Chapter 22

Diaspora Policies, Consular Services and Social Protection for Polish Citizens Abroad

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22.1 Introduction

This chapter presents a general overview of the Polish policy towards diaspora and social protection of Polish citizens residing abroad. The main goal is to present the institutional framework, general strategy and concrete activities the Polish state offers its citizens and persons of Polish origin residing abroad. The discussion focuses on diaspora institutions including government bodies and non-government organizations engaged in providing assistance and services to Poles abroad, as well as key engagement policies addressed to them (such as voting rights, repatriation and return, and education). The main part is devoted to diaspora policies and social protection in Poland and provides detailed information about five policy areas: unemployment, health care, pensions, family benefits and guaranteed minimum resources. The chapter shows that the main goal of Polish diaspora policies is to consolidate the diversified and dispersed Polish communities abroad by maintaining and strengthening national identity and promotion of Polish language and culture among Poles residing in other countries.

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22.2 Diaspora Characteristics and Home Country Engagement

22.2.1 *The Polish Diaspora and Its Relations with the Homeland*

Poland has always been a predominantly emigration country, and its history has been marked by successive outflows. Understanding the logic of the Polish diaspora policy and infrastructure for nationals abroad, which was developed during the last decades, requires at least a basic introduction to the diversity of the Polish diaspora. There were several mass waves of emigration from Poland in 20th and 21st centuries. The causes for emigration were mixed (political and economic) and, as a result, “a diaspora of workmen and a diaspora of victims” was formed (Walaśzek 2001). The latest wave was a direct effect of Poland’s accession to the European Union (EU) in 2004, when Poles were granted the right of free movement and of employment in other Member States. Because the waves of emigration differed significantly in their causes and in the socio-economic profile of emigrants, it is important to note the strong internal divisions within the Polish diaspora. Some authors go as far as to distinguish several Polish diasporas to underline the permanent diversification of Polish populations abroad (Garapich et al. 2009).

The picture of Polish diaspora is also complex because a significant part of it is formed by ethnic Poles who never emigrated, but happened to find themselves living outside the territory of Poland as a result of the country’s borders being shifted after World War II. This situation occurred to Poles living in neighbouring Eastern countries such as Lithuania, Belarus and Ukraine (this group is called “Polish minorities in the East”). Another group that has to be mentioned is formed by descendants of forced displaced Poles to Siberia and other parts of the Russian empire during the 19th and 20th centuries. This population is directly targeted by Poland’s repatriation policy, a central feature of the country’s diaspora policy.

The estimated size of the Polish diaspora (as all people with Polish roots living outside the country) made by the Ministry of Foreign Affairs (MSZ) comprises 15–20 million people.¹ Among them, over 11 million are in North America, 4,2 million in Europe, and nearly one million in the post-Soviet area. It is estimated that only one third of diaspora members were born in Poland. It is also important to highlight that these numbers provided by the Ministry of Foreign Affairs refer mostly to persons of Polish origin (next generations of emigrants and kin-minorities). According to the latest estimates of the Central Statistical Office in Poland (GUS), at the end of 2016, approximately 2,5 million Polish nationals were residing abroad

¹ MSZ (Ministry of Foreign Affairs) (2015). *Rządowy program współpracy z Polonią i Polakami za granicą w latach 2015–2020* [Government program of cooperation with the Polish diaspora and Poles abroad in the years 2015–2020]. Warsaw.

for more than 3 months (i.e. approximately 6% of Poland's population).² There are serious problems with reliable statistical data regarding the Polish population residing abroad. Also, according to the law, Polish citizens who leave the country with the intention of temporary (longer than 6 months) or permanent residence abroad are obliged to report this to the municipal office, although many emigrants fail to comply with this obligation and maintain an official residence in Poland while living abroad.

Overall, it can be argued that the Polish diaspora is a fragmented population that includes at least three important groups targeted by diaspora policies: post-accession migrants (labour migrants and their families in the EU), economic and political migrants who left Poland before 2004 and their descendants (the so-called "old Polonia") and co-ethnics in the East (Stefanska 2017). The most important settlement countries of the Polish diaspora (in the past and today), chosen as such for detailed evaluation in this chapter, are as follows: Germany, the United Kingdom (UK), the United States (US), Canada and Ireland.

The frequently used term for Polish communities abroad is "Polonia" (traditionally applied to the Polish population in the US). In official documents, however, the term that is usually applied is "Polonia and Poles abroad," which has a broader scope and includes Polish emigrants and Polish minorities in addition to people of Polish origin.

22.2.2 *Diaspora Infrastructure*

The diaspora policy in Poland is implemented, in practice, by several different bodies within the governmental administration. The minister competent for foreign affairs coordinates all actions related to the cooperation with Polish communities abroad. The main legislative body in this area is the Senate (the upper house of the Polish Parliament). The infrastructure framework also includes bodies within other ministries, as well as semi-public foundations that cooperate directly with diaspora organisations abroad.

The most important institution in the governmental administration engaged in the diaspora policy is Ministry of Foreign Affairs (MSZ). The Department of Cooperation with Polonia and Poles Abroad carries out both the executive functions arising from the MSZ's coordination of this subject matter within the Government and oversees diaspora policy implementation by diplomatic missions. Additionally, within the MSZ's structure, there are a few territorial departments competent for activities in particular regions (Europe, former Soviet republics, and the Americas).

²GUS (Central Statistical Office) (2017). *Informacja o rozmiarach i kierunkach czasowej emigracji z Polski w latach 2004–2016* [Information on the size and directions of emigration from Poland in the years 2004–2016]. <https://stat.gov.pl/obszary-tematyczne/ludnosc/migracje-zagraniczne-ludnosci/informacja-o-rozmiarach-i-kierunkach-emigracji-z-polski-w-latach-20042016,2,10.html>. Accessed 16 August 2018.

These departments are responsible for collaborating with Polish communities in connection with bilateral inter-state relations, in particular those referring to the protection of the rights of Poles abroad. There is also the Department of Public and Cultural Diplomacy, which is competent for public diplomacy and responsible for cooperation with the Polish communities abroad in promoting Poland. The Consular Department's task is the consular protection of Polish nationals abroad, and overseeing the consular network.

Currently, the diplomatic and consular network, including mobile and honorary consulates, comprises embassies in 91 countries (in 10 countries there is a consular department at the embassy), 33 general consulates in 19 countries, and honorary consulates in 99 countries.³ In urgent cases, mobile consular points can be opened for a specific period of time (e.g. two of them were organised in Russian cities where the Polish team played during 2018 Football World Cup). The MSZ is responsible for preparing the key documents on diaspora policy, such as the Program of Cooperation with Polish Communities Abroad (adopted by the Government, as explained below) and devoted to diaspora issues (such as the Atlas of the Polish presence abroad⁴ and the Report on the situation of the Polish diaspora and Poles abroad⁵).

Specific tasks are also carried out by other ministers and central offices. Within the structure of the Ministry of National Education, an important role is played by the Centre for the Development of Polish Education Abroad (ORPEG), which supports the teaching of the Polish language, education in Polish and education about Poland among Poles living abroad (especially children).⁶

One of the tasks of the Ministry of Family, Labour and Social Policy (of the Department of the Labour Market, in particular) is the protection of Polish workers abroad by signing bilateral agreements regarding social security, employment or avoiding double taxation, among others. It is also responsible, together with the Ministry of Internal Affairs, for facilitating the return of emigrants to Poland. The Ministry of Internal Affairs formally coordinates Poland's migration policy in general (including its repatriations policy). Among other bodies, it is also worth mentioning the Office for War Veterans and Victims of Oppression. Subordinated to the Ministry of Family, Labour and Social Policy, this Office grants a special status with associated rights and benefits to Polish veterans living abroad.⁷ Lastly, the Polish Agency for Academic Exchange (within the Ministry of Science and Higher Education) coordinates the scholarship program addressed to young persons of Polish origin.⁸

³https://www.msz.gov.pl/pl/informacje_konsularne/polskie_placowki/. Accessed 16 August 2018.

⁴https://www.msz.gov.pl/pl/polityka_zagraniczna/polonija/atlas_polskiej_obecnosci_w_swiecie/. Accessed 16 August 2018.

⁵There were two reports published until now, in 2009 and 2012: https://www.msz.gov.pl/pl/polityka_zagraniczna/. Accessed 16 August 2018.

⁶<http://www.orpeg.pl/index.php/about-us>. Accessed 16 August 2018.

⁷<http://www.kombatanci.gov.pl/en/the-office/about-the-office.html>. Accessed 16 August 2018.

⁸<https://nawa.gov.pl/en/nawa>. Accessed 16 August 2018.

Besides governmental bodies, key institutions in pursuing the diaspora policy are also the Chancellery of the President of the Republic of Poland, the parliamentary committees of the Lower (*Sejm*) and Upper (Senate) houses, and semi-public foundations.⁹ Moreover, there are non-governmental organizations (NGOs), diaspora associations, clergy and church institutions, which also are active in diaspora policy implementation in practice.

Among them, the role of the Senate has been particularly relevant, as a body with a long tradition of being the institution responsible for the cooperation with the Polish diaspora (since the interwar period). The public financial sources dedicated to the diaspora have been allocated every year in the budget of the Chancellery of the Senate.¹⁰ One of over a dozen of Standing Committees in the Senate is the Emigration Affairs and Contacts with Poles Abroad Committee. There is also an administrative body called the Polonia Bureau (*Biuro Polonijne*) that informs Senators and the Senate Chancellery in matters concerning the Polish diaspora.¹¹

Polish political parties have not established any specific and separate infrastructure abroad, although during some candidates organise temporary offices in main destination countries of the Polish diaspora to run their electoral campaigns there.

There is also a consultative infrastructure dedicated to diaspora issues. The main consultative platform is the Polish Diaspora Consultative Council established by the Marshal of the Senate in 2002. It is composed by representatives of major Polish diaspora organisations from all over the world (up to 12 members proposed by diaspora organisations and appointed by the Speaker of the Senate, they are nationals residing abroad or persons with Polish origin). The Council's mandate coincides with that of the Senate. The Council has the task of giving opinions on issues that are important for the Polish diaspora and on draft legislation concerning Poles abroad. These opinions are not legally binding, but they may be taken into account by the Presidium of the Senate.

There are also consultative bodies established in destination countries. The Polish Community Consultative Councils consist of 10–15 experts nominated by the Ambassador or Consul General. The aim of these bodies is to cooperate with the Ministry of Foreign Affairs in matters important for the Polish diaspora. The members are nationals residing abroad or persons with Polish origin active in diaspora organisations. The Councils should meet at least once a year. The consultation process with the Councils is not obligatory. In practice, the appointment of the Council,

⁹There are several foundations controlled by state institutions (operating under the patronage of the Polish Senate or the MSZ) whose main aim is cooperation with Polish diaspora organizations. These foundations receive funds directly from the state budget, such as the Polish Community (*Wspólnota Polska*) or Help Poles in the East (*Pomoc Polakom na Wschodzie*).

¹⁰During the period 1989–2019, the state funds dedicated to diaspora were allocated in the Senate (except for the period 2012–2016 when they were allocated in the MSZ). Since 2020, the Government directly controls the budget dedicated to diaspora. In last few years, it amounted to about 100–110 million PLN annually (approximately 23–26 million EUR).

¹¹<https://www.senat.gov.pl/kancelaria/struktura-organizacyjna/biuro-polonijne/>. Accessed 16 August 2018.

as well as its composition and the scope of its activities, depend on the decision of the Ambassador or Consul General in each particular country.

Another consultative body is the World Congress of Polish Community and Poles Abroad, which is organised every few years under the patronage of the Senate and/or the President of Poland.¹² It takes place in Poland and the delegates are representatives of diaspora organisations from all over the world. The Congress's agenda includes debates of several thematic committees, which are related to issues ranging from the promotion of Polish culture abroad to the situation of the Polish minorities in the Eastern countries.

22.2.3 *Key Engagement Policies*

In August 2015, the Government Programme of Cooperation with Polish Community Abroad for 2015–2020 was adopted.¹³ The document includes, among others, the main directions and aims of the diaspora policy and underlines the principle of partnership in cooperation between the Polish Government and the Polish communities abroad. The Programme outlines five strategic goals of the diaspora policy: 1) supporting the teaching of the Polish language and teaching in Polish among the Polish diaspora, especially children; (2) maintaining and reinforcing Polish identity by widening access to Polish national culture; (3) capacity building for Polish associations abroad; (4) supporting Polish emigrants in their return to Poland and facilitating the settlement in Poland of people of Polish descent and; (5) developing contacts between the diaspora and Poland with a focus on youth, science, culture and the economy.

One of the goals of the Polish diaspora policy is to sustain links between Poles residing abroad and the Polish state. One of the instruments to achieve this includes the recognition of the possibility to vote from abroad. Polish citizens who live permanently or temporarily outside Poland, even when they possess the nationality of another country, have the right to vote from abroad in parliamentary and presidential elections and in referendums held in Poland. The only requirements are the age threshold (18 years or more on the day of the elections), holding the Polish citizenship (confirmed by a valid Polish passport or ID document when voting in the EU country) and prior voter registration (up to 3 days before election day at the latest) on list of voters abroad (Korzec, Pudzianowska 2013). The registration takes place at the consulate or by filing an online application. Polish citizens living abroad also have the right to stand as candidates in national elections (parliamentary and

¹²The first Congress took place in 1992, five of them were organized until 2018.

¹³https://www.msz.gov.pl/pl/polityka_zagraniczna/poloniarzadowy_program_wspolpracy_z_poloniam/. Accessed 16 August 2018.

presidential), which means that residence in Poland is not required to run for office. Voting from abroad is possible in polling stations established in other countries.¹⁴

The system implemented in Poland is called “assimilated representation”. It means that all the votes from abroad are assimilated in one voting district in Warsaw (which is one of the 41 voting districts in Poland and actually, one of the largest ones). The highest level of electoral participation of Poles abroad over the last 25 years was recorded in the 2019 parliamentary elections when more than 348,000 voters were registered and more than 314,000 cast their votes. The votes cast abroad constitute around 1% of all votes recorded in any Polish national election, thus their actual impact on the overall results of the election at the state level is marginal (Lesińska 2014b).

One of the priority diaspora groups are persons of Polish origin residing in post-Soviet countries. Repatriation policy targets them, in particular the descendants of Poles forcibly displaced to Kazakhstan at the beginning of the twentieth century (Grzymała-Kazłowska, Grzymała-Moszczyńska 2014). After returning to Poland, repatriates are granted rather modest assistance in the form of partial reimbursement of the costs of travel, settlement and maintenance grant and free Polish language and adaptation courses. Soon after crossing the Polish border, repatriates (but not foreign members of their families) acquire Polish citizenship. Besides repatriation, an additional instrument is directed toward persons of Polish origins from post-Soviet countries, namely the Card of the Pole.¹⁵ From the beginning of the stay in Poland, the holder of the Card is entitled to apply for a permanent residence permit and financial support for settlement (during the first 9 months).

There are also several activities that aim to facilitate the return of economic migrants and their reintegration in the labour market and the education system (in the case of minors) (Lesińska 2014a). During the 2007–2009 crisis in the EU, one such plan was developed in reaction to the potential return of Poles. An information campaign (“Have you got a plan to return?”) and an information portal (Returns, *Powroty*) were launched.¹⁶ The portal provides a full package of information useful for returnees, such as administration procedures and formalities before and after return, how to search for a job or how to enrol children in the Polish school system. The portal still exists and, in the perspective of Brexit, would be a tool beneficial for potential returnees from the UK.

Supporting education in the Polish language abroad is one of the main priorities of the diaspora policy in Poland. ORPEG runs school consultation points at Polish diplomatic missions, currently in 37 countries.¹⁷ It also provides innovative curriculums for Polish children residing abroad, Polish textbooks and teaching aids (such

¹⁴ Since 2011, voting from abroad was also possible by post, but the law changed again in 2018 and since then, only disabled persons are eligible to vote by post (Law of 11 January 2018 on amending certain laws to increase the participation of citizens in the process of selecting, operating and controlling certain public bodies, Journal of Laws of 2018, item 130).

¹⁵ https://baku.msz.gov.pl/en/consular_information/card_of_the_pole_/. Accessed 16 August 2018.

¹⁶ www.powroty.gov.pl. Accessed 16 August 2018.

¹⁷ <http://www.orpeg.pl/index.php/schools-around-the-world>. Accessed 16 August 2018.

as online handbooks for children), online and distance learning (lessons and consultations conducted online in real time), advisory services and professional trainings for teachers working abroad.

Other institutions engaged in this field are also the Polish Institutes (*Instytuty Polskie*) whose main task is to disseminate Polish culture and national heritage. They organize cultural events, film festivals and lectures to promote Polish culture abroad. In many countries, the Polish Institutes also act as the department for culture and science of the Polish embassies.¹⁸

Economic cooperation with Polish communities abroad is one of the tasks of the Ministry of the Economy that operates abroad via the Trade and Investment Promotion Sections in Polish embassies, Polish Chambers of Commerce established abroad and the Polish Information and Foreign Investment Agency.¹⁹ They cooperate with business organisations of the Polish diaspora and companies run by Poles or persons with Polish origins. The main goal is to encourage and facilitate Polish entrepreneurs from abroad to invest in Poland and to promote the Polish economy abroad.

Although there is no specific policy dedicated to Poles abroad related to remittances, it is worth mentioning that Poland signed a large number of bilateral arrangements (93) aimed, among others, at preventing double taxation with all EU countries and other primary destination countries for Polish emigrants.²⁰

22.3 Diaspora Policies and Social Protection in Poland

Taking into account the massive scale of labour emigration from Poland since 2004 (in post-accession period), it could be expected that a policy facilitating the access to social protection of Poles abroad would have been significantly developed since then. In practice, however, few substantial changes in diaspora policy and legal procedures were introduced in this area. Generally speaking, consulates (including honorary consulates) are responsible for providing information and for undertaking concrete initiatives related to health and social security issues. Although it is difficult to discern any developed and comprehensive policy in the five areas discussed below, there are rather limited individual initiatives related to social protection. The most advanced are actions addressed to Poles in the East, such as repatriation policy

¹⁸ There are currently 24 Polish Institutions in the world: https://www.msz.gov.pl/pl/p/msz_pl/polityka_zagraniczna/dyplomacja_publiczna/instytuty_polskie/instytuty_polskie/. Accessed 16 August 2018.

¹⁹ <https://www.paih.gov.pl/en>. Accessed 16 August 2018.

²⁰ <https://www.finance.mf.gov.pl/abc-podatkow/umowy-miedzynarodowe/wykaz-umow-o-unikaniu-podwojnego-opodatkowania>. Accessed 16 August 2018.

that is regulated in a separate legal act and is treated as a priority area within diaspora policy in Poland.²¹

22.3.1 *Unemployment*

There is no special policy addressing the issue of unemployment among Polish citizens abroad beyond what is provided by the EU framework. The services offered by consulates or diaspora organisations are limited to providing information about the legal status and the regulations applicable in particular countries for Poles as foreign workers in case of unemployment (including information related to accessing unemployment benefits). This kind of information can be found either on the websites of the Ministry of Foreign Affairs, embassies and consulates²² or within the general information package addressed to Poles working abroad that is issued by the Ministry of Family, Labour and Social Policy.²³

Additionally, full information about unemployment assistance and benefits provided by the destination countries, as well as the procedures for applying for them, can be found on the websites of Polish organisations in EU countries. Some of them also provide legal and psychological support and advice to Polish emigrants in need. These projects are often co-funded by Polish consulates from a budget dedicated to the diaspora.²⁴ Some Polish organizations also offer CV-writing and English-language courses to the unemployed or persons willing to change jobs (e.g. in Ireland or Germany).²⁵

One example of Polish authorities' reactive policy to particular cases of discrimination against Polish workers abroad occurred in the Netherlands. When the media revealed temporary work agencies' discrimination against Poles and Polish workers' terrible working and residential conditions, the Dutch Government initiated a cooperation with Polish authorities to deal with this problem. The wide-scale information campaign addressed to those who plan to work in the Netherlands (before-departure information package) and those who are already resident there (information about social rights, anti-discrimination procedures, legal assistance) via dedicated

²¹ The Law on Repatriation of November ninth 2000 (with amendments).

²² For example in Ireland: https://dublin.msz.gov.pl/pl/info_konsularne/pobyt_w_irlandii/swiadczenia_spoleczne_1. Accessed 16 August 2018.

²³ https://www.msz.gov.pl/pl/informacje_konsularne/poradniki_i_informatory/praca_i_pobyt_w_ue/praca_i_pobyt_w_ue. Accessed 16 August 2018. Information dedicated to issues related to searching for a job and social entitlements is a part of the Eures website (European Job Mobility Portal) <https://eures.praca.gov.pl/>. Accessed 16 August 2018.

²⁴ The Polish Embassy in Dublin informs on its website on assistance organisations in Ireland such as the Limerick Unemployment Forum or Together-Razem Support and Integration Center in Cork: https://dublin.msz.gov.pl/pl/poloniam_w_irlandii/pozostala_dzialalnosc/. Accessed 16 August 2018.

²⁵ <http://together-razem.org/akademia/klinika-dobrego-cv/>; <https://polskarada.de/pl/polska-rada-porady>. Accessed 16 August 2018.

brochures and websites was organized. The Polish consulate in the Netherlands and the Dutch Embassy in Poland were very much engaged in these activities (Kaczmarczyk et al. 2012).

22.3.2 *Health Care*

Poland does not have any specific health care schemes or assistance for nationals residing abroad. Access to health services and medical treatment in EU destination countries is regulated by the EU law (in terms of coordinating social security systems and the rules related to the European Health Insurance Card for EU citizens staying temporary abroad) and by the national laws of destination countries (in terms of social and health benefits of foreign workers employed in this country). Polish institutions provide general information about the rights, legal status and law applicable in each particular country of residence in the area of health care. Detailed information related to health care systems in EU Member States can be found on the websites of the Ministry of Foreign Affairs and the Ministry of Health.

According to the Consular Law (articles 20.1 and 48.1), the consul provides assistance to a Polish citizen, in particular in the event of a serious accident or serious illness. In justified cases, the assistance may be granted by the consul in order to purchase necessary medicines and food or to pay for the necessary care if these people have documented their difficult situation. This kind of assistance does not have to be reimbursed.

There are no special policies and services by which consulates assist nationals residing abroad in accessing the health care system in their home country or the health services provided by host country authorities. The exceptions are special programs for persons of Polish origin residing in the post-Soviet countries. The aim of these programs is to co-finance the costs of medical materials and medicines, treatment or rehabilitation. These programs were implemented out of the conviction that the level of medical care in these countries is much lower than in Poland. Moreover, Polish co-ethnics living in the East are often elderly persons requiring proper medical care services. *Wspólnota Polska* leads one of such projects called “Medical Mission” which is funded by the Senate from public funds dedicated to the diaspora.²⁶ The program is addressed to permanent residents of Lithuania, Ukraine, Belarus and Moldova possessing Polish origin, which is confirmed by holding the Card of the Pole or on recommendation of a Polish organisation operating in the country of residence.²⁷

²⁶ <http://wspolnotapolska.org.pl/misjamedyczna/>. Accessed 16 August 2018.

²⁷ The program regulations state that an applicant's health condition is the main criterion for evaluating an application, together with social criteria (an assessment based on the income per family member). The reimbursement of the costs is limited: purchasing medicines for an individual person is 5,000 PLN (approximately 1200 EUR), for reimbursement of rehabilitation and treatment it is up to 10,000 PLN (approximately 2400 EUR).

22.3.3 *Pensions*

The activities related to support for citizens abroad in the area of pensions are rather well developed. The EU regulations on social security coordination have superseded the bilateral social security conventions and agreements that had earlier bound Poland in relations with the Member States. However, several specific regulations beneficial for Polish citizens (between Poland and Austria, and Poland and Germany) in the form of bilateral agreements on social security still remain in force.²⁸ For example, one of these agreements provides crediting insurance periods completed by Polish employees pursuant to the 1988 agreement concluded with the former German Democratic Republic. Furthermore, Poland is bound by some bilateral social security agreements with non-EU states, including the US and Canada.

A central role in the field of social insurance is played by the Social Insurance Institution (ZUS). ZUS informs on its website about payment of benefits for people residing abroad; the countries to which ZUS can transfer benefits; who is entitled to receive their benefits abroad; which benefits can be transfer; what is the payment method and the taxation regulations; the effect of collecting foreign benefits on the pension right and amount; the impact of continuing to work on the right to retirement from ZUS, etc.²⁹ It is also worth mentioning that ZUS has made available in electronic form the possibility of asking questions and receiving responses on its website regarding pension benefits subject to EU and bilateral coordination.

Insurance counselling for Poles working or living abroad based on the Declaration of cooperation between ZUs and the Ministry of Foreign Affairs regarding joint information activities in the field of social security for Polish citizens abroad is an important initiative. Experts from the ZUS were present at the International Counselling Days in the main destination countries, such as Germany, the US or Canada. These events were co-organized by public insurance institutions from Poland and those in destination countries. Some main Polish embassies and consulates provide information by posting on the websites information material prepared for meetings of ZUS experts with the Polish diaspora.³⁰ In some main destination countries, like the UK, the US or Canada, consulates post “ZUS Information” on their websites, which concerns the possibility of asking questions related to social insurance issues and receiving the answers from the officials. Consular departments

²⁸ <http://lang.zus.pl/en/legal-frameworks/international-legal-frameworks-binding-on-poland>. Accessed 16 August 2018.

²⁹ <http://www.zus.pl/swiadczenia/emerytury-i-renty-dla-osob-pracujacych/zamieszkanych-za-granica/wypлата/transfer-swadczen-dla-osob-zamieszkanych-za-granica>. Accessed 14 July 2018.

³⁰ The Embassy and all consulates in the US provide information about the implementation of the Polish-American agreement on social security. The Embassy in Dublin posted information on its website under the title “ZUS questions” with several presentations, including one about the ZUS electronic services platform, and a link to the ZUS website.

of embassies and consulates also provide services for issuing life certificates for Polish old age, invalidity and survivor pensions.³¹

There is no special information policy concerning the host country pension or any other host country benefit reserved for pensioners.³²

Embassies and consulates also support financially the activities of non-governmental organisations in this area. An example in this regard is the Program “Informed Senior” (2018), conducted by the organisation Together-Razem in Ireland. During six meetings, seniors were informed about pension rights, social benefits and the principles of care for the elderly. The program plan includes meetings with representatives of Age Action (a well-known organisation working for the benefit of seniors) and employees of the Citizen Information Centre and lawyers cooperating with Together-Razem organization.³³

22.3.4 *Family-Related Benefits*

In Poland, there is no comprehensive and coherent policy addressed to families living abroad. The home country support to citizens abroad in the area of birth and family-related benefits is based on traditional solutions that have been used for decades (the possibility of registering births which take place abroad, availability of learning Polish abroad, etc.) and is characterised by a selective approach to the current needs of families with children, as exemplified by discounts for children travelling around Poland.

In certain circumstances, nationals residing abroad can obtain a birth certificate from home country authorities for their children born abroad. In the Polish register of marital status, the following registrations can be made at the request or *ex officio*: (1) the registration of a birth that occurred outside Poland that was not registered there and; (2) the registration of a birth that occurred outside Poland, if the interested parties’ marital status is not registered in the country where the child was born.³⁴ The consulates can be involved in the process, a written request for registration can be submitted to the consul who prepares the birth registration protocol and immediately submits it to the head of the registry office chosen by the applicant.

³¹ According to Articles 101 and 128 of Law of December 17th 1998 on Pensions from Social Insurance Fund in connection with Article 28(1) point 2 of the Consular Law of June 25th 2015.

³² Article 18, point 8, of the Consular Law is the basis of general information policy for citizens abroad - the consul becomes acquainted with the situation in the host country, in particular with the state of its economy, science and culture, and with the host country’s legislation and agreements, while also providing relevant information to interested Polish citizens and competent authorities and institutions in Poland.

³³ See <http://together-razem.org/index.php/2012-11-16-14-49-14/doinformowany-senior/item/1030-program-doinformowany-senior-wystartowa%C5%82>. Accessed 15 July 2018.

³⁴ According to Article 99(1) of the Law on Marital Status Records of November 28th 2014 (consolidated text: Journal of Laws of 2016, item 2064, as amended).

The consulates are not involved in the process of obtaining birth grants or child benefits from the home country, nor they provide cash or in-kind benefits to families upon the birth of a child or to facilitate access to education to minor children. In 2017, however, Polish consuls obtained a new competence of issuing documents (student's cards) confirming the right to discounted travels available to Polish pupils residing abroad. These documents entitle the holder to purchase discounted tickets for public transportation, museums and national parks in Poland.

The Ministry of National Education (MEN) has created solutions providing Polish children with learning Polish, history, geography, Polish culture and other subjects in Polish. These solutions are consistent with the state policy directions in the field of the promotion of Polish language and culture, and maintaining and strengthening national identity of Poles living abroad. Children of Polish citizens living abroad can learn Polish or in Polish in schools and school consultative points at diplomatic missions (see the role of ORPEG described above).

There are no special policies or services by which consulates assist nationals residing abroad in accessing birth grants, child benefits or any other relevant family-related benefit granted by host countries. The consulates in all main destination countries offer additional services in the form of providing information on their websites. Examples in this regard include: "The guide to the new Berliner" in Germany³⁵ (also informing about compulsory education, family allowance for children (*Kindergeld*), family counselling and help, institutions for children and young people, etc.); the parents' guides "Polish Children in British Primary Schools" and "In Polish on the Islands" in the UK³⁶; or the "Guide for Polish citizens who arrive to work on the territory of the Republic of Ireland" (with information about child benefits, vaccinations of children, and Irish and Polish schools in Ireland³⁷).

For all main destination countries, the home country authorities (especially consulates) assist nationals abroad in accessing services from non-governmental partners that respond to families' needs. Examples include providing information about the activities of the Polish Catholic Mission in Germany³⁸; co-financing the campaign "Give your child the gift of your native language" organised by the Association for the Promotion of Polish Language Abroad in the UK³⁹; providing information about learning Polish in Polish schools belonging to NGOs in the US and Canada⁴⁰;

³⁵ https://berlin.msz.gov.pl/pl/wspolpraca_dwustronna/poloniawniemczech/poradnik_nowego_berlinczyka/poradnik. Accessed 16 August 2018.

³⁶ <https://londyn.msz.gov.pl/resource/f0294e3d-ae4-424a-9f6a-7748a91c4398:JCR>; <https://londyn.msz.gov.pl/resource/2ab59da8-f84f-4a41-ae81-df0b581e4606:JCR>. Accessed 16 August 2018.

³⁷ https://dublin.msz.gov.pl/pl/info_konsularne/pobyt_w_irlandii/. Accessed 16 August 2018.

³⁸ https://kolonia.msz.gov.pl/pl/wspolpraca_dwustronna/polska_misja_katolicka/. Accessed 16 August 2018.

³⁹ <http://www.podarujdziekujezyk.org/>. Accessed 16 August 2018.

⁴⁰ https://waszyngton.msz.gov.pl/pl/wspolpraca_dwustronna/wspolpraca_naukowa/nauka_polskiego/; https://ottawa.msz.gov.pl/pl/wspolpraca_dwustronna/polonijne/nauka_polskiego/. Accessed 16 August 2018.

or co-financing the project of legal and social counselling and an education support point implemented by the NGO Together-Razem in Ireland.⁴¹

22.3.5 *Economic Hardship*

Poland has not developed a comprehensive policy regarding support for citizens abroad in the area of guaranteed minimum resources. Support for all citizens abroad is based on one simple solution: in justified cases, the consul may grant aid to Polish citizens living in a consular district who are in need and unable to receive assistance from other sources. Payments may be granted to meet basic living needs, in particular to purchase the necessary medicines, food, clothing, school aids or to pay for the necessary care if the persons concerned have documented their difficult situation. The financial help can be recurrent, but it is generally not. There is no obligation for the national or her/his family to reimburse this payment. It is therefore a discretionary subsistence allowance whose amount depends on the analysis of the applicant's living situation.⁴²

The Law on social assistance provides social assistance benefits aiming to enable people and families to deal with problems which they are not able to overcome with their own resources. Benefits can be granted to persons and families (permanent residents) whose income *per capita* does not exceed the income criterion. These benefits can only be granted after the beneficiary returns from abroad, but it does not mean that there is a specific policy, service or benefit designed exclusively for returnees.

There are no special policies or services, except a general information policy, by which consulates assist nationals residing abroad to access a host country's guaranteed minimum resource scheme or any other relevant host country scheme that deals with economic hardship. In some of the main destination countries, Polish embassies and consulates inform on their websites about the most popular benefits in the host country and the institutions, organisations and projects that provide assistance to migrants within a given consular district (Germany, the United Kingdom, Ireland).⁴³

In Ireland, as a result of an agreement with the organization Together-Razem, the embassy co-organized and co-financed in 2012 a pilot project of legal and social counselling and an education support point in Cork. Since 2015, the project, still

⁴¹ https://dublin.msz.gov.pl/pl/polonia_w_irlanii/pozostala_dzialalnosc/. Accessed 16 August 2018.

⁴² The consul has full freedom in this area because the legislature did not provide detailed legal provisions regarding granting this allowance.

⁴³ https://hamburg.msz.gov.pl/pl/informacje_konsularne_2/praca_i_zycie_w_niemczech1/, <https://manchester.msz.gov.pl/pl/poloniawb/organizacjepolonijne/gov.pl/pl/poloniawb/organizacjepolonijne/>, https://dublin.msz.gov.pl/pl/polonia_w_irlanii/pozostala_dzialalnosc. Accessed 16 August 2018.

co-financed by the embassy in Dublin,⁴⁴ is addressed mainly to people in difficult life situations, and its main task is to inform and support access to social and legal information useful in solving the problems of Polish migrants. Beneficiaries are able to obtain legal advice from an Irish lawyer cooperating with the Centre or get support in social assistance.⁴⁵

In the face of the growing problem of homelessness among Poles in Germany, Polish authorities will co-finance assistance for Polish homeless in Berlin starting in the summer of 2018.⁴⁶ In August 2018, social workers of the “Barka” Foundation for Mutual Help from Poznań in cooperation with German aid organizations should start taking care of Poles living on the streets of the German capital by talking to them, mediating in finding help or return to the country.

22.4 Conclusions

The main institutions that lead diaspora policy in Poland have been the MSZ and the Senate. The first has been responsible for the practical side of this policy (via the consulate network), while the Senate until 2020 distributed the main part of the budget dedicated to diaspora issues. Currently, the main strategic document related to diaspora policy is the Government Programme of Cooperation with the Polish Community Abroad for 2015–2020, which confirms the socio-cultural approach in defining the main goals of this policy. The main focus is on maintaining the national identity, teaching Polish language and supporting access to Polish culture. This approach is rooted in the common conviction that Poles living abroad are essential part of the Polish nation. Among the various groups forming the Polish diaspora, Polish minorities in the East remain the priority population, with a significant part of the diaspora funds being allocated to assisting Polish populations residing in Lithuania, Belarus, Ukraine and other post-Soviet countries. Other legal and political privileges, such as the repatriation policy and the Card of the Pole, are also addressed exclusively to them. This can be explained by ethno-historical (changing the borders after World War II) and political factors (inter-state relations with neighbouring countries).

The impact of the Polish diaspora on state policy has to be estimated as marginal. A consultative infrastructure exists in the form of consultative councils established

⁴⁴In 2017, the project was co-financed from the funds of the Embassy in Dublin in the amount of 9750 euro.

⁴⁵See https://dublin.msz.gov.pl/pl/polonia_w_irlandii/pozostala_dzialalnosc and <http://together-razem.org/index.php/2012-11-16-14-49-14/poradnia-prawno-socjalna/item/907-poradnia-prawno-socjalna-2017-wsparcie-migrant%C3%B3w-z-polski-w-cork.php/2012-11-16-14-49-14/poradnia-prawno-socjalna/item/907-poradnia-prawno-socjalna-2017-wsparciemigrant%C3%B3w-z-polski-w-cork>. Accessed 16 August 2018.

⁴⁶Information of the spokesperson of the Polish embassy in Germany (13 June 2018); <https://wiadomosci.wp.pl/polska-bedzie-placic-na-bezdomnych-w-berlinie-deklaracja-ambasady-6262347221571201a> and <http://www.barkanl.org/fundacja-barka-pomoze-polskim-bezdomnym-w-berlinie/>. Accessed 16 August 2018.

at the office of the Marshal of the Senate, as well as at embassies or consulates in particular countries. Yet, the consultation process and its results are not binding for the Polish authorities. Poles abroad are also entitled to vote in presidential and parliamentary elections in Poland, but due to the rather small number of votes from abroad and the assimilative model of voting, the actual effect of electoral participation of Polish emigrants on the overall electoral results is negligible.

Because of the mass outflow of Poles to other EU countries after accession, one could expect structural changes in the diaspora policy. Some developments took place related, among others, to the simplification of new-born children registration, issuing documents and advancement of education infrastructure abroad, but it is difficult to describe them as fundamental modifications. In the field of social protection, the engagement of home state institutions in diaspora issues took the form of reactive activities in response to particular cases, such as incidents of discrimination against Polish workers in the labour markets of destination countries. The common activity provided by various bodies competent in diaspora policy is providing information related to social issues, such as health care, social insurance or unemployment benefits. In comparison terms, the most developed area is education of Polish children abroad, which became recently the priority of the diaspora policy. These activities are consistent with the state policy priority, namely the promotion of Polish language and culture, and maintaining and strengthening national identity of Poles living abroad.

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