



22.12.2022

NOTICE TO MEMBERS

Subject: Petition No 0437/2022 by M. B. (Polish) on granting financial support to Poland for hosting Ukrainian refugees

1. Summary of petition

The petitioner considers that we are dealing with the largest refugee crisis since World War II, complaining that the vast majority of this burden is borne by Poland. He explains that the budget of the Polish state has already incurred costs of approximately EUR 11 billion in connection with the admission of refugees from Ukraine. Therefore, he requests that the average number of refugees from Ukraine per 1000 citizens of an EU Member State should be taken into account. Based on this calculation, Member States that admitted fewer refugees on average should financially support those Member States that admitted more refugees on average. He concludes that the lack of financial support will undermine European solidarity.

2. Admissibility

Declared admissible on 5 September 2022. Information requested from Commission under Rule 227(6).

3. Commission reply, received on 22 December 2022

The Commission acknowledges the great commitment of local communities, organisations as well as regional and central governments in providing help to persons fleeing the war in Ukraine. In this respect, the Commission also fully acknowledges the immense challenges Poland and other most affected countries are facing. The Commission services remain fully mobilised and committed in their efforts to provide support to EU Member States under pressure, including Poland.

The EU sought to mobilise several existing EU funding instruments to support Member States, including Poland, building on the wide range of assistance already available. In this logic,

immediately after the invasion, the Commission proposed a number of measures to facilitate access to EU budget opportunities and increase flexibility in its use, in order to help Member States address the exceptional border management situation and the needs of the individuals fleeing the war.

Since the support was needed on the ground right away, as a first step, the Commission aimed at facilitating the use of the EU funds that were already at Member states' disposal, which was later on complemented by mobilisation of additional funds.

EU funding and other forms of support for displaced persons from Ukraine in Member States:

a) EU funding under Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU), Cohesion Action for Refugees in Europe (CARE) and under 2021-2022 EU4Health Programme:

- Available funding under REACT-EU, in particular its 2022 tranche of up to EUR 10 billion (possible use to the benefit of the refugees, where this fits under the planned actions and within the overall aim of post-pandemic recovery). The amount allocated to Poland under this tranche amounts to EUR 268 million.
- To support Member States, and particularly those with the largest share of Ukrainian refugee in relation to the size of their population, pre-financing under REACT-EU was increased by EUR 3.5 billion to speed up access to funds. Poland thus received EUR 562 million of additional pre-financing in April 2022, representing 34% of its 2021 REACT-EU allocation, on top of the 11% of pre-financing paid in 2021.
- All Member States were invited to make use of the opportunity offered by the Cohesion Action for Refugees in Europe (CARE) to reprogramme cohesion policy funds to support refugees.
- The 'Flexible Assistance to Territories' (FAST-CARE) amendment to the CPR, adopted on 19 October 2022, provides Member States with further flexibility and liquidity under Cohesion policy. This will allow an additional pre-financing of EUR 3.5 billion to be paid to Member States under the 2021-2027 programmes (50% in 2022 and 50% in 2023). Poland would receive EUR 716 million in total. FAST-CARE also increases the amount of the simplified unit cost to cover the basic needs of persons granted temporary protection from EUR 40 introduced by CARE, to EUR 100 per week/per person. Member States may claim these costs for a period of up to 26 weeks. Moreover, the possibility of obtaining 100% co-financing was extended, as well as the possibilities for transferring resources for actions to support refugees which are now not only possible between the European Regional Development Fund and the European Social Fund, but also from the Cohesion Fund to any of the aforementioned Funds.
- A possibility to retroactively reimburse projects dealing with refugee-related needs that have already been completed was introduced, as well as a ring-fencing of 30% of the expenditure on refugees to local authorities and civil society organisations operating in local communities.

- The measures will also make it easier to phase delayed projects from the 2014-2020 programmes to the 2021-2027 programmes.
- The Commission services are in contact with the Polish Ministry of Funds in this regard and Poland uses both, remaining main allocation of the cohesion Funds and the REACT-EU allocation to support refugees¹.
- Furthermore, as part of the EU’s assistance to Ukraine, the Commission under the 2021-2022 EU4Health Programme implemented by DG SANTE, has established an agreement with the International Federation of Red Cross (IFRC) and will contribute to mitigate the negative mental health impact of the war for displaced persons, who have entered the Union or other neighbouring countries since the beginning of the crisis. The initial contribution agreement covering the frontline Member States, including Poland, has been established for a total value of EUR 7 million. In view of extending the support to the rest of the Member States, an additional financing of EUR 8 million for the next phase of the project, will be provided following the adoption of the modification of the 2021-2022 AMIF Thematic Facility Work Programme (DG HOME Funds) scheduled for 14 December 2022.

b) EU funding under Home Affairs Funds:

- EU funding is immediately available to Member States through unspent resources under their national programmes of the 2014-2020 Home Affairs Funds. For the period 2014-2020, Poland was allocated EUR 123 million under Asylum Migration and integration Fund (AMIF). Thanks to the additional flexibility after a change in the EU legislation, Polish authorities could identify EUR 17 million under this Fund to address the needs of persons fleeing the war. This includes resources previously earmarked for other purposes.
- The Home Affairs Funds for 2021-2027 provide resources for Member States to reinforce

¹ Here are a few examples on how the 2014-2020 cohesion policy funds have been effectively mobilised thanks to the flexibilities introduced by the European Commission:

- In this scope, for example, Lower Silesia uses its total 2022 REACT-EU allocation (over 8 million) to support displaced persons from Ukraine.
- The Regional Programme of Pomorskie region was modified to introduce new priority axis dedicated to support displaced people with an allocation of EUR 4.5 million – paid by the European Social Fund.
- Another example is the project “Swietokrzyskie for Ukraine” under the Regional Operational Programme of Swietokrzyskie region. PLN 18 million (EUR 3.8 million) were mobilised from the European Social Fund for a range of labour market and social integration activities.
- Thanks to CARE, the Polish project supported by the European Social Fund ‘Chance – New Opportunities for Adults’ under the Polish national Knowledge Education Development programme received an additional EUR 2.7 million to extend its support to people fleeing from Russian aggression in Ukraine.

border management, strengthen its internal security and improve the management of migration. In particular, Poland will receive EUR 237 million for its programme under the Asylum, Migration and Integration Fund (AMIF), to ensure *inter alia* effective reception facilities, to provide specialised support to vulnerable persons, to manage asylum procedures and develop integration strategies. These resources may also address the challenges resulting from the invasion of Ukraine by Russia and the refugee inflow from Ukraine into Poland.

- An additional EUR 400 million from HOME Funds (Emergency Assistance under AMIF and the Border Management and Visa Instrument, hereafter BMVI) from the new MFF 2021-2027 were announced at the ‘Stand up for Ukraine’ pledging event to support refugees from Ukraine in the most affected Member States, which is made available in two steps.
 - As the first step, on 18 May, the Commission decided an allocation of funding² under the revised Work Programmes of AMIF and BMVI Thematic Facility, worth EUR 248 million, of which Poland was granted a total of EUR 144.6 million³. In this context, Member States will have also to demonstrate that they channelled an amount corresponding to at least 30% of their AMIF grants to local and regional authorities and/or civil society organisations.
 - The second tranche of EUR 152 million will be used among others to support Member States⁴ to offer first reception and the transition to early integration of displaced persons from Ukraine. Within this second tranche, Poland will receive an additional grant for emergency assistance under AMIF of EUR 55.5million⁵ to strengthen its capacity to bridge the gap between first reception and early integration of persons displaced from Ukraine.
- Intensified efforts on building a European model of community sponsorship have motivated the creation of the Safe Homes Programme. This project will be implemented with the duration of one year, starting in 2023, to support the hosting of families displaced from Ukraine to the EU. It will be supported by a total budget of nearly EUR 5.5 million, and following the Commission's guidance on Safe Homes and the EU Asylum Agency’ (EUAA) recommendations. Components of the programme will be implemented in Poland and other Member States.

c) Examples of other forms of support:

² To Poland, Hungary, Romania, Slovakia and Czechia

³ The grant agreement with Poland under AMIF for an amount of EUR 68.4 million was signed in August 2022 and Poland has already received an advance pre-financing of the whole amount. A similar grant agreement for Poland under the BMVI to contribute to the reinforcement of capacity at the EU external borders was also signed in August 2022 for EUR 76.2 million, with the advance pre-financing of the whole amount made available. Furthermore, to reduce the administrative burden, DG HOME has released this funding in the form of “financing not linked to costs”.

⁴ Poland, Czechia, Slovakia, Bulgaria, Estonia, Latvia, Lithuania

⁵ The indicative planning is to sign the grant agreements in December 2022.

- Financial assistance of total EUR 22.7 million has been provided to Poland under the Union Civil Protection Mechanism (UCPM) in relation to the Ukrainian crisis. Poland activated the Mechanism on 28 February and received in-kind assistance from in the form of medical and shelter capacities, vaccines, medicines and medical supplies. On 24 August, Poland closed this request as needs have been fully met. In addition, medical evacuations of patients were carried out from Poland to other Member States⁷ and several EU Civil Protection Teams were deployed to the country.
- The Commission set up a Solidarity Platform to coordinate the operational response among Member States.
- The Commission presented the guidance on ‘Safe Homes’ to support Member States, regional and local authorities as well as civil society that are organising private housing initiatives, and all those who are making their homes available.
- The Commission together with the Member States, put in place an online interactive map that includes the main transport hubs and reception centres for people in need of assistance.
- The Commission also works closely with international partners to create pathways for displaced persons. By now, almost 300 000 displaced people from Ukraine arrived to United States, Canada and United Kingdom under their respective schemes.

The EU and its Member States continuously show unprecedented solidarity in the face of the Russian invasion on Ukraine. More than 4 million Ukrainians were granted a temporary protection. As the Russian aggression targeting innocent people continues, the EU does not slow down its support to Ukraine and its people. The Commission is working closely with Member States to provide certainty and support to those who are already accommodated in the EU Member States and to those displaced in Ukraine.

Conclusion

The Commission continues to mobilise every effort to support Member States hosting persons displaced by the Russian aggression against Ukraine. To help ensure displaced persons benefit from their rights based on temporary protection⁶, Member States receive financial support from various EU funding instruments, with reinforced opportunities and flexibility. Operational support is also provided, such as through the ‘Solidarity Platform’, which contributes to matching reception capacities with arising needs.

Indeed, the Commission stands in full solidarity and strongly supports Poland, and other Member States affected by the crisis resulting from the war in Ukraine, using all tools at its disposal. The Commission remains committed to working together with the Member States’ authorities in these most challenging times.

⁶ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection. OJ L 71, 4.3.2022, p. 1–6.

