1. Basic information
1.1 CRIS Number: 2002/000-605-03.01
1.2 Title: Migration and asylum policy
1.3 Sector: Justice and Home Affairs
1.4 Location: Poland

2. Objectives
2.1 Overall objective
• Alignment of Polish migration and asylum policy as well as visa policy to the common EU policy.

2.2 Project purpose/immediate objective
• Preparation of Polish immigration administration (infrastructure) for expected growth in the number of applicants for refugee status and strengthening it to implement the future common EU provisions on minimum standards of reception for asylum applicants.

2.3 AP and NPPM priority
Accession Partnership
• Ensure full co-operation between national and EU law enforcement agencies by providing necessary administrative and logistical support

National Programme of Preparation for Membership
• Support for the newly created Office for Repatriation and Aliens defined in NPPC 2002 – 2003 (priority 24.1).

3. Description
3.1. Background and justification
Adaptation of the structure of Linin and modernisation of the Central Reception Centre in Debak:

Establishing of the Office for Repatriation and Aliens on July 1st, 2001 aims to reinforce the effectiveness of Polish migration and asylum system and accelerate the implementation of adopted legal solutions (including implementation of acquis). One of the Office development priorities is to develop the infrastructure of the reception – residential refugee centres, taking into consideration minimum standards required and the increasing number of refugee status applicants.

The need of capacity enlargement of Polish reception centres for refugee status seekers is caused by following reasons:
A. Significant increase of the number of refugee status seekers and also predictions for next few years indicating growing aliens influx.
B. Lack of places in current centres.
C. Lack of possibility to give appropriate care for respective groups of aliens applying for refugee status (unaccompanied minors, families with children).

Ad. A
In the years 1994-2000 the number of refugee status seekers in Poland increased eight times (in 2000 year – 4 589 persons) and is still growing up. This number is expected to increase after terminating the visa waiver agreements. About 60% of asylum applicants apply also for social support and place in reception centre. According to expectations, because of geographic location of Poland, the number of the refugee status applicants will increase up to 8000-9000 in year 2006 (due to analysis of refugee status applications' trends). Most applicants will arrive from former USSR territories, Russian Federation and Asian countries.

Solutions contained in the amended Aliens Act (for example accelerated procedure aimed at rejection of manifestly unfounded applications) allow to limit the number of persons in reception centres (to those only who should have welfare benefits granted). Nevertheless it will not decrease the number of applications or refugee seekers applying for accommodation in the refugee centres.
Ad. B

Now Office for Repatriation and Aliens owns one Refugee Centre in Debak near Warsaw, rents (from private companies) centres in: Białystok (two centres), Lublin (two centres), Łuków, Smoszewo and rents places in a shelter in Warsaw. There are about 950 - 1000 accommodation places in those centres (in Debak: 305 places only). For example – by day 18.06.2001 - 1082 aliens were living in all centres (in Debak: 320 aliens) – this number increases at least up to 100 persons in winter).

Existing refugee centres are overcrowded. In order to provide accommodation to applicants, buildings and rooms of common utility (including administration) was adapted. Other options are also being tried – from renting rooms in shelters to refunding money to aliens who rent rooms on their own. The main drawback of aliens’ living outside refugee centre is the possibility of them breaking the law (smuggling, illegal trade) while waiting for the decisions referring to their applications. In case of detention they complain about lack of interest and assistance from the Office, low level of social support etc. The effective supervision of some groups of aliens is impeded.

The tightness in the centres leads to conflicts which take place more and more often. Problem of reception centres remains difficult to solve despite of efforts made by Ministry of Interior (Department for Refugees and Aliens). Two public tenders for carrying on refugee centres announced in 2001 have been cancelled due to lack of offers because of extremely low interest of private companies. Activities of non-governmental organisations also do not include running of centres for people applying for a refugee status in Poland.

Given the increase in number of aliens applying for a refugee status in Poland, it is a matter of great urgency to open/build new refugee centre as well as to modernise centres which exist at the moment. This opinion is in harmony with the policy of UNHCR.

The oldest governmental refugee reception and residential centre in Debak, about 30 km far from Warsaw, was established in 1992. Modernisation in 1998 (thanks to German funds) increased its capacity up to 305 accommodation places and adapted the boiler house to the oil fuel instead of coal. The sewage treatment plant has not been modernised since its building in the beginning of eighties. PHARE funds have not been allocated in refugee centres so far. Modernisation of Debak refugee centre should include: the renovation of the residential building (so called “the Old Hotel”); building the new sewage treatment plant; extending the canteen and the kitchen: putting the new roofing. The new kitchen will need the equipment and the new transformer.

Adaptation of facilities vacated by liquidated Polish military units in Linin, 30 km from Warsaw, would allow to establish a refugee centre for approximately 300 people. Additional administrative area will enable to set up bigger unit to organise voluntary repatriation of aliens especially to whom refugee status was denied. Second of all it will allow to transfer part of the procedures from Warsaw directly to refugee centre (this will significantly shorten time of issuing decisions).

The most important changes in Linin centre are: buildings renovation (including wiring, plumbing, heating and wood elements); roofing with gutters changing – in building no 1; general maintenance and plumbing – in building no 2; canteen renovation and equipment purchase. Beside, the fence around the whole area is needed and IT and communication equipment for centre’s administration should be purchased.

The refugee centres’ investment (Debak and Linin) will be fully covered by PHARE 2002 funds (with national co-financing). PHARE 2003 funds will not support this investment. Two centres after modernisation will provide space for approximately 600 persons. It should solve problem of refugee applicants accommodation till the year 2010 (according to the prognosis of the Office for Repatriation and Aliens). Part of aliens waiting for decisions would be taken in by those centres. Aliens who, according to initial estimates, have chances of granting refugee status would be sent to minor centres (rented). Rest of aliens would remain at one of the major centres.

Ad. C

Current measures for providing the proper care for families with children and for separate women are also restricted. Moreover unaccompanied children are expected to become serious problem. Administration ability to provide assistance to all those who need it is limited due to lack of appropriate infrastructure. Activity of two centres would include taking care of families with small
babies, unaccompanied children, persons after traumatic experiences, all those who demand special care on the basis of acquis and international agreements. There are assumptions that modernised centre in Linin would deal with vulnerable group of refugee status seekers according to the Polish Aliens Act (as amended), which implemented UE requirements on the minimum standards of material reception conditions for certain categories of applicants.

3.2 Linked activities
According to the priority (reinforcement of the Polish border management), in the previous years the Police and Border Guard were mainly supported from PHARE investment funds. Department for Migration and Refugee of the MIA (currently part of the Office for Repatriation and Aliens) participated in the twinning training 1999, 2000, 2001. Twinning activities aimed at improving the personnel capacity in this area were provided in twinning 2000, 2001, 2002 covered training (seminars, workshops, study visits) in voluntary repatriation, problems connected with “vulnerable groups” (e.g. minors, aliens defined in Art. 1F of Geneva Convention etc.). These activities were to prepare personnel basis for pragmatic and effective organisation of reception and residential refugee centres. Reception centres in Poland are the basis for facilitation of voluntary repatriation for those aliens who are denied the refugee status or who resigned of applying the status in the course of procedure. Financial support for Debak and Linin from Phare 2002 funds is a part of plans concerning Polish immigration system.

3.3 Results

- Creation of new reception – residential refugee centre for aliens applying for a refugee status in Poland (in Linin) and adaptation of the infrastructure of the Central Refugee Centre in Debak near Warsaw to needs connected with increase of aliens staying in the centre. Two centres after modernisation provides spaces for approximately 600 persons.
- Readiness of Polish immigration administration (infrastructure) for expected growth in the number of applicants for refugee status and strengthening it to implement the future common EU provisions on minimum standards of reception for asylum applicants.
- Reducing possibilities of overuse asylum procedures and social support connected to refugee status procedures.
- Acceleration of issuing decision process due to transfer of refugee status procedures to reception centres.
- Creation of effective voluntary repatriation system based on two state owned reception centres.

3.4 Activities

- Adaptation of the structure in Linin near Warsaw to needs of reception centre for asylum applicants and modernisation of the Central Reception Centre in Debak near Warsaw contains:

  ➢ Contract 1

1) in Linin
   a) buildings renovation (including wiring, plumbing, heating and wood elements).
   b) roofing with gutters changing – in building nr 1, general maintenance and plumbing – in building nr 2.
   c) canteen renovation and equipment purchase.
2) in Debak
   a) renovation of the residential building (so called “the Old Hotel”).
   b) development of the canteen and the kitchen back.
   c) exchange/replacement of the transformer (all kitchen equipment is electric).
   d) putting the new roofing.
   e) purchase of equipment for canteen and for administration services.
   f) building the new sewage treatment plant.
   g) IT installation and purchase of communication equipment for reception centre

The budget for the refugee centre in Debak is smaller than the one for Linin because Debak is existing centre which needs modernisation only. In Linin, there is a need to organise the centre from the very beginning by adaptation of facilities left by liquidated Polish military units.
4. Institutional framework
There are two authorities responsible for the realisation of migration and asylum policy: Ministry of Interior and Administration and the Office for Repatriation and Aliens. The latter one will be responsible for conducting of project except activities which are to be implemented by the Ministry of Interior and Administration (The Implementing Authority for PHARE Cross Border Co-operation Programme).

For direct conducting of adaptation of the buildings in Linin to needs of Refugee Centre and modernisation of the Central Refugee Centre in Debak will be responsible Bureau for Organisation of Centre for Aliens Applying for Refugee Status (in structure of the ORA).

Refugee centres in Debak and Linin are property of Polish State Treasury administered by the Office for Repatriation and Aliens.

5. Detailed Budget (million euro)

<table>
<thead>
<tr>
<th>Phare Support</th>
<th>Investment</th>
<th>Institution Building</th>
<th>Total PHARE</th>
<th>National Co-financing</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract 1 - Adaptation of the structure in Linin near Warsaw to needs of reception centre for asylum applicants and modernisation of the Central Reception Centre in Debak near Warsaw</td>
<td>2.1</td>
<td>-</td>
<td>2.1</td>
<td>0.7</td>
<td>2.8</td>
</tr>
<tr>
<td>Total</td>
<td>2.1</td>
<td>-</td>
<td>2.1</td>
<td>0.7</td>
<td>2.8</td>
</tr>
</tbody>
</table>

6. Implementation arrangements

6.1 Implementing Agency
PAO: Zenon Kosiniak-Kamysz – Under-secretary of State at the Ministry of Home Affairs and Administration, ul. Batorego 5, 02-591 Warsaw, Poland. Telephone: (+48 22) 621 0391 fax: (+48 22) 849 5213.
IA: Implementing Authority for Phare Cross-Border Co-operation, Grazyna Weclewska, Director, ul. Krucza 36, 00-522 Warsaw, Poland; telephone: (+48 22) 695 9910/11; fax: (+48 12) 695 9912/13.

6.2. Twinning
The twinning 1999, 2000, 2001 programmes in the part of The Office for Repatriation and Aliens provided training for personnel of the Refugee Centre in Debak.

6.3. Non-standard aspects
Special rules provided in the Practical Guide for Phare, ISPA and SAPARD will be followed.

6.4. Contracts
Value of the contract:
- Adaptation of the buildings in Linin to needs of reception centre and modernisation of the Central Refugee Centre in Debak (Phare financing – 2.1 mln €; co-financing – 0.7 mln €; total cost: 2.8 mln €). Parallel co-financing will cover: costs connected to fencing off the area of reception centre Linin and Debak, costs of necessary documentation, preparation purchase equipment for canteen, purchase of equipment for administration services.

7. Implementation schedule

7.1. Start of tendering:

<table>
<thead>
<tr>
<th>ToRS ready</th>
<th>Start of tendering</th>
<th>Start of project</th>
<th>Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st quarter 2003</td>
<td>2nd quarter 2003</td>
<td>1st quarter 2004</td>
<td>3rd quarter 2004</td>
</tr>
</tbody>
</table>

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.
9. Environmental impact
Implementation of the project in Debak will have good impact on the environment – modernisation of the sewage treatment plant will decrease the pollution in the area of the county Podkowa Lesna.
None report with detailed assessment of planned activities in Linin and Debak has been prepared yet. The Office for Repatriation and Aliens exists since 1st July 2001 and is still in the course of active organisation – this results in the lack of proper documentation (environment impact assessment and feasibility study) required by Phare procedures. They are to be completed in June 2002.


11. Investment criteria

11.1. Catalytic effect
This project will play a significant role in preparing of Polish immigration administration to operate effectively in the EU common migration policy and co-operate with other EU members in this field.

11.2. Co-financing
Adequate financial means (25% of the total project costs) will be allocated in the Office for Repatriation and Aliens budget for budgetary years 2003, 2004.

11.3. Additionality: n.a.

11.4. Project readiness and size
Project is in the course of preparation. Basic documentation needed has been already ready or is in the course of preparation (expected to be completed in June 2002). The Office for Repatriation and Aliens exists since 1st July 2001 and is still in the course of active organisation – this results in the lack of proper documentation required by Phare.

11.5. Sustainability
Both investments are planned in compliance with EU standards and after Poland's accession to EU will be financed by Polish budget.

11.6. Compliance with state aids provisions
Financial means from the budget are to be assured for co-financing of both subprojects of this project.


12. Conditionally and sequencing
The project will not start until the Feasibility Study and Environment Impact Assessment have been delivered and approved by the EU Delegation. Both documents will be delivered in June 2002.
The following sequencing of activities is foreseen:
- tender documentation to be prepared till the end of 1st quarter 2003;
- signing of the contract with Contractor after the tender till the beginning of the 1st quarter 2004;
- contract completion, achievement of project objective till the end of 3rd quarter 2004.

Annexes
Annex 1 – Logframe matrix
Annex 2-4 - Implementation, contracting and disbursement schedules
### Annex No. 1: Logframe matrix

<table>
<thead>
<tr>
<th>Overall objectives</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Alignment of Polish migration and asylum policy as well as visa policy to the common EU policy.</td>
<td>- credible and effective implementation of amended Aliens Act, amended Act on Border Guard, amended Act on Employment and Unemployment Counteracting. - current adapting new EU acquis into the Polish legislation on migration and asylum.</td>
<td>- Annual reports of the Ministry of Interior and Administration. - Commission reports on the Poland readiness to accession. - Reports prepared by EU experts in the frame of Phare.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Preparation of Polish immigration administration (infrastructure) for expected growth in the number of applicants for refugee status and strengthening it to implement the future common EU provisions on minimum standards of reception for asylum applicants.</td>
<td>- Minimum reception standards implemented in reception centres in Poland. Working system of voluntary repatriation. Decrease in number of asylum applicants who abuse asylum procedures to legalise their residence for illegal work or business.</td>
<td>- Annual report on the current situation in the field of asylum and migration prepared by The Office for Repatriation and Aliens. - Annual report on implementation of development strategy prepared by The Office for Repatriation and Aliens. - UNHCR opinion on activities undertaken and results achieved</td>
<td>- Successful implementation of The Office for Repatriation and Aliens development strategy. - Creation of effective and internally consistent immigration system in Poland. - Shortage of financial means (in the state budget) may affect negatively the project implementation.</td>
</tr>
<tr>
<td>Results</td>
<td>Objectively verifiable indicators</td>
<td>Sources of verification</td>
<td>Assumptions</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------</td>
<td>-------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>• Creation of new reception – residential refugee centre for aliens applying for a refugee status in Poland (in Liniń) and adaptation of the infrastructure of the Central Refugee Centre in Debak near Warsaw to needs connected with increase of aliens staying in the centre. Two centres after modernisation provides spaces for approximately 600 persons. • Readiness of Polish immigration administration (infrastructure) for expected growth in the number of applicants for refugee status and strengthening it to implement the future common EU provisions on minimum standards of reception for asylum applicants. • Reducing possibilities of overuse asylum procedures and social support connected to refugee status procedures. • Acceleration of issuing decision caused by transfer of refugee status procedures to reception centres. • Creation of effective voluntary repatriation system based on two state owned reception centres.</td>
<td>- Opening of the second state owned reception centre for aliens applying for asylum. - More places for asylum seekers in the reception centres. - Decreasing the average time of processing refugee status applications. - Increasing the number of aliens who were successfully repatriated to third safe country or country of origin after receiving negative decisions (1st and 2nd instance).</td>
<td>- Opinion of EU experts co-operating with The Office for Repatriation and Aliens. - Reports on projects conduct prepared by The Office for Repatriation and Aliens quarterly</td>
<td>- As above</td>
</tr>
</tbody>
</table>
- Adaptation of the structure in Linin near Warsaw to needs of reception – residential refugee centre for aliens applying for a refugee status.
- Modernisation of the Central Reception – residential Refugee Centre in Debak near Warsaw: development of the canteen and the kitchen back connected with exchange/replacement of the transformer (all kitchen equipment is electric), modernisation of the sewage treatment plant.
- Reports on subprojects and contracts conduct prepared by The Office for Repatriation and Aliens quarterly
- As above

### Preconditions

#### Annex No 2-3: Implementation, contracting and disbursement schedules

<table>
<thead>
<tr>
<th></th>
<th>date of drafting:</th>
<th>date of planning:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>June 2002</td>
<td>December 2002 – December 2004</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Budget allocation cost estimate (in MEUR)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>PLANNED</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>IV '02</td>
<td>I '03</td>
<td>II '03</td>
<td>III '03</td>
<td>IV '03</td>
<td>I '04</td>
<td>II '04</td>
<td>III '04</td>
</tr>
<tr>
<td>I</td>
<td>II</td>
<td>III</td>
<td>IV</td>
<td>V</td>
<td>VI</td>
<td>VII</td>
<td>VIII</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation schedule</td>
<td>D</td>
<td>D</td>
<td>DCI</td>
</tr>
<tr>
<td>Contracting schedule</td>
<td>2,1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disbursement schedule</td>
<td>0,2</td>
<td>0,9</td>
<td>1,4</td>
</tr>
</tbody>
</table>

(1) (2) (3)