**Poland’s response**

**to the letter from the Office of the High Commissioner for Human Rights**

***General Assembly Resolution A/RES/76/172 on the Protection of migrants***

**10th May 2022**

Replying to the letter from the Office of the High Commissioner for Human Rights asking for contribution required to prepare the Secretary’s General report entitled *Human rights of migrants*, covering all aspects of the implementation of the General Assembly Resolution A/RES/76/172 on the *Protection of migrants*, please find below the following information.

**The assistance of the government of the Republic of Poland offered to refugees and migrants fleeing Ukraine after launching Russian military aggression against Ukraine**

Russia’s military aggression against Ukraine has triggered an unprecedented migration of Ukrainian citizens to Poland. In the first place, our assistance centered on receiving refugees, many of them women, children and older persons, making sure that they are safe, and on addressing their needs.

It must be noted that out of 16 million people leaving Ukraine since the outbreak of the war, almost 9 million (as at 27 April 2023) came to Poland — more than any other country. More than 1,5 million were registered for the temporary protection in Poland. In the height of the refugee influx, 41 reception points and 148 information points were launched for refugees.

Complex solutions for the benefit of Ukrainian refugees were introduced by the Act of 12 March 2022 on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in the Territory of that State. Among other things, the statute legalized the stay of Ukrainian citizens in Poland, opened the country’s labour market to them, and established financial and social-support mechanisms for Ukrainian citizens, as well as extending financial support to those providing them with accommodation and food.

This legislation guaranteed access to the public health-care system for Ukrainian refugees on the same terms as Polish citizens, as well as access to the education system for pupils with Ukrainian citizenship who are refugees from war, unpaid preschool education for children from 2.5 to 5 years of age, and transport for pupils to school. Moreover, Polish and Ukrainian students until-then pursuing higher education in universities in Ukraine were guaranteed the ability to continue their studies in Polish universities and Ukrainian researchers the ability to continue their work in Polish academic and scientific institutions, along with funds for salaries and research grants under a special programme administrated by the National Science Centre.

Since the onset of the war citizens of 179 states (not including citizens of Ukraine or Poland) crossed the Polish-Ukrainian border. Any foreign national fleeing Ukrainian territory may apply for international protection in Poland.

**Situation at the Polish-Belarusian Border**

Since mid-2021 increased migratory pressure of an unprecedented scale has been observed at the Polish state border with Belarus as an effect of the hybrid threat organized by the Belarusian authorities in order to destabilize internal situation and evoke migration crisis.

This required Polish authorities to take adequate legal measures and develop additional resources to protect public safety and ensure that all actions were in full compliance with the international commitments and human rights norms.

Polish Border Guard is obliged to guard the inviolability of the state border and cannot allow it to be crossed contrary to the regulations, both in the direction of entry and exit. Crossing the border, which is also the external border of the European Union, is possible only at designated border crossing points.

At the same moment, it should be clearly stated that all persons looking for international protection can do this legally at the border crossings or in the embassies/consulates of any democratic country. Regarding the foreigners who were apprehended at the Polish territory - Poland provides them with emergency aid, they are hospitalized if needed. It should be emphasized that there are no people on our territory who would needed care and not received care it after crossing the border.

The Polish authorities on an ongoing basis strive to provide migrants who crossed the border illegally with all necessary assistance, especially humanitarian and medical aid. The Polish Border Guard officers make thorough checks every time a person is found in connection with an illegal border crossing. In each case, the health condition of the migrant is assessed - if necessary, medical intervention or care is provided.

These cynical activities of the Belarusian regime directly preceded fully unprovoked and unjustified Russian aggression on Ukraine. The war, which was also conducted from the territory of Belarus and supported by its authorities, created unprecedented in our region massive displacement, mostly affecting innocent women, children and elderly persons.

Migrants making attempts to cross the Polish-Belarusian border in the vast majority, despite their awareness of the dangers of illegal border crossing, use the assistance of people and institutions organizing the "Belarusian smuggling route" for a fee. Tourist agencies or smugglers help migrants obtain a Belarusian tourist visa and fly to Minsk on chartered planes, from where they reach the border with Poland. It is worth noting that according to the international refugee law, migrants using the Belarusian invitation are already in a safe country - Belarus is a party to the 1951 Convention Relating to the Status of Refugees.

From the very beginning the third-country citizens, especially women and children, are instrumentally and cynically used for this purpose by the Belarusian authorities. We believe that people's lives must not be subjected to this kind of shameful activity. The instrumentalization of migration is a part of political blackmail against Poland, the Baltic states and Europe as a whole.