirical migration-related evidence (especially time-series) is, if available, of little use. With regard to major discontinuities in migration history, it should be emphasised that during the period of communist rule (1945-1989) most previously established migration networks and family- or community-specific migratory chains were disrupted as a result of strictly controlled international population movements. Tourist journeys were austere rationed, emigration was entirely subject to the discretion of central ruling elites, and a consistent no-immigration policy was followed (Okólski 1998).

Thus the year 1989 – when the communist regime was abolished and the post-communist transition began – appears to be a natural point of departure for an analysis focusing on immigration to Poland and especially for its prospective transition to a net immigration country. The focus of the present analysis, however, will be on the on-going processes observable today.

This report consists of four sections. In the first and introductory section, after a brief description of the research carried out by the IDEA/CMR team (i.e., the methodology of the study), a general and comprehensive overview of immigration to Poland is offered. It includes chronological trends, types of flows to/from or residence tendencies in Poland, a geographical account of migrants’ origins and major underlying factors. The second section is entirely devoted to foreign labour, which is considered by far the most significant element of migration to Poland. The section also deals with various aspects of labour migration, including the role of demand in specific sectors and for specific occupations, the potential supply of workers in selected home countries of migrants, and the role of certain non-economic factors affecting inflows of migrant workers (e.g., legislation, administrative regulations or procedures, attitudes of the native population towards foreign workers and migrant networks). The third section addresses the issue of immigrant integration and its impact on the sustainability of immigration. It considers different aspects of integration and its targeting of major types and national groups of immigrants – above all the Ukrainians and Vietnamese. The fourth, final section contains an in-depth description of Poland’s policies that influence the inflow of foreigners. Their expected and actual impact on the inflows and settlement of immigrants are put in special focus.

1.3. Method of the study

1.3.1. IDEA methodology

The authors, while working on the present report, strictly adhered to the methodological guidelines developed within IDEA. Its major traits included:

- a common conceptual framework,
- a “flexible” analytical approach, which is characterized, *inter alia*, by a mix of quantitative and qualitative techniques,
- drawing from relevant past research, supplemented by *ad hoc* small-scale empirical studies, and
- a strong practical (policy) orientation.

Due to the particularity of contemporary Poland’s migration status (as described in the introductory paragraphs of this report), and in contrast to most of other teams, the application of the IDEA conceptual framework had to be adapted to the ‘Polish case’. Namely, in the analyses to follow, the emphasis is more on the contexts of current foreigner inflows to Poland and on current migration policies than on the long-term dynamics of immigration. Indeed, for obvious reasons, the broader IDEA conception of the immigration cycle was necessarily truncated and confined to its initial phase. The real immigration-related processes to be analysed in this report correspond to that phase alone: observation and analysis of later phases will only be possible in the future, once immigration
to Poland acquires the attributes of a mass, sustained and mature process.

1.3.2. CMR past research on immigration

In pursuing this study, CMR benefited from extensive experience amassed during a number of previous research projects concerning various aspects of immigration. In 1994, for example, CMR initiated its activities by taking part in a WZB project on the role of corporate expatriates in the reconstruction of strategic branches of Polish industry. The most important CMR projects referenced for the purposes of the present report were as follows:

1. Migration from Ukraine to Poland: an ethnosurvey (1994-1996); a partnership (Okólski 1997a, 2001; Frejka, Okólski & Sword 1999)
6. Smuggling of and trafficking in migrants through or to Poland (1997-1999); a partnership (Głąbicka 1999; Głąbicka, Halik & Sawicka 1999; Okólski 1999, 2000a, 2000b)
10. Multiple citizenship in Poland (2002-2005); a partnership (Górny, Grzymała-Kazłowska, Koryś & Weinar 2003, 2007; Górny 2007a, b, c)
15. Trafficking for forced labour in other industries than the sex industry. Polish perspective after the accession to EU (on-going); a partnership.
16. Differences and contexts of transnational migrant organisations (on-going); a partnership.

These previously completed CMR projects served as a database for nearly all quantitative and

2 Some of these projects were conducted in partnership with other (foreign) research units; in these cases, the words ‘a partnership’ are added to the project title.
3 Apart from the projects and publications listed below, statistical analyses were continuously carried out at CMR on, among other things, all forms of the inflow of people to and the functioning of foreigners in Poland within a SOPEMI project on monitoring of migration trends in OECD member countries (see subsequent national Polish SOPEMI reports, authored by Ewa Kepinska or Marek Okólski, and listed in the References). In addition, in two projects, the research previously conducted at CMR (and other institutes in Poland) devoted, inter alia, to immigration-related issues were reviewed and summarized (Kicinger & Weinar 2007; Okólski 2006).
4 That was by far the most comprehensive of all CMR projects devoted to immigration in Poland so far.
qualitative analyses included in the present report. Many of these projects were also used as supplementary sources in the quantitative analyses included herein.

1.3.3. Sources of evidence: range and quality of data

This study draws from a variety of empirical sources, including legal acts, official declarations, experts’ assessments, research reports, results of special surveys and regular statistics compiled by various governmental agencies. Unfortunately, the official statistics in Poland—which are essential for estimating the volume of migrant inflows and stocks as well as their regional distribution and other structural characteristics—are of poor quality, and in many instances, their range is inadequate.

One of the basic shortcomings of Polish immigration statistics is that they reflect “artefacts” rather than real phenomena. Immigration artefacts are immigration figures that use definitions of migration that hardly capture actual inflows to Poland or of a foreigner’s residence in Poland. That is, the basic definition of immigrant used by the Polish state requires that a person who arrives in Poland register in any administrative unit as a ‘permanent resident’. Such registration creates an entry in the central population register (PESEL) and consequently appears in official statistics5.

It is not easy for a foreigner to register as a permanent citizen in Poland. In order to do so, one must be granted special permission—which is rather difficult to obtain. In effect, many immigrants captured by official statistics are returning Polish citizens who, upon their departure from Poland, annulled their registration as permanent residents. On the other hand, many foreigners who reside legally in Poland for years at a time but do not qualify for permission to register as permanent residents fail to be included in the immigration count. This is why the official conception of immigration or immigrants in Poland can be described as largely an artefact.

Apart from the register of new immigrants (extracted from PESEL), there exist several other official statistical sources dealing with the inflow or residence (or work) of foreigners. Those sources include: a register of foreigners granted residence permits, a register of foreigners applying for refugee status, a register of illegal acts committed by foreigners while border-crossing, a register of work permits related to the employment of foreigners, a register of those employed in firms with 10 or more workers (that specifies foreign workers) and a section of the 2002 population census devoted to foreign-born Polish citizens and foreign citizens. The labour force survey (only since 2007) accounts for foreign citizens but their number in the sample remains minimal. In addition, there is a record of border crossings completed by foreign citizens, a count of naturalised foreigners and few other less important records. None of them, however, can be considered to be of high quality, at least insofar as required by migration analysts.

Needless to say, in addition to a genuine empirical material collected at various times by CMR (see section 1.3.2), the analyses presented in this report, due to the scarcity of alternative sources, widely resort to official statistics. The authors, however, in an effort to minimize the risk of misrepresentation, made use of these data with utmost caution.

1.4. The dawn of the inflow of people to Poland

1.4.1. When did it all start?

According to official statistics, in 1946-1948 nearly 1.5 million people immigrated to Poland; about

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5 It might be mentioned that, basically, in official immigration statistics there is no distinction made between Polish citizens and foreigners.
as many as immigrated in 1945. Almost all of them, however, were Polish nationals. Some of them included former emigrants who, before WWII, resided mainly in France, Belgium and Germany, and in some cases married foreign spouses. A majority of immigrants were either persons who were (usually forcibly) displaced (deported) during the war or those who resettled from the pre-war Polish territories that were annexed by the USSR during its policies of ethnic cleansing (Okólski 1998; Pilch 1984).

Because during that period Poland became a country of massive outflows of ethnic Germans, Ukrainians and Belarusians, immigration did not increase ethnic diversity; it diminished it. Moreover, there was no “follow-up” in the form of incoming relatives or friends of the immigrants who had arrived in 1945-1948. On the contrary, there is anecdotal evidence of the desperate struggles of many foreign spouses of the immigrating Poles to be allowed to return to their countries of origin. Also, a majority of ethnic Jews who, as former citizens of Poland, were expelled (officially, “repatriated”) by Soviet authorities chose to immigrate to Israel (Palestine), the USA or other countries in the West.

The onset of the Cold War and the Iron Curtain proclaimed in 1948 made immigration to Poland practically impossible. Between 1949 and 1990, only two to three thousand immigrants, on average, were recorded in Poland each year. A majority of these were Polish nationals. Most of the handful of foreigners recorded were citizens of the USSR and other former communist countries who married Polish nationals outside of Poland (usually in the Soviet Union), where the Poles were “posted” to get a degree in one of several prestigious socialist academic institutions. In other rare cases, foreign students originating from other communist countries (notably the USSR, Bulgaria and Vietnam) married a Polish citizen and decided to stay. Finally, in a few instances pro-communist political asylees went on to settle in Poland. The most notable example of this sort was that of Greek exiles: between 1948 and 1950 more than 13 thousand pro-communist Greeks were settled in various localities in Poland. Before they could return to Greece (after 1974), many of them were fully assimilated in Poland, mainly through marriages with Poles. The surviving others emigrated once more, many back to their home country (Wojecki 1989).

Not only was immigration (including the inflow of refugees, be it only political refugees) prevented for more than four decades, but other inflows of people from abroad were also brought to a symbolic minimum. The number of newly admitted students was less than one thousand per year, and still a predominant majority of those students originated from other communist countries. Hardly any foreign workers were permitted entry in Poland, and, in the infrequent cases that they were, it was only as staff members of subcontracting companies. Rare cases of subcontracting that involved the inflow of foreign workers included some technically sophisticated construction projects, such as the building of high-class hotels. Foreign tourists were a rarity as well. A large majority of them arrived from neighbouring communist countries, and were usually kept in organised and heavily controlled groups. The only other relatively sizeable category of tourists comprised people of Polish descent, coming mainly from the USA for purposes of family visitation. Although over time – especially beginning in the early 1970s – transborder traffic exhibited a slow increase (including in the inflow of foreign citizens), the principal features of the pattern of immigration described above remained unchanged.

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6 The only distinct exception was during the period between 1956 and 1959, when altogether 255 thousand immigrants were recorded in Poland. As one of the consequences of the post-Stalinist thaw, this was a continuation of the ‘repatriation’ of people who (or whose parents) in 1918-1939 were citizens of Poland but after 1945 found themselves on the territory of USSR. Their earlier resettlement was prevented due to their detention in the far east of Russia or Cold War policies introduced in 1948.

7 Other cases included the inflow of orphan children from the Korean War of the early 1950s, Chilean political refugees who in 1973 fled following the collapse of the Allende regime, and endangered Palestinian (or other Arab) militants.
In 1989 the migration scene in Poland became dramatically different as compared to 1988 – not to mention earlier periods. It was mainly attributable to the political changes in the Soviet Union, Romania, Bulgaria and other countries of Eastern Europe that granted people freedom to travel abroad. Due to previously concluded (though until 1989 inactive in practice) agreements, Poland was one of only a few countries where they could easily be admitted. The inflow of foreigners – in particular those from the former communist countries – saw instantaneous growth, and quickly the numbers of people entering Poland grew to tens of millions a year. Thus the year 1989 marks a clear turning point in Poland’s immigration history (Grzyma-Kazłowska & Okólski 2003; Iglicka 2001).

1.4.2. Flows by type and home country

One of the first main symptoms of the change in inflows of foreigners into Poland was a sharp rise in the number of short-time visitors from foreign countries. After a decade or so of very modest, incremental increases, in 1989 foreign entries into Poland increased by 40 per cent as compared to the preceding year. In 1990 they amounted to as many as 19 million and in 1991 to 37 million: these were, respectively, nearly three-fold and more than five-fold the figure recorded in 1988. The number of border crossings by incoming foreign citizens continued to rise until 1999, when the annual inflow reached a ceiling of 90 million (Figure 1.1).

The numerical increase has been accompanied by an expansion in the diversity of the purpose of visits and in the geographical diversity of visitors. Although initially a predominant part of foreigners visited Poland for only a few days, a majority of them did so for reasons other than tourism or brief family reunions, or for company business. “False” tourists, as they are usually referred to in specialized literature, came to raise money and to improve their livelihood in their home countries by engaging in petty trade, occasional odd-jobs or whatever else was profitable, i.e.,

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8 For instance, before 1989 it was virtually impossible for a citizen of the USSR to travel to a foreign country in her/his own capacity. Poles could enjoy that freedom en masse (subject to various, though far from being prohibitive, limitations) since the 1970s, and in special cases even since the mid-1950s.

9 After a sudden decline in 2001, the annual number of border crossings by the foreign citizens has stabilised, oscillating in the range of 50 to 60 million in recent years.
beggary, theft, prostitution, etc. Petty traders from Ukraine and other post-Soviet states constituted by far the most notable group because of their numerosness, the recurrence of their visits and the gradual change in the character of those visits, which over time became longer in duration and more “regular” work- or settlement-oriented (Iglicka 2001; Iglicka, Jaźwińska, Kępińska & Koryś 1997; Okólski 1998b; Stola 1997).

All the principal – but also many provincial – towns in Poland were known in the early 1990s for their open-air markets, which were set up by incoming foreign petty traders and attended in large numbers by foreign visitors. Some of them were vast, well-organized and well-managed. The most famous of them all, the Warsaw stadium market, having developed into a profitable and lasting business, has been in existence for 19 years. In its best year (1997) it directly employed 6,600-7,500 persons (of which some 3,000 were foreigners) and was visited by 25,000 people daily, of which an estimated 60 per cent were foreign citizens. The bazaars were surrounded and served by networks of wholesalers and factories, which became hotspots of foreign entrepreneurship and clandestine employment (Sword 1999).

Petty traders who, on their very first visit to Poland, typically sold small amounts of goods (quite often second-hand objects they owned), gradually engaged in more sophisticated trading activities. These included exporting regular supplies of merchandise from Poland to retailers in their home countries. Gradually, they became more and more familiar with the economic opportunities available in Poland: especially with the expanding shadow economy, many of them turned into clandestine residents and irregular workers. All in all, “false tourism,” especially in the form of circulating petty traders (which, since the late 1990s, have declined in number), turned out to be a vehicle for a variety of foreigners’ movements into Poland – including immigration (Okólski 2006a).

The early 1990s were also a period during which Polish territory, thanks to its long adjoining border with Germany, was extensively used by foreigners as a gateway to the West. There was widespread transit migration of citizens of countries not sharing a state boundary with the West, such as Romania and Bulgaria. At that time, citizens of countries further east could freely enter Poland, but were forbidden free entry into all western states.

In 1990 and 1991, tens of thousands of Bulgarians and Romanians headed for Germany through Poland, attempting an illegal crossing of the Polish-German border. They were followed in great numbers by nationals of other countries: most notably those of the ex-USSR, ex-Yugoslavia, Albania, Turkey and certain Asiatic countries.

At any given moment, masses of such transit migrants could be found camping on Polish territory, and from time to time they made an effort to sneak to Germany through the shallow waters of two rivers: the Nysa and the Odra. Most of them were intercepted by either Polish or German police (border guards) and expelled – but this did not discourage them from making further, repeated attempts to cross the border illegally. While they awaited an opportunity to enter Germany, many transit migrants, usually rather impoverished, had to make a living in the transit country. Quite often, they resorted to activities just short of petty crime. Even today, years after this sort of mass transit migration has ceased, groups of Romanian citizens still subsist in Poland on beggary (often involving minors), and prostitutes seen along the highway are dismissively labelled “Bulgarians” (Antoniewski, Górny, Koryś & Kosmala 2000; Okólski 1999).

The beginnings of that decade witnessed also large inflows of foreigners who, unlike the citizens of Bulgaria or Romania, were not guaranteed easy entry into Poland. In order to ultimately arrive in the West, these foreigners had to first illegally enter Poland and then illegally exit (simultaneously, of course, illegally entering Germany). Indubitably a risky and complicated manoeuvre, such
passages frequently required the assistance of criminal organisations. Thus a business of migrant smuggling and (occasionally) trafficking emerged and quickly bloomed in Eastern Europe (Gląbicka 1999; Okólski 2000 a, b). Poland and the Czech Republic became pre-final stages in an often gruelling journey for migrants destined for many countries of Western Europe. Generally the journeys began in one of many Asian or African countries, crossed through Russia and, next, led to one of three countries bordering Poland: Lithuania, Belarus or Ukraine. Among the major countries of origin were: Somalia, Armenia, Vietnam, Iran, Iraq and China, and, in later years: Afghanistan, Sri Lanka, Pakistan, Vietnam, India and Iraq. In the peak years in the mid-1990s, tens of thousands of foreigners annually were estimated to have been smuggled through Polish borders. Since the end of the 1990s, because of the introduction of more effective border control measures, these sorts of migrant flows into and/or through Poland have been markedly reduced. Today, the nationality most frequently smuggled into Poland includes Russian citizens coming from Chechnya.

These perhaps inglorious beginnings of immigration into Poland are of particular importance: many smuggled foreigners were forced to end their journey in Poland despite their master plan to arrive in Western Europe. Since the transit itself, being a strictly illegal operation, required time and usually took several weeks or months to execute, some migrants awaiting a transfer to Germany changed their minds and decided to remain clandestinely in Poland for longer. This was the case of smuggled Armenians who ended up settling in several provincial Polish towns: they eventually became the nucleus for a new, larger Armenian community. A strategy employed by other foreigners who were smuggled through Poland was, upon entering successfully, to apply for refugee status. Some resorted to such practices after being apprehended by the Polish police or border guards. A lengthy verification procedure and social assistance (including the provision of temporary shelters) provided by Polish authorities lent these migrants a protective umbrella during their stay in Poland. It also bought their smugglers time to better prepare their transfer to Germany. In many instances, these migrants were quickly engaged in the economic activities of local markets (which usually neighboured the refugee centres) and therefore willingly extended the duration of their residence in Poland. In some cases, Poland actually was the final, premeditated destination of smuggled migrants: for example, a number of Vietnamese arrived from Germany once their employment contracts (initiated in the later periods of the ex-GDR) were terminated (Okólski 2000a).

The influx of asylum seekers (Figure 1.1) began in 1990, two years before Poland ratified the 1951 Geneva Convention on refugees. Initially, until 1995, inflows were rather small: except in 1990 when their number exceeded 1,000, applicants numbered about 500 to 850 a year. Refugee seekers were geographically diversified. Many arrived from Africa and Asia, but a majority hailed from South-Eastern Europe (Albania, Bosnia, Bulgaria and Romania). Most of them turned out to be “false” refugees who soon left Poland illegally for the West. A little more than 500, however, were granted refugee status and went on to settle in Poland.

From 1996 to1999, the inflow of asylum seekers stabilised at a much higher level than was recorded in preceding years (five times higher, i.e., from 3,000 to 3,500 incoming applicants annually). A predominant majority of the newly arriving individuals were from Asia and the Middle East – Armenia, Afghanistan, Sri Lanka, Pakistan, Bangladesh and Iraq. In 2000, with the arrival of a large groups of Chechens, (officially, citizens of the Russian Federation) a sharply rising trend was initiated. The Chechens instantly became the most numerous incoming national group (though other important groups still included Armenians, Afghans, Indians, Iraqis, Moldovans, Mongolians and Romanians). This trend stabilised in 2003, with the number of asylum seekers consistently ranging between 7,000 and 8,000 in subsequent years. After 2004, only individuals from the Russian Federation (almost exclusively Chechnya) were statistically significant within the Polish refugee administration (comprising 90 per cent of applicants in 2006).

It is worth noting that, during this period of relatively high influxes of asylum seekers, i.e. 1996-
2006, only slightly more than 2,000 foreigners were granted refugee status (3.5 per cent applications), while less than 5,000 were granted “tolerated status”\(^{10}\) (the Polish equivalent of temporary protection status). While the latter group comprised almost exclusively Russian citizens (Chechens), the recipients of refugee status also included Belarusians, Afghans, Somalis, Sudanese, Sri Lankans and a handful of other nationalities (Table 1.1 in Appendix 1)\(^{11}\).

Since 1990, yet another source of continuous foreign inflow has been labour migration, which hinges on specific work permits that must be obtained prior to entering Poland. Apart from exceptional, numerically small categories (e.g., academics) this is the only way for a foreign, temporary resident\(^{12}\) to gain legal employment in Poland\(^{13}\). The number of work permits granted each year has steadily increased over time: from an initial 3,000 work permits issued in 1990, to 11,000-13,000 in the mid-1990s, to 16,000-17,000 by the end of the decade, to 25,000 in 2002. Since 2003 the numbers have declined to roughly 12,000 in 2006 (Figure 1.1)\(^{14}\). Unfortunately, these figures reflect neither the actual inflow nor the stock of foreign workers. This is because, first of all, a considerable portion of work permits is granted for only a very brief period (sometimes up to three months) and, moreover, many permits are regularly renewed. For instance, between 2003 and 2005, almost every second permit was a renewal or extension.

Despite the fact that there is not feasible even a reliable annual approximation of the number of newly arrived migrant workers, it is likely that the “true” figures are quite low compared to the “European standard”. The same holds for the stock of foreign labour. Taking, for instance, the total number of work permits issued in 2000 as an indicator of the actual stock of legal foreign employment (although it would be almost certainly grossly overestimated), we arrive at an approximation of the share of foreign workers within the total employed population: at 0.1 per cent, it is but one-fiftieth \((1/50)\) of the EU average. This means that, compared to most European countries, Poland likely boasts one of the lowest shares of migrant worker participation in the labour market (Okólski 2002 a).

From which countries did most of these migrant workers arrive? Irrespective of their total number in any given year, most migrants hailed from the same countries, which, with comparably significant shares, were easily divisible into three regional groups. The first group comprised three important countries of Eastern Europe: Ukraine, Russia and Belarus. The second group included five important Western countries: Germany, the United Kingdom, France, the United States and Italy. The third and final group originated in five important Asian countries: Vietnam, China, Turkey, India and South Korea (Table 1.1)\(^{11}\) Around the year 2000, permits granted to citizens of these 13 countries accounted for more than 70 per cent of the total (the share of Ukrainians alone was 13-14 per cent).

Despite the above data, one should not too hastily conclude that Poland’s economy does not suffer for want of a foreign workforce (see Part 2 of this report). Until very recently, labour migration — although legitimate — was by no means encouraged by the Polish authorities. Active and apparently effective measures to attract foreign workers have only been in force since February 2008 (see Part 4 of this report). Recent policy developments have allowed migrant workers from Ukraine, Russia

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\(^{10}\) “Tolerated stay” only entered into force as of 2003.

\(^{11}\) For the Polish asylum seeker statistics, see subsequent national Polish SOPEMI reports, authored by Ewa Kępńska or Marek Okólski, and listed in the References.

\(^{12}\) Those registered as permanent residents in Poland have never been subject to this requirement.

\(^{13}\) Since 2004, in most cases, the citizens of the EU and EEA are exempted from requirements to apply for permission to be employed.

\(^{14}\) For reasons elaborated above, the figures for 2004-2006 do not include a majority of EU (and EEA) nationals. Still, in the same period, the number of work permits granted to non-EU citizens remained at about the same level as in 2002 and 2003.
and Belarus to enter Poland without applying for work permits, provided they are employed for less than six months within a 12-month period, and provided they arrange for their potential employer to submit, in advance, a declaration of his/her readiness to employ foreigners to the local labour authorities. The effect of this change has been immediate and considerable.

For years, though, a burdensome procedure and a substantial fee related to granting a foreign work permit discouraged both employers and potential migrant workers from applying. Instead, many foreigners were clandestinely employed. Various estimates throughout the 1990s suggested that, annually, hundreds of thousands of foreigners might have been involved in irregular work in Poland. These workers were mainly recruited from among the “false tourists”, whose individual sojourns in Poland were limited to three months. Other “recruitment” sources included overstaying foreigners, transit migrants and asylum seekers. Only in rare instances did employers actively recruit foreign workers: for seasonal jobs, for example, employers found additional workers through migrants who were already employed or else through professional (though not licensed) agents. Most of these migrants were employed for occasional, simple jobs and even then for only a very brief period (Antoniewski 1997; Iglicka 2000; Iglicka, Jaźwińska, Kępinska & Koryś 1997; Okólski 1998b).

The diversification of irregular foreign labour sources was the main reason for the subsequent diversification of migrant workers’ countries of origin. The short-term contracts offered to migrants in the shadow economy, however, made clandestine employment relatively unattractive to migrants from more distant countries. This is why a clearly predominant nationality within the total stock of foreign workers was Ukrainian. Indeed, prevailing among the Ukrainians were residents of the western provinces bordering Poland. For most of the post-1989 period, people from these neighbouring provinces behaved like typical “pendular” migrants, adapting to signals from Poland with utmost flexibility: visiting Poland on short notice from an employer, friend or other intermediary and, in frequent cases, circulating many times a year (Górny & Kępinska 2004; Grzymała-Kazłowska 2008a; Okólski 1997a).

Migrants from distant countries – e.g., the Vietnamese, Armenians, Mongolians or Chinese – who could not afford to circulate or who had just settled in Poland, on the other hand, made a living in the shadow economy via their own establishments or else by taking irregular jobs in companies run by a co-ethnic employer (Grzymała-Kazłowska 2008a, 2004; Halik 2006, 2001).

In order to render the picture more complete, it merits mention that several other, more regular types of flows emerged or intensified in the period in question. One of those flows was the small-scale (but highly publicised and thus quite influential) immigration of citizens of western countries who, in post-communist Poland, saw opportunities for themselves – the settlement of a number of Dutch farmers in the 1990s provides an apt illustration. In general, a foreigner’s buying or leasing property in Poland (which was perceived a profitable investment) often led to his/her immigration. Some foreign citizens, usually highly skilled and coming from the West, deliberately chose Poland as a destination in which to develop their professional careers, or else they were posted by companies in their home countries to managerial or expert positions in Polish subsidiaries (Iglicka & Weinar 2004).

Yet another type of flow was immigration for purposes of family reunion, usually related to a foreigner’s marrying a Polish citizen. In this domain, a trend symptomatic of the changing environment in Poland revealed itself over time: before 1989, the most typical “mixed” marriages were between a Polish female and a foreign male, usually a citizen of either Germany, the United States, the United Kingdom, the Netherlands or Italy. The Polish wife usually then emigrated to the West to join her partner. But as of 2004, the patterns characterising mixed marriages appeared radically different: most frequently occurring were unions between Polish males and females.
originating in the East, from such countries as Ukraine, Belarus, Russia, Vietnam and Armenia. Quite often, these marriages resulted in the immigration into Poland of a foreign citizen (Górny & Kępinska 2004). Characteristic for the period in question was a decline in the number of mixed marriages entered into by Polish females, accompanied by a decrease in the proportion of unions wherein a partner originated from the West. Simultaneously, a sharp increase was observed in unions entered into by Polish males; a trend accompanied by a rise in the share of marriages wherein the foreign partner’s home country was in the East.

In another notable trend, the admission into Poland of foreign students substantially increased – especially after the late 1990s. While in the early 1990s around 1,000 new foreign students were enrolled each year, in the academic year 2000/2001 their number increased to 1,700; in 2006/2007 to 3,600. The stock of foreign students rose from 6,500 in 2000/2001 to 11,700 in 2006/2007. In the latter year, the largest number of students originated from Ukraine (19 per cent of the total), followed by Belarus (13 per cent), Norway (8 per cent), USA (7 per cent) and Sweden (5 per cent) (Table 1.1).

Last but not least, an influx of ethnic Poles from abroad should also be mentioned here. Although formally it was not an immigration of foreigners, in actuality the phenomenon is complex. It involved the repatriation of individuals of Polish descent who, prior to their return, were foreign citizens. Many of the repatriated individuals were accompanied by a spouse and relatives of that spouse who often held foreign citizenship and lacked Polish roots. The overall scale of repatriation was admittedly rather meagre: between 1997 and 2006 only 6,200 persons returned to Poland within the repatriation programme launched by the state. This was in stark contrast to the tens of thousands expected to return when the programme was first crafted by the Polish government. Approximately half of the “repatriates” arrived from Kazakhstan and a quarter from Ukraine. Another “flow” of immigrating Poles included individual returns to Poland, most often by emigrants who left during the communist era. In some cases, Poland was conceived by these individuals as a symbolic homeland, especially for those born or brought up in foreign countries. Here again, returning Poles were sometimes accompanied by foreign spouses. The inflow of people of Polish descent thus seemed to have a double effect: first, it enriched social life in Poland by contributing to its cultural diversity and, secondly, it influenced the “remigration” decisions of Poles, at least a part, who were still living abroad (Hut 2002; Iglicka 1997, 2001).

The above illustration, however crude and preliminary, might still suggest that the paths to immigration as a structural political and socio-economic process have already been paved in Poland. According to this hypothesis, Poland has been systematically penetrated by various flows of migrants arriving for diverse purposes and originating from a variety of different countries. Large niches have been created where these migrants established their living spaces. Most immigrants relocating to Poland appear to be impelled by genuine and lasting personal interests. Might this be a reasonable conclusion to draw? In our view – not quite. What makes such a conclusion dubious, however, is an issue that will be addressed in the next section.

1.4.3. The stock of migrants

Although over two decades have passed since various streams of foreigners began trickling into Poland, in official statistics, immigrants are still hardly visible (Table 1.1).

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15 For monitoring of the trend in binational marriages in Poland, see subsequent national Polish SOPEMI reports, authored by Ewa Kępinska or Marek Okólski, and listed in the References.

16 Many threads of that characteristic are enlarged upon and deepen in appropriate sections of the successive parts of the report.

17 This remains in stark contrast to what United Nations statistics adamantly suggest. The UN estimate for Poland
The population census – probably the most reliable statistical source on the numbers and characteristics of the resident population – in 2002 found, as of 20 May, the following categories of foreign citizens (Główny Urząd Statystyczny 2003 a, b):

- Foreign citizens *de facto* living in Poland (in case of foreigners equivalent to permanent residents of Poland)
  - of whom
    - born in a foreign country
    - declaring foreign national/ethnic affiliation
  - 40,661
  - 29,748
  - 25,673

- Foreign citizens *de facto* living in Poland who arrived in Poland in 1989-2002
  - 14,457

- Foreign citizens being a part of resident population (permanent residents of Poland and temporary residents who lived in Poland at least one year) who arrived in Poland in 1989-2002
  - 29,649
  - 17,041
  - 16,654
  - 6,875

Thus only 40,661 foreign citizens were recorded as members of Poland’s actual (*de facto*) population. Of these, less than 30,000 were born abroad. According to the same source, just 14,457 foreigners living in Poland on the census date arrived between 1989 and 2002. This implies that, over the more than 13-year period of Poland’s post-communist transition, the net contribution of immigration to the total stock of Poland’s population was as low as 0.04 per cent. How is this possible, given that official sources recorded almost as many new immigrants – 14,000 – in just the two years immediately preceding the census year? There appear to be at least three explanatory factors. First, a considerable proportion of immigrants in Polish statistics continue to be citizens of Poland. Second, many foreigners who immigrated between 1989 and 2002 were naturalised before the census date. Third, the quality of census data on citizenship (and not only this) is inadequate. Nonetheless, this explanation brings us no closer to a ‘true’ estimate.

The census also suggested that 444,930 residents had dual citizenships: Polish citizenship along with citizenship of one or more foreign countries. It is unknown, however, what share of this group comprised naturalised immigrants. In all likelihood, a large portion was made up by the autochthon residents of western parts of Upper Silesia: many of them, as former citizens of the Third Reich or as their descendants, were granted citizenship of the Federal Republic of Germany in the 1980s or 1990s. Obviously, by no means can these persons be considered immigrants. The census also found that some 15,000 Poles that immigrated between 1989 and 2002 held multiple citizenships. Unfortunately, the limitations of the census data did not clarify what number of Poles (of these 444,930 individuals) acquired foreign citizenship before 1989. The only clear piece of statistical information on dual or “multiple” citizens living in Poland was that 76 per cent of them were also German citizens and an additional 13 per cent were citizens of the USA or Canada. Therefore, almost 90 per cent of all possible “Poles-once-removed” held foreign citizenship of one of the three countries whose role in post-1989 immigration was only of secondary importance.

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published in 2002 claims, under the heading “migrant stock,” that 2,088,000 foreign-born persons were living, as permanent residents, in Poland in the year 2000 (United Nations 2003), i.e. 5.4 per cent of the total population. Immigrants, in UN estimates, are defined as foreign-born permanent residents of a given country. Indeed, shortly after the end of the WWII, Poland’s population comprised a considerable number of people – approximately three million – who were born on Polish territory (territory that, since the 1945 Yalta conference, became a part of the USSR). These persons were usually forcibly displaced and a majority of them settled within the ‘new’ Polish state. In other words, they were born in Poland but are now considered as part of the foreign-born Polish population. The number of survivors from that population, however, is now decisively lower than 1 million (540 thousand, according to the 2002 population census).
Apart from the 40,661 foreign citizens included as part of Poland’s resident population, the census also recorded 17,041 foreigners who, at the time of the census, stayed in Poland for more than one year, as well as 6,875 foreigners whose stay was extended from more than two months to one year. Combined, this creates a stock of some 65,000 foreign citizens residing in Poland as of 20 May 2002; in other words, a little below 0.2 per cent of the total resident population.

The inflow of people between the end of 1988 and 20 May 2002, as recorded by the 2002 population census, was uneven across time and displayed different pattern according to the type of flow (Figure 1.2). The inflow of those who on the census date had a status of permanent resident was predominated by the Polish citizens whereas the inflow of temporary residents by foreigners. Immigration of foreign citizens who became permanent residents of Poland oscillated around 1,000 a year; it was steadily growing up until 1995 and since then declining. In contrast, initially, the inflow of temporary foreign migrants was slowly increasing and since 1997 the pace of inflow strongly accelerated, to reach the level of more than 6,000 a year.

The geographical composition of the foreign/immigrant population arranged by country of origin reveals a pattern that tends to underestimate the inflow of foreigners from non-western countries and to overestimate the immigration of Germans\(^\text{18}\). The data is presented in Table 1.2.

\(^{18}\) From approximately 7,900 German nationals who, in 2002, declared permanent residence in Poland (according to the population census) only some 1,600 were actual immigrants (according to the register of foreigners). The rest represented a non-migrant German minority in Poland. In the cases of other sizeable national groups of foreign residents, the actual immigrants largely prevailed over those born in Poland.
Table 1.2. Foreign residents in Poland listed by residence status according to their own declarations (2002 population census); top 10 nationalities (in per cent; actual figures – in italics)

<table>
<thead>
<tr>
<th>Citizenship</th>
<th>Permanent (no time limit)</th>
<th>Temporary (more than one year)</th>
<th>Temporary (more than two, up to 12 months)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>40 661*</td>
<td>17 041</td>
<td>6 875</td>
<td>64 577</td>
</tr>
<tr>
<td>of which</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ukraine</td>
<td>13.2</td>
<td>27.7</td>
<td>28.1</td>
<td>12 035</td>
</tr>
<tr>
<td>Germany</td>
<td>19.4</td>
<td>5.9</td>
<td>8.3</td>
<td>9 447</td>
</tr>
<tr>
<td>Russia</td>
<td>7.8</td>
<td>7.5</td>
<td>9.2</td>
<td>5 087</td>
</tr>
<tr>
<td>Belarus</td>
<td>4.0</td>
<td>7.5</td>
<td>7.8</td>
<td>3 449</td>
</tr>
<tr>
<td>Vietnam</td>
<td>3.6</td>
<td>4.1</td>
<td>2.0</td>
<td>2 292</td>
</tr>
<tr>
<td>USA</td>
<td>3.2</td>
<td>2.6</td>
<td>4.3</td>
<td>2 034</td>
</tr>
<tr>
<td>Armenia</td>
<td>1.8</td>
<td>5.6</td>
<td>2.4</td>
<td>1 844</td>
</tr>
<tr>
<td>France</td>
<td>1.8</td>
<td>2.6</td>
<td>2.5</td>
<td>1 356</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1.7</td>
<td>2.6</td>
<td>2.7</td>
<td>1 312</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>2.0</td>
<td>1.8</td>
<td>1.7</td>
<td>1 232</td>
</tr>
</tbody>
</table>

* including 476 stateless non-nationals of Poland


It might be noticed that four of the top positions were occupied by the nationals of neighbouring countries, of whom three (Ukraine, Russia and Belarus) belonged to major source countries of foreigners’ inflow to Poland. A high position of Germany, especially as far as permanent residents was concerned, did not owe to immigration but mainly rather to the existence of indigenous German ethnic minority in Poland, including a group of former Third Reich citizens (or their descendants) who, despite sticking to German citizenship, avoided the post-WWII deportations.

Table 1.3. Polish and foreign citizens who arrived in Poland in 1989-2000, as recorded on 20 May 2002 by selected migrant categories, citizenship and period of arrival\*

<table>
<thead>
<tr>
<th>Years*</th>
<th>Polish nationals by number of citizenships</th>
<th>Foreigners by citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>one</td>
<td>two or more</td>
</tr>
<tr>
<td>Permanent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989-1992</td>
<td>10 983</td>
<td>6 604</td>
</tr>
<tr>
<td>1993-1996</td>
<td>11 718</td>
<td>6 042</td>
</tr>
<tr>
<td>1997-2000</td>
<td>14 424</td>
<td>7 905</td>
</tr>
<tr>
<td>Temporary</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1989-1992</td>
<td>267</td>
<td>230</td>
</tr>
<tr>
<td>1993-1996</td>
<td>435</td>
<td>363</td>
</tr>
<tr>
<td>1997-2000</td>
<td>1 299</td>
<td>1 047</td>
</tr>
</tbody>
</table>

* in this table migrants who arrived in 2001 and 2002 were deliberately omitted

\* excluding the immigrants for whom the year of arrival was not established

Source: Central Statistical Office (GUS) database

In Table 1.3 the timing of inflow of permanent and temporary migrants in 1989-2000 was examined with regard to migrants’ citizenship. Quite naturally, most of temporary migrants, both the Poles and foreigners (especially Ukrainians), arrived relatively shortly before the census date. In case of permanent residents of Poland, it is interesting to notice that, contrary to the citizens of Poland, whose inflow intensified in the course of time, the inflow of foreigners – with the exception of Germans – was the strongest before 1997. Vietnamese arrived in largest numbers in 1989-1992 while all other nationals in 1993-1996. Worth of noting is a particularly high density of the inflow of Armenian nationals in 1993-1996. More than a half of all permanent and temporary residents of Poland of Armenian citizenship entered the country in that period.

The 2002 population census found immigrant settlements principally in the largest Polish cities: Warsaw, Lodz, Krakow, Poznan, Gdansk, Wroclaw and Szczecin. In addition permanent migrants
were clustered in highly industrialised areas or rapidly developing centres, such as Upper Silesia with its main city – Katowice, sub-regions surrounding two Polish major cities – Warsaw and Lodz, but also Bielsko-Biala and Czestochowa in southern Poland and Torun in the north. Generally, the centre of gravity in case of this category of migrants seemed to be central and southern Poland (Map 1.1).

Map 1.1. Foreigners - permanent residents in 2002 (per cent of the respective total)

Temporary migrants displayed a similar pattern of settlement but were relatively less territorially concentrated. In particular, their presence in big cities, except Warsaw and Poznan, was less visible than in case of permanent migrants. They visibly clustered in the less urbanised provinces of eastern Poland, close to the Polish-Belarusian and Polish-Ukrainian border (Map 1.1).

Map 1.2. Foreigners – temporary migrants in 2002 (per cent of the respective total)

Spatial distribution of permanent and temporary migrants displayed a lot of similarities (Map 1.2). In a large majority of Polish regions, the Ukrainian nationals were clearly the most sizeable group. They accounted for approximately one-half of all foreign residents in eastern and south-eastern part of Poland that have a common border with Ukraine and in a few other regions in various parts of Poland. Elsewhere, the share of Ukrainian migrants was also significant. Among the permanent migrants, in a north-eastern region that borders with the Kaliningrad district of Russia, Russian citizens predominated, followed by Belarusians, and in another region of the same part of Poland (the one that borders with Belarus), Belarusians constituted the largest national group, followed by Russians. Typically, the second largest group of foreign permanent migrants were Russians. The exceptions included Vietnamese, a majority of whom clustered in or around Warsaw and Germans who lived in great numbers in a south-western region – Opole Silesia. The predominance of Ukrainians was even more common and more overwhelming in case of temporary migrants. In only one region, the one that has a common border with Belarus, Ukrainian migrants failed to be a
majority group and ranked the third, behind Russians and Belarusians.

1.4.4. A glossary on illegal foreigners

Is it logical, in light of the 2002 population census data, to conclude that some groups of foreigners who live in Poland remain in hiding? Were most of their representatives prompted to stay invisible at the time of census? In past years, some experts claimed that the communities of Vietnamese and Armenian immigrants amounted to tens of thousands of people each. By extrapolation, the number of Ukrainian immigrants who live in Poland should be proportionately higher. Why do official counts suggest much lower figures?

A kind of “test” that might be used to demystify this issue is the data obtained via a regularisation programme, first carried out in 2003 and then again in 2007. One of the objectives of this programme was to enable the many immigrants who had apparently settled in Poland beginning in the early 1990s but who lacked regular residence status to normalise their situation and become better integrated into Polish society. In both rounds, roughly 5,000 migrant applications were collected. Of these, more than half were submitted by Vietnamese citizens and about one-third by Armenian citizens. By comparing these numbers with the data provided by the population census, supplemented by data from the register of foreigners on Vietnamese and Armenian nationals with permanent residence status, a few conclusions can be drawn. These will be elaborated in the paragraphs to follow.

In 2002, 1,748 Vietnamese immigrants had permission to settle in Poland (an equivalent of permanent residence), but the 2002 population census recorded a total of only 1,459 permanent residents of Vietnamese citizenship in Poland. It seems very likely, therefore, that only a part of the legal permanent residents of Vietnamese origin came forward for the census count. Since 2,516 Vietnamese applied for regularisation, the minimum estimate of the stock of permanently settled immigrants from Vietnam should be slightly more than 4,000 – far below any know prior estimates.

In slight contrast to the Vietnamese, in the case of the permanently settled immigrants from Armenia, the census figure proved to be a bit higher than the number of persons eligible for the settlement (723 vs. 695). Taking into account that 1,656 Armenians applied for regularisation, the estimates of the stock ought to be at least 2,300. Again, this figure is much lower than was expected.

On the basis of the evidence provided above, it might be posited that many irregular long-term migrants in Poland choose to remain strictly clandestine but, at the same time, that the number of “irregulars” is not as high as is generally believed. It is possible, then, that Poland has developed into something of an anomalous immigration country in Europe, one attracting almost exclusively short-term migrants. It could also be an indicator of a wider, global trend: compared to earlier periods, international migrants today tend to remain more flexible and “fluid”, and thus less prone to taking up long-term residence or settlement in any given destination country.

1.5. The underlying factors

The present and final chapter of part one of this report provides a sketch – or rather an annotated list – of factors that seem to have decisively influenced the flows of foreigners into Poland during its transition period. These factors give shape to the overall historical context – including political, economic, socio-cultural and demographic aspects – of on-going immigration.

19 The other national groups were very small: Ukrainians 3.6 per cent, Mongolians 2.2 per cent and the reminder 10.5 per cent.
20 This chapter draws heavily from Grzymala-Kazłowska & Okólski, 2003.
1.5.1. The role of politics

Political factors have, since 1989, played a major role in initiating the inflow of foreign citizens into Poland. Crucial turning points included: Poland’s transition from a totalitarian to a democratic political system, the collapse of the communist regime in the Soviet Union, the USSR’s subsequent break-up and the dissolution of the USSR-subordinated block of countries, and the end of the bipolar global political order.

As mentioned earlier, until around 1990 the population of the former Soviet bloc countries suffered from a very limited freedom of travelling abroad. Formally, various bilateral agreements concerning visa-free movements between those countries were in force, but in actuality only select persons, subject to intense scrutiny, were allowed to leave their home countries. This radically changed between 1989 and 1991 as a result of significant political reforms that involved the lifting of many controls on personal liberties typical of communist rule. Almost instantaneously, the mobility of individuals who had been long awaiting the chance to travel to another country augmented considerably. Initially, a curiosity and satisfaction with newly discovered civil rights were major impetuses for such trips. After a relatively short time, however, when travellers learned how to economise on or even profit from international excursions, a new phenomenon of shuttle (commercially-oriented) mobility developed.

From Poland’s perspective, it was not only the fact that Poles acquired a new, practically unlimited freedom to leave the country, but, in addition, and in sharp contrast to the recent past, it became decidedly more hospitable to visiting foreigners. One of the main reasons that migrants chose to visit Poland first was its pioneering role in pursuing democratic reforms in the region, as well as a peculiar perception of Poland in the former Soviet Union as a ‘western country’ (the one in closest proximity, at that) or at least as a vestibule to the West21.

One quite unique circumstance that stimulated foreign inflow into Poland turned out to be the existence of a small albeit coherent community of Vietnamese citizens from northern Vietnam (from Ha Noi itself and various provinces around the capital) who, in years past, studied in Poland thanks to student exchange programmes. Many of them either settled after marrying a Polish partner or, upon their return to Vietnam, maintained cultural links with Poland and engaged in economic cooperation (mainly trade) between the two countries. The coincidence of the transition in Poland with the Vietnamese liberalisation that began in communist Vietnam in 1986 had a great impact on the economic activity of Vietnamese society, stimulating its entrepreneurship.

In other words, the political change that took place around 1990 – particularly the collapse of the Soviet system and the bipolar world order – was a primary cause for the mass inflow of foreigners to Poland. But the lifting of previous barriers to population movements in the former communist countries was not the only immediate factor in that process. The political change in Eastern Europe fostered the territorial mobility of people via two other processes: civil wars related to the breaking down of former totalitarian regimes or federal states (especially the Soviet Union and the former Yugoslavia) and ethnic tension or cleansing in certain multinational States.

At about the same time, other parts of the world became plagued by civil wars and aggravated ethnic conflicts, too, and a number of refugees from Africa and Asia also found their way to Poland. In these cases, the principal reason was a combination of two factors:
- the very geo-strategic location of Poland and its common border with Germany, which at

21 To illustrate this point, an extensive survey conducted (by IOM) in a number of Eastern European countries in 1992 revealed that the youth in Ukraine, when asked about migration plans, pointed to Poland as the fifth most attractive and desirable country of destination, right after the USA, Germany, Australia and Canada (International Organization for Migration 1993).
that time received more refugees than any other country, and
- the practice of smuggling of those people by routes that involved Poland as a one of several
transit countries.

1.5.2. The impact of economic reconfiguration in Eastern Europe and the emergence of new,
post-communist “migration space”

Of all the transition countries of Eastern Europe, Poland became the first to introduce a system of
“shock therapy” for the economy to restore the consumer market equilibrium. Since 1990, the
deregulated and greatly liberalised Polish economy has offered attractive opportunities for small-
scale entrepreneurs and, despite a rapid increase in unemployment, a variety of jobs – particularly in
the informal sector. Additionally, in a relatively short time the Polish currency became convertible
and the average wage went up sharply. Many economies in the region lagged behind in their
transitions; some of them endured a deep economic crisis, if not complete disintegration. This led to
a diversification of the “economic attractiveness” of individual countries in the region and,
moreover, to a broadening of the gap between different countries’ living standards. Poland, along
with the Czech Republic and Hungary, became a migration pole and a magnet for foreigners –
especially those desperately trying to escape impoverishment in their home countries.

In contrast to what was predicted in the West in 1989 or 1990, migrants from Eastern Europe did
not attempt massive movements to Western Europe. Major reasons for containing of an
overwhelming proportion of the region’s newfound international mobility within the region itself
included:
- anticipatory controls put in place in member countries of the Schengen agreement area;
- the cost-benefit calculations made by individual migrants, which often indicated that the
potentially higher economic benefits associated with travelling to the West from Eastern
Europe were not large enough to offset the related greater costs (and risks), and
- the existence or rapid development of migration networks in Eastern Europe and a nexus of
mutual understanding between migrants with a common post-communist reality.

As a result, a new international migration space emerged in that part of the world, complete with its
own sending and receiving countries, specific categories of migrants and specific dynamics and
directions of flows. The fundamental role of Poland within that space was to receive temporary
migrant workers (or asylum seekers) from countries experiencing delays in the introduction of
effective economic reforms and therefore suffering from very low wage levels. The inflow of
foreign labour served, in a way, as a cushion for local market disequilibria and, occasionally, as a
substitute for missing Polish workers employed in the West. Humanitarian premises, which
prompted the acceptance of incoming asylum seekers, were also prominent. In addition, some
significance (which, with time, has steadily decreased) could be ascribed to the importation of
cheap consumer goods and/or purchases made by foreign transporters of goods that were in short
supply in their home countries: in less developed regions of Poland these two factors helped control
the cost of living or else propelled local, small-scale economic activity.

1.5.3. Real and anticipated effects of EU accession

The accession of Poland to the EU on 1 May 2004 – and especially the provision, to Polish
migrants, of free access to the labour markets of the United Kingdom and several other countries –
brought about a reinforced outflow of workers from Poland. After less than two years, the shrinkage
of the mobile-age population became severe enough to reveal considerable labour deficits in certain
regions and economic sectors or occupations. For instance, in some regions, large towns lost
anywhere from 10 to 15 per cent per cent of their workforce between the ages of 20 to39, while the
outflow from certain rural areas was even stronger (Okólski & Mioduszewska 2008). Shortages
within the workforce became most strongly pronounced in the construction industry, in trade and seasonal agriculture (horticulture) and in some highly specialised professions, such as, among physicians, anaesthesiologists and radiologists. In 2007, more than 35 per cent of construction companies complained of the difficulty of hiring new workers, whereas in 2004 the share of such companies was very low, less than 10 per cent (Kaczmarczyk & Okólski 2008c).

It is still too early to assess the effect caused by the crowding-out of the Polish labour market on the migration of foreigners, but it seems very likely that it was highly encouraging. This is especially because, in the wake of the outflow of Poles and the growing labour deficits, wage rates in Poland have begun to increase (Kaczmarczyk & Okólski 2008c).

Another immigration-conducive and economically stimulating result of EU accession can be attributed to the boom in infrastructural and other direct investment. Thanks to these sorts of investments, many new jobs have been created. As a result, the effect of labour shortages has been strengthened.

1.5.4. Push factors in sending countries

It stems from earlier considerations discussed here that certain political, social and economic developments in individual migrant-sending countries as well as the particular circumstances faced by various groups within the population of those countries also strongly influenced the flows of migrants into Poland. Apart from Polish citizens who, after a few years spent living in the West, re-migrated to Poland in the 1990s, three broad groups of migrants might be distinguished according to key push factors. These groups included migrants:

- for whom persecution in their home countries was the main motive;
- whose decision was mainly influenced by their employer in their home country or by other stimuli from the international labour market, and
- whose primary concerns included greatly insufficient earnings in their home country.

The first group comprised bona fide refugees from various countries. For many of them, arriving in Poland was an (often, transitory) outcome of a perilous and long-lasting trip, where the causes prompting them to migrate were by all means severe. As a rule, they were in danger because of political or ethnic conflicts at home. Usually, however, requests for protection specifically in Poland were largely accidental. As was already mentioned, refugees from Armenia present a good example. That thousands of Armenians ultimately settled in Poland was, to a large extent, due to the unplanned, unintended longer sojourns in Poland of several pioneers of the Armenian refugee movements (in 1991 or 1992) en route to the West.

Foreigners belonging to the second group were highly skilled professionals, managers or owners that obtained (or else did not require) work permits in Poland. To a large extent, they were cosmopolitan functionaries of transnational corporations that had established their subsidiaries in Poland following either foreign capital flow into the country or else as a result of strong demand for specific qualifications. A major underlying factor of their coming to Poland seemed to be the corporate strategies of a mother company or, depending on the individual migrant, career goals. For this group of foreigners, just as it was for a great number of refugees, Poland was usually an “accidental” stage in a relatively long chain of residence changes.

A common characteristic of members of the third group was impoverishment in their home countries. This group was strongly differentiated. From among many sub-categories, three are of particular interest: ethnic Poles from the ex-USSR22, temporary migrants from the (former)

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22 The repatriation of ethnic Poles from the ex-USSR pertains mainly to the progeny of former Polish citizens who, in the first half of the 20th century, were deported by the USSR to remote (mainly Asiatic) areas. In the 1990s, when
In general, migrants who came to Poland throughout the 1990s and in following years originated from countries that were undergoing some kind of social, economic, cultural and/or political transformation. A majority of these countries was in the process of transitioning from a totalitarian to a democratic order and from a centrally-planned to a market economy. In many cases, these transformations disrupted the existing economic and social arrangements or else rearranged the existing social and political hierarchies. As levels of production contracted, real incomes decreased and more working-age people became redundant. The combination of all these phenomena prompted individuals in the countries affected to actively seek to improve of their economic situations or, in extreme cases, to escape life-threatening predicaments. As a result, citizens of those countries became extraordinarily mobile. Poland was (relatively) less negatively influenced by the transition and, for certain groups of migrants from other countries, presented an attractive residential and economic alternative. It should be mentioned that this “alternative” was perceived as rather more temporary than permanent. Moreover, for people from certain, relatively populous countries (e.g. Ukraine), Poland, as a neighbouring and culturally similar area, was a natural destination. It would therefore seem that the deterioration of living standards in other countries – more so than improvements in Poland – affected the inflow of specific groups of migrants.

1.5.5. Endogenous dynamics of migration itself (metamorphoses)

A large part of migrant inflows into Poland continue to take the form of non-migratory mobility. Massive circular movements of false tourists from neighbouring countries tend to predominate, whereas other forms of mobility remain rather negligible. This fact notwithstanding, migration into Poland hardly displays any stable structural characteristics. On the contrary, as a relatively novel phenomenon, it is subject to frequent changes. This instability is reflected in various “metamorphoses” in the types of mobility and migrant statuses observed. A few of these will be mentioned, though not significantly expounded, in the paragraphs to follow.

One (in quantitative terms, the most important) change was, in the first half of the 1990s, a shift from a predominance of movements of petty traders to that of odd (occasional) job seekers. Over time, casual and highly flexible migrant workers became more and more attached to specific employers – especially in the case of agricultural seasonal workers. In large part, this transformation involved the same persons that lived in areas not far from the eastern Polish border. This change led to a considerable lengthening in individual migrant sojourns in Poland. Another important consequence included more personal and complex interactions with the native population.

By the same token, many foreign citizens who arrived in Poland as asylum seekers but whose claims were ultimately rejected shifted to clandestine, semi-permanent residencies in Poland. They found their way into the shadow economy and the informal labour market and, despite their
undocumented statuses, were accepted or at least tolerated by local communities.

Another distinct change in “type” involved the metamorphosis from circular or temporary migrants into settlers. This process has taken on two basic forms: one concerning irregular workers, i.e., from circulating false tourists to illegal residents; and the other from false tourists to legal residents. Vehicles for the latter form have usually been mixed marriages.

Finally, a peculiar change – from illegal transit migrants to asylum seekers – also merits mention. This resulted from backfiring strategies developed by smugglers, which in effect caused would-be migrants to be apprehended by Polish police or border guards and, subsequently, forced them to apply for asylum within Poland.

1.5.6. Consequences of demographic change

Over the last 20 years or so, Poland has been undergoing a dramatic demographic change. Apart from massive emigration, its distinctive feature was a rapid decline in the total fertility rate from slightly above replacement level in 1989 (2.1) to far below replacement level (1.2-1.3) after 2000. While the outflow of Poles – in particular after 2004 – was probably influential as far as the inflows of foreigners to Poland are concerned (as suggested above), the decrease in fertility hardly exerted any impact on that processes.

However, the recent change in fertility may soon start affecting labour market, contributing to a deficit of workers. Until 2005 the working-age population in Poland was on the rise. Since 2005 it has been decreasing, especially its part being in the so-called “mobile age” (18-44). The strongest decline shows the group of “newly entering” the working age population, i.e. those aged 18-24; each year between 2005 and 2010 its size becomes lower and lower, by from 70,000 to 160,000.

1.5.7. Attitudes towards foreigners/immigrants in Poland

Attitudes towards foreigners on the part of the native population might also be (and/or have been) an important mediating factor in immigration to Poland. These attitudes have evolved significantly, from almost unequivocally highly favourable towards all nationalities to far less favourable and strongly differentiated with respect to migrants’ nationalities. The highest level of sympathy and tolerance was notable towards the westerners; the lowest level towards Romanians (in popular perception – Gypsies), “Russians” (including Ukrainians and Belarusians) and Jews (Jews, not Israelis). However, no extreme feelings and behaviours towards any ethnic or national group were exhibited.

In various studies this factor was found as being practically insignificant. Probably due to the very small stock of migrants living in Poland at any given moment, few Poles had the chance to directly contact and even fewer to collaborate with a foreigner. On the other hand, as foreigners usually remained either very briefly in Poland or (as irregulars) attempted to remain “invisible”, they did not provide the native people with frequent opportunities to express any particular attitudes or dispositions. According to a majority of foreigners, however, the contacts they had with Poles hardly discouraged them from staying in Poland or coming there again.

1.5.8. Reinforcing effects of the change in international context and emerging Polish migration policies

For Poland, the dominant international backdrop during its transition period was reintegration with the West and gradual integration with western international institutions, including the Council of Europe (1991), the OECD (1996), NATO (1999) and finally the European Union (2004). Major
migration policy developments were strictly subordinated to efforts to integrate politically and economically (see Part 4 of this report). For this reason, Poland, as a country almost without immigrants, continuously placed a strong emphasis on international security issues – including rules of entry, admission and readmission of foreigners – in its migration policy. Needless to say, that part of migration policy was crafted to be highly restrictive and, in practice, effectively discouraged immigration to Poland. The influence of developing EU common migration policy and Schengen legislation has had a powerful meaning here (Part 4).

On the other hand, Poland’s particularly defined national interests prompted the state to maintain special – that is, close and friendly – relationships with eastern neighbouring countries that ended up excluded from most western institutions – Russia, Ukraine and Belarus. Primarily, Ukraine has become a country of special attention owing to geopolitical and historical reasons.

Yet another aspect of migration policy that strongly affected international mobility, especially of the citizens of Ukraine and Belarus, was a tacit tolerance of irregularity. It was, on the one hand, enhanced by traditional transnational networks, especially in the border regions (circular mobility of petty traders and seasonal or occasional workers) (see Part 3), and, on the other hand, by widespread development of “grey economy” and concomitant clandestine employment in Poland (see Part 2).

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So far, the analysis of foreign migration to Poland since 1989 reveals several general characteristics of those movements, all of which seem consistent with and well-positioned within the historical context. By far the most important appears a conclusion that today Poland is still far from being a net immigration country. The inflow of foreigners into Poland not only involves relatively few persons (e.g. relative to its demographic and labour market potential) but in addition it mainly takes the form of temporary migration or circular mobility. There is no evidence of any substantial change in the dynamics of foreigners’ inflow in recent 10 years or so, despite such apparently powerful pull factors, as rapidly growing economy, growing deficit of labour on various local markets and in case of various professions, and a post-accession fast integration and convergence of the Polish economy with the European Union. A large proportion of the inflow occurs as a result of Poland’s “favourable” geographical location, less so from endogenous factors inherent in Poland’s development. Moreover, hardly any clear pattern of foreigners’ inflow has emerged over the transition period in Poland. Apart from a continuity of circular mobility of migrants originating from Western Ukraine, no clear tendency could be discerned in that migration. In particular, foreigners arriving in Poland displayed changing mix of the countries of origin, motives of migration, and socio-demographic and professional profile.

Thus the analysis pursued in the present chapter does not support an argument that Poland, being at present a relatively highly modernised country with growing economy and declining and ageing population, has entered or is just entering an initial phase of massive immigration in a universal European migration cycle (adopted by the IDEA project as the core of its conceptual framework; see Section 1.2 of this Part). Will Poland be exception to the European pattern of immigration? If so, what will be particular features of that Polish specificity? Or, maybe, there exist still uncovered (in the present report) symptoms implying that soon foreigners will begin to flock to Poland in great numbers and in a consistent manner? And, consequently, in order to identify those symptoms, maybe a thorough examination of basic pull factors is required, the examination that deeply inquires into, on the one hand, the dynamics, structure and effectiveness of labour market signals addressed to the foreign labour, and, on the other hand, the attracting force of the dynamics of migrant integration and migrant networks development? Finally, is it desirable for Poland to become an immigration country? And if so, would that be possible to stimulate that change, e.g. by means of migration policy?
These questions will be – directly or indirectly – addressed in the remaining parts of this report.
2. The economy (labour market) as a primary driver of migrant inflow into Poland

2.1. Introduction

According to the Census of 2002 (CSO 2004), among all foreigners in Poland (non-Polish citizens), whose reason of immigration could be determined, approximately 30 per cent stated to have migrated for work-related reasons, and another 20 per cent for educational matters (of the remaining part, the most – 40 per cent of the total – migrated for family reasons). This means that labour migration forms a significant part of all immigration flows to Poland, and that therefore, the labour market may be considered a driver of migrant inflow into Poland.

Furthermore, in the future, the Polish labour market may become the key driver of the inflow of immigrants to Poland. A massive inflow of immigrants and a change in migration status of Poland may emerge, but only through synergetic labour market supply and demand stimuli. Early recognition of this demand-supply nexus and a precise translation of it into key (supply and demand) and supplementary conditions (labour migration policy and social acceptance for immigrants) for Poland is one of the major contributions made by this project.

One can identify a certain number of stimuli within the reference period of this analysis (1989-2007) that might (though perhaps not necessarily ought to) instigate changes in migration status: from a nascent to a mature immigration country. Therefore, a migration stimulus may be understood as an individual factor or a set of factors/conditions that potentially drive or are driven forward to make a country’s immigration status change possible.

Throughout the period 1989-2007, Poland experienced a number of both supply and demand stimuli, but until now they had never interacted in a synergetic enough manner to induce a massive inflow of labour migrants (Figure 2.1). Among the most important stimuli are: the collapse of the USSR in 1991; the beginning of an inflow, in 1993, of foreign direct investment (FDI) to Poland; the Russian crisis of 1998, the 2004 enlargement of the European Union (EU); and the 2007 Schengen enlargement (with some effects still only anticipated). Among anticipated stimuli one might count the 2012 European Football Championship.

In view of these, the objective of this chapter was to analyze the cause, content, character and impacts of migration stimuli, both at the supply and demand sides of the Polish labour market. This analysis aims to determine with what likelihood Poland will soon become a net immigration country and what conditions must be fulfilled in order to achieve this status.

This chapter is based on three postulates:

1. For the immigration process to be massive, two groups of key factors must be synchronized: a demand stimulus must coincide with a supply of immigrant labour or, reciprocally, a supply stimulus must coincide with demand for foreign labour force. That is, supply and demand need to be in a synergetic relationship in order to make immigration inflows sizeable.
2. If the supply and demand factors occur separately (namely, supply without demand or vice versa), an occasional increase in immigration levels may result, but the presence of a single factor is not grounds for a massive and systematic immigration flow, meaning a country will not change its migration status.
3. Supplementary conditions, such as developments and/or changes in the migration policies governing the labour market or in societal attitudes towards migrants may slow or accelerate
the process – which is otherwise largely shaped by the key conditions mentioned above. Migration policy plays a significant role in this process.

In order to make the content of this chapter both comprehensive and coherent, this analysis was based on various sources of data covering the reference period of 1989-2007: work permit and residence permit system data, border crossing data, National Statistical Office Data: Census 2002, ‘Employed in the National Economy’, labour force surveys (BAEL) and CMR representative surveys of various groups of employment (MPLM 2007) 23, household surveys, European Social Surveys (2002, 2004, 2006), qualitative research with migrants, employers and experts (Delphi research) and data from the National Bank of Poland 24.

The second section of this chapter contains an overview, according to scale and structure, of labour migration and its inclusion into the Polish labour market throughout the reference period 1989-2007. The analysis explores recent developments in Poland’s migration experience by outlining the dynamics and the scale of both documented and undocumented labour immigration, the socio-economic status of immigrants in the Polish labour market and their distribution within various sectors.

The third section of this chapter focuses on the demand factors behind inflow, examining macroeconomic determinants such as economic growth, economic activity of natives, outflow of native labour and labour shortages. This section produces a detailed analysis of the impact of macroeconomic factors on the dynamics of immigrant inflows, providing macroeconomic proof for the migration stimuli identified previously.

The fourth section of this chapter contains an analysis of supplementary factors – such as labour market migration policy and social acceptance for immigrants’ presence in the labour market – both of which potentially influence massive inflows. The underlying priority of this section was to identify to what extent policy developments can be considered migration stimuli and how societal acceptance of foreigners may enhance their inflow. The fifth section of the analysis focuses on the position of immigrants within the Polish labour market (using a segmentation framework) and addresses the question of whether migrant workers substitute or complement native labour.

The final section of this chapter relates to the determinants and forecasts of an anticipated, increased inflow of foreign labour to Poland and contains elements of in-depth Delphi experts’ discussions about a variety of influencing factors.

2.2. Immigrants in the Polish labour market

Registered employment of foreigners with work permits in Poland has remained stable throughout the course of 1989-2007. During this period, roughly 15,000-20,000 work permits were issued yearly. However, different groups of labour migrants have been exempted from the work permit requirement in different periods; therefore, the overall number of migrants legally employed in Poland is higher. For example, in recent years, the number of work permits issued does not comprise a growing proportion of EU citizens working in Poland, nor non-EU citizens who are seasonally employed based on a new policy development introduced in 2006 for the agricultural sector (the policy implications have spilled over to other sectors in 2007, granting citizens of neighbouring countries more extensive access to the Polish labour market). As many as 15,000 to

23 The research project MPLM (Eng. Migration Policy and Labour Market Change) was funded by the European Social Fund and was conducted within three research modules: (1) ‘Migrants from Poland in the EU labour markets’; (2) ‘Demand for foreign labour in Poland’; (3) ‘Integration of selected migrant groups in Poland’; more information available at [http://www.mplm.pl/](http://www.mplm.pl/).

24 [http://www.nbp.pl](http://www.nbp.pl)
20,000 declarations for seasonal employment of foreigners were issued per month, meaning that the overall number of seasonal migrant workers may reach an annual level of 200,000. According to various estimates, a corresponding number of undocumented migrants has been systematically increasing since early 1990s – but precise numbers differ between periods of estimations.

Bearing in mind the above-mentioned inaccuracy, the estimated share of documented foreign workers within the Polish labour market differs seasonally and across data sources (Table 2.1.). Estimates range from 0.07 per cent for 2006 (‘Employed in the National Economy’, CSO 2007), or 0.094 per cent for 2007 (based on the number of work permits issued in 2007) to 0.17 per cent (based on the 2002 Census) and 0.55 per cent for 2007 (based on a representative survey with employers) (Grabowska-Lusińska & Żylicz 2008).

Table 2.1. Shares of documented foreign workers within the total amount of workers employed in the Polish labour market

<table>
<thead>
<tr>
<th>Data source</th>
<th>Employed foreigners</th>
<th>Of total employed (in %)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Census (2002)</td>
<td>21,415</td>
<td>0.17</td>
</tr>
<tr>
<td>Employed in national economy (2006)</td>
<td>6,940</td>
<td>0.069</td>
</tr>
<tr>
<td>Work permits (2007)</td>
<td>12,153</td>
<td>0.094</td>
</tr>
<tr>
<td>MPLM estimates 2007</td>
<td>71,000</td>
<td>0.550</td>
</tr>
</tbody>
</table>

Source: Own calculations based on various sources.

The estimates for undocumented workers are a bit higher and oscillate between 0.4 to 3.5 per cent (Table 2.2.) of the Polish workforce. The illegal workforce is estimated to comprise mainly of citizens of neighbouring countries, employed predominantly in the construction sector.

Table 2.2. Estimated shares of undocumented workers within the total amount of workers employed in the Polish labour market

<table>
<thead>
<tr>
<th>Estimate</th>
<th>Scope of estimations</th>
<th>Percentage of employed</th>
<th>Reference stock</th>
</tr>
</thead>
<tbody>
<tr>
<td>150 000 (Kus 2006)</td>
<td>foreign workers employed in construction during high season</td>
<td>1.1 per cent</td>
<td>Employed, LFS (2004)</td>
</tr>
<tr>
<td>150 000 – 500 000 (Iglicka et al. 2005)</td>
<td>foreigners working illegally in Poland annually, mostly citizens of CIS</td>
<td>1.1 – 3.5 per cent</td>
<td>Employed, LFS (2005)</td>
</tr>
<tr>
<td>50 000 – 300 000 (Frelak &amp; Kaźmierkiewicz 2005)</td>
<td>mostly Ukrainians undertaking economic activity illegally</td>
<td>0.4 – 2.4 per cent</td>
<td>Employed, LFS (2005)</td>
</tr>
<tr>
<td>170 000 (Kicinger &amp; Kloc-Nowak 2008)</td>
<td>foreign workers employed in construction, 2007</td>
<td>1.2 per cent</td>
<td>Employed, LFS (2006)</td>
</tr>
</tbody>
</table>

Source: Own calculations based on various sources.

The estimates mentioned above (even the high-end numbers) put Poland’s economy among those with the lowest shares of migrant workers’ participation in the labour markets in Europe. However, although the overall level of labour immigration to Poland has been quite low, structural imbalances in the Polish economy and immigration policy throughout the course of 1989-2007 have made specific parts of the labour market disproportionately prone to the introduction of foreign labour. This issue will be addressed further in subsequent parts of this chapter.

2.2.1. Documented employment of immigrants in Poland

The dynamics, scale and structure of the inflow of foreigners to Poland and the sectoral allocations of migrant workers have been changing throughout the entire systemic transition period. As a consequence of the systemic transition and various processes “inscribed” in it, Poland has witnessed a sustained, albeit relatively small, inflow of immigrants. The dynamics of inflow are influenced by
various factors, acting individually or in combination, which may have an instantaneous or delayed impact on further dynamics as well as on the scale, structure and the sectoral and spatial allocations of migrants in Poland.

The collapse of the USSR in 1991 had had a very strong positive impact on the dynamics of inflow of foreign workers, mostly from neighbouring countries such as Russia, Belarus and Ukraine (this was one of the two strongest impulses throughout the 1989-2007 period, visible in the increase of both the number of work permits issued and the number of border crossings of the citizens of those countries, see Figure 2.1.). However, many immigrants of the 1990s treated Poland only as a transit country (see 1.4.2). On the other hand, the Russian crisis of 1998 had a visible downward, delayed effect on the dynamics of inflow to Poland from neighbouring countries (a decline of the number of entries of migrants originating from former USSR countries, who were previously engaged in such activities as petty trade, is clearly visible in the years following 1998). The EU enlargement of 2004 also proved to be a significant factor for the dynamics of inflow to Poland, with consequences visible in both the pre- and post-accession periods for various source countries. The number of applications for a residence permit and issues of those permits rise significantly from 2003 onwards, and so does the number of border crossings. The time series of work permits behaves slightly differently, but this may be attributed mainly to policy changes, discussed below.

Figure 2.1. Employment of foreigners in the national economy* (1995-2006), work permits, permanent & fixed-term residence permits and entries of foreigners: 1989-2007

* Data series only relates to companies employing more than 9 employees, and presents the situation as of 31 December of each year. It depicts the stock of immigrants and overlaps with the work permits time series.
Source: Various sources.

The above-mentioned stimuli have also had visible effects on the composition of the nationalities of registered labour migrants (Figure 2.2, data available from 1993 onwards). The number of EU-15 and EU-25 citizens holding work permits followed an increasing trend from 1993 until 2002, finally decreasing dramatically after the 2004 accession (when work permits became unnecessary for an increasing proportion of workers originating from those countries). During the same period, the number of work permits issued to those coming from neighbouring countries – namely, Ukraine, Belarus and Russia – remained stable.
Although in many ways illustrative, the raw statistics presented above are not sufficient to describe the qualitative aspect of foreign labour force supply in Poland. In order to analyse the processes of migrant inclusion into the Polish labour market more deeply, one needs to consider crucial indicators such as the education levels, economic activity, employment rate and unemployment rate25 of immigrants.

The 2002 Census shows a predominance of highly educated individuals and those with vocational training among all immigrants in Poland. This implies that the inclusion of these migrants into the labour market should proceed smoothly.

The hypothesis of smooth inclusion is supported by generally high (albeit differentiated across gender and the legal status) economic activity rates among migrants. The highest economic activity is observed among men with permanent stay permits (about 75 per cent), the lowest among those categorised as temporary immigrants – 62 per cent. As far as the rate of employment is concerned, the overall picture is quite similar: the rate is high among all groups, both male and female, for both permanent and temporary stays (Okólski 2006b). In the 2002 Census, the level of unemployment is relatively low among immigrants, and when compared with the high rate of unemployment within the native population at the time (about 20 per cent in 2002), it is not altogether that surprising. This means that most immigrants in Poland are labour migrants, working both in official and unofficial (‘shadow’) economies, sometimes even combining the two (e.g., having an official job in the house construction sector and an unofficial afternoon job in the housing maintenance and improvement sector26).

The picture of registered foreign employment in Poland, as seen through the lens of official statistics, shows a predominance of executive officers, experts, specialists and skilled labourers being absorbed by the Polish labour market (Figures 2.3. a & b). Furthermore, the proportion of highly-skilled individuals among those officially employed follows an increasing trend. An employers’ representative survey27 (MPLM 2007, Grabowska-Lusińska & Żylicz 2008) also confirms the leading role of highly qualified foreign workers in Poland – among firms employing foreigners, more than 30 per cent (exact fractions depend on firm size) state that foreigners' specific qualifications are one of the main reasons of employing a non-Polish citizen (this motif is the

---

25 Economic activity, employment rate and unemployment rate according to the ILO definition.
26 MPLM interview with one of the biggest employers in the housing construction sector in Poland 1/Z/B/W.
27 Representative survey with employers based on registration number sampling was conducted within the MPLM (Migration Policy and Labour Market) project.
second most important, after the lack of suitably qualified Polish workers), and the majority employ foreigners in managerial or specialist positions.

Figure 2.3. Composition of work permits issued to foreigners in Poland across occupations, 1993-1999 and 2000-2002\(^{28}\)

<table>
<thead>
<tr>
<th>Year</th>
<th>Managers - total</th>
<th>Managers - owners and co-owners</th>
<th>Specialists, experts, advisors</th>
<th>Administration and office workers</th>
<th>Teachers and coaches</th>
<th>Skilled labourers</th>
<th>Unskilled labourers</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>1994</td>
<td>99%</td>
<td>98%</td>
<td>97%</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
</tr>
<tr>
<td>1995</td>
<td>98%</td>
<td>97%</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
</tr>
<tr>
<td>1996</td>
<td>97%</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
<td>90%</td>
</tr>
<tr>
<td>1997</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
<td>90%</td>
<td>89%</td>
</tr>
<tr>
<td>1998</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
<td>90%</td>
<td>89%</td>
<td>88%</td>
</tr>
<tr>
<td>1999</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
<td>90%</td>
<td>89%</td>
<td>88%</td>
<td>87%</td>
</tr>
</tbody>
</table>

b. 2000-2002

<table>
<thead>
<tr>
<th>Year</th>
<th>Managers - total</th>
<th>Managers - owners and co-owners</th>
<th>Specialists, experts, advisors</th>
<th>Administration and office workers</th>
<th>Teachers and coaches</th>
<th>Skilled labourers</th>
<th>Unskilled labourers</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>2001</td>
<td>99%</td>
<td>98%</td>
<td>97%</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
</tr>
<tr>
<td>2002</td>
<td>98%</td>
<td>97%</td>
<td>96%</td>
<td>95%</td>
<td>94%</td>
<td>93%</td>
<td>92%</td>
<td>91%</td>
</tr>
</tbody>
</table>

Source: Own elaboration based on National Labour Office & Ministry of Labour and Social Policy.

When one excludes executive officers from the analysis of official statistics on work permits,\(^{29}\) the structure of the time series of the number of employed foreigners changes significantly (no peak observable around 2002, compare Figures 2.4. a & b). This finding leads to the conclusion that the predominance of executive officers in the overall registered employment of immigrants (in some sectors, the share of work permits issued to executive officers is estimated to be as high as 40 per cent of all work permits issued in 2002) distorts the official data series available, and thus the picture of migrant participation in the Polish labour market, given the policy changes affecting the mentioned group of migrant workers (the effect of policy changes is described in more detail in subheading 2.4.2 and Chapter 4 of this report). The picture of the dynamics of the sectoral allocation of migrant workers is also affected.

The 2002 Census data show that the majority of foreign workers (26 per cent) are employed in the trade sector, 18 per cent in the educational sector, and 12 per cent in manufacturing. The MPLM survey data confirm the high share of employment in trade and education. While the predominance of the need for qualified workers in the educational sector might seem obvious, it is less so in the trade sector; however, the analysis of MPLM data and official data with respect to the number of permits issued to executive officers suggest that in this latter sector, executive officers form a significant part of foreign workers, and therefore the predominance of demand for foreign labour in this sector is coherent with the overall picture of the demand for highly skilled workers in Poland.

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\(^{28}\) Data is presented into two time sets due to the changes introduced in 2000 on categorising work permit holders.

\(^{29}\) This exclusion (for 2002-2007) is done based on the assumption that the trends observed before 2002, when migration policy regarding executive officers was changed, are valid throughout the 2002-2007 period.
According to the MPLM employers’ survey of 2007, a predominance of demand for low-skilled labourers (rather than highly skilled) is only visible in some sectors in the declarations of employers with regard to a potential, anticipated demand. This may be explained in two ways. The first relates to the condition and structure of the Polish economy, and particularly to the structure of the demand for labour in Poland (only during the last two years were significant shortages for both skilled and low-skilled labour observed, partly due to the cumulative outflow of labour after the EU enlargement of 2004 and the lack of availability of vocational school graduates). The other explanation relates to the following subsection of this report, namely to the fact that workers for low-skilled jobs often may be employed in an unregistered way, and thus will not be captured by the above-mentioned statistics (see also 3.7).

2.2.2. Undocumented labour in the Polish labour market

Omitting the phenomenon of undocumented immigration would disfigure the picture of the employment of migrant workers in the labour market – and the structure of the economy as such. There is no doubt that the systemic transition in Poland influences the size (growth) and structure of the shadow economy, where migrant workers supposedly position themselves with a fair amount of flexibility. Among the causes of unregistered employment in Poland (including foreign employment), one must consider: societal acceptance (higher for irregular individuals, lower for illegal companies), insufficient income from registered (official) sources, high non-salary costs of work (taxes, insurance, other burdens), hectic administration procedures and avoidance of minimum labour standards, such as: minimum wage, minimum working hours, health and safety provisions (Bednarski, Kryńska, Pater & Walewski 2008, Kus 2006).

Similarly as in many other countries, sources and information on the scale and character of undocumented immigrant labour in Poland are limited. The available estimates relating to the stock of undeclared foreign labour in Poland are varied, depending on the author’s means (unfortunately often not stated clearly) of estimation (Appendix 2.1). It is worth noting, however, that due to the dispersion and deficiency of statistical data and insufficient, according to experts’ opinions, instruments of controlling and combating illegality of employment, lack of instruments enabling monitoring of labour market needs, elaborating any reliable estimations with regard to the scale of undocumented foreign labour force in the Polish labour market is very challenging, if not impossible. Additional difficulties in estimating the scale of this phenomenon stem from transiting

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30 Expert interviews conducted within the framework of IDEA project. See more about the instruments aimed at controlling and combating illegal employment of foreigners in 4.3.3.
institutional and legal framework, which does not allow for in-depth analysis and comparisons.

The estimates suggest that illegal labour migration to Poland by far outweighed legal migration in the 1990s (Grzymała-Kazłowska & Okólski 2003). There is a common pattern, especially among migrants coming from neighbouring countries, of combining a legal sojourn with undeclared work. Unregistered jobs performed by foreigners are perceived as the most important issue relating to irregular migration in the case of Poland. Unregistered jobs are also connected to the type of migration: permanent, temporal, pendulum, transit.

As shown in the qualitative research dedicated to the unregistered employment of foreigners in Poland, migrant workers often take undeclared jobs in domestic service sectors, including: household services such as cleaning, cooking, caretaking of children and the elderly (with a strong prevalence of females; see also 3.6.5). They are also irregularly employed in the home maintenance and improvements sector (with a prevalence of immigrant males); construction site labour; agricultural labour such as picking and/or peeling produce, farm maintenance, etc., and, to a lesser extent, whole and retail sales in open-air markets and bars and restaurants (see 3.6.2; 3.6.3; Bednarski et al. 2008).

Households are one of the most important sources of demand for the irregular employment of migrant workers in Poland (it constitutes the highest demand for foreign labour, as compared to other sections of the Polish economy, Grabowska-Lusińska & Żylicz 2008).

According to a recent representative household survey (PBS 2007 for CMR), approximately 80,000 Polish households have, over the course of the last two years, employed foreign labour on both regular and irregular bases. There is no simple method, however, of calculating the numbers of unregistered migrants employed in households due to the fact that one migrant worker can supply more than one household with services (Grabowska-Lusińska & Żylicz 2008). Households mostly call for construction and home improvement services (12 per cent of all households using outside labour), home services, agriculture jobs, garden and animal care services (3 per cent).

The share of undocumented immigrant workers in the Polish construction market is also seemingly considerable (Kus 2006). Despite the fact that the construction sector is characterized by significant seasonal fluctuations, the employment of foreign labour – according to interviews with representatives of employer’s organizations, industrial chambers and trade unions – is significant. According to these opinions, about 150,000 foreigners perform illegal work during the prime construction season (Kus 2006).

Unregistered work is mostly performed in small and medium size sub-contracting companies, within the sub-sector of individual, detached, semi-detached, and apartment housing, infrastructure and industrial construction. Workers are mostly recruited on the basis of migrant networks (overstaying tourist visas) and generally come from Ukraine and, to a lesser extent from Belarus. Illegal immigration from other countries is less significant in numbers than from these two. However, it is important to mention that there are citizens of Armenia, Kazakhstan and Romania present in the shadow Polish construction sector (Kus 2006: 13) that are not visible in registered employment.

There is evidence to suggest that, within the group overstaying tourist visas, a considerable, but

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31 N=1100.
32 According to the 2002 Census there are 13,337 thousand households in Poland. In a representative household survey, 6% of households declared employing of foreign workers.
33 Expert interview conducted by Construction Employers Confederation ‘Budowlani’ (2006) and in-depth interviews of CMR (MPLM 2007).
inestimable amount of qualified workers work below their qualifications (e.g., engineers performing work of skilled workers).

There is not much research dedicated to the undocumented employment of foreigners in the Polish agriculture, horticulture and fruit-farming sector. This is mostly due to the fact that employment in farms is mostly seasonal; migrants are often illegal there and are isolated in the rural areas (see 3.6.4)

The situation of undocumented foreign labour has changed significantly after new policy developments on non-restricted access to the agricultural sector for citizens of neighbouring countries came about in 2006 (and progressively spilled over to other sectors of the economy in 2007; see also 4.3.2). An upward shift of the number of declarations of the employment of foreigners, when compared to the stable number of work permits issued, may be an indication of the substitution of unregistered employment for the legal employment of foreigners (Figure 2.5).

Figure 2.5. Number of employers’ declarations of intent to employ a foreigner, by sectors: July 2007 - April 2008

Source: Ministry of Labour and Social Policy

2.2.3. Migrants other than migrant workers: self-employed

In many countries (mostly ‘old immigration countries’) one might make the observation that self-employment is a form of economic activity mainly attributed to immigrants.

Official data suggest that self-employment among foreigners in Poland is, numerically, very small. In 2005 and 2006, there were only 3303 instances of permission for self-employment issued, which comprised 3398 foreigners. However, this conclusion may only relate to registered self-employment (Korczyńska & Dąbrowski 2008).

In 2007/2008, the Centre of Migration Research conducted a postal survey on the self-employment of foreigners in local Polish labour markets, addressed to representatives of local governments. A biographical case study on a self-employed Vietnamese female, based in Warsaw, was also prepared. A question on the self-employment of foreigners (acting mostly as sub-contractors) was also posed in the representative survey addressed to Polish employers (MPLM 2007).

In the nation-wide representative sample of employers, 3.8 per cent of small companies (comprising 10-49 employees) employed self-employed foreigners; in the case of medium-sized companies (comprising 50-249 employees), the share amounts to 1.0 per cent. The foreigners were mostly
employed legally on a sub-contracting basis.

On the other hand, according to one of the interviews conducted, a vast majority of those foreigners who were expelled from (or re-admitted to\textsuperscript{34}) Poland were considered undeclared self-employed migrants (Korczyńska & Dąbrowski 2008).

As reported by representatives of local authorities, wholesale and retail sector positions predominate among self-employed immigrants; restaurant, construction, transport and communication sectors are chosen with slightly less frequency. However, these results differ from the results of 2007 Delphi research (MPLM 2007) where experts were asked to pinpoint the main professional domains of immigrant self-employment. The most common ones, as indicated by Delphi experts were, in the following order: domestic services, restaurants, catering, medical services, back office services and communal services, followed by construction, wholesale and retail at the end. No groups of expert groups reported ethnic services or services attributed to ethnicity (e.g., ‘exotic’ services such as unconventional therapy/medicine, etc.). As in the above-mentioned case study of a self-employed Vietnamese female, both the conventional and unconventional medical sector constitutes a widely acknowledged economic niche for immigrants.

\subsection*{2.2.4. An assessment of migrant inclusion into the Polish labour market}

The overview of the data and estimates presented above suggests that the picture of immigrants in the Polish labour market is somewhat puzzling. On the basis of registered employment data one might conclude that foreigners, regardless of nationality, are employed in specialist positions and therefore located in the primary sector of the labour market only. The employment of low-skilled labourers is identifiable mostly either in the shadow economy or as anticipated employment, given the potential growing demand for low-skilled workers (more in subheading 2.5. of this chapter).

With the marginal share of foreigners (both documented and undocumented) in the total employment in the Polish economy (at levels estimated between 0.07 to 3.5 per cent), it is difficult to identify ‘migration-dense sectors’ in Poland. However, it seems fair to say that migrants have a higher propensity to place themselves in certain segments of the Polish labour market. Those who are registered can mostly be found in manufacturing, trade and education sectors, while those who are undocumented are mostly found in domestic services, agriculture and construction (more in subheading 2.5. of this chapter).

Data that would allow the assessment of the mobility of foreigners in the Polish labour market is also scarce. The most visible movements are likely related to the substitution of legal employment by illegal employment after the recent labour migration policy development on granting seasonal free access to the Polish labour market for citizens of neighbouring countries. However, this hypothesis requires further testing.

In general, the picture of present-day migrant inclusion into the Polish labour market is not particularly promising insofar as ensuring that the inflow of immigrant labour remains massive and institutionalized is concerned. This indicates that Poland is still in the ‘embryonic’ stage of its transformation into a net immigration country. The following sections of this chapter will tackle the questions of what are the structural causes and implications of the ‘migratory state’ of Poland.

\subsection*{2.3. Principal demand factors of the inflow of migrant workers}

There is no doubt that the structure and the dynamics of the labour market in Poland are generated

\textsuperscript{34} If a bilateral agreement on re-admission exists and is in force.
and affected by a wide set of factors. These factors may include macroeconomic determinants, such as economic growth and other business cycle and infrastructure variables\textsuperscript{35}, factors related to the availability and skill composition of the labour force – demographic factors and issues related to the flows of native workers (emigration and return migration) – and elements of the educational system, as well as a group of institutional conditions (social and labour market policies). These have been described extensively in work dedicated to the labour market (see, for example, Bukowski ed. 2005, 2007, 2008; Grotkowska & Sztandar-Sztanderska 2007; Kryńska 2003; Kwiatkowski, Gajewski & Tokarski 2003; Liwiński & Sztandar-Sztanderska 2006; Rogut 2008), and will be tackled in subsequent parts of this section.

The demand for foreign workers makes up a fraction of the overall demand for labour, although the nature of the former may be very specific and subject to a unique set of labour market sub-factors in a given sector or niche of the economy (Grabowska-Lusińska & Żylicz 2008). Therefore, the analysis of the demand factors for a foreign workforce presented below will be considered in a more general labour market context.

\subsection*{2.3.1. The basic labour market characteristics in Poland during the period of 1989-2007}

The performance of the Polish labour market over the period of the last seventeen years has fluctuated. The changes in employment levels are shaped by changes in economic activity and the performance of the economy. The early transition period in Poland (1989-1993) is characterised by a decline in the levels of economic activity, employment and domestic product and an increase in unemployment (Figure 2.6.). The initial very high levels of activity rates (much higher than in most of western economies) were, however, a result of the overemployment typical of communist, centrally-planned economies and could not be sustained after the fall of the regime. Absorption of the employment reduction took place primarily through a decline in the number of economically active persons. The deactivation processes took place primarily during the first years of transformation (in 1997, the activity rates were already lower than in the Western European economies)Figure 2.6. GDP growth, employment and unemployment in Poland 1990-2007, per cent

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure2_6}
\caption{GDP growth, employment and unemployment in Poland 1990-2007, per cent}
\end{figure}

Source: Own presentation based on CSO data.

In the following years, a slight increase in employment (1994-1998) was preceded by the diminishment of transformation shock effects and a period of accelerating growth.

The Russian economic crisis (1998) proved to be a severely negative shock for the Polish economy

\textsuperscript{35} Infrastructure factors are not discussed in this report.
and labour market. A four per cent decline in the level of employment ensued. Most redundant workers became unemployed. The negative effects of the Russian crisis began diminishing in 2000, but during the 2001-2002 period the world economy as a whole experienced a slowdown, resulting in a decline in external demand dynamics. The latter factor was the primary demand-side driver for product growth in Poland in previous years, and when it ended, further slowing down of the Polish economy resulted.

During the period of 2001-2003, the number of employed individuals fell by another three per cent. In effect, the situation on the Polish labour market after the five-year period following the Russian crisis and before the 2003 revival of the economy was the worst among all the countries in the Central and Eastern European region. The unemployment rate exceeded 20 per cent (during this period, the rise in unemployment may be attributed primarily to the fall in the level of employment, and not to changes in activity rates) (Bukowski ed. 2005).

After a ten-year period of either declining or stable employment levels, the second quarter of 2003 saw a significant increase in the number and rate of employed individuals, which was complemented by a fall in the rate of unemployment and in relatively stable activity rates. However, the rates of employment and activity within the productive age group did not reach pre-crisis levels, and a gap between the pre-Russian crisis level and the present level has still not disappeared. The evolution of the structure of the Polish work force in the transition years was closely connected to the appearance of the population boom age groups (in the early 1980s) in the labour market, and the disappearance of the post-war population boom age groups (which had reached pre-retirement ages). This led to an increase of the number of unemployed. But the demographic effect was mitigated by a decrease in activity rates, observed (to the largest extent) precisely among these two age groups (Bukowski ed. 2007). Additionally, both the demographic and the deactivation effects were less important for the labour force pool than the decline in the number of employed individuals.

2.3.2. Macroeconomic factors and the inflow of immigrants to Poland

The first two years of transformation brought about a net decrease in the domestic product. This reflected the need to adjust the supply side of the economy to meet the new market requirements. Production in sectors overdeveloped during the period of centralisation had to be cut. The initial shock effects on the product level were quickly eased as, by 1992, the GDP began increasing. Labour productivity also began increasing. The years between 1994 and 1997 were characterised by a stable economic environment.

Since the Polish economy was still undergoing transition, however, and because there was a significant number of domestic workers available on the labour market, the economy was not ready to accommodate foreign workers. After an initial and very significant increase in the number of work permits issued and in the border-crossings of foreigners that followed the period of restricted

36 The Russian economic crisis, characterised by a dramatic decrease of citizens’ disposable income, a worsening of the terms of trade and, consequentially, a severe decrease in the demand for imported goods in Russia (and in Ukraine and Belarus), had a large impact on the economies and labour markets of all the CEE region countries – especially given the large share of export volume from the latter to the Russian Federation (the share of exports from Poland to Russia equalled 8.4 per cent). The decrease in the Russian demand brought about a limitation of foreign trade and a worsening of the trade balance of cross-border trade (which constituted an important factor in Poland) in all CEE countries. The effects of the crisis were very severe and widespread due to the fact that the economies of the CEE countries were undergoing transition and opening up to other foreign markets, but the structure of foreign trade with respect to the level of processing of goods and destination countries did not allow for easy substitution of exported and imported goods. Therefore, the possibility of moving the supply of exported goods to local markets was minimal, and a negative demand shock, resulting in a decline in the demand for labour, ensued (Bukowski ed. 2007).
movement under communism (see Chapter 1), during the years 1994-1997 the inflow of foreigners to Poland did not increase dramatically (see subheading 2.1 and Figure 2.1). This is especially visible for the work permits time series, which reflects mostly administrative changes and admission policy amendments rather than labour market fluctuations. On the other hand, the number of border-crossings effected by foreigners does follow the GDP trend more closely, though these series may not be too closely connected with labour migration into Poland. They may, however, provide some indication as to the number of undocumented foreign workers.

The Russian crisis of 1998 brought about severe, but delayed, labour market changes. The important factors were not only the dramatic decrease of aggregate demand (and, consequently, GDP) but also the need to adjust to new export patterns (a change in the production profile in many sectors), otherwise known as a ‘reallocation shock’. At the same time, Poland experienced a harsh decline in the rates of return to capital and in total factor productivity. This had significant negative effects on the economy as a whole and on the demand for labour in general. The following years (until 2002) proved to be a period of relatively slow growth and of an unattractive labour market. During this period, a negative trend in both the number of work permits issued and in border-crossings are observed.37

The year 2003 – the time directly preceding Poland’s accession to the EU – marks the beginning of demand-side initiated growth that was due to a dynamic increase in exports and to an increase in internal demand (both private consumption and investment) in Poland. This period of accelerating growth may be treated as the result of intensive capital accumulation and modernisation (Bukowski ed. 2007). In 2004, the increase in GDP was driven mostly by private consumption. A slightly lower level of GDP growth in 2005 may be attributed to the fact that private consumers “shifted” their planned consumption from 2005 to 2006. The increase in GDP growth, which is connected to Poland’s EU accession, resulted in a significant betterment of the labour market situation in Poland, and may be considered a demand stimulus for the foreign workforce.

The period of accelerated growth corresponds to a further increase in the number of border-crossings into Poland. During the same period, the number of work permits issued declined. This, however, may be attributed to the fact that, as an offshoot of Poland’s accession, a large proportion of EU members no longer required a work permit in Poland. Indeed, it was precisely the number of work permits issued to EU citizens that was the primary driver of growth in the series during previous years (see Figure 2.7.).

37 An exception to the trend is the increase in the number of work permits issued in 2002. This, however, may be attributed strictly to a policy change working “backwards,” as depicted in Figure 2.4.
The year 2007 enhanced the positive trends of the post-2003 period. The 2007 employment levels are more or less equal to those from the period preceding the 1998 crisis. The number of persons in the productive age group increased, however, and as a result the employment rate was still lower than it was in 1998. When the demand for labour and employment increase along with wage levels, Poles tend to deactivate early. This may result in a significant demand stimulus for foreign workers in the next couple of years. However, the Polish labour market is still underperforming as compared to other European – especially Western European – countries.

### 2.3.3. Outflow of labour and inflow of immigrants: national and regional level

During the period of 1994-2003, the number of Polish migrants abroad – and that of long-term migrants especially – remained at a relatively stable level. It more or less reflected the economic situation in Poland: during the period of accelerating growth between 1994 and 1997, the number of migrants was slightly decreasing. After the Russian crisis and a period of economic slowdown (1999-2003), the number of migrants increased slightly to reach the 1994 level (Figure 2.8.). However, during the period directly preceding – and directly following – Poland’s EU accession, the number of Poles abroad increased dramatically. The share of long-term migrants among them also increased, albeit slightly, during this period.
On the basis of this fact alone, one could stipulate that Poland’s EU accession – and the opening of several labour markets for Polish citizens – constituted an important stimulus for the outward migration of Poles. Whether this stimulus translates to a demand stimulus for a foreign labour force in Poland is a different question.

In general, emigration from Poland does not necessarily bring about severe labour shortages in the country (apart from very specific sectors of the economy; this problem will be addressed in the subsequent section of the report). Although the two phenomena coincide, the outflow of migrants is not a principle cause of the decline in the number of unemployed individuals (due to the scale of migration, Figure 2.9). It does not provoke a decline in the number of employed individuals, either (although it seems probable that migrants originate from the economically active parts of society, Kaczmarczyk & Okólski 2008c), as these numbers saw an increase. Recent data (2008) indicate that situation in the Polish labour market is determined mostly by macroeconomic ‘climate’, which may additionally sustain arguments about insignificant-at least short-term- impact of foreign migrations of Polish people on the domestic labour market. According to Kaczmarczyk & Okólski (2008c), the observed emigration phenomenon can be considered an outflow of the ‘redundant’ part of the population, in accordance with the Layard (et al. 1992) ‘crowding out’ hypothesis of factors necessary for the modernisation of an economy.

Therefore, on a general scale, it is rather the growth of the inactive population than the outflow of Polish workers that could enhance immigrant inflows into Poland.

On a regional (NUTS 2) level, there is no evidence of any correlation between the number of emigrants and the number of immigrants. Neither of the two disaggregated series appears to be associated with the regional GDP share or with GDP growth. This means that, if there are serious links between the outflow of workers and the inflow of a foreign labour force, this phenomenon takes place on a level other – most likely, lower – than regional.

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39 These two variables either show a common trend (i.e., both increase and both decrease in the same periods), or show opposite trends (one increases and the other decreases), or none of the above.
2.3.4. Dynamics of inflow vs. shortages

Throughout a major part of its systemic transition, Poland had been plagued by low demand levels and surpluses of ‘useless’ labour. In recent years Poland has been experiencing two kinds of mismatches (conditioned by a set of macro and micro economic factors): structural, which are strongly connected to casting aside sections of the labour force left over from the transition that cannot be effectively ‘recycled’ within the new conditions; and cyclical, which are associated with the current economic state. Both kinds of mismatches may create space for the employment of foreigners and may stimulate the inflow of labour. But is this really the case?

Structural gaps can be expected to be filled by immigrants at a slower pace than economic cycle shortages arise and may create more stable jobs due to the permanent shortage of certain skills. Moreover, immigrants filling these gaps may be better suited in terms of their qualifications (less depreciation of skills). Economic cycle mismatches may be less stable, with substantial job fluctuations, but usually result in new job openings and, therefore, easy access to employment. However, this may result in the creation of a secondary labour market, wherein immigrants, acting as an economic cycle buffer zone, may be susceptible to a depreciation of skills.

A comparison of the series of yearly numbers of work permits issued and of vacancies (yearly average, Figure 2.10) proves that either there is no clear relationship between the number of vacancies and the inflow of migrant workers (only in the post-accession period is a correlation visible), or that institutional conditions reflected by the number of work permits issued have overridden any existing mechanisms. However, the analysis of further disaggregated data allows for some additional insight.

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40 It is important to note that shortages in Poland are conditioned by set of factors wherein the outflow of labour is only one factor within a set of others. Grabowska-Lusińska (2007) reconsiders the causes, structures and implications of skill shortages in Poland. Among factors causing skill shortages one should consider: changes in the labour structure, which is the best indicator of economic modernisation; labour demand and supply mismatches; changes in employment activity; segmentation of the labour market; incomplete migration; periodical migration; low inter-regional mobility of labour and education gaps.
Even disaggregated, the overall number of work permits issued does not correspond exactly to labour market shortages (vacancies, see Figure 2.11). Some common fluctuations may be visible, but the overall trends generally do not match. However, when only permits for Ukrainian, Russian and Belarusian workers are considered, seasonal adjustments are clearly visible. The workforce comprising citizens of Poland’s Eastern neighbours may therefore be seen as filling in – or rather reacting to, given the difference in scale – short-term economic cycle mismatches.

Figure 2.11. Vacancies (quarterly, in thousands) vs. work permits issued (half-yearly), 2000-2006

Source: Own elaboration based on CSO, KUP & MPiPS.

Labour shortages do not affect all sectors of the economy in the same manner, however. Before 2005, the lack of workers was not a significant hindrance for a great majority of enterprises functioning in the market. Only in the fourth quarter of 2005 did a significant number of employers begin signalling the problem, mostly in response to an open question on the barriers of growth. This number increased dramatically, reaching almost 15 per cent in the third quarter of 2007 overall, and over 30 per cent in the construction sector alone (Figure 2.12.).
Nevertheless, even in the construction sector, the relationship between the issuing of work permits and native labour shortages is not visible prior to the post-accession period (Figure 2.13.). During the post-accession period one can observe a diversion from the previous correlation between labour shortages and GDP. While the two previously exhibited similar trends, during the post-accession period the explosion of labour shortages in the construction sector is not reflected in equally dramatic GDP growth. On the contrary, it may be the result of outward migration of construction workers (especially to the UK). A similar disparity in the GDP-labour shortage relationship is notable in the manufacturing sector between the pre-accession and the post-accession period (Figure 2.14). In this sector, the labour shortage has not been as big a hindrance as it has been in the construction sector, but nevertheless in 2007 a reversal of the declining trend in the legal employment of manufacturing workers is observed – once the number of firms experiencing shortages exceeds 20 per cent.

Figure 2.13. Shortages in the construction sector and the inflow of foreign workers, 1993-2007

Source: Own elaboration based on CSO.
If legal employment is not stimulated explicitly by labour shortages, could it be that salary levels are responsible instead? The number of work permits issued in the post-accession period in the construction sector cannot be attributed to high expected salary levels as the fraction of employers signalling the wage problem rose significantly when the number (and fraction) of work permits in the construction sector was still on the decline. However, a hypothesis that there is a threshold value of enterprises experiencing salary problems that triggers the employment of foreign workers cannot be ruled out. Further evidence of the effects of the threshold mechanism can be found in the trade sector, where the number (and fraction) of work permits issued increased when the fraction of employers signalling salary barriers exceeded 50 per cent (Figure 2.15). This increase, however, may very well coincide with overall GDP trends and the situation of the Polish economy and labour market in different sectors in 2006-2007.

Evidence that the foreign workforce reacts to sectoral changes is presented in Figure 2.16. It is clear that expanding sectors (with growing employment, new jobs created, and high vacancy rates, construction, hotels and restaurants are key examples) attract a proportionally higher number of legal foreign workers. Sectors developing more slowly (education, health care) – perform

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41 Data for previous years is not available.
This implies that the labour demand for foreign workers in Poland may be primarily driven by macroeconomic factors.

Figure 2.16. Labour shortages (fraction of enterprises signalling problems, per cent), sector performance and work permits (share, per cent) by sector, 2005-2007

Source: Own elaboration based on CSO, KUP & MPiPS.

There is not enough data in Poland in order to fully verify the hypothesis that shortages (both structural and cyclical) may drive immigration and reciprocally that immigration is a remedy for shortages. Certainly the reliance on immigration to relieve labour shortages can become a self-perpetuating phenomenon. Immigration can be used as a tool to suppress real wage growth and can be induced in order to fill these shortages (mostly cyclical) in the short term only. As wage differentials are narrowed, the suppression of real wages can then disincentivise members of the resident workforce from improving their respective skill sets. Therefore, shortages are not direct and primary drivers of inflow; they can work on a short-term basis, which means that they may cause inflows to be massive and institutionalized only to a limited extent.

2.3.5. Macroeconomic breakers and drivers of immigration

The above analysis proves that there is no strong and straightforward relation between macroeconomic stand of Poland and immigration. It is especially well-tested in the sectoral analysis of the relation, mainly through the lens of sectors where the inflow of immigrant workers supposed to be significant, such as construction, manufacturing and trade. However some relations may appear at the level of smaller territorial units but the verification of those is limited with non-existing territorially (lower than NUTS 2) disaggregated data.

One can identify, however, out of the above analysis, both macroeconomic drivers and breakers of immigration to Poland.

One of the key drivers (but also breakers) is not, as initially assumed, the economic cycle as such but the structure (mostly age, skill, territorial and to lesser extent gender), size and availability of the domestic workforce. Polish people tend to deactivate quite early comparing to other European labour markets which shrinks (also numerically) available labour resource in Poland. This has an impact mostly on labour shortages in the Polish labour market. Shortages, especially those cyclical, do not necessarily drive but may certainly attract immigration (employers start searching workers more actively, even abroad) but only short-term due to the fact that migrant workforce may act as economic cycle buffer (especially in sectors prone to unregistered employment of foreigners).

Would it mean that with the scenario of enlarging domestic labour resource in Poland (also qualitatively fitted into employers’ needs) the Polish labour market may be self-sufficient and never
turn the next phase of migration cycle, namely immigration maturity (with massive and institutionalized inflow)? Apparently while segmented, it is not possible (more in subheading 2.5 of this chapter).

2.4. Supplementary factors of inflow of foreign labour to Poland

2.4.1. Societal acceptance of foreigners in the Polish labour market

When describing the immigration phenomenon in the context of labour market issues, it might be tempting to believe that economic factors are of primary importance. In this section we seek to ‘describe’ social attitudes towards immigrants in Poland at the end of the 1990s, thereby uncovering their main socio-demographic and economic determinants.

An analysis of the determinants of social attitudes towards immigrants and changes in them over time is based on results from national surveys conducted in Poland during last decade. A brief description of the empirical foundation of this study is presented in Appendix B.

Macro-level analysis

Two main indicators of social attitudes were chosen to make longitudinal comparisons. They included: the perception of the consequences of the presence of immigrants on the Polish labour market (based on the question: Do you agree with the statement that immigrants take jobs away from people who were born in Poland?); and their impact on the national economy (based on the question: Are immigrants generally good or bad for Poland’s economy?). Results from the surveys show a relatively high correlation between the indicators mentioned above and unemployment levels, as well as between unemployment levels and real GDP growth.42 General trends in social attitudes towards incomers are presented in the Figure 2.17.

Figure 2.17. Perception of the consequences of the presence of immigrants on the Polish labour market (left chart) and their impact on Poland’s economy (right chart).

Source: Own elaboration.

The condition of Poland’s economy seems to be the primary factor affecting social acceptance levels and perceptions of immigrants. However, this conclusion stems from an analysis based on a relatively short time series. It would be useful for further studies to address whether social acceptance for foreigners heeds to cyclical fluctuations (Wilkes, Guppy & Farris 2008: 304).

Micro-level analysis

According to ESS data, social attitudes towards immigrants differ among groups with various socio-

42 Pearson’s correlation coefficients between percentage of people claiming that ‘immigrants take away jobs from people who were born in Poland’ and unemployment level and between percentage of people claiming that ‘immigrants are generally good for country’s economy’ are equal to -0.73 and 0.75 respectively.
demographic features. On average, young people perceive the role of immigration in the Polish economic system to be more positive than do their parents and grandparents (the p-value for ANOVA tests was less than 0.01 in each round of the ESS survey). Until 2006, there were no significant differences between the opinions of males and those of females (p-values 0.139 and 0.458). However, in 2006, a discrepancy arose when women, as compared to men, seemed to underestimate the role of immigrants in the economy.

In contrast to gender and age groups, where differences were revealed as or over time became more significant, an opposite trend arises when respondents’ places of residence are taken into account. In 2002, there were differences observed between those who lived in countryside and those who lived in urbanised or suburban areas (p-value for ANOVA test less than 0.001). After four years this discrepancy diminished (p-value equal to 0.195). Opinions of the role played by immigrants in Poland’s economy seem to differ most significantly among people with different education levels (p-value for ANOVA test less than 0.005 in each round of the survey). On average, well-educated Polish people thought of immigration as good for the economy (rating 6.33 in 2006) whereas those with primary, lower secondary or basic vocational levels of education more frequently had negative perceptions of the phenomenon.

Political engagement are also related to perceptions of immigration. In this case, the trend is clear – more interest in political issues is correlated with more positive perceptions of immigration. The analysis presented in this section suggests that Polish society is undergoing something of a transition in terms of its general attitudes towards immigrants. Poles were rather sceptical of immigration during times of economic prosperity in 2002, but after roughly 4 years they were generally of the opinion that foreigners were generally good for the country’s economy. A topic for further study might involve investigating the effects, if any, of EU accession on this attitudinal shift.

2.4.2. Labour migration policy in Poland

Since the 1990s, Poland has had in place a restrictive policy towards foreigners’ access to the labour market. This section focuses on the identification of real and anticipated policy stimuli that may or may not influence the presence of foreign workers in the Polish labour market. The mechanism regulating foreigners’ access to the Polish labour market revolves around the obligation of an employer to apply for a work permit on the foreigner’s behalf. This permit is issued after an evaluation of the situation on a local labour market (the so called ‘labour market test’). For a limited amount of time, depending on the foreigner’s residence permit (usually of a maximum of two years), he or she is assigned to a specific position and to a specific employer. Now, however, several categories of foreigners are exempted from the obligation to apply for a work permit. Combined, these two measures might provide the basis for a labour migration policy that effectively responds to the needs of the Polish labour market.

The obligation to apply for a work permit itself does not necessarily constitute a restrictive labour market admission policy. It is rather a matter of an application procedure and of certain criteria being taken into consideration by the authorities before a work permit is granted. This means that, by manipulating this procedure (designing it to be more or less strict), the authorities may be able to influence streams of migrant labour flows. In Poland, the procedures have already been changed several times, each time towards by prolonging the procedure or by making it stricter. Only in 2007, following the detection of shortages in the labour market, the first steps towards relaxing the procedure were made. The list of migrant categories exempted from the obligation to apply for a work permit was, in the past, also changed several times.

A comparison of the evolution of legal measures with permit-granting trends yields interesting results. The evolution in the total number of work permits issued shows no correlation between
changes made in the permit-granting procedure and in the scale of the employment of immigrant workers in Poland. In spite of the fact that each legislative change prolonged or complicated the procedure, in every subsequent year the number of work permits issued grew. The change introduced in 2007, which lowered the costs of obtaining a work permit, unfortunately occurred too recently to allow for an assessment of its impact. Two groups of nationalities are distinguished in Figure 2.18.: the first one comprises nationals of the present EU15 countries, while the second comprises the citizens of Belarus, Ukraine and Russia. This juxtaposition indicates that the evolution of admission procedures had actually no influence on the presence of foreign workers from eastern, neighbouring countries in Poland. At the same time, exempting employers from the obligation to apply for a work permit for new categories of foreigners had a distinctive effect on the numbers of work permit issued to citizens of the EU15. This is especially clear since 2002, when the abovementioned legislation was introduced for members of executive boards, resulting (somewhat artificially) in a peak of work permits issued (part 2.2. of this chapter). The sharp decrease in work permits observed between 2003 and 2007 was a consequence of Poland’s accession to the EU. The decline in the number of work permits was the strongest for the citizens of EU countries, to which Poland reciprocally opened its labour market (Kloc-Nowak 2007).

Figure 2.18. Evolution of the permit-granting procedure and exemptions catalogue and number of work permits issued, 1989 – 2007

Since June 2006, seasonal workers from Ukraine, the Russian Federation, and Belarus were allowed to work in Poland without a work permit (see also 4.3.2) for three months in the span of six months in agriculture, cultivation, and breeding. In order to take up work on this basis in Poland, nationals of these countries still require a visa with permission to work, which can be issued by a consulate when an applicant submits a declaration from an employer regarding his/her intent to offer employment. The declaration must be registered in the local labour office in Poland (Kępinska 2007). Changes introduced in July 2007 spilled over to other sectors of the economy, and, in February 2008, the duration of employment permitted on this basis was prolonged to six months in the span of 12 months.
It is probably still too early to assess the impact of this development on the Polish labour market. Preliminary evidence indicates that it has widened access to the Polish labour market, as in period between July 2007 and July 2008 more than 120 thousands of employers’ declarations were registered in labour offices (for more details see 4.3.2). However, as from unofficial reports of Polish employment services, decent part of foreigners who have entered Poland on a basis of a declaration of an employer do not actually take up the declared employment. Instead, once they enter Poland, they prefer to look for a job in the shadow economy.

2.5. Economic consequences of the inflow and sustainability of migration (migration cycle)

When assessing the impact of labour migration on the Polish labour market and its consequences for future migratory inflows, a few assumptions must be made. First, the scale of recent migration to Poland is relatively low. Second, the scale of legal inflow is still very low. Third, illegal employment – although higher in numerical terms than legal labour migration – is barely traceable in quantitative terms. All the above-mentioned issues make an assessment of the consequences of immigration an extremely difficult task. This is due not only to the lack of appropriate data but also due to the fact that immigration-related theories are hardly applicable to the Polish case (mainly as a consequence of the low scale of legal inflow). Nevertheless, they can still be seen as a kind of methodological framework and will thus be treated as a point of reference for the analyses presented below.

2.5.1. Position of foreigners in the Polish labour market

The problem of the heterogeneity of the Polish labour market in the context of migration was assumed and cursorily tackled by various authors (Golinowska 2004; Frelak 2005; Korczyńska & Duszczyk 2005). However, none of them has conducted a systematic economic analysis. When analysing data on foreign inflow to Poland, a clear dichotomy of the types of foreigners participating in the Polish labour market arises. The first one relates to the nationality (country of citizenship) of immigrants. As stated earlier, the most significant groups originate from 1) the EU countries, and 2) from the former USSR. For example, according to the work permit data, nearly 23,000 individual work permits were issued in 2002 (this is the highest number of permits recorded), including almost 10,000 (41 per cent) for EU citizens and 5,500 (24 per cent) for citizens of the former USSR. The second dichotomy refers to the type of economic activity foreigners engage in while in Poland. In general, foreigners employed legally in Poland fall in one of two categories: the first comprises jobs requiring high or very high skills, particularly in such sectors as financial, insurance and real estate services, while the second one comprises low-skilled jobs in agriculture, manufacturing, trade or domestic services. Interestingly, both groups of immigrants noted above can be found in the two economic sectors. Immigrants from the West, however, tend to be concentrated in manufacturing and financial services while citizens of the former USSR are employed in such sectors as education, trade and manufacturing (Figure 2.19). The data presented below depicts significant changes in the structure of legal employment, particularly with regard to immigrants from Ukraine, Russia and Belarus.

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43 The next most significant category (that has been the subject of extensive analysis in other parts of this report) includes Vietnamese citizens.
According to the MPLM survey (2007), companies employing foreigners in Poland are concentrated in three main sectors: industry (mainly manufacturing), selected services (mainly trade), and public services (mainly education). Within the manufacturing sector, two groups of foreign workers stand out: Ukrainians and Germans. A similar pattern may be observed among firms in the trade sector, but there – especially among larger firms – a significant proportion employs French workers (in big French chain stores present in the Polish market). In the education sector, firms employing former-USSR workers predominate: the highest share of employees is constituted by Ukrainian workers, followed by firms employing Russians and Belarusians (Grabowska-Lusińska & Żylicz 2008). On the other hand, firms employing citizens of the former USSR citizens (Ukrainians, Russians and Belarusians) are located mainly in the education and manufacturing sectors (around a quarter each, depending on the firm size category) and, to a lesser extent, in the trade sector. For EU citizens, the pattern is similar, albeit with different proportions: a vast majority of firms employing Germans and other Western European citizens specialise in manufacturing (the share rises to nearly 2/3 for large firms employing Germans), while the educational and trade sectors are left behind (the shares vary depending on firm size, with smaller trade and educational firms more likely to employ Germans).

The data presented above shows that, at a general level (branch of economies), it would be extremely difficult to identify sectors particularly prone to employing foreigners. The heterogeneity of the labour market is more visible when looking at the positions held by foreigners in Polish companies (Figure 2.20).  

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44 It may be that, in the case of the Polish labour market, we should refer to internal / external labour markets rather than to the segmentation hypothesis.
The data presented above are consistent (particularly in the case of the 2006 data) with the typology proposed by Iglicka (2000) who suggested analysing labour immigration to Poland using the following categories:

- Employment in the primary sector, i.e., highly qualified workers, managers, experts originating mainly from the USA or EU countries.
- Employment in the secondary sector, i.e., low-skilled workers, seasonal workers mostly from the former USSR countries.
- Employment in both sectors – this category refers mainly to Vietnamese migrants with a highly specific employment structure (almost exclusively two sectors: trade and catering).
- This typology (and data) would suggest a segmentation of the Polish labour market and, additionally, serious signs of ethnic division of the labour market. This hypothesis is more or less verified by the MPLM Survey data (Figure 2.21).

Figure 2.21. Positions offered to foreigners, by firm size

![Figure 2.21](image)


From the data presented above (including data on the scale of employment – see section 2.2. of this chapter), even assuming that Polish labour market can be analysed and interpreted within the dual labour market theory framework, (legally employed) foreigners are not concentrated in the secondary part of the labour market. On the contrary, if the companies that employed foreigners are taken into account, most of them offered jobs demanding relatively high skills. Regardless of firm size, foreigners were employed predominantly in managerial or professional positions. The employment levels of medium and low-skilled workers were relatively low. This observation is consistent with the conclusion of Okólski (2002b), who stated that the employment of foreigners in Poland is marginal in nature. Three of the most important ‘immigrant niches’ include: (1) large or medium companies (mostly with foreign capital) offering jobs to immigrants from the EU or USA, (2) the typical niche of professions such as artists or athletes and, last but not least, (3) the illegal job market (agriculture, trade, construction, domestic services). Only the last one can be described as a ‘secondary’ labour market, and indeed, is dominated by immigrants from the former USSR (see also 3.6). This part of the labour market is also among the least researched due to the lack of appropriate data.

Figure 2.21 shows an immense contrast between firms that have already offered jobs to foreigners and those that are planning to employ immigrants. In the second case, the share of low-skilled jobs that fall into the “secondary” category is far higher – particularly in the case of small and medium companies. This, in turn, suggests that, due to a complex set of factors like good economic climate and growing labour shortages (as a consequence of structural mismatches on the labour market and the post-2004 Polish out-migration), Polish employers and entrepreneurs consider employing
foreigners with increasing frequency. If this is the case, then, with the growing participation of foreigners, it would be only a matter of time until the secondary sector of the labour market were consolidated. This observation is strongly supported by analyses of illegal employment in Poland in such sectors as agriculture, domestic services and selected companies (Warsaw Bazaar, Mysiadło). It may also be the case that existing data portray only a small fraction of the labour immigration phenomenon – that is, legal employment, individuals from well-developed countries or other immigrants with secure (legal and long-term) status in Poland.

2.5.2. The role of foreigners in the Polish labour market: compliments or substitutes?

One of the key questions related to the economic impact of immigration involves the role played by ‘imported’ in the receiving labour market. The phenomenon usually occurs between two poles: the complementary workforce and the substitute workforce. The first, as it fills in gaps in the local labour market, is considered beneficial and desirable. The second is presumed to push natives out of the labour market, leading to an increase in unemployment risk and lowering wages. The role of immigrants in the Polish labour market will be assessed here using two important variables: the characteristics of immigrant workplaces and the rationale for employing foreign labour. Immigrants can be thought of as substitutes if imported workers are employed in same positions as Poles and the main reason for the employment of a foreigner is to lower the wage level or improve efficiency (as compared to employment of candidates from domestic workforce) (Kaczmarczyk 2008).

With regard to the characteristics of workplaces, based on the survey data, it appears that immigrants and domestic workers were employed in very similar positions, with a small over-representation of foreigners in seasonal and temporary posts (however, these levels were much higher with regard to declared future demand). Additionally, in most cases, the wages of immigrants employed by the Polish companies were similar (or even higher) to wages paid to the domestic workers. The share of immigrant workers with earnings lower than the earnings of Poles in analogous positions was lower than 20 per cent (Kaczmarczyk 2008).

Figure 2.22 Rationale for employing foreigners, by firm size


Figure 2.22 shows that a large proportion (in the case of medium-size firms, the majority) of employers currently employing migrants explicitly state that the main reason for employing a foreigner is the fact that migrant workers have specific skills. This observation is clearly consistent with the data presented above, which depict a very large proportion of legal immigrants filling

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45 All analyses presented below are based on the MPLM Survey 2007.
managerial or expert positions, while in some cases foreigners are filling general skill gaps in the Polish labour market. If we combine this category with two others – a foreigner knowing external markets and new technologies better – we can conclude that Polish companies employ foreign workers mainly due to their specific (and unique) skills and, consequently, accept as complementary the role of foreigners in the Polish labour market. Motives that could be directly related to the substitutive role of immigrants (foreigners accept lower wages, accept more flexible forms of employment, or simply work better) were the least represented.

Generally, the most important reason for seeking workers from abroad was the shortage of workers (in all cases, over 30 per cent of companies declared this rationale). Additionally, this argument seems to be increasingly important (definitely the most important category with regard to future demand). Over 70 per cent of small companies and 60 per cent of medium companies expect to fill shortages of workers using foreign labour within the next 2 years. However, the reasons behind labour shortages can be manifold (Figure 2.23).

Figure 2.23. The character of jobs performed by foreigners, by firm size

![Figure 2.23](image)


Figure 2.23 shows that ‘replacement’ employment of foreigners occurs rarely in the Polish labour market. Less than 10 per cent of small firms and 20 per cent of large firms declare that foreigners occupy jobs formerly performed by Polish workers that became redundant. The majority of jobs now taken by foreigners are newly created, or else those formerly occupied by Poles who left of their own will. This refers, again, to the two main reasons behind growing labour shortages – economic growth and massive out-migration. This type of labour immigration can be described as ‘supplementary’ rather than substitutive.

Furthermore, when employing a new worker, employers rarely express a preference for a migrant worker. A vast majority expresses the desire to hire a Polish employee (or a return Polish migrant). This is true both among firms who currently employ foreigners, and, to an even greater extent, among firms that plan to employ a foreigner (depending on firm size, between 40 and 60 per cent declare a preference for native workers). However, between 25 and 40 per cent of employers claimed that nationality is not an important criterion when seeking new workers. This, again, suggests that there already exists a large potential demand for foreign labour, and that, with continued changes in the Polish economy and its society, this pool may grow in the future. So far, the share of employers that expresses a preference for a foreign employee is very low (less than 5 per cent). However, along with the growing scale of immigration to Poland, the number of companies attempting to decrease labour costs and raise efficiency by hiring foreign labourers will likely increase (as suggested by the data on employment plans). This tendency goes hand–in-hand with serious changes in the Polish labour market – including structural changes and effects of the massive outflow – that will support the tendency to increase the participation of foreigners in the Polish labour market. As a consequence, institutionalisation of labour migration and growing
heterogeneity of the labour market, including ethnic segmentation, may be expected.

The analysis of the participation of immigrants in the Polish labour market allows the identification of several aspects which are important in the context of future (potential) inflow. Firstly, due to the scale of the migrant's inflow, the participation of immigrants in the Polish labour market is relatively low. Secondly, foreigners – in the registered employment – are employed because of their high or specific qualifications. Last but not least, as the results of the MPLM survey indicate, complementarity has dominated over substitution for existing (legal) employment of foreigners to-date.

The presented data also indicate a possibility of substitution of domestic labour force by immigrants, but such signals were observed almost exclusively (for legal employment) at the level of declarative demand. The results of the MPLM survey confirm that the possibility of substitution arises from two important factors: a very favourable economic cycle phase in Poland and the outflow of Polish workers. These two effects have seriously affected the post-accession labour market in Poland, leading to shortages of workers. In this context, one could expect that with the institutionalization of inflow, the level of substitution will grow systematically and ethnic markets (sectors) may emerge (and this, in turn, may result in higher inflow in the future).

2.6. Sustainability of inflow and a look into the future

Because the inflow of immigrants into Poland – especially in view of the data on work permits issued – is relatively small (with a history of less than two decades), and because the data on legal inflows are ‘contaminated’ by admission policy changes (as shown in section 2.4.2 of this chapter), an analysis of the determinants of inflow into Poland is challenging. However, when one aims to predict the future of Poland’s migratory status, this effort seems necessary – even if the results are not robust to critique.

We will tackle this problem on the basis of the historical time series of the number of work permits issued to migrants originating from countries that are traditionally the most important sources of foreign labour for Poland (apart from EU-nationals, who were affected most by policy changes). These source countries are: Ukraine, Belarus, Russia and Vietnam. All of these countries are similar in that they are all developing economies (burdened by a communist heritage).

Figures 2.24. a – d present the relationship between the number (and fraction) of work permits issued to migrants originating from the four countries mentioned above and the macroeconomic situation of the sending country (by GDP growth and unemployment).
The data suggest that there is no clear relationship between unemployment rates in the sending countries and the number of work permits issued in Poland. There is, however, an indication of a positive relationship between GDP growth in the sending countries and the outflow of migrants. We verify these observations using an econometric model.

Since all of the countries have a similar economic history and are in a similar developmental phase, a panel data model was used to search for common effects. The Arellano-Bond framework, which allows adding lagged variables, was used. The initial dependent variables included in the model were the levels and lagged values of GDP growth rates and unemployment rates in the sending country and Poland, and a lagged value of the number of work permits. The lagged values of the exogenous variables proved insignificant, as did the levels of unemployment in both the sending and the receiving countries. The only factors having a significant impact on the inflow of migrants were the growth rates in Poland and in the sending country, and a lagged value of the work permit series. The results of a robust standard error estimation are presented in Table 2.3.
Table 2.3. Determinants of the changes of inflow of Ukraine, Belarus, Russia and Vietnam citizens to Poland, 1993-2007

<table>
<thead>
<tr>
<th>Variable</th>
<th>Estimated parameter</th>
<th>t-statistic (t-prob)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lagged inflow</td>
<td>0.55</td>
<td>3.30 (0.002)</td>
</tr>
<tr>
<td>Increase of GDP growth in sending country</td>
<td>21.01</td>
<td>3.52 (0.001)</td>
</tr>
<tr>
<td>Increase of GDP growth in Poland</td>
<td>45.22</td>
<td>2.60 (0.012)</td>
</tr>
<tr>
<td>Constant</td>
<td>-13.93</td>
<td>-0.88 (-0.384)</td>
</tr>
</tbody>
</table>

Source: Own calculation based on CSO and Euromonitor Global Database.

The results of the model may be interpreted as follows. An increase in GDP growth in a sending country stimulates an increase of the flow of migrants. However, an even larger positive effect is observed for GDP growth in Poland. Therefore, the migration flows of legal workers from Belarus, Ukraine, Russia and Vietnam are mainly affected by the growth of the receiving country (a classical pull factor) and by the growth of the sending country. The latter results may be explained in terms of the so-called ‘migration hump’ (Martin & Taylor 1996). This sort of effect is relatively common in studies carried out in less-developed countries. The very idea of a ‘migration hump’ is that, during the early stage of development, positive economic developments (e.g., those measured by the GDP growth rate) may loosen liquidity constraints, create effects related to growing inequality, reveal market failures, etc. Thus, counterintuitively, economic growth may induce additional migration flows rather than lead to a decrease in the scale of mobility (at least at the early stages of development)46.

The labour market characteristics of the sending and receiving countries (unemployment levels) do not constitute either push or pull factors. The fact that past values of lagged inflow have a positive impact on changes in migration flows means that the inflow has internal dynamics (which are captured by this effect). This, however, means that the role of social networks, including recruitment activities etc., should not be overlooked when analysing the determinants of inflow (see Chapter 3).

In an attempt to extrapolate these results into the future, it seems that further economic growth in Poland will likely lead to a larger inflow. On the other hand, the developing country positive growth effect for current labour pools may decrease with time (Fihel, Kaczmarczyk & Okólski 2006)47. This means that the workers from the current source countries may be less willing to migrate to Poland. On the other hand, new source countries may emerge (for example China and countries around the Caspian Sea, whose roles as sending countries for Poland have strengthened during recent years).

2.6.1. Anticipated inflow into the Polish labour market (MPLM Delphi Research)

According to CMR Delphi research on the anticipated inflow of foreigners (conducted within the MPLM research project48), a vast majority of experts state that an increased inflow of labour migrants will take place in the next five or even next two years.

Experts explain their forecasts of an increased migrant labour inflow by the increasing demand for foreign labour connected to the 2012 European Football Championship, to be organized in Poland and Ukraine. Experts predict that an increased inflow of foreign labour will be very much related to the investments in infrastructure and business relations with the Far East, especially the ‘Asian tigers’.

46 These kinds of effects were identified in the case of migration from countries currently in transition, particularly Poland (Kaczmarczyk 2005; Fihel, Kaczmarczyk & Okólski 2006).
47 However, this effect is extremely difficult to predict.
48 Delphi research conducted in two rounds October 2006- February 2007 with 17 experts of different backgrounds.
Apart from factors that may enhance the inflow of foreign labour, there are also those that may limit the inflow such as, for example, the (un)attractiveness of Poland relative to other developed countries of the European Union.

Among the main factors enhancing the anticipated inflow of immigrants, the respondents indicated: neighbourhood and cultural proximity (mostly in the cases of Ukraine and Belarus), relative geographical proximity (other former USSR republics) and economic factors reflecting the attractiveness of Poland as a destination country. Among the slightly less important, but still significant, factors were migration networks and the economic situation of sending countries.

According to experts, the most intense inflows are to be expected from Ukraine and Belarus, followed by China. Medium-intense inflows are expected from other former USSR republics, while low-intensity inflows are expected from EU countries, India, Pakistan, Bangladesh and Turkey.

Expert opinions expressed in the Delphi survey, when combined with the results of the macroeconomic analysis, allow for some stronger claims. The experts’ view on the sustainability of the inflow from Ukraine and Belarus is such that, even if the effect of the ‘migration hump’ for these countries diminishes, existing migratory networks may uphold the inflow from these countries. On the other hand, new source countries may emerge from the pool of developing countries; countries that have not yet experienced their ‘migration humps’ (such as China). The migratory potential in developing countries may ensure enough inflows for Poland to become a net immigration country. However, Poland is likely to remain relatively unattractive as a migration destination for migrants from developed countries for at least the next decade.

2.7. Conclusions

Any analysis of labour immigration to Poland involves an inherent amount of risk. There are a number of reasons to support this statement. The first set relates to the magnitude of registered (legal) employment, which is estimated to be marginal in comparison with the size and the capacity of the Polish labour market. The estimates vary from 0.07 to 0.55 per cent of the total employment in Poland, rendering any quantitative analysis vulnerable. The second relates to undocumented (illegal) migration. In this case, the estimates are slightly higher – reaching levels of 3.5 per cent of total employment – but are strongly divergent (which throws into question their quality).

The analysis presented in this chapter was based on a newly-developed concept of migration stimuli for the demand and supply sides of the labour market, of which both are crucial for bringing about a massive inflow of immigrants. In addition, there are number of supplementary conditions identified – such as societal acceptance for immigrants and the labour market migration policy of the receiving country – which may limit or accelerate the massive inflow of immigrants. The goal of this chapter was to analyse the key and supplementary conditions, which, as initially assumed, were to provide us with the answer to the question of how likely it is for Poland to become a net immigration country.

Until very recently, the demand and supply factors have acted in a divergent, non-synergetic ways. Widely recognised stimuli (the 1991 collapse of the USSR; the initial inflows of FDI in 1993; the Russian crisis of 1998; the EU enlargement of 2004 and the Schengen enlargement of 2007) in general proved to be fairly weak – or even ‘negative’, as in the case of the Russian economic crisis. The only significant demand stimulus that can be identified to date is the accession of Poland to the EU. The effects of the accession (and, more generally, the increase in GDP that is related to it) are visible in the labour market and in the economy as a whole, both in the pre-accession and post-accession periods; they indeed seem to correspond to an increase in the demand for a foreign workforce in Poland – but not necessarily to an increased inflow of immigrants. However, the
precise effects of this demand stimulus depend on a set of supplementary variables. They also depend, of course, on whether or not a supply stimulus is present.

As discussed in the analysis, the Polish society has begun exhibiting a substantial increase in support of the immigrant presence on the Polish labour market, a fact that makes a change in the country’s migration status increasingly possible.

Immigration policy also plays a key role in inducing this change. Poland’s immigration policy in the 1990s was rather restrictive. The changes that took place after the year 2000 – mostly related to the development/modernisation of the Polish economy – have progressively encouraged a tendency towards the liberalisation of access to the Polish labour market. For the first time, in 2006, migration policy responded to the needs of the economy. Despite the fact that immigration is not a remedy for shortages in the long term, in the short term it may act as a ‘topping up’ mechanism within the Polish labour market.

Thus, the crucial question relates to the supply of foreign labour available to the Polish labour market. This undoubtedly relates to the economic conditions present in both sending and receiving countries. The econometric analysis conducted within this project indicated that it is fair to correlate the inflow of foreigners with the business cycle (GDP per capita) in sending countries and with the strong effect of the ‘migration hump’. This means that rapid economic growth in the sending countries, which serves to improve living and working conditions, does not necessarily lead to a decrease of outflow. To the contrary, lowering liquidity constraints may enhance further outflow, spilling over to other groups of the developing society (and across borders). This suggests that new sending countries may suddenly appear in the migration ‘radar’ of Poland.

While assessing the possible future flows, it is also important to take into account the structural changes occurring in the Polish labour market as a consequence of the inflow of foreign labour. The marginal share of foreigners employed within the overall levels of employment in Poland is confirmed by nation-wide employers that claim to lack experience with foreigners. This, however, need not be transmitted into the future, as employers have professed a growing demand for foreign labour. Assessing the possibility of labour market segmentation is also hard: to-date, most legally employed foreigners occupy high-qualified, specialist positions, but this may likely change in the future.

A closer reading of the last two arguments may lead to the conclusion that Poland is at the verge of a turning point: one of transformation into a net immigration country. The transformation process may be sustained by a growing demand for foreign labour in the secondary labour market and by the fact that the rationale for the complementary employment of foreigners, with growing labour costs, may be replaced with a substitutive method of seeking foreign employment (lower wages, higher flexibility) in the future. This would mean that, in the near future, Poland may experience the institutionalisation of migration, with the emergence of ethnic enclaves and continued segmentation of the labour market, along with dense migration levels in secondary sectors.

However, this scenario has two crucial requirements: that the supply stimuli pertains, and that the demand stimuli does not wane. Throughout the course of the last months, the above-presented expectations of employers and hiring plans may have been verified. The economic crisis of the second half of 2008 (or rather its anticipation) has radically changed the lens of the Polish labour market. According to data gathered by the National Bank of Poland (for the last quarters of 2008), labour shortages - until very recently the barrier of growth indicated the most often - have suddenly started falling in the ranking of the most important obstacles which employers need to cope with. Presumably, many employers have stopped thinking about the recruitment of foreign workers, focusing rather on keeping the current stock of labour force (mostly domestic workers).
Unfortunately, currently at our disposal we do not have sound data which could serve as ground for in-depth conclusions (the economic crisis is happening “now”). Nevertheless, we may infer that the Polish labour market processes are determined mostly by the economic cycle, and international migration – either out or in – is in this context of secondary importance. One may assume that the economic slow down, if it persists, will diminish (or impede) the demand for migrant workers and prove more important than the formation of immigrants’ segments and a favourable “climate” for migration which has been observed recently.
3. Integration: a driver of immigration?

3.1. Introduction

3.1.1. Framework of analysis

As discussed in the introductory chapter of this work, foreign inflow into Poland mainly takes the form of temporary migration and the estimated total stock of foreigners does not reach 100 thousand. Consequently, the integration of migrants, understood in a traditional sense as the process of incorporating newcomers into the society of the host country in which they intend to remain, applies only to some fractions of immigrants in Poland. It is necessary to remember that the average duration of migrants’ residence in Poland is relatively short. For example, the median duration of residence of migrants possessing a permit to settle in the Mazowieckie district\(^\text{49}\) is 10 years for Ukrainians and 14 years for Vietnamese (Górny, Kępińska, Grzymała-Kazłowska, Fihel & Piekut 2007). Thus the integration of second-generation migrants has not yet arisen as a problematic issue in Poland.

These particularities of contemporary migration to Poland require a specific approach to studies on the integration of migrants, combining an analysis of integration with an analysis of patterns of migration of a given person or a group (Koryś, Fihel, Górny, Grzymała-Kazłowska, Kloc-Nowak & Weinar 2007). In our report, we make use of this approach while examining the influence that various integration patterns may have on the stimulation of further inflows of foreigners to Poland. We address the two main research questions.

1. What patterns of immigration to Poland and integration into Polish society are conducive to further inflows of foreigners to Poland?
2. Which groups of migrants in Poland are particularly likely to grow in the future?

In answering the above questions we focus on two aspects of migration to Poland: its durability and/or stability and the mechanisms behind the integration of migrants that may lead to stimulation of further inflow, where social ties with the sending country are considered most important. We assume that the more ties to Poland a migrant has the more likely his/her migration is to be permanent. Furthermore, we have reason to believe that social networks and contacts that migrants maintain with co-ethnics in their countries of origin constitute drivers for further inflow to Poland.

The focus of our analysis is on the ties and relations that migrants develop with Poland and other countries. We draw heavily from theories of social networks and social capital (compare, for example, Bourdieu 1986, Coleman 1988, Faist 2000, Fawcett 1989). Our approach takes into account, as Aleksandra Grzymała-Kazłowska describes it in her overview of theories of integration, the “situation and experiences of migrants as well as the relations between migrants and the host society” (see Grzymała-Kazłowska 2008b).

“Ties,” as understood in this chapter, are not only contacts and relations with other people and institutions but also, and more importantly, attachments to a particular country, including, of course, family and social ties, but also cultural, economic and institutional ties. We acknowledge that, on the one hand, strictly social ties to Poland – for example, having a Polish partner can bring about a strong attachment to Poland. On the other hand, however, attachment can form without social ties. For example, having a stable job in Poland, having a loan from Polish bank, etc., are facts that attach a given foreigner to Poland without the help of social ties. Therefore, while discussing ties in general we address in more detail migrants’ attachments to their countries of origin, whereas terms like “social tie,” “social relation,” “social network” denote ties and bonds to people.

\(^{49}\) The district where Warsaw is located (see regions naming in Map 3.11 in Appendix 3.1).
In order to capture number and intensity of the social relations of migrants, we distinguish between social contacts, social ties, and migrant social networks. By social contacts we mean a connection between one individual and others that is not emotionally complex/demanding, that applies to people migrants know in person and tend to call acquaintances. Next, by social tie we mean a social relation bonding an individual to another individual or to a social group that is valuable and/or important for the individual (Marody, Giza-Poleszczuk 2004). For social ties, generalised trust and norms of reciprocity are common (see Coleman 1988, Putnam 1993). Finally, migrant social networks constitute a set of relations among individuals (Wasserman, Faust 1998). While social ties are single relations (bonding one individual to another individual or a group), social networks are formed by multidirectional social ties. Given the scale of international mobility, social networks that spread across borders are crucial in the development of and increase in migratory processes (Boyd 1989).

In this chapter, we make use of a particular typology of migrants that departs, to some extent, from the nationality criterion usually used to conduct analyses of migrants’ integration. We distinguish four types of migrants that are likely to differ in terms of the ties they establish in Poland and those they maintain with their countries of origin. The key concept used in the typology is place of living, a phrase that can be understood, in broad terms, as a relatively stable place of residence where an individual does not limit his involvement to usage of the living/sleeping space but engages himself/herself into some social relations. On the basis of this definition, we constructed two requisite criteria for our typology that prompt the following two questions:

1. Whether a migrant lives in Poland or not; and
2. What is the number of countries in which a migrant lives?

In answering these questions, we identified four types of migrants in Poland, as illustrated in Table 3.1.

<table>
<thead>
<tr>
<th>Poland as a place of living</th>
<th>Number of countries in which a migrant lives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2 or more</td>
</tr>
<tr>
<td>Yes</td>
<td>Immigrant</td>
</tr>
<tr>
<td></td>
<td>Transmigrant (connected with Poland)</td>
</tr>
<tr>
<td>No</td>
<td>Circular migrant</td>
</tr>
<tr>
<td></td>
<td>Transmigrant (not connected with Poland)</td>
</tr>
</tbody>
</table>

Source: own elaboration.

Immigrant – a person, usually foreign-born, whose one and only place of living is Poland.
Circular migrant – a person who comes regularly to Poland but who has his/her only place of living in another country. Individuals that are in Poland for the first time or that have little experience with migration to Poland can also be included in this category if they satisfy the criteria of the typology. Transmigrant connected with Poland – a person whose place of living is in Poland and in one or more countries.

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50 The term “social relation,” as used in this section, constitutes a broad term that can refer both to social contacts and to social ties.
51 Operationalisation of this criterion is provided in Appendix 3.2.
52 This type is more a theoretical type. Migrants of this kind were not significant from an analytical point of view since they are just briefly visiting Poland as transjacent Poland and very unlikely to develop any lasting ties. None of our respondents could be classified as this type. Thus, while referring to “transmigrant” in the remaining parts of this chapter, we mean “transmigrants (connected with Poland”).
53 Throughout the chapter, we put terms such as “immigrant,” “circular migrant” and “transmigrant” in quotation marks to make clear that we are referring to the names of categories/types. The term “migrant” implies all international migrants, regardless of their type.
more other countries at the same time. It means that the conditions of living and time spent in each of these countries are comparable.

Transmigrant not connected with Poland – a person whose place of living is in several countries but not in Poland. This means that conditions of living and time spent in each of those other countries are comparable. This sort of person comes only occasionally to Poland (e.g., for teaching courses or leading trainings), and has no precise plans to remain longer.

The durability of the patterns of migration of the above-mentioned categories should be better explained. In contrast to “immigration,” the terms “circulation” and “transmigration” can denote relatively unstable patterns of mobility. They are particularly susceptible to changes in migration legislation and sensitive to changes in economic opportunities in Poland (see 1.5.5). Therefore, we argue that the transformation of these two types into “immigration” per se can be thought of as an indicator of growing stability of migration.

3.1.2. Data

Analyses contained in this chapter are based on two main and distinct data sources: quantitative and qualitative material. While demonstrating spatial distribution of migrants in Poland we use the 2002 population census data. The main quantitative data used in this chapter derive, however, from a survey on Ukrainian and Vietnamese settled migrants (immigrants, according to our typology, who have a permit to settle in Poland) that was conducted in the Mazowieckie district by the Centre of Migration Research (CMR) in 2005. They provide detailed information about the migration and integration patterns of two numerous and, at the same time, distinct in terms of migration patterns groups of settled migrants in Poland.

The qualitative data include a collection of over 150 in-depth interviews with various types of migrants; the results of several studies conducted by CMR in 1997-2008. The richness of this material makes it an invaluable source. Of course, its qualitative nature renders it useful for uncovering mechanisms and tendencies in integration patterns but limits its quantitative contribution.

Each in-depth interview54 has been reviewed and ascribed to one of the types from our typology. The majority of interviewed migrants can be described as “immigrants”, usually temporary “immigrants”. This type of mobility prevails among foreigners coming from distant countries, especially Asian (mainly Vietnam) or North American countries. “Immigrants” perform economic activities in different labour market sectors in Poland including education, trade, gastronomic sector, and services. Among them, low-skilled and highly-skilled workers can be found. “Circular migrants” often undertake economic activities in domestic services, agriculture, construction, and retail trade. They come mainly from the former Soviet Union, e.g. Belarus, Ukraine. “Transmigrants” are rather rare cases in the interviewed group. Similarly to “circular migrants”, they often originate from the former Soviet Union, but also from Western countries. Thus, on the one hand, “transmigration” can be observed among domestic servants and, on the other hand, among western specialists.

3.1.3. Outline of the chapter

This chapter begins with the presentation of the analytical framework used to conduct analyses of the integration of migrants in Poland. The two starting analytical chapters focus on settled migrants in order to shed some light on the process of foreigners’ settlement in Poland considered as a crucial

54 The overview of respondents is provided in Appendix 3.3.
aspect in examination of the role that migrants already present in Poland may play in stimulation of further inflow of foreigners. Thus, section 3.2, based on the 2002 population census data, demonstrates spatial distribution of settled migrants in Poland in order to give an insight into the fact that, though the overall volume of foreigners’ inflow to Poland is small, there are some locations where presence of migrants is visibly higher. The latter applies first of all to Warsaw – the capital city – and Mazowieckie district where Warsaw is located. Consequently, this district is in focus of analyses presented in this chapter and especially of analyses included in the subsequent section devoted to the process of settlement of Ukrainians and Vietnamese resident in Mazowieckie district. The section, based on the survey data, examines migration and family patterns of these two groups, treated as example groups, assuming that the family setting (addressed also in further sections of this chapter) is decisive in migration and integration patterns of settled migrants in Poland and in this way in uncovering mechanisms stimulating settlement of foreigners in Poland. In general, sections 3.2 and 3.3 provide the context for further analyses included in this chapter that are based chiefly on qualitative material.

The subsequent sections deal with four dimensions of migrant integration: cultural, legal, social and economic integration. First of them – section 3.4 - provides a cultural context, neglected in some way in the subsequent chapters, for further analyses. It examines cultural patterns of integration of two ethnic groups – Ukrainians and Vietnamese – and also English-speaking migrants from Western countries. It is the only section in this chapter where cultural differences between migrants are directly addressed. Subsequent sections employ the typology of “immigrants”, “circular migrants” and “transmigrants” treating then cultural and ethnic differences between migrants only as a background information. Section 3.5 deals with the legal dimensions of integration, examining, first of all, the propensity of migrants to advance/improve their legal status in Poland and thereby to represent more permanent instances of migration. The durability of contemporary migration to Poland is also explored in the following section, focussing on the social dimension of migrant integration. It analyses the social ties that migrants develop with Polish people and with co-ethnics, thereby inspecting the mechanisms that determine the nature of these ties. Moreover, the propensity of migrants to attract new migrants and its determinants are introduced mainly via an analysis of social ties that migrants maintain with their sending countries. The subsequent section is devoted to economic integration, which comprises a follow-up on the analyses contained in the preceding sections. It takes a closer look at the mechanisms behind various sectors of the Polish labour market via an analysis of working conditions and of opportunities available to migrants. Together, all these factors make possible several insights into the stability of migration and the propensity of current migrants to attract newcomers by working in different sectors. The chapter closes with conclusions on the role that migrants already present in Poland may have on further inflow to Poland.

### 3.2. Preference for cities: spatial distribution of settled migrants

The degree of presence of settled migrants differs considerably across various regions in Poland. According to the 2002 population census, as many as 20 per cent of foreign permanent residents lived in Mazowieckie district. Similar proportion – 17 per cent – of settled migrants was reported in Śląskie district (a south-western part of the country). In terms of absolute numbers, also other south-western districts constituted areas of higher concentration of foreigners including Dolnośląskie (9 per cent), Opolskie (8 per cent), and Małopolskie (6 per cent), and also centrally placed Łódzkie district (6 per cent). The smallest numbers of settled migrants have been observed in eastern and south-eastern Poland (e.g., Świętokrzyskie and Podlaskie districts – 2-3 per cent of all foreigners lived in these districts), and also in some central areas by the western border of the country (Lubuskie district – 2.8 per cent) (see Map 3.1).

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55 Analyses in this part are based on National Census 2002 data on foreign permanent residents.
In general, migrants prefer to live in urban areas and their surroundings. The census has shown that Warsaw is the most popular city among settled migrants. The capital city itself has been chosen by 5465 out of 40 662 foreign permanent residents in Poland, what makes 13 per cent of the total. Numbers of settled migrants residing in other big Polish cities were substantially lower reaching only: 1225 residents in Wroclaw and 1134 residents in Cracow. Table 3.2. demonstrates volumes of settled migrants in five Polish cities where their presence was the highest, according to the census.

Table 3.2. Foreign permanent residents in selected Polish cities (top five cities).

<table>
<thead>
<tr>
<th>City</th>
<th>Number of foreigners</th>
<th>Per cent of total</th>
<th>Number of foreigners per 1000 inhabitants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warsaw</td>
<td>5465</td>
<td>13.4</td>
<td>3.2</td>
</tr>
<tr>
<td>Wroclaw</td>
<td>1225</td>
<td>3.0</td>
<td>1.9</td>
</tr>
<tr>
<td>Cracow</td>
<td>1134</td>
<td>2.8</td>
<td>15.0</td>
</tr>
<tr>
<td>Łódź</td>
<td>964</td>
<td>2.4</td>
<td>1.2</td>
</tr>
<tr>
<td>Bytom</td>
<td>672</td>
<td>1.7</td>
<td>3.5</td>
</tr>
<tr>
<td>Poland</td>
<td>40 662</td>
<td>100.0</td>
<td>1.1</td>
</tr>
</tbody>
</table>

In relative terms – taking as an indicator number of foreigners per 1000 inhabitants - the role of urban areas in attracting settled migrants diminishes in favour of districts where medium sized cities are located. According to the 2002 population census, the highest ratio of foreigners per 1000 inhabitants has been registered in areas encircling Opole city. In the leading opolski poviat – 6.4 foreigners per 1000 inhabitants have been registered, and in another two – strzelecki and kropowicki poviats - 6.2 and 5.0, respectively (compare Map 3.2). The average for the whole country was visibly lower: only 1.1 foreign permanent residents per 1000 inhabitants.

56 The highest level of administrative division in Poland constitutes of regions called “voidvodships” (there are 16 voivodeships in Poland). “Poviat” is a lower-lever unit than voivodship (There are around 380 voivodeships in Poland).
The Gini coefficient of foreign permanent residents’ concentration in Poland at the poviat level (in relation to distribution of the Polish population) is equal to 0.35 which also suggests that settled migrants tend to concentrate spatially more than Poles, but it is not a very high concentration.\(^\text{57}\) From among four immigrant groups – Americans, Germans, Ukrainians and Vietnamese – the smaller value of the coefficient has been obtained for Ukrainian migrants. It provides for the conclusion that, from among these groups, spatial distribution of Ukrainians bears most resemblance to the spatial distribution of the Polish population. The highest concentration, according to Gini coefficient, has been observed among Vietnamese migrants – the value of coefficient reached 0.80, whereas concentration of Americans and Germans has been somewhere in between, with values 0.54 and 0.62, respectively.

<table>
<thead>
<tr>
<th>Selected group</th>
<th>Gini coefficient</th>
<th>Number of foreigners</th>
<th>Per cent of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vietnamese</td>
<td>0.80</td>
<td>1459</td>
<td>3.6</td>
</tr>
<tr>
<td>Germans</td>
<td>0.62</td>
<td>7871</td>
<td>19.4</td>
</tr>
<tr>
<td>Americans</td>
<td>0.54</td>
<td>1294</td>
<td>3.2</td>
</tr>
<tr>
<td>Ukrainians</td>
<td>0.35</td>
<td>5374</td>
<td>13.2</td>
</tr>
<tr>
<td>Foreigners general</td>
<td>0.35</td>
<td>40 661</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: Own elaboration on the basis of National Census 2002.

\(^{1}\) Gini coefficient of concentration takes values between 0 and 1. Values close to 0 indicate that spatial distribution of foreigners in Poland is similar to spatial distribution of the Polish population, whereas values close to 1 say about higher concentration of foreigners when compare to concentration of the Polish population.

As suggested by values of Gini coefficient for several national groups of settled migrants, foreigners originating from different countries differ in their propensity to concentrate in Poland. They differ also in terms of preferences for various destination areas in Poland. Ukrainians, for example, tend to concentrate in Przemyśl and nearby poviat in south-eastern Poland, which are

\(^{57}\) It is assumed that Gini coefficient of concentration indicates low concentration when it takes value between 0 and 0.33, moderate concentration for values between 0.33 and 0.66, and high concentration for values over 0.66.
located in vicinity of the Ukrainian border. Their volume is also relatively high in western Poland (see Maps 3.3 and 3.4 in Appendix 3.1) where some Ukrainians were resettled after the World War II from the present territory of Ukraine in the Wisła action. Other migrants from ex-USSR tend to settle in central Poland. Russians and Belarusians were slightly overrepresented also in Silesia region and north-eastern Poland (Podlaskie district), respectively.

Vietnamese being a group with the highest propensity to concentrate in Poland prefer to settle in Warsaw – 58 per cent of the total Vietnamese population of permanent residents. Other big cities – like Cracow, Wrocław, Łódź and Gdańsk – also attract Vietnamese settled migrants. At the same time, in a relatively high number of Polish poviat Vietnamese are absent (compare Maps 3.5 and 3.6 in Appendix 3.1).

Areas chosen by Germans are usually regions that used to belong to German territory before the World War II. They include western and south-western parts of the country with ‘epicentre’ in Opolskie district and Silesia region. Lower numbers of Germans, but still visible, have been observed in the northern belt of the Polish territory – Pomorskie and Warminsko-Mazurskie districts (see Maps 3.7 and 3.8 in Appendix 3.1).

Foreigners from the United States tend to settle in south-eastern Poland (Podkarpackie and Małopolskie districts) and also in north-eastern regions (Podlaskie district). All these districts are known for the old tradition of emigration to the United States. The third area of Americans’ concentration (and also of other Westerners and foreigners from developed countries) is Warsaw and its suburbs (compare Maps 3.9 and 3.10 in Appendix 3.1).

To sum up, it is evident from the analyses demonstrated above that migrants tend to concentrate in some locations in Poland. Thus, though the overall volume of foreign inflow to Poland is small, there are some regions, where migrants are at least visible if not numerous. It is undoubtedly the case with Warsaw and also with some bigger cities but also with other, especially bordering, regions where some selected national groups tend to settle. At the same time, it is worth stressing that preferences for various regions in Poland are connected to some historical facts relating to mobility of the given national group.

3.3. Migration patterns and family ties in settlement migration

3.3.1. Introduction

As mentioned in the introduction to this chapter, settlement migration makes up only a small fraction of inflow to Poland. It is, however, worth shedding some light on the migration processes relating to settlement in Poland in order to formulate some hypotheses about the durability of migration and about the potential for a continued inflow of foreigners into Poland. More specifically, the goal of this section is to explore the role of family ties in settlement migration considered as the crucial determinant shaping settlement of migrants in Poland. At the same time, family ties are considered to be among the strongest types of links that migrants can develop with host societies and maintain with sending countries. The case study includes the already mentioned survey of Ukrainians and Vietnamese that hold a permit to settle and reside in the Mazowieckie district.

3.3.2. Patterns of family formation and migration to Poland

The cases of Ukrainians and Vietnamese in Poland demonstrate two distinct pathways that lead to settlement in Poland. Among Ukrainians, decisions to settle in Poland usually occur after several trips to Poland. According to survey data, for 72 per cent of Ukrainians, settlement in Poland was
preceded by short-trips into the country, mainly for tourist and economic reasons\(^{58}\). The average number of such trips is 5.9, so it seems safe to assume that “circular migration,” prior to settlement, was common. Apart from giving migrants an opportunity to become acquainted with conditions in Poland, trips across the border more than once resulted in meeting prospective life-partners in Poland. More than half of married Ukrainians met their spouses in Poland, and 74 per cent of Ukrainians decided to settle in Poland because of a partner or a spouse. This clearly illustrates the role of family ties in transforming “circular migration” into “immigration” and possibly, as in the described group, into settlement migration (compare also Górny & Kępińska 2004).

By comparison, only one fourth of Vietnamese migrants completed one or more trips to Poland prior to their settlement. These pre-settlement visits were mainly for educational purposes (more than half of them lasted for 2 years or longer). Given the significant geographical distance between Poland and Vietnam and the related high costs of movement between the countries, the unpopularity of “circular migration” among Vietnamese migrants is understandable. In addition, survey data suggest that almost 60 per cent of married Vietnamese had married prior to their immigration into Poland\(^{59}\). Moreover, only 31 per cent of Vietnamese who, at the time of the survey, had a Vietnamese spouse, had settled in Poland with their spouse — i.e., in the same year. The remaining 69 per cent reported that they had settled in Poland before or after their spouse did. Though some portion of Vietnamese marriages formed in Poland, the predominant pattern seems to involve the migration of one partner (usually the husband), followed by the migration of another partner (usually the wife) after some period of time. In sum, most Vietnamese immigration has to do with family reunion, that is, more specifically, marriage migration.

Additional information on marriages and their formation in the two groups may serve to further clarify their patterns of settlement. The unquestionable majority (80 per cent) of both Ukrainian and Vietnamese settlement migrants are married people\(^{60}\). However, Ukrainians intermarry greatly with Poles and marriages between Ukrainian women and Polish men predominate, whereas Vietnamese form mainly non-mixed unions: the proportion of mixed marriages is only 17 per cent in this group (see Table 3.4).

### Table 3.4. Migrants from Ukraine and Vietnam settled in the Mazowieckie district by country of origin of a spouse\(^{ab}\) (in per cent)

<table>
<thead>
<tr>
<th>Spouse</th>
<th>Ukraine</th>
<th>Vietnam</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Women</td>
</tr>
<tr>
<td>Polish</td>
<td>81.1</td>
<td>87.5</td>
</tr>
<tr>
<td>Ukrainian/ Vietnamese</td>
<td>18.0</td>
<td>11.5</td>
</tr>
<tr>
<td>Other</td>
<td>0.9</td>
<td>1.0</td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
<td>100.0</td>
</tr>
<tr>
<td>(N)</td>
<td>(134)</td>
<td>(103)</td>
</tr>
</tbody>
</table>

\(^{a}\) Only if married at the time of survey.  
\(^{b}\) The “country of origin” variable was created on the basis of information on birthplace of a spouse, controlled by his/her nationality.  
Source: Survey on settlement migrants in the Mazowieckie district, CMR UW 2005.

### 3.3.3. Migration of household and close family members

The households of Vietnamese are, on average, larger than the households of Ukrainians: 4.4 persons as compared to 3.4 persons, respectively, with the share of one-person households being very small in both cases (3-5 per cent). Birthplaces influence marriage patterns and shape the composition of the migrants’ households in Poland. Thus, 67 per cent of all Ukrainian households

\(^{58}\) During short-trips to Poland Ukrainians were often involved in small scale trade.  
\(^{59}\) A year prior to settlement or earlier.  
\(^{60}\) Ukrainians are largely women (67 per cent), whereas Vietnamese are largely men (60 per cent).
include only one individual from Ukraine, whereas the respective share for Vietnamese is only 24 per cent. Ukrainians thus tend to share households with their Polish spouses and children, whereas Vietnamese not only live mainly with Vietnamese partners but are also accompanied by other close family members from Vietnam. In addition, the number of all close family members who, at the time of the survey, were living in Poland (either in the migrant’s household or outside it) is, on average, visibly lower for Ukrainians (1.49) than for Vietnamese (2.96). Vietnamese are thus surrounded by higher numbers of close family members than Ukrainians.

It is therefore fair to say that family networks of Ukrainian migrants in Poland consist mainly of Poles while family networks of Vietnamese migrants consist mainly of Vietnamese. At the same time, Vietnamese are more likely than Ukrainians to get various forms of support from their family members. For example, as many as 44 per cent of Vietnamese settlement migrants were helped by their relatives in finding a job in Poland and, in a high proportion of cases (16 per cent), that help came from Vietnamese family members. In the case of Ukrainians, the respective shares are visibly smaller: 37 per cent of them received help from family members and, among these, only 7 per cent received help from Ukrainian relatives. It is clear that family ties had by settlement migrants in Poland provide them with an important support system in everyday life in a foreign country.

The propensity of settlement migrants to attract and draw their family members from their home countries to Poland is revealed in statements they make about helping relatives to come to Poland. This propensity is especially high among Vietnamese migrants, among which 66 per cent provided relatives with such help. In addition, 22 per cent of migrants married to Vietnamese helped their spouses come to Poland. Interestingly, Vietnamese settlement migrants are not eager to help in the migration of their friends to Poland. Indeed, none of them admitted to doing so.

Among Ukrainian settlement migrants, those who helped Ukrainian relatives come to Poland are less numerous, but their share in the Ukrainian group is also high: 48 per cent. It should be noted that Ukrainians involved in mixed unions with Poles are especially likely to attract relatives to Poland. The share of such persons amounts to 50 per cent – as compared to 32 per cent among Ukrainians in non-mixed marriages. On the one hand, this difference can be explained by the desire of Ukrainians surrounded by the Polish family members of a spouse to have some Ukrainian relatives close by. On the other hand, may be explained by the (usually) favourable economic situation of Ukrainians with Polish partners as compared to other Ukrainian settlement migrants, which enables them to sponsor the migration of a relative.

It merits mention that Ukrainian settlement migrants, although more eager to invite family members to Poland, do not rule out helping Ukrainian friends migrate as well. As many as 37 per cent of them aided a friend in moving – and it seems that having a Polish partner does not constitute an obstacle. The respective shares for Ukrainians in mixed and non-mixed marriages are 38 per cent and 32 per cent, respectively. In sum, it seems that Ukrainian settlement migrants are likely to attract new migrants to Poland, notwithstanding the ethnic characteristics of their marriages.

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61 Only 7 per cent of Ukrainian migrants live in Poland with their parents, and 2 per cent – with their siblings. By comparison, 14 per cent of Vietnamese live in Poland with their parents, and 11 per cent – with their siblings.

62 By close family members we mean spouses, children, parents, and siblings of the migrant and his/her spouse (provided that the latter is from Ukraine/Vietnam).

63 18 per cent of Ukrainians and 22 per cent of Vietnamese report close family members in Poland who live in another, different household than the migrant.

64 In fact, the same applies to networks of friends and acquaintances: they more often include Poles in the case of Ukrainians than Vietnamese (see 3.6.2).

65 Excluding help from a spouse, which was given to 23 per cent of Vietnamese respondents.

66 Excluding help from a spouse, which was given to 21 per cent of Ukrainian respondents. In non-mixed marriages the respective share was slightly higher – 25 per cent.
3.3.4. Final remarks

This short examination of the role of family in settlement migration makes for some important observations. In the case of Vietnamese, we observe that family reunion and marriage migration characterise their more stable forms of migration, in particular settlement. In addition, Vietnamese are generally accompanied by relatives from Vietnam, a fact that suggests the future development of broader Vietnamese ties in Poland. It can be argued, however, that the Vietnamese settlement patterns are unique in Poland. Other groups of temporary migrants more closely resemble the pattern observed among Ukrainian settlement migrants, where marriage with a Pole constitutes the main factor transforming “circular migration” into “immigration” and settlement in Poland.

It should be also stressed that settlement migrants are active in attracting new migrants to Poland. Ukrainians are eager to help both Ukrainian relatives and friends come to Poland. This is the case whether or not they are in “mixed” marriages: marriage with a Pole does not seem to obstruct their ability to aid their relatives and friends in migrating. Vietnamese, being eager to support newcomers, tend to limit their help to relatives, as survey data suggest. It should be noted, however, that it is likely that Vietnamese respondents defined family in very broad terms. Such conclusion is supported by the qualitative material demonstrated in later sections (see 3.6.3).

3.4. The cultural dimension of integration: setting the ethnic context

3.4.1. Introduction

The cultural dimension of integration in countries with a longer immigration tradition has been studied both per se and as a precondition for socio-economic integration (see Gordon 1964). This section seeks to elucidate the mechanisms behind acculturation and socio-cultural integration. The focus is on the most salient indicator of cultural integration and, as research in other countries has shown, a vehicle for upward socio-economic mobility: host country language proficiency. On the one hand, we assume that the usage of a host country language in multiple settings provides an indication as to the level of immigrant integration in a receiving society (see Redstone Akresh 2007). On the other hand, we expect that the attainment of cultural competence via a dynamic interplay with other dimensions of integration markedly strengthens migrants’ ties with the receiving country.

In this section we also aim to, at least partially, set up the ethnic context for integration of “immigrants,” “circular migrants” and “transmigrants” originating from different groups in Poland. While, in other parts of this chapter, the nationality of migrants is, in a sense, overlooked, in this section we seek to demonstrate selected aspects of the cultural dimension of integration of three distinct groups of migrants: Vietnamese, Ukrainians and foreigners from Western countries who tend to form a separate, English-speaking circle in Poland.

3.4.2. Command of the Polish language

As previous research has demonstrated, immigrant ethnic groups in Poland display somewhat idiosyncratic adaptation strategies and even a fair amount of intra-group complexity (Grzymala-Kazłowska 2003, 2007). Integration patterns that include mastering the Polish language by the Vietnamese, Ukrainians and migrants from Western countries are contingent upon an array of factors, the most significant of which are: human capital variables, cultural heritage and age at arrival.

In the case of the Vietnamese, two groups could be distinguished: a well-educated Polish-speaking group, mostly graduates of Polish universities who came to Poland prior to the change of the
political system\textsuperscript{67}, and, more recently, non-Polish-speaking arrivals that mainly comprise migrants from the rural regions of Vietnam. The lack of linguistic competence in the case of the latter group can be attributed to their brief period of residence in Poland, i.e., their purely economic motives for migrating, their intentions to remain temporarily and to work in ethnic enclaves.

Age at arrival is a crucial determinant of Polish language mastery among Vietnamese immigrants. Bilingualism and a significant shift towards Polish (manifesting itself in problems with pronunciation and sometimes illiteracy in Vietnamese) are evident among members of the first generation that came to Poland at an early age. Another factor shaping linguistic patterns among the Vietnamese is gender. Women, particularly those brought along by their husbands, are less likely to gain a good command of Polish. As they are mostly confined to the domestic sphere cultivating traditional female roles, their social contacts with Poles are limited and this makes them more prone to retaining Vietnamese as their dominant language.

The Ukrainians, in turn, due to the inherent linguistic propinquity between Polish and Ukrainian and also, at times, to their previous exposure to the Polish language and culture, experience fewer problems with mastering the Polish language. Frequent intermarriage with Poles provides yet another vehicle for the host country language acquisition, a factor that is mainly dependent on their length of residence in Poland.

Migrants from Western countries, usually highly-skilled workers in international companies or English teachers, do not have many incentives to learn Polish. Most of the Polish people (often with higher levels of education) they meet at work are fluent in English. A thorough command of Polish is thus not necessary in order for them to establish social relations with Poles. In most institutions, services are provided in English. Moreover, as (generally) well-paid experts, they can usually afford services that are provided in English including, for example, international educations for their children and language-tailored medical services. In this group’s case, the chief incentive to learn Polish is marriage with a Pole.

3.4.3. Selected aspects of socio-cultural integration

Thorough analysis of the qualitative material collected indicates that Polish language proficiency constitutes a vital prerequisite for the successful socio-cultural integration of migrants in Poland. A majority of Ukrainian and Vietnamese respondents indicated that a lack of or only limited Polish language competence – sometimes on par with undocumented status – poses the chief obstacle to their inclusion into Polish society. The survey on settlement migrants in the Mazowieckie district has shown that as many as 94 per cent of Ukrainians and 84 per cent of Vietnamese consider knowledge of the Polish language very important. The situation of migrants from the West is different in this situation as they do not need to speak Polish in order to maintain contacts with Polish institutions and Polish people.

In the case of the Vietnamese, of which, according to two respondents’ estimates, 70 per cent does not speak any Polish at all, linguistic incompetence may result in the social isolation of some parts of this ethnic group. Nevertheless, those who arrived in Poland as adults and possessed a certain degree of linguistic ability have managed to establish social contacts with Poles, both at work and outside of it. Older generations successfully sustain social ties with members of their own ethnic group while the younger generation’s social circle shifts more towards Polish society. The explanation for this phenomenon lies in the fact that the young Vietnamese naturally socialize with Poles at formal educational institutions, and, moreover, that the Vietnamese community in Poland is still quite insignificant in numeric terms. Together, these two factors limit the availability of

\textsuperscript{67} And their children.
potential friends among members of their own ethnic group.

The Ukrainians, in turn, despite their larger numbers and historical connections to Poland, are less reliant on social networks in Poland, tending instead to maintain fewer social contacts with members of their own ethnic group and to attach more importance to interactions with members of Polish society. For the Ukrainians, however, picking up Polish poses a smaller difficulty: respondents claimed they were already able to communicate with Poles after having spent just a few weeks in Poland.

A relatively poor command of Polish among migrants from Western countries influences their social integration into Polish society, but does not necessarily result in their isolation. English-speaking migrants have social ties both with Poles and with other migrants originating mainly from their business circles. As previous studies have shown, specific social circles, observed first of all in major Polish cities, have evolved to encompass migrants from a number of Western countries.

A good command of Polish facilitates not only social contacts, but also access to Polish mass and cultural media. Among the Ukrainian and the Vietnamese respondents who mastered the Polish language, almost all of them said they watched Polish TV. Nearly all of the Ukrainian and three-quarters of the Vietnamese respondents declared that they read Polish press as well – a fact indicative of their interest in Polish political, socio-economic and cultural matters. English-speaking, highly-skilled migrants were generally provided with newspapers, catered exclusively to them, in English.

3.4.4. Ethnic associations

Participation in ethnic associations is another socio-cultural indicator of migrants’ integration into host societies. Drawing from the argument of Vermeulen (2005: 11), ethnic associations “constitute vital elements in the settlement process” of migrants. Moreover, the evolution of ethnic associations that are attractive to migrants can be considered an indicator of the ongoing institutionalisation of activities of a given group, suggesting a gradual development of the migrant community within the host society. Almost every national group has some associations in Poland whose role is to cultivate the culture and history of their home country. Their number is, however, still very small in Poland. Of all the groups, the Vietnamese are the most active in founding such associations and in participating in them.

According to the survey on settlement migrants conducted in the Mazowieckie district, as many as 35 per cent of the Vietnamese population comprises members of one or more socio-cultural associations in Poland. The respective share for Ukrainians is much lower – only 15 per cent. In both groups, migrants that have lived in Poland for over a decade predominate among associations’ members. Education and command of Polish seem to positively influence the propensity of migrants to participate in associations in Poland. Interestingly, many Polish-speaking Vietnamese exhibit a tendency to engage in the activities of Polish and mixed Polish-Vietnamese associations, rather than in strictly mono-ethnic ones.

It might be said that associations encompassing migrants from Western countries have distinct functions. For newcomers, they serve as tourist offices, providing them with information about institutions, public services, law and regulations, as well as with broader information about the country and city. These associations also provide entertainment for migrants and outlets for those who engage in charity. The latter is popular among wives of highly-skilled foreigners residing in Poland.
3.4.5. Final remarks

Three institutional pathways whereby immigrants master the Polish language skills emerge from the above analysis: formal education in Poland, marriage to a Polish partner and mainstream labour market participation. Selected facts related to the cultural integration of migrants reveals the importance of this dimension for the integration of migrants in other spheres, and provide some cultural and ethnic context for the further analyses included in this chapter.

What deserves attention is small importance of ethnic associations for migrants in Poland suggesting only initial, if any, phase of migrant-community formation. This conclusion can be derived, first of all, from the case of the Ukrainians, but pertains also to other groups of ex-USSR migrants. The Vietnamese constitute a distinct example in their propensity to establish and to participate in ethnic associations in Poland. Western migrants constitute another special case since they have a low propensity to form ethnic groups in Poland: first and foremost, and almost exclusively, they integrate within the circle of international experts that occupy high positions in Polish and international businesses.

3.5. The legal dimension of integration

3.5.1. Introduction

The legal status of migrants – in particular, the type of permit for stay in Poland – constitutes an important factor in integration patterns of migrants since it determines the scope of migrants’ social, economic and political rights (see, for example, Constant & Zimmerman 2006) and, thereby, the durability of their migration. In Poland, the biggest differences in degrees of integration have been observed between migrants having the legal right to work and those who lack it (Grzymała-Kazłowska 2008c). When we think of the frequency and volume of temporary migration to Poland, the importance of examining the legalisation strategies employed by various types of migrants – especially when addressing the issue of durability/permanency of migration – becomes clear.

Namely, in our view, an analysis of the legal sphere of integration can be of help in uncovering mechanisms behind the transformation of temporary migration into more permanent forms of mobility, i.e., “immigration” and, in particular, settlement migration. In this section, we focus on strategies employed by “circular migrants” and “transmigrants,” addressing also the question of the willingness of various types of migrants to acquire the “most stable” forms of legal status in Poland: permit to settle and Polish citizenship.

It can be argued that, although Poland’s migration policy is still rather restrictive, in recent years, a growing number of new possible methods to legalise one’s status have, for various categories of foreigners, been introduced in Poland. A trend of broadening the scope of rights for them has been also observed (see also 4.3.5 and 4.3.6). It may prove favourable to migrants’ integration, positively impact their willingness to stay in Poland and also induce further inflows into Poland. The differentiation between various migrants’ legal situations is highly dependent on their patterns of migration: it begins at the migrant’s very first stage of migration, just after crossing the Polish border. Appendix 3.4 lists several types of migrants according to their arrival purposes and illustrates the scope of rights ascribed to each group. Notwithstanding the general tendency, observed also in other European countries (Gross 2005), that migrants with a longer history of residence in Poland who are economically independent are entitled to a broader scope of rights, some categories of migrants enjoy a privileged situation in terms of their ability to obtain certain legal statuses and rights in Poland. Their legal situation is subject to ethnic origin and citizenship,
family ties and humanitarian reasons (see, for example, 4.3.6)\textsuperscript{69}. In this section we do not focus on migrants in such privileged situations.

3.5.2. The legal situation of different types of migrants

“Circular migrants”, “transmigrants” and “immigrants” all differ when we take a look at their legal statuses in Poland. In this domain, “immigrants” constitute the most diverse group, encompassing people who possess: permits for temporary stay (including visas, but with the exemption of tourist and visitor visas), refugee status, permits for tolerated stay, and permits for permanent stay\textsuperscript{70}. Also, it must be kept in mind that many foreigners staying in Poland illegally belong in the “immigrant” category.

As far as “transmigrants” are concerned, the legal basis of their stay in Poland includes different types of permits for stay: visas at first, then permits for a fixed period. This group commonly encounters legal barriers to settlement in Poland: in order to obtain a permit for permanent residence a “transmigrant” would have to prove, among others, that, directly before lodging an application, he/she had resided within Polish territory continuously for at least 5 years. The latter is not an easy condition to satisfy since “transmigrants” tend to travel extensively.

“Circular migrants,” from among the three categories, are the most homogeneous group in terms of type of the possessed residence permit. It is thus worth conducting a more in-depth analysis of their situation. As it emerges from in-depth interviews, they usually stay in Poland legally, i.e., on the basis of tourist or visitor visas, but work without the appropriate permits. Therefore, their legal situation might be described as “partially-legal” (to be precise, in the light of law their stay is illegal: it is used for purposes other than the ones declared in their visa application and thus may be a basis for deportation). In theory, they could apply for a work visa and a work permit, but, in practice, it is almost impossible to obtain because of the long-lasting, complicated, costly and consequently unprofitable (particularly in agriculture, construction and domestic services) procedure (see 4.3.2) for Polish employers. This unfavourable situation changed upon the introduction of an ordinance of the Ministry of Labour and Social Policy, which simplified the procedure of employing citizens of countries neighbouring Poland (see 2.4.2 and 4.3.2) and enabled “circular migrants” to work legally in Poland without a need to apply for a work permit.

As a result of this simplified procedure, migrants have the opportunity to work in Poland for a longer period than before – up to six months, instead of the three months allowed previously by tourist and visitor visas. It should be noted, however, that – as it surfaces from interviews with civil servants and with the leader of the Ukrainian organization – Ukrainians now “trade” in declarations of Polish employers. On the basis of these documents, they are able to legalise their stay in Poland. As was previously the case, however, they more than once work illegally for a different employer or for several employers (Grzymała-Kazłowska, Stefanińska & Szulecka 2008). A precise assessment of the scale of such practices is impossible at the moment. Consequently, it might be said that the introduction of simplified procedures for workers from neighbouring countries, has, first of all, prolonged the duration of stay in Poland to which they are entitled. In short run, however, it does not involve a considerable change in migration patterns – especially of the transformation of “circular migration” into “immigration.” However, in the long run, longer residence on Polish territory may contribute to the enhancement of their ties with the country and, as a consequence, lead to a change in the type of their mobility – from “circulation” to “immigration.”

Qualitative data reveal that, although “circulation” can be a migrant's way of life and imply a lack

\textsuperscript{69} Requirement that migrants have to satisfy in order to acquire various statuses in Poland are described in Appendix 3.5.

\textsuperscript{70} In our research group we also have some foreign-born migrants possessing Polish citizenship.
of his/her interest in the changing legal situation in Poland, it happens quite often that “circular migrants” become “immigrants” – unintentionally, to some degree. One possibility is that a “circular migrant” meets his/her spouse in Poland, which, after marriage to a Pole and settlement in Poland, usually involves the legalisation of his/her stay. A second scenario is one in which “circular migrants” remain in Poland illegally after the expiration of their visas. It seems that such situations frequently took place after Poland joined the Schengen zone: some “circular migrants,” afraid of facing the difficulties in obtaining visas to Poland with the new rules, decided to remain in the country illegally. Thus “circular migrants” may become both legal “immigrants” and illegal “immigrants.” The latter has slim chances of legalising his/her status in Poland while staying on its territory (see 4.3.3).

3.5.3. Interest of migrants in acquiring statuses allowing for settlement in Poland

Analyses of in-depth interviews with “circular migrants,” “transmigrants” and “immigrants” reveal that the most valued and desired kind of residence permit is the permit for permanent stay, which ensures all social and economic rights (compare Table 3.5 in Appendix 3.4). In the literature, this category of migrants is referred to as “denizens” – permanent residents granted all rights otherwise ascribed to citizens with the exception of some political rights (Hammar 1990). Perhaps more importantly, it marks the end of formal problems with the extension of permits, since the permit for permanent stay is granted for an unlimited period of time:

Acquiring the permit for permanent stay was very important for me. Before this I spent a lot of time in offices applying for work permits and visas. And they were valid for only several months! (...) Now that I have a permit for permanent stay, I don’t have to think about paper-work constantly. It’s much better now (W17-M).

It is worth noting that a foreigner’s obtaining a permit for permanent stay is not necessarily tantamount to his willingness to stay in Poland forever. This intention was expressed mainly by foreigners desirous of acquiring Polish citizenship in the future. It should be noted, however, that this group is not very big. On the contrary, it appears that Polish citizenship, as a legal status, is not highly valued by the migrants interviewed. They do not see many advantages of becoming naturalised in Poland since, to the set of rights secured by the permit for permanent stay, it would add only the right to vote in Poland. The “price” of acquiring Polish citizenship – being asked to relinquish their original citizenship – is frequently perceived by most migrants as too high. They do not want to lose ties with their fatherland and to deprive themselves of the possibility of returning there – in case their plans for life in Poland fall through. The reluctance to renounce citizenship of the country of origin has been observed also among foreigners living in other OECD countries (OECD 2008). As is often the case with international migrants, the possibility of returning to their home country at some point in the future was mentioned by several respondents, especially by Vietnamese migrants. Below, this statement of a 40-year-old Vietnamese man illustrates this sort of attitude.

I am going to stay in Poland for ten years and then return to Vietnam. I feel there like at home. And in Poland I’m not treated like a countryman. Poles treat me like a stranger! They say: “Poland for Poles”. It breaks my heart. That’s why I want to go back to Vietnam in my old age (W1-M-Wr).

These kinds of plans are characteristic particularly of Vietnamese migrants. It is currently difficult to predict how many of them will fulfil them in practice, because most of them are still in a productive age and engage in economic activity. It looks different in the case of Ukrainians. They are culturally similar to Poles, and thus rarely feel like strangers; they take a decision to settle in Poland more often, even if they are not young and do not have family in Poland.

Migrants who want to take steps to apply for Polish citizenship usually do not plan to migrate anymore – neither to return to their country of origin nor to another country. This group is not
homogeneous but it includes mainly “immigrants”: those who established themselves in Poland for family reasons (spouse and/or children) and those who were born and brought up in Poland or arrived in the country in their early youth (e.g., to study in Poland). They treat Polish citizenship instrumentally sometimes: for example, as a means of facilitating access to opportunities such as studies or work in Western European countries or for the possibility to travel to these countries without a visa.

3.5.4. Final remarks

Even though the most desired legal status in Poland is the permit to settle, as expressed by various categories of migrants, obtaining it is, first of all, a tool for avoiding the bureaucratic complications related to obtaining and renewing appropriate documents for Poland. Only those who have opted for naturalisation in Poland express the willingness to settle in Poland for good. It is, however, not a substantial group, according to the in-depth interviews collected.

More in-depth examination of “circular migrants” patterns of legal integration reveals that legalisation of stay in Poland is desired as long as it allows for the continuation of the initial migration patterns. Becoming an “immigrant” involves either crossing over into illegality or establishing family ties in Poland. This pattern has been observed in Poland for over a decade now (see 1.5.5). The 2006 simplification of the process for citizens of neighbouring countries to perform legal work without a need to apply for a work permit does little to change in that pattern – at least in the short term. It simply enables continuation of “circular migration” erasing obstacles related to acquisition of visas to Poland, which have increased since Poland’s entrance into the Schengen zone.

3.6. The social dimension of integration

3.6.1. Introduction

Social adaptation into a new society implies sustained or weakening social ties between migrants and their countries of origin and the generation of new ties in the destination country between migrants, members of the host society, and other migrants. Thus, the social integration of immigrants is understood as a process of building, sustaining or weakening social ties. In this section, the social relations of “immigrants,” “circular migrants” and “transmigrants” are examined in order to shed light on the ties and attachments that migrants develop in Poland and, by investigating the relations of migrants with their sending countries, on the propensity of migrants to attract newcomers to Poland.

In describing the strength and number of social ties we use qualitative indicators that refer to broader mechanisms rather than confining ourselves to a quantification of the observed processes. Then, while assessing the number of relations that migrants maintain in Poland and with their home countries we utilise a simple nominal scale: none, few, and many. When analysing the strength of these relations we divide them into spheres of migrants’ lives: work, education and social life (spare time). A third attribute of social ties analysed in this section is the direction of ties – ties with Poles, co-ethnics, the sending country and so on – which are used to trace the social networks established by migrants.

3.6.2. Social relations of migrants in Poland

“Immigrants”, in comparison to “circular migrants” and “transmigrants,” have the broadest range of relations with Poles. In their case, having many Polish acquaintances and friends was typical. The number of years spent in Poland is not a decisive factor in this realm. Relations with co-ethnics in
Poland are less common in this group and it is likely that they are based mainly on rather superficial relations at work and occasional contacts during social associations or cultural events.

The above-mentioned patterns can be studied in more depth in the cases of Ukrainian and Vietnamese settlement migrants in the Mazowieckie district. For Ukrainian settlement migrants, the results of the survey correspond to the conclusions derived from qualitative material about “immigrants” since the vast majority of them (70 per cent) declared that, among the five persons they trusted most (that is, their closest friends) there were only Poles. An additional 28 per cent reported that circles of their close friends comprised both Poles and Ukrainians, whereas only a small minority made no mention of Poles while talking about close friends. It is likely that such patterns would be observed among other ex-USSR migrants who have settled in Poland.

By contrast, the relations of Vietnamese settlement migrants display a different pattern than a generalisation from the qualitative material for different groups of foreigners in Poland suggests. When asked for the nationality of their closest friends in Poland, over one third of them declared having close friendships only with Vietnamese. At the same time, as many as 63 per cent admitted that circles of their closest friends included both Poles and Vietnamese. For Vietnamese migrants, then, relations with other Vietnamese in Poland appear to be the most important, though settlement migrants do not reject the idea of having relations with Poles as well.

In the group of “immigrants,” the family setting is a decisive factor in shaping relations with Poles and other migrants. In this domain, foreigners married to Polish citizens constitute a particular group, one possessing particularly numerous relations with Poles in various spheres – work, studies, social life – and one that, at the same time, has limited contacts and social ties with co-ethnics. Their friends are usually taken from a Polish spouse’s circle and many “immigrants” do not even seek contacts with other migrants, as illustrated by the example statement below.

*Among my friends now, because I live with my husband, there are some husband’s colleagues, acquaintances, friends, and we meet with them more often (...) so I have more Polish friends now (B15-W-L).*

By contrast, “immigrants” in non-mixed unions are among the most eager in this group to maintain and develop social relations with co-ethnics in Poland. Again, a distinct pattern surfaces among the Vietnamese: the ethnic characteristics of marriage do not strongly influence “immigrants’” preferences in terms of choosing between Polish and Vietnamese acquaintances and friends.

Another important factor related to family life that shapes migrants’ social relations in Poland is having children: those either born in or brought to Poland (see also 3.4). The latter applies mainly to “immigrants,” but some “transmigrants” also bring their children with them to Poland. As revealed in the analysis of the qualitative material, “immigrants,” notwithstanding, to a large extent, their nationality, tend to send children to Polish schools. This, in turn, involves making contacts with the parents of children’s Polish schoolmates and indirectly facilitates contacts with Poles (and, more broadly, with Polish society) via ties between children. Even though the number of second-generation migrants is very small in Poland, comprising mostly very young people, it is already clear that its representatives possess stronger and more numerous ties to Polish people than do their parents.

Only “immigrants” and “transmigrants” from Western Europe and North America differ in choices of schools for their children. They tend to chose American, British, French or German kindergartens, primary and secondary schools. Only those married to Poles follow the same pattern as do other migrants who send their children to ordinary Polish schools. On the one hand, in selecting international schools, migrant parents seem to prefer enabling their children to sustain ties with their country of origin or simply to obtain an education in an international environment, no
matter the country, no matter the new society. On the other hand, choosing international schools may stem from the conviction that they provide higher standards of education than does the Polish schooling system. Nevertheless, it seems clear that, in the case of migrants originating from the West or Far East, educating children in Poland does not necessarily stimulate the development of social ties with Polish people and Polish society.

“Circular migrants” include mainly unskilled workers – traders, domestic servants, construction workers and other manual workers - and students. It appears that working “circular migrants” constitute the least-integrated group among migrants – at least in terms of contacts and social ties with Poles and Polish society. Family setting factors that otherwise enhance the development of relations with Polish people are absent in their case as they are either single or they left their families in their home country. An irregular situation in Poland (at least in terms of illegal work) – frequently observed in their case – restricts the establishment of “unnecessary” or “unplanned” contacts with Poles (Koryś & Antoniewski 2002). Consequently, irregular “circular migrants” frequently limit their contacts to the landlords of apartments and rooms they rent, the Poles met at work (other traders, Polish employers) and, less often, Poles who assist them in Poland (workers of social organisations).

Social relations with co-ethnics are much more numerous than relations with Poles among “circular migrants.” Social capital, for other migrants, is a substitute for cultural capital, enables the attainment of an appropriate job in Poland and serves as a channel of the information necessary to function well in Poland. It should be noted, however, that social ties of “circular migrants” are, to a great extent, limited to the sphere of work. They usually consider socialising and enjoying spare time as a waste of time that should be devoted to income-generating activities. This sort of attitude, combined with hard and time-consuming work, makes the establishment of any ties outside the working environment very unlikely in the case of working “circular migrants.”

Nevertheless, we observe some differences between “circular migrants” employed in different sectors. Construction and agriculture workers can be considered practically alienated in Poland, enjoying very few contacts and surface relations with Poles and/or with co-ethnics. By contrast, “circular migrants” working in domestic services usually possess numerous social ties with other foreign domestic servants in Poland. They are often used as channels of information about job opportunities. Relations with Poles should not be overlooked in this case as well, especially for migrants working for several employers (for more see 3.7.4 and 3.7.5).

The social relations of “transmigrants” are the most difficult to capture and clearly describe. This is because of the relative diversity of this group on the one hand – in terms of their activities in Poland and in terms of their family settings, and on the other because “transmigrants” constitute a kind of a in-between group among other types of migrants. The group contains both high-skilled and low-skilled workers. It also includes people married to Poles, which, as described above, is a decisive factor in shaping relations in Poland. “Transmigrants” working in Poland as low-skilled workers develop relations to Poles and to other migrants similar to working “circular migrants.” Their intensity and strength depends on the character of work. Finally, “transmigrants” married to Poles are similar to “immigrants” in unions with Polish people as far as developing relations with Poles and with other migrants in Poland are concerned.

Highly-skilled migrants, comprising both “immigrants” and “transmigrants” - presidents, directors, managing staff of big companies sent to Poland - constitute a distinct group with regard to the social ties developed in Poland. They do not report having many friends among other migrants. They often engage, however, in a vibrant social life in Poland, meeting with individuals from top management

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71 “Circular migrants” who come to Poland to study have more relations with Poles, especially with young Polish students.
circles and spending time at business events and parties. They usually belong to English-speaking circles in big cities containing not only foreigners but also Polish top management. In general, they frequently constitute the very mobile international business elite that is present in any developed country (see also Górny & Kolankiewicz 2002).

3.6.3. Relations with sending countries as facilitators of further migration

The frequency with which most migrants visit their home countries is not very high among all the three types of migrants. It spans from four visits per year to one visit per two years. A decisive factor in this realm is the distance between Poland and the country of origin: migrants from neighbouring countries declared visiting family two, three or four times a year, while foreigners from other continents (mainly Vietnamese and U.S. citizens) could afford making, at most, one visit a year. Nevertheless, relations with the sending countries are maintained via telephone and internet. Not surprisingly, “immigrants” visit their countries of origin less frequently than do other migrants. Interestingly enough, however, the frequency of visits to home countries is, at the moment, not much higher for “circular migrants.” In years past they travelled more extensively between Poland and their countries of origin – monthly, even every two weeks. Change came with the implementation of the visa requirement for ex-USSR citizens in 2003. Then, last year, the frequency of visits decreased once again as a consequence of Polish accession to the Schengen zone. As a result, some “circular migrants” decided to settle in Poland, whereas others prolonged their stays in Poland without a valid residence permit – both paths lead to the transformation of “circular migration” into “immigration” (compare chapter 3.4).

It would appear that all types of migrants use their relations with sending countries to draw new migrants to Poland in some way. It is, however, the most frequent and intensive in the case of “circular migrants,” who usually maintain family relations and friendships with sending countries and visit them relatively often. Three main ways of encouraging new migrants to come to Poland – which are also the best means of sustaining migrant social networks across borders – can be distinguished. They include: putting information about available jobs in circulation during a visit to the country of origin; contacting potential migrants via telephone and, the most sophisticated means – arranging for the migration of newcomers. Engaging in recruiting new migrants is especially popular among “circular migrants” working as domestic servants in Poland. The quotations below demonstrate this simple procedure.

*When Polish people ask me whether there is somebody [eager to work]. Then I call [to Ukraine] and say “Come, you have a job” and she simply comes and has a job (U5-M-Wr).*

Migrants more experienced in migration to Poland, mainly “immigrants,” are particularly likely not only to provide information but also to arrange the migration of a newcomer. They organise the journey, provide the first form of shelter and help find the first job for their contact. For example, in the case of Vietnamese business owners, attracting new migrants from Vietnam for work in their companies seems to be a relatively prevalent phenomenon.

- Do Vietnamese that come to (...) usually have anybody in Poland?
- You have to know somebody, for example a cousin, a colleague. If there isn’t, you won’t come (...) and later cousins draw more colleagues and so on (...)
- And you came here to your colleague?
- Yes, and another colleague (...) who lives upstairs, drew his cousins here too
  (W4-M).

Analysis of the qualitative material revealed also that experienced migrants are more eager to help relatives in their migration to Poland. Similar trends have been observed among Ukrainian and Vietnamese settlement migrants residing in the Mazowieckie district (see 3.3.3). It can be further
clarified by the fact that “immigrants,” in contrast to “circular migrants,” are more likely to provide newcomers with more extensive help than, e.g., simply information about job opportunities in Poland. The tendency to provide such help to family members first is understandable. In the case of the Vietnamese, preferences for family can stem from the fact that Vietnamese often attract incoming foreigners in order to employ them in their companies. Thus they seek out trustworthy workers, preferably recruited from among family members. It should be, however, born in mind that definition of family used by Vietnamese is very broad including also people living in the same district in Vietnam.

A variety of mechanisms is responsible for the stimulation of further inflows of foreigners to Poland, especially in the cases of highly-skilled workers, “immigrants” and “transmigrants.” They are not based on contacts with the country of origin but on the roles played by institutions. In the international network of mobile skilled foreigners – such as transnational corporations fostering the international exchange of professionals and managerial workers, language schools that offer lucrative jobs for native speakers of Western European languages, and universities participating in the global scientific workers exchange – these institutions contribute to the so-called “brain(s) circulation,” and thereby make of Poland a country that is increasingly more engaged and involved.

3.6.4. Final remarks

An analysis of migrants’ social relations in Poland reveals a number of important differences between the three types of migrants. “Immigrants” have the most numerous and diversified social relations with Poles in comparison to other types of migrants, which results in their relatively stronger attachments to Polish society. It is clear that marriage with a Pole constitutes the chief determinant of “immigrants’” propensity to establish and develop social ties with other Poles. At the same time, such migrants tend to have a rather small number of relations with other migrants in Poland. This fact suggests a readiness of foreigners married to Poles to incorporate themselves into Polish society – at least in the social sphere. Vietnamese “immigrants” who – regardless of whether they are married to a Pole or to another Vietnamese migrant – are eager to maintain relations with both Poles and Vietnamese constitute a distinctive example.

“Circular migrants” appear to be the least eager to develop social relations outside the sphere of their work; any relations they do develop are relegated mainly to other migrants. The social capital constituted by other migrants secures “circular migrants” access to work prospects and to other resources in Poland. The number and strength of these relations differs according to the different types of economic activity performed by the migrants. They do, however, usually enhance the durability of the “circular migration” insofar as working in a specific sector is concerned.

Highly-skilled “immigrants” and “transmigrants” are also willing to maintain contacts with other migrants – though these are usually combined with relations to Poles. Frequently the representatives of foreign top management in international companies, they tend to set up social relations with foreigners – usually from the West – and Poles who hold similar positions in Poland. They thus belong to a business elite that is frequently assigned to work in Poland for a limited period of time, and therefore have few occasions to develop relations with Poles outside of work.

Relations that migrants maintain in Poland combined with relations maintained with the sending country – which also take the form of migrant social networks – can be a driver for further inflow to Poland. Firstly, it seems that relatively experienced migrants (those usually possessing more resources than less-experienced migrants) can attract new migrants by providing them not only with necessary information but also with logistical help in organising the migration and after the arrival to Poland. “Circular migrants” more often limit their role in attracting newcomers to providing them with information about job opportunities in Poland. They usually draw other “circular migrants” to
the same sector in which they work. The propensity of migrants to develop and maintain social ties with Poland and their sending countries and, consequently, their ability to attract new migrants, depends to a large extent on the type of economic activity in which they are involved in Poland. This aspect is examined in more detail in the next section.

3.7. The economic dimension of integration

3.7.1. Introduction

According to Engebersen and van der Leun (1998: 205), economic integration depends, among other things, on existing opportunity structures. An opportunity structure can be defined as a particular framework of rules that allows an individual to achieve what is understood within a specific culture as success. It is based on the access had by the individual to particular formal institutions, such as the labour market in the receiving society; informal institutions, such as social networks of family, friends and acquaintances in the country of migration as well as in the country of origin; and the informal economy, which presents work opportunities for migrants.

In this section, we aim to identify certain aspects of economic integration that solidify or restrict the durability of migration and that may be responsible for the stimulation of a further inflow of migrants to Poland. In so doing, we assume that opportunity structures in the receiving society can be captured by the following three aspects of migrant work: 1) access to information, 2) co-workers and employers and 3) work mobility. This conceptualisation of opportunity structures allows for an investigation of the potential for the development of ties and attachments of migrants to Poland in the realm of economic integration. Additional factors influencing economic integration include the character and conditions of work.

The approach taken in this section thus involves a rather narrow understanding of economic integration, roughly defined here as the nature of participation in the Polish labour market that determines access to particular opportunity structures. The analysis focuses on selected sectors of the Polish labour market: 1) trade and trading entrepreneurship, 2) agriculture, 3) domestic work, 4) gastronomic services and 5) education. The choice of these particular sectors is justified by the significant level of concentration of foreign workers in them. It is also motivated by intentions to demonstrate the diversity of forms (e.g., seasonal or full-time) and characteristics (e.g., declared or undeclared) of migrants’ economic activity. Thus, though migrants are also present in other sectors, e.g., in the construction sector, we are convinced that examination of the selected sectors allows for the drawing of some more general observations regarding the impact had by economic integration on the durability (or lack thereof) of migration to Poland and on attracting new migrants.

3.7.2. Trade and trading entrepreneurship

In Poland in the 1990s, trading on the open-air markets was an income-generating activity performed by migrants that came from various foreign countries. Two dominant types of trade involved different patterns of migration: “circular migration” and “immigration.” “Circular migrants” originated, for the most part, from the former Soviet Union, and have gained a fair amount of experience with petty trade on the open-air market in Poland in the early 1990s (see 1.4.2). Since the 1990s, the intensity of trade has been gradually decreasing and, after the introduction of the visa requirement in 2003 (see 4.3.1), the frequency of traders’ visits fell substantially. “Immigrants,” who deal more with retail and wholesale trade – especially in imported goods from Asia – originate mainly from Vietnam, and some from China. Contrary to “circular migrants,” they were usually involved in trading on a full-time basis.

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72 Of interest to this study are thus migrants who are active in the Polish labour market.
Within the last few years, worsening conditions of trading on the open-air markets were caused by competitive supermarkets and local policies aimed at closing down unsophisticated forms of trading activities. This resulted in the movement of trade to market halls and warehouses, which improved migrants' working conditions and security of work, but increased the costs of renting trading space, and overall decreased profits from trade. “Circular migrants” and “immigrants” reacted to these changes in different ways. Whereas “immigrants” focused on improving their working conditions and on increasing the scale of their trading entrepreneurship, some “circular migrants” resigned from trading activities, either by ceasing their trips to Poland or by involving themselves in different income-generating activities.

It is clear that opportunity structures related to trade in Poland differ for “circular migrants” and “immigrants.” To begin with, there is a higher level of uncertainty inherent in circulation-related trade, due to possible changes in the visa regime, costs and conditions of travel and so on. By engaging in trade in Poland and in adjusting to changes in the opportunity structures, traders from the ex-USSR typically relied on information from other “circular migrants.” The development of social ties to the native population was important for carrying out trade in Poland. These ties mainly comprised trade or business relationships that were cemented, over time, with friendship (Wallace et al. 1997). Traders from the ex-USSR who worked on their own had control over their working hours and decided when and for how long to trade. Their work gave them financial independence. This applied and applies, however, only to a fraction of “circular migrants.”

“Immigrants,” mainly from Vietnam, have also established business relationships with Poles, but they usually employ their co-ethnics as co-workers. This is linked to the character of their trade activities as well as to their cultural background. Even if they employ Polish workers as sales assistants, interpersonal communication is often reduced to work matters. Poles also act as “intermediaries,” often alleviating the language problems in daily trading activities.

“Immigrants” generally get information about job opportunities from their co-ethnics. Information about the possibility to engage in economic activity in Poland is also passed through contacts with family or friends in the country of origin. Newcomers from Vietnam try to find a job just after their arrival by contacting co-ethnics or visiting marketplaces, where the trading activities of Vietnamese are often concentrated.

It is clear that the Vietnamese aspire to become the owners of trade businesses, as it guarantees them higher incomes, financial stability and independence. Small trading businesses, with time, may evolve into large import companies. Thus, the most common type of upward mobility among Vietnamese relates to the shift from being employed to running one’s own business. A barrier to such mobility is frequently posed by their lack of an appropriate legal status in Poland. Another type of upward mobility is the shift from retail trade to wholesale and direct importation from Asia. The latter is usually reserved for settled migrants with legal residence statuses who are in possession of adequate financial resources to be invested in the importation of goods from abroad.

In general, Vietnamese — mainly, “immigrants” — perceive trade as an attractive occupation, one allowing for the achievement of satisfactory financial incomes and offering promising avenues for work mobility. By contrast, foreigners from the ex-USSR — in general, “circular migrants” — tend to treat the trade more as a temporary activity. The latter applies mostly to those who would prefer to

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73 Goods are imported from Asia, provided to Vietnamese wholesalers living in Poland, and sold to other Vietnamese working as retail traders.
74 For example, W22-M; W24-M
75 The difference in the perceived attractiveness of trading activities results from, among others, the specific form of trade and traded goods for each group of migrants. It also seems that the social status linked to the work status is
cease “circulation” and, instead, become more permanent migrants in Poland. It seems that the shift from “circular migration” to “transmigration” and, sometimes, “immigration,” is, in their case, frequently related to resigning from trading.

3.7.3. Gastronomic services

The gastronomic services industry has long constituted the second most important economic sector, attracting “immigrants” but not “circular migrants.” Cases of Belarusians or Ukrainians – mainly “circular migrants” – working in this sector are very rare. They usually regard it as a temporary, unattractive job76.

“Immigrants” working in gastronomy originate mainly from Vietnam, but also from China and Turkey (see Koryś & Żuchaj 2000: 18). Restaurants or diners serving Asian food are partly concentrated in the areas with migrant businesses, and are spread throughout Warsaw or other cities. Gastronomy is perceived as less profitable than trade and as offering worse conditions of work. Many migrants, however, do not leave this sector, convinced that they are not gifted enough to profit from sales in Poland.

The recruitment of Vietnamese to the gastronomic sector is very similar to the recruitment processes observed in the trade sector: migrant social networks and the active recruitment of workers from the home country are of crucial importance. Restaurants or diners are usually run by Vietnamese (or Chinese) employing co-ethnics first of all as cooks, but also as drivers, helpers, and cleaners. Poles are employed to help serve clients, collect orders and overall act as “front men;” apart from the Vietnamese owners of the restaurants, Poles are highly valued for their language skills. In the case of particular forms of companies foreign employers are obliged to employ native workers, that is why Poles are quite often employed by Vietnamese.

When discussing opportunity structures for “immigrants” in the gastronomic sector, it is possible to identify several more similarities with the trade sector. “Immigrants” already working in the gastronomic service industry are able to change their place of work, but they generally do not leave this sector. The basic type of work mobility is a shift from hired work in the restaurant to running a privately-owned gastronomic business. However, setting up a business in this sector requires more up-front costs (generally for cooking equipment and supplies) than does the initiation of a trading business. Another type of mobility in this sector relates to the improvement of working conditions and the achievement of employment stability: e.g., moving from a booth to a small diner or to a proper restaurant.

3.7.4. Agriculture

Agriculture is a sector where, almost exclusively, “circular migrants” from nearby ex-USSR countries can be found. They frequently seek employment with the same farmer for several seasons. Their work is usually undeclared, however sometimes Polish farmers provide the migrant with housing registration. Nevertheless, migrants are exposed to police checks, a fact that limits their freedom of mobility in Poland. As a result, their ability to develop social ties to Poles and integration potential suffers. At the same time, it can be argued that working conditions are often exploitative, with average earnings lower than in other sectors of the Polish labour market.

Information about work in agriculture in Poland is usually distributed through migrant networks and drivers who, acting as informal work-intermediaries, are eager to bring, for a fee, migrants to work

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76 U3-K-Kr; U4-K-Kr; B18-K-L; U1-M-L.
in Poland. Migrants’ relationships with employers are essential in bringing about an improvement in working conditions: doing lighter work, getting additional work for supplementary payment and being offered extra food. Migrants tend to form groups of family members, neighbours or friends, with one leader responsible for establishing informal rules of behaviour and for cultivating social ties with the employers.

In the agricultural sector, chances for upward mobility or for changing the employment sector are very small. This is due to the limited contacts migrants have outside the farm. Moreover, migrants usually learn only basic Polish, only enough to suffice for communication with the farmers. Their heavy workload and the low earnings are not helpful in inspiring them to attempt professional advancement.

3.7.5. Domestic work

The domestic services sector encompasses: housework (cleaning, cooking, and washing); caretaking of dependent persons (the elderly, children or disabled persons). It is usually undeclared work, where two groups of domestic servants should be distinguished: those living with the cared for persons (live-ins) and those living independently (live-outs). Live-in workers receive a monthly salary, enjoy a limited amount of control over the workload and are dependent on the employer for accommodation. Workers “living out” often possess several employers and obtain higher wages (up to two times more than live-in domestic workers) that are paid either per hour of work or per workload.

Migrant domestic workers are mainly women from the former Soviet Union, with Ukrainian nationals dominating. They are mainly “circular migrants” and “transmigrants” that move frequently between Poland and their countries of origin. Starting in 2003, labour circulation became more problematic (see 4.3.1) and its frequency decreased.

Cases of Vietnamese domestic servants – usually “immigrants” - are rare and rather specific: relatives and acquaintances of migrants are invited to Poland from Vietnam to work mainly as baby-sitters for migrants. Older “immigrants” from Vietnam, unable to work hard in other sectors, are sometimes also hired as part-time baby-sitters77. Two reasons for the limited popularity of Vietnamese domestic servants are observable: 1) care-taking is perceived as a very low-status economic activity among the Vietnamese; 2) Polish (in some cases also Ukrainian) baby-sitters are preferred among Vietnamese.

Access to the domestic sector is based on recommendations given by other migrants or by previous employers. Some migrants enter this sector through the rotation system, i.e., joining another migrant in working for one employer. Living-out migrants have relatively numerous ties to other migrants from the former Soviet Union, providing a basis for information exchange about job vacancies. Networks of live-in migrants are usually noticeably smaller, implying worse access to information about work possibilities in the sector.

The nature of a migrant's relationship with a Polish employer is a particular feature of domestic service sector. Migrants enter a patron-client relationship, characterised by an intimate bond and particular interests. Consequently, migrants can have access to a Polish employer's networks - acquaintances, friends and family members – which often prove useful in the job search. Access to the employers’ network may provide the migrant with the role of a “gatekeeper,” one capable of recommending migrants to potential employers. The employer can also offer the migrant a certain degree of security in Poland, e.g., in case of health problems.

77 W11/K
Avenues for upward mobility are rather limited in the domestic sector. Only changing from the live-in to the living-out scheme, relatively frequent in recent years, can be perceived as advancement in the sector, since the living-out segment provides not only higher incomes but also more control over the choice of employers and working hours. In addition, exiting the domestic sector is not always easy, due to the fact that most of the migrants’ social ties relate to the domestic service sector. In addition, migrant domestic servants, especially those working in care, frequently develop an emotional bond with the employer and the individual being cared for. As a consequence, they feel “obliged” not to “abandon” his/her workplace, notwithstanding the potentially better financial prospects in other places of employment.

Even though migrants themselves treat domestic work in Poland as a temporary strategy to support their families in their country of origin, their migration experience usually spans over several years; in some cases amounting to as many as ten years. Mechanisms inherent in this sector make it difficult for migrants to change an employer and to legalise their work in Poland. Moreover, earnings from migrant domestic work, as indicated by respondents, are not sufficient to support bringing one’s family to Poland. This reality continues a circular pattern of migration.

3.7.6. Education

The education sector boasts a high (possibly the highest, in Poland) diversity of migrants’ nationalities. In 2003, the majority of work permits was issued for this sector (Kępińska 2004). In 2006, teaching possibilities in Poland that did not require a work permit opened up for foreign language teachers instruct in their native languages (see 4.3.2). Indeed, most foreigners teach foreign languages: mainly western languages (English, French and German) but also eastern (Russian, Ukrainian). Some foreigners work in academia.

Two broad, distinct categories of foreigners can be identified within the educational sector. In the first category are teachers from the East, mainly from Ukraine but also from, for example, Belarus. They generally constitute an “immigrant” type. It is worth noting that work in the educational sector is also popular among settled migrants. Among Ukrainians settled in the Mazowieckie district, as many as 26 per cent of migrants active on the Polish labour market work in this sector. In the second category are foreigners from western countries, mainly English native speakers. Only some of them are qualified teachers; others simply have a certificate in TOFEL or CELTA. Many of them can be classified as “transmigrants” who feel that they can go “anywhere” and settle “everywhere” just to experience something “new.”

The role of social networks in the recruitment of teachers from the East in Poland is limited. They usually find their jobs directly via Polish schools and advertisements in the Polish press. Sometimes information from return migrants is used in the job search. It is worth noting that, for many, a teaching job in Poland is their first professional experience abroad. In the educational sector, the key to job opportunities in Poland – rather than social networks – is an adequate education, proficiency in Polish and professional experience. Co-workers of teachers and academics from the East are mainly, if not solely, Poles. In this group of teachers, upward mobility is primarily within the reach of academics. They are also able to move into the business sector. For other teachers from the East, there is less room for upward mobility. Among them, the most popular way to increase incomes is to tutor or offer private lessons.

In the case of teachers from the West, the role of social networks in the job search is also rather secondary. Respondents frequently claimed that English teachers are in demand in Poland and thus

78 U15-K-L; B4-M-L, B5-K-L; U11-M, U14-M
it is very easy to find such a job. Surprisingly, however, avenues for upward mobility or even any sort of mobility on the Polish labour market are limited for teachers from the West who wish to move to a different sector. The main barrier for their mobility is their insufficient proficiency in Polish.

3.7.7. Final remarks

This overview of sectors employing migrants in Poland is by no means exhaustive. It allows, however, for some observations regarding the durability of migration and the prospects for future inflows of foreigners into Poland. The first observation to be made is that only in selected sectors does economic integration facilitate more permanent forms of migration. Two sectors deserve particular attention: trade and gastronomy. For “immigrants” operating in these sectors and originating mainly from Vietnam, opportunity structures allow for upward mobility within those sectors but discourage exiting from them. In terms of social networks, these sectors constitute examples of effectively expanding ethnic niches or even ethnic enclaves. At the same time, as suggested by the qualitative material, upward mobility in these sectors requires the legalisation of stay at some point, thus promoting more permanent forms of migration. However, restriction of entrance and stay lead also to overstaying and in that way to a form of irregular permanent immigration. What is also of note is the active recruitment of new Vietnamese workers from Vietnam—via social networks—to these sectors. We can thus expect that these sectors will grow, especially considering, as respondents claim, that working in them provides migrants with satisfactory incomes in Poland.

Another sector facilitating permanent forms of migration is education. Migrants from the ex-USSR working in education are mainly “immigrants.” Academics, with the best prospects for upward mobility, unquestionably constitute the “elites” of this sector. Their inflow into Poland takes place mainly under the auspices of international (scientific) institutions. Other teachers from the East have smaller opportunities for upward mobility, but nevertheless seem satisfied with their incomes and positions in Poland. Unmet demand for English language teachers also attracts “immigrants” and “transmigrants” from the West. Their migration is transnational in nature and it seems that the only mechanism that can transform it into “immigration” is that of creating a family with a Pole. Social networks are of secondary importance in the recruitment of foreigners to this sector, where demand for foreign language teachers is the main determinant of inflows.

The two remaining sectors—agriculture and domestic services—are predominantly stocked with “circular migrants.” It seems that there exists a potential in them to attract new migrants: recruitment takes place mainly via migrant social networks. It applies, in particular, to the domestic service industry, where the living-out scheme seems to be growing in importance—bringing about an especially dynamic development of migrant social networks. It is, however, very unlikely to observe more permanent forms of migration within the two sectors. Circulation suits the pattern of migrants’ economic activities, especially in the agricultural sector, where work is seasonal. Moreover, seasonal (agricultural) migrants’ contacts with Polish society are virtually non-existent. In the case of domestic servants, social ties developed in Poland are more numerous and usually include potentially valuable relations with Polish employers. The latter constitutes a crucial determinant of the durability of migration, with little evidence, until now, that it will transform “circular” immigration into more “permanent” immigration. A common barrier encountered by both agricultural workers and domestic servants who might otherwise wish to settle permanently in Poland is the insufficient level of wages—taking into account the cost of living in Poland—that can be earned in these two sectors.

79 In our view, it can be argued that the recommendation and the rotation system point to a specific support system among co-ethnics, the beginning of an ethnic niche, which, as Borjas (1994) claims, increases the ability of migrants to integrate.
3.8. Conclusions

Even though various groups of migrants in Poland considerably differ in terms of the advancement of their integration into Polish society, most of them have already developed some ties to Poland. In this domain, foreigners married to Polish citizens constitute a distinct group, simultaneously predominating among settled migrants in Poland. Their social ties are relatively numerous as compared to other migrants, and mainly comprise Poles – thereby suggesting a pattern of migration that involves incorporating oneself into Polish society. It seems, however, that this sort of pattern of integration does not restrain “immigrants” from this group from attracting new migrants to Poland. It should be stressed that this group can attract various types of migrants since they are likely to possess adequate resources to sponsor the migration of relatives and friends.

The Vietnamese group, comprising mainly “immigrants,” constitutes a distinct example on the Polish migratory scene. In contrast to other migrants, the share of Vietnamese migrants married to Poles is relatively low, even among settled migrants. The settlement process takes on, in their case, a classical form, including family reunion and marriage migration. Moreover, the Vietnamese are eager to establish social relations with both Poles and Vietnamese, although social ties with co-ethnics are more numerous and, arguably, more important. In addition, sectors where Vietnamese predominate – trade and gastronomy – seem to be particularly likely to grow by attracting Vietnamese newcomers to work in Poland, usually by offering them some avenues for professional mobility. All in all, it can be argued that the Vietnamese make up a group that has a potential to grow, especially with the help of intra-group dynamics, and with the development of social ties between migrants and their home country.

“Circular migrants” constitute another notable example since they represent the most prevalent pattern of mobility to Poland in the 1990s and 2000s. Their social ties in Poland are relegated mainly to other migrants, and contacts are usually limited to the work sphere. They have, however, a relatively high propensity to attract new migrants, usually of the same type, to be employed in the same sector. This propensity differs across sectors, but recruitment of new migrants via social ties maintained with the home country has been observed in most, if not all, sectors that employ “circular migrants” in Poland. It seems fair to say that the durability of “circular migration” has a double meaning. On the one hand, it is very unlikely for “circular migration” to be transformed into “immigration.” It is thus work re-evaluating the durability of this pattern of migration. On the other hand, “circular migration” is very sensitive to changes in migration legislation and/or economic opportunities in Poland. This was observed quite recently, just after Polish accession to the Schengen zone: some “circular migrants” decided to overstay illegally in Poland, while some decided to return to their countries of origin for good.

To conclude, there exists the potential to attract new migrants to join the group of foreigners already present in Poland. It is, however, relegated to a few, specific ethnic groups that are not very numerous in Poland - for example, the Vietnamese - and a small fraction of “immigrants,” constituting as a whole a relatively small group in Poland. The ability of “circular migrants” to attract new “circular migrants,” considering the double nature of “circular migration’s” durability, is, as yet, untested – at least as far as their long-term influence on stimulating further inflow to Poland is concerned. We thus argue that further inflows of newcomers, based on migrants’ social relations or, more broadly, on their integration patterns into Polish society, could only bring about a slow growth of the immigrant population in Poland. Additional stimuli, such as the current unmet demand for certain types of workers in Poland or the organisation of the EURO 2012, are necessary. What the analyses in this chapter have revealed is that migrants have already created sizable social networks in Poland that can easily be taken advantage of by newcomers.
4. Migration policy in Poland and its impact on the inflows and settlement of immigrants

4.1. Migration policy in a country on the verge of migration status change – general introduction to the analysis

4.1.1. Migration policy as a subject of analysis

Migration policy is a key prerequisite for and a driving force behind a state’s migration cycle. In order to better understand the logic behind the processes propelling a country’s transition into one of net immigration – especially from the perspective of one like Poland, which currently finds itself in the preliminary stage – it is crucial to examine the initial phase and the role of the state in its shaping. It is also important to analyse the internal and external factors influencing the normative and functional foundations of migration policy; that is, whether and how experiences of more mature states have had any effect on the development of migration policy in countries on the verge of migration status change.

There is variety of approaches that can be used to assess migration policy. Most of them are derived from political economy, though they have recently been more oriented towards political sociology (see Boswell 2007, Sciortino 2000). Although they focus on many different aspects and topics, authors treat the state as a main unit of analysis in explaining policy formation (Hollifield 2000). Following the mainstream, then, policy is seen as a process, one undergoing constant, gradual development. This process consists of at least four main phases: initiation, conceptualization, implementation and, finally, evaluation of outcomes (they do not necessarily follow one another but instead can take place simultaneously or partially overlap).

The preliminary stage – policy initiation – is a crucial one; it stimulates the subsequent phases and determines the direction of further development. This phase could be described as politisation, when a particular social issue becomes a grander political concern, is recognized as such and is subsequently incorporated into the political agenda, thereby becoming a subject of political debate and of the overall decision-making process. Migration as a subject of state’s policy requires advance conceptualisation: detailed analysis, formulation of a political doctrine, elaboration of a general strategy and a list of goals and actions to undertake. The final result of this phase should be the formulation of a more or less complete migration doctrine that, as an instrument shaped in policymakers’ hands, effectively enshrines the state’s key interests. In order to be implemented efficiently, migration policy requires sufficient institutional infrastructure (i.e., an administrative apparatus) that streamlines decision-making procedures and facilitates their execution.

Policy as an activity consigned to the state can be understood as an amalgamation of at least three elements – declarations, activities/actions and outcomes. Declarations reflect the policymakers’ intentions, ideas and plans that are usually delineated in a list of objectives to accomplish. Activities mean the real actions taken by policymakers to attain the earlier stipulated goals; subsequently, the outcomes foreseen by policymakers should occur. According to Hollifield (2000: 165), “ideas and institutions play a vital role in determining outputs (the demand for and supply of immigration and refugee policy) and outcomes (the level of flows and stocks).” Following this approach, migration policy is defined here as a system comprising a framework of legal regulations and political instruments (together with their anticipated and real outcomes), normative sources (as a rationale for the system) and institutional structure (as a functional basis for the system). Profound analysis of migration policy should include all the above-mentioned elements.
4.1.2. Main aims of analysis

Considering the main objective of this analysis – examining migration policy in a country on the verge of migration status change and its impact on the inflow and settlement of migrants – a set of hypotheses and research questions seem to be of key importance.

1. Based on the theoretical concepts behind the migration cycle, it could be assumed that migration policy also develops in an evolutionary (progressive) manner towards a mature system (migration regime). Therefore, one of the primary research aims should be to analyse the initiation phase of migration policy development, to answer the questions of when and how migration becomes a political issue and independent subject within state policy. And, going further: what factors and actors motivate the state to develop migration policy?

When describing the process of development it is important to identify some key “breaking points.” The first of these involves ascertaining when and why immigration becomes a constant element of state policy and examining the state’s attempts to implement actions whose aim is to stimulate migrant inflows. Secondly – apparently even more important – is when and why the state begins to be recognized by both policymakers and by the general public as country of immigration, even in a prospective sense (i.e., as a potential, soon-to-be immigration country). Although it is difficult to identify one specific moment, some symptoms of the transformation might be evident. In case of Poland, several indications have appeared very recently, e.g., during the latest debates on opening the labour market to foreign workers policymakers jointly recognized Poland as a prospective country of immigration.

2. Formulation of a migration doctrine is a precondition for migration policy development and passing to another stage of the migration cycle.

Migration policy at its preliminary stage of development could be characterized as a set of *ad hoc* and *post factum* activities. This often means that actions are undertaken by the state’s authorities as a reaction to particular situations – although sometimes without sufficient analysis, thereby leading to unexpected side effects and/or to failure in attaining previously envisioned aims (Kępińska & Stola 2004). The potential risk of failure is higher in countries that lack a migration policy tradition, that demonstrate only a weak institutional structure and an imprecise system of competencies, a deficiency in long-term and analytical views of migratory processes and, most importantly, wherein there exists no clearly defined migration doctrine (Castles 2004). Although in some cases this rather reactive and improvised means of formulating policy might be effective, in the long run a prospective immigration state requires a coherent migration policy, one based on a migration doctrine that has been crafted to reflect a general (public) consensus and that is embedded in a set of institutions and instruments that ensure its successful implementation (Głąbicka et al. 1998). The *sine qua non* condition for the initial formulation of a migration doctrine is a change in policymakers’ collective opinion: from one rejecting the idea that Poland could become a country of immigration to one accepting that it is a highly possible, in many ways even desirable, transformation.

A migration policy doctrine in Poland has not yet been clearly or directly expressed; but a set of principles governing migration policy formulation could be extracted from official documents (the responses of Polish authorities to EU documents prove especially valuable sources) as well as from policymakers’ statements (formulated during debates on migration policy and in formal or informal interviews). These sources were used in this work to describe the state’s attitude towards immigration and to forecast the direction of the continued development of Polish migration policy.

3. There is a complex and dynamic network of internal and external impulses influencing migration
policy development. The question is: which of them have the most powerful determinative impact for initiating and influencing migration policy development?

Generally speaking, the main factors shaping migration policy are of three types, namely those: 1) related to the migratory process and its dynamics, 2) linked to globalization, transnationalism and geopolitical relations along the North-South and East-West axes; 3) originating from a national political system (Castles 2004: 208). The most influential seems to be labour market demand for a foreign workforce. This is, however, too reductionist a view; to obtain a more complete picture, many additional, external and/or internal pressures must be taken into consideration. These pressures vary significantly, and might include such factors as geopolitical situation, other countries’ interests, the EU policy influence, demographic changes and the configuration of interests of different institutions – from bureaucratic apparatuses to various political actors and interest groups (employers’ organizations, labour unions, political parties, etc.). The state as a unitary actor attempts to manage the pressures deriving from the national and international environment in the most effective way possible, all while taking into account the primacy of its national interests and international commitments. Thus, any analysis of migration policy requires a broad context: an extensive study of the general environment cannot be avoided.

4. The state is able, through a variety of migration policy instruments, to encourage or discourage migrants’ inflows and settlement processes, at least to a certain extent. Depending on a variety of factors, particular instruments of migration policy could have an encouraging, restrictive and/or neutral impact on the patterns of the inflows and settlement of migrants. The key questions here are: which activities within the state’s migration policy framework have encouraging and discouraging effects? Taking into account the real outcomes, which ones appear to be effective in stimulating migration inflows?

The most important instruments of migration policy to be analysed in detail in this chapter are: admissions policies, the admission of foreigners to the labour market, policy towards irregular migrants, integration policy, social rights for foreigners and policy towards foreigners of Polish origin.

The analysis of migration policy meets serious restrictions. First of all, migration policy is a relatively young field of study in general, though it is especially so in the CEE countries. This means that the conceptual frameworks, standardised methodology and tools for its evaluation still require further development. There is also an enduring scarcity of sufficient, reliable and high-quality data and information. Additionally, even if the administration structure responsible for migration policy is rather well-developed in Poland, there is still no single document conceptualising the principles and goals of migration policy. Therefore, the main sources for analysis remain policymakers’ official and unofficial statements as well as their proclaimed justifications for particular legal changes. As additional source for this project more than ten policymakers, exerts and representatives of group of interest were interviewed.

Moreover, additional restriction, according to the gap hypothesis (Cornelius et al., 2004), are significant and persistent mismatches existing between officially stated policy objectives and the actual results (policy outcomes). This might occur as a result of insufficient information, an incorrect evaluation of the situation, inadequate implementation or inappropriate enforcement of policy. For this reason, any attempt to analyse the outcomes of a policy at its preliminary stages of development is more difficult for lack of a long-term, post facto perspective.

4.2. Migration policy in Poland – towards a migration doctrine

In the process of the development of migration policy in Poland, at least two key points require
deeper analysis. First is the year 1989, a symbolic new beginning in the history of Poland and also within the field of migration processes and migration policy. Second is the accession of Poland to the EU, an event that changed the geopolitical position of Poland and that should be perceived as a powerful impulse in the formulation of a migration doctrine.

In the nineties, Poland, among many other challenges related to its transition period, had to face the transformation from a state with a restrictive exit policy and forcibly repressed spatial mobility characteristic of the communist regime (Stola 2001; Okólski 2004) into a democratic state with open borders. This change was very difficult, considering that Poland traditionally has been a country of emigration, one with little experience with regulating foreign inflows – both during the interwar period and during communist times. The beginning of the nineties was a time when several important legal and political initiatives related to migration policy took place. Firstly, there was the implementation of the legal framework of international refugee regime (based on the Geneva Convention, signed by Poland in 1991) and the creation of the first institutions dealing with the asylum system. Secondly, Poland became a part of the European readmission agreement network: in 1991 a number of readmission agreements were signed with the Schengen countries. This was a very significant shift since Poland “was forced to quickly adapt to the change from a refugee-sending or transit to refugee taking country,” as well as to take on the role of “gatekeeper of the Eastern EU border” (Kicinger 2005: 9-10). Security was a political priority that time. It was related not only to protection against growing transnational criminal activities, but also to serious fears of uncontrolled mass inflows of people from the East (economic migrants and asylum seekers). The new Act on Aliens implemented in 199780 (the previous one was in force since 1963) went in line with security and control concerns: it focused on control mechanisms of entry, stay and transit in addition to developing strict criteria of detention and expulsion. Repatriation policy was also crafted in the nineties, thereby inducing returns – especially of co-ethnics in the East – from within the Polish diaspora (see part 4.3.6).

There is no doubt that the process leading up to EU accession constituted a crucial milestone in the development of migration policy in Poland and in other CEE countries (Geddes 2003; Iglicka 2003; Kicinger 2005; Weinar 2006). In the opinion of some authors, “many institutions and measures designed in the West in response to the immigration phenomenon were transposed to Poland during the process of harmonization with the EU. This led to a paradox, with an attempt to create migration policy before there was a real need for it, in terms of numbers of immigrants” (Kicinger & Koryś 2007: 1). This conclusion suggests not only that a key impulse for the development of the migration policy currently in place in Poland came from the EU authorities, but also that, to some extent, it is migration policy created in a top-down way, as a response to external EU administrative pressures rather than to current immigration processes.

Since 1 May 2004, Poland has directly participated in the debate about European aspects of migration policy and has been obligated to implement binding legal acts adopted at the Community level. Therefore, in order to assess the impact of Poland's membership within the EU as a trigger for migration inflows (to what extent it constitutes an incentive or restriction for immigrants) and migration policy development, it is necessary to analyse the changes that took place in Polish migration law after the introduction of legislation pertaining to the Schengen Agreement. In particular, it is necessary to examine the various position papers developed by the Polish authorities in response to analytical documents presented by the European Commission (e.g. Communications, Green Papers), as well as drafts of legal acts delineating the priorities of a future European migration policy. It is also useful to look closer at the contents of and course taken by the debate (the first of its kind in Poland) on whether to open or keep closed European labour markets for citizens of Romania and Bulgaria after the countries’ accession to the EU in 2007.

In its position paper concerning the European Commission Communication on the Hague Programme implementation⁸¹, the Polish government, in the section relating to migration policy, unambiguously supported the approach contained therein, insisting, on the one hand, on opening new channels of legal labour migration to the EU, and, on the other hand, on a comprehensive approach to combating illegal immigration. At the same time, in the government's opinion, changes in the approach of many EU member states to immigration policy were the result of an “increase in social tensions and the growth of illegal migration, particularly from the North African region,” Poland decided to support this approach because, in the government's opinion, it was “related to the dynamically changing migration situation of Poland.” This last sentence is a clear indication that policymakers are convinced of Poland's impending transformation from a country of emigration into one of immigration, a mindset that prompts them to support even very radical actions aimed at preventing illegal immigration. Moreover, in the section concerning “integrated external border management,” the government of Poland stated that “it shares the Commission's opinion regarding a need for a holistic approach to the protection of external borders and the creation of uniform security standards,” which might be achieved, for example, via the “interoperability and synergy of European databases, and through the creation of a European documents register.”

The implementation of the Hague Programme is, in a way, a consequence of the tightening of visa and asylum policies; Poland's support for the Programme's provisions may, in the future, have an adverse impact on immigrants' decisions to choose Poland as a final destination country. At the same time, the position of the Polish government on a comprehensive migration doctrine and policy suggests that policymakers believe that in the coming years Poland will be afflicted by problems similar to those currently being experienced by typical immigration states. This fact is confirmed in the Polish position, which stipulates that “Poland's support for the EC proposal ensues from the dynamically changing migration situation of our country.” Support for actions tightening general rules for entry into EU territory – mainly into the Schengen area – are intended to be measures of precaution that will protect Poland against the adverse effects of migration processes.

The first document in the area of migration policy in response to which Poland had to take a position was the Green Paper on the EU approach to managing economic migration.⁸² In its position paper⁸³ the government of Poland stated that member states, depending on the needs of the labour market, should enjoy full autonomy to shape their national migration policy. Moreover, the paper stipulated that the demand for labour in member states should be satisfied first of all by the human resources available in the EU. In the rationale for the position, it was also stated that “due to its difficult economic situation, i.e., a high unemployment rate, Poland presently does not pursue an active immigration policy.” At the same time, however, it was assumed that in the not-so-distant future Poland might experience the problems with immigration that were already surfacing in highly developed states. This position seems to reconcile two approaches. In the first one Poland demands full-fledged participation in the completion of the single market and also calls for the lifting of transitional arrangements in free movement of workers. Simultaneously, however, similarly to the case of the Hague Programme, the position underlined a suspicion that Poland would, in the coming years, be transformed from country of emigration into country of immigration. The government consistently makes note of the problems that might also become part of Poland’s experience in the future. It observes migration processes from the perspective of social, economic and security problems. Indeed, the absence of positive aspects and opportunities

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concerning migration in the Polish position may seem alarming.

During the negotiations surrounding the 2007 accession of Bulgaria and Romania to the EU, for the first time in its history Poland had to define its position on the opening of its labour market to the citizens of lesser-developed states; that is, of potential emigration states. The Polish authorities withheld their final decision until the very last moment. This delay was largely influenced by the position of major trade unions that saw citizens of Bulgaria and Romania as a threat to Polish workers. At the same time, a decisive majority of both government experts and researchers unambiguously stated that opening the Polish labour market to citizens of the new EU member states would not produce any negative effects. To the contrary, it should be treated as an alternative solution to meeting labour market needs (Kaczmarszyk & Okólski 2006). Eventually, in December 2006, the European Committee of the Council of Ministers recommended to the Council of Ministers a renouncement of the transitional periods – and the Council of Ministers did not object. The discussion about the opening of the Polish labour market to citizens of Bulgaria and Romania – or, in truth, the lack thereof – indicated a low level of interest in a serious and in-depth debate on the issue of immigration.

There is no doubt that the process leading up to Poland’s accession to the EU had a significant impact on its initial formulation of a migration doctrine. From the above analysis, a few general imperatives central to the evolving Polish migration policy can be derived. The first one is of key importance; the subsequent ones are all its offshoots. 1) Growing immigration to Poland is perceived as an inevitable phenomenon that may eventually constitute a threat to social cohesion; it can be gleaned from the experiences of Western Europe that this is mostly due to irregular migrant inflows and to problems with immigrants’ integration. 2) It is the unique duty and primary responsibility of the state to control its borders and to regulate the residence and employment of foreigners. 3) As regards economic immigration, free labour flows are a key priority within the EU, though immigrants from third countries, especially from eastern neighbouring ones, are generally accepted within the confines of short-term (seasonal, contract) immigration schemes and not for permanent settlement. 4) Long-term or settlement inflows are stimulated only in the case of ethnic Poles, where ethnicity, not economic usefulness, seems to be of major concern.

4.3. Migration policy in Poland in practice. Overview of main instruments and their expected and real impact on immigration flows

The following section seeks to analyse the development of migration policy in selected areas: legislation, implementation in practice and an evaluation of potential and real outcomes. The selection stemmed from the aim of the analysis to define the encouraging and discouraging impetuses for migration inflows to Poland.

4.3.1. Admission policy for foreigners in Poland

Policy on the admission of foreigners is regarded as a fundamental element of the migration policy created and developed in Poland since the 1990s (Kicinger 2005, Iglicka et al. 2005). This is not at all surprising, considering Poland’s geopolitical position.

It is quite often claimed that the most important driver behind all the changes in the regulation of entry of foreigners was Poland's accession to the EU, preceded by the negotiation and adjustment periods (e.g., Weinar 2005), and later followed by the full implementation of the Schengen Agreement. However, there are also claims that some of the initial impetuses behind Poland’s admission policy development occurred earlier than pre-accession and/or EU integration processes – namely, in security concerns voiced by Polish authorities in years prior (e.g., Kicinger 2005). The above-mentioned factors undoubtedly contributed to the development of an admission policy and,
in fact, stemmed from the same general source: the desire to prevent illegal migration and to control
the entry of foreigners.

After 1989, Poland “opened” its borders, liberalised the conditions of foreigners’ entry and aspired
– in what was considered to be of great priority – to enable the international mobility of Poles and
widen their access to foreign, especially Western European, labour markets (see also 1.5.2). Visa-
free agreements with former communist countries were preserved. At the same time, new bilateral
agreements were negotiated and signed, mostly with Western European countries. Bilateral
agreements with European countries lifted visa requirements, but simultaneously obliged Poland to
apply the readmission clauses designed to prevent and combat the illegal migration of Poles and
foreigners transiting Poland only to Western countries illegally. In 1998, Poland had concluded visa-
free agreements with 60 countries (Gląbicka et al 1998).

In the meantime, in response to rampant illegal transit movements across Polish territory towards
Germany and other Western European countries, the Polish and German governments signed the
“Agreement on the Cooperation on the Effects Due to Migratory Movements” (Każmierkiewicz
2007). This was of great significance for the asylum system: Poland fully accepted its role as a safe
third country (Kicinger 2005) just as a number of Western European countries were undergoing
asylum crises. This agreement also enabled the improvement of control operations at the western
border of Poland, an action necessary due to the intensified movements of illegal migrants – i.e.,
false asylum seekers – towards Germany. However, one of the consequences of this agreement was
also the re-introduction of visa requirements for the citizens of many countries that had previously
enjoyed a visa-free regime with Poland. This affected, e.g., the nationals of former Yugoslavia, who
previously were able to reach Western countries via Poland (Kicinger 2005).

Despite the bilateral agreements concluded between Poland and other European countries, the
efforts of the policymakers were focused on improving the control of the entry and stay of
foreigners. The collapse of the communist regime in Poland and neighbouring countries as well as
abolition of strict border controls were sufficient factors to release a mighty migratory potential
-especially in the case of citizens of the ex-USSR). Soon, it turned out that part of the massive
cross-border mobility was linked to irregular transit migration, particularly through the territory of
Poland to Western countries (see Okólski 1991). Based on international agreements, post-1989
liberalised cross-border mobility and the consequences of irregular flows became the responsibility
of the state. Yet internal laws did not provide sufficient tools for preventing unwanted foreigners
from entering Polish territory. Border guard services as well as officials responsible for internal
affairs and security issues tried to respond to the abuses of visa-free system by more thorough
border control (e.g. by detailed checking the purpose of entry, resources needed for stay, etc), which
became a common rule later on, along with the new law on aliens.

Poland’s aspirations to become part of the EU were necessarily preceded by fundamental changes in
the law on aliens, as the previous regulations did not correspond to the scale and forms of mobility
observed in Poland in the 1990s. The new law, introduced in 1997, was regarded as a very strict

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84 Citizens of ex-USSR countries, Bulgaria, Romania, Mongolia, Yugoslavia, to name a few, enjoyed a visa-free
regime (Okólski 1993: 7-8).
85 In March 1991 Poland signed an agreement on visa-free movement with the Schengen co-signatories, which was an
impetus and a basis for signing other agreements with single EC member states and third countries. (Kicinger 2005).
86 Signed on 7 May 1993.
87 Act on Aliens of 1963.
88 Ibidem
89 This regards the especially intensified mobility of false tourists undertaking illegal trade activities or illegal
employment in Poland as well as that of transit migrants who were usually involved in specific types of irregular
movement. The scale and character of inflows to Poland in the 1990s was the result of the free-visa regimes and
poorly developed instruments aimed at controlling entries at the beginning of the decade. For more about the
one. All restrictions in the area of admissions of foreigners (e.g. the requirement of possessing sufficient financial means to cover the cost of stay, refusal of entry when the aims of entry and stay were suspected to be different from those declared⁹¹) were aimed at preventing undesirable foreigners from entering. The reinforcement of visa obligations with many countries served as the main instrument for tightening the security of the eastern border (e.g., Kicinger 2005), which, given Poland’s prospective accession to the EU, was to become its external borderland.

In general, it can be concluded that the new Act on Aliens of 1997, by putting more restrictions on the conditions of entry and by tightening border controls, narrowed the possible legal channel of inflow. The catalogue of negative prerequisites for admission was widened, with security reasons justifying the refusal of issuing a visa or of entry. Both had the same effect, namely of potentially decreasing the scale of entries to Poland, especially from those countries which had previously enjoyed an almost unrestricted right to visit Poland. Further changes in admission policy were the effects of the EU integration processes. Successively, the law on foreigners was adjusted to meet EU regulations. On the one hand, the security measures were improved (e.g., introduction of the institution of “marriage of convenience” and measures to combat this practice⁹²), while, on the other, categories of migrants enjoying more liberal conditions of entry were distinguished (entry on the basis of family reunification, repatriation). In 2002³³, the law on the conditions of entry, stay and exit of EU citizens and their family members was enacted. In May 2004⁹⁴, along with Poland's accession to EU, foreigners coming to Poland became formally divided into two categories: one was privileged to enter Poland without any special requirements (EU nationals and members of their families) while another one, comprising third country nationals, was obliged to meet all the requirements provided within the law on aliens (possessing visas if required, sufficient financial means, not being previously registered as an undesirable foreigner, etc.).

One element of visa policy is worth mentioning in the context of Polish accession to the EU and its commitment to implement the Schengen regulations in the following years. Namely, the visa requirement for migrants from Ukraine, Russia, and Belarus introduced in 2003. Poland had successfully delayed the date of introducing visas for eastern neighbouring countries' citizens, which is clear evidence that not only EU requirements, but also national interests, shape migration policy (Kicinger 2005). However, in the face of its impending accession to the EU and the contingent necessity to follow the immigration laws' harmonisation processes, maintaining visa-free regimes with those countries was no longer possible. To the benefit of the citizens of the eastern neighbouring countries, the conditions of obtaining visas (especially those regarding the cost) were rather favourable – particularly for Ukrainians – until the end of 2007, when Poland implemented the whole Schengen acquis. During the first year of its newly introduced visa regime, Polish consulates in Ukraine, Belarus and Russia issued over 1,100,000 visas, most of them for Ukrainians (over 600,000), and fewer for Belarusians (over 300,000) and Russians (over 200,000; Kępnińska 2004). Consulates issued visas in a quite liberal way, the procedure was rather fast, meaning the new restriction did not egregiously discourage visa applicants. Although the introduction of visas for citizens of Ukraine, Belarus and Russia was required due to security reasons (preventing illegal migration and improving control over foreigners coming to Poland), easily accessible tourist visas issued by Polish consuls provided the legal basis for entry, while the actual purpose of stay, in a majority of cases, took the form of undocumented economic activity rather than tourism.

character of inflows and the stay of foreigners in Poland in the 1990s see, e.g., SOPEMI Reports for Poland 1991-2000; Stola (1997).


⁹¹ Although the instrument of refusal was applied more and more often, it cannot be concluded that the new legal provisions significantly reduced the scale of 'false tourists' (compare Kępnińska &Stola 2004).

⁹² With the introduction of the amendments to the 1997 Act on Aliens in 2001.

⁹³ Replaced in 2006 by the Act of 14 July 2006 implementing further EU regulations.

⁹⁴ On the grounds of the Act on lifting or amending some acts due to the Polish accession to EU of 2004.

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On 21 December 2007, Poland successfully implemented all the regulations of the Schengen Agreement. As in other EU countries, a foreigner could cross the border and remain on Polish territory if s/he is in possession of a valid travel document and a visa, unless s/he is a citizen of EU/EEA country or comes from a state bound by a bilateral agreement with the EU on the visa-free regime. Having implemented these regulations, Poland currently offers two categories of visas: uniform and national visas. Their time validity is determined by the declared purpose of entry. An important category of national visas is that of work permits. They are issued on the condition that a foreigner possesses a promise of work permit in Poland or a document proving that such a permit is not required. The period of stay cannot exceed one year, similarly to visas issued to foreigners that wish to enter and stay in Poland for other purposes. Visas for foreigners who aim to take up legal seasonal employment in Poland and who can confirm the guarantee of a work permit (or else an employer’s declaration of his or her intention to employ a foreigner) are granted a specific legal period of stay according to the indicated work season: usually, this entails a sojourn not exceeding 6 months within the 12 months following the first entry. The latter provisions are new in Polish migration policy. They refer to the employment of foreigners only from Ukraine, Belarus and Russia (see also 4.3.2). However, as it was also confirmed by the experts interviewed within the framework of this analysis, the possibility to obtain a visa (almost automatically) after presenting the Polish employer's statement of intent to employ a foreigner became a new "gate" for the citizens of the mentioned countries. The abuses of this system are a subject of the ongoing discussion concerning the need for control instruments. However, regardless of the real and potential problems stemming from the introduction of this system, such a possibility of entrance to Poland given to the citizens of the neighbouring non-EU countries mean, in fact, widening the legal channel of admissions (however, not only followed by legal employment).

Preliminary analysis of the data on Ukrainians’ reactions to the stricter visa policy instituted once Poland became part of the Schengen zone revealed that the tourist visas granted, until December 2007, almost automatically by Polish consuls to Ukrainians (which make up the majority of visa-recipients) have now been replaced by national visas. A work permit must be obtained by presenting a declaration confirming the intention of a Polish employer to entrust economic activity to a foreigner. It should be stressed that these declarations are sometimes gained through informal intermediaries or even bought from people specializing in falsifying such documents. This means that the declaration of intent to employ a foreigner can be treated as a supporting document in the visa application process, a certain “gate” for those who are, in fact, going to work in Poland, but who may or may not end up working for the employer specified in the declaration. Ukrainians, who constitute the most numerous migrant group entering Poland, confirm that legal barriers do not restrain the inflow, but rather differentiate the strategies of entering Poland. Ukrainians proved to be especially innovative in overcoming the difficulties resulting from the restricted admission policy. It is too early to assess the real effects of the new developments in admission policy – that is, to

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95 Act on Aliens of 13 June 2003 with the amendment of 2007.
96 More about foreigners’ access to the labour market in Poland and the requirements for obtaining the work permit for particular jobs in part 4.3.2.
97 The promise of a work permit issued by an employer is the preceding stage of obtaining a work permit, whose issuance is dependent on the positive prerequisites for admitting a foreigner onto Polish territory. Declarations of intent to employ a foreigner can be registered only in cases of seasonal employment of citizens of Belarus, Russia and Ukraine. More about these instruments in part 4.3.2.
99 In particular, data on declarations of intent to employ a foreigner registered by Polish employers (see more in part 4.3.2), interviews with leaders of the Ukrainian community in Poland as well as with Polish experts representing the Ministry of Internal Affairs, responsible for the control issues related to migration.
100 Citizens of Ukraine constitute one of the most important groups of foreigners entering and living in Poland (see ch.1).
101 This conclusion should be treated with caution because of the short time that has passed since the introduction of the Schengen aquis in Poland. However, the preliminary observations confirm the fact that new restrictions on the conditions of entry can be only a nominal obstacle, one possible to overcome.
what extent they have come to significantly reduce the inflow of foreigners. It is worth noting, however, that the scale of the inflow of foreigners from Ukraine, for instance, was more than three times smaller in three quarters of 2008 as compared to the first three quarters of 2007\textsuperscript{102}. At the moment, it is indisputable that the new restrictions in admission policy had a restraining, deterrent impact on the inflow of foreigners obliged to obtain a visa. However, it can be assumed that the new restrictions led to the reduction of a frequency in the mobility of eastern neighbouring countries' citizens.

Since at least 1997, admission policy in Poland has been heading for heavier controls of foreign entries. However, while the restrictions were put in place, in general, for the admission of third country nationals; some categories of foreigners (students, academics, co-ethnics, migrants' families) were granted more favourable opportunities to enter Poland. Some of these exceptions from the general strict admission policy were the consequences of Poland’s implementation of EU directives, whereas others – e.g., the Polish Card and repatriation visa\textsuperscript{103} – constitute an expression of national interests in the area of admitting foreigners (Kicinger 2005). However, it should be stressed that these more favourable conditions of entry have a limited scope, one that is directly linked to the required characteristics of applicants.

The direction in which Polish admission policy has been heading is clearly a consequence of europeanisation of this policy. The EU influence can be characterised as predominant, despite all the efforts Poland made to uphold its national interests – especially when attempting to maintain facile cross-border mobility with Ukraine, Russia and Belarus. The state's obligations towards the EU and its participation in the Schengen \textit{aquis} compelled Polish policymakers to adjust the law on foreigners' entry to be in compliance with EU regulations. Such a compliance to EU rules in this area is understood, to some extent, as situation when decisions on admission are dependent only on the policy on EU level. However, it is worth mentioning that on the level of practice the decisions on admission are often discretionary to some extent, namely the consuls - as decision makers - can create their own standards of assessment.

Although the post-accession changes in the admission of foreigners and the implementation of the Schengen Agreement constitute rather unfavourable circumstances for the inflow of foreigners from outside the EU, it can be assumed that Poland, as an EU member and as part of the Schengen area will (or partly has) become an attractive destination. However, it is mostly economic factors that are likely to encourage further inflows (of both EU and non-EU citizens) than rules of entry. That is why, as we can suppose, many policymakers support the idea of widening the legal channels of entrance and do not express any fears related to it, following the idea that even more open gates will not attract many foreigners in the situation where economic conditions in Poland are not as satisfactory as in other EU countries.

\subsection{4.3.2. Admission of foreigners to the labour market in Poland}

The situation on labour market in Poland after 1989 resulted in a massive decrease in employment and activity rate, and rather high level of unemployment (see figure 4.1) was an impetus for the authorities to build a labour migration policy that could be characterised as granting Polish workers access to Western European labour markets while closing the Polish labour market to foreign workers who would only supplement (rather than complement) the Polish labour force. The intentions of the authorities to control labour immigration to Poland never took the form of a coherent migration policy doctrine. Instead various initiatives and regulations were verbalised in some politicians’ public presentations or else published in official documents (Gestern 1996, KUP 2002, MGiP 2005).

\textsuperscript{102} Based on the estimations of the Polish Institute of Tourism (2008), www.intur.com.pl/warsztat.htm#kraje2008.

\textsuperscript{103} More about the Polish Card and repatriation in part 4.3.6.
In order to achieve the first goal, Poland signed several bilateral agreements with Western European countries (the most significant of which was an agreement on seasonal work with Germany) (Jaźwińska & Okołski 2001, Dworaczcyk 2002, Korczynska 2003). The second goal was to be achieved by putting in place restrictive regulations on the access of foreigners to the Polish labour market. One of the first policy developments in the field of migration policy in Poland – introduced in December 1989 by the Act on employment – required employers to apply for permits to hire foreigners. As Kicinger (2007) describes, by 1991 the main principles of the work permit scheme were introduced by the Act on employment and unemployment, which stipulated that a work permit was to be issued by a regional labour office pending an assessment of the situation in the local labour market (a “labour market test”). These permits were very restricted, issued for a specific amount of time, for a specific position and for a specific employer. Moreover, several initiatives introduced by the authorities in subsequent years worked to prolong the procedure or to make it more exacting and costly. Many categories of foreigners were exempt from the obligation to apply for a work permit, but these exceptions were mostly a consequence of Poland’s participation in international legal or institutional structures, such as Geneva Convention and the EU. This strict policy resulted in very low numbers of foreigners legally employed in Poland (see also 2.4.2). Since the introduction, in 1990, of work permit requirements, only about 260,000 permits were issued by June 2008.

The presence of foreign labour in the Polish labour market has been much higher than the official data would suggest, but the vast majority of migrant workers have been employed illegally (see also 2.2.1, 2.2.2). Because of geographical proximity, personal relations and historical ties, the largest groups of irregular foreign workers came from Ukraine, Belarus and the Russian Federation, taking up employment mostly in agriculture and construction (men) or in domestic services and child care (women) (Kicinger 2005). The mismatch between the supply and demand for workers resulted in a situation in which a high unemployment rate was accompanied by a significant demand for foreign workers. Because of a long and costly procedure of granting work permits, however, it made economic sense to legally hire a foreigner only if he was going to assume a prominent position and remain in Poland for a longer period of time (see chapter 2 of this report for details).

Comparing the number of officially employed foreigners in Poland with estimations of illegal foreign work reveals an indisputable difference between the anticipated and actual outcomes of the effects of state’s policy. This provokes a line of inquiry into the nature of this situation, termed by researchers as “tolerated half-legality” (Stola 1997) or “silent toleration” (Kicinger 2005). Kicinger (2005: 22) suggests that Polish politicians supported restrictive policies towards foreign workers for fear that doing otherwise (i.e., officially endorsing a massive inflow of foreign workers) would, in
times of high unemployment, result in highly negative reactions from the public. At the same time, understanding the necessity of foreign labour to the proper functioning of the economy of a developing country, they may have turned a blind eye to foreign labourers’ unregistered presence on the Polish labour market. Moreover, the policy towards foreign workers had always a broader meaning by being a part of Polish foreign policy towards its Eastern neighbours, especially Ukraine (see also 1.5.8). The liberal admission policy for citizens of these countries and acceptance of their stay and work (even illegal) in Poland actually strengthened the ties with its neighbour countries (Kicinger 2005, Szacki 2006).

On the other hand, this situation could also be interpreted in broader sense, as a mere consequence of indolence of the state’s authorities, taking into account the fact that the issue of illegal foreign labour in Poland is, to a great extent, a side effect of the Polish shadow economy in general. According to surveys of the Polish Central Statistical Office (GUS 2005) conducted in 1996, 1998 and 2004 between January and September, around 2.5 million, 1.4 million and 1.3 million workers, respectively, were employed in the shadow economy (in 2004, constituting over 9 per cent of the total working population). Illegal work in Poland most significantly affected sectors such as construction, agriculture, commerce, care and domestic services as well as hotels and restaurants. These were the sectors in which most short-term visitors from behind the Polish Eastern border sought employment (Stola 1997, CASE & Millward-Brown SMG/KRC 2008, Kicinger & Kloc-Nowak 2008). Although the authorities took some steps to limit the scale of unregistered work in general including illegal employment of foreigners, they met so far with little success (Margas 1993, MPiPS 2007). To sum up, a gap between the declared and the real policy outcome in this case could be explained as a consequence of at least two factors. In the first place, Polish authorities had no motivation to strictly implement policy on illegal workers for economic and political reasons. At the same time, the powerlessness of the state in its struggle against illegal employment in general makes the very possibility of imposing a policy of its kind quite questionable.

The accession of Poland to the EU in 2004 led to important changes in migration patterns and in the policy described above. Since then Poland entered a period of high GDP growth (over 5 per cent in the 1st quarter of 2005) and saw significant improvement in the situation on the labour market. The unemployment rate began to drop rapidly, from almost 18 per cent in January 2005 to 10 per cent in May 2008. This was caused, on the one hand, by a growth in employment (from 51.7 per cent in 2004 to 56.4 per cent in first two quarters of 2007) and, on the other, by a decrease in the activity rate (from 64.2 per cent in 2004 to 63.0 per cent in 2007) (Bukowski 2008). The smaller labour supply was, to some extent, caused by a massive exodus of Polish labourers to the West, triggered by Poland’s accession to the EU and the new opportunities for legal employment in states that gradually opened up their labour markets.

The greater demand for labour caused by newfound economic prosperity and the concurrently diminished supply of workers resulted in gaps in the Polish labour market in sectors such as construction, agriculture and horticulture. As interviewed experts representing Ministry of Internal Affairs put it, this situation gave the employers organisations stronger position in their lobbying towards opening of Polish labour market for foreigners. Their arguments were followed by politicians, who began to take firm positions in the media in the debate on labour migration to Poland (Dudek 2006). It became an issue in public and political debates. In August 2006, during a debate in Parliament about the Polish labour market, the Ministry of Labour and Social Policy admitted that labour shortages were becoming a serious issue and that the government must respond to the market’s needs by “elaborating a method of ensuring a decent amount of highly qualified workers to address the current state of affairs within the Polish and the international labour market” (Sejm RP 2006).

The declarations cited above were soon transformed into institutional and legal instruments. A unit
devoted to migration policy issues was established within the Ministry of Labour and Social Policy structure and an important regulation change was introduced only a few days after the above-mentioned parliamentary debate. The 2006 ordinance of the Minister of Labour and Social Policy allowed citizens of Poland’s neighbouring countries to take up employment in agriculture and horticulture without a work permit for a maximum period of three months within a six-month period. (The ordinance in fact aimed at attracting low-skilled workers rather than highly qualified, as Minister announced in the Parliament). In order to enable farmers to employ foreigners already for the 2006 harvest, the ordinance introducing this measure was implemented in a very short time, without *vacatio legis* period.

This regulation was introduced in spite of strong opposition of trade unions. During its consultations, they presented several official statements, all of them critical to subsequent policy developments aiming at a liberalisation of access to the Polish labour market for foreigners (Kronika Związkowa OPZZ 2007, interviews with experts from trade unions). They were, however, largely ignored by the authorities. Unusually fast implementation of the new ordinance might be explained by the successful lobbying of organisations of farmers and fruit growers. Additional important factor was that populist farmer’s party *Samoobrona* was at that time a part of government coalition.

Migration issues were given impetus in February 2007, as the Prime Minister established the Interdepartmental Working Group for Migration, a body comprising representatives of all the central institutions. During the conference inaugurating its work, a more straightforward declaration of the state’s plans for addressing labour migration was presented. The vice-minister of labour announced that, “because of increased labour migration from Poland, the Government has taken steps to fill gaps in the labour market with workers from abroad, mainly from Ukraine”, while a high-ranking civil servant admitted that, “a new approach to labour immigration is being introduced. The presumption that a restrictive policy is necessary because of the high unemployment rate is currently being revised” (Szczepański 2007).

Soon more concrete solutions followed these declarations. In July 2007, a new version of the ordinance was signed with no limitations on the sectors in which foreigners could be employed. The only condition for employing a citizen of Russia, Belarus and Ukraine for a period of three months was to submit to a local labour office a document declaring willingness to do it. Foreign labourers would thereupon be permitted “three months of work in a six-month period”, meaning that after three months spent working in Poland, a foreigner was required to leave for a period of three months before he could return to work, again for another three months. After organisations of employers complained that this period was too brief, in February 2008 the ordinance was expanded to allow six months of work in a twelve-month period. In addition, in October 2007, the fee for granting a work permit was radically reduced, from an amount equal to the statutory minimum wage (around 340 € since January 2008) to just 100 PLN (around 30 €).

Although it is still too early to assess the impact of these regulations on the Polish labour market, it can already be said that the seasonal work system is attractive for both employers and foreign workers. Between July 2007 and July 2008, over 120,000 declarations of intent to employ a foreigner were registered in local labour offices (see Figure 4.2 for details). This data could be a bit misleading, though, as after the Polish accession to the Schengen zone the declarations became an easy means of obtaining a Polish national visa. And as they are only declarations of intent, there is no consequence for not employing a foreigner mentioned in the employer’s declaration. There is some unofficial evidence (confirmed by some of the interviewed experts) that a sort of “declarations trade” is taking place in Ukraine and that Ukrainians use this document as an easiest way to enter the Schengen zone.
To conclude, the recent changes in migration policy regarding foreigners’ access to the Polish labour market were caused by a mixture of factors, of which the accession to the EU, economic prosperity and Polish workers’ enhanced international mobility should be mentioned first. The reaction of the media also contributed to these developments by emphasising the latter of these factors (especially in the context of the prospective 2012 European Football Championships and the necessary infrastructure investments they entailed), and thereby creating a sort of labour market gap panic. This led to an unprecedented situation, in which policymakers publicly acknowledged that foreign workers – especially from Ukraine – were needed to further development of certain branches of the Polish economy (Narbutt & Marszalek 2006, Dudek 2006, interviewed experts from employers’ organisation and Ministry of Labour and Social Policy). According to interviewed experts, the change of paradigm of the access of foreigners to the labour market policy seems permanent and new legal and institutional measures enabling easier access to the Polish labour market are to be introduced soon.

4.3.3. Policy towards irregulars

Despite all the theoretical debates on the relevance of different terms used to describe certain categories of migrants violating immigration laws and other internal rules, it should be mentioned that in Poland the term “irregulars” (migrants with irregular legal statuses, potentially subject to expulsion) is commonly replaced with the term “illegal migrants”. This category encompasses, in general: 1) foreigners who entered or attempted to enter Poland illegally (unlawful border crossing, i.e., through the “green” border or using false documents), 2) foreigners residing in Poland without documents confirming their right to stay (as a result of their illegal entry or of their overstaying the time limits specified in visas or residence permits); 3) foreigners involved in unauthorised economic activity (without a work permit, without registration, or in contradiction to the terms specified in the work permit).

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104 Such terms as “undocumented”, “unauthorised”, “irregular”, “illegal” and “undocumented” migrants used to describe the complexity of the phenomenon of irregular migration can be found in relevant literature.

105 The term “irregulars” will be used interchangeably with such terms as “illegal migrants’ and “unregistered foreign workers”. The term “irregulars”, however, is considered most broadly applicable.

106 Based on art. 88 of the Act on Aliens of 2003.
Irregular migration surfaced in Poland concurrently with dramatically intensified cross-border mobility after the collapse of the communist regime in CEE countries (after 1989). Earlier inflows of foreigners – due to border restrictions in the pre-1989 period and a policy of tough control over internal and external mobility – were a rarity and were often linked to political reasons. Post-1989 liberalisation of cross-border mobility resulted in surprisingly dynamic inflows of foreigners to Poland, particularly those planning only a short-term sojourn or who were in transit. Illegal immigration at that time usually took the form of undocumented economic activity or of overstaying the authorised time limit (which, in turn, was usually connected to unregistered employment). A significant portion of irregular migration was linked to transit migrants, usually those attempting to reach Western or Northern European countries by illegally crossing the Polish western border.

“False” tourism, “false” asylum seeking, transit migration (involving illegal border crossing using false documents) and undocumented economic activities of foreigners have long been the most characteristic forms of irregular migration in Poland. In the beginning of the 1990s, the majority of “irregular” foreigners were citizens of the ex-USSR (predominantly Ukraine), but also of Romania and Bulgaria. After a few years, the structure of the foreign population residing in Poland illegally for short or long periods of time and/or simply transiting Poland varied (see also 1.4.4). Migrants from more distant countries began appearing in the informal labour market in Poland as well as in the statistics of the border guards. Armenians and Vietnamese constituted the largest groups of “irregulars”, after Ukrainians, Belarusians, Russians and, less frequently, citizens from other ex-USSR republics or Asian countries.

In reaction to the irregular forms of mobility and economic activity, immigration policies became increasingly focused on preventing the inflow of “irregulars” and combating their presence in the shadow economy. Several readmission agreements, including agreements with Schengen co-signatories, Germany, Ukraine and Romania were signed in the first half of the 1990s in order to better manage situations where foreigners crossed borders without authorisation. Cooperation between the border guards of Poland and Germany also revealed itself as being quite effective in preventing illegal border crossing between Poland and Germany. At the beginning of 1990s, it was estimated that no less than 25-50 per cent of illegal border crossing were prevented (Okólski 1993).

The instruments of migration policy for handling “irregulars” can be roughly divided into categories by type and by main policy objectives. Two specific types include “proactive” and “reactive” tools, used in response to the phenomenon itself or towards individual “irregulars”. As regards the objectives of the instruments, one can distinguish – on the basis of Polish law - instruments with aims of 1) prevention (visa system, admission policy), 2) control (labour market inspections, checking the legality of stay), 3) sanction (fines, orders to leave the country, expulsion orders, being tagged as an undesirable alien so that re-entering the country is impossible for 3-5 years thereafter) and/or 4) regularisation (amnesty for illegal residents, “small amnesties,” allowing migrants residing illegally to leave the country without any legal consequences, the tolerated stay status). All the instruments mentioned above have already been introduced into Polish law. However, their presence does not constitute a warning for potential or real “irregulars” in every case.

Given the nature of “irregularity”, the measures undertaken in Poland to combat and prevent unregistered employment of foreign workers should be mentioned. As Kicinger & Kloc-Nowak (2008: 55) explained in their in-depth analysis of this issue, “despite the fact that the Polish state has developed mechanisms for control and sanctions, in practice these are not efficient enough to limit illegal employment.” This is mainly because the likelihood of labour inspection is low, which means that the risk of sanction for either employers or foreign workers is low as well. However, in the years between1990-2008, several changes were introduced to improve the methods of control and the institutional actors responsible. The most important change appears to be authorising customs (in 2003) to check the legality of the employment of foreigners. Important also was
establishing the National Labour Inspectorate, which is responsible for, among other things, controlling the legal basis of foreigners’ employment at the state level (2007). Currently, there are also preparations to provide the border guard’s with the right to control this issue. Due to the nature of the illegal work performed by foreigners in Poland, however (that is, often in private households or in small companies) improving the institutional framework is seldom sufficient. Another example of instruments used by Polish authorities to control the inflow of “irregulars” is regularisation. To date, two regularisation programmes were launched (in 2003 and 2007). Their intended effect, in both cases, was to reduce the scale of the illegal employment of foreigners and to legalise the stay of long-term illegal foreign residents on Polish territory. The dates of introducing these programmes coincide with two important periods in Polish geopolitical history. The first regularisation programme took place a year before Poland acceded to the EU. The second one was announced almost half a year before Poland joined the Schengen area. The conditions for both regularisation programmes were the same, with one exception in 2007: only foreigners who did not submit an application during the programme in 2003 could take part. In fact, the second regularisation programme was intended for foreigners who did not manage to submit their application in 2003, but who nevertheless met the requirements. The law allowed foreigners who: had been living in Poland without interruption since at least 1 January 1997, who had proof of accommodation (and a legal title authorising them to inhabit the space), who had the promise of legal employment (whether with a work permit or with a declaratory note from an interested employer) or else who had adequate financial resources to cover the cost of living (including those of medical treatment) for one full year without recourse to social assistance centres – to legalise their stay. If all the conditions were fulfilled by interested immigrants, and if their stay within Poland did not constitute a threat to the security or national interests of Poland, they were granted a residence permit for a fixed period of time (one year).

In the first regularisation programme, 46 per cent of all applications were submitted by the Vietnamese and 38 per cent by Armenians. 76.8 per cent of all applications received positive decisions (Biuletyn Migracyjny, No. 1, 2005). The number of immigrants who applied for the regularisation of their residence under 2007 law was approximately 2028. During parliamentary debates on the amnesty for foreigners, it seemed the programme was expected to interest and apply to only a few thousand applicants. According to data of 8 December 2008, only 1002 positive decisions were issued, versus 293 negative ones. Even these aggregate numbers confirm that the scale of these programmes was very limited.

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108 The first programme was introduced by art. 154 of the Act on Aliens of 2003, the second one – by art. 18 of the Act on amendments to the Act on Aliens of 2007.
109 These anticipated few thousand foreigners were to include in large part those foreigners who did not manage to submit their application during the 2003 amnesty for various reasons (Bulletin of the Commission of Administration and Interior, No. 1829/V 2007). The narrow scope of the regularisation programme in 2007 was rationalised by concerns that liberal conditions for foreigners would facilitate a further inflow of illegal migrants, and that this would be harmful for both the economic interests and the image of Poland as an EU member (Bulletin of the Commission of Administration and Interior, No. 1708/V 2007).
Table 4.1. The results of regularisation programmes instituted in Poland in 2003 and 2007 (top ten nationalities)

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>Number of applications</th>
<th>Positive decision</th>
<th>Negative decisions</th>
<th>Discontinuance</th>
<th>Other decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armenia</td>
<td>1650</td>
<td>1245</td>
<td>334</td>
<td>46</td>
<td>25</td>
</tr>
<tr>
<td>Vietnam</td>
<td>1225</td>
<td>1047</td>
<td>164</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>Ukraine</td>
<td>108</td>
<td>68</td>
<td>36</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Mongolia</td>
<td>80</td>
<td>51</td>
<td>28</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Russia</td>
<td>53</td>
<td>41</td>
<td>9</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Algeria</td>
<td>27</td>
<td>18</td>
<td>8</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Georgia</td>
<td>27</td>
<td>16</td>
<td>11</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Syria</td>
<td>25</td>
<td>19</td>
<td>5</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Romania</td>
<td>24</td>
<td>20</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>23</td>
<td>19</td>
<td>1</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>

REGULARISATION OF 2007

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>Number of applications</th>
<th>Positive decision</th>
<th>Negative decisions</th>
<th>Discontinuance</th>
<th>Other decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vietnam</td>
<td>698</td>
<td>643</td>
<td>126</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Armenia</td>
<td>384</td>
<td>255</td>
<td>92</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ukraine</td>
<td>49</td>
<td>31</td>
<td>24</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>China</td>
<td>31</td>
<td>8</td>
<td>16</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Russia</td>
<td>28</td>
<td>16</td>
<td>10</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mongolia</td>
<td>27</td>
<td>16</td>
<td>6</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Belarus</td>
<td>9</td>
<td>5</td>
<td>4</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Georgia</td>
<td>7</td>
<td>4</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>7</td>
<td>4</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Turkey</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: own compilation based on the data of the Office for Foreigners, previously Office for Repatriation and Foreigners

If, in other European countries, regularisations were an incentive for further inflows, in the Polish case they seem to play a much smaller role – if any at all – in encouraging migrants, including illegal ones, to travel to Poland. It is also quite often claimed that Polish amnesties for foreigners – having encompassed mainly Armenians and Vietnamese and having excluded those who truly needed it, the Ukrainians – did not accurately correspond to the nature of irregular migration to Poland (e.g., Bieniecki 2008). For immigrants it was a signal that Poland was not a country where residing illegally with intentions of eventual legalisation was a good strategy. In a sense, the real effect might be described as discouraging future flows and settlement. But, on the other hand, it might also have been a signal – confirmed by many migrants’ experiences – that Poland was neither interested in nor ready to deal with the problem of unauthorised migrants. In the latter sense, the regularisation programmes in Poland cannot be assessed as having facilitated or impeded further flows. Rather, it is likely that increasingly stringent border control conditions and restrictions within the visa-issuing system more significantly influence future inflows than the possibility of regularisation in Poland under such strict conditions.

4.3.4. Integration policy

Taking into account the state’s engagement in immigrants’ integration issue, it is even questionable to use a term “policy” to describe just a set of few initiatives undertaken by Polish authorities in this matter.

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110 Other decisions include the stay of proceeding or granting the status of tolerated stay.
111 As of 8 December 2008. Since applications are still under proceedings, data include only decision issued till this date.
The issue of immigrants’ integration has been of low priority in eyes of policymakers due to relatively small scale of inflows and their mostly seasonal or transit character, rarely resulting it settlement. Moreover, most of the immigrants come from neighbouring countries and have similar cultural code what facilitates successful accommodation within Polish society without special integration programs. Other immigrant groups, such as Vietnamese, do not seem to be much interested in integration initiatives provided by the state. In practice, all integration programmes are aimed exclusively at two groups of immigrants: asylum seekers/refugees and repatriates. Therefore, it is difficult to evaluate the encouraging or discouraging effect of Polish integration initiatives on the inflows and settlement of migrants in general.

The first integration initiatives (both legal and practical) were implemented in the 1990s. The state was impelled to deal with integration of immigrants when it faced sizeable refugee inflows – at first mostly from the former Yugoslavia and then until now mostly from Chechnya. It was also impelled to manage the integration of a number of ethnic Poles coming to Poland from former USSR countries. Therefore it can be said that the first impulse to establish integration policy came from below – it was a response to asylum seeker and repatriate inflows.

For a long time, there was no official document detailing the issue of integration and its scope in a manner any more detailed than simple, general statements (Smoter 2006). In 2005 the Ministry of Labour and Social Policy released a conceptualisation of a foreigners’ integration framework112, where it is clearly confirmed that “at present, integration activities in Poland in the form of individual integration programmes are aimed at one group only – persons with refugee status.” Although this document is very limited and cannot be in any way treated as a model for foreigners’ integration, it provides a normative base for further policy development. As it is clearly stated there, “year after year the number of immigrants in Poland escalates and their integration into Polish society is an increasingly pressing issue. Integration policy towards foreigners should be appropriately suited to Polish immigration policy, which is just coming into being.”113

It has to be noted that there is a quite well-developed institutional structure responsible for implementing integration initiatives. The Ministry of Labour and Social Policy (the Department of Social Assistance and Integration), the Inter-ministry Working Group on the Integration of Foreigners (Grupa Robocza do Spraw Integracji Cudzoziemców)114 coordinated by this Ministry along with a set of governmental and semi-governmental administrative bodies, operate at state, regional and local levels. The responsibility for creating concrete activities for immigrants’ integration lies with state authorities, especially Poviat Centres for Family Support and Gmina Social Assistance Centres. However, their initiatives are strongly supplemented by non-governmental organisations115. There exists rather long list of NGOs (e.g. the Polish Humanitarian Action, Caritas Poland, The Polish Red Cross, Helsinki Foundation for Human Rights, Legal Clinics at the Faculties of Law, the Association of Legal Intervention) and the integration activities they implement, mainly owing to financial means from the EU funds.

The first legal regulation concerning the issue of integration of refugees took place in 1996 – through amendment of the Act on Social Assistance voivods were obliged to coordinate activities in this scope. As late as in 2000 the rules of integration of refugees were stipulated in details in article 24a of the above mentioned Act. It empowered the Minister of Labour and Social Policy to enact

113 ibidem, p.2.
114 Operating in the framework of the Inter-ministry Team for Migration (Międzyresortowy Zespół do Spraw Migracji), coordinated by the Minister of Interior and Administration (appointed on 14th February 2007 by the Prime Minister, Jarosław Kaczyński).
115 In 1990s NGOs - in the situation of lack of legal provisions regulating the issue of the institutional system of integration of immigrants – played a significant role in integrating refugees into the Polish society.
the Ordinance on detailed principles of providing assistance to refugees, the amounts of cash benefits, the forms and the scope of assistance, procedures applicable in respect to these issues and conditions for the suspension or refusal of assistance. From this time the responsibility for integrating foreigners with refugee status has been given to the Poviat Centres for Family Support (Maciejko 2004). Refugees (and since 29 May 2008 – also foreigners granted subsidiary protection) have right to one-year individual integration programme, which encompass: financial benefits (from 517 PLN to 1149 PLN per person, depending on the size of household), health insurance, free course of Polish language and assistance of social worker. Poviat Centres for Family Support are responsible for implementation of these programmes.

The measures for state support to repatriates were introduced in 2000 by the Act on Repatriation. Repatriates in turn are entitled to: reimbursement of transport costs to Poland; a settlement and maintenance grant; reimbursement of the costs of education in Poland for minor children - partial reimbursement of the costs associated with repairs or adaptation of a dwelling in the place of settlement; optionally – free course of the Polish language; refund for the employer part of the costs of remuneration, bonuses and social insurance contributions, work station equipment and vocational training of the repatriate. Besides this – if invited by gmina – they have assured lodging and temporary sources of maintenance.

It must be stressed here that, on the one hand, activities meant to foster immigrants’ integration follow the best examples tested in more experienced countries, and, on the other hand, their final outcomes – measured in the number of beneficiaries of these integration programmes who decided to settle in Poland – are unequivocally ineffective (Klaus & Chrzanowska 2007). This is confirmed by a large share of integration programmes (about 40 per cent) interrupted by refugees who decide to emigrate from Poland to the West (Frelak & Klaus 2007).

The accession of Poland was a powerful incentive to develop a variety of normative and institutional ground rules of integration policy. This was openly acknowledged in a document issued by the Ministry of Social Policy: “As a result of its accession to the EU, Poland faces the challenge of solving the problem of immigrants’ integration.” The successful integration of immigrants – especially those coming from third (non-EU) countries – is of high priority in the EU migration policy. This is directly reflected in the Polish approach to migration policy. An almost linear interdependence between the EU and Polish policy is noticeable particularly both in terms of conceptualisation (Polish documents related to the integration issue closely resemble EU recommendations). Additionally, integration programmes carried out by NGOs directly follow the projects recommended by the EU as best practices. Another, equally powerful, incentive arises from the fact that activities related directly or indirectly to immigrants’ integration are covered by a variety of EU funds.

Disregarding, for a moment, the very limited impact of states’ integration activities on immigration flows and settlements, some positive outcomes of already implemented integration initiatives should be mentioned here. First of all, Poland adopted the main EU concepts and principles related to immigrants’ integration. Secondly, by making use of the opportunities provided by EU funds, significant numbers of activities linked to immigrants’ integration (such as training for civil servants, educational projects, etc.) have already taken place. Thirdly, the practical experience gained during the preparation and implementation of integration projects (even if limited only to specific groups such as refugees and repatriates) will undoubtedly be useful in the future, when Poland faces the challenge of integrating other groups of immigrants. It seems fair to say that Poland exacts lessons from the experiences of more mature immigration countries. Even if Poland has not yet been confronted with large-scale problems with integration, it is commonly accepted

116 ibidem.
that the integration issue is one of the most important and inevitable effects of immigrant inflows and a serious challenge for the future.

In terms of the legal and political aspect of integration, Poland is still one of the most restrictive countries in Europe. According to present legislation immigrants with temporary residence permits may apply for settlement permit after five years of legal stay in Poland. In the Polish legal system immigrants are not represented. Foreign residents have no voting rights at any level. The only exceptions are EU citizens, whose political rights are secured in the EU Treaty. Poland did not sign the fundamental document encouraging political participation of foreigners, namely the Council of Europe’s Convention on the Participation of Foreigners in Public Life at Local Level\textsuperscript{117}. Moreover, even if the right to political participation is guaranteed and a number of strictly immigrant associations have been founded, they are not recognised as influential actors in the political system – neither as unified entities nor as a collective representation of immigrant communities. Additionally, there is no institution – such as, for example, a consultative or advisory body – that could function as a forum for communication between immigrants and authorities. Foreigners are not represented in any labour union or political party in Poland. This reflects the fact that these institutions do not usually include immigration-related issues in their agendas. However, what is worth mentioning is that there exists a legal barrier for non-citizens to join political parties in Poland: according to the national law on political parties, only Polish citizens are entitled to membership.

Naturalisation is also a difficult process in Poland. Compared to other states’ laws and practices, Polish naturalisation rules are rather restrictive (\textit{Migrant Integration Policy Index 2007}). In order to become a Polish citizen, a migrant must have inhabited Poland as a permanent resident for at least five years. In practice, it is only after ten years of residence that s/he becomes eligible for Polish citizenship a significantly shorter period refers to spouses of Polish nationals, they may acquire Polish citizenship through declaration, procedure much less discretionary than conferment). Additional requirements include among others a certain minimum income and a clean criminal record. It is worth mentioning that the President is not obliged to naturalise immigrants even if they fulfil all the conditions. That is because the decision of the President to grant citizenship is highly discretionary. Moreover, it does not have to be justified and also judicial review of the decision is not available.

In the Polish legal order dual citizenship is tolerated, however, the President can ask applicants to renounce their previous citizenship. Reluctance of immigrants to lose legal (and at the same time symbolic) bond with their homeland is one of the main reasons why they are not willing to naturalise in Poland (Grzymała-Kazłowska et al. 2008). Probably some of them are not aware that in practice the retention of citizenship has been usually allowed (Górny et al. 2007). Especially since 2002, when conventions with countries of former Soviet Bloc, which prohibited retention of the previous citizenship after obtaining Polish citizenship, ceased to be in force in Poland (Górny & Pudzialowska forthcoming).

As Figure 4.3 shows, the number of naturalisations in 1990s and 2000s has remained on a quite low level, but it has fluctuated in different years, even though the citizenship policy has not changed considerably over the last decades. A rapid decrease in 2006 was related to a change of the President (Górny & Pudzialowska forthcoming). Low level of naturalization is also caused by the fact that Polish citizenship is not viewed by foreigners as something of a special value. Naturalization does not change the range of possessed rights, the only exception are political rights. This conclusion is partly confirmed by the results of the research conducted among Ukrainians and Vietnamese, forming major immigrant groups in Poland (Grzymała-Kazłowska et al. 2008).

\textsuperscript{117} Convention on the Participation of Foreigners in Public Life at Local Level, Council of Europe, CETS No. 144. Opened to ratification in February 1992, came into force in May 1997.
In sum, it seems that neither integration initiatives nor naturalisation opportunities can be termed “encouraging” instruments\textsuperscript{118} – either for potential immigrants or for those already residing, and hoping to settle, in Poland.

4.3.5. Social rights for foreigners

Certain aspects of the welfare state and other social provisions constitute major pull factors for migrants to travel to and settle in a new country. Particularities of the Polish system might attract or repel foreigners, depending on the scope of social security coverage, the amount of benefits paid, eligibility rules, etc. It is therefore worth examining whether social security and social assistance benefits for migrants influence the immigration dynamic. This issue is especially important as regards economic migrants from third countries. This topic will be examined in more depth below.

The Polish welfare state has undergone considerable changes since 1989. During the 1990s, subsequent governments experimented with a number of social policy instruments that had been used in Western Europe. In the context of ongoing economic restructuring it was extremely difficult for the authorities to keep up high social security standards – for the native population and legal immigrants as well as for refugees. Low standards of public service and limited social protection for vulnerable groups have, together, had visible ramifications for immigrant communities. Formal mechanisms (institutional arrangements) that might have helped better involve immigrants in public life were, if existent, grossly inadequate. However, at the same time, some immigrant groups were not running an immediate risk of social exclusion: the relative affluence (immigrants from EEA), cultural affinity (Ukrainians) and dispersion of immigrant communities (Vietnamese) meant that some groups enjoyed relatively decent, if informal, social support mechanisms.

Poland has had to adapt itself to European legislation governing immigration and the employment and social security entitlements of third country nationals with residence permits in an EEA state. In May 2004, a new law regulating the entry, stay and exit of EEA citizens and their family members came into force. In August 2006, the law was further amended\textsuperscript{119}. Today migrant workers who come to Poland seeking employment – provided they are permitted to do so – are subject to the Polish labour code. In purely legal terms, they have the same rights as Polish citizens. They are entitled to

\textsuperscript{118} The exception constitutes a privileged mode of acquisition of Polish citizenship – through the repatriation procedure. It enables immigrants of Polish origin holding repatriation visa to acquire Polish citizenship automatically on the day of crossing the border of Poland (for more details see 4.3.6).

incomes on the basis of civil-legal agreements that are regulated by the civil code. As far as other benefits are concerned, migrant workers have the same rights to pensions and medical care as do any employees on permanent work contracts. Lawfully employed foreigners are entitled to unemployment benefits that are on a par with those of Polish nationals. Unemployment benefits are paid for longer periods if the migrant worker resides in a region where the rate of unemployment is much higher than the national average. Moreover, if the migrant worker loses his/her job, s/he does not automatically lose the right to stay in Poland.

At the same time, Poland did not enter into bilateral agreements with post-soviet non-EEA states, meaning that pensions or other benefits cannot be transferred between Poland and the above-mentioned countries. Polish social security policy does not take into account periods of employment when it calculates the amount of benefits to be paid. This may act as an effective disincentive for migrant workers wishing to be employed in Poland for longer periods of time. Additionally, there are no provisions in Polish law that guarantee housing to migrant workers, either in private or public accommodation sectors. Legal immigrants participate in the national health care system provided they pay the insurance premium (the payment of which is obligatory). Migrant workers are entitled to change their job, employer or employment sector, but each time they do so they must seek a new work permit.

Poland is currently involved in negotiations with Ukraine over a small cross-border movement agreement (Umowa o małym ruchu granicznym między RP a Ukrainą). The initial agreement was signed in March 2008 but was prevented from coming to force by protests from the European Commission over the territorial range of the cross-border zones covered by the agreement. Poland has also raised concerns about the social rights of Ukrainian nationals travelling to Poland – the authorities insisted that they purchase private medical insurance prior to entering Polish territory. Given that the number of Ukrainians covered by the future agreement may be as high as 320 thousand, the Polish government had reasonable qualms about the potential burden that would be placed on public health services if immediate medical assistance were necessary. A new, separate agreement concerning the social security of migrants travelling between Ukraine and Poland has recently been proposed by the Polish authorities.

It is important to note that, although registered foreign workers in Poland are fully protected by the law, their social rights are sometimes neglected in practice. Given that work permits are not transferable (the current work permit scheme does not allow a non-EEA national to change employers) some employers or managers may be able to put undue pressure workers – even a slight sign of protest or insubordination could lead to a termination of contract and subsequent deportation. As a consequence, work and safety rules are sometimes disregarded and labour standards are not adequately met. In fact, when employed in Poland’s “shadow economy,” third-country nationals are often faced with a variety of potentially abusive and exploitative situations.

It is fair to say that the great majority of benefits in Poland are insurance-based. This means that entitlements are firmly linked to what is paid into the system by insured individuals. The only universal non-contributory benefits include family allowances. Still, it is worth noting that this rather restrictive set of insurance policies is a proven safeguard against abuse of the system by social “policy-shopping,” tourism-oriented migrants. A look at qualifying conditions and the amounts of benefits dispersed confirm the hypothesis that the general level of social protection in Poland is relatively low. Poland ranks well below most EU countries in terms of social policy expenditure. To sum up, the benefits and services of the Polish welfare state, given their restrictive nature, were never a major factor in foreigners’ decisions to come to Poland. The narrow scope of social protection available for foreigners in Poland could sooner be said to have constituted a disincentive for them in terms of long-term residence in Poland.
4.3.6. Policy towards foreigners of Polish origin

The most privileged group of immigrants – a fact not common to most European countries (see Gropas & Triandafyllidou 2007) – include foreigners who are considered to be co-ethnics. The development of migration policy towards foreigners of Polish origin will be examined in this section, assessed in different historical periods and in terms of its influence on the scale of their inflows. At present, migrants of Polish origin have four available “gates” through which to gain access to their fatherland. These include repatriation on the basis of article 52, section 5 of the Constitution, on the basis of the Polish Card, and in order to study in Poland according to an advantageous set of rules. People of Polish descent have long had liberal access to public goods (repatriates not only receive Polish citizenship, but also state-financed benefits aimed at facilitating their integration). Table 1 presents the range of rights enjoyed by immigrants of Polish origin, listed according to their chosen method of legalising their stay in Poland.

<table>
<thead>
<tr>
<th>Method of legalising stay for immigrants of Polish descent</th>
<th>Rights assigned to immigrants of Polish descent with different legal statuses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Repatriation</td>
<td>Article 52 section 5 of the Constitution</td>
</tr>
<tr>
<td>The Polish Card</td>
<td>Study in Poland (with certain privileges)</td>
</tr>
<tr>
<td>Work</td>
<td>+</td>
</tr>
<tr>
<td>Engage in economic activity</td>
<td>+</td>
</tr>
<tr>
<td>Education</td>
<td>+</td>
</tr>
<tr>
<td>Health care</td>
<td>+</td>
</tr>
<tr>
<td>Social housing</td>
<td>+</td>
</tr>
<tr>
<td>Social help</td>
<td>+</td>
</tr>
<tr>
<td>Vote</td>
<td>+</td>
</tr>
<tr>
<td>Other state-funded benefits</td>
<td>right to institutionalised real estate aid, e.g., right to a flat or house (in the form of rent or ownership)</td>
</tr>
<tr>
<td></td>
<td>right to free access to national museums, discounted railway tickets</td>
</tr>
<tr>
<td></td>
<td>state-funded scholarship, tuition-free education, free housing</td>
</tr>
</tbody>
</table>

Source: different legal acts.

Resettlement law in Poland is founded on the ideological concept that people of Polish origin or descent – especially those who were the victims (the descendents of victims) of persecution because of their nationality or other political reasons – should have a legally privileged opportunity to settle in their fatherland. It is viewed as a kind of moral obligation of the state to assist ethnic Poles in returning to their homeland than as an integral element of migration policy (Frelak & Hut 2006; Hut 2007).

After the Second World War, in the 1940s and 1950s, a roughly estimated 2 million (Hut 2007) to 2.5 million ethnic Poles (Kozłowski 2006) resettled in Poland. This was made possible by, among other things, generous administrative assistance. The first and the second waves of repatriates (1944-1954 and 1955-1959, respectively) comprised immigrants mainly from the USSR, especially neighbouring republics like Belarus, Ukraine, Lithuania and Russia, but also from the West (Hut 2002). From the 1960s until the mid-1990s, official repatriation to Poland was practically impossible. Admittedly, it was regulated by the Nationality Act of 1962, but it was not possible, in practice, to exercise these legal rules. Indeed, until the mid-1990s, resettlement in Poland was – on the grounds of family reunion – a possibility almost exclusively reserved for close relatives of repatriates who had returned to Poland at the time of the first two waves of repatriation (Hut 2002).
The first substantial change in the treatment given to so-called “foreign Poles” took place in 1997, together with the coming into force of the new Act on Aliens. The second one was the introduction of the Act on Repatriation in 2000. It was patterned after foreign policies, most notably German ones (Weinar 2003). The scope of this new act was narrower: it applied only to individuals from Asian parts of the former USSR. As statistical data show, the scale of the third “wave” of repatriation has, to date, been very small (especially as compared to previous waves). Inflows via the repatriation channel have systematically decreased in the 21st century (with the exception of a minor increase in 2007): in 2001, 804 repatriation visas were issued; in 2002 – 613; in 2003 – 301; in 2004 – 269; in 2005 – 252; in 2006 – 239; and in 2007 – 335 (see Table 4.3). It is worth noting that in the “Rodak” database almost 3 thousand registered Poles await an invitation from the Polish commune for the opportunity to resettle in Poland (this number increases from year to year). The most important institutional reasons for the failure of the newest repatriation act, as noted by researchers, are: the decentralization of the repatriation process; very long waiting periods for invitations (which are necessary in order to obtain a repatriation visa); the reluctance of local authorities to bring in individuals from the East for fear of serious material and/or social repercussions that may not be covered by state subsidies (Kozlowski 2006).

Another means for immigrants of Polish descent to legalise their stay in Poland is by way of article 52, section 5 of the Constitution of the Republic of Poland. This clause stipulates that “anyone whose Polish origin has been confirmed in accordance with the statute may settle permanently in Poland.” It applies to Poles from all over the world. It was difficult, at first, for individuals to make use of this clause because the procedure to obtain confirmation of Polish nationality was not fully regulated by law. Moreover, being of “Polish origin” was not cited as a legal basis for the issuance of a permit for permanent residence in the Act on Aliens. Resettlement in Poland only became possible to invoke article 52, section 5 of the Constitution when the President of the Office for Repatriation and Aliens altered the accepted interpretation of these provisions (Biuletyn Migracyjny, No. 4, 2005). Since the beginning of the 21st century, the number of permits for permanent residence granted to people of Polish descent has been rapidly increasing, from 75 in 2000 to 1,484 in 2007 (for more details see Table 4.3). A majority of individuals holding this sort of permit arrive from Kazakhstan and Russia.

In September 2007, Polish Parliament passed the Act on the Polish Card. The scope of this document is broader than that of the Act on Repatriation because it applies to all Poles from the former USSR, not just those from Asian parts of the country. The Polish Card is a testament of a person’s ties to the Polish nation, but it does not entitle that person to cross the Polish border without a valid visa. Holders of this Card are entitled to, among other things, seek employment without a work permit and to run a business under the same conditions as Polish citizens. The Act on the Polish Card came into force on 29 March 2008. From the time of its coming into force until the middle of April, about 4,500 Polish Cards were granted to foreigners of Polish origin. It is worth noting that interest in obtaining this document among “foreign Poles” abroad is on the rise. The majority of holders of the Polish Card are citizens of two neighbouring countries: Ukraine and Belarus.

During Poland’s transition period, the government began granting scholarships to youths of Polish origin. This policy resulted in a relatively high number of incoming Polish foreign students. In the academic year 2001/2002 they constituted 55.1 per cent of students from abroad (3,618). This proportion decreased in subsequent years, but the total number of foreign Poles studying in Poland today remains stable. These data indicate the significant role played by incentives used by the state to attract foreign students (Kaczmarczyk & Okólski 2005), especially cases of countries infrequently chosen by “educational migrants”. Foreign students of Polish origin may try to legalise their stay in Poland after graduation through repatriation policies and on the basis of the Constitution.
Table 4.3. Immigrants of Polish origin in the light of statistical data

<table>
<thead>
<tr>
<th>Year</th>
<th>Repatriation visa</th>
<th>Permit for permanent stay on the basis of article 52 section 5 of the Constitution</th>
<th>Foreign students of Polish origin (migration stock)</th>
<th>The Polish Card</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997</td>
<td>316</td>
<td>n.a.</td>
<td>n.a.</td>
<td></td>
</tr>
<tr>
<td>1998</td>
<td>281</td>
<td>n.a.</td>
<td>n.a.</td>
<td></td>
</tr>
<tr>
<td>1999</td>
<td>278</td>
<td>n.a.</td>
<td>3 292</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>662</td>
<td>75</td>
<td>3 618</td>
<td></td>
</tr>
<tr>
<td>2001</td>
<td>804</td>
<td>87</td>
<td>3 820</td>
<td></td>
</tr>
<tr>
<td>2002</td>
<td>613</td>
<td>45</td>
<td>3 977</td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>301</td>
<td>128</td>
<td>3 907</td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>269</td>
<td>260</td>
<td>3 789</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>252</td>
<td>789</td>
<td>3 723</td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>239</td>
<td>996</td>
<td>3 510</td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>335</td>
<td>1484</td>
<td>3 292</td>
<td></td>
</tr>
<tr>
<td>2008</td>
<td>n.a.</td>
<td>n.a.</td>
<td>n.a.</td>
<td>ca 4 500</td>
</tr>
<tr>
<td>Total 1997-2007/2008</td>
<td>4 350</td>
<td>3 864</td>
<td>not applicable</td>
<td>ca 4 500</td>
</tr>
</tbody>
</table>

Source: Kępińska (2007), data of the Office for Foreigners, the Central Statistical Office, the Ministry of Foreign Affairs, Biuletyn Migracyjny, No. 4 (2005).

To sum up, foreigners of Polish origin seem to be the only group of foreigners actively encouraged by Polish authorities to come to and settle in Poland. However, not all legal measures targeting these individuals have proven effective. As statistics show, foreign Poles who obtain a permit for permanent stay on the basis of the Constitution or who obtain the Polish Card outnumber those who come purely through repatriation (see Table 4.3), even though the latter offers a broader scope of state-financed assistance. This trend is likely to continue into the future.

4.4. Conclusions

Poland still lacks of long-term, consistent and well-constructed migration policy. These shortcomings are reflected not only in the legal and institutional framework, but also in state authorities’ piecemeal planning and incomplete understanding of migration processes. At this stage of development, migration policy in Poland can be characterized as a set of ad hoc decisions and reactive measures undertaken as a response to various internal and external stimuli. The politicisation of immigration is rooted in the state’s administration and can be described as highly bureaucratic. Although immigration is a topic gradually attracting more and more administrative attention, it is not a matter of particular interest to any political party and figures only in a very limited way in debates within labour unions, the media or even within the general public.

The EU became an important actor, exerting a strong creative influence that helped encourage the development of migration policy at its normative (migration doctrine) and functional (legal and institutional framework) levels. It provoked public and political debate on migration in general. Poland’s commitment to harmonize its national law with EU legislation was a clear push factor that impelled national policymakers to take legal and political action. EU initiatives cause them to better define national viewpoints on immigration and to enforce the implementation of the EU law in this field.

It is clear that policymakers are conscious of the fact that Poland is on its way to becoming a country of immigration. The experiences had by Western European countries with mature migration regimes emerged as the primary reference points for policymakers in Poland. Growing inflows of immigrants have been identified as an inevitable occurrence, but immigration is still perceived as highly problematic – if not completely undesirable – especially in the case of settlement migration.
So-called “welcome” groups (under specific conditions) include: EU citizens, seasonal and short-term workers from Eastern neighbouring countries, and migrants of Polish descent (repatriates). Arguments in support of immigration or that portray it as a positive phenomenon (e.g., as contributing to economic competitiveness and as a potential instrument for addressing the negative impact of an aging population or a shortage of workers) remain largely unacknowledged and therefore unheard in political and public debates.

Taking into account the legal and conceptual framework, migration policy in Poland, in its present state, could be described as restrictive. A set of policies focused on controlling and limiting immigrant inflows is firmly in place. From admission policy to naturalization rules, migration policy in Poland is difficult to be described as encouraging foreigners to settle. Although in practice, many loopholes endure that allow immigrants to illegally find work in or gain illegal entry into Poland. The instruments within migration policy that could have an encouraging effect on immigrants’ temporary flows are related to the liberalisation of the work permit system for citizens of Eastern neighbouring countries introduced in 2007. The most powerful factors acting as barriers to the development of migration policy as well as indirectly in the stimulation of migrant inflows are the lack of a solidly constructed and clearly elaborated migration doctrine and the enduring, prevailing perceptions of immigration as a problematic and undesirable phenomenon.

As a result of the absence of a comprehensive migration doctrine and transparent institutional structure, policymakers usually require long periods of time to react to problems and take initiatives. Moreover, there are noticeable mismatches between anticipated and real outcomes of taken actions. In changing the rules of access to the labour market for particular foreigners, Polish migration policy also earned the description of ‘clienteleist’, according to which a segment of migration policy is shaped by organized interest groups. In Poland, such groups are mostly employers representing particular branches of industry (agriculture, construction business).

The development of migration patterns as well as of migration policy in Poland is marked by both the age effect and the generation effect. Both are affected by Poland’s preliminary position in immigration cycle. The influence is noticeable not only in the qualitative and quantitative nature of immigration flows but also in political debates on migration policy. The international context in which migration transformation occurs is crucial: here, globalization, together with Europeanization, not only accompany the transition but also wield a powerful influence on its development, timeliness and ultimate outcomes.
5. Final conclusions

The analysis of Poland’s migration cycle and its characteristics and determinants, conducted at multiple dimensions: economic (labour market), integration and policy, does not lead to straightforward results. Even the basic question why Poland is still a latecomer in becoming a net immigration country brings in controversies about Poland’s position in the migration cycle.

Poland – traditionally a migrant-exporting country – cannot yet solidify its status as a migration destination country, neither statistically nor in terms of migration’s importance in the public discourse. In result, Poland lags behind other EU countries, both in terms of its transformation into a net-immigration country and a country wherein migration is a matter of public debate or concern.

In recent history, Poland’s foreign population has always been (and still is) marginal, at 0.2 per cent of total population. There is a set of factors: demographic, macroeconomic (business cycle, skill and labour shortages, employers’ behaviours), opportunities for integration (mostly social ties) and migration policy (mostly connected to the labour market) that can lead a given country to a change of migration status into a net immigration country. Why has Poland’s foreign population been stable throughout the course of the last 20 years? Is it only related to the (relative) economic attractiveness of the Polish economy?

We have hypothesized that the labour market dimension (the economy) is a primary driver of inflow (being a primary driver of labour migration).

The registered employment of foreigners (those who hold work permits) remained stable throughout the course of 1989-2007, when roughly 15,000-20,000 work permits were issued per year. Due to a new policy introduced in 2006, which originally covered the agricultural sector and was later on extended to other sectors in 2007, foreign workers who are seasonally employed are exempt from the requirement to hold a work permit. This policy granted, citizens of neighbouring countries more extensive access to the Polish labour market. Throughout the last years, as many as 15,000 to 20,000 declarations of employment of foreigners were issued per month, meaning that the totals may top 200,000 annually. As far as irregular employment is concerned, according to various estimates, the number of undocumented migrants has been systematically increasing since early 1990s – but precise numbers differ across periods of estimations.

The estimated share of documented foreign workers within the Polish labour market differs seasonally and across data sources (but is always marginal when compared to the size and the capacity of the Polish labour market): from 0.07 to 0.55 per cent of total employment. The corresponding share of undocumented (illegal) migration reaches levels as high as 3.5 per cent of total employment, but estimates are strongly divergent (which throws into question the quality of these estimates). All these factors make the analysis of labour migration to Poland very risky.

In general, the picture of present-day migrant inclusion into the Polish labour market does not foretell a future massive and institutionalised inflow of immigrant labour. However, current immigration levels may be sustained and indeed a massive, institutionalised influx may occur due to employers’ strategies, such as a growing demand for foreign labour in the secondary labour market. Also, given rising labour costs, the complementary employment of foreigners (as it may be characterised today) may be replaced with foreigners used as a substitute for domestic labour (lower wages, higher flexibility). This means that, in the future, Poland may experience the institutionalisation of migration, complete with the emergence of ethnic enclaves and continued segmentation of the labour market, along with dense migration levels in secondary sectors. As a consequence, in the future, the employment of foreigners may not be a matter of choice – rather one of necessity in some economic sectors.
The analysis which sets the economy as a primary driver also proves that the relation between the macroeconomic stand of Poland and registered employment and its patterns is very hard to detect, due to numerous policy changes which had much stronger effects on the numbers of work permits, etc. issued.

One can identify both drivers and breakers of immigration to Poland among macroeconomic factors.

One of the key drivers (but also breakers) is not only the economic cycle as such but also the structure (mostly age, skill, territorial), size and availability of the domestic workforce. Polish workers tend to deactivate quite early in comparison with other European labour markets, and this narrows available labour resources in Poland, which further on impacts labour shortages in the Polish labour market. And shortages, especially those cyclical, do not necessarily drive but may certainly attract immigrants (employers start searching workers more actively, even abroad) but only in the short-term (while they exist).

Could this mean that given a scenario of enlarging domestic labour resources in Poland (also qualitatively fitted into employers’ needs) the Polish labour market may prove self-sufficient and never turn to the next phase of migration cycle, namely immigration maturity (with massive and institutionalized inflow)?

When it concerns “integration part” it makes sense to distinguish between Vietnamese and others. Since Vietnamese are the only group which has something to do with traditional settlement and integration patterns. However, in spite of apparently ideal conditions for growth (importance of networks, in-group co-operation, existence of ethnic institutions and so on), the group has not been growing visibly since the mid 1990s.

Other groups either do not settle in Poland for longer (Westerners) or circulate (Easterners). It then can be argued, that with exception of Vietnamese, the process of immigrants’ settling in Poland is virtually limited to one path of settlement – via marriage with a Pole – implying particular patterns of migrants’ integration.

It seems that legal integration is pursued by migrants as long as it is necessary for continuation of an initial pattern of their migration, i.e. usually for continuation of circulation. It is due to the fact that circulation is the most natural migration pattern in the context of inflow from the ex-USSR countries (fluidity?).

Social networks work most efficiently, as stimuli of further inflow, in the case of circulation, reproducing thus first of all this pattern of migration. The same can be said about inflow to selected sectors of the Polish labour market. There are some of them where “longer-term migration” has been observed (e.g. trade and gastronomy) and they are preoccupied first of all by Vietnamese. Other sectors (domestic service, agriculture, possibly construction) where migrant networks work efficiently in recruitment process attract chiefly circular migrants.

All that led to the conclusion that transforming Poland into net immigration country in a traditional sense (definition based on official data) is rather unlikely since circulation and other temporary forms of migration are difficult to capture in the official data.

Migration policy in Poland, being a set of ad hoc and post factum activities carried out without a migration policy doctrine and combined with restrictive rules of entry, work and settlement for foreigners does not favour more institutionalized inflows and settlement of immigrants.
Interviews made with policymakers, representatives of labour unions and employers’ organisations confirm the thesis that there is a common acceptance of Poland as a country of growing immigration, and that there is an increasing need of development of proper legal and institutional infrastructure related to managing migration processes. At the same time there are very limited legal and political activities towards concrete initiatives and decisions of long term perspective concerning migration processes.

One of the main aims of an Interdepartmental Group on Migration formed in 2007 by the government is formulating a migration doctrine as a normative base for migration policy. The competences related to the implementation of migration policy are dispersed within two Ministries (of Labour and Social Policy as well as of Internal Affairs). A commonly known problem is lack of qualified personnel in administrative bodies dealing with migration issues.

There is no integration policy which could encourage immigration and personal decisions of settlement in Poland. None integration initiatives are addressed to immigrants who are neither repatriates nor asylum seekers/refugees. Moreover, policymakers are very reluctant in developing such policies.

On the other hand, one can observe some “wind of change” – namely the announcement of policymakers of the preparation of a new – more liberal – Act on Aliens, naturalisation law, discussions on a new system of labour market accession (a semi point system). It seems that the tendency towards a more and more open system of regulation of immigration is steady. However, it is still an open question if, taking into account the currently existing restrictive legal system, its prospective liberalisation would change much in terms of the intensification and character of migration inflows.

There is no will among policymakers to encourage immigrants to settle in Poland. Even the last legal initiatives, which liberalize access to the Polish labour market for foreigners (introduced in 2007) encourage short term (seasonal, circular) low skilled immigration. Moreover, immigration in policymakers’ lens is perceived in a very negative way, it is strictly related to anticipated problems. Policymakers very often appeal to the case of more experienced immigration countries (e.g. Germany) and refer to their problems with mass immigration and integration of immigrants as direct results of a migration policy that was “too open”. Although, as our analysis suggests, Poland does not necessarily reproduce the same migration cycle of Western or Southern European countries, policymakers follow the traditional line (developed by the EU and Western countries) in conceptualization and implementation of migration policy. In consequence, migration policy in Poland does not reflect the fact that in this case the patterns and characteristics of immigration flows could be different than in other countries (be more circular and/or fluid). In other words, it is highly probable that a “gap” will emerge, when policy - considered and implemented in a traditional way - is not able to respond in an effective way to more fluid types of migration.

* * *

One may notice, out of the analysis presented in this report, that immigration to Poland is symptomatically amorphous. A great part of the inflow takes various forms, which are relatively highly temporary, transitory and flexible.

Paradoxically, the flows of foreigners of various time series are certainly non-permanent, but show a quite steady number of foreign workers in the stock. Having the predominated patterns of inflow-mostly circular, pendulum migrations of Ukrainians and non-settled migration of Vietnamese (with changing human resources within the same stock), the migrations to Poland may be characterised as symptomatically fluid. Fluidity of migrations means “being here and there”, and at the same time
“deliberately keeping various options open” by a migrant characterized by a high level of flexibility to change the country of living and employment. The “fluid migrants” do not strike roots anywhere and they maintain strong, at least symbolic ties with their country of origin.

Does this imply classical mass immigration to Poland will never occur? Is it possible that when the time comes, foreign workers arriving in Poland will mainly be the ‘birds of passage’ rather than long-term residents, not to mention their being classical settlers?

Does this mean that Poland has been formulating its own migration (both out- an in-) pattern where the ‘classical’ understanding of ‘net immigration’ is passe? We have seen settlement migration being reproduced with circular/incomplete/pendulum migration; is it the time for fluid/liquid migration? Maybe the migration pattern is or will be a response to the globalising world.

Future migration might never be the same as in recent or more remote past. Definitely a clear-cut distinction between mobility and migration will no longer be possible. Blurring concepts of migration will make any viable prediction a formidable challenge for researchers. This is why we would rather be reluctant to suggest – as highly probable – a simple and direct transition of Poland from the present standpoint – a dying out of the mass outflow of people – to future net immigration status, similar to that acquired in the past by the ‘old’ EU countries.
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**Legal acts**


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The Act on amendments to the Act on Aliens and some other acts of 24 May 2007, Journal of Law, No. 120, item 818.


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Rozporządzenie Rady Ministrów z dnia 21 maja 2002 r. w sprawie rodzajów kursów języka polskiego i adaptacyjnych oraz sposobu ich organizacji dla repatrianta i członków jego najbliższej rodziny przybyłych do Rzeczypospolitej Polskiej [Ordinance of the Council of Ministers of 21 May 2002 on types of Polish language courses and the way of their organisation for repatriates and members of their closest families coming to the Republic of Poland] (Journal of Laws 2002, No. 67, item 613).

Rozporządzenie Ministra Pracy i Polityki Społecznej z dnia 30 sierpnia 2006 roku w sprawie wykonywania pracy przez cudzoziemców bez konieczności uzyskania zezwolenia na pracę [Ordinance of the Minister of Labour and Social Policy of 30 August 2006 on the work performance by foreigners without obligation to obtain a work permit] (Journal of Laws 2006, No 156, item 1116).

Rozporządzenie Ministra Edukacji Narodowej z dnia 4 października 2001 roku w sprawie przyjmowania osób niebędących obywatelami polskimi do publicznych przedszkoli, szkół, zakładów kształcenia nauczycieli i placówek [Ordinance of the Minister of Education and Science of 4 October 2001 on admission of persons being non-Polish citizens to public kindergartens, schools, centres of teachers’ training and other centres] (Journal of Laws 2001, No. 131, item 1458). Rozporządzenie Ministra Nauki i Szkolnictwa Wyższego z dnia 12 października 2006 r. w sprawie podejmowania i odbywania przez cudzoziemców studiów i szkoleń oraz ich uczestniczenia w badaniach naukowych i pracach rozwojowych [Ordinance of the Minister of Science and Higher Education of 12 October 2006 on admission to courses or studies and continuation of studies by foreigners and their participation in the scientific research and development activities] (Journal of Laws 2006, No 190, item 1406).

Rozporządzenie Ministra Edukacji i Nauki z dnia 6 kwietnia 2006 r. w sprawie nostryfikacji świadectw szkolnych i świadectw maturalnych uzyskanych za granicą [Ordinance of the Minister of Education and Science of 6 April 2006 on the nostrification of the diplomas obtained in primary and secondary schools abroad] (Journal of Laws 2006, No 63, item 443).

Rozporządzenie Ministra Edukacji i Nauki z dnia 24 lutego 2006 r. w sprawie nostryfikacji dyplomów ukończenia studiów wyższych uzyskanych za granicą [Ordinance of the Minister of Education and Science of 24 February 2006 on nostrification of diplomas obtained in higher schools abroad] (Journal of Laws 2006, No 37, item 255).

Rozporządzenie Ministra Pracy i Polityki Społecznej z 30 sierpnia 2006 r. w sprawie wykonywania pracy przez cudzoziemców bez konieczności uzyskania zezwolenia na pracę [Ordinance of the

Rozporządzenie Ministra Pracy i Polityki Społecznej z 17 października 2007 r. w sprawie wysokości wpłaty dokonywanej w związku ze złożeniem wniosku o wydanie zezwolenia na pracę cudzoziemca [Ordinance of the Ministry of Labour and Social Policy on the fee paid with application for a permit to work of a foreigner] (Journal of Laws 2007, No. 195, item 1409);

Rozporządzenie Ministra Pracy i Polityki Społecznej z 29 stycznia 2008 r. zmieniające rozporządzenie w sprawie wykonywania pracy przez cudzoziemców bez konieczności uzyskania zezwolenia na pracę [Ordinance of the Ministry of Labour and Social Policy changing ordinance on the subject of employment of foreigners without an obligation of obtaining a work permit] (Journal of Laws 2008, No 17 item 106)
### Appendix 1: Table 1.1. Inflows/stocks of foreign citizens to/in Poland; major nationalities, 2006

<table>
<thead>
<tr>
<th>Country</th>
<th>Stock of migrants (foreign citizens) staying more than 2 months (2002 census)</th>
<th>Immigration (by country of previous residence), including returning Polish citizens</th>
<th>New permissions for settlements</th>
<th>New permissions for a fixed-time residence</th>
<th>New permission for residence (for EU citizens)</th>
<th>Newly arrived foreigners registered for temporary residence (more than 3 months)</th>
<th>Employment consents issued to temporary residents</th>
<th>New refugee applications</th>
<th>New permissions for tolerated stay</th>
<th>Stock of foreign students (2006/2007)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukraine</td>
<td>64 577</td>
<td>10 802</td>
<td>3 255</td>
<td>22 376</td>
<td>7 350</td>
<td>40 695</td>
<td>12 063</td>
<td>7 093</td>
<td>2 133</td>
<td>11 752</td>
</tr>
<tr>
<td>Russia</td>
<td>5 087</td>
<td>171</td>
<td>286</td>
<td>1 393</td>
<td>(b)</td>
<td>10 879</td>
<td>3 533</td>
<td>60</td>
<td>2</td>
<td>2 224</td>
</tr>
<tr>
<td>Belarus</td>
<td>3 449</td>
<td>248</td>
<td>602</td>
<td>1 647</td>
<td>(b)</td>
<td>3 154</td>
<td>1 070</td>
<td>51</td>
<td>8</td>
<td>1 544</td>
</tr>
<tr>
<td>Germany</td>
<td>9 447</td>
<td>3 227</td>
<td>(b)</td>
<td>4 415</td>
<td>4 211</td>
<td>1 641</td>
<td>999</td>
<td>27</td>
<td>3</td>
<td>376</td>
</tr>
<tr>
<td>Vietnam</td>
<td>2 292</td>
<td>50</td>
<td>138</td>
<td>1 496</td>
<td>(b)</td>
<td>1 366</td>
<td>445</td>
<td>0</td>
<td>0</td>
<td>804</td>
</tr>
<tr>
<td>USA</td>
<td>2 034</td>
<td>1 470</td>
<td>46</td>
<td>875</td>
<td>(b)</td>
<td>1 252</td>
<td>294</td>
<td>0</td>
<td>0</td>
<td>84</td>
</tr>
<tr>
<td>France</td>
<td>1 356</td>
<td>356</td>
<td>(b)</td>
<td>495</td>
<td>(b)</td>
<td>953</td>
<td>(a)</td>
<td>0</td>
<td>0</td>
<td>72</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1 312</td>
<td>1 592</td>
<td>(b)</td>
<td>404</td>
<td>(b)</td>
<td>1 222</td>
<td>277</td>
<td>48</td>
<td>6</td>
<td>89</td>
</tr>
<tr>
<td>Armenia</td>
<td>1 844</td>
<td>59</td>
<td>110</td>
<td>1 199</td>
<td>(b)</td>
<td>706</td>
<td>175</td>
<td>2</td>
<td>0</td>
<td>88</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>1 232</td>
<td>(a)</td>
<td>42</td>
<td>497</td>
<td>(b)</td>
<td>352</td>
<td>17</td>
<td>18</td>
<td>0</td>
<td>431</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>730</td>
<td>87</td>
<td>85</td>
<td>277</td>
<td>(b)</td>
<td>(a)</td>
<td>(b)</td>
<td>5</td>
<td>3</td>
<td>110</td>
</tr>
<tr>
<td>China</td>
<td>341</td>
<td>(a)</td>
<td>13</td>
<td>383</td>
<td>(b)</td>
<td>590</td>
<td>413</td>
<td>5</td>
<td>3</td>
<td>911</td>
</tr>
<tr>
<td>Other most prominent countries</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
<td>Still not applicable</td>
</tr>
</tbody>
</table>
<pre><code>| Italy (1 033)                 | Italy (377)                                                                     | Turkey (53)                                                                 | Moldova (43)                  | Turkey (590)                               | India (588)                                                                               | Japan (471)                                                                                 | South Korea (488)                            | Still not applicable               | Still not applicable               | Still not applicable               |
| Canada (341)                 | Turkey (762)                                                                     | Italy (735)                                                                       | India (664)                   | South Korea (545)                          | Japan (489)                                                                               | Austria (452)                                                                               | Still not applicable               | Still not applicable               | Still not applicable               |
|                               | Still not applicable                                                             | Still not applicable                                                                 | Still not applicable          | Still not applicable                       | Still not applicable                        | Still not applicable                                                                   | Still not applicable               | Still not applicable               | Still not applicable               |
</code></pre>
<p>| Netherlands                  | Still not applicable                                                             | Still not applicable                                                                 | Still not applicable          | Still not applicable                       | Still not applicable                        | Still not applicable                                                                   | Still not applicable               | Still not applicable               | Still not applicable               |
| Norway (911)                 | Sweden (511)                                                                    | Czech Republic (362)                                                               | Lithuania (350)               | Canada (314)                               | Taiwan (300)                                                                               | Still not applicable                        | Still not applicable               | Still not applicable               | Still not applicable               |</p>

- no data; (b) not applicable

Source: Główny Urząd Statystyczny 2003a, b, 2008
### Appendix 2

Table A. Estimations\(^ {120} \) of illegal employment of foreigners

<table>
<thead>
<tr>
<th>Estimation</th>
<th>Scope of estimations</th>
<th>Period covered by estimations</th>
<th>Remarks</th>
<th>Institution/author of estimations</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 legal against 1000 illegal foreign workers</td>
<td>estimation concerned one of the agricultural regions in Poland</td>
<td>September 1991</td>
<td>-</td>
<td>-</td>
<td>Okólski 1991</td>
</tr>
<tr>
<td>54,000</td>
<td>illegal foreign workers</td>
<td>1992</td>
<td>based on survey carried out in all basic units of territorial administration in April and May 1992</td>
<td>Polish Statistical Society</td>
<td>Okólski 1992</td>
</tr>
<tr>
<td>50,000 – 70,000</td>
<td>irregular foreign workers, from ex-USSR only</td>
<td>around the years 1991,1992</td>
<td>-</td>
<td>Academic experts</td>
<td>Okólski 1992</td>
</tr>
<tr>
<td>10,000 – 20,000</td>
<td>foreigners working on irregular basis in Warsaw macroregion (one of the most industrialised)</td>
<td>1992</td>
<td></td>
<td>Warsaw Office for Regional Planning</td>
<td>Okólski 1992</td>
</tr>
<tr>
<td>50,000 – 100,000</td>
<td>number of contract workers employed on regular or irregular basis</td>
<td>at any time of 1992</td>
<td>-</td>
<td>Ministry of Labour and Social Policy</td>
<td>Okólski 1993, 1994</td>
</tr>
<tr>
<td>50,000 – 200,000</td>
<td>illegal foreign workers</td>
<td>around the year 1994</td>
<td>the lower number indicated by the research institutes on the basis of scattered surveys, the top number indicated by mass media without any source information</td>
<td></td>
<td>Okólski 1994</td>
</tr>
<tr>
<td>about 800,000</td>
<td>workers from Ukraine, only about 2 per cent of them worked legally</td>
<td>1995</td>
<td>based on the analysis of border crossing by Ukrainians and the share of Ukrainian workers among migrants from Ukraine, supported by the results of the ethnosurvey carried out in three spots in Ukraine.</td>
<td>M. Okólski</td>
<td>Okólski 1997a</td>
</tr>
<tr>
<td>50,000 – 100,000</td>
<td>annually; foreign workers, mainly from Ukraine</td>
<td>around the years 1996, 1997</td>
<td></td>
<td></td>
<td>Okólski 1996, Okólski 1997c,</td>
</tr>
<tr>
<td>600,000-900,000</td>
<td>irregular foreigners working in Poland, mainly seasonally or occasionally</td>
<td>around the year 2000</td>
<td></td>
<td>National Labour Office, various research institutes</td>
<td>Kępińska, Okólski 2002</td>
</tr>
</tbody>
</table>

\(^ {120} \) The estimates of the stock of illegal employment in Poland referred to herein do not constitute a complete set of estimates published for the period 1989-2007. They can, however, reveal certain inconsistencies in these numbers as well as the problems faced by those who try to assess irregular employment as a whole. The most striking example of the discrepancy in the estimates is the number indicated by one of the officials representing the Ministry of Labour and Social Policy while discussing the issues of foreign labour in Poland in the parliamentary commission (i.e., 1,600,000) and the numbers cited by research institutes (i.e., 50,000–300,000). As a rule, politicians and journalists tend to multiply the estimates produced by researchers. The scale of irregular employment of foreigners is strongly linked to the fluctuations over the course of each year, which means that capturing the phenomenon and making deducing any absolute figures is very difficult. Taking into account the fact that many of these numbers are repeated by one author after another, often without any reference, it is very difficult to find the roots of (potentially inaccurate) estimations and thus assess their reliability.
<table>
<thead>
<tr>
<th>Range</th>
<th>Description</th>
<th>Year(s)</th>
<th>Methodology</th>
<th>Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>100,000-150,000</td>
<td>Average stock of irregular foreign labour; majority from the 'East'</td>
<td>around the year 2001, 2002</td>
<td>estimations do not encompass those who come for very short periods, e.g. a couple of days</td>
<td>National Labour Office, various research institutes; Ministry of Labour and Social Policy</td>
</tr>
<tr>
<td>20,000-100,000</td>
<td>Undocumented Vietnamese</td>
<td>in 1990s</td>
<td>No information about the share of illegally employed among them</td>
<td>Gryczka and Kostyla, 1998; Gmyz, 1998; after Okólski 1999</td>
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<tr>
<td>up to 500,000</td>
<td>Ukrainians involved in unregistered economic activity</td>
<td>1995</td>
<td>Based on the assumption that those who declare tourist visits, but in fact get involved in unregistered economic activity</td>
<td>Iglicka 2000</td>
</tr>
<tr>
<td>about 9,500</td>
<td>Foreign domestic workers; partly on irregular basis</td>
<td>2001</td>
<td>Based on data that about 10 per cent of 950,000 households employed foreign domestic workers; 38 per cent of the total domestic workers were employed by small or family farms, understood also as households</td>
<td>Golinowska 2004</td>
</tr>
<tr>
<td>150,000 – 500,000</td>
<td>Foreigners working illegally in Poland annually, mostly citizens of CIS</td>
<td>each year</td>
<td>Ministry of Economy and Labour</td>
<td>Iglicka et al. 2005</td>
</tr>
<tr>
<td>50,000 – 300,000</td>
<td>Mostly Ukrainians undertaking economic activity illegally</td>
<td>around the years 2004, 2005</td>
<td>Based on the assumption that those who declare tourist visits in fact undertake illegal employment</td>
<td>Frelak, Kaźmierkiewicz 2005</td>
</tr>
<tr>
<td>150,000</td>
<td>Foreign workers employed in construction during high season</td>
<td>around the year 2006, high season in construction</td>
<td>Trade unions</td>
<td>Kus 2006</td>
</tr>
<tr>
<td>1,600,000</td>
<td>Foreigners working illegally in Poland</td>
<td>around the year 2007</td>
<td>Ministry of Economy and Labour</td>
<td>Commission of Labour, session on 24.05.2007</td>
</tr>
<tr>
<td>80,000</td>
<td>80,000 households employed a foreigner</td>
<td>throughout the course of two years 2005-2007</td>
<td>The number regards both regular and irregular basis of employment</td>
<td>Grabowska-Lusinska, Zylicz 2008</td>
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<tr>
<td>170,000</td>
<td>Foreign workers employed in construction</td>
<td>2007</td>
<td>Individual work permits granted for employment in this sector – 303 in 2005</td>
<td>Representatives of the trade unions</td>
</tr>
</tbody>
</table>

Kępińska, Okólski 2002, Kicinger, Kloc-Nowak 2008
Appendix 3.1. Spatial distribution of migrants in Poland – selected maps

Map 3.3. Ukrainians in powiats in absolute numbers in 2002

Source: Own elaboration on the basis of National Census 2002.

Map 3.4. Ratio of Ukrainians in powiats per 1000 inhabitants

Source: Own elaboration on the basis of National Census 2002.
Map 3.5. Vietnamese in poviats in absolute numbers

Source: Own elaboration on the basis of National Census 2002.

Map 3.6. Ratio of Vietnamese in poviats per 1000 inhabitants

Source: Own elaboration on the basis of National Census 2002.
Map 3.7. Germans in poviat in absolute numbers

Source: Own elaboration on the basis of National Census 2002.

Map 3.8. Ratio of Germans in poviat in 1000 inhabitants

Source: Own elaboration on the basis of National Census 2002.
Map 3.9. Americans in poviat in absolute numbers

Source: Own elaboration on the basis of National Census 2002.

Map 3.10. Ratio of Americans in poviat per 1000 inhabitants

Source: Own elaboration on the basis of National Census 2002.
Map 3.11. Name of regions in Poland
Appendix 3.2. Operationalisation of the ‘place of living’ criterion

The chief criterion used in the typology is “place(s)’ of migrant’s living,” which can be identified via two main criteria: household presence and duration of stay in a given country.

By ‘household presence’ we mean that at least one member of the household is present in the country in question. Then, the ‘household’ is understood as a group of persons tied via a common budget (joint acquisition of resources and spending) and sharing a house or apartment. The second condition can remain unmet due to the international migration of some household’s members. Therefore, we modify the condition of a common place of living for the sake of our analysis, assuming that persons living in different countries (the remaining conditions satisfied) constitute the household as long as international migration is the only reason for the separation of the household’s members.

Two special situations/processes should be mentioned when defining “household”: separation from the “old” household (usually, the household of the parents) and existence of a one-person household. We propose some key words to identify such situations. Separation from the “old” household (usually, the household of the parents) takes place in the following situations: setting up one’s own household; buying one’s own apartment; limiting contacts with the “old” household to occasional visits. Existence of a one-person household involves: separation from the parents’ household or that of an ex-spouse (see above); not sharing a home/domicile in any country of residence (a typical situation for “transmigrants”).

The “duration of stay in a given country” is another criterion that is usually much-debated when defining migration as such. In our typology, we assume that, when talking about a migrant’s place of living, the migrant’s stay in the given country should last at least half a year (this can be calculated jointly for two or more countries/places of living) interrupted only by tourist trips.

The above two criteria can be treated as necessary conditions (though only to a certain degree, taking into account problems with their operationalisation) for considering a given country as a place of living. For the sake of our analysis, we assume that the “household presence” constitutes the most important criterion. Among other things, it is due to the fact that its operationalisation is less problematic than that of the “duration of stay” criterion. In some cases, these two criteria alone will not make it possible to determine a migrant type. If that is the case, it is possible to use additional criteria. In order of importance, they include:

1. nature of work: stable vs. seasonal/occasional (possessing a stable job in a given country would be an indication that this country can be treated as a migrant’s place of living);
2. amount of spare time and the manner in which is spent in a given country: enjoying spare time vs. resigning from spare time (enjoying spare time in a given country would be an indication that this country can be treated as a migrant’s place of living);
3. money spending: spending in the immigration country vs. saving money for consumption in the home country (spending money in a given country would be an indication that this country can be treated as a place of living);
4. nature of place of living: renting a room vs. buying an apartment as extreme situations (buying, for example, an apartment in a given country can be treated as an indication that this country can be treated as a migrant’s place of living).
## Appendix 3.3. Overview of in-depth interviews

<table>
<thead>
<tr>
<th>Lp.</th>
<th>Code of interview</th>
<th>Gender / Age</th>
<th>Country of origin</th>
<th>Labour market sector/ character of work</th>
<th>Duration of migration or period of residence in Poland</th>
<th>Status of residence</th>
<th>Family status</th>
<th>Type of mobility</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>U1-M</td>
<td>M/36</td>
<td>Ukraine</td>
<td>Construction industry (declared)</td>
<td>12 years Permit for permanent stay</td>
<td>Married, 1 child</td>
<td>IM</td>
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</tr>
<tr>
<td>2.</td>
<td>U2-K</td>
<td>F/45</td>
<td>Ukraine</td>
<td>Elderly care work, Cleaning (undeclared)</td>
<td>3 years Irregular status</td>
<td>-</td>
<td>TM</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>U3-K</td>
<td>F/28</td>
<td>Ukraine</td>
<td>Translation (declared and undeclared)</td>
<td>10 years Polish citizenship</td>
<td>Married, No children</td>
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</tr>
<tr>
<td>4.</td>
<td>U4-K</td>
<td>F/47</td>
<td>Ukraine</td>
<td>Cleaning (undeclared)</td>
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<td>5.</td>
<td>U5-K</td>
<td>F/50</td>
<td>Ukraine</td>
<td>Child care (undeclared)</td>
<td>2 months, Tourist visa</td>
<td>-</td>
<td>C</td>
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</tr>
<tr>
<td>6.</td>
<td>U6-M</td>
<td>M/38</td>
<td>Ukraine</td>
<td>Construction-renovations (declared)</td>
<td>18 years Permit for permanent stay</td>
<td>Married, 2 children (in PL)</td>
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<tr>
<td>7.</td>
<td>U7-M</td>
<td>M/29</td>
<td>Ukraine</td>
<td>Property Development (declared)</td>
<td>9 years Permit for a fixed period</td>
<td>Married, 1 child</td>
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<td>8.</td>
<td>U8-K</td>
<td>F/26</td>
<td>Ukraine</td>
<td>Consulting (declared)</td>
<td>4 years Permit for a fixed period</td>
<td>Married, No children</td>
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<td>9.</td>
<td>U9-M</td>
<td>M/28</td>
<td>Ukraine</td>
<td>Shopping company (declared)</td>
<td>13 years Polish citizenship</td>
<td>Married, 1 child</td>
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<tr>
<td>10.</td>
<td>U10-K</td>
<td>F/34</td>
<td>Ukraine</td>
<td>Child care, cleaning (declared)</td>
<td>10 years (with short breaks) Irregular status</td>
<td>Maiden (long-term partnership) -</td>
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<tr>
<td>11.</td>
<td>U11-M</td>
<td>F/40</td>
<td>Ukraine</td>
<td>Academic (declared)</td>
<td>15 years Permit for permanent stay</td>
<td>Married -</td>
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<tr>
<td>12.</td>
<td>U12-K</td>
<td>F/28</td>
<td>Ukraine</td>
<td>Translator- interpreter in trading company (declared)</td>
<td>11 years Fixed time Permit for permanent stay</td>
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<tr>
<td>13.</td>
<td>U13-M</td>
<td>M/40</td>
<td>Ukraine</td>
<td>Representative of foreign companies (undeclared)</td>
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<td>U14-K</td>
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<td>School teacher (declared)</td>
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<td>F/37</td>
<td>Ukraine</td>
<td>Elderly care (?)</td>
<td>1 year Work visa</td>
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<td>16.</td>
<td>U16-M</td>
<td>M/31</td>
<td>Ukraine</td>
<td>Renovations (undeclared)</td>
<td>8 months Applying for refugee status</td>
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<td>17.</td>
<td>U17-K</td>
<td>F/40</td>
<td>Ukraine</td>
<td>Academic (declared)</td>
<td>9 years Permit for permanent stay</td>
<td>Married 1 child (in PL)</td>
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<td>18.</td>
<td>W1-M</td>
<td>M/25</td>
<td>Vietnam</td>
<td>Trade (open-air market) (undeclared)</td>
<td>3 years Irregular status</td>
<td>Bachelor, No children</td>
<td>IM</td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Gender</th>
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<th>Country of Origin</th>
<th>Occupation</th>
<th>Years in Poland</th>
<th>Status</th>
<th>Civil Status</th>
<th>Children</th>
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<td>19.</td>
<td>W2-M</td>
<td>M/25</td>
<td>Vietnam</td>
<td>Helper in market halls</td>
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<td>20.</td>
<td>W3-M</td>
<td>M/30</td>
<td>Vietnam</td>
<td>Trade and services (declared)</td>
<td>14 years Permit for permanent stay</td>
<td>Bachelor (long-term partnership) -</td>
<td>IM</td>
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<tr>
<td>21.</td>
<td>W4-M</td>
<td>M/40</td>
<td>Vietnam</td>
<td>Trade (owner) (declared)</td>
<td>11 years Polish citizenship</td>
<td>Married 2 children (in PL)</td>
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<tr>
<td>22.</td>
<td>W5-M</td>
<td>M/40</td>
<td>Vietnam</td>
<td>Gastronomic services (owner) (declared)</td>
<td>15 years Permit for permanent stay</td>
<td>Married 2 children (in PL)</td>
<td>IM</td>
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<tr>
<td>23.</td>
<td>W6-K</td>
<td>F/24</td>
<td>Vietnam</td>
<td>University graduate; Part-time assistance in trade</td>
<td>15 years Permit for permanent stay</td>
<td>Maiden No children</td>
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<td>24.</td>
<td>W7-K</td>
<td>F/20</td>
<td>Vietnam</td>
<td>Student</td>
<td>17 years Permit for permanent stay</td>
<td>Maiden No children</td>
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<td>25.</td>
<td>W8-M</td>
<td>M/56</td>
<td>Vietnam</td>
<td>Import and trade (owner) (declared)</td>
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<td>Married 4 children (in PL)</td>
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<td>26.</td>
<td>W9-M</td>
<td>M/54</td>
<td>Vietnam</td>
<td>Trade (open-air market)</td>
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<td>Married 2 children (abroad)</td>
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<td>27.</td>
<td>W10-M</td>
<td>M/55</td>
<td>Vietnam</td>
<td>Import and trade (owner) (declared)</td>
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<td>Married 2 children (abroad)</td>
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<td>28.</td>
<td>W11-K</td>
<td>F/63</td>
<td>Vietnam</td>
<td>unemployed</td>
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<td>Married 3 children (abroad)</td>
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<td>29.</td>
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<td>F/47</td>
<td>Vietnam</td>
<td>Import and trade (assistance)</td>
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<td>30.</td>
<td>W13-K</td>
<td>F/42</td>
<td>Vietnam</td>
<td>Gastronomic Services (assistance in running the business)</td>
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<td>Married 3 children</td>
<td>IM</td>
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<td>31.</td>
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<td>M/30</td>
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<td>Import and trade (owner) (declared)</td>
<td>18 years Permit for permanent stay</td>
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<tr>
<td>32.</td>
<td>W15-K</td>
<td>F/24</td>
<td>Vietnam</td>
<td>student</td>
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<td>33.</td>
<td>W16-M</td>
<td>M/35</td>
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<td>Tourist Agency (owner) (declared)</td>
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<td>M/33</td>
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<td>W18-K</td>
<td>F/24</td>
<td>Vietnam</td>
<td>student</td>
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<td>M/52</td>
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<td>Gastronomic services (owner) (declared)</td>
<td>18 years Permit for permanent stay</td>
<td>Married 2 children</td>
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<td>37.</td>
<td>W20-M</td>
<td>M/52</td>
<td>Vietnam</td>
<td>Trade (owner) (declared)</td>
<td>19 years Permit for permanent stay</td>
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<td>38.</td>
<td>W21-K</td>
<td>F/35</td>
<td>Vietnam</td>
<td>Import and trade (assistance)</td>
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<td>39.</td>
<td>W22-M</td>
<td>M/27</td>
<td>Vietnam</td>
<td>Running a store in market halls (undeclared)</td>
<td>6 years Irregular status</td>
<td>Bachelor (long-term partnership) No children</td>
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<td>No.</td>
<td>Name</td>
<td>Gender</td>
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<td>Nationality</td>
<td>Occupation</td>
<td>Years in Poland</td>
<td>Visa Status</td>
<td>Relationship</td>
<td>Children</td>
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<td>F/45</td>
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<td>41.</td>
<td>W24-M</td>
<td>M/41</td>
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<td>Hair-dressing services, assistance in a store (undeclared)</td>
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<td>42.</td>
<td>W25-K</td>
<td>F/26</td>
<td>Vietnam</td>
<td>Student, volunteer in ethnic organisation (undeclared)</td>
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<td>M/28</td>
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<td>Trade (owner) (declared)</td>
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<td>M/39</td>
<td>Vietnam</td>
<td>Wholesale trade (owner) (declared)</td>
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<td>45.</td>
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<td>F/35</td>
<td>Vietnam</td>
<td>Assistance in trade (undeclared)</td>
<td>6 years Irregular status</td>
<td>Married 2 children</td>
<td>IM/TM</td>
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</table>

Interviews conducted in 2007 in Cracow and Wroclaw

<table>
<thead>
<tr>
<th>No.</th>
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<th>Occupation</th>
<th>Years in Poland</th>
<th>Visa Status</th>
<th>Relationship</th>
<th>Children</th>
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<tbody>
<tr>
<td>46.</td>
<td>U1-K-Kr</td>
<td>F/33</td>
<td>Ukraine</td>
<td>Cleaning (undeclared)</td>
<td>12 years (with breaks) Tourist visa</td>
<td>-</td>
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<tr>
<td>47.</td>
<td>U2-K-Kr</td>
<td>F/27</td>
<td>Ukraine</td>
<td>Tutoring, translations (undeclared)</td>
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<td>48.</td>
<td>U3-K-Kr</td>
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<td>Ukraine</td>
<td>International company (declared)</td>
<td>1.5 year Permit for permanent stay</td>
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<td>49.</td>
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<td>Psychological training services (declared)</td>
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<td>Ukraine</td>
<td>IT specialist (declared)</td>
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<td>52.</td>
<td>W1-K-Kr</td>
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<td>Vietnam</td>
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<td>53.</td>
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<td>56.</td>
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<td>trade</td>
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<td>2 children Widow</td>
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<td>59.</td>
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<td>Musician, waitress</td>
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<td>maiden C -&gt; IM</td>
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<td>Nationality</td>
<td>Occupation</td>
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<td>21</td>
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<td>61</td>
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<td>62</td>
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<td>64</td>
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<td>Restaurants’ owner</td>
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Interviews conducted in 2007-2008 in Lublin

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<td>Belarusian language corrector (declared)</td>
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<td>29</td>
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<td>Long-term resident's EC residence permit</td>
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<td>77</td>
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<td>Student, odd job as barman (undeclared)</td>
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<td>Repatriation visa</td>
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<td>Belarus</td>
<td>Student, odd job - copier service (declared)</td>
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<td>27</td>
<td>Belarus</td>
<td>Copier service (declared)</td>
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<td>Russia, Belarus</td>
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<td>81.</td>
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<td>83.</td>
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<td>School catechist and church organist (declared)</td>
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<td>No children</td>
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<td>Insurance consultant (declared)</td>
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<td>88.</td>
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<td>Trader (open-air market), odd job – car import and export between UA and PL (declared)</td>
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<td>Research institute worker (declared)</td>
<td>7 years (with one half of a year break)</td>
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<td>103.</td>
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<td>Ukraine</td>
<td>Manager in an export company (declared)</td>
<td>2 years</td>
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<td>Ukraine</td>
<td>Unemployed (declared)</td>
<td>6 years</td>
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<td>No children</td>
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<td>M/nd</td>
<td>Ukraine</td>
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<td>Runs a temporary work agency for foreigners (declared)</td>
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<td>M/31</td>
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<td>Administration officer (declared)</td>
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<td>111.</td>
<td>U24-M-L</td>
<td>M/32</td>
<td>Ukraine</td>
<td>Trader (company owner) and leasing premises in Ukraine (declared)</td>
<td>6 years</td>
<td>Permit for a fixed period</td>
<td>Married</td>
<td>No children</td>
</tr>
<tr>
<td>112.</td>
<td>U25-K-L</td>
<td>F/50</td>
<td>Ukraine</td>
<td>Trader (open-air market) (declared)</td>
<td>15 years</td>
<td>Permit for a fixed period</td>
<td>Married</td>
<td>1 child (previous marriage, abroad)</td>
</tr>
<tr>
<td>113.</td>
<td>U26-K-L</td>
<td>F/34</td>
<td>Ukraine</td>
<td>Dentist, odd job – translator (declared)</td>
<td>17 years</td>
<td>Polish citizenship</td>
<td>Maiden</td>
<td>(long-term partnership)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Interviews conducted in 2005 in Warsaw with native English speakers

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Gender</th>
<th>Age</th>
<th>Nationality</th>
<th>Profession (declared)</th>
<th>Length of stay</th>
<th>Type of permit</th>
<th>Status</th>
<th>No. of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>114.</td>
<td>NES-01</td>
<td>F/27</td>
<td>Ireland</td>
<td>English language teacher (declared)</td>
<td>3 years</td>
<td>-</td>
<td>Maiden</td>
<td>No children</td>
<td>IM</td>
</tr>
<tr>
<td>115.</td>
<td>NES-02</td>
<td>M/37</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>4 years</td>
<td>-</td>
<td>Bachelor</td>
<td>No children</td>
<td>IM</td>
</tr>
<tr>
<td>116.</td>
<td>NES-03</td>
<td>M/27</td>
<td>Scotland</td>
<td>English language teacher (declared)</td>
<td>2,5 years</td>
<td>-</td>
<td>Bachelor</td>
<td>(long-term partnership) No children</td>
<td>IM</td>
</tr>
<tr>
<td>117.</td>
<td>NES-04</td>
<td>M/27</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>1,5 year</td>
<td>-</td>
<td>Bachelor</td>
<td>No children</td>
<td>IM</td>
</tr>
<tr>
<td>118.</td>
<td>NES-05</td>
<td>M/27</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>4,5 years</td>
<td>-</td>
<td>Bachelor</td>
<td>(long-term partnership) No children</td>
<td>IM</td>
</tr>
<tr>
<td>119.</td>
<td>NES-06</td>
<td>M/nd</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>6,5 years</td>
<td>-</td>
<td>Bachelor</td>
<td>(long-term partnership) No children</td>
<td>IM</td>
</tr>
<tr>
<td>120.</td>
<td>NES-07</td>
<td>M/37</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>4,5 years</td>
<td>-</td>
<td>Divorced</td>
<td>(long-term partnership) 2 children (in PL)</td>
<td>IM</td>
</tr>
<tr>
<td>No.</td>
<td>Code</td>
<td>Sex</td>
<td>Age</td>
<td>Country</td>
<td>Occupation (declared)</td>
<td>Years in the country</td>
<td>Education</td>
<td>Marital status</td>
<td>Children</td>
</tr>
<tr>
<td>-----</td>
<td>-------</td>
<td>------</td>
<td>------</td>
<td>---------</td>
<td>-----------------------</td>
<td>---------------------</td>
<td>-----------</td>
<td>---------------</td>
<td>----------</td>
</tr>
<tr>
<td>121.</td>
<td>NES-08</td>
<td>M/31</td>
<td>USA</td>
<td>English language teacher (declared)</td>
<td>1.5 years</td>
<td>Bachelor (long-term partnership)</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>122.</td>
<td>NES-09</td>
<td>F/25</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>3.5 years</td>
<td>Maiden</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>123.</td>
<td>NES-10</td>
<td>M/25</td>
<td>USA</td>
<td>English language teacher (declared)</td>
<td>2.5 years</td>
<td>Bachelor (long-term partnership)</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>124.</td>
<td>NES-11</td>
<td>M/32</td>
<td>USA</td>
<td>English language teacher (declared)</td>
<td>2.5 years</td>
<td>Bachelor</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>125.</td>
<td>NES-12</td>
<td>M/34</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>4.5 year</td>
<td>Married</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>126.</td>
<td>NES-14</td>
<td>M/24</td>
<td>Canada</td>
<td>English language teacher (declared)</td>
<td>10 months</td>
<td>Bachelor</td>
<td>No children</td>
<td>IM</td>
<td></td>
</tr>
<tr>
<td>127.</td>
<td>NES-15</td>
<td>M/36</td>
<td>England</td>
<td>English language teacher (declared)</td>
<td>5 years</td>
<td>Married</td>
<td>1 child</td>
<td>IM</td>
<td></td>
</tr>
</tbody>
</table>

Interviews with migrants from Vietnam conducted in 2008\(^{122}\)

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Sex</th>
<th>Age</th>
<th>Country</th>
<th>Occupation (declared)</th>
<th>Years in the country</th>
<th>Education</th>
<th>Marital status</th>
<th>Children</th>
<th>Initial status</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>128.</td>
<td>FL-V1-M</td>
<td>M/42</td>
<td>Vietnam</td>
<td>open-air market trade (undeclared)</td>
<td>6 years</td>
<td>Permit for permanent stay</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>129.</td>
<td>FL-V2-M</td>
<td>M/35</td>
<td>Vietnam</td>
<td>open-air market trade – helping staff (undeclared)</td>
<td>6 years</td>
<td>Permit for a fixed period</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>130.</td>
<td>FL-V3-F</td>
<td>F/30</td>
<td>Vietnam</td>
<td>gastronomic sector – helping staff in a diner (undeclared)</td>
<td>a couple of months</td>
<td>Irregular status</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>131.</td>
<td>FL-V4-F</td>
<td>F/35</td>
<td>Vietnam</td>
<td>domestic sector -&gt; retail trade (undeclared)</td>
<td>5 years</td>
<td>Irregular status</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>132.</td>
<td>FL-V5-M</td>
<td>M/42</td>
<td>Vietnam</td>
<td>open-air market trade</td>
<td>15 years</td>
<td>Permit for a fixed period</td>
<td>Bachelor</td>
<td>No children</td>
<td>IM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>133.</td>
<td>FL-V6-M</td>
<td>M/34</td>
<td>Vietnam</td>
<td>trade – helping staff (undeclared)</td>
<td>2 years</td>
<td>Irregular status</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>134.</td>
<td>FL-V7-M</td>
<td>M/33</td>
<td>Vietnam</td>
<td>Gastronomic sector-&gt; open-air market trade (undeclared)</td>
<td>3 years</td>
<td>Irregular status</td>
<td>Married</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>135.</td>
<td>FL-V8-M</td>
<td>M/40</td>
<td>Vietnam</td>
<td>open-air market trade – helping staff (undeclared)</td>
<td>2 years</td>
<td>Irregular status</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>136.</td>
<td>FL-V9-M</td>
<td>M/40</td>
<td>Vietnam</td>
<td>Gastronomic sector-&gt; open-air market trade</td>
<td>17 years</td>
<td>Permit for a fixed period</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>137.</td>
<td>FL-V10-M</td>
<td>M/35</td>
<td>Vietnam</td>
<td>open-air market trade – helping staff (undeclared)</td>
<td>3 years</td>
<td>Irregular status</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>138.</td>
<td>FL-V11-M</td>
<td>M/37</td>
<td>Vietnam</td>
<td>Gastronomic sector</td>
<td>7 years</td>
<td>Permit for a fixed period</td>
<td>-</td>
<td>IM</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

\(^{122}\) Within the project ‘Trafficking for forced labour in other industries than the sex industry – Poland’s perspective after the accession to EU’. Analysis of these interviews served as supporting material for the analysis of economic integration of migrants.
<table>
<thead>
<tr>
<th>No.</th>
<th>DW</th>
<th>F</th>
<th>Role</th>
<th>Circulation Status</th>
<th>Marital Status</th>
<th>Children or Family in Ukraine</th>
</tr>
</thead>
<tbody>
<tr>
<td>139.</td>
<td>DW-1</td>
<td>F/45</td>
<td>Elderly care (undeclared)</td>
<td>Circulates since 2004 90-days visa entrance</td>
<td>Married, two children (family in Ukraine)</td>
<td>C</td>
</tr>
<tr>
<td>140.</td>
<td>DW-2</td>
<td>F/28</td>
<td>Elderly care (undeclared)</td>
<td>In domestic sector - one month, earlier seasonally in agriculture 90-days visa</td>
<td>Divorced, child in Ukraine with her parents</td>
<td>C</td>
</tr>
<tr>
<td>141.</td>
<td>DW-3</td>
<td>F/50</td>
<td>Elderly care (undeclared)</td>
<td>Circulates since 2003 90-days visa</td>
<td>Married, grown-up son in Ukraine, grandchildren</td>
<td>C</td>
</tr>
<tr>
<td>142.</td>
<td>DW-4</td>
<td>F/43</td>
<td>Child-care and cleaning (undeclared)</td>
<td>Circulates since 1998 stay 2003 irregular stay</td>
<td>Divorced, two children (daughter works in domestic sector in Poland, son in Ukraine)</td>
<td>C/IM</td>
</tr>
<tr>
<td>143.</td>
<td>DW-5</td>
<td>F/52</td>
<td>Elderly care, child care, general house maintenance (undeclared)</td>
<td>Circulates since 2001 90-days visa entrance</td>
<td>Married (husband migrant, works in Russia), two children in Ukraine</td>
<td>C</td>
</tr>
<tr>
<td>144.</td>
<td>DW-6</td>
<td>F/40</td>
<td>Cleaning (undeclared)</td>
<td>Circulates since 2001 90-days visa entrance</td>
<td>Divorced, child in Ukraine</td>
<td>C</td>
</tr>
<tr>
<td>145.</td>
<td>DW-7</td>
<td>F/46</td>
<td>Cleaning (undeclared)</td>
<td>Circulates since 1999 90-days visa entrance</td>
<td>Married (husband also migrant in Poland), two children in Ukraine</td>
<td>C/TM</td>
</tr>
<tr>
<td>146.</td>
<td>DW-8</td>
<td>F/50</td>
<td>Cleaning (falsely declared)</td>
<td>Circulated since 1997, since 2003 permit for a fixed period</td>
<td>Divorced, three children (two in Ukraine, youngest in Poland)</td>
<td>C/IM</td>
</tr>
<tr>
<td>147.</td>
<td>DW-9</td>
<td>F/18</td>
<td>Cleaning, child-care (undeclared)</td>
<td>Since 2004 studies in Warsaw permit for a fixed period</td>
<td>Single</td>
<td>IM</td>
</tr>
<tr>
<td>148.</td>
<td>DW-10</td>
<td>F/30</td>
<td>Child-care and house-maintenance (undeclared)</td>
<td>Circulated since 1998; since married to Polish citizen in 2004 permit for a fixed period</td>
<td>Child from first marriage in Poland. Remarried to Pole</td>
<td>IM</td>
</tr>
<tr>
<td>149.</td>
<td>DW-11</td>
<td>F/54</td>
<td>Elderly-care (undeclared)</td>
<td>Circulated since 1999 90-days visa entrance</td>
<td>Divorced, two children in Ukraine</td>
<td>C</td>
</tr>
<tr>
<td>150.</td>
<td>DW-12</td>
<td>F/39</td>
<td>Child-care and house-maintenance (undeclared)</td>
<td>Circulated since 2001 90-days visa entrance</td>
<td>Divorced, three children in Ukraine</td>
<td>C</td>
</tr>
<tr>
<td>151.</td>
<td>DW-13</td>
<td>F/31</td>
<td>Person with mental disability care (as volunteer- on the basis of Act on Volunteering), cleaning (undeclared)</td>
<td>Circulated since 2000 since 2003 entrance as volunteer – year long visa</td>
<td>Divorced</td>
<td>C/IM</td>
</tr>
</tbody>
</table>

123 PhD research carried out by Marta Kindler in Warsaw and suburbs.
<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>152.</td>
<td>DW-14</td>
<td>F/35</td>
<td>Child-care (undeclared)</td>
<td>Circulated since 2004</td>
</tr>
<tr>
<td>153.</td>
<td>DW-15</td>
<td>F/41</td>
<td>Child-care (undeclared)</td>
<td>Circulated since 2000 since 2003 enters on basis of 90 days visa and illegally</td>
</tr>
<tr>
<td>154.</td>
<td>DW-16</td>
<td>F/47</td>
<td>Cleaning (undeclared)</td>
<td>Circulated since 2001 since married permit for a fixed period</td>
</tr>
<tr>
<td>155.</td>
<td>DW-17</td>
<td>F/41</td>
<td>Child-care (falsely declared), cleaning (undeclared), care for a person with disabilities (undeclared)</td>
<td>Circulated since 1999 since work permit - residence permit for a fixed period</td>
</tr>
<tr>
<td>156.</td>
<td>DW-18</td>
<td>F/51</td>
<td>Elderly-care (undeclared)</td>
<td>Circulated since 2004</td>
</tr>
</tbody>
</table>
Appendix 3.4. Types of migrants according to the purpose of their arrival to Poland, legal statuses and scope of rights

The main categories of migrants, sorted according to the different possibilities of legalising their stay in Poland after crossing the Polish border include:

1. migrants illegally crossing the border or becoming illegal in the course of their migration
2. migrants legally crossing the border, including:
   3. tourists, visitors,
   4. economic migrants,
   5. educational migrants,
   6. family members,
   7. asylum seekers,
   8. re-settlers of Polish origin.

Illegal migrants belong to the least privileged group of migrants. They usually enter Poland through the so-called green border or using visas (particularly tourist visas and/or visitor visas, and recently also work visas, which are relatively easy to obtain). Using the latter method they enter legally, but during their stay they work in the shadow economy. It is also possible to get cross into illegality by not renewing a permit after its expiration. Illegal migrants have few chances to legalise their stay in Poland. The main path is through marriage with a Polish citizen. Twice, in 2003 and 2007, it was also possible to take advantage of a mass regularisation programme, but it applied only to migrants who had lived in Poland since 1997. There are no other possibilities to obtain a permit for stay in Poland while living there illegally. It is necessary to return to one’s country of origin and then to apply for a permit for stay in Poland. Illegal migrants have only right to health care in emergency situations and their children (minors) are entitled to elementary education.

Tourists and visitors do not have any legal opportunities to extend their legal stay in Poland. Just like illegal migrants, they must to return to their country of origin and obtain a visa for one of several reasons, e.g., in connection with work. Their scope of rights is very limited.

Economic migrants enter Poland with a work visa, after which time they may obtain a permit for a fixed period and, thereafter, a long-term resident’s EC residence permit (after at least 5 years of continuous legal stay in Poland), followed by, finally, Polish citizenship. Yet an inflexible precondition for foreigners to legally work in Poland is a work permit. It is an employer’s duty to apply for a work permit to a voivod labour office in order to employ a foreigner. The permit is granted exclusively to the applying employer and for the position indicated, so the incoming foreigner’s mobility on the Polish labour market is limited.

The path to legalisation of stay for educational migrants (foreign students) is very similar to that of economic migrants, but they usually encounter more difficulties in obtaining the permit for permanent stay (a longer period of continuous legal stay in Poland is required).

Family migrants (foreigners who arrive through family reunification) constitute a privileged group as compared to economic migrants, because from the very beginning of their stay they are entitled to full access to the Polish labour market (on the basis of a permit for a fixed period of time).

Asylum seekers, after obtaining refugee status or the subsidiary protection, are entitled to almost all rights enjoyed by permanent residents. Additionally, they have the right to integration support, financed by the state.

The most privileged group of immigrants includes migrants of Polish origin/descent. They may get into Poland: on the basis of the Polish Card, using article 52, section 5 of the Polish Constitution of
1997, and by repatriation. Their scope of rights is very broad from the very beginning of their stay in Poland (for more details see 4.3.6).

Table 3.5 below presents a schematic of access to public goods enjoyed by different categories of migrants according to their legal basis of stay in Poland.

Table 3.5. Rights of different categories of migrants according to their legal basis of stay in Poland – general rules

<table>
<thead>
<tr>
<th>Right to:</th>
<th>Economic migrants</th>
<th>Educational migrants</th>
<th>Family migrants</th>
<th>The Polish Card</th>
<th>Refugees, foreigners with subsidiary protection</th>
<th>Permit for permanent stay</th>
<th>Polish citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>work</td>
<td>-/+</td>
<td>-/+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>engage in economic activity</td>
<td>-/+</td>
<td>-/+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>education</td>
<td>-/+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>health care</td>
<td>+</td>
<td>-/+</td>
<td>-/+</td>
<td>-/+</td>
<td>+</td>
<td>+</td>
<td>+</td>
</tr>
<tr>
<td>social housing</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
<td>+</td>
<td>+</td>
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<tr>
<td>social help</td>
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<td>-</td>
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<tr>
<td>vote</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>+</td>
</tr>
</tbody>
</table>

The notation is as follows: ‘+’ – full rights; ‘-’ – no rights; ‘-/+’ – various scope of rights. Source: Various Polish legal acts.
## Appendix 3.5. Requirements pertaining to acquisition of various legal statuses in Poland

<table>
<thead>
<tr>
<th>Type of permit for stay</th>
<th>Granting conditions</th>
<th>Maximum period of validity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residence visa</strong>¹</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Permit for temporary stay</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tourist</td>
<td>possessing financial means necessary to cover the costs of entry, residence and departure or invitation</td>
<td>3 months within the period of 6 months</td>
</tr>
<tr>
<td>Visitor</td>
<td>possessing financial means necessary to cover the costs of entry, residence and departure or invitation</td>
<td>3 months within the period of 6 months (short-term visa) or one year (long-term visa)</td>
</tr>
<tr>
<td>Work</td>
<td>a promise to issue a work permit or an employer’s written declaration confirming his/her intention to employ an alien if a work permit is not required</td>
<td>3 months within the period of 6 months (short-term visa) or one year (long-term visa) or 6 months within the period of 12 months – in the case of seasonal work</td>
</tr>
<tr>
<td><strong>Permit for a fixed period</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>possessing a stable and regular source of income, enough to cover the cost of maintenance of an alien and the family members he supports possessing health insurance performing fiscal obligations during stay in Poland legal residence in Poland</td>
<td>2 years</td>
</tr>
<tr>
<td><strong>Permit to settle</strong></td>
<td>marriage with a Polish citizen for at least 3 years and at least 2 years of uninterrupted residence in Poland on the basis of a permit for a fixed period directly before submitting the application or at least 10 years of uninterrupted residence in Poland on the basis of the permit for tolerated stay or at least 5 years of uninterrupted residence in Poland if the foreigner has been granted refugee status</td>
<td>unlimited period of time (deportation possible)</td>
</tr>
<tr>
<td><strong>Long-term resident’s EC residence permit</strong></td>
<td>at least 5 years of legal and uninterrupted residence in Poland possessing stable and regular source of income, enough to cover the cost of maintenance of an alien and the family members he supports possessing health insurance performing fiscal obligations during stay in Poland</td>
<td>unlimited period of time (deportation possible)</td>
</tr>
<tr>
<td><strong>Polish citizenship</strong></td>
<td>at least 5 years of legal stay in Poland on the basis of the permit to settle or the long-term resident’s EC resident permit at least 3 years of marriage with Polish citizen and possessing the permit to settle or the long-term resident’s EC residence permit</td>
<td>unlimited period of time (deportation impossible)</td>
</tr>
</tbody>
</table>

¹ only selected (the most popular) types of residence visas are included.