

# Input by civil society to the EASO Annual Report 2018

Fields marked with \* are mandatory.

## Input by civil society to the EASO Annual Report on the Situation of Asylum in the EU+ 2018

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EASO has started the production of the 2018 Annual Report on the Situation of Asylum in the European Union, in line with Article 12 (1) of the EASO Regulation. The report aims to provide a comprehensive overview of important asylum-related developments at EU+ and national level, and the functioning of all key aspects of the Common European Asylum System (CEAS). [Previous reports are available at EASO's website](#)

While the final product comes out of an analytical and synthetic process that takes place in-house, a critical part of information is elicited through valuable contributions by a multiplicity of stakeholders from EU+ countries, civil society organizations, UNHCR, and other actors possessing in-depth knowledge on main developments in asylum policies and practices in EU+ countries.

We would like to kindly invite you to take part in this process, by sharing your observations on developments in asylum law, policy or practice in 2018 (and early 2019) in the areas listed on the online survey. The topics listed there reflect the structure of Chapter 4 of the EASO Annual Report, which focuses on the 'Functioning of the CEAS'. To this end, your observations may concern national practices of specific EU+ countries or the EU as a whole. You can fill in all or only some of the points. Overall, the EASO Annual Report is not meant to describe the national asylum systems in detail, but present key developments in 2018, including improvements and new/remaining concerns. In terms of format, your contributions would be preferably offered in the form of bullet points, which would facilitate further processing of your input.

Please, bear in mind that the EASO Annual Report is a public document. Accordingly, it would be desirable that your contributions, whenever possible, be supported by references to relevant sources. Providing links to materials such as analytical studies, articles, reports, websites, press releases, position papers/statements, and press releases, would allow for maintaining transparency. For your reference, you may review the [contributions offered by civil society actors for the 2017 Annual Report](#). If you do not consent on EASO making your submission available, please indicate so in the relevant part of the online survey.

In our effort to provide an inclusive overview of all relevant developments, we strive to incorporate as

many contributions as possible. At the same time, the final content of the EASO Annual Report is subject to its set terms of reference and volume limitations. To this end, your submissions, which are gratefully received and acknowledged, may be edited for length and clarity so that the final product concisely serves the objectives of the Annual Report: to improve the quality, consistency, and effectiveness of CEAS. From our side, we can assure you that the valuable insights you offer feed into EASO's work in multiple ways and inform reports and analyses beyond the production of the Annual Report.

Please, kindly provide your input completing the online survey by **Thursday, 7 March 2019**.

## Instructions

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Within each area, please highlight the following **type of information**:

- **NEW positive developments; improvements and NEW or remaining matters of concern;**
- **Changes in policies or practices; transposition of legislation; institutional changes; relevant national jurisprudence.**

*You are kindly requested to make sure that your input falls within each section's scope. Please, refrain from including information that goes beyond the thematic focus of each section or is not related to recent developments. Feel free to use Section 16 to share information on developments you consider important that may have not been covered in previous sections.*

*Prior to completing the survey, please take a moment to review the list of areas and the types of information that needs to be included in each area.*

*Please contribute your feedback online or copy and paste your answers from an editable type document*

## Questions

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### **1. Access to territory and access to asylum procedure (including first arrival to territory and registration)**

Remaining matters of concern;

Restricted access to the asylum procedure at Poland's eastern border with Belarus remains a matter of concern.

At the end of 2018, the number of asylum seekers staying in the Belarusian town of Brest who attempted to apply for asylum in Poland decreased to 150-200 persons (compared to approx. 3000 in 2016) and the number of persons attempting to cross the border and apply for international protection daily decreased to 20-30 persons. According to the Belarusian NGO Human Constanta, in the period between October and December 2018 the asylum seekers made at least 1239 attempts to submit asylum applications at the Polish border post in Terespol and only 110 of them were successful. (see: Human Constanta, Overview of the situation with "transit refugees" in Brest in September-December 2018, 26 February 2019, available at: <https://humanconstantaby/en/overview-of-the-situation-with-transit-refugees-in-brest-sep-dec-2018/>)

According to the official data, in 2018 only 1927 asylum applications (first and subsequent) were registered (1), which covered 4137 individuals. It is the lowest number since 1999.(2) At the same time, in 2018, 77 271 decisions on refusal of entry were issued on Poland's external borders. The available data for this period shows that a significant part of these decisions (21 397) were issued at the border crossing point in Terespol where the problem with the push-backs has previously been monitored.

Relevant national jurisprudence.

Cases of entry refusals before national courts

In 2018, the Supreme Administrative Court (Naczelny Sąd Administracyjny, hereafter: NSA) delivered a number of judgments concerning the decisions on the refusal of entry. In 7 cases the foreigners were represented by the HFHR lawyers.(3) The NSA revoked all entry-refusal decisions indicating procedural omissions made by the Border Guard. The NSA held that a memo written by a Border Guard officer indicating 'economic purposes' as the reason behind a foreigner's intention to enter Poland cannot be a sufficient evidence on the basis of which the entry is denied. The NSA stated that only a written protocol signed also by the third-country national constitutes proper evidence of the course of the conversation at the border.(4) NSA also held that it was incorrect to deprive the foreigners of the right to be assisted by their lawyers who appeared on the border at the time of the border check.(5)

In October 2018, the Commissioner for Human Rights called upon the Ministry of Interior and Administration to introduce to national law provisions which would implement the case-law of the Supreme Administrative Court. The Ministry replied that the current practice will not be changed. Moreover, according to the Ministry, the case-law of the Supreme Administrative Court is not legally binding for cases other than those which were examined by the Court.(6)

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(1) Poland, Head of the Office for Foreigners (Szef Urzędu do Spraw Cudzoziemców, UDSC), data available at: <https://migracje.gov.pl/en/statistics/scope/poland/type/applications/view/tables/caseType/4/year/2018/>

(2) Poland, Head of the Office for Foreigners (Szef Urzędu do Spraw Cudzoziemców, UDSC), <https://udsc.gov.pl/statystyki/>; Eurostat, Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) for 2008-2017, 24 October 2018, accessed on 11 January 2019, available at: [http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr\\_asyappctza&lang=en](http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctza&lang=en);

(3) see for example Judgement of the Supreme Administrative Court, case no.: II OSK 2766/17 of 17.05.2018 (available at: <http://orzeczenia.nsa.gov.pl/doc/342A4C3FC1>); II OSK 345/18 of 20.09.2018 (available at: <http://orzeczenia.nsa.gov.pl/doc/6422D006AE>).

(4) see for example Judgement of the Supreme Administrative Court, case no.: II OSK 345/18, II OSK 445/18, II OSK 829/18, II OSK 830/18, II OSK 890/18,; available (in Polish) at: <http://orzeczenia.nsa.gov.pl/>

(5) Judgement of the Supreme Administrative Court, case no.: II OSK 445/18, II OSK 999/18, II OSK 1062, II OSK 1627/18, II OSK 1965/18, II OSK 2003/18, II OSK 2109/18; available (in Polish) at: <http://orzeczenia.nsa.gov.pl/>.

(6) Poland, Human Rights Commissioner, Rozmowy Straży Granicznej z cudzoziemcami na granicy nie będą protokołowane.Odpowiedź MSWiA dla Rzecznika 09.11.2018, available in Polish at: <https://www.rpo.gov.pl/sites/default/files/Odpowiedz%20MSWiA%2029.10.2018.pdf>

## 2. Access to information and legal assistance (including counselling and representation)

Remaining matters of concern;

Lack of systematic legal assistance to asylum seekers, including in detention centres and open centres due to lack of funding from the EU's Asylum, Migration and Integration Fund (AMIF). New calls for proposals are not announced and the results have not been published for more than two years. In August 2016, the Ministry of Interior and Administration announced a call for proposals on legal assistance to asylum seekers and irregular migrants.(1) The results were supposed to be announced in December 2016(2) but they have not been published until now.

For information on legal provisions and practical developments we recommend to consult the European Commission for Refugees and Exiles' (ECRE) Asylum Information Database (AIDA) Country report – Poland for 2018 (forthcoming)(3).

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(1) Poland, Ministry of Interior and Administration, Department of Border Policy and International Funds (Department Polityki Granicznej i Funduszy Międzynarodowych), Ogłoszenie o naborze wniosków nr 6/2016 FAMI, available at: <http://fundusze.mswia.gov.pl/ue/aktualnosci/14167,OGLOSZENIE-O-NABORZE-WNIOSKOW-nr-62016-FAMI.htm>

(2) Poland, Ministry of Interior and Administration, Lista złożonych projektów w ramach naboru Funduszu Azylu, Migracji i Integracji 6/2016, 4 November 2016, available in Polish available at: <https://fundusze.mswia.gov.pl/ue/aktualnosci/14534,Lista-zlozonych-projektow-w-ramach-naboru-Funduszu-Azylu-Migracji-i-Integracji-6.html>.

(3) European Commission for Refugees and Exiles, Asylum Information Database, country reports on Poland, available at: <https://www.asylumineurope.org/reports/country/poland>

#### **4. Providing interpretation services**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

#### **4. Dublin procedure (including the organisational framework, practical development and suspension of transfers to selected countries, detention in the framework of Dublin procedures)**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

#### **5. Specific procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)**

transposition of legislation; institutional changes;

On 4 February 2019 the Government presented another version of the draft amendment of the Law on granting protection.(1) The draft foresees the introduction of border procedures. It also authorises the Government to draw up safe third country and safe country of origin lists. According to the Ministry of Interior and Administration (Ministerstwo Spraw Wewnętrznych i Administracji, hereafter: MSWiA, Ministry), the main aim of the draft amendment is to ensure the security of Poland's borders and safety of its citizens. The draft provides that the appeal to the administrative court against decision on asylum refusal has no automatic suspensive effect. Also appeal to the administrative court do not provides for a full and ex nunc examination of both facts and points of law, but only ex tunc examination of points of law.(2) The draft amendment was criticised by the HFHR as it assumes automatic detention of majority of applicants for international protection subjected to the border procedures as well as do not ensure right to effective remedy before court within these proceedings.

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(1) Ministry of Interior and Administration, Po pierwsze bezpieczeństwo - projekt zmian w zasadach udzielania ochrony cudzoziemcom, 4 February 2019, available at: <http://www.mswia.gov.pl/pl/aktualnosci/15698,Po-pierwsze-bezpieczenstwo-projekt-zmian-w-zasadach-udzielania-ochrony-cudzoziem.html?search=748856772>.

(2) Helsinki Foundation for Human Rights, <http://www.hfhr.pl/uwagi-hfpc-do-projektu-nowelizacji-ustawy-o-udzielaniu-cudzoziemcom-ochrony/>

## **6. Reception of applicants for international protection (including information on reception capacities – rise/fall/stable, material reception conditions, i.e. housing, food and clothing and financial support, contingency planning in reception, access to labour market and vocational training, medical care, schooling and education, residence and freedom of movement)**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2017 and 2018 (forthcoming).

## **7. Detention of applicants for international protection (including detention capacity – rise/fall /stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)**

Remaining matters of concern and relevant jurisprudence:

The asylum seekers and immigrants who are victims of violence are still placed in detention centres despite the fact that this is prohibited by Polish law. Number of cases of detention of victims of violence (victims of torture in the country of origin, physical and psychological violence) were described in National Prevention Mechanism reports. (1) Moreover there is also no rehabilitation center in Poland for foreigners - victims of torture. Possible assistance in this area is carried out by the non-governmental organizations.(2)

The Border Guard still use internal regulation allowing detention of victims of violence when – according to the Border Guards – it is possible to provide them therapy in the detention centre.(3) It concerns the interpretation and application of Article 400 (2) of the Act on foreigners and Article 88a § 3 (2) of the Act on granting protection to foreigners. Both of these provisions state that it is unacceptable to place in guarded centers the foreigners whose psychophysical state creates a presumption that they were subjected to violence. The Ombudsman for Children in his letter to the Minister of Interior and Administration underlined

that the interpretation and practice of the application of provisions on the prohibition of detention of foreign victims of violence accepted by the Border Guards seriously violates the fundamental right of minors to protection against unreasonable and arbitrary deprivation of liberty.(4)

Families with minor children are still placed in detention centres despite recommendations of the UN Committee of the Rights of the Child and other international institutions.(5)

#### Relevant national jurisprudence

On 10 April 2018, the

). The case concerned the detention of a Chechen family of asylum seekers. The Court held that the Polish authorities had not viewed the family's administrative detention as a measure of last resort. According to the ECHR, the Polish authorities had not given sufficient consideration to the best interests of the children. The Court held that detention of the family constituted a violation of Article 8 of the European Convention on Human Rights.

On 8 January 2018 ECHR communicated to the Polish authorities case of detention of vulnerable asylum seekers. The case concerns a family from Tajikistan (a mother with two infants). They were placed in detention centre in Przemysl despite the fact that the claimant's physical and mental state indicated that she had been a victim of violence and that her health deteriorated as a result of detention. The applicants also pointed out that while issuing the detention order authorities had failed to properly investigate its impact on minor children. (Application no. 79752/16, M.Z. and Others against Poland, available at: <http://hudoc.echr.coe.int/eng?i=001-180603>)

On 29 January 2019 ECHR communicated to the Polish authorities another case of detention of asylum seekers family transferred to Poland under 604/2013 Regulation. They complained that they were detained despite of bad mental health situation of one of the children. They are also complained violation of their procedural rights during detention proceedings (R.M. and Others against Poland, available at: <http://hudoc.echr.coe.int/eng?i=001-191290>)

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(1) Poland, Human Rights Commissioner Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej (wyciąg), 7 January 2019, available in Polish at: <https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Biała%20Podlaska%202018.pdf>; Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Lesznowoli (wyciąg), 18 December 2018, available in Polish at: <https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Lesznowola%202018.pdf>

(2) Poland, National Prevention Mechanism, (Krajowy Mechanizm Prewencji), 28 June 2018, statement available at: <https://www.rpo.gov.pl/pl/content/o%C5%9Bwiadczenie-krajowego-mechanizmu-prewencji-tortur-z-okazji-mi%C4%99dzynarodowego-dnia-pomocy-ofiarom>

(3) Poland, Human Rights Commissioner Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej (wyciąg), 7 January 2019, available in Polish at: <https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Biała%20Podlaska%202018.pdf>; Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Lesznowoli (wyciąg), 18 December 2018, available in Polish at: <https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Lesznowola%202018.pdf>

(4) ibidem

(5) ibidem

**8. Procedures at First Instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, international protection status determination, decision making, timeframes, case management, including backlog management)**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

**9. Procedures at Second Instance (including organisation of the process, hearings, written procedures, timeframes, case management, including backlog management)**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

**10. Availability and use of Country of Origin Information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)**

In January 2019, the HFHR published a report on human rights violations in Chechnya. The report addresses the problem of the most serious violations of human rights, such as murders, torture and enforced disappearances, which are accompanied by the application of the principle of collective responsibility by the authorities. (Helsinki Foundation for Human Rights, Republika Strachu. Prawa człowieka we współczesnej Czeczenii available at: <http://www.hfhr.pl/wp-content/uploads/2019/01/Czeczenia-raport-COI-2019-FIN.pdf>)

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

**11. Vulnerable applicants (including definition, special reception facilities, identification mechanisms/referral, applicable procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children).**

See: Section 7 Detention.

**12. Content of protection – situation of beneficiaries of protection (including access to social security, social assistance, healthcare, housing and other basic services; Integration into the labour market; Measures to enhance language skills; Measures to improve attainment in schooling and/or the education system and/or vocational training)**

For information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

### 13. Return of former applicants for international protection

New matters of concern

Azamat Bayduev case

In August 2018 Azamat Bayduev, a Chechen refugee was deported to Russia from Poland on 31 August and forcibly disappeared the next day.

He was granted asylum in Poland in 2007 but later moved to Belgium. In 2017, the Belgian authorities detained Bayduev in connection with an alleged involvement in planning terrorist activities and deported him to Poland. Polish authorities revoked his asylum status and issued return decision to him.(1) After arriving at his home in August 2018 in the Chechen Republic he was abducted by the police and disappeared as reported by Amnesty International which also refers to several other cases. (2)

Draft amendment of the Law on granting protection

On 4 February 2019 the Government presented another version of the draft amendment of the Law on granting protection. The draft amendment provides that asylum refusal decision will be accompanied with return order. Appeal to the court against a return decision will have no suspensive effect. This provision was criticised by the HFHR as it violates right to effective remedy before court. (3)

For more information on legal provisions and practical developments we recommend to consult the ECRE AIDA Country report – Poland for 2018 (forthcoming).

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(1) Amnesty International Russia: Chechen refugee forcibly disappeared after being unlawfully deported from Poland <https://www.amnesty.org/en/latest/news/2018/09/russi-chechen-refugee-forcibly-disappeared-after-being-unlawfully-deported-from-poland/>

(2) OSCE, Professor Dr. Wolfgang Benedek, OSCE Rapporteur's Report under the Moscow Mechanism on alleged Human Rights Violations and Impunity in the Chechen Republic of the Russian Federation, 13 December 2018, available at: <https://www.osce.org/odihr/407402?download=true>

(3) Helsinki Foundation for Human Rights, Uwagi HFPC do projektu nowelizacji ustawy o udzielaniu cudzoziemcom ochrony, available in Polish at: <http://www.hfhr.pl/uwagi-hfpc-do-projektu-nowelizacji-ustawy-o-udzielaniu-cudzoziemcom-ochrony/>

### 14. Resettlement and humanitarian admission programmes including EU Joint Resettlement Programmes; national resettlement programme (UNHCR); National Humanitarian Admission Programme; Private sponsorship programme/scheme and Ad-hoc special programmes)

Ongoing concern

The Polish government does not participate in EU resettlement and relocation programmes.

New development

The Minister for Humanitarian Affairs on behalf of the Prime Minister signed in November in Washington the cooperation agreement with the American Agency for International Development on the humanitarian aid in the Middle East<sup>1</sup> which shows that Polish government is consequent in implementing the policy according to which Poland should primarily help the refugees in the regions of their current residence.(2)

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(1) Poland, TVN24, Polska będzie współpracować z USA na Bliskim Wschodzie, 27 November 2018, available at: <https://www.tvn24.pl/wiadomosci-ze-swiata,2/polska-i-usa-beda-wspolpracowac-na-bliskim-wschodzie-kempa-podpisala-umowe,887186.html>

(2) Poland, TVP, Kempa: Wysyłamy 188 ton artykułów do obozów dla uchodźców, 28 December 2018, available at: <https://www.tvp.info/40616418/kempa-wysylamy-188-ton-artykulow-do-obozow-dla-uchodzcow>

## 15. Relocation (any relevant developments concerning persons transferred under the EU relocation programme and relocation activities organised under national schemes/on bilateral basis)

Ongoing concern

The Polish government does not participate in EU resettlement and relocation programmes.

## \* 16. Other relevant developments

*1 character(s) minimum*

Ongoing concern:

Violation of the right to defence in case when an applicant for international protection has been considered as a threat to national security.

In cases involving national security, provides to classify files of the procedures on granting and withdrawing different residence permits, including asylum, as “secret”. Moreover reasons of the decisions may be limited and contain no information about factual ground of the decision. It results in a lack of possibility to access case files by foreigners and their legal representatives - both at the administrative stage of the procedure and even later when the case was appealed to the administrative court. Therefore they have no information about factual grounds of decision, which violates their rights of defence.

Ameer Alkhwilany case update:

The HFHR took part in the proceedings concerning Ameer Alkhwilany, an Iraqi citizen and former PhD student of the Jagiellonian University in Cracow. Alkhwilany’s application was rejected as the asylum authority found no grounds to grant him refugee status or subsidiary protection.. In April 2017, Alkhwilany was deported from Poland. The HFHR lodged an appeal against the decision of the Refugee Board (the second-instance administrative authority) claiming that his right to defence was violated. In November 2017, the Voivodship Administrative Court in Warsaw (Wojewódzki Sąd Administracyjny w Warszawie, hereinafter: WSA) dismissed the complaint.(1) A cassation appeal against this judgment was lodged by the HFHR and the Human Rights Commissioner. They claimed that procedural rights of the applicant guaranteed by the Charter of Fundamental Rights of the EU and European Convention of Human Rights were violated. In November 2018, the NSA revoked the judgment of WSA and decisions of administrative authorities, as a consequence of the cassation appeal lodged by the HFHR. NSA stated that the threat to national security was incorrectly assessed by administrative authorities and by WSA. However, NSA held that the limitations to the right to defense did not violate the law.

Moreover numerous polish and international media recently wrote about the asylum case of Chechen blogger – Tumso Abdurachmanov who also gained a public support of his case(2), due to which this institutional problem is still publicly present.

In a letter to Commissioner Avramopoulos of September 2018, the HFHR expressed its concern over Polish

migration and asylum laws providing that in cases involving national security third-country national had no access to the classified files that made ground for the decisions in his/her case. HFHR also lodged a complaint to the European Commission claiming a breach of EU law in this respect.(3)

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(1) Helsinki Foundation of Human Rights, Court to dismiss Ameer Alkhawlaný's complaint of denial of international protection, 24 November 2017, available at: [www.hfhr.pl/en/court-to-dismiss-ameera-alkhawlanys-complaint-of-denial-of-international-protection/](http://www.hfhr.pl/en/court-to-dismiss-ameera-alkhawlanys-complaint-of-denial-of-international-protection/).

(2) Poland, Gazeta.pl Polska może wydać Rosji dysydenta z Czeczenii. Protest przed ambasadą RP w Moskwie, 29 December 2018, available at: <http://wiadomosci.gazeta.pl/wiadomosci/7,114881,24316786,polska-moze-wydac-rosji-dysydenta-z-czeczenii-protest-przed.html> ; Al Jazeera English, Chechen government critics in exile fear deportation | Al Jazeera English, 19 December 2018, available at: <https://www.youtube.com/watch?v=XdotS6-Wy8Y>; Al Jazeera, Chechen government critics in exile fear deportation, 19 December 2018, available at: <https://www.aljazeera.com/news/2018/12/chechen-government-critics-exile-fear-deportation-181219190254971.html> ; US News, Chechen Critic Fears for His Life as He Faces Deportation, 19 December 2018, available at: <https://www.usnews.com/news/world/articles/2018-12-19/chechen-critic-fears-for-his-life-as-he-faces-deportation>; Euronews, 2. Berufungsverfahren gescheitert: YouTuber und Asylant droht Auslieferung, 19 December 2018, available at: <https://de.euronews.com/2018/12/19/2-berufungsverfahren-gescheitert-youtuber-und-asylant-droht-auslieferung> ; Poland, Marta K. Nowak, OKO.Press, „Wasze wsparcie dużo dla mnie znaczy”. Już 6,5 tys. osób podpisało petycję w obronie Tumso, 8 January 2019, available at: <https://oko.press/wasze-wsparcie-duzo-dla-mnie-znaczy/>  
(3) Helsinki Foundation for Human Rights, Helsińska Fundacja Praw Człowieka złożyła skargę do KE ws. przepisów przewidujących tajne materiały w sprawach cudzoziemskich 14 September 2018, available at: <http://www.hfhr.pl/helsinska-fundacja-praw-czlowieka-zlozyla-skarge-do-ke-ws-przepisow-przewidujacych-tajne-materialy-w-sprawach-cudzoziemskich/>

## References and Sources

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**\* 17. Please provide links to references and sources and/or upload the related material in pdf format using the following box**

<https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Biała%20Podlaska%202018.pdf>

<https://www.rpo.gov.pl/sites/default/files//Wyciąg%20-%20SOC%20Lesznów%202018.pdf>

<http://www.hfhr.pl/wp-content/uploads/2019/01/Czeczenia-raport-COI-2019-FIN.pdf>

<http://www.hfhr.pl/wp-content/uploads/2018/09/letter-Commissioner-Avrampoulous-HRHR-14-09-2018.pdf>

<http://www.hfhr.pl/wp-content/uploads/2019/02/zm-uouco-uwagi-HFPC-02-2019.pdf>

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- Yes  
 No

## Case law

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Please include relevant case law and/or submit cases to [EASO Portal IDS on Caselaw](#)

Judgements of the Supreme Administrative Court, cases no.:

- II OSK 2766/17 of 17.05.2018 (available at: <http://orzeczenia.nsa.gov.pl/doc/342A4C3FC1>;
- II OSK 345/18 of 20.09.2018 (available at: <http://orzeczenia.nsa.gov.pl/doc/6422D006AE>).

European Court of Human Rights, case Bistieva and Others against Poland, Application no. 75157/14, judgment of 10 April 2018, available at: <http://hudoc.echr.coe.int/eng?i=001-182210>

## Contact details

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\* Name of the contributing stakeholder

Helsinki Foundation for Human Rights

Contact person, Role

\* Email

\* I accept the provisions of EASO [Legal and Privacy Statements](#)

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