

# Overview of the situation

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with “transit refugees” in Brest  
(11.2017 — 04.2018)

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# Introduction

The review was prepared by human rights organization Human Constanta on the basis of interviews conducted in Brest from November 2017 to April 2018.

Human Constanta works with modern challenges for human rights in Belarus, including the protection of the rights of foreign citizens and stateless persons, as well as the topic of non-discrimination. Since September 2016, we have deployed the Refugee Assistance Mission in Brest, in March 2017, opened an office for counseling foreign citizens and stateless persons. The organization regularly monitors the situation in Brest and at the Polish border crossing point Terespol. We produced 2 thematic reports on the situation "Invisible refugees on the border of Belarus and Poland" (September 2016 and 2016–2017).

During the period from November 2017 to April 2018, we conducted a survey of persons seeking asylum in Poland. The interviews took place at the railway station of Brest and at the office of the organization, some of the questionnaires were filled by refugees (themselves). In total, we interviewed 89 people.

# Conclusions

From November 2017 to April 2018, the number of transit refugees in Brest did not change significantly — about 120 people got on the train Brest-Terespol train in November, and up to 100 people — in April. According to our approximate estimates, there are about 400 people in the city who are trying to enter the territory of the European Union.

Using of the territory of the Republic of Belarus as a transit zone is not an offense. According to the legislation, foreigners who transit can stay in Belarus for no more than two days, with the exception of an emergency stop. In the case of the refugees in Brest, this exception should be applied — they are forced to stay for a longer period, as they are not allowed to go to Poland.

For those who come from the territory of the North Caucasus, where the major of people are running from (93 %), in our opinion, the Republic of Belarus is not a safe country. At the same time, Poland violates legal procedures, denying their entering and consideration of the application for refugee status. We justified the statement in the reports mentioned above.

As before, daily Polish border guards let on average one family of refugees on a random basis to cross the boarder, without obvious logic.

Refugees do not have a specific age and social tendency. Mostly these are middle-aged people, most run with children and have a specialty in the country of origin.

The main reasons for fleeing are the persecution, threats and torture.

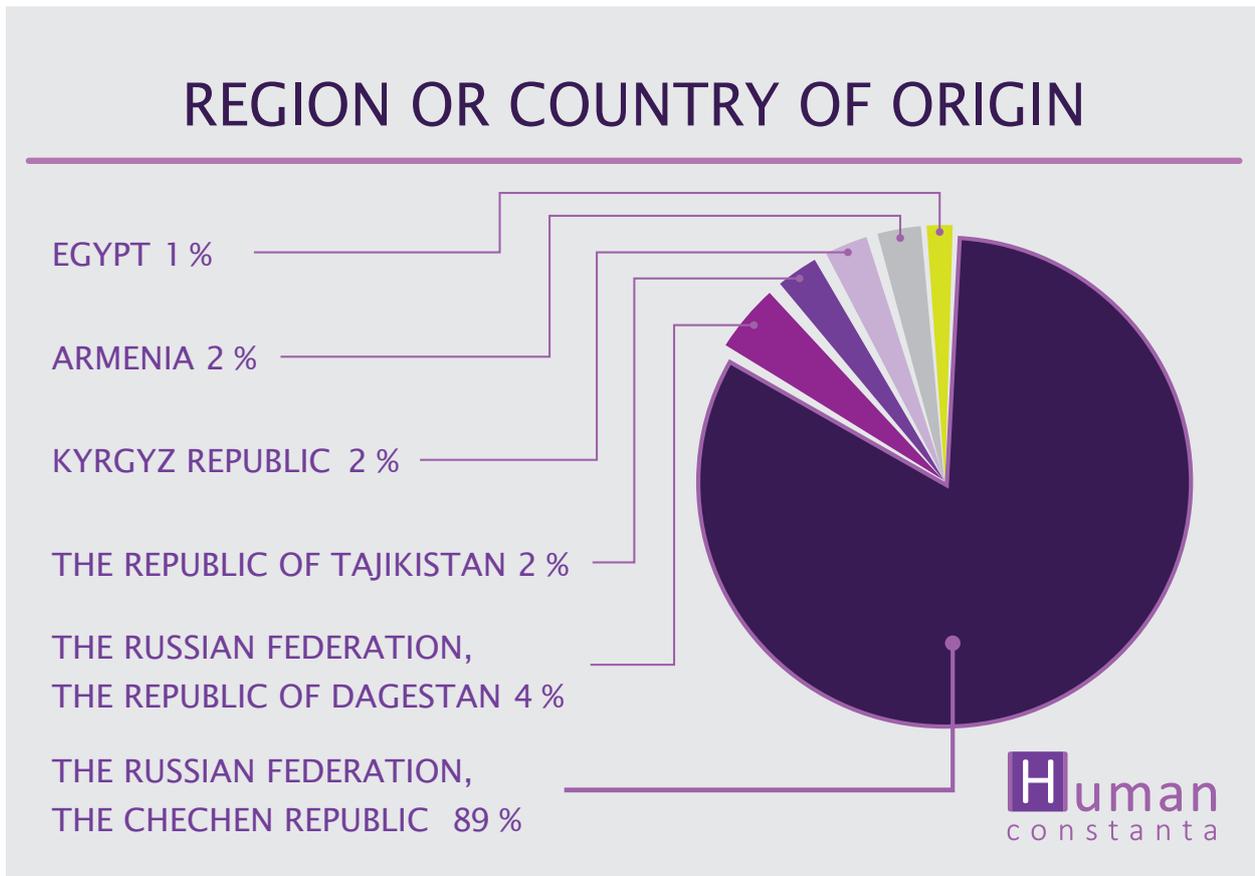
The majority of respondents need regular medical, legal, psychological and humanitarian assistance.

Incidents at the border and in Brest indicated in the questionnaires are most often confirmed by other people or facts. On the part of the Polish border guards, obviously inhuman and discriminatory treatment of refugees. On Belarusian part, the incidents are of a one-off nature, but they can have unfortunate consequences: the practice of deportations and shortened periods of stay threatens people with torture and harassment in case of return to the country of origin, which is prohibited by international and national law.

# Statistical information

## 1. The region of fleeing

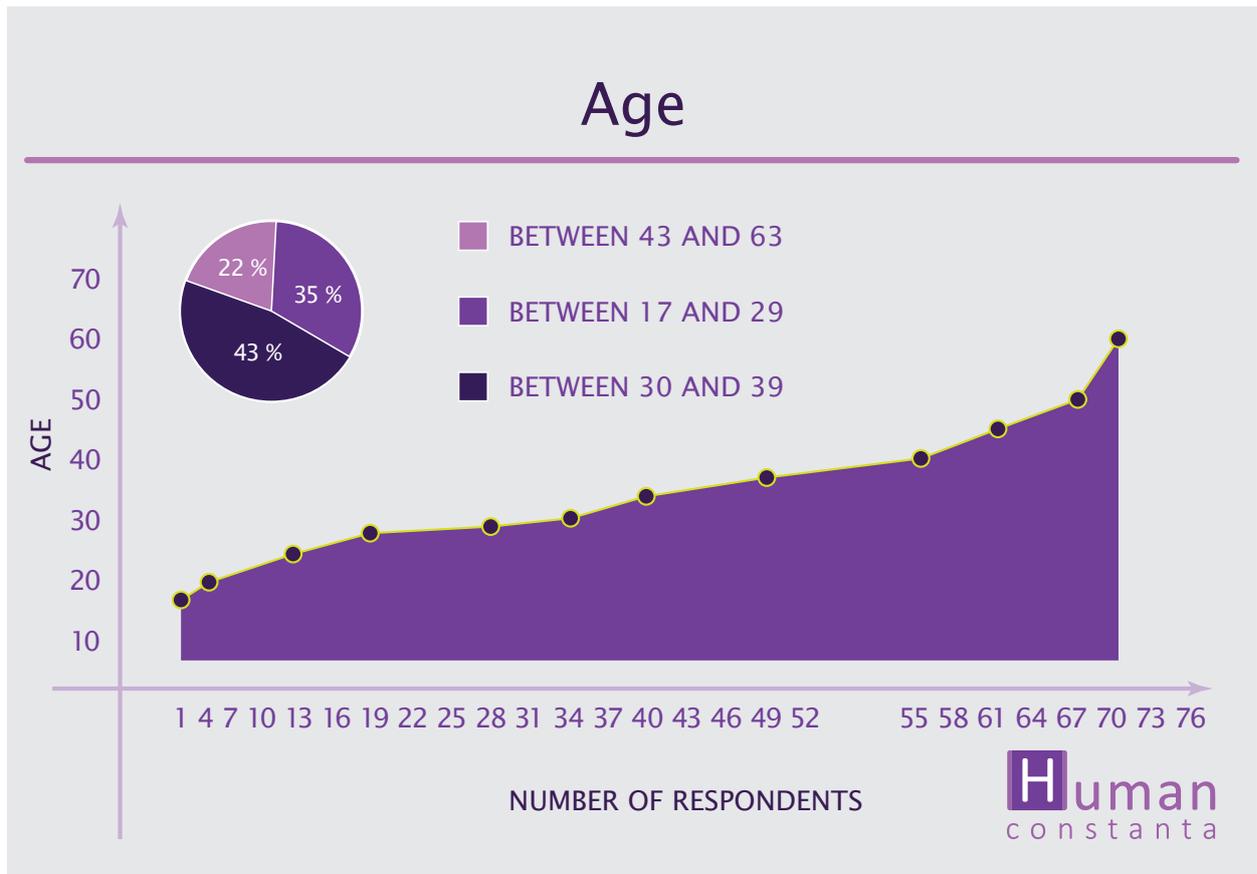
Out of 89 respondents, 79 people or 89 % — came from Chechnya. At the same time, there were citizens of Egypt (one person), Armenia (two), the Republic of Kyrgyzstan and the Republic of Tajikistan (two people each), three persons were from Dagestan.



## 2. Age

Of all the respondents, 12 people refused to give their age. The rest were between 17 and 63 years of age.

43 % of respondents — people from 30 to 39 years, but there is no pronounced age trend.

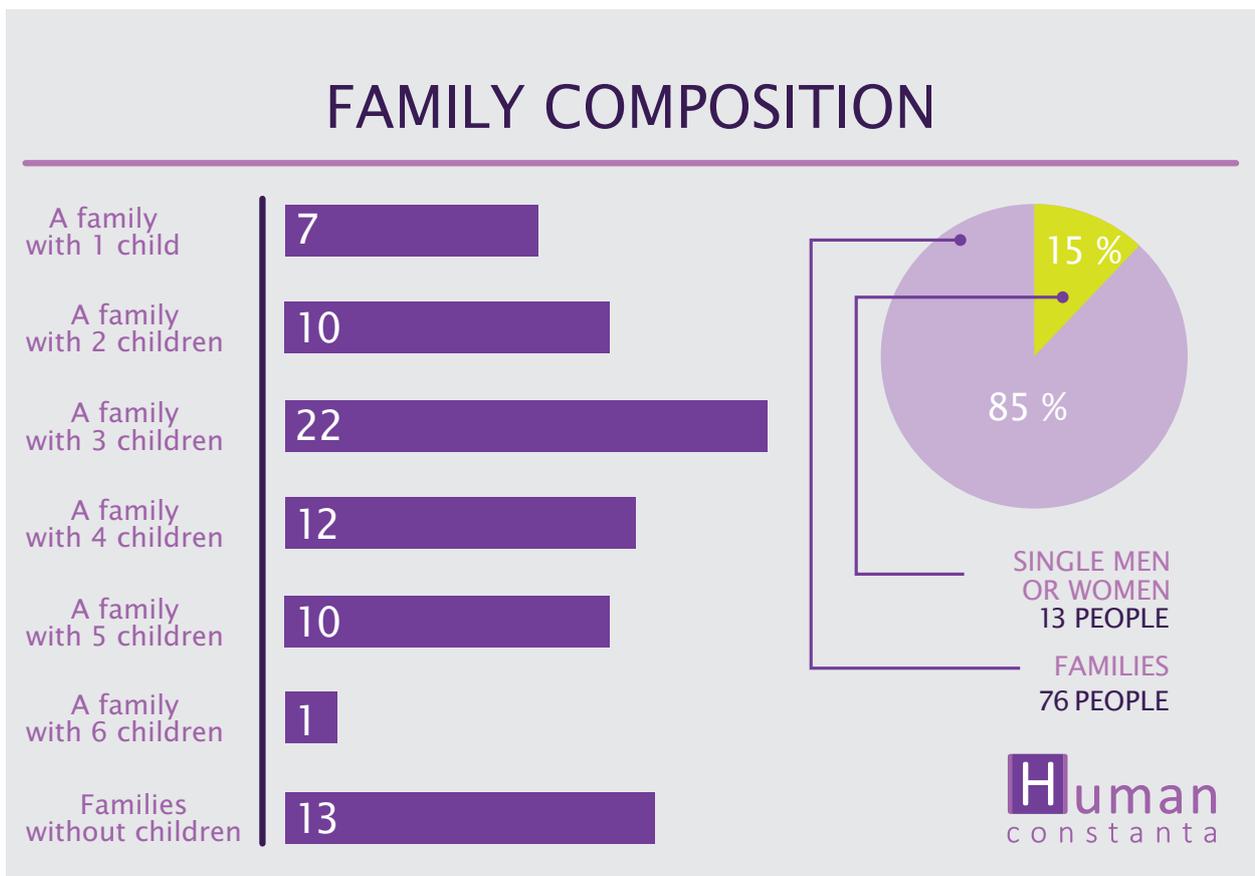


### 3. Family composition, professional activity

Of the respondents, 15 % were without families (13 people), and this is both men and women.

In the survey people indicated who they were traveling with. The total number of people was 354 people (respondents and their family members). Sometimes a family consists of two people, but in most cases these are families with children (from one to six). On average, the family has three children. In doing so sometimes there is only one parent. in a large family with children

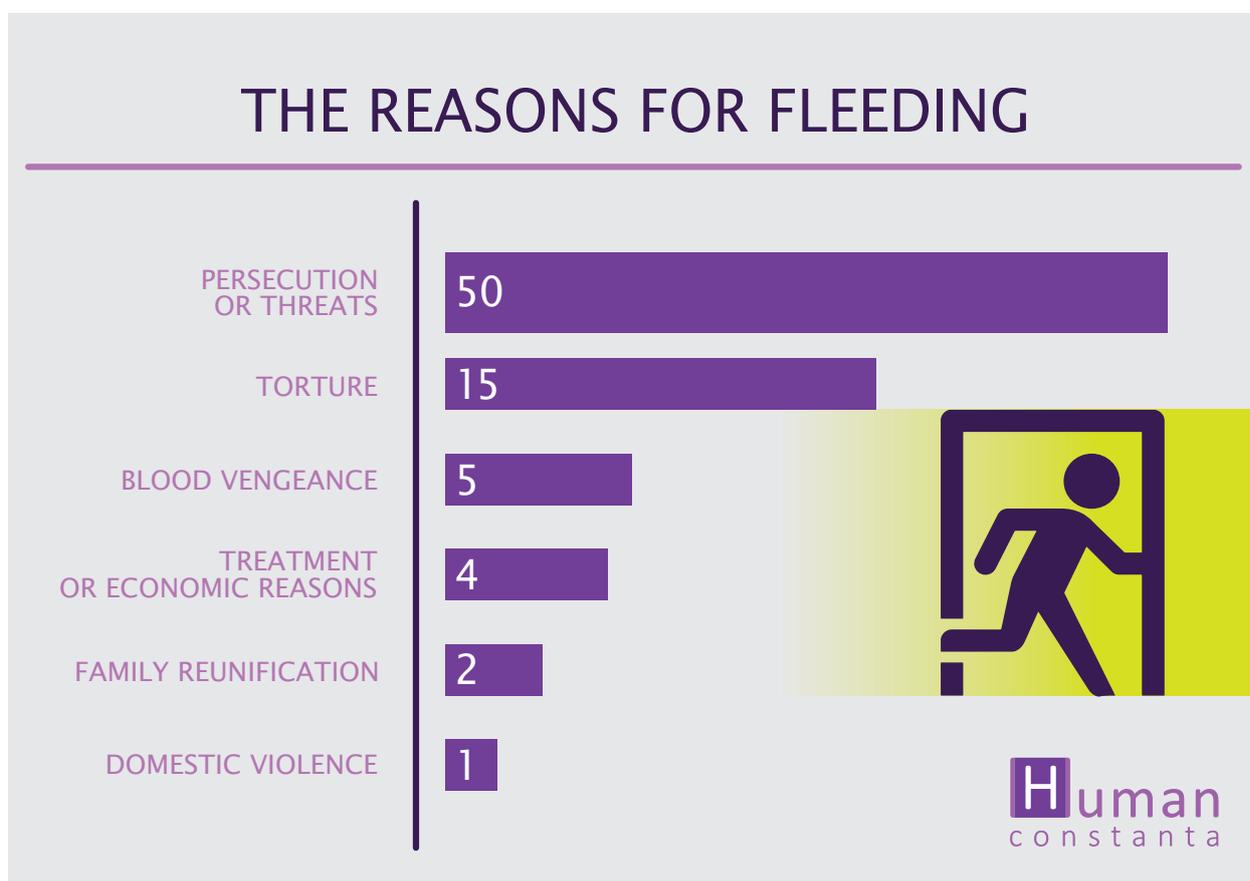
Out of 89 respondents, 41 people (46 %) indicated that they have a job qualification or worked before leaving. Five people indicated that they were housewives, the rest indicated different specialties: a master's degree student, a lawyer, farmers, agronomists, medical workers, drivers, social workers, deputy, accountants, clerks, security guards, dressmakers, saleswomen, athletes, builders, and others.



## 4. The reasons for the fleeing

78 out of 89 respondents agreed to name the reason for the flight. In other cases, 64 % are threats or persecution. The four told about a fabricated criminal case against them or their close relatives, in one — the relative has disappeared, and the pressure on the family continues. In one case, the cause of persecution is religious. In 14 cases, respondents directly indicated that the prosecution was carried out by the authorities or intelligence services.

In 15 cases (19 %) people directly indicated facts of tortures towards them or close relatives and indicated this as a main reason for escape.

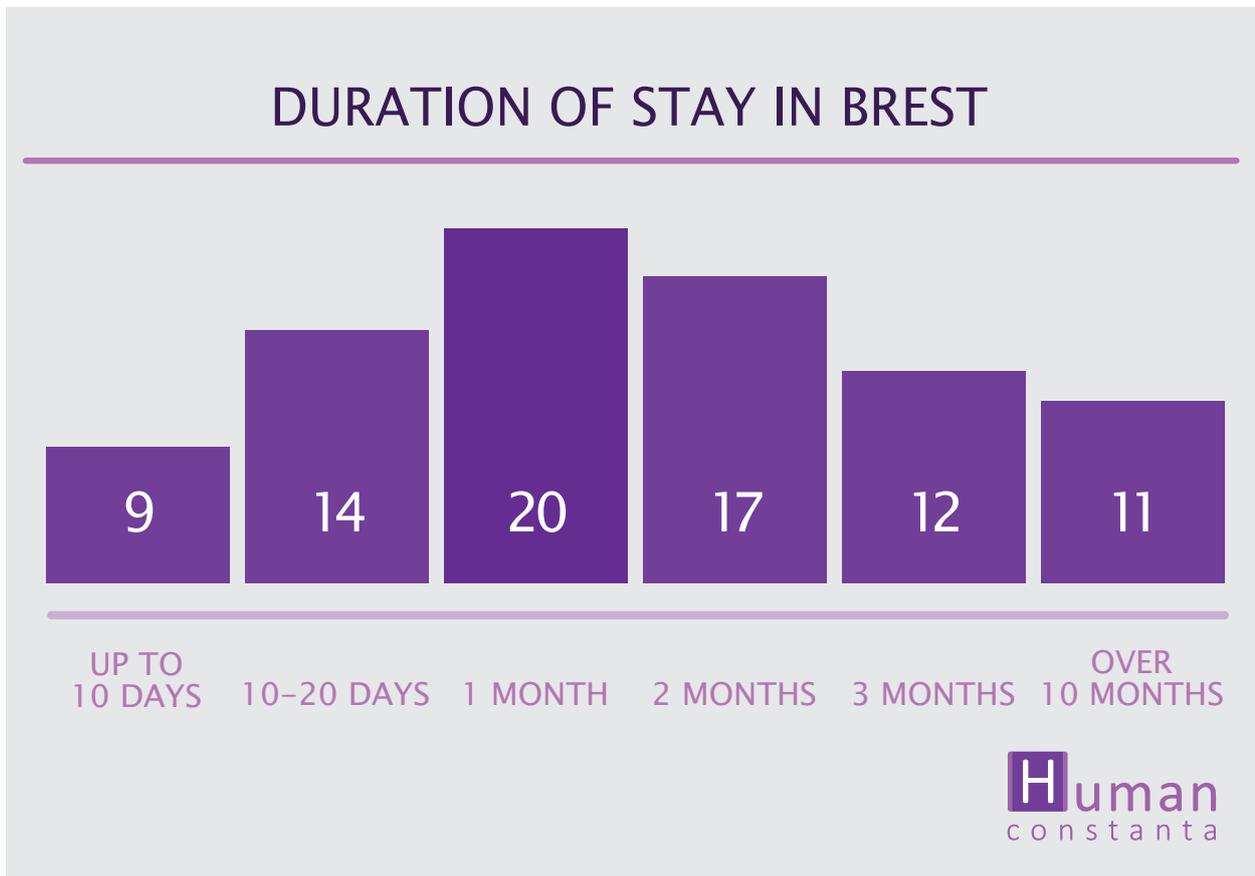


## 5. Have they applied for a Schengen visa?

25 respondents (28 %) reported that they applied for a Schengen visa and were refused.

## 6. Length of stay in Brest

Among the respondents there were people with different periods of stay in Brest, from several days to 8,5 months. In one case, the family was in Brest for 2 years and 3 months.

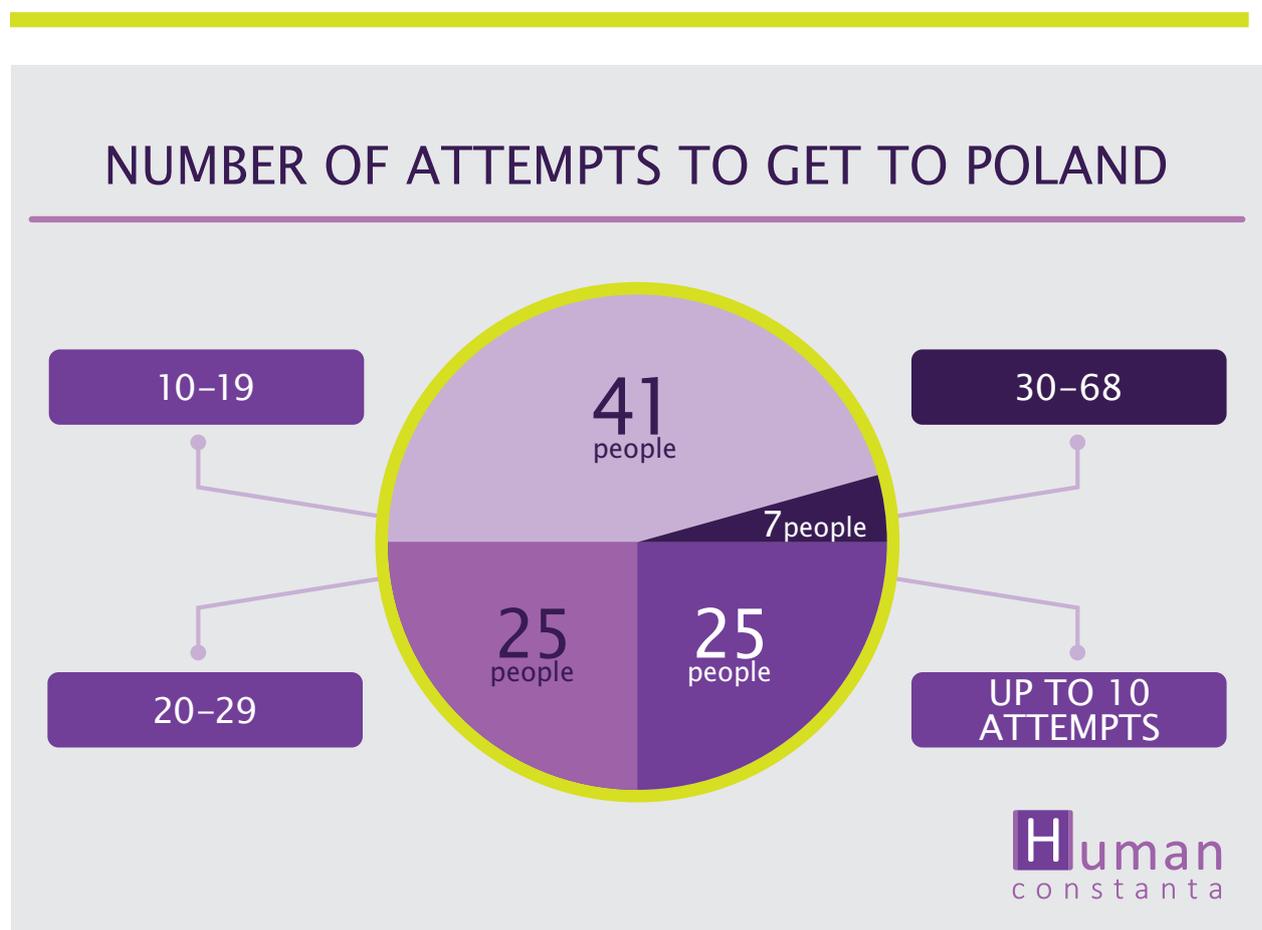


## 7. Attempts to enter Poland. Statistics of passes through the boarder

The number of attempts depends on the length of stay in Brest. Some people go to Terespol every day, but on average — every 2–3 days. The greatest number of attempts that we recorded — 68. At each attempt to enter, the border guards put a crossed out stamp on their passport, that's why the pages in foreign passports quickly end, and it may be unsafe to apply for a new passport to the consulate.

Also from November 2017 to the end of April 2018, the volunteers of the organization conducted polls on the return of the Terespol-Brest train. Information for the survey was obtained from the words of refugees, therefore, it is approximate. At the same time, we draw attention to the fact that almost every day Polish border guards let one family or single person cross the boarder by random principle, the rest were returned by train to Brest.

The graphs below shows how many families of forced migrants went to “try” and how many families were let to cross. According to the data from the border service for this period, the Polish border guards put 3113 refusals of crossing the border.



## FEBRUARY 2018



## MARCH 2018



# APRIL 2018

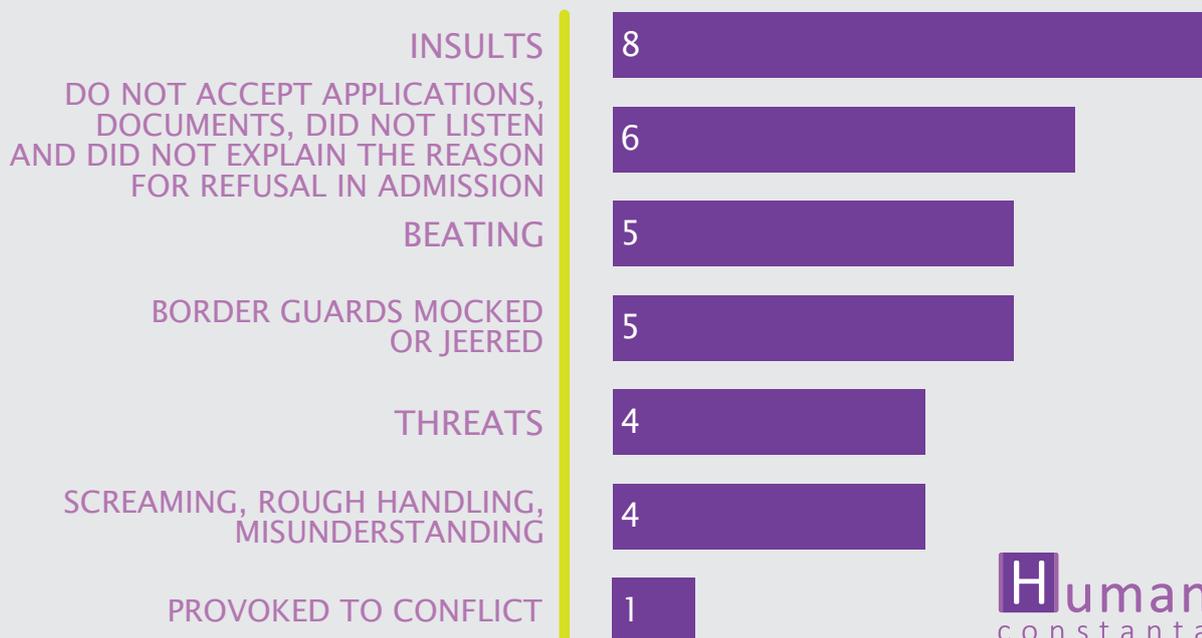


## 8. Incidents at the border and in Brest

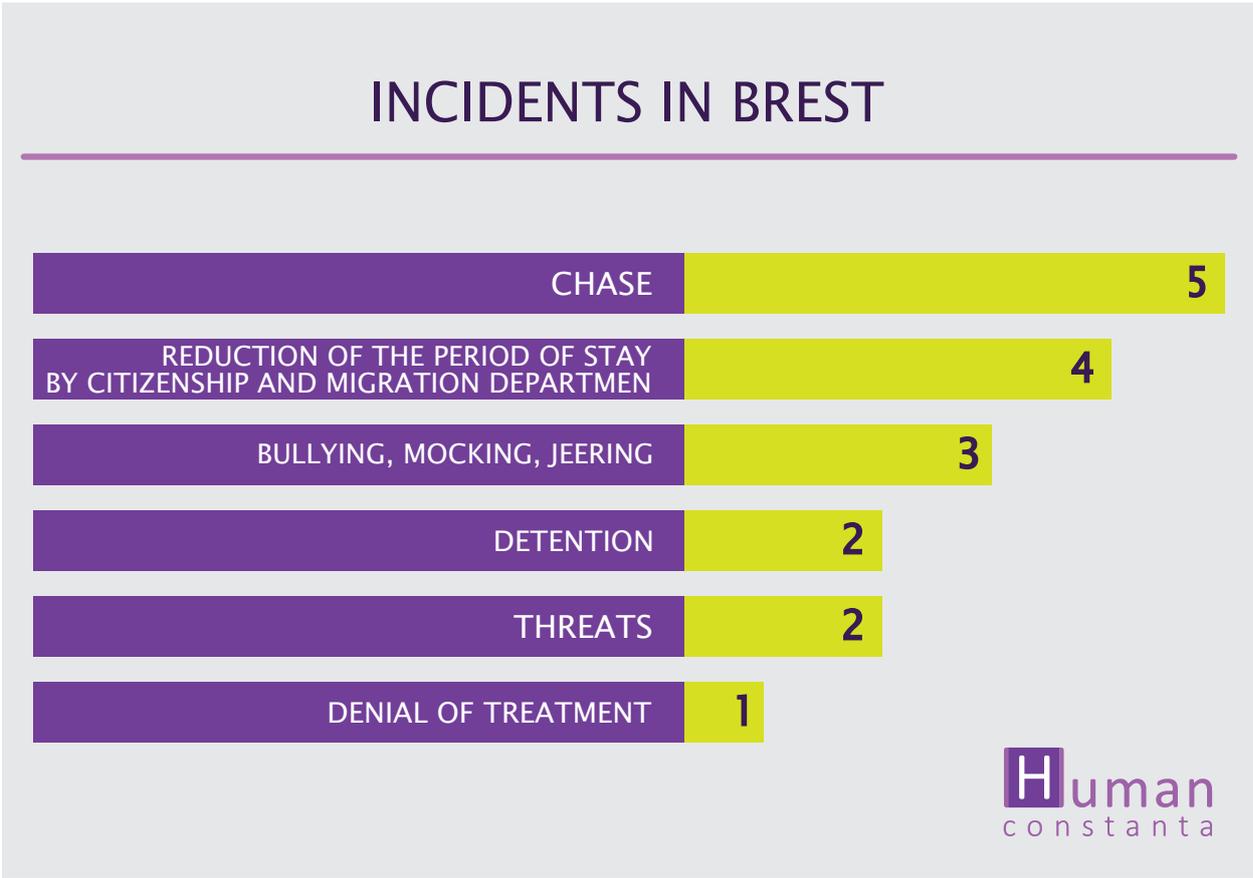
During the polls we asked to talk about the incidents that occurred with the refugees in Terespol or in Brest. We were told about 33 incidents in Poland. For example, the border guards of Poland provoked a conflict; shouted, rudely treated; threatened and insulted; mocked or jeered; They did not accept documents, and in five cases they used physical force.

Separately it is worth noting the incidents that occurred in Brest. In total, we were informed of 17 different cases. One case of denial of treatment in connection with the origin, cases of threats, two police detentions, as well as bullying, calling, mocking, chase.

### INCIDENTS AT THE BORDER CROSSING POINT IN TERESPOL



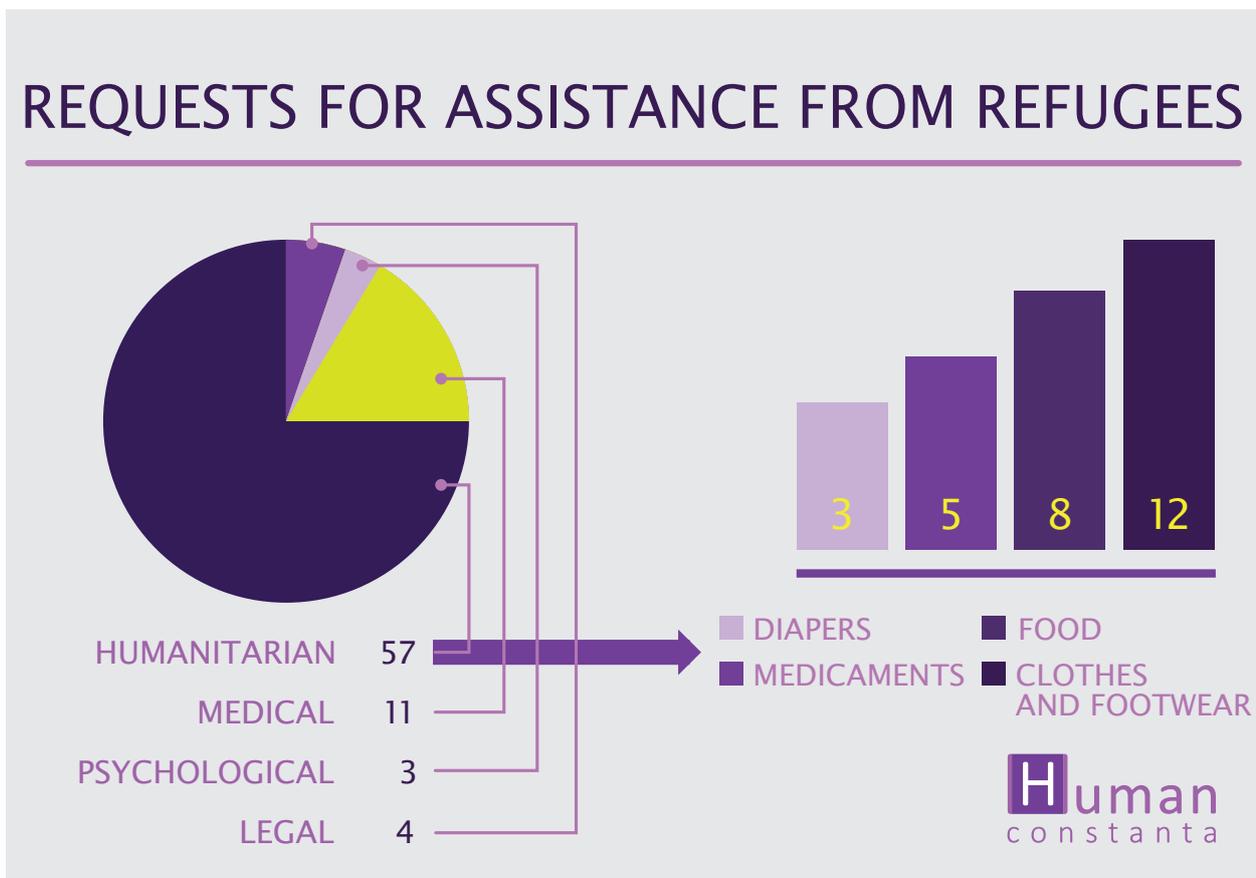
Especially we are worried about such kind of incidents as shortening of the term of stay, and then the ban on entry to Belarus by the body on citizenship and migration (Citizenship and Migration Department). The ban on entry to the Republic of Belarus is based on paragraph 9 of Article 30 of the Law of the Republic of Belarus "On the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Belarus", allegedly "there are sufficient grounds to believe that a foreigner can ... use the territory of the Republic of Belarus for illegal migration to a third state" which contradicts national and international law. by international and national norms. The Universal Declaration of Human Rights of 1948 (Article 14), as well as the United Nations Declaration on Territorial Asylum, 1967 prescribes that "everyone has the right to seek asylum from persecution in other countries and to enjoy this shelter".



## 9. Help requests

When interviewing, we also asked the respondents if they needed help. 69 people indicated that they needed help. Often these were requests for several types of assistance: humanitarian, medical, psychological, legal.

43 % of requests for humanitarian aid, this is help with clothes and shoes for the season. Often people come in one period, and as a result of non-admission on the border they remain for several months, not having suitable clothes for the family and children.



## 10. Activities of the Human Constanta to help the refugees in Brest

Human Constanta has established cooperation with several organizations in Brest. For example, with the Red Cross and the "Grace" organization, we are working on humanitarian assistance for refugees. With the legal clinic of the University of Brest for legal issues. During the period from November to April in Brest we were helped by six volunteers.

We regularly cooperate with Belarusian and foreign media. Over the past six months, we have helped with the preparation of materials for two Polish journalists, one journalist from Denmark and a group of journalists from the British service of the BBC.

We also conducted a number of events for the general public to promote the ideas of non-discrimination, tolerance: the seminar "Migration on the fingers", "Human Integrity", the round table "City and refugees". The volunteers of the organization conducted 4 master classes for drawing for families of forced migrants. 19 people received legal advice as part of the public reception.

### Human constanta HUMANITARIAN ASSISTANCE TO REFUGEES IN BREST



# Human Constanta Contacts

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