



OVERVIEW OF THE SITUATION WITH TRANSIT REFUGEES IN BREST

(September – December 2018)

Introduction

In September 2016, Human Constanta launched the Refugee Assistance Mission in Brest. In March 2017, the office for counselling foreign citizens and stateless persons was opened. We continue our work in Brest very actively. During our work, we have published [*a few topical reports on the situation on the border.*](#)

The review is an interim report that was prepared on the basis of Brest Human Constanta office monitoring activities. The review covers our activities from September to December 2018.

During the period we were conducting questionnaires among persons seeking asylum in Poland, interviewed them at the railway station as well as provided them with informational , counselling and humanitarian support.. Moreover, we react to the incidents that happen with refugees both in Brest and Terespol. During the period, we conducted 93 monitoring. We were able to interview in detail 26 families.

Conclusion

The number of monitoring at the station in Brest

in the period September - December 2018



1. In general the situation hasn't changed in comparison with the previous periods of monitoring in 2018.
2. From September to December 2018, the number of transit refugees remained approximately at the same level. In September about 20-30 families (100-200 persons) were boarding the train Brest-Terespol. In October- December the number of refugees, trying to cross the border at a time decreased to 20-30 people. According to our rough estimation, there were about 150 (maximum 200) people residing in the town by the end of the reporting period who are trying to apply for international protection in Poland. This is the lowest number of transit refugees that we have ever recorded over a two-year period of our work.
3. In our opinion, for those who come from the North Caucasus, they represent 84% of all the transit refugees, the Republic of Belarus is

not a safe country. At the same time Poland violates legal procedures by denying entry and refusing to consider their applications for international protection.

4. As before, on average Polish border guards allow one family to cross the border every day on a random basis, without any logic. Since September 2018 transit refugees coming from Brest have tried at least 1239 times to seek for international protection in Poland and only in 110 cases such applications were accepted.
5. There is no clear age or social tendency among male and female refugees. The majority of them flees with children and had a specialty in their country of origin.
6. Persecution, threats and torture are the main reasons for fleeing, respondents say. In comparison with the previous periods, some families mentioned some more reasons – economic and medical.
7. The majority of the respondents needs regular medical, legal, psychological and humanitarian assistance.
8. Inhumane and discriminatory treatment by Polish border guards obviously takes place. In September and October, the unreasonable massive reduction in the length of stay for individuals who made 10 or more “attempts” continued from the Belarusian side. However, we were able to stop this practice with the help of 2 individual appeals from refugees to the prosecutor’s office ,(despite the lack of action by the prosecutor’s office). Since November 2018, no new cases of reduction of the period of stay have been recorded.

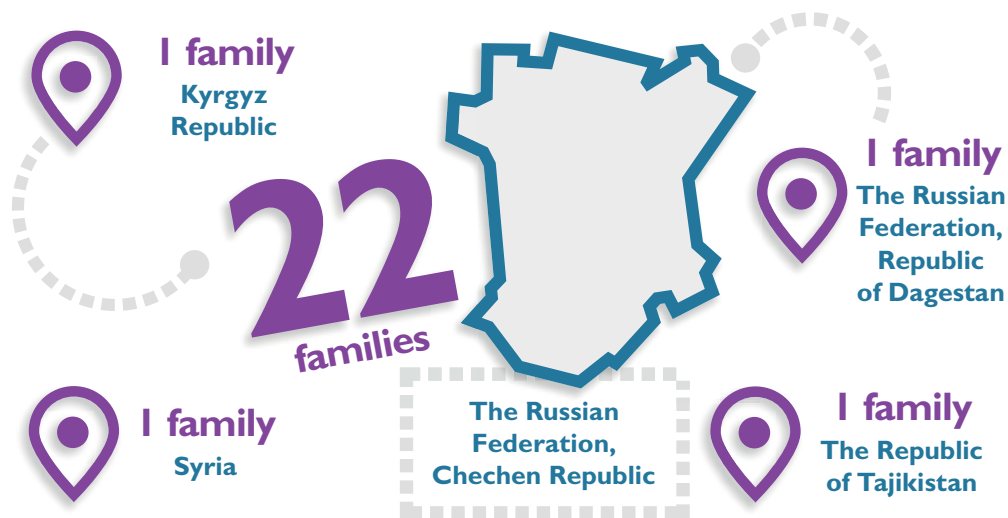
Statistical information

Below we provide statistical information obtained as a result of the survey.

I. The region of fleeing

The region of fleeing

in total, we interviewed 26 families

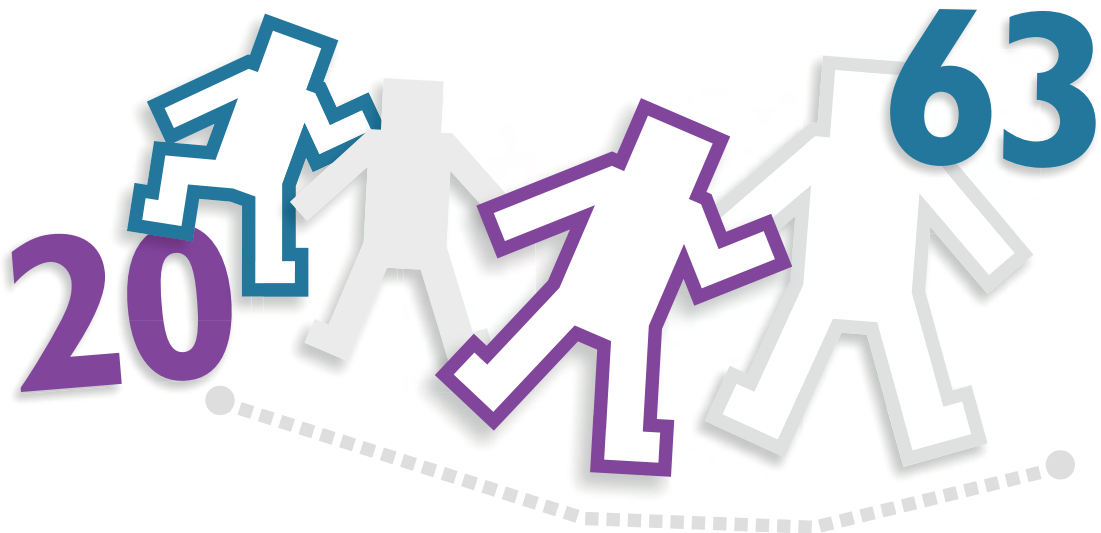


22 families (84%) out of 26 families interviewed come from the Chechen Republic. One family from Dagestan was interviewed. Moreover, during the period one family from Syria, Tadjikistan and Kyrgyzstan was present among the respondents.

2. Age

Age

age of transit refugees from 20 to 63 years



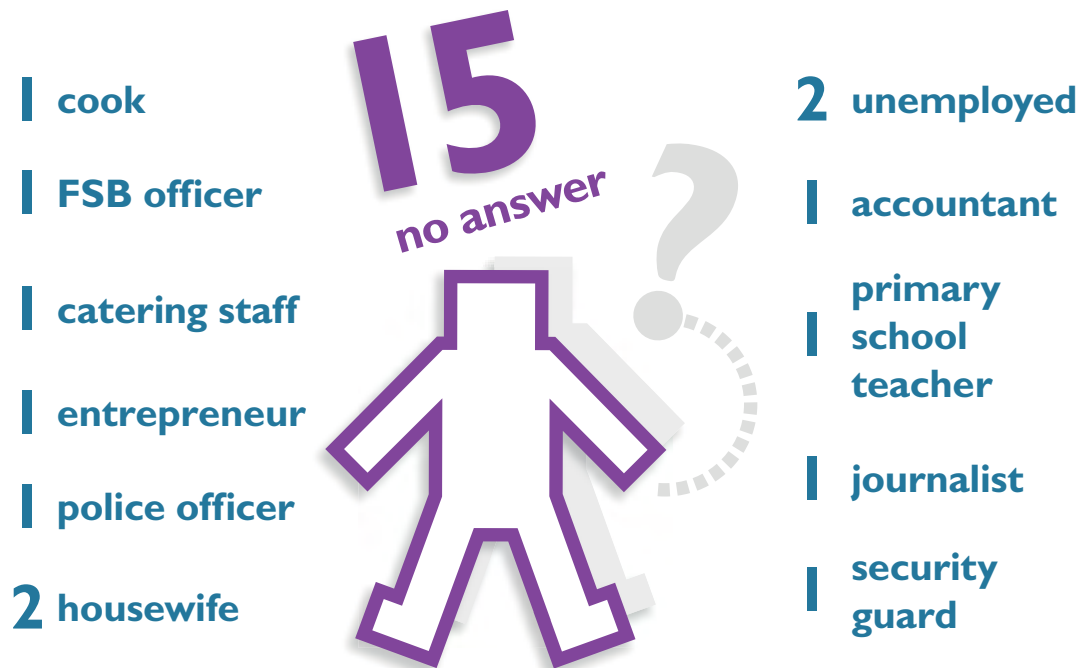
Out of all people questioned , 12 refused to name their age. The others were between 20 to 63 years. No pronounced age trend was found.

3. Family composition

Only 2 men interviewed were without families. During the survey, people stated who they were travelling with. The total amount of people was 120 (60 adults and 60 children). Sometimes a family consists of 2 persons but generally there are families with children. On average, a family has 2-4 children. From time to time, there is only one parent in a big family.

4. Professional occupation

Professional occupation



Out of 26 respondents, 7 people stated that they have specialty and worked before the departure. One person indicated that he or she was an accountant, the others stated different specialties: a security guard, militiaman, FSB officer, primary school teacher, cook, and journalist. The majority of the respondents didn't indicate their professional activity or a place of work.

5. Reasons for the fleeing



21 out of 26 respondents agreed to name the reason for their flight. As a rule, people name several reasons for the fleeing. In 13 cases out of 21, the reasons are threats, torture, blood feud or persecution. 3 families stated that medical reasons are the main ones, 2 people – economic, 2 people – blood feud and one person named the war in Syria.

6. Have they applied for a Schengen visa?

8 families (30.77%) stated that they applied for a Schengen visa and were refused.

7. Duration of stay in Brest

Among the respondents, there were people with various length of stay in Brest, from several days to 2 months (at the time of the survey). It should be noted that at the moment, there are families who have been living in the town for about 5 months.



8. Attempts to enter Poland. Statistics of border crossing

Attempts to enter Poland

in the period September - December 2018

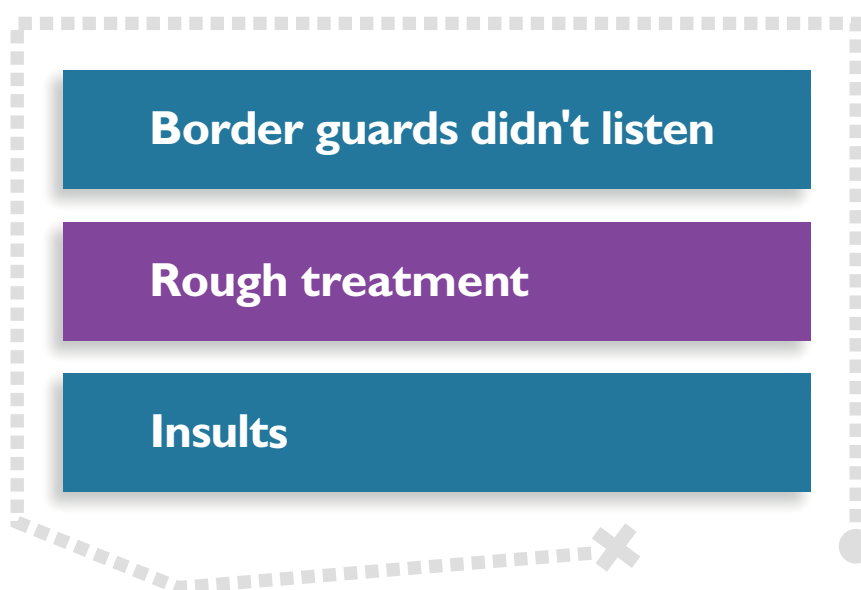


The number of attempts depends on the period of stay in Brest. Some people go to Terespol every day, 2-3 days on average. The greatest number of attempts recorded was 40 times. Every time border guards put a crossed stamp into the passport. That is why those who make lots of attempts may have a necessity to replace their passport, which may pose an additional threat to them due to the subsequent need to contact the consulate for a new passport..

From September to the end of December 2018 the volunteers of the organization conducted polls at the return of the train Terespol-Brest. The information was obtained from the words of refugees that is why it is not precise. Every day Polish border guards let in one family or one person randomly, the others were returned to Brest by the train. On average, during the period we recorded at least 1239 attempts, only 110 of which were successful. No one was let to Poland at least 7 days during 4 months.

9. Incidents at the border and in Brest as well as other problems

Incidents at the border in Poland



During the polls, we asked to tell about incidents, that occurred with refugees in Terespol or in Brest. Refugees were complaining, that at the station at the Polish Border only one out of two toiletss was functioningwhile religious beliefs of the majority of these people do not let people of different genders attend a common toilet.

During this period there were several cases when people came to the border with prepared documents about the facts of their persecution. At the same time, Polish public organizations already appealed to various authorities in support of these people. The reaction of the Polish border guards was negative: these people were subjected to a more thorough survey and aggressive attitude. Despite numerous attempts, they were not allowed to enter the country.

We need to emphasize somecases which took place in Brest. Especially we are worried about such kind of incidents as shortening of the term of

stay with subsequent 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. The Universal Declaration of Human Rights, 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”.

We know that Belarusian citizenship and migration authorities currently intend to identify and subsequently shorten the period of stay for individuals who have committed more than 10 attempts. This practice began during the last reporting period and was going on until the beginning of November 2018. There were cases of illegal confiscation of passports from citizens of the Russian Federation. Besides, during the talk with authorities of regional DCaM, we found out that DCaM officers regularly get up-to-date information about the situation on the border from Belarusian border guards, which is giving them the opportunity to know refugee situation without being at the station. During the polls, refugees confirmed information, received by us from migration officials, that a demonstration of the press on the reduction of the period of stay in the Republic of Belarus during the passage of the border with Poland will contribute to the adoption of an application for refugee status. We are aware of cases when, after shortening the period of stay, the refugees were forced to return to the territory of Russia.

It should be noticed that the level of legal literacy among refugees is often extremely low. During conversations with DCaM officers many of refugees asked to help them to cross the Polish border. Only one person agreed to write a complaint to the prosecutor’s office on the reduction of the period of stay (end of October) and the second was filed by Human Constanta on the whole situation and after their consideration the practice of reducing the period of stay did not repeat during the reporting period.

10. Help request

Humanitarian assistance



When interviewing, we also asked the respondents if they needed assistance. 22 families indicated they needed assistance. Often these were requests for several types of assistance: humanitarian, medical, psychological, legal. 3 families got medications; we helped 18 families with food; 24 families received new clothes and 5 more families were provided with diapers.

Since the weather changed from dominantly warm (September-October) to winter cold in December, the main requests were about food and warm clothing.

11. Legal advice

More than 25 people received legal advice in the framework of the free legal office. The number of requests connected with the assistance in preparing documents for interviews has increased (translation of documents into Polish; a detailed explanation of the legal aspect of securing guarantees of the rights of refugees; preparation and printing of evidence of persecution at home).

During this period, we prepared 11 appeals against the refus to cross the border, sent to the commander of the border Terespol.



12. Other activities

Our activity



Also during this period, we held master classes for children and parents, where children could draw, sculpt and make some very simple crafts, drink tea with sweets and communicate with each other. Moreover, during the master classes, coaches talked about legal issues, rights, as well as European family traditions. We thought such meetings would help the children to gain a sense of security, the ability to play and socialize, and help mothers to prepare better for further integration. We made a full-fledged children's sector in the office, where children can play with toys, spend time in a small tent and go through the tunnel. The walls of this corner are decorated with drawings of our children, which is of interest to new visitors to our master classes. During this period we held 14 master classes, which were attended by 143 people. Moreover, with the help of our volunteers, we conducted 2 sessions of children's haircuts at the office, thanks to which 8 children got new haircuts.

human constanta

Legal consultation

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