1. Basic Information
1.1. CRIS number: 2002/000-580-03-02
1.2. Title: Twinning for asylum administration
1.3. Sector: JHA
1.4. Location: Poland

2. Objectives
2.1. Overall objective
Enable the Polish asylum administration to work in line with the EU standards on asylum as they are in the *acquis communautaire*.

2.2. Project purpose
Reinforcement of institutional and administrative capacity of state agencies responsible for management and implementation of Polish migration policy and integration of refugees.
Alignment of Polish migration and asylum policy with EU standards.

2.3. AP and NPPM priority
*AP*: continue preparation for future participation in the Schengen Information System by developing national databases and registers
*NPPM*: priorities defined in part No 24 – ‘Justice and Home Affairs’: implementation of migration policy and new asylum system (priority 24.1).

3. Description
3.1. Background and justification
The legislative changes in the Polish law which was introduced in 2001 aimed to adjust the Polish foreigners legislation to the EU standards. The overall evaluation of the changes is positive.

Establishing of the Office of Repatriation and Aliens on July 1st, 2001 aims to implement the legal and procedural standards improving implementation of Polish migration and asylum policy. The new Polish Aliens’ Act is being prepared, partly due to the changes in *acquis communautaire* itself, partly to improve the procedures and legal institutions in order to reach full adjustment. Under such circumstances the implementation of the provisions is getting more and more important factor.

Preparation of the new Aliens Act would be the best occasion to use the knowledge gained as the result of the project to complete and improve the provisions of the law on refugees.

The Polish asylum administration has had 10 years experience in dealing with asylum seekers and the procedures are consistent with both EU and UNHCR standards. However, there is still high need to broaden the practical knowledge as far as some special groups of asylum seekers are concerned. The need includes procedures but it also goes beyond the formal aspects of procedure and sometimes it touches more complex social and cultural problems (circumstances of taking care of vulnerable groups, integration of refugees etc).

These aspects of dealing with asylum seekers and refugees are relatively new for the Polish asylum administration and there is an urgent need to strengthen the administration in these fields.

The process of realization of the Dublin Convention provisions seems to be a very special and difficult challenge for the Polish administration. So it is specially important to prepare the administrative staff to cope with the Dublin procedures effectively. Readiness to use the provisions of Dublin Convention is getting a very important element of adjustment to the EU asylum standards.

All of mentioned above will enable to “close” the overall area of training in asylum matters and will enable to take the asylum as a phenomenon in more “holistic” way.

As it was mentioned before, the Act on Aliens amended in 2001 contains provisions and legal institutions from the asylum part of the *acquis communautaire*. Because the implementation of it is one of the main purposes of the asylum administration now it is necessary to support the administration especially in these parts of the *acquis* which have not been existed in the Polish legislation before or which included previously solutions not fully consistent with the *acquis*.

The implementation of the legislative solutions of the *acquis* means as well the obligation to prepare and introduce over 20 executive legislations as a result of amendment to the Aliens Act.
Some executive legislation is to be devoted to the procedures or problems covered by present project (unaccompanied minors, vulnerable groups). The works have begun on preparing the drafts of the legislations. So the project would meet the works half way.

The last but not least is the problem of refugee integration. That is the very complex problem and each information, which could help us to build an effective and flexible system, would be valuable.

3.2. Linked activities
Strengthening the Polish asylum administration – that is the main or side-effect of all of the seminars and training organised so far in the asylum field. Especially the Phare Horizontal Program on Asylum that was held in the years 1998-2000 influenced significantly the works on the amendments to the Aliens Act. PHP on Immigration that began in 2001 also has a lot of asylum elements.

Twinning 2002 is a continuation of the EU twinning programmes addressed to Polish services responsible for asylum matters.

Twinning’98 ‘Eastern Border Management and Infrastructure II (programme has been completed) paid attention on combating illegal immigration and tackling the problem of forged and fake documents.

Twinning’99 ‘Reinforcement of home affaires administration and border management’(programme has been completed) contained training of the operators of the information system at its various levels, provided for the Polish immigration and consular staff and training in technical aspects of connecting national information systems with SIS and Eurodac system introduction.

Twinning 2000 “Harmonisation of Polish visa and migration-asylum policy with EU requirements”(under realisation) contains developing of IT systems including Eurodac and training cycle for experts and system operators. The programme foresees training in treating unaccompanied minors applying for refugee status and refugees affected by traumatic experiences or health troubles and treating refugees according to article 1F of Geneva Convention and cessation clause (art. 1C Geneva Convention).

Twinning for migration and visa policy 2001 (under preparation) beside developing and modernizing of IT systems develops and widens the knowledge of Polish migration staff in following subjects: false document detection and use of new software and procedures, combating the sources of immigration in the countries of origin, EU member states co-operation in the framework of Dublin Convention; training on new legal instrument concerning asylum and migration issues which will be adopted after year 2001; immigrants’ family reunification problems; voluntary repatriation of refugees.

Ministry of Labour and Social Policy participated in training on refugees issues. In 2002 similar training are planned for representatives of Voivods’ and Powiats’ Offices. Moreover, in the frame of Phare Economic and Social Cohesion Programme project concerning integration of refugees will be realised in 2001.

3.3. Results
a. Streamlining of refugee and asylum procedures (shortening the time starting from application up to final decision of granting/refusing the refugee status);
b. Widening the knowledge acquired by the asylum administration workers on different administrative levels;
c. Involvement of Gmina’s and Voivods’ Offices’ staff into training system (especially in integration issues);
d. Streamlining of Polish employees’ access to newly introduced EU documents;
e. Familiarizing of migration staff with methods of Dublin Convention realization in the view of its implementation after the Polish accession to EU;
f. Gaining by MLSP employees a comprehensive knowledge concerning the process of integration of refugees.

3.4. Activities
The Project includes four components:
1) Common solutions (realised by seminars in Poland and one study visit in EU country)
   a) migration policy of EU states - Office for Repatriation and Aliens, Border Guard;
b) problems concerning third countries citizens staying on EU countries territory - Office for Repatriation and Aliens;
c) asylum procedures in EU states - Office for Repatriation and Aliens, Border Guard;
d) legal status of aliens after getting the refugee status in EU states - Office for Repatriation and Aliens;

2) Procedural technology (realised by seminars in Poland and one study visit in EU country):
   a) seminar on the Dublin procedures – Office for Repatriation and Aliens, Border Guard;
b) training how to use the Dublin procedures in practice - Office for Repatriation and Aliens, Border Guard;
c) recognition of an alien – co-operation in the frame of Dublin Convention or system constructed on its base - Office for Repatriation and Aliens;
d) training how to make an asylum interview (when an asylum seeker is of different religion which influence his/her behaviour; when an asylum seeker experienced strong traumatic events; when an asylum seeker is apparently insincere; when an asylum seeker is aggressive; etc) – Office for Repatriation and Aliens, Border Guard.

3) Special procedures and treatment (realised by workshops in Poland and study visits in EU countries):
   a) Seminar on the circumstances of taking care of asylum seekers and refugees who are unaccompanied minors or members of vulnerable groups, e.g. women, families with children, persons affected by traumatic experiences etc. (initiation procedure - accommodation in a centre - integration process, etc) - Office for Repatriation and Aliens, Border Guard, Ministry of Labour and Social Policy;
b) seminar on the practice in legalisation of stay and the social protection for the rejected asylum seekers who cannot come back to their countries of origin or permanent stay because of “non-refoulement” prohibition - Office for Repatriation and Aliens, Border Guard, Ministry of Labour and Social Policy;
c) problems concerning admission of refugee status’ applicants – minimum standards of admission, application from aliens declaring membership in terrorist organisation, gathering information of refugees, countries of origin – Office for Repatriation and Aliens;
d) family reunification – organisation of the process – Office for Repatriation and Aliens, Ministry of Labour and Social Policy;
e) voluntary repatriation – organisation of the process – Office for Repatriation and Aliens

4) Integration of refugees:
   a) Seminar in Poland for all beneficiaries of the project on co-operation in refugee’s integration process (e.g. legal provisions on refugee’s integration – education, health, social assistance, institutional solutions; NGO’s and voluntary service’s role; refugee’s integration’s programmes at central and local level);
b) Two study visits – process of enforcing of legal provisions on refugee’s integration issues (gminas examples); staff (vocational training) co-operation with voluntary services and local institutions; information exchange; informing immigrants on their entitlement to social welfare (their rights and duties); financing, planning and reporting (representatives of, Voivodeship Offices and Powiat Centres of Family Support);
   a) Training on intercultural orientation and intercultural personal skills (initial interview with migrants) – Office for Repatriation and Aliens, BG, Ministry of Labour and Social Policy.

The PAA post is expected in the framework of twinning. The successful candidate for PAA should have sufficient experience in the above mentioned matters and management skills and be fluent in speaking and reading English language (knowledge of Polish language will be an additional asset). The Pre-Accession Adviser will be involved in:
- securing the effective co-ordination and implementation of the twinning project’s objectives and the delivery of planned outputs by day to day management of the project;
- on consultation with relevant representatives of EC Commission, the Polish authorities and the twinning partners looking to secure necessary support and back-up required to implement the project;
- assisting the Polish Office for Repatriation and Aliens in defining and implementing its objectives.
providing support (with other Twinning experts), where necessary, concerning the development plans for the refugee centres in Debak and Linin, both in terms of design and investment purchase. 

The Pre-accession Adviser will be placed in the Office for Repatriation and Aliens for 12 month period.

4. Institutional framework

The Ministry of Interior and Administration (MIA) is a leading agency of the project. The Ministry of Interior and Administration in co-operation with leading EU partner will establish a steering committee, which will consist of representative of all recipient ministries and EU partners. Main beneficiary of the project is Office for Repatriation and Aliens. The Border Guard and Ministry of Labour and Social Policy are also beneficiaries of the project (the Border Guard within its responsibilities in the migration chain).

Ministry of Labour and Social Policy will take part in this project due to the legal obligation put on the social welfare to co-ordinate actions in the field of integration into the society persons having the refugee status. This issue put on the social welfare system is the least known among its all other obligations. Up to now, the number of refugees in Poland has been of marginal character. However the number of refugees residing in Poland is growing and requires specific activities. Therefore, the possibility of using experience of other countries, which have already encountered the problem of the refugees and their integration in the society and work out a system of integrated actions is extremely important for Polish side.

5. Detailed Budget in million euro

<table>
<thead>
<tr>
<th>Investment</th>
<th>Institution Building (IB)</th>
<th>Total Phare</th>
<th>Recipient</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office for Repatriation and Aliens</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>0,25</td>
</tr>
<tr>
<td>Border Guard</td>
<td>-</td>
<td>0,15</td>
<td>0,15</td>
<td>0,015</td>
</tr>
<tr>
<td>Ministry of Labour and Social Policy</td>
<td>-</td>
<td>0,05</td>
<td>0,05</td>
<td>0,005</td>
</tr>
<tr>
<td><strong>Total contract</strong></td>
<td>-</td>
<td><strong>1,2</strong></td>
<td><strong>1,2</strong></td>
<td><strong>0,27</strong></td>
</tr>
</tbody>
</table>

The co-financing funds for the project implementation will be available.

6. Implementation arrangements

6.1. Implementing Agency

Financing and contracting unit: CFCU: Co-operation Fund, Mr Wojciech Paciorkiewicz, Director, Górnoslaska 4a; 00-444 Warsaw, Phone: +(4822) 622 00 31, Fax: +(4822) 622 95 69. Project Authorising Officer (PAO): Mrs Krystyna Gurbiel, Under-Secretary of State at the Office of the Committee for European Integration, Al. Ujazdowskie 9, 00-918 Warsaw, Phone: +48(22) 455 52 41, Fax: + 48(22)455 52 43

6.2. Twinning

The CFCU will be in charge of the financial management. Contact person: Ms Malgorzata Kutyla, Department of European Integration and International Co-operation, Ministry of Interior and Administration; ul. Wspólna 2/4; 02-514 Warsaw, Phone: +48 22 6618978; Fax: +48 22 6618966; e-mail: wydzei@die.mswia.gov.pl

6.3. Non standard aspects

Provision of the Twinning Manual will be followed.

6.4 Contracts

Number of contracts – 1 twinning covenant for 1,2 M€.

7. Implementation schedule

Covenant signing: 2 Q 2003
Start of projects activity: 3 Q 2003
Completion of project: 3 Q 2004
8. Equal opportunity
Appropriate professional qualifications and experience will be the main factors of personnel recruitment and evaluation. Both women and men have identical prospects.

11. Investment criteria: n.a.

12. Conditionality and sequencing
The covenant is planned to be signed in the 2nd quarter of 2003. The Steering Committee will meet quarterly to monitor the implementation of the project.
## Logframe matrix

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR</th>
<th>Programme name and number</th>
<th>Capacity building in asylum administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>03.02 Twinning for asylum administration</td>
<td>Contracting period expires: 30/11/04</td>
<td>Disbursement period expires: 30/11/05</td>
</tr>
<tr>
<td><strong>Overall objective</strong></td>
<td></td>
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</tr>
<tr>
<td>Enable the Polish asylum administration to work in line with the EU standards on asylum as they are in the <em>acquis communautaire</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Project purpose</strong></td>
<td><strong>Objectively verifiable indicators</strong></td>
<td><strong>Sources of Verification</strong></td>
</tr>
<tr>
<td></td>
<td>EU norms and standards applied</td>
<td>reports of the EU representatives and the EC experts, reports of the Ministry of Interior and Administration (Office for Repatriation and Aliens) statistic data, specialised analysis.</td>
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<tr>
<td></td>
<td>Dublin requirements gradually achieved</td>
<td>reports of the EU experts; beneficiary’s reports; specific analysis; statistic data.</td>
</tr>
<tr>
<td><strong>Results</strong></td>
<td><strong>Objectively verifiable indicators</strong></td>
<td><strong>Sources of Verification</strong></td>
</tr>
<tr>
<td>- Streamlining of refugee and asylum procedures (shortening the time starting from application up to final decision of granting/refusing the refugee status);</td>
<td>- Less time-consuming procedures</td>
<td>- Public administration statistic data, - Office for Repatriation and Aliens reports and statistics - Independent audit agencies’ reports (if commissioned)</td>
</tr>
<tr>
<td>- Widening the knowledge acquired by the asylum administration workers on different administrative levels</td>
<td>- Increased number of the files processed</td>
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<tr>
<td>- Involvement of Gmina’s and Voivods’ Offices’ staff into training system (especially in integration issues)</td>
<td>- Increased number of staff trained</td>
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<td>- Streamlining of Polish employees’ access to newly introduced EU documents</td>
<td>- More employees in Voivods and Gminas trained in the migration and asylum procedures</td>
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<tr>
<td>- Familiarizing of migration staff with methods of Dublin Convention</td>
<td>- Number of MLSP’s employees trained;</td>
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<td></td>
<td>- Number of EU documents</td>
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<td>- New legislation entered into force</td>
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</table>
realization in the view of its implementation after the Polish accession to EU.
- Gaining by MLSP employees a comprehensive knowledge concerning the process of integration of refugees.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common solutions&lt;br&gt; a) migration policy of EU states;&lt;br&gt; b) problems concerning third countries citizens staying on EU countries territory;&lt;br&gt; c) asylum procedures in EU states;&lt;br&gt; d) legal status of aliens after getting the refugee status in EU states;</td>
<td>Twinning covenant agreed and signed; PAA in place; training materials provided; training and study visits carried out; translated documents.</td>
<td>funds for co-financing ensured; trained staff stays at the beneficiary institutions.</td>
</tr>
<tr>
<td>Procedural technology:&lt;br&gt; a) seminar on the Dublin procedures;&lt;br&gt; b) training how to use the Dublin procedures in practice;&lt;br&gt; c) recognition of an alien – co-operation in the frame of Dublin Convention or system constructed on its base;&lt;br&gt; d) training how to make an asylum interview (when an asylum seeker is of different religion which influence his/her behaviour; when an asylum seeker experienced strong traumatic events; when an asylum seeker is apparently insincere; when an asylum seeker is aggressive; etc).</td>
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<tr>
<td>Special procedures and treatment:&lt;br&gt; a) seminar about the circumstances of taking care of asylum seekers and refugees who are unaccompanied minors or members of vulnerable groups (initiation procedure - accommodation in a centre - integration process, etc),&lt;br&gt; b) seminar about the practice in legalisation of stay and the social protection for the rejected asylum seekers who cannot come back to their countries of origin or permanent stay</td>
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</table>
because of “non-refoulement” prohibition.
c) problems concerning admission of refugee status’ applicants – minimum standards of admission, application from aliens declaring membership in terrorist organisation, gathering information of refugees, countries of origin;
d) family reunification – organisation of the process
e) voluntary repatriation – organisation of the process
Integration of refugees:
b) Seminar in Poland for all beneficiaries of the project on co-operation in refugee’s integration process (e.g. legal provisions on refugee’s integration – education, health, social assistance, institutional solutions; NGO’s and voluntary service’s role; refugee’s integration’s programmes at central and local level;
Two study visits (representatives of The Ministry of Labour and Social Policy, Voivodeship Offices and Powiat Centres of Family Support) – process of enforcing of legal provisions on refugee’s integration issues (gminas examples); staff (vocational training) co-operation with voluntary services and local institutions; information exchange; informing immigrants on their entitlement to social welfare (their rights and duties); financing, planning and reporting.

| Preconditions |
c| covenant signed; |
P| Phare funds available |
### Annex No 2-3: Implementation, contracting, and disbursement schedules

#### 03.02 Twinning for asylum administration

<table>
<thead>
<tr>
<th>Plan</th>
<th>Date of Drafting</th>
<th>Planning Period</th>
<th>February 2002</th>
<th>9/2002-9/2004</th>
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</table>

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- **Implementation schedule**
- **Contracting schedule**
- **Disbursement schedule**

<table>
<thead>
<tr>
<th>Legend: C=tendering and contracting; I= covenant implementation and payment, D=designed of sub-projects</th>
</tr>
</thead>
</table>

- Implementation schedule
- Contracting schedule
- Disbursement schedule

**Budget Allocation Cost Estimate in MEUR**

- 1.2
- 0.2
- 0.5
- 0.9
- 1.2
- 1.2