

## SUMMARY

# PoMOCna KAWA #12



## LEGAL ISSUES & REGULATION

**50 ORGANIZATIONS PARTICIPATED IN THE MEETING** (Center for Women's Rights Warsaw, Parliament of Students of the Republic of Poland, SOS Food Bank in Warsaw, "One World" Health Prevention Association, Jesuit Refugee Service (JRS Poland), "Mudita" Association, Safe Passage, ELIL Warsaw, Feminoteka UA Foundation, Open House Initiative Foundation in Warsaw, Legal Intervention Association, New Story Foundation Toruń, Lena Grochowska Foundation, Promyk Słoń Foundation, Salam Lab Foundation, Our Choice Foundation, NGO Forum. Lena Grochowska, Ray of Sun Foundation, Salam Lab Foundation, Our Choice Foundation, Migrand Hostel, Polish EMDR Association, Feminoteka, NGO Forum, Batory Foundation, Bytom City Hall, Warsaw Crisis Intervention Center, In Action Foundation, Warsaw House Under the Fountain, CultureLab Foundation and others)

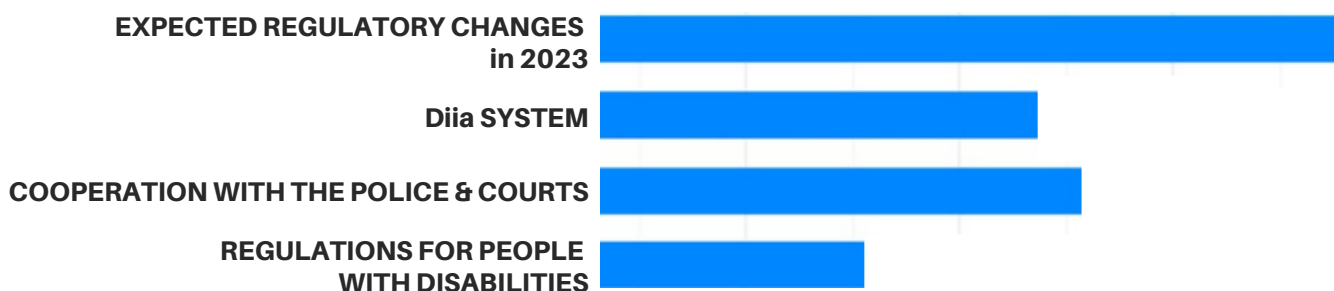
### **New formula of PoMOCna kawa**

At the first, educational meeting of PoMOCna coffee, we covered the topics listed below referred by speakers who are representatives of all well-known organizations :

- Ukrainian House in Warsaw "The most common legal problems of refugees from Ukraine"
- Women's Rights Center "Diia system"
- Center for Women's Rights "Cooperation with the police and the court when protecting refugee women experiencing violence"
- Mudita Association "Legislation on disability determinations for refugee women"

All lecturers shared information at an expert level. After the lectures, participants filled out a questionnaire and chose the most interesting topics they would like to explore in the trainings.

### **WHICH OF THE TOPICS DISCUSSED AT THE MEETING SHOULD BE DEVELOPED FURTHER IN A MORE DETAILED TRAINING?**



# The most common legal problems

## UKRAINIAN HOUSE IN WARSAW

Speakers from the Ukrainian House in Warsaw Irka Yazukevich, Oksana Pestrykova, Oleksandra Pustova gave a presentation entitled :

### Problems faced by Ukrainian House beneficiaries

#### Benefits

They discussed the principles of subsidizing people who arrived in Poland after 24.02.2022 and were granted temporary protection and UKR status. The facilities that refugees with UKR status receive are :

- one-time financial assistance of PLN 300
- social benefits for children of 500+ and 300+
- possibility to use family welfare capital and social assistance

Unfortunately, it is not possible to support themselves and rent an apartment with the help of these benefits. The elderly and mothers with young children who are unable to work full time are forced to rely on additional assistance. Such support is offered by NGOs but is unfortunately unstable. The organizations themselves face many financial problems and often receive funding that they can use to help refugees irregularly and for a short period of several months.

#### Accommodation

Accommodating of refugees also raises a number of legal issues. The rules for people with non-Ukrainian citizenship are unclear. They are required to have additional certificates when applying for temporary protection. Long-term accommodation of inactive people with special needs (e.g., the elderly, people with disabilities - independent and needing care), as well as people from groups at risk of exclusion, is a challenge.

Great difficulties are emerging in renting an apartment. Contributing to this are skyrocketing rental prices, population density in large cities, the need for more social housing, the lack of a long-term perspective, and occasional renting. It happens that refugees pay for the rent of an apartment and the landlord collects an additional 40+ benefit, which is due to the renters. Such situations should be reported to law enforcement agencies.

#### Employee rights

Another problem flagged by Ukrainian House speakers is the violation of labor rights. Refugees in need of work often are shown off their employment contract in an unintelligible language. Employers deny them opportunity to draw up relevant documents in a language the employee understands. Such contracts smuggle in illegality, such as financial penalties for absenteeism. Illegal employment, failure to pay contributions or underpayment of wages are common. Such irregularities should be reported to the prosecutor's office.

#### Taxes

People working in Poland and remotely in Ukraine, or doing business in Ukraine and working/operating in Poland, are not familiar with tax regulations. They do not know how and in which offices they should settle, what contributions they should pay.

# Regulations for people with disabilities

## MUDITA ASSOCIATION

Anton Korolov of the Mudita Association, which supports refugees with disabilities or chronic diseases and their families, introduced us to the regulations on the procedure for obtaining a disability certificate.

A refugee who wants to use state health services and health benefits must be granted UKR status. It is not enough that he has a disability certificate or other health documents issued in Ukraine. Polish regulations do not recognize them, even if they are translated by a sworn translator. One has to go through a long procedure to obtain documents recognized in Poland. A certificate of disability under the age of 16 and a certificate of disability over the age of 16 are issued by municipal or district assessment teams. The regulations require the collection of quite a number of documents. The application for obtaining the certificate must be written in Polish. The following documents are required:

- pesel no.
- UKR status
- document with the date of entry to Poland
- confirmation of place of residence
- medical documentation showing previous treatment translated into Polish
- a referral from a Polish doctor recommending the entry into the procedure

Documentation from Ukraine must be translated partly by certified translators and partly by those who know medical vocabulary. Often the rates of professionals are too high for people with disabilities. In theory, they can make a request to MOPS for financial assistance in this matter, but sometimes they are refused. They then turn to NGOs for support.

A certificate of disability specifies exactly the degree of disability and the forms of support to which a person is entitled. Such a document is valid for a certain period of time.

Anna Romanko of the Mudita Association also added some important information about the possibility of receiving financial support depending on the degree of disability. Only people with a first and second degree of disability can take advantage of the 40+ subsidy program in its entirety. She also invited those who need the assistance of a respite assistant to contact her. Such assistance is needed by people who cannot leave their loved one at home because he or she needs non-stop care. During the assistant's duty, the caregiver of the sick person can leave the house and run important errands or simply rest.

## Diia electronic document

### WOMEN'S RIGHTS CENTER

Citizenship Advisor at the Center for Women's Rights Olena Dekhtiar gave a lecture on the Diia.pl electronic system. This is a digital document issued to Ukrainian citizens who arrived in Poland after February 24, 2022 and are granted UKR status. To be able to generate a Diia document you need to have a phone with the mCitizen app downloaded and a trusted profile set up. Diia document is needed if you need to identify yourself. It contains such data as : name, photo and PESEL number.

The elderly do not know how to use it. They often don't have a phone with Internet access. They also do not have a trusted profile set up. There are also errors in the application. Some people, due to system mistakes, lose their UKR status without realizing it. The application does not inform about the loss of status. As a result, the refugee cannot use free health care and benefits, and cannot even cross the border. This causes problems piling up at government offices, Social Security and border crossings. While it is possible to check the status of a UKR status on the citizens.gov.pl website under the tab - check your data in the pesel register, most people do not do so.

# Cooperation with the police and the court

## WOMEN'S RIGHTS CENTER

The Women's Rights Center helps women who experience violence. This includes refugee women. The Foundation offers consultation with a lawyer, police officer and psychologist. You can get help there to file documents with the court or prosecutor's office. Women's problems are diverse.

### Mental Violence

In the case of psychological violence suffered in the work environment, in the family or at home, it is recommended to report to the district officer at the relevant police station.

### Physical violence

Physical violence also requires reporting to a neighborhood policeman or making a statement to the police. You can also react during the incident itself and call the police.

### Housing fraud

There are irregularities related to rental housing and the 40+ system. Landlords charge refugees for housing, and additionally benefit from subsidies. There are problems with the recovery of deposits. Ukrainians sign contracts in Polish, which they do not understand, and apartment owners take advantage of this. Such irregularities should be reported to the prosecutor's office.

## Recordings of lectures and training sessions on You Tube

Since we want everyone to have the opportunity to listen to lectures and expert advice we will be posting recordings of our meetings on You Tube. If you are interested in the topics discussed by the speakers in more detail, the real-life problems they cite, and their answers to participants' questions take a look at our You Tube channel : <https://youtu.be/bqbOrpYc09M>

### CONTACT:

*If you need a contact for a specific organization, email us at [mapujpomoc@culturelab.pl](mailto:mapujpomoc@culturelab.pl). We also encourage you to join our closed group for members of organizations, NGOs and volunteers on Facebook, where we share knowledge and oversized resources, seek inspiration, and let you know about grants:: <https://www.facebook.com/groups/mapujpomoc>*