

POLAND | POMORSKIE VOIVODESHIP

Protection Monitoring Analysis

December 2023



DRC Poland would like to thank all persons who dedicated their time to share information and discuss their perspectives and experiences during the protection monitoring.

DRC Польща висловлює вдячність усім, хто присвятив свій час, щоб поділитися інформацією та обговорити свої погляди і досвід у рамках проведення моніторингу з питань захисту.

DRC Польшчы выказвае падзяку ўсім тым, хто знайшоў час, каб падзяліцца сваім вопытам і меркаваннямі ў рамках маніторынгу абароны.

DRC Polska pragnie podziękować wszystkim osobom, które poświęciły swój czas na rozmowę i podzielenie się swoimi doświadczeniem i perspektywami w ramach prowadzonego monitoringu.

DRC Польша благодарит всех, кто посвятил свое время обмену информацией и обсуждению своих взглядов и опыта в процессе мониторинга по вопросам защиты.

DRC DANISH
DRC REFUGEE
DRC COUNCIL



EXECUTIVE SUMMARY

Pomorskie region is ranked the 6th voivodship that most Ukrainian refugees reside in with 67,826 active PESEL registrations.¹ Also, approximately 9,000 citizens of Belarus live in Pomorskie voivodship which makes it the third most often chosen voivodship after Mazowieckie and Podlaskie.²

This report aims to present the dynamics and challenges faced by the population affected by the escalation of the war in Ukraine, with a particular focus on those residing in the Pomorskie voivodship, Poland. The analysis represents a collaborative initiative within the humanitarian sector, seeking to complement efforts to further understand protection concerns in the region. Considering the context, this report focuses on the most prominent challenges confronting primarily Ukrainian refugees affected by the ongoing conflict in Ukraine and also the host community. These challenges, termed ‘protection risks’ encompass the risk of labour exploitation and unfair treatment in the labour market, access to safe accommodation and security of tenure and risk of eviction, barriers in access to documentation and administrative procedures, and risks to social cohesion, characterized as the risk of hate speech and harassment.

The monitored risks are analyzed based on how the threats manifest in the daily practices of the affected population, what characteristics and demographic features make people more exposed and vulnerable to these threats, how different actors may contribute to the threats, and what are the capacities available to both the affected population and duty-bearers to mitigate these threats. Utilizing the protection analytical framework as the backbone of the analysis has revealed that the monitored risks share common and intersecting characteristics, where one risk often exposes susceptibility to another.

Securing accommodation is closely connected to employment, whether in collective accommodation sites or private residences. This connection raises questions as to why Ukrainian refugees may more frequently accept or be pressured to accept employment that does not respect Polish labour laws. The findings indicate that the affected population is generally aware of bad practices in the workplace and the poor conditions of the offers they accept, which leads to enduring discrimination and rights violations at the workplace. However, the necessity of having a job to cover the costs of accommodation, leads them to accept such unfavourable conditions, while some workplaces and employers exploit these situations to obtain low-cost labour.

One of the prominent occurrences evident in the findings concerning the two risks mentioned above revolves around the treatment encountered by the affected population in the workplace, or while attempting to secure accommodation. This aspect was the focal point of our inquiry into the risks of microragressions, hate speech and harassment and further explored the negative implications within the topic of social cohesion. In addition to reported facing of unfair treatment, discrimination based on nationality, the affected population experiences also direct and indirect verbal slurs, and at times also physical violence. The latter is increasingly affecting Ukrainian refugee children, and teenagers.

Several contributing factors were identified in making individuals susceptible to these risks often aggravating mental health needs and leading to isolation. The most frequently mentioned driver is the language barrier, compounded by the mental fatigue experienced by both host and displaced communities. The findings reveal misconceptions about the assistance provided to the Ukrainian community. Additionally, unresolved historical resentments, were mentioned as difficult factors when considering intercommunal relations.

Instances of barriers in access to public services including service refusal were frequently mentioned and often attributed by respondents to a ‘human factor’. The recurring theme across key informant interviews highlighted cases when public sector staff either declined to provide services or showed a reluctance to make the necessary efforts to assist.

¹ See: [Situation Ukraine Refugee Situation \(unhcr.org\)](https://www.unhcr.org/situations/ukraine/)

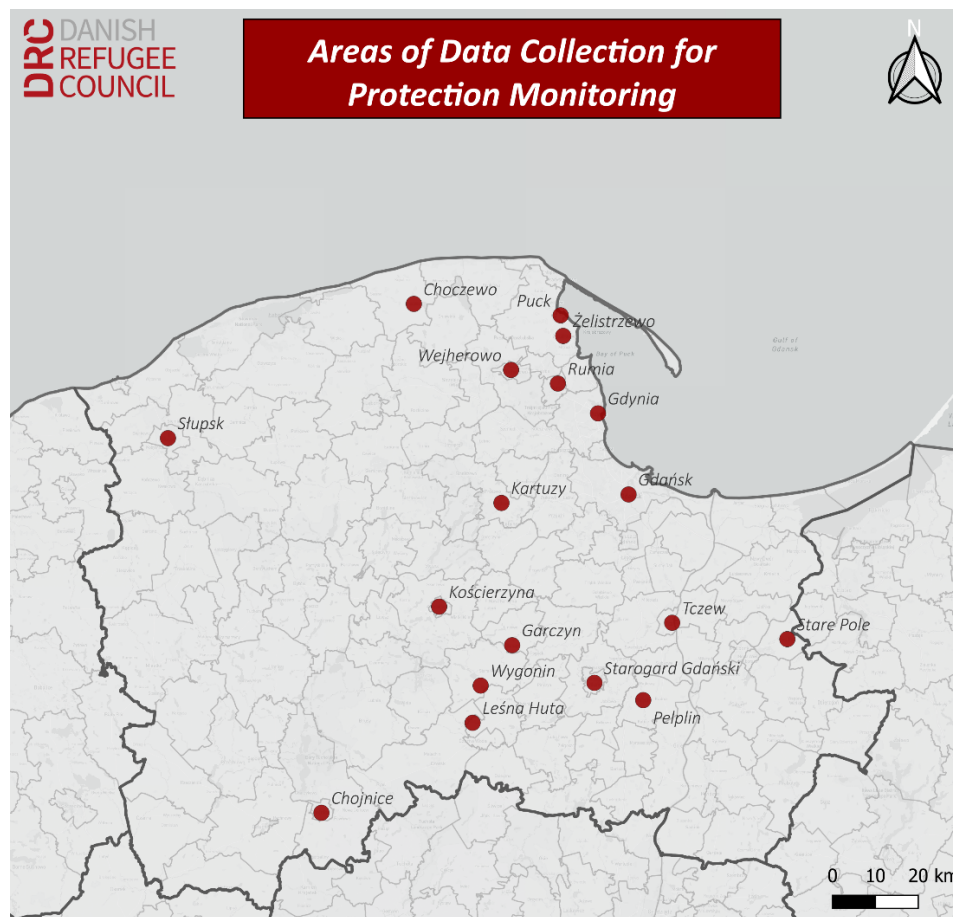
² Data of the Office for Foreigners available at <https://www.gov.pl/web/udsc/obywatele-bialorusi-w-polsce--raport2>

Access to documentation is also curtailed by the lack of updated information from both the affected population and service providers. While the affected population possesses insights into the available assistance types in the region, the problem lies in outdated information and procedural changes that are oftentimes not effectively communicated, with instances of contradictory information being provided.

In the subsequent chapters, each protection risk is separately discussed to provide a more in-depth understanding of the protection environment that persons affected by the war in Ukraine experience in the Pomorskie region. These however are interconnected hence it is important to emphasize the impossibility of addressing one risk without considering its relation to others.

NOTES ON METHDODOLOGY

This report outlines insights gathered during the first round of data collection for the Danish Refugee Council protection monitoring, conducted from August to October 2023 in partnership with OVUM Association. The data collection involved collaboration with the persons displaced due to the Russian Federation military offensive launched on 24th February 2022, and service providers from the public, private and non-governmental sectors. Overall, 165 respondents among affected population and 20 respondents from among service providers were interviewed in 23 locations presented on the map below. As planned, most of the data was collected outside of the main cities of Gdansk, Gdynia, and Sopot, in Pomorskie voivodship. The presence of humanitarian actors focused on urban centres in the Tri-city area called for collaboration and coordination to redirect protection monitoring efforts to areas outside of the main cities, and to therefore have an insight into the situation of the Ukrainian refugees residing in smaller urban areas and remote settings.



The main objective in carrying out protection monitoring activities is to identify and analyse key protection risks that the displaced men, women, boys, and girls currently face. This evidence-based approach informs the development of targeted protection programs to address the needs of displacement-affected communities in the specified region. The monitoring focused on community-level, gathering data on community perspectives and understanding of protection risks and not documenting individual incidents. While DRC triangulated the collected data, the objective of protection monitoring was not to verify the situations described during protection monitoring. When needed referrals to specialized services were provided by protection monitoring teams.

It is crucial to acknowledge limitations in the data collection. The selection of interviewees, while indicative, may not definitively represent the diverse experiences of the affected population. Reliance on KIIs and FGDs at the community level introduces potential biases, and the temporal scope between August and October 2023 may not fully capture evolving protection challenges. The findings do not speak of the magnitude and prevalence of certain risks (i.e. the number or ratio of people affected) but aim to showcase the characteristics and dynamics of selected protection risks.

Despite these constraints, the collected data provides evidence for targeted interventions, underscoring the importance of regular monitoring of the evolution of protection risks and needs, and adaptability in the approach to both individual and community-support mechanisms.

The findings are not dismissing the substantial support provided by the Polish government at country and local level and the civil society to Ukrainian refugees. It aims to highlight areas of evolving risks to the rights and well-being of refugees, which requires urgent joint action.

PROTECTION RISKS

Risk #1 - Labour exploitation and unfair treatment in the labour market

Labour exploitation denotes work situations that deviate significantly from standard working conditions as defined by legislation or other binding legal regulations, concerning in particular remuneration, working hours, leave entitlements, health and safety standards, and decent treatment.³

In the examination of the risk of labour exploitation and unfair treatment faced by Ukrainian refugees in the Pomorskie region, a disconcerting array of practices has come to light. It reveals a complex interplay of limited employment choices and necessity – driven acceptance of unfavourable working conditions, often in breach of the labour law. The prevailing scenario among Ukrainian refugees in Pomorskie shows a frequent absence of formal employment contracts, with the majority working based on civil contracts (*umowa zlecenie*) or without any official agreement.

Civil contracts, as reported by respondents, are characterized by a lack of provisions for sick leave and paid overtime or notice period. Contracts are frequently issued solely in Polish, leaving individuals consenting to terms, without a full understanding of those and their implications. Unfortunately, due to insufficient information, Ukrainian employees often discover these limitations only post facto..

³ 1. rep., Severe Labour Exploitation: Workers Moving within or into the European Union (European Union Agency for Fundamental Rights, 2015), https://fra.europa.eu/sites/default/files/fra-2015-severe-labour-exploitation_en.pdf.

Also, respondents recalled a notable number of instances wherein individuals are employed without any formally binding contract. The results of protection monitoring activities in rural and remote areas indicate a heightened risk of not-regularized employment and unfair treatment, particularly in regions where limited options allow unscrupulous employers to exploit the situation.

“In factories, Ukrainians are often treated unfairly and humiliated. My father works in the construction industry unofficially, and my husband sometimes works part-time. They do not sign any documents there, everyone works unofficially, there is no insurance, and it is hard work and there can be injuries”.⁴

Industry is the largest employment sector in Pomorskie. Unfortunately, the working conditions in these settings are often described as falling short of adhering to the safety and security standards especially in areas which require physical labour. According to respondents, working informally or without contracts results in receiving a below-minimum wage, lack of compensation for extra hours, undertaking additional tasks beyond the agreed scope, and instances of maltreatment. It also deprives workers from access to health or social insurance, critical in case of a workplace related accident or injury but also in case of regular illness of the worker or their child.

In Pomorskie, Ukrainian refugees find themselves extensively involved in seasonal work within the tourist sector, agriculture and industrial factories, particularly fish factories. The seasonality of jobs is often associated with non-regularized work, labour exploitation and lack of legal protection in case of any accidents. Oftentimes people are expected to work for free during what is called a ‘probation period’ after which they are not hired, neither are they paid for the time worked.

Some of the protection monitoring findings also indicate the specific dimension of unfair treatment and exploitation affecting Ukrainians who worked and lived in Poland before February 2022, when the legal framework on the right to work for persons from Ukraine was very different, incentivising unofficial labour and discriminatory treatment. Labor conditions for those persons, of whom many were men, reportedly did not improve..

The first facet of risks in the job market affecting Ukrainian refugees revolves around the absence of contracts and the provision of subpar wages. The second facet encompasses the various forms of discriminatory treatment reported by respondents. Instances include disparities in wages for the same positions as Polish counterparts, being assigned physically demanding tasks deemed unacceptable for Polish employees, experiencing verbal humiliation, and encountering limitations on professional growth opportunities.

“The daughter of an acquaintance is 16 years old, she worked in the summer where bakery braids were made and waffles were made, she washed dishes there. After a while, she asked to be taught how to braid, which she also wanted to do. She was told that her job was to wash the dishes, not to weave bakery braids. The Poles abused her a lot there, they didn't let her eat or go to the toilet, they said she had to work. They didn't put her dishes to wash, but threw them to her with disgust”⁵

Protection monitoring findings indicated also concerning instances of forced labour, affecting in particular women, intertwined with access to accommodation under the 40+ programme.⁶ Key informants recalled cases of women who were not only asked to work without remuneration but also subjected to sexual harassment by the apartment owners. The issue is described in more detail in the subsequent chapters.

⁴ Key Informant Interview with affected population. 26.09.2023

⁵ Key informant interview with affected population, 26.09.2023

⁶ See: <https://ukraina.interwencjaprawna.pl/how-to-receive-the-pln-40-benefit-for-refugee-accommodation/>

“We live in a small area and most of our acquaintances live with private homeowners. Most Ukrainians feel dependent on their owners. Some of the women we know, who live with the owners according to the 40+ program, do the housework for them and do not receive any money for it. Some women complain that owners sexually harass them”.⁷

Access to the labour market is hindered for some groups of persons – the elderly, persons with disabilities - aggravating challenges to meet basic needs and increasing dependence on actors running collective accommodation sites.

"I have no other income than a disability pension from Ukraine, which is 500 zlotys. At my age, I am 67 years old, I have no opportunity to earn money in Poland."⁸

Those, whose choice of employment is limited by language skills, non-recognition of professional qualifications often find themselves compelled to accept exploitative work opportunities - without contracts, underpaid, with significant overtime, no paid leave and/or work several jobs.

"I don't know the situation when people turned to the authorities. We are strangers here, if you don't work, even on bad terms, someone else will work instead of you, everyone needs money"⁹

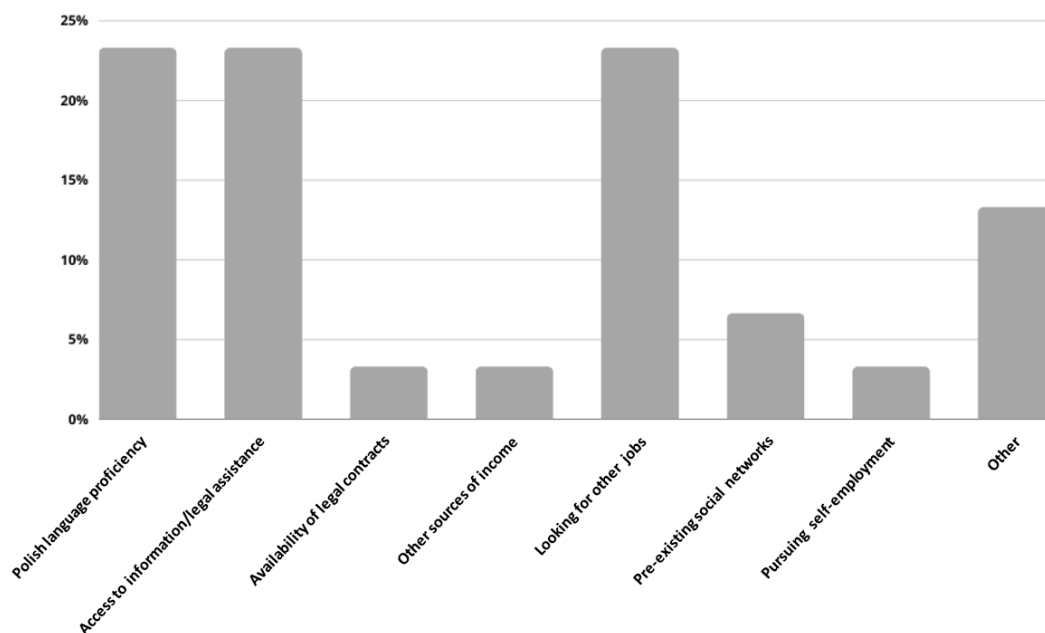
This is also compounded by limited employment options in smaller urban areas. For single headed households with young children the choice is often between providing for their families economically or emotionally due to the lack of institutional free childcare options – a particularly cumbersome gap outside of the big cities. Care responsibilities are transferred to siblings, other residents of collective sites or often children themselves, creating risks of child neglect, abuse or violence.

⁷ Key informant interview with affected population, 29.08.2023

⁸ Key informant interview with affected population, 29.08.2023

⁹ Key informant interview with affected population, 21.08.2023

MOST COMMON CAPACITIES TO ADRESS LABOR EXPLOITATION AND UNFAIR TREATMENT OF AFFECTED POPULATIONS



AUGUST - OCTOBER 2023

POMORSKIE VOIVODSHIP

While one example of a successful intervention of the Labor Office was mentioned, overall respondents displayed very limited trust in the efficiency of the labour office in terms of facilitating employment. They rather rely on job adds found online or through social networks. Commercial employment agencies play a key role in finding employment. They extract high commissions from employees' salaries yet do not take up the role of a protective actor in situations of exploitation or unfair treatment.

“I have been asking for help in the Labor Office for two months and they have nothing at all, they do not offer any vacancies. They say, when you find a job, come and tell us about it.”¹⁰

The most common coping strategy towards labour exploitation is the pursuit of jobs offering better working conditions rather than filing complaints about unfair treatment. In some cases, people were discouraged from seeking justice even when approaching official institutions dedicated to workers' rights.

The ability to speak Polish was highlighted as an important protective factor – to stand up against ethnically motivated slurs and harassment perpetrated by co-workers, to raise complaints to the employer on unfair treatment or to be able to access better paid jobs. Yet especially for people with caregiving responsibilities it is challenging to carve out time to learn the language.

¹⁰ Key Informant Interview with affected population. 21.08.2023

Risk #2 - Lack of Tenure Security and access to adequate housing

Security of tenure is understood as a set of relationships with respect to housing and land, established through statutory or customary law or informal or hybrid arrangements, which enables one to live in one's home in security, peace and dignity. It is an integral part of the right to adequate housing and a necessary ingredient for the enjoyment of many other civil, cultural, economic, political and social rights.¹¹

Access to adequate housing, security of tenure in Pomorskie voivodship are influenced by country-wide dynamics such as high rental prices, insufficient housing stock, increasing costs of living which also affect the host community. But they also depend on the approach to housing support options offered to refugees by the authorities. On the commercial rental market, where demand substantially exceed supply, landlords can easily choose who they wish to rent out their apartments to, which creates room for discriminatory practices.

Like in other voivodships in Pomorskie, Ukrainian refugees can rent apartments in the private market. Those who cannot access this option can be hosted by private individuals through the government '40+' programme or housed in collective accommodation sites managed by the local authorities or private entities.

Considering the voivodships coastal location, it is a prime tourist destination especially from the late spring to early autumn seasons, with rental prices increasing dramatically during the summer holidays. On the other hand, the demand for tourist accommodation drops substantially in the winter season. Therefore, in Pomorskie the tourist accommodation base was commonly used to host Ukrainian refugees in the first months since the full-scale invasion, both through establishing collective accommodation sites and within the '40+' programme. Subsequently, this meant a stronger inclusion of the private sector in comparison to other locations.

In the framework of protection monitoring, 30 KIIs were conducted, along with 9 FGDs for the affected population and service providers on the issue of tenure insecurity and risk of eviction. These efforts aimed to delve deeper into this escalating risk, such as to identify the most vulnerable groups of the affected population, understand various community responses and recognize the endeavours and challenges faced by duty-bearers in mitigating the risks to security of tenure.

In the Pomorskie region, protection monitoring findings highlight that irrespective of the type of accommodation arrangement, the risks to access to adequate housing and tenure insecurity are widespread. Their characteristics though vary, as explained by key informants and FGD participants. The changes in the Special Act – the law governing the temporary protection of Ukrainian citizens in Poland - in the first quarter of 2023 introduced the obligation of financial contribution for the stay in collective accommodation sites.¹² A corresponding implementation directive specifying the procedure of determining whether a resident is required to pay or is exempted were never developed thus generating a lot of confusion and mistrust among the residents. Many of them did not understand the procedure and decision-making process even several months later:

¹¹ *Guiding principles on security of tenure for the urban poor* issued by the United Nations Special Rapporteur on the Right to Adequate Housing available at <https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/Guide-SecurityTenureGuidelinesEN.pdf>

¹² For details see <https://ukraina.interwencjaprawna.pl/the-act-on-assistance-for-ukrainian-citizens/>

“Some people live there for a fee, some for free. We were not told the details of why the payment terms are so different.”¹³

“Now they are trying to collect money from us for living, referring to some Polish law saying that we must be partially involved in the costs of our residence. They don't say how much we must pay and on what basis we should pay. This problem concerns especially people who work part-time, and the hotel staff knows about it”¹⁴

While the protection monitoring has not identified any instances of forced evictions from collective accommodation sites due to lack of payment, the substantial uncertainty around the process did create push factors for people to leave collective accommodation sites, including to return to Ukraine, when they were unable to find accommodation in the private market. Individual cases of forced eviction from collective sites occurred when the resident was violating house rules of the sites, for example due to substance abuse. While some respondents have seen it as an acceptable measure, it was unclear what support was provided to those persons to prevent homelessness and associated risks or to support them long-term.

Many of the protection monitoring participants residing in collective sites mentioned the experience of site relocation. Findings show that while relocation is often linked to insufficient funds on the side of local authorities and communicated in advance, it remains challenging to adapt to the constant changes, causing instability, particularly for families with children. This often implies a change of employment for adults and schools for children which increases emotional distress and hinders integration. Frequently, the relocation results in the deterioration of living conditions. From the perspective of respondents, the risk of relocation has increased compared to the early stages of the crisis. Many sites are also closing due to lack of funding. There is a prevalent worry among residents of sites covered by the protection monitoring that the decrease in funding will result in the loss of access to shelter provided by the collective accommodation sites. Some of the site monitored closed several weeks after the protection monitoring, even though no such specific risk had been identified during the monitoring. This highlights also the prevalent lack unpredictability in a sphere that is so crucial for the sense of security.

“In the place of collective residence, every 2 months they (the owners of the premises) say that they (the respondents) will be evicted. Then the deadline gets extended. And this has been happening over and over since the beginning of war”¹⁵

The availability of spaces in the tourist accommodation base resulted also in the creation of collective sites in privately operated hotels, hostels and bed and breakfasts. In the distinctive context of Pomorskie, characterized by seasonal tourism, respondents described seasonal evictions from collective sites due to heightened demand for accommodation during the summer. This also meant that for profit-driven stakeholders, the high tourist season and associated income generating opportunities created incentives for termination of hosting arrangements as refugees were unable to match the touristic prices. This exceeds beyond the commercial entities and encompasses also private hosts within the 40+ programme who in the summer rent out their properties to tourists via various short-term rental platforms.

¹³ Focus Group Discussion with members of the affected population. Pomorskie voivodship. September 2023.

¹⁴ Key Informant Interview with affected population. 29.08.2023

¹⁵ Focus Group Discussion with affected population. Pomorskie voivodship. September 2023.

"During winter, it is convenient for the owners of hotels and hostels to have Ukrainians and receive the 40+ benefit for them, and in the summer, they prefer to accommodate tourists, so they evict the Ukrainians, and when the season ends, they take Ukrainians again".¹⁶

"By the sea, there is a very high risk that they will evict us at the beginning of the summer season"¹⁷

Pomorskie is not the only voivodship where tourist accommodation has been used for providing emergency housing to refugees, however the scale is substantial. While the engagement of private sector in the refugee support system can be an interesting example of public-private collaboration, safeguarding concerns and protection risks related to lack of professional site management support have been identified. This affects in particular de facto collective sites funded through the 40+ government programme and run by commercial entities rather than private hosts. According to many respondents, the conditions in privately owned hotels are deteriorating. Concerns around inadequate food supplies and the sanitary conditions were raised.

"In our case, it's the hotel management [creating the threat of eviction]. They have created very poor living conditions; the kitchen and bathrooms are in a very bad condition. We think it's done on purpose to make us move out. The hotel authorities do not hide the fact that there are many other workers willing to keep our place."¹⁸

"Participants of the 40+ program are meant to house people and provide them with food. The inhabitants [...]only get one meal a day (a soup, or pancakes), and the owner does not let them use the kitchen to prepare complete meals for themselves, they can only use a microwave oven. At the end, they negotiated placing a simple heating plate outdoors in the harbour, but in winter this is no longer helpful"¹⁹

The issue of inadequate access to food is particularly affecting persons with chronic illnesses and the elderly whose source of income is often only the pension from Ukraine. Accessibility challenges were also highlighted, particularly for individuals with reduced mobility or other specific needs.

"It is very difficult for older people, like us, to find a job. We can't rent an accommodation on our own because our Ukrainian pensions are very small. There are not enough even for food, and in the hotel, we are given very bad food and not regularly. We spend money on medicines. Many of us suffer from various diseases. The hotel is absolutely not adapted for people with disabilities, there is a very poor ventilation and poor water supply."²⁰

Respondents referred to situations when punitive action was taken against those who were lodging complaints about the living conditions.

"[...] my food was thrown out of the fridge. For me, it was a supply for a few days. It is constantly said that we use a lot of electricity and water. Warm water supply is often interrupted, the stoves in the kitchen are very old and bad, what is more, the time we can use the kitchen is restricted. There

¹⁶ Key informant interview with affected population, August 2023

¹⁷ Key informant interview with affected population, August 2023

¹⁸ Key informant interview with affected population, 23.08.2023

¹⁹ Key informant interview with affected population, 21.08.2023

²⁰ Key informant interview with affected population, 23.08.2023

are good stoves too, but we were told that it wasn't for us. For somehow trying to argue with it, I was evicted from the room, and I had to move into a technical room under the stairs.”²¹

Many participants voiced a sense of dependence on the hotel management and related power-imbalance. It is unclear what monitoring mechanisms are put in place by authorities to oversee commercially run sites and report non-compliance.

An even stronger sense of power imbalance was voiced by those hosted within the government 40+ programme. Lack of security of tenure is related to the limit of 120 days during which the government allowance is paid to the host.²²

“The owner of the property does not issue any documents confirming the legality of my stay in the accommodation. I only know that the landlord receives 40 zł from the state for me, but I don't know how long he will receive this money and what will happen to my home next. We are constantly at risk of losing our homes. We don't know our rights. We do not know on what basis we live at the host's house”.

Oftentimes after this period people are asked to leave or pay a commercial rental fee which most of the times exceeds their resources. While the allowance is meant to cover both rental and food there are cases in which refugees are asked to pay additional money or forced to perform free labour for the landlord, going far beyond the care and maintenance expected from a tenant. Incidents when refugees were asked to leave without sufficient notice were also recalled by respondents, including some that involved children. Since there is no regulation on the accommodation standards which must be provided by the host who receives the allowance, there were instances of strangers being accommodated in the same room. For example a family with children was accommodated in one room with a man they have not known before.

Protection risks related to these hosting arrangements stem from the fact that the formal obligations are set between the state and the landlord, which the former does not seem to be monitoring. It does not include the hosted persons, which perpetuates a sense that the accommodation is provided on a charity basis rather than being a rights-based service.

“In private apartments, there is a lease agreement, and everything is clear there. But in collective housing, everything is based on relationships, because they sign a contract with the government and not with the residents”²³

The risk of eviction and the lack of tenure security are not confined to collective accommodation sites or hosting arrangements; rather, they manifest in distinct forms within commercially rented accommodations, which in principle should provide greater security of tenure. Access to the commercial rental market is linked to financial capacities but is compounded by the attitudes and perceptions of homeowners towards Ukrainian refugees, especially those with children.

According to key informants, most landlords seem also reluctant to rent accommodation to families with children. Respondents indicated that in some cases families with children are expected to pay a much higher deposit than the usually expected equivalent of a 1-month rent. Oftentimes they are forced to accept substandard living conditions while still paying a relatively high rent.

²¹ Key informant interview with affected population, 23.08.2023

²² This can be extended beyond 120 days for some categories of vulnerable groups as per the Special Act,

²³ Key informant interview with affected population, 12.09.2023

“[when] the landlords would learn about children, they would refuse to rent. They said: <<We don’t take children, we can take a dog, but we don’t take children, because they make a lot of noise>>”²⁴

“We faced the problem that the owners are very reluctant to take in families with children, so we accept poor agreement conditions with the host who take us with children. It is very difficult to find accommodation for rent, especially with children, the owners want an occasional rental agreement, which is very difficult for us”²⁵

“The owner constantly complains to me that children are noisy in the yard, that we use a lot of water and light. He takes advantage of my position that it is difficult to find accommodation when you have children, especially a separate apartment. Several times he raised the rent, explaining that prices were rising. We constantly feel threatened by him.”²⁶

In the realm of private accommodations, the absence of tenure security intersects with access to labour market. Overall, commercial rental prices are exceeding financial resources of many refugees especially those who face challenges to find employment – the elderly, persons with different disabilities but also single care providers, primarily women, especially, when they are unable to find care arrangements for their children. Even for those who do have a job, a single source of income is often insufficient to cover all necessary expenses – rent, food, medicine, not to mention expenses related to participation in social life. Thus, some of them work several jobs to provide for their family. However, availability of jobs is limited in the smaller urban areas and necessity of long commute puts an additional burden on single caregivers or persons with chronic illnesses.

The prevalent contract type mentioned by the affected population is the "occasional lease agreement," giving landlords access to a loophole to enable evictions, otherwise highly regulated by the legal framework. Since this agreement is based on providing an alternative address of residence in Poland, in case of foreigners it is usually facilitated through companies that provide a theoretical address for a substantial charge. Also, landlords often require an employment contract to be attached to the lease agreement, a stipulation not mandated by law. This is a challenge for many refugees who accept employment without formal contracts and with sparse wages and also to those whose source of income is in Ukraine. The need to pay a deposit and/or a broker’s fee is often another barrier to access the rental market for people with limited resources.

A notable obstacle arises with private homeowners who refuse to lease their properties to Ukrainians based on prejudice. Several respondents highlighted instances of lease offers being rejected solely due to the individual's nationality also affecting third country nationals. Some people therefore resort to the use of intermediary companies although incidents of exploitative terms and fraud were reported.

The ambiguity of contract conditions, compounded by a language barrier, plays a pivotal role in disputes and compounds tenure insecurity. The findings show that most Ukrainian refugees reported signing contracts predominantly in Polish, leaving room for agreement on terms without their comprehensive understanding by both parties.

While lack of payment was the most often mentioned as a reason for eviction, cases where tenants were threatened or forced to leave despite meeting contractual obligations were also mentioned. Allegedly, they

²⁴ Key informant interview with affected population, 21.08.2023

²⁵ Key informant interview with affected population, 29.08.2023

²⁶ Key informant interview with affected population, 17.08.2023

were driven by requests from tenants to improve the standard of the apartment or opportunities to rent the property for a higher price.

“ [...] before the end of the contract, demanding a young couple to leave the apartment because she found some other tenants who offered a higher price. The couple refused to leave because... had a valid lease agreement and did not want to change their place of residence under duress. The landlady behaved extremely inappropriately, came unannounced and went to the toilet in the apartment, or sat on the sofa in the room and refused to leave, etc.”

Findings reflect that in the Pomorskie voivodship both the affected population and service providers demonstrate a certain level of capacity to navigate the risks associated with eviction and tenure insecurity. Protection monitoring respondents from among the affected population appear to possess an awareness of available services designed to support them including in finding suitable housing. These services are typically offered by the social welfare departments and collective sites run by them as well as the NGOs that extend assistance to refugees in the region. On the other hand, many shared frustrations with the lack of clear information and contradicting guidance they receive even within the same office. While housing support options through the local social welfare departments exist in theory, there were few success stories of receiving relevant long-term support, that respondents were able to recall. Collective accommodation sites were however seen as safe spaces for persons who were exposed to exploitation by landlords or imminent eviction and risk of homelessness. Instead, community-based mechanisms and informal support networks were referred to as a main coping strategy when faced with tenure insecurity which included borrowing money, living with friends and family.

Those however also do not offer long term solutions or a guarantee for security of tenure. Consequently, many Ukrainians are compelled to resort to returning to their home country, a decision that exposes them to further risks, not only due to the scarcity of accessible adequate housing options in Poland but also because of the lack of trust that they will be supported with alternative options by the state.

“Most refugees pack up and go to Ukraine. There is neither mental nor physical strength to fight”²⁷

“Many people who had no place to live and were evicted from collective living quarters are returning to Ukraine”²⁸

While this coping mechanism is frequently cited as an option of ‘last resort’, it is not a viable or safe choice for all Ukrainians, especially those from occupied territories, who lack the option of returning. Some noted they would not even have the resources to pay for a journey back to Ukraine.

Protection monitoring findings indicate that the risks to security of tenure remain prevalent across all housing options for those who do not possess substantial financial resources. The constant uncertainty recalled by many respondents contributes to the strong emotional distress caused by forced displacement. This is causing psychological and psychosomatic consequences such as mental fatigue, depression, substance abuse and physical illnesses. It is also a barrier to achieving self-reliance and integrating within the local community. This has a particular impact on children and youth.

“It has a big impact. Due to constant stress, physical health also deteriorates. Under constant stress, the brain cannot make adequate decisions”²⁹

²⁷Key informant interview with affected population, 21.08.2023

²⁸ Key informant interview with affected population, 11.08.2023

²⁹ Key informant interview with affected population, 11.09.2023

“It has a great psychological effect. Uncertainty is constantly there. Always in anticipation that soon they will be left homeless”³⁰

Risk #3 – Barriers in Access to Documentation and Administrative Procedures

The relatively easy access to temporary protection for Ukrainian refugees, resolves numerous issues related to legalization of stay and access to services. Yet the different procedures of granting international protection in Poland affect in particular third country nationals fleeing from Ukraine and individuals indirectly affected by the geopolitics of the region – citizen of Belarus or the Russian Federation seeking international protection. Also, the legal status and success to services differs for Ukrainians who lived in Poland before February 24th, 2022. For these groups, uncertainties surround the asylum process and the acquisition of documentation confirming legality of stay, raising questions about fair treatment.

“In fact, we are non-Ukrainians, but we are also refugees.”³¹

In the complex landscape of providing documentation to Ukrainian refugees in Poland, challenges can be broadly categorized into factors related to the affected population and those associated with the duty bearers or entities responsible for issuing documents. Noteworthy, the latter relate both to the Polish system and services provided by the Ukrainian consulate. In Pomorskie the consulate is located in Gdansk and covers four voivodships.

A particularly vulnerable group consists of women with children and older individuals who have settled in Poland after the escalation of the war in Ukraine. Single heads of households, especially women, face challenges in initiating and pursuing administrative procedures. The need for in-person visits to obtain essential documents, such as passports for children, birth certificates, divorce papers, and guardianship documents, creates significant practical and financial access barriers for those who must travel from more remote areas to larger cities.

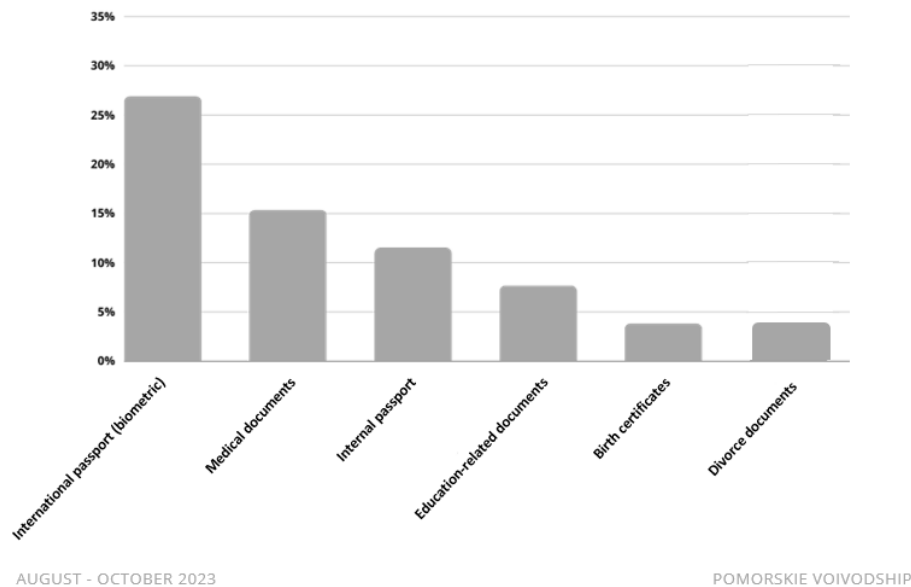
“The children do not have passports: I don't know where to go or how. Because we live far from Gdańsk, it is simply not possible to take an electronic queue for a passport [note at the Passport Service], I have gone several times and there are never any places. You just have to take a day off from work and go there, but I'm afraid to take days off often, lest I lose my job. My children don't have passports, and I can't make them.”³²

³⁰ Focus Group Discussion, Pomorskie voivodship. September 2023

³¹ Key informant interview with affected population, 11.09.2023

³² Key informant interview, 11.08.2023

TYPES OF DOCUMENTS DIFFICULT TO GET FOR UKRAINIAN REFUGEES



Also, some elderly individuals lacking a support system face challenges in access to documentation facilitated through digital channels. Limited digital literacy and lack of assets, such as smartphones or computers, impedes their ability to engage in procedures requiring online or technical capabilities or simply prevents independent access to those. Low levels of digital literacy and reliance on other persons, at times strangers, to operate apps such as DIIA or mObywatel exposes people to additional risks of fraud.

“For those who do not have access to the Internet (or do not know how to use it), it may be impossible to get information and documents as well”³³

While Ukrainian respondents generally acknowledge the absence of inherent issues with access to documents in Poland, barriers were also emphasized - financial resources required, the system incompatibility, and the conduct of public servants. Replacement of documents which were lost or left behind especially for persons from occupied territories presents more challenges. Conscription-age men face particular issues as not all documents can be obtained in the Ukrainian consulates, or the process is extremely complex. Yet, travelling back to Ukraine to obtain or recover documents would result in challenges to re-enter Poland. Furthermore, respondents note the fraudulent schemes around appointment bookings at Ukrainian consulates, where individuals mass-book appointments, and re-sell them to refugees in need.

“It is difficult to sign up for consultations online [...] because there are people who book places in advance and then sell them. Because of this, long queues are created, and the free online registration service becomes paid.”³⁴

Persons who left Belarus in fear of political persecution however face substantial barriers in obtaining documents and/or renewing passports. The latter can only be processed within the territory of Belarus. While Belarusians who have their residency in Poland regularized can obtain travel documents from the Polish authorities, the same does not apply to those staying in Poland on a humanitarian visa or children who do need a passport to have their residency in Poland regularized.

³³ Key informant interview with affected population, 04.08.2023

³⁴ Focus Group Discussion, 12.08.2023

While processes of document recognition or nostrification have been set up they usually require certified translations which are costly. Many persons with specific professional qualifications which are not automatically recognized in Poland find themselves trapped in a vicious circle working in low-paid positions below their qualifications having insufficient financial means to pay for the certified translation of documents or take any additional courses, which would allow them to access better paid jobs. The necessary processes or re-confirming one's Ukrainian disability status in Poland is costly and lengthy yet the Polish certificate is required to access to social safety nets and services for persons with disabilities.

“...the process gets very complicated. [a] woman had a child with a disability who could not move and had to carry her everywhere to confirm the diagnosis, but it cannot be even made in one institution. This is a very long process, during which mother and child must go through a very large number of institutions, doctors, make inquiries, confirmations”³⁵

Findings reflect that within Polish administrations, the challenges appear to be rooted in bureaucratic layers, lack of information dissemination, communication gaps among different offices and lack of interoperability of databases. A specific case of the latter is the lack of interoperability between the database of the Border Guards and social security office. It substantially extends the time required to unsuspend access to services in case of the lawful or accidental de-activation of PESEL-UKR.³⁶ Affected populations express difficulty in communicating with Polish authorities, attributing challenges to a human factor that involves specific administrators refusing services or providing inaccurate information. The frequency of such situations being recalled by respondents, however, raises concerns about consistent service delivery and its impact on various aspects of refugees' lives, including legal employment, healthcare, and social benefits.

“[...] it all depends on the human factor, that is, what kind of person you will fall into the instance (in the same institution from different employees, they received different information).”³⁷

In terms of response capacity, affected populations note a decline in community support over time. The recurring theme of a 'human factor' affecting administrative processes has psychological implications, contributing to mental fatigue and frustration among the affected population. The consequences therefore extend beyond the tangible aspects of life concerning refugees' access to legal employment, healthcare, and social benefits for children and those with specific needs. Findings show that the psychological toll appears significant, with some refugees contemplating returning to Ukraine, perceiving the administrative challenges in Poland as insurmountable.

Despite efforts to facilitate access to documentation through platforms such as DIIA, inconsistent information from administrations weakens the capacities of the affected population. Many refugees find traveling to Ukraine a more expedient option despite the associated risks.

³⁵ Key informant interview with affected population, 23.08.2023

³⁶ The PESEL-UKR confirming access to temporary protection in Poland is suspended in case of one's absence from the territory of Poland exceeding 30 days. Accidental deactivation can occur due to clerical errors.

³⁷ Key informant interview with affected population, 23.08.2023

Risk #4 - Hate Speech, Harassment and Risk of Intercommunal Conflicts

Hate speech is defined as speech which incites national, ethnic, racial, religious and/or sexual orientation and gender identity, health-based discrimination, hostility or violence. Harassment refers to words or behavior that threatens, intimidates, or demeans a person. Harassment is unwanted, uninvited, and unwelcome and causes nuisance, alarm, or substantial emotional distress without any legitimate purpose.

14 KIs and 5 FGDs with the affected population were conducted to gain a better understanding of the risk of hate speech and harassment and dynamics around social cohesion. Additionally, 12 key informant interviews with service providers, including psychologists and educators in schools, were undertaken to analyze the multifaceted risk of hate speech and harassment focusing on the school environment.

Protection monitoring findings from Pomorskie voivodship confirm the alarming rise of discrimination, harassment in public spaces and hate speech, directed specifically at Ukrainian refugees affecting both adults and children. They also highlight certain conflicts within the Ukrainian community though according to respondents their overt manifestations are less prevalent compared to the conflicts between Polish and Ukrainian groups.

Instances of harassment and hate speech occur often in the public space and are directed against people who speak Ukrainian or Russian publicly, even if in private conversations. In some cases such attacks go beyond verbal:

“Most often it is verbal, but it can also be physical. For example, [a] child was walking down the street and talking on the phone in Ukrainian, and someone spat on the child”³⁸

Key informants and FGD participants discussed a noticeable increase of verbal attacks, hate speech and microaggressions compared to the situation in the early months of 2022. Microaggressions and harassment takes place also in the work environment particularly in the agricultural and hospitality sector. Key informants recalled cases when customers refused to be served by waiters/waitresses of Ukrainian origin or when Ukrainians in managerial positions were publicly questioned about their credibility and merit of getting a job. Acceptance of unequal treatment in the labor market and substandard working conditions by persons whose difficult economic situation makes them feel compelled to do so also has a knock on effect on intercommunal relations. The host community tends to blame refugees for the deterioration of working conditions and decrease of salaries offered.

“Poles hold a grudge that employers employ Ukrainians, not Poles because [Ukrainians] are cheap labour.”³⁹

The deterioration in attitudes towards Ukrainian refugees is also noticeable in the area of access to public services. Increasingly frequently people who do not speak fluently Polish are refused to be served while translation services are not provided by public institutions. Instances of public ridicule of people making mistakes when speaking Polish were also recalled.

“In public institutions [Poles] tend to look down on Ukrainians. Some representatives of the same institution can help, others "put a spanner in the works". Also, when you communicate in Ukrainian on the street, you can feel the looks. It is more common in small settlements”⁴⁰

This may be additionally fueled by the limited understanding of the rights of refugees under national and international law and misconceptions about the levels of assistance especially the financial one that

³⁸ Key informant interview with affected population 19.09.2023

³⁹ Key informant interview with service provider 09.09.2023

⁴⁰ Key informant interview with affected population 13.08.2023

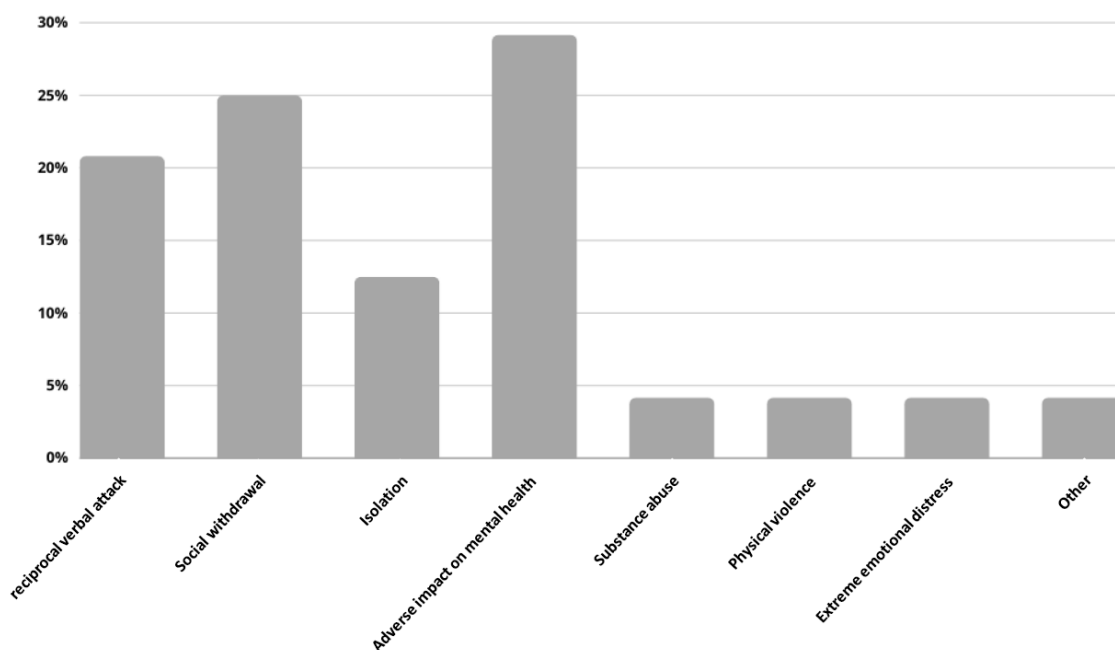
Ukrainian refugees receive in comparison to Polish citizens and the lack of knowledge about the contribution of Ukrainians to the Polish economy.

While most of the respondents felt that those situations are caused by individual attitudes considering how frequently those were recalled by protection monitoring participants it raises the question about systemic problems related to social cohesion.

“Recently, I have been hearing more and more insults in my direction because I am Ukrainian. Sometimes they say it to your face, but more often than not, they start talking to each other in our presence, maybe they think we don't understand them. Sometimes, when I walk down the street, I think, ‘I hope the phone doesn't ring, so I don't have to speak Ukrainian, and no one will hear that I'm Ukrainian.’ Previously, there was less of this negativity”⁴¹

CONSEQUENCES OF HATE SPEECH AND HARASSMENT (ADULTS)

based on perspectives of key informants (multiple answers possible)



AUGUST - OCTOBER 2023

POMORSKIE VOIVODSHIP

According to many respondents the quality of intercommunal relations is best observed in schools, particularly among teenagers. More often than among adults they take a violent turn. Peer-conflicts and bullying are both driven by intercultural differences and prejudice and use diversity factors in expressions of conflicts caused by other drivers. At times they are also fueled by the narrative children hear at home related both to economic relations and misconceptions but also unresolved Polish – Ukrainian historical resentments.

"Polish adults are more often silent, restrained in their expressions in public places. But at home they discuss among themselves, children hear and then insult Ukrainian children at school."⁴²

⁴¹ Key informant interview with affected population 21.09.2023

⁴² Key informant interview with service provider 19.09.2023

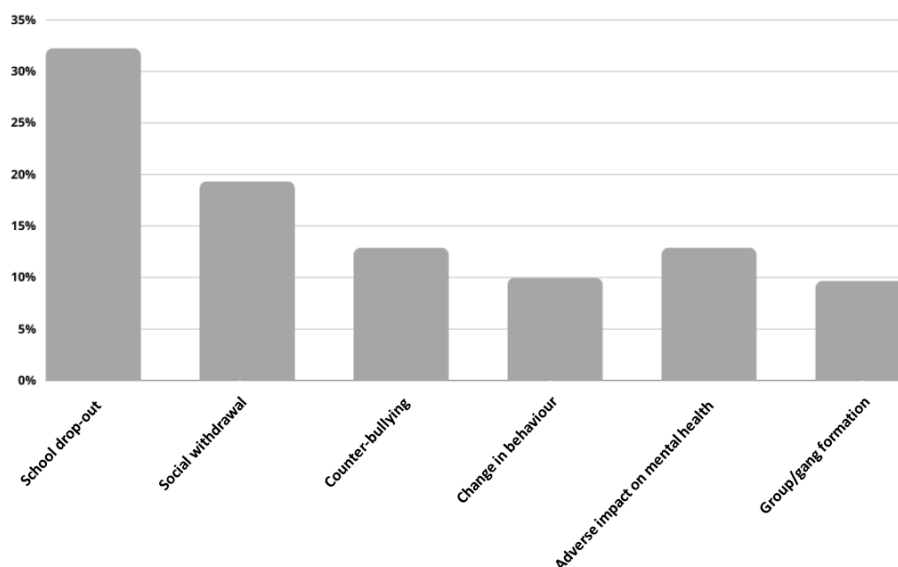
Conflicts arise also when additional activities or school support is dedicated to Ukrainian children only, instead to anyone in need or interested in such. Instances of verbal and physical abuse, notably among teenagers, were reported. Physical attacks ranged from damaged property, extortion to fights, both within school premises and in other public spaces. Respondents recalled different ways in which schools deal with those conflicts – dismissal, collective punishment but also proactive measures aimed at increasing conflict resolution capacities of students and teachers. Importance of teachers and school pedagogues as protective actors was frequently mentioned by key informants.

"There is certainly a lack of commitment and willingness if children are ridiculed and bullied and misunderstood because not all children immediately speak Polish, what they are not allowed and they don't understand. The school organized meetings to show Ukrainian culture in order to get to know each other"⁴³

Unfortunately, there are also cases when the risk of discrimination comes from the teachers. Key informants mentioned incidents when children were not allowed to speak Ukrainian among themselves during breaks. Oftentimes parents fear to report incidents of peer-violence or discrimination to avoid reprisal, further escalation or mockery, especially when a language barrier exists. Key informants also pointed at language skills as a key protective factor. Respondents discussed also some missed opportunities for improving relations through project work, joint extracurricular events or casting Ukrainian children on par with Polish ones for school plays and events.

CONSEQUENCES OF HATE SPEECH AND HARASSMENT (CHILDREN)

based on perspectives of key informants (multiple answers possible)



AUGUST - OCTOBER 2023

POMORSKIE VOIVODSHIP

When discussing hate speech, harassment and intercultural conflicts many respondents were highlighting their grave impact on children's mental health, sense of safety and willingness to build relations with peers across nationality lines. Subsequently this enhances barriers to integration and increases the likelihood of forming conflicted origin-based peer groups. On number of occasions such experiences led to the child's drop out from school. Hearing about the cases of ethnically-motivated bullying some parents are reluctant to enroll

⁴³ Key informant interview with service provider 09.09.2023

their children into Polish schools. Yet online schooling is increasing the social isolation of children and aggravates their mental health needs. According to key informants among service providers building peer relations in schools may be more challenging for boys than girls.

On the other hand many of the interviewed service providers were pointing out that overall the relations are positive and conflicts which arise are not driven by nationality but rather common group dynamics especially among youth and children.

Intra-community conflicts manifested in the form of verbal abuse and harassment exist also within the Ukrainian community in Pomorskie, though from the perspective of key informants they are much less prevalent than between Poles and Ukrainians. These tensions are attributed to geographical origins, language differences, and sense of disenfranchisement on the side of the pre-war Ukrainian community in Poland. Disputes over the use of language, particularly Russian, have emerged since the escalation of the conflict. Russian-speaking Ukrainians find themselves subject to harassment for not speaking Ukrainian, further exacerbated by the perception that they are prioritizing learning Polish over Ukrainian while residing in Poland. Additionally, disparities in support, based on the timing of arrival and whether individuals were residing in Poland before the war, contribute to internal tensions. Those arriving shortly after February 24th, 2022, are perceived as receiving more support, creating a sense of privilege and increasing the pressure on this segment of the refugee community to integrate rapidly, leaving little room for voicing concerns or complaints. Some of the tensions are also based on notions that it is the persons from the occupied territories who are the 'real' refugees while those from Western Ukraine have no reasons to flee the country and moreover their presence limits the available assistance resources for Ukrainian refugees.

Key informants were also recalling various initiatives aimed at bringing communities together or promoting Ukrainian culture but these were rather one-off events than continuously designed strategies to enhance social cohesion, foster two-way integration, deescalate conflicts or counter misinformation. While the affected population acknowledges the presence of Mental Health and Psychosocial Support (MHPSS) services provided by NGOs and public services, a growing awareness of diminishing support aimed at fostering social cohesion is evident. None of the interviewees mentioned legal pathways in response to bias-motivated crimes as a feasible coping strategy. Instances of reduced support for interpretation assistance in administrative processes, intercultural assistants, and a decline in support within healthcare facilities further underscore the affected population's apprehensions about the diminishing availability of services. These factors unfavorably affect social cohesion and integration efforts among the local communities across the Pomorskie voivodship.

SGBV

Like in Dolnośląskie voivodship, assessing the risk of Sexual and Gender-Based Violence (SGBV) is challenging in humanitarian contexts, including the Ukrainian refugee crisis in Poland. However, nuances related to the risk emerged during assessments of tenure security, hate speech, harassment, and social cohesion.

Protection monitoring found the risk of SGBV is linked to tenure security and exists in collective accommodation sites, private housing, and the 40+ programme. Cases of demands for sexual favours or sexual harassment from Ukrainian women hosted within the 40+ programme were referred to by respondents.

SGBV risks often go unrecognized by the affected population, as evidenced by responses from focus group discussions and key informant interviews, highlighting a lack of awareness about GBV, especially its psychological and socio-economic dimensions, as such behaviour is normalized, especially when perpetrated by intimate partners or family members. Respondents faintly discern the full understanding of what SGBV entails, whereas protection monitoring efforts faced little engagement from service providers to discuss this risk at community level.

The report is developed by Danish Refugee Council in Poland, Moldova and Romania. Readers affected by this report may contact the following email address for further information and support c.o.conduct@drc.ngo



DRC DANISH
REFUGEE
COUNCIL