



PARTNERSHIP DATA SHEET for HUNGARY AND POLAND

Introduction

This partnership data sheet for the B3 – 4000 project has been designed in light of observations made by Dorotea Daniele and Pierluca Ghibelli on the current situation, characteristics and concerns in Poland:

- 1) Lack of awareness of social responsibility in business
- 2) Country with high emigration
- 3) Existence of illegal immigration
- 4) Existence of former Vietnamese immigration during the communist period

This partnership data sheet for the B3 – 4000 project has been designed in light of the observations made by Denis Stokkink on the situation of ethnic minorities in Hungary (Roms) and information provided by the Hungarian Embassy:

- 1) Presence of ethnic minorities (Roms)
- 2) Presence of Hungarian-born Hungarians who, due to border changes following various international agreements, hold non-Hungarian passports (this situation affects some 5 million Hungarians).
- 3) Return to Hungary of Hungarians who emigrated in 1956 (generally pensioners)
- 4) Former high levels of Chinese immigration (80,000 in Budapest) during the communist period and until 1998 (during the communist period the Chinese did not require a visa to enter Hungary)
- 5) Waves of immigration (Afghans, Africans from Black Africa (Nigeria, Cameroon, Guinea), former Soviet republics (Belarus, Ukraine, Georgia, Moldavia, Armenia, etc.)
- 6) Until recently, Hungary was a transit country towards western Europe. With its accession to the European Union, Hungary is now seeing a trend towards the sedentarisation of these waves of immigration.

This partnership data sheet will focus primarily on the partnership and its development in an attempt to monitor the integration of immigrant populations and the fight against negative discrimination. Social responsibility in business in these two countries remains largely non-existent. The areas of priority and urgent action lie in other directions. However, it is important to underline the importance of the social economy in Poland and Hungary. One question will therefore be devoted to business responsibility in its strictest sense.



1. The partnership

Question 1 is designed to elicit an explanation of the nature of your partnership in concrete terms and of the factors which led you to form this partnership.

The starting point

The history of Vietnamese immigration in Poland is relatively old. During the communist time many Vietnamese students came to study in Poland, on the basis of economic and cultural collaboration policies that linked in various ways different communist countries. Many Vietnamese decided to stay in Poland: some of them married with Polish citizens, other started to create a Vietnamese community in Warsaw.

A second wave of Vietnamese immigrants arrived after 1989 when the Vietnamese already present in Poland started to invite relatives and families. This group of immigrants was relatively wealthy and professionally qualified and therefore it was welcomed also by Polish authorities.

The third wave of Vietnamese immigrants arrived after 1997: those were poorer and without qualifications, many of them came from villages and represented the strong values of traditional Vietnamese society. They work very hard in order to support families abroad and send money to pay school for children.

The legal situation of immigrants

Most of the Vietnamese present in Poland do not have proper documents. In the short term this situation gives them an advantage because they cannot be sent back to their home country before their situation is clarified. Nevertheless, in the long term, they do not have right to social security, to medical assistance, etc.

Until very recently, the Polish government did not have a coherent and precise immigration policy. Illegal immigrants were tolerated but did not have any right, while the possibilities of having an official living permit were very low, even after many years of permanence.

Only in 2003 (within the process of accession to the European Union) the government approved a new law in order to give the possibility to the immigrants arrived in Poland before 1 January 1997 to get regularised. This law created great expectations in the immigrants' communities but the conditions it established resulted very difficult to be fulfilled. First of all, immigrants should prove when they had arrived to Poland: since they arrived illegally and without documents generally there is no trace of their formal arrival. Consequently, they had to provide any proof (receipts of purchases, guarantees of electronic devices, etc.) of their living in Poland before 1997. Secondly, the procedure for applying to have the regularisation is not so easy, since many immigrants do not know Polish well or have difficulties in understanding bureaucratic procedures.

Until now, only 1290 Vietnamese have been regularised out of a community of approximately 30.000 people.

The Polish context

Even if in Poland the unemployment rate is still very high (the official rate is 18% in 2003) Vietnamese immigrants do not compete with Polish workers for various reasons. Most of them work in the trade sector selling goods of various kinds, a sector not covered by Polish



workers. Their economy is very efficient and could easily be integrated within the main Polish economy. In particular, the Confucianism-specific entrepreneurial structure based on small, most often family-based, firms has been very effective as the outset of the Polish economic transformation, since family-oriented firms are more flexible and better at picking up signal emanating the market.

Moreover three characteristics of Polish economy push for a stronger integration of immigrants in the regular labour market. First of all, many Polish workers are migrating towards other EU and richer countries. Secondly, as in many industrialised countries, the issue of pensions is becoming a problem for the future generations. Last, but not least, a decreasing birth rate is creating an increased pressure on the pension system and, as a consequence, on the whole economy.

The reason and the main features of the partnership projects

Even if Vietnamese have created since the 80s a large and united community providing jobs without requiring language skills and facilitating information flows (there are now four Vietnamese newspapers published in Poland) and relationship with Vietnamese authorities, there is a need for participatory and democratic bodies able to represent and promote Vietnamese interests especially towards a bigger integration in Polish society.

Two different partnerships were recently launched in order to foster integration of Vietnamese and immigrants in general within the Polish society.

The “Blest Andrew Phu Yen” Foundation

The first project provides for the creation of a Foundation called “Blest Andrew Phu Yen”, taking its name from the first catholic Vietnamese Blest.

The foundation was started some months ago by the Polish Province of the Divine World Missionaries. The foundation was officially recognised by the Polish authorities in May 2004, thanks to the hard work done by Father Edward Osiecki. In fact, it was quite difficult to overcome many bureaucratic obstacles, such as the lack of Vietnamese members having a legal recognised status in Poland, the Vietnamese name which was perceived as “bizarre” by the Polish authorities. Finally, after various months of negotiation, the Statute of the Foundation was approved and it was registered according to the Polish law on foundations. It was possible to maintain the main characteristics that make the foundation an innovative and good practice within the Polish immigration context.

First of all, it is composed by a mixture of Polish and Vietnamese members. The governing body of the foundation is the board which is composed by four members coming from the religious congregation, one Vietnamese citizen who has a legal recognised status in Poland, while the three remaining places have been left free for future Vietnamese members.

The main aim of the Foundation is to help the Vietnamese to integrate in the Polish society offering them a various range of supports.

The main needs of the Vietnamese community concern the legal and the social field.

Some legal support is already provided to the Vietnamese immigrants on a voluntary base or through different associations in charge of legal assistance to refugees (i.e. the Helsinki Foundation, etc.). In the social domain there is a big need of medical assistance, language classes, housing assistance, advisory services to find a job, etc.

In order to fulfil those needs on a regular base, the Foundation should find some premises where services can be provided and that Vietnamese could also use as a meeting place.



Presently, the Vietnamese community can use the premises of the Parish only once a month for few hours.

The foundation leaders have already identified some suitable premises to buy for a price of 200.000 \$. It consists in a house that could be used for the implementation of many different activities whose concrete organisation will involve directly Vietnamese immigrants, on a voluntary base at the beginning and as paid staff in the future.

Therefore the main present problem of the foundation is to raise funds to buy the premises. Until now the creation of the foundation was financed by the Congregation of Divine World Missionaries, both through its central headquarters in Rome and its Polish Province.

An enormous and crucial contribution has been provided personally and on a voluntary base by Father Osiecki who promoted the creation of the foundation contacting and sensibilising religious and civil national and local authorities, other foundations, NGOs and international organisations.

Religious authorities were very supportive but not able to provide, until now, any financial contribution.

Local authorities showed interest and personal appreciation to the initiative but did not offer any support as public officers.

During the second half of 2004 the foundation will concentrate its efforts in organising its work of fund raising aiming at providing the first operational funds for launching the main activities and for buying the necessary premises.

The fund raising effort will be directed to:

- the private sector (which still needs to be sensibilised) who could contribute, for example, buying advertisement spaces on a Polish/Vietnamese bulletin to be published regularly by the foundation and directed to the whole Vietnamese community (approximately 30.000 people),
- the circles and organisations of Vietnamese citizens in the US (quite wealthy and powerful),
- religious authorities in Poland and abroad,
- local and national authorities.

The association Proxenia

The second partnership project aiming at fostering the integration of Vietnamese immigrants in the Polish society is the Proxenia association.

Proxenia has a broader target group because it is not focused on Vietnamese immigrants only but on foreigners in general.

Proxenia was created at beginning of 2004 with the general objective of working with foreigners for foreigners in order to create a common space for discussion and exchange between foreign citizens living in Poland.

Its specific aims are:

- to encourage the change of attitudes towards foreign citizens and immigrants by Polish authorities and citizens,
- to lobby for legal solutions,
- to promote the recognition of the problems that foreign citizens face in the Polish society,
- to promote the cooperation between Polish and foreign communities associations,
- to act as a catalyst to help people from different foreign communities to meet.



The members of Proxenia are:

- Mr. Adam Bernatowicz, former President of Polish Refugee Board,
- Father Edward Osiecki, representing the Catholic Church and the Blest Andrew Phu Yen Foundation,
- Some other members of the Polish Refugee Board,
- Students, professors, government officers and any other person who is committed to the problems of foreign immigrants.

The membership of the association is open to all the Polish and foreign associations working with immigrants.

Proxenia has started its activity organising a seminar directed to church people, religious orders and catechists to be held on June 20th in the occasion of the Refugees Day. In September Proxenia will held a conference aiming at gathering together all the organisations and bodies dealing with immigrants in order to discuss common issues and futures strategies.

2. Details of the initiator of the partnership project

Question 2 is designed to elicit details of the individual/organisation whose idea it was to launch the partnership and which has been the driving force behind it from the outset.

Full name: Father Edward Osiecki
Address: ul. Ostrobramska 90 – 04-118 Warszawa
Telephone: 0048.22.6107870 Fax: 0048.22.6107775
Email:edver@poczta.onet.pl

3. Details of the other partners involved in the partnership

Question 3 is designed to elicit details of the individuals/organisation who accepted the initiator's invitation to join the partnership and to illustrate the basic principle which underlies this difference between the partnership project initiator on one hand and the other partners on the other.

As explained before, the other members of both the Foundation and the Association are individuals particularly committed to promote the integration of immigrants in the Polish society.

Some local authorities and NGOs are supporting the initiatives, but for the moment they do not have a formal status within neither the “Blest Andrew Phu Yen” nor the Foundation and Proxenia.

4. Sector in which the initiator of the partnership project operates

Question 4 is designed to establish the economic and social sector in which the initiator of the partnership project operates?

The real motor of the partnership is Father Edward Osiecki, a Polish priest who has been working for many years with Vietnamese immigrants in Poland.

He is a member of the Polish Province of the Divine World Missionaries, who has actively supported his effort.

It is a religious order (which can be considered in a broad sense as part of the third sector).

5. Sectors in which the other partners in the partnership operate

Question 5 is designed to establish the economic and social sectors in which the other partnership project partners operate.

As mentioned before, the other partners are individuals working in different fields and committed on a voluntary base to promote the interests of immigrants and their integration in the Polish society.

6. Special characteristics of the initiator of the partnership project

Question 6 is designed to establish whether any factors either related or external to the launch and operation of the partnership - economic and financial situation, employment situation, geographical location - have influenced the launch and operation of the partnership project for and by the project initiator.

The project was initiated thanks to the personal efforts and commitment of Father Osiecki and a few more people who believed in a new approach towards immigration issues. In particular, they foster an integrated approach based on a better synergy between legal, social and economic approach and a direct involvement of immigrants communities.

The church and the catholic authorities supported the initiatives and provided some funding to cover the initial costs (legal registration, etc.).

The initiatives were started with very little funding; therefore the main present effort of the initiators is to find financial means to allow the Foundation and the Association to set up regular activities.

7. The socio-political environment of the initiator of the partnership project

Question 7 is designed to establish whether any aspects of the socio-economic situation of the initiator of the partnership project favour or promote the development of the partnership project in terms of the integration of immigrant populations and the fight against negative discrimination. Question 7 is broad and general in its scope.

The political, economic and social changes that have occurred in Poland in the last decade had an important influence on the evolution of immigration policy.

The rapidly increasing passenger transit through Polish territory in the 1990s combined with the inflow of immigrants, refugees and asylum seekers promoted the introduction of new legal solutions. These were very much needed, since the former Aliens Act of 1963 had been devised in different circumstances: the numbers of a foreigners coming to Poland were negligible, and the Communist Party treated them with deep distrust, controlling their entry, stay and departure. In 1997, the new Act on Aliens was adopted, but the dynamics of migration processes proved so intense, that the Act was amended as early as in 2001, while in June 2003 it gave way to two new laws: the Act on Aliens (AA) (regulating the general conditions of entry and stay of foreigners on Polish territory) and the Aliens Protection Act (APA), which is mainly concerned with refugees and asylum seekers.

Implementation of the new regulations entering in force on September 1st 2003 has brought important changes. The new Aliens Act provides the legal structures for the launch of the first regularization action in Poland – an amnesty for irregular migrants, staying illegally on Polish territory. Another important change concerns the more restrictive laws on undocumented migrants who crossed the Polish border illegally or who stay on Polish territory beyond the validity of their visas or permits. These more restrictive regulations should make it impossible, or at least more difficult, for individuals entering illegally to Poland to stay and fix new procedures for expulsion.

According to the new law, the basic documents legalizing the entry of a foreigner on to Polish territory are a valid travel document and visa. Apart from these documents, a foreigner entering Polish territory should have sufficient financial means to meet the expenses of entry, stay and departure from Poland (or possess documents confirming the availability of such financial means, e.g. a work permit promise), as well as (in the case of foreigners coming from certain countries) a permit to leave for another country or to return to the country of origin (AA, art. 15). The financial means requirement does not relate to foreigners admitted on the basis of a so-called ‘invitation’ or entry/residence visa. The sponsor is in this case obliged to provide maintenance and medical care to a foreigner.

Individuals who “run a business activity (...) profitable to the national economy”; or who have obtained a work permit; or who, being recognized established artists, intend to “continue their artistic activities on the territory of Poland”; or intend to start or to continue their studies in Poland; or are spouses of a Polish citizen, or have come to Poland on the grounds of family reunification, can obtain the fixed time residence permit, provided that they have the financial means to cover their living expenses in Poland and will not thus become a burden to Polish Social Security. The fixed-time residence permit is issued for the period “indispensable for a foreigner to achieve his/her aim, but no longer than two years” (AA, Art. 56).

If a foreigner has stayed constantly on the territory of Poland for at least 5 years on the grounds of visas, a fixed-time residence permit or refugee status (or at least 3 years on the grounds of a residence permit), and moreover s/he proves the “existence of the durable family bonds or economic ties with the Republic of Poland, and will prove that s/he has accommodation and economic means”, s/he can apply for the permanent residence permit (AA, Art. 64).

This new regulation has just entered into force, so it is too early to say what could be the results.

The new legal solutions included in the Aliens Act and Aliens Protection Act (e.g. the obligatory detention of individuals who have illegally crossed the Polish border, or the limitation of entries and of the duration of stay allowed on a visa) might bring important changes in the forms and intensity of the migration flows in Poland.

However, only the actual implementation will allow for any evaluation of the quality and efficiency of the current law.

At present, the most important challenge is to guarantee that migrants staying in Poland are treated equally under the law and have equal access to legal sources and information. Most immigrants cannot afford professional legal advice, and the single-handed usage of the relatively easily accessible legal sources is limited by language skills (the majority of sources are only available in Polish) or intellectual capabilities (some migrants might experience serious problems trying to understand specialized legal vocabulary). It is particularly important that a legal culture be propagated among the migrants, since a migrant that is aware of his/her rights (knowing where to obtain assistance of what kind) is less vulnerable to abuse and victimisation by the receiving society (e.g. corrupted officials) or other migrants and fellow countrymen profiting from his/her ignorance. The range of legal assistance provided by the non-governmental organizations (like the Human Watch Helsinki Foundation and so-called “Law Clinics” in Warsaw and Kraków) is still insufficient. There is therefore much to recommend the launching of an information campaign, (i.e. the distribution of booklets that would explain the law in a very simple and comprehensible way – not only the legalization procedures, but also the laws regarding the work permit, business activity and fiscal issues), or the running of information points (e.g. walk-in information centres).

On the other hand, the development of Polish migration policy is not an issue that would engage the attention of public opinion, so it is not an object of interest of the political parties either. Society is more concerned with minimization of the costs of economic transformation (e.g. the high unemployment rate and growing social stratification), with the result that problems related to migration have been left to state officials and experts. This public and political desinterestment is, paradoxically, a positive phenomenon, both from the point of view of migrants, and the long-term interests of the Republic of Poland. Introduction of the notion of immigration to the public discourse usually results in the radicalization of attitudes towards “others”, and to growing xenophobia. Considering the relatively strong current position in Poland of nationalistic populist parties which could use immigration in the political game (with all the negative consequences), the status quo is rather beneficial for all the actors involved in the shaping of migration policy – the Office for Repatriation and Foreigners, the state administration, and NGOs assisting immigrants and representing their interests (the Helsinki Foundation, Polish Humanitarian Action).¹

Society’s interest in migration policy might soon increase, when the costs of its implementation actually show. The introduction of the Schengen visa and the changes needed to enter in the Schengen area (foreseen for 2007) will raise interest on immigration issues and their consequences for Polish economy.

8. Benchmarking

Question 8 is designed to measure social, economic and environmental performance in terms of the integration of immigrant populations and the fight against negative discrimination.

The partnership project is too recent to evaluate its results.

¹ Quoted from : Izabela Korys, Migration trends in selected EU applicant countries : Poland, Central European Forum for Migration Research Working Paper 5/2003
PROJET B3 – 4000

Nevertheless, it can be considered very innovative, taking into account the Polish context, which is very different from all the other EU member States.

Poland is still more an emigration than an immigration country. The issues of immigration and the problems connected to it are very recent. In general terms, immigration is a phenomenon which produces effects in the long term and requires long term policies. As already said, immigration is not a priority neither for the Polish society nor for its policy makers.

Nevertheless, the analysed partnership can be considered a “good practice” because it proposes an integrated approach to face all the different aspects of immigration (legal, social, work integration, etc.).

The way the partnership was created and the continuous effort to involve both the target groups and the policy makers are two relevant elements to promote positive policies of fight against negative discrimination against immigrant populations.

The issue of social responsibility within the partnership is connaturated to the nature and characteristics of the partnership. The fact that it has been promoted by a religious order and the involvement of NGOs and third sector organisations makes the attention to social responsibility evident and present in all the recent and future developments of the project.

9. Social responsibility in business

Question 9 is designed to establish whether this activities carried out within the framework of this project has affected local businesses in terms of the integration of immigrant populations and ethnic minorities and the fight against negative discrimination.

The issue of corporate social responsibility is very new in Poland. Among businesses there is still very little attention to it. The predominance of economic problems (in terms of productivity and competition) make businesses still very little involved in implementing CSR in their managerial policies.

Nevertheless, the rapid progress of the Polish economy towards a more “European” model, the presence of many multinational companies involved in CSR programmes and some programmes funding CSR (e.g. UNDP Global Compact Initiative) give hopes for a growing dissemination of CSR practices and, hopefully, its application in the field of the integration of immigrant populations and ethnic minorities .