

Introduction

Polish accession to the European Union in 2004 resulted in many institutional, economic and social changes. The consequences of membership can also be observed in migration processes, as the opening of borders and labour markets caused a wave of emigration from Poland which continues despite a downturn in the countries of Western Europe. Most scientific studies on migration focus on the analysis of emigration from Poland and its consequences for the national economy. However, few papers deal with the immigration to the post-accession Poland. Therefore, this article attempts to the following issues: (1) the scale of immigration to Poland after joining the EU, (2) changes in its geographical structure and (3) the impact of immigrants on the Polish labour market. These objectives inform the structure of this work; the first part presents the current legal conditions for foreigners staying in Poland, then we provide a description of trends in the size and structure of immigration to Poland, while the last section discusses economic immigration.

1. Legal conditions for immigration to Poland

In the postwar period until 1989, the issue of migration and the need for a coherent migration policy were not treated as a priority by the Polish governments. Emigration was primarily political and immigration practically did not exist. The system transformation after 1989 initiated migration to Poland, resulting in the need for a more or less consistent migration policy.

In the pre-accession period the two main factors shaped the Polish migration policy (understood mainly as the immigration policy): national security and the integration with the EU. As a result, the policy was

Trends in the World Economy

New Phenomena in International Markets and their Implications

restrictive and was meant primarily to discourage immigrants to settle in Poland and thus avoid complications related to permanent immigration.¹

Membership in the EU began a new phase in the Polish migration policy, resulting from a change in the institutional but also economic and demographic situation. The access to the EU labour markets, resulting in massive Polish emigration after the accession, had created completely new challenges for the Polish migration policy.² The most important challenges included (1) the need for the greater protection of the interests of the increasing number of Polish citizens staying abroad (2) promoting return migration and maintaining contacts with Polish immigrants, since the most recent wave of emigration concerns primarily young people with vague migration plans, and (3) the need to fill the gap on the Polish labour market after the intense wave of emigration from Poland.

Recently, the Polish migration policy has focused primarily on the latter challenge, resulting in a clearly progressive liberalization of conditions of residence and access of foreigners to the Polish labour market.

A new Act on Foreigners of 12 December 2013 entered into force on May 2014.³ This Act stems from the document *Polish Migration Policy, Current State and Called for Action* adopted by the Polish government in July 2013, which contains the assumptions of the Polish migration policy. The new law contains a number of convenient solutions for foreigners working and studying in Poland and those who wish to legalize their residence. The most important changes include:

1. Extension of the maximum period for which foreigners may be granted a temporary residence permit – from 2 to 3 years.
2. The introduction of new solutions for foreigners studying at Polish universities. The first temporary residence permit for foreign students is granted for a period of 15 months, while foreigners who

¹ A. Weinar, *Polish Migration Policy in the Years 1990–2003 – Attempt of Summary*, Reports and Analyses of the International Relations Centre No. 10, 2005, www.csm.org.pl (July 2013), in Polish.

² M. Matkowska, *Polish Migration Policy – Outline of the Problem*, *Studia i Prace WNEiZ* nr 33, Szczecin 2013, p. 8 (in Polish).

³ *The Act on Foreigners of 12 December 2013*, “Journal of Laws” from 2013, pos. 1650.

continue studies in the following year will receive a temporary residence permit for a period of three years, and not only a year, as previously. The foreign graduates of Polish universities who are seeking work in Poland can apply for a temporary residence permit for a period of one year.

3. The introduction of a single permit – both for residence and work. A foreigner who is working in Poland may apply for a residence permit and work in a single procedure. Previously, employers had to apply for work permits for foreigners they wanted to hire in Poland. Only after obtaining the permit could the foreigner apply for a residence permit. The procedure for issuing work permits has remained unchanged.
4. Acceleration and simplification of the procedure for granting a residence permit.
5. Introduction of favorable provisions for foreigners of Polish origin, as well as for the children of foreigners who are in Poland legally. The Polish Charter holders who intend to settle permanently in Poland can apply for permanent residence.⁴

The new law regulates many other important issues concerning the residence of foreigners in Poland, but the format of this paper does not give sufficient space a detailed presentation.⁵

Any foreigner who wishes to work in Poland must have an appropriate permit. A work permit is issued for a specified period not longer than three years and may be extended. A foreigner may receive one of the five types of work permits:⁶

1. Type A – applies to foreigners who work under a contract with an employer whose office is located on the Polish territory.
2. Type B – issued to members of the board.

⁴ www.cudzoziemcy.gov.pl (June 2014).

⁵ More on this issue in: *The Act on Foreigners...*

⁶ *The Order of the Minister of Labour and Social Policy of 10 December 2013 Amending the Order on Work Permits for Foreigners*, “Journal of Laws” from 30 December 2013, pos. 1674.

Trends in the World Economy

New Phenomena in International Markets and their Implications

3. Type C – issued to employees sent to work in Poland for a period exceeding 30 days in a calendar year to a branch or plant of a foreign entity, its subsidiary or a unit connected with the foreign employer by a long-term cooperation agreement.
4. Type D – issued to employees who are sent to render services on a temporary and occasional basis (export of service).
5. Type E – applies to employees sent to Poland for a period exceeding three months over the next six months for purposes other than specified in points 2–4.

The obligation to apply for a work permit does not concern the following:⁷

- the citizens of the EU, the European Economic Area and Switzerland,
- persons authorized to settle in Poland,
- persons authorized to EC long-term residence in Poland,
- persons authorized to EC long-term residence in another EU country, who obtained a residence permit in connection with their work,
- refugees, persons receiving temporary protection or granted a “tolerated stay” status,
- graduates of Polish high schools or full-time university studies and full-time doctoral studies at Polish universities,
- researchers.

Citizens of neighboring countries (Ukraine, Belarus and Russia), as well as Moldova and Georgia, may work on the Polish territory without having to obtain a work permit for 6 months over a 12 month period. The condition is to register the employer’s statement of intention to employ the person at the local employment office.

2. The scale of immigration to post-accession Poland

Prior to 1990 the number of people immigrating to Poland was negligible due to the political and economic situation in Poland. The change

⁷ The exact list of cases exempted from the necessity to obtain work permits is too long for the format of this paper. More on this issue in *The Act on Foreigners...*

of circumstances increased immigration but it is difficult to determine the number of foreigners currently living in Poland. According to the National Census of Population and Housing in 2013, among permanent residents in Poland 55.4 thousand are foreigners, i.e. people who do not have Polish citizenship.⁸ Compared with the 2002 Census, the number of foreigners settled in Poland increased by almost 38%.⁹ Thus, the share of foreigners in the Polish population increased from 0.1% in 2002 to 0.14% in 2011.¹⁰

According to the Office for Foreigners, at the end of 2013 121,000 foreigners had valid residence cards,¹¹ while 60,000 EU citizens registered their stay in Poland.¹² This means that at the end of 2013 the share of foreigners (from the EU and non-EU) in the Polish population was 0.47%. The number of foreigners who obtained a residence card in Poland shows a steady upward trend. In the period 2007–2013 the average annual growth rate was 8% (Figure 1).¹³

It should be emphasized that not all foreigners apply for a residence permit (non-EU citizens) or register their residence in Poland (EU citizens). The number of foreigners residing in Poland (temporarily or with the intention of settling) may therefore be much higher.

Despite the increase in the number of foreigners, Poland is still in last place in the EU in terms of the share of foreigners in the population.¹⁴

⁸ *Estimation of the Number of Permanent Immigrants*, “Biuletyn Migracyjny” 2014, nr 41.

⁹ Own calculations based on the National Census 2011, www.stat.gov.pl (July 2014), p. 96.

¹⁰ Own calculations based on the data of the National Censuses 2002 and 2011, www.stat.gov.pl (July 2014).

¹¹ The residence card certifies the legal residence of the foreigner on the Polish territory, confirms the identity of the foreigner – as the equivalent of an identity card. Regular students with a residence card may start legal work without additional paperwork and permits. The residence card is issued at the request of the foreigner (i.e. from outside the EU). Along with the passport it allows multiple and free crossing of the borders of Poland.

¹² Data of the Office for Foreigners, www.udsc.gov.pl/zestawieniaroczne (July 2013).

¹³ Permanent residence cards have been issued since 2007.

¹⁴ *European Social Statistics. 2013 Edition*, <http://epp.eurostat.ec.europa.eu> (July 2013), p. 43.

Trends in the World Economy

New Phenomena in International Markets and their Implications

This barely changes even if we take into account the higher rate calculated on the basis of data from the Office for Foreigners. The ratio of 0.47% gives us the penultimate position, between Romania (0.2%) and Hungary (0.5%).¹⁵

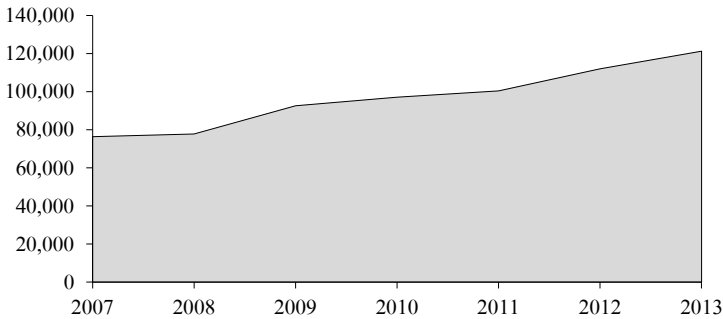


Figure 1. Number of people holding a valid residence card in Poland (as of December 31 of a given year)

Source: own study based on data from the Office for Foreigners, www.udsc.gov.pl/zestawieniaroczne (July 2014).

A more detailed analysis of the trends in the size and structure of immigration after joining the EU is possible only on the basis of the data of the Central Statistical Office of Poland (CSO); hence analyses in the later part of the article will be based on this source.

In 2012, 14.6 thousand people immigrated to Poland permanently, which means more than a 50% increase compared to 2004 (Figure 2). In the period 2010–2012 there was a decline in the number of immigrants for permanent residence in Poland. This may be due to the fact that among those applying for permanent residence in 2012 90% were Polish citizens, with almost 53% born in Poland.¹⁶ These figures indicate the phenomenon of re-emigration. It is possible that the deteriorated economic situation in the countries of their former residence encouraged

¹⁵ *Ibidem*.

¹⁶ Own calculations based on the Polish *Demographic Yearbook 2013*, GUS, Warsaw 2014, p. 478.

Poles and their families (children born outside Poland) to return to the home-country on a permanent basis. Foreign nationals who were granted permanent residence included citizens of the United Kingdom, Ireland, Germany, Ukraine and the United States, among others.¹⁷ However, it is impossible to analyze changes in the structure of citizenship of permanent immigrants, as the CSO did not publish such data for the years 2004–2008.

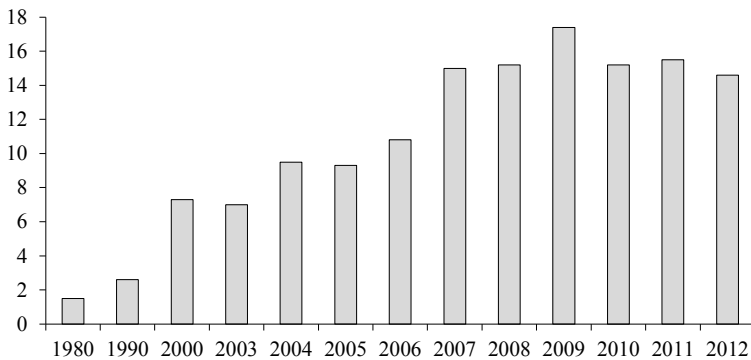


Figure 2. The number of immigrants to Poland granted permanent residence permits in the selected years 1980–2012 (in thousands)

Source: own elaboration based on CSO demographic yearbooks, for the relevant year.

In 2012 the number of immigrants granted temporary residence permits was almost 73,000, an increase of over 60% compared to 2005 (Figure 3).¹⁸ The economic crisis did not stop the influx of foreigners to Poland. The number of immigrants grew almost over the entire analyzed period. The migrants granted temporary residence permits were mostly foreigners. In 2012, they accounted for almost 92% of all immigrants.¹⁹

¹⁷ *Ibidem*.

¹⁸ Temporary residence denotes the stay for more than 3 months.

¹⁹ *Ibidem*, p. 498.

Trends in the World Economy

New Phenomena in International Markets and their Implications

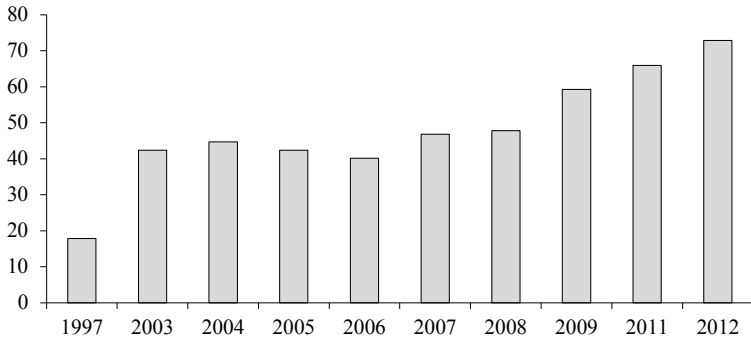


Figure 3. The number of immigrants granted Polish temporary residence permits in selected years from 1997 to 2012 (in thousands)

Source: as in Figure 2.

Temporary residence permits were given primarily to the citizens of the former Soviet Union, mainly Ukrainians, Belarusians and Russians. Compared with 2005, there were no major changes in the geographical structure of temporary immigration. The largest increase in the share of temporary migration can be observed for the citizens of Italy, China, Turkey and Vietnam (Figure 4). The temporary immigration was not associated with re-emigration; it was generally typical economic migration.

The selectivity of migrants due to age, sex and education is a typical feature of contemporary population flows. Migrants are mainly young well-educated men. Immigration to Poland confirm this pattern. Men accounted for 56% and 57% of all immigrants granted permanent and temporary residence permits in 2012.²⁰ In 2005, the percentage was 52% and 54%, respectively.²¹

Moreover, immigrants were mainly young people, aged 20 to 49 years, with the largest group aged 25–34. This applies both to permanent (23% of all immigrants) and temporary immigrants (28%). Compared to

²⁰ *Demographic Yearbook 2013...*, pp. 472, 492.

²¹ *Demographic Yearbook 2006...*, p. 455.

2005, the age structure of immigrants coming to Poland did not change much; at that time it was also dominated by the same age group.²²

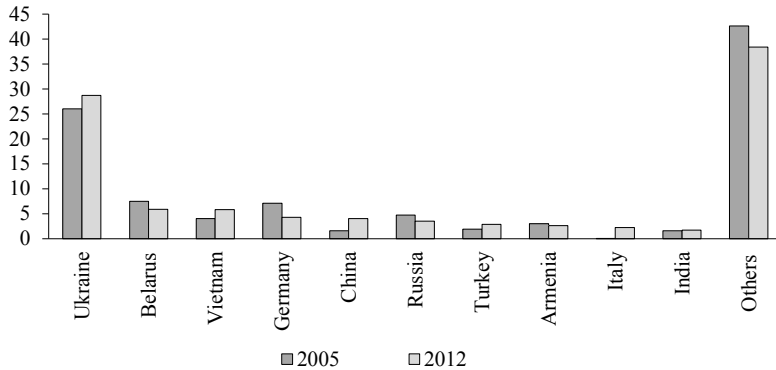


Figure 4. Immigrants with temporary residence permits by country of citizenship in 2005 and 2012 (%).

Source: own elaboration based on the Polish *Demographic Yearbook 2006, 2013...*, pp. 456, 498.

Migrants arriving in Poland were characterized by a relatively high level of education. A third of the immigrants had post-secondary education, and higher education was completed by 24% of immigrants. Vocational education was declared only by 5% of immigrants, and the primary education by 8%.²³

Analysis of change in the level of education of immigrants in the period 2005–2012 is difficult due to the very large increase in the category of “non-established education”.

²² *Ibidem*.

²³ *Ibidem*, p. 457.

Trends in the World Economy

New Phenomena in International Markets and their Implications

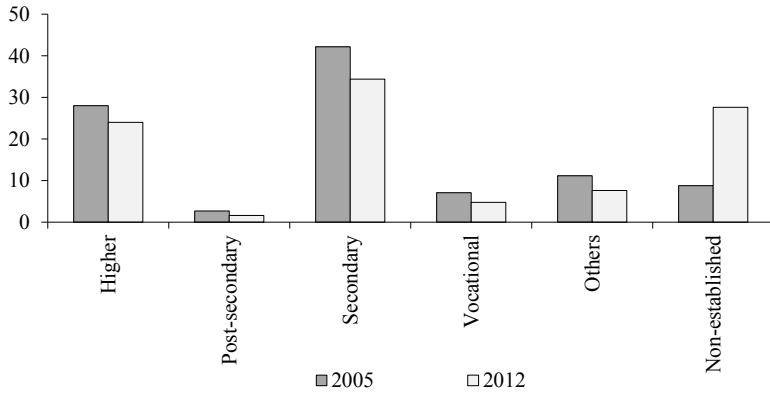


Figure 5. The structure of education of temporary migrants between 2005 and 2012

Source: as in Figure 4.

A third of immigrants chose the Mazowieckie province as a place to stay, followed by Lower Silesian, Silesian and Małopolskie provinces. The lowest number of immigrants in 2013 was registered in the Warmińsko-Mazurskie and Świętokrzyskie provinces. This regularity shows that the immigrants preferred the most urbanized and industrialized areas, offering the greatest opportunities to find a job. The influx to small towns and villages was negligible and did not change from 2005.

3. Immigrants on the Polish labour market

It is difficult to give an exact number of foreigners working in Poland. First, foreigners from the EU do not need work permits. In addition, some foreigners work illegally (the size of illegal employment is estimated to be at least several thousand). However, the progressive liberalization of the Polish regulations governing access to the domestic labour market (since 2007) caused significant changes in this regard over the last decade.

In 2013, nearly 40,000 work permits were issued in Poland.²⁴ Compared with 2004, the number of work permits increased almost threefold (Figure 6), despite the smaller number of people in need of such authorization.

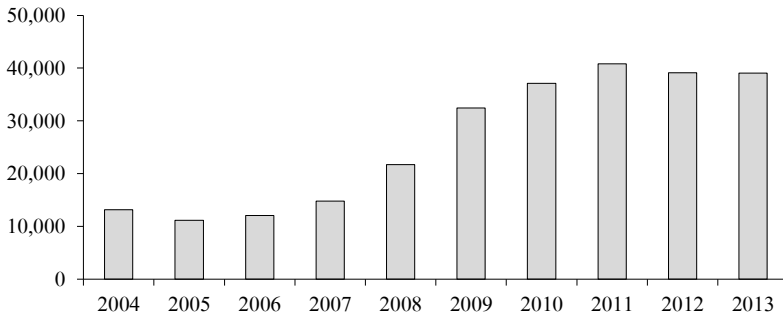


Figure 6. Number of work permits issued in Poland in 2004–2013

Source: own elaboration based on CSO demographic yearbooks for the relevant year and the Ministry of Labour and Social Policy, www.mpips.gov.pl/analizy-i-raporty/cudzoziemcy-pracujacy-w-polsce-statystyki (July 2014).

In 2013 Polish work permits were given to the citizens of 115 countries from all continents.²⁵ Most numerous were the citizens of Ukraine (Figure 7). In 2013, they were given 7 times more work permits than in 2005.²⁶ Also in the case of nationals of other countries the number of issued permits increased many times; this applies particularly to countries such as China, India, Turkey, Uzbekistan and Moldova.²⁷

²⁴ Data of the Ministry of Labour and Social Policy, www.mpips.gov.pl/analizy-i-raporty/cudzoziemcy-pracujacy-w-polsce-statystyki (July 2014).

²⁵ *Ibidem*.

²⁶ Own calculations based on *Demographic Yearbooks 2007* and *2013* (July 2014).

²⁷ Data of the Ministry of Labour and Social Policy, www.mpips.gov.pl/analizy-i-raporty/cudzoziemcy-pracujacy-w-polsce-statystyki (July 2014).

Trends in the World Economy

New Phenomena in International Markets and their Implications

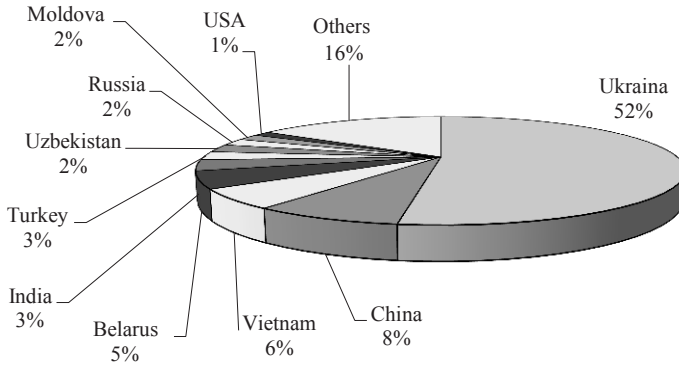


Figure 7. Work permits in Poland by citizenship in 2013

Source: as in Figure 6.

In 2013, most foreigners worked in wholesale and retail trade (18%), construction (13%) and in households (12.8%). A large group foreigners in the Poland labour market worked in hospitality (7.8%), processing (4.8%) and as scientists (4.7%). In the years 2008-2013 there were visible changes in the structure of work permits.²⁸ There was a significant decrease in the percentage of permits issued in finances, insurance and industrial processing.²⁹ Declines were also recorded in the professional, scientific and technical sectors, as well as retail and wholesale trade. At the same time, there was an increase in the proportion of foreigners working in the construction industry, households and agriculture.³⁰ In 2013, few work permits were issued in the health and social care sectors (1.5% of the total permits), but the percentage of foreigners working in the industry almost doubled during the period.

In 2013, the largest professional group of foreigners were skilled workers. However, their share fell from 34.5% in 2008 to 27.4% in 2013.³¹

²⁸ Detailed data are available only for this period.

²⁹ Own calculations based on the data of the data of the Ministry of Labour and Social Policy for individual years, www.mpips.gov.pl/analizy-i-raporty... (July 2014).

³⁰ *Ibidem*.

³¹ *Ibidem*.

Compared to 2008, the number of permits issued for workers in elementary occupations doubled (14.7% in 2013). The number foreign executives decreased. In 2008, this group accounted for 27% of all permits, while in 2013 only 7.7%. This could mean a progressive segmentation of the Polish labour market. There is a growing demand for workers in sectors not enjoying popularity among domestic workers, due to the low remuneration or low prestige of the job.

The second source of information on the scale of legal employment in Poland is a record of foreigners' statements on employment. This instrument was introduced in 2008, so analysis can only concern the period 2008–2013. An increasing growth rate of recorded statements and a stable number of work permits issued each year work indicates the large of scale of unregistered employment of foreigners before 2008. It seems that the illegal employment of citizens of Ukraine, Belarus and Russia is being gradually replaced by legal employment (on the basis of the statement). However, the declared intention to employ a foreigner does not automatically means an actual work afterwards. The statement has often been used as a basis for applying for visas to Poland, with which a foreigner may start working for a different employer or even illegally. No information is available on how many foreigners actually started to work in Poland on the basis of such statements; it is known, however, that the statements are increasingly often subject to illegal trade, especially in Ukraine.³² Citizens of Ukraine tend to perceive the statement as a “cheaper passport” to the Schengen area.

³² I. Grabowska-Lusińska, *Poland 2010*, in: *Migration and the Economic Crisis: Implications for Policy in the European Union*, IOM. Geneva, www.labourmigration.eu, p. 7 (July 2014).

Trends in the World Economy

New Phenomena in International Markets and their Implications

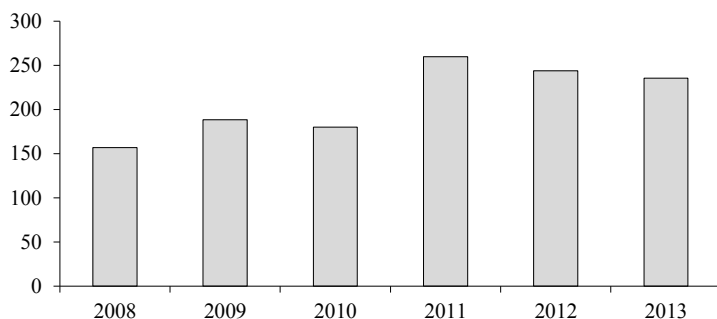


Figure 8. Number of statements of intention to employ foreigners in 2008–2013 (thousands)

Source: as in Figure 6.

Number of declarations on the employment of foreigners increased in 2008–2013 by more than half (Figure 8). A majority, i.e. 92% of declarations of intention to employ foreigners in 2013, concerned citizens of Ukraine. The share of other countries was low – Moldova 3.9%, Belarus – 2.2%, Georgia – 1%, and Russia – 0.533%.³³ This situation has not changed since the introduction of the statements, that is, since August 2007. Participation of Ukraine in the number of declarations has been in the range of 91–96%, the second place was occupied by Moldova (about 3–4%), followed by Belarus (about 2.5%), and finally Georgia and Russia, the latter with the growing but marginal share.³⁴

The structure of declarations by industry differed significantly from the structure of work permits. This instrument of employment in Poland was primarily used by farmers. In 2013, half of the recorded statements related to agriculture. In previous years, this proportion ranged from 46% (2012) to 65% (2009). This is understandable, since the statement applies to short-term and seasonal workers.

³³ *Registration of Statements of Employers on Their Intention of Employing Foreigners; Work Permits for Foreigners*, Analyses and the report of the Ministry of Labour and Social Policy, www.mpips.gov.pl, for individual years (July 2014).

³⁴ *Ibidem*.

Over 80% of statements related to the employment for a period of 3-6 months, which is the maximum period of employment on the basis of the statement. Seasonal workers – similar to long-term employees – preferred highly developed and industrialized regions which also have large orchard and agricultural sectors, i.e. Mazovia, Lower Silesia and Lubelskie.

Estimates of the number of migrants to Poland are very varied and depending on the measurement methodology indicate that foreigners constitute from 0.02 to 0.07% of the total workforce.³⁵ OECD estimates the rate at 0.3%.³⁶ Regardless of the source data, it is clear that foreigners still represent a small part of the 17-million Polish labour market.

Conclusions

Analysis of immigration to Poland in the post-accession period gives rise to a few conclusions. First, the number of immigrants is still relatively small compared to the population of the entire country. However, there was a continuous upward trend during the period, which indicates that Poland is slowly becoming an attractive country for foreigners, thanks to relatively good economic and political situation. This trend is enhanced by the consistently implemented liberalization of conditions for residence and access to the Polish labour market.

Secondly, the demographic and geographic characteristics of foreign immigrants did not change significantly. Data, at least the official ones, show that immigrants are relatively young, well educated and with high qualification. They are mostly the citizens of the former Soviet republics (predominantly Ukrainian).

Thirdly, there is a growing number of immigrants in the Polish labour market. The dominant position is invariably occupied by the citizens of Ukraine, but the number of countries of origin of migrant workers in

³⁵ *Meeting the Needs of the Polish Labour Market Through Migrations*, The national report prepared by the European Migration Network, www.emn.gov.pl (February 2012).

³⁶ *International Migration Outlook 2011*, OECD 2011, Table A.2.3, www.oecd.org (July 2014).

Trends in the World Economy

New Phenomena in International Markets and their Implications

Poland has significantly increased. The share of permits issued in financial, insurance and manufacturing sectors has significantly decreased, while it has grown in construction, households and agriculture.

These results indicate the answer to the frequently asked question whether Poland needs immigrants in the face of its high unemployment. The answer is unequivocally positive. Poland, similar to other Western European countries, begins to experience the segmentation of the labour market. According to the theory of the dual market by P. Doeringer and M. Piore labour market is divided into primary market and secondary. The primary market consists of well-paid jobs giving the possibility of advancement in the workplace. The secondary market is characterized by low wages, poor working conditions, job insecurity, lack of career opportunities, and the lack of rules and procedures. The secondary market is and will in the future largely dominated by immigrants. Native workers are not generally interested in working in this sector but in the primary sector. Hiring immigrants does not therefore increase the unemployment rate, but has a stabilizing effect on the economy of the country. Moreover, immigrants in Poland are needed due to the unfavorable demographic situation predicted in the nearest future.

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