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Migrants

On the Polish border: "A policy that simply lets people die"

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Interview with lawyer and human rights activist Marta Górczynska by Pro Asyl, Germany's largest pro immigration advocacy organization.

Pro Asyl: The situation on the Polish-Belarusian border is getting worse by the day. Do you see any signs of de-escalation, are there any politicians in Poland who call for moderation and a humanistic attitude?

Marta Górczynska: Unfortunately not. It is a humanitarian catastrophe on all levels that is happening here in the middle of Europe. Politicians are only concerned about defending the borders; nobody even mentions humanitarian aid, which the refugees desperately need. It is getting colder and colder, temperatures are dropping below zero. People have no roof over their heads, nothing to eat, no warm clothes. There are women having miscarriages. Poland refuses to provide any medical or humanitarian aid to people seeking protection, despite requests from the European Court of Human Rights. People are dying. Not because we don't have the means to save them. But because we, because Europe, have let them die. It is a nightmare.

Poland recently extended the state of emergency by 60 days. What does this mean?

The military is allowed to enter the "red zone", the three-kilometre security zone along the border. No one else, no doctors, no journalists, no humanitarian workers. This situation is dramatic in several ways. First of all, we have almost no journalistic information or pictures of what is happening in the forest. It is not just a forest where the refugees are staying, but a real jungle: the oldest primeval forest in Europe, an area criss-crossed by swamps and rivers. Bison live there, and wolves howl at night. But the situation is most dramatic because the refugees are not being cared for. The only people who have access, apart from the security forces, are the local people. They do what they can, but the people who live there are completely overwhelmed by the responsibility.

Tell us about it.

Ordinary citizens become rescuers, but they don't have the experience of such situations or the right equipment. They bring sleeping bags, tea in thermos flasks and hot soup to refugees in the forest. But it is not so easy to reach them - because of the swamps, but also because many are hiding for fear of the Polish security forces. Often even ambulances do not come when called. And who has a stretcher at home? The locals recently carried someone [an elderly, sick woman] in a makeshift hammock. They pulled a two-year-old child out of the swamp who almost drowned. They said that a 14-year-old boy was wandering around alone because the Polish security forces had sent his father back to Belarus and forgotten him. At first, the residents would inform the Polish authorities when they encountered refugees, as they assumed that they would then be taken to refugee centres and cared for. But they discovered that Polish security forces were instead putting people on military trucks and taking them back to Belarus.

Such refoulements are illegal under European and international law. But now the Polish government has *de facto* legalized these deportations.

Indeed, in mid-October, the Polish Parliament approved an amendment to the law that allows border guards to immediately turn back migrants. They can also be banned from entering Poland and the Schengen area for between six months and three years. If a person applies for asylum, they are still officially allowed to do so. The problem is, however, that in practice the asylum application is often "registered" by the border guards and people are always turned back. We know of one case where a person applied for asylum in the presence of a lawyer, a journalist and a

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border guard - but the application was simply ignored and the man was forcibly returned to Belarus. Even in Polish hospitals, which only a few people seeking protection eventually get to, they are deported to Belarus.

Are refugees registered in Poland?

Some people are, but the criteria used here are not at all clear. At first we thought that Poland could take in families or people in particular need of protection. But it turned out that this was also wrong. This is pure arbitrariness. The law no longer plays any role. It's like Russian roulette: sometimes the Polish authorities allow people to apply for asylum, and sometimes not.

What is the situation in the refugee shelters in Poland?

They are completely overcrowded because the Polish government has not provided more staff or more space. Those who end up there are safe for the moment, but the food is insufficient and people have less space than in a prison cell. And most of those who seek protection don't even get there, they are sent back. They have marks, wounds, bruises from being beaten by Belarusian security forces and turned away by Poles. The Belarusian soldiers force them through the sharp barbed wire fences at the Polish border or through individual holes in the fences, and the Polish soldiers force them back into Belarus through exactly the same routes.

And what does the EU say about this?

Nothing! It is unbelievable. From Brussels, one hears tones of condemnation of Lukashenko, but no criticism of the Polish government, despite the flagrant violation of the law in force. Things cannot go on like this! The EU must finally ensure that journalists, medical personnel and NGOs have access to the security zone. The Red Cross and similar organizations have trained staff and know how to deal with such situations. The Poles at the border can't take it anymore. They are traumatized, as are the activists in our organization. I myself am exhausted, I have never experienced anything like this in my life. Even some of the Polish border guards are crying and getting drunk because they can't take the psychological pressure anymore. One of them told me that he had pushed a child across the border - after all, that was the order - and that he was now having nightmares.

Saxony's Minister-President Michael Kretschmer (CDU) said: "We need fences, but we also need walls... Of course, no one is interested in walls, but it is now a matter of the European Union proving its credibility." What do you expect from Germany?

I expect Germany not to support the Polish government, which is breaking the law, but to support the migrants. But I keep hearing German politicians praising and supporting the Polish security forces and attacking Lukashenko. Of course he is to blame, but we are talking about a few thousand refugees! Some of them have relatives in Germany.

Can you give a concrete example?

Among the refugees at the border, for example, there is a Syrian woman whose parents have been granted asylum in Germany. She is ill and had gone to Belarus without her parents' knowledge in order to continue her journey to Germany. She lost her shoes in the mud of the jungle and walked in the forest for days in sub-zero temperatures. Then she had a severe epileptic fit. She was one of the few people who managed to reach a Polish hospital. She was admitted in an extremely critical condition. Her parents came from Germany to Poland, but at first they were not even allowed to see her because of anti-pandemic rules, and then only for fifteen minutes. This is the first time in years that they have seen their daughter, who is lying in a hospital bed with tubes. And there is always the risk that she will

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be sent back to Belarus. Please, Germany, loosen the bureaucratic hurdles and welcome such people!

What are the possibilities for action for the Helsinki Foundation for Human Rights, what can you do now?

We, a team of lawyers, refugee aid officers and human rights activists, provide support wherever we can. We provide legal representation for asylum seekers and, at present, we are also the contact for Polish citizens who live on the border and help there. Together with other aid organizations, we collect donations of money and goods, and then we go to the border with sleeping bags, warm jackets, shoes, etc. There we hand them over to the local population, who distribute them to people in need of protection. There is no shortage of help, the problem is that it has to reach the migrants. Since everything has to be improvised and, as I said, there is no professional support from the state, the EU or experienced aid organizations, it is difficult. How come the government leaves us alone to do this

One can see the frustration and exhaustion on your face...

And I'm not the only one who feels this helplessness. The jungle on the border used to be a paradise, many city dwellers used to settle there because it was so beautiful. Now it is hell. But in the midst of this hell, there is humanism and help. Only it is politically criminalized. Many people who have lived there for a long time remember the darkest times. They used to hide Jews in their houses in the region. Today they hide refugees in their houses, but they don't dare to tell their neighbours because the legal situation has become so confusing that they have to fear being put behind bars. For it is not only those who help, but also right-wing nationalists who call those who help refugees traitors and denounce them to the authorities. Recently, Polish human rights activists put an Iraqi refugee in their car. They now face eight years in prison for alleged human trafficking. In Poland! In the middle of Europe! In the 21st century! These are conditions I would not have thought possible. We are at war. It's like a damned war.

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