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Migrant Crisis on the Belarus-Poland Border

Since May 2021, Belarusian authorities have been accused of facilitating migration flows—mainly from Iraq but also from Syria, Afghanistan, and other countries in the Middle East and Africa—to Belarus and on to Belarus’s borders with neighboring European Union (EU) member states Lithuania and Poland (and, to a lesser extent, Latvia). See **Figure 1**.

From August 2021, the Belarus-Poland border has served as the focal point for people seeking to reach the EU via Belarus. Media reports have cited both individuals who attempted the journey and European officials as stating that Belarusian state-run agencies encouraged and organized travel. They also reported that Belarusian security forces escorted people to the border, prevented them from leaving, and facilitated destruction of border fencing. The crisis heightened in mid-November 2021 but then diminished, at least for the present. Several thousand migrants or asylum seekers remain in Belarus, and many reportedly continue to seek to cross the border.

The crisis that Belarus’s purported actions provoked has raised U.S. and international concerns about the use of migrants or refugees for political ends. The developments relate to several issues of interest to Congress, including Belarusian authorities’ human rights abuses and violations of international law, the use of so-called hybrid operations against U.S. allies in Europe, Russia’s role in such operations, Russia’s deepening military presence in and around Belarus and Ukraine, and humanitarian and legal concerns about the treatment of migrants and refugees.

Belarus: A Hybrid Attack?

Since 2020, the EU and the United States have imposed sanctions on Belarus in response to a crackdown on a mass protest movement in the wake of a fraudulent presidential election. They also have imposed sanctions in response to Belarus’s forced diversion of an international flight in May 2021 to detain a Belarusian dissident living abroad.

In response to Western pressure, Belarus’s leader Alexander Lukashenko suggested in May 2021 that Belarus would no longer stop “migrants and drugs” from entering the EU. At the end of June 2021, Lukashenko announced the suspension of a Belarus-EU readmission agreement, which required Belarus to accept the return of migrants who had transited Belarus to the EU. In August, Lukashenko said the EU had “put us in such conditions that we have to react. And we are reacting ... in the best way we can.”

On November 12, 2021, after having been granted access by Belarusian authorities, the U.N. High Commissioner for Refugees (UNHCR) and International Organization for Migration (IOM) reported the presence along the Belarus-

Poland border of approximately 2,000 asylum seekers, migrants, and refugees, including women and children, many of whom had been stranded for weeks. Makeshift camps on the Belarusian side near the border crossing point did not have adequate shelter, food, water, or medical care. At least 10 people reportedly died from exposure.

Figure 1. Belarus-EU Border



Source: Map created by CRS.

On November 16, some groups in the camps reportedly threw stones and other projectiles and sought to breach the border. Polish forces used water cannons and tear gas to disperse the crowd. German Chancellor Angela Merkel spoke with Lukashenko by telephone the next day (their second call that week). Subsequently, Belarusian authorities cleared the border area and provided migrants with shelter and relief items. The government of Iraq, which ceased air travel to Belarus in August 2021, arranged a return flight for more than 400 migrants; other countries’ airlines imposed new restrictions on flights to Belarus.

Some observers attribute Belarusian authorities’ newfound willingness to shelter and facilitate the return of migrants to their home countries to Lukashenko’s desire for official engagement with European leaders. Lukashenko may perceive, rightly or wrongly, that such engagement bolsters perceptions of his authority and legitimacy, after months of domestic challenges and international isolation.

The timing of Belarus’s about face—hours after international media broadcast images of Polish forces responding to migrants with riot gear—suggests another potential aim of Belarus’s actions: to generate scenes of chaos and violence that Belarusian (and Russian)

authorities could manipulate for purposes of anti-Polish and anti-EU propaganda.

Poland, Lithuania, Latvia, and the EU

Poland, Lithuania, and Latvia reacted to the crisis by declaring states of emergency, erecting razor wire fences, and reinforcing their border guards to prevent migrants and asylum seekers from entering their territory. As the crisis shifted to the Belarus-Poland border, the Polish government deployed 10,000 soldiers to assist border guards in patrolling Poland's 260-mile border with Belarus. Poland, Lithuania, and Latvia also began the process of building permanent walls along their borders with Belarus. Polish Prime Minister Mateusz Morawiecki declared that Poland was "under attack" by Belarus and called on NATO to take "concrete steps" to resolve the situation.

Despite ongoing tensions between Poland and the EU over issues related to Poland's domestic governance, EU leaders generally have supported Poland's view of the migrant crisis, expressed solidarity with Poland and the other affected states, and focused blame on Belarus. The crisis takes place at a time when many in Europe have expressed anxiety that the Taliban takeover of Afghanistan could trigger another wave of migrants seeking to enter the EU. During a 2015-2016 migration crisis, more than one million asylum seekers entered EU territory.

Advocacy groups have criticized steps by Poland and Lithuania that essentially legalize the "pushback" of migrants at the border. Human rights groups also have criticized Poland for preventing journalists and aid workers from going to the border. Poland rejected an offer of assistance from Frontex, the EU's border agency. Critics noted that accepting assistance from Frontex would have entailed greater oversight of Polish authorities' actions and procedures at the border. In recent years, Poland has pushed back against attempts to expand the EU's role in migration policy, maintaining that migration policy should remain the competence of national governments.

Role of Russia?

Since 2020, Russian authorities have provided diplomatic and financial support to Belarus, a close ally and economic partner. No evidence of a direct Russian role in organizing the migrant flows has emerged, but Poland's prime minister called Russian President Vladimir Putin the "mastermind" behind developments. Observers debate whether Lukashenko would pursue such actions on his own.

Russian officials have expressed support for Belarus in its confrontation with Poland and have used the crisis to promote anti-Polish and anti-EU propaganda. Putin criticized Poland and the EU for an unwillingness to accept migrants, accused the EU of failing to uphold humanitarian ideals, and highlighted Poland's use of riot gear against the migrants. In a phone call with German Chancellor Merkel, Putin reportedly told Merkel to deal directly with Belarusian authorities to resolve the crisis.

Humanitarian Issues and Policy

In response to urgent needs and to guard against further loss of life, UNHCR, IOM, and others, including the Belarusian

Red Cross, have provided some emergency assistance to migrants and refugees in the form of food, water, blankets, and clothing. Other Red Cross chapters and humanitarian organizations also have provided support. UNHCR and IOM reportedly pressed Belarusian and Polish authorities for an urgent resolution to the situation and offered to help assess the individual situations and needs of asylum seekers, migrants, and refugees while stressing the need to protect their human rights and safety. Humanitarian organizations had been advocating for unhindered access to this population, emphasizing that until the circumstances of an individual case are known, it is not clear what status and protection that person might be afforded. Potential options available for this population include (1) application for asylum in Belarus for those in need of international protection; (2) assessment of some asylum seekers and refugees, including family reunification in the EU; and (3) assisted voluntary, safe, and legal return home.

UNHCR, IOM, and others have stressed the international legal obligations and commitments of Belarus and Poland. While states have the right to manage border security and policies, they are obligated to abide by international law, including respect for human rights and the right to seek asylum. Poland and Belarus are both States Parties to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. UNHCR and IOM have jointly asserted that "both sides must uphold their obligations under international law and guarantee the safety, dignity, and protection of the rights of people stranded at the border." UNHCR and IOM emphasized that asylum seekers, migrants, and refugees "should never be used by states to achieve political ends" or as leverage in negotiations.

EU and US Response

Many observers contend that Belarus's actions are in response to Western sanctions and diplomatic pressure on Belarus for its prior human rights abuses and violations of international law. EU leaders have called the crisis a "hybrid attack" on the EU, with High Representative Josep Borrell describing Belarus's actions as "illegal and inhuman." The U.S. Department of State has "strongly condemned" Belarus's "callous and inhumane facilitation of irregular migration flows across its borders." The United States, the United Kingdom, and other European members of the U.N. Security Council have accused Belarus of seeking to "[destabilize] neighboring countries and the [EU's] external border and [divert] attention away from its own increasing human rights violations."

On November 15, 2021, the EU expanded the scope of existing sanctions against Belarus, making it possible to impose sanctions on "individuals and entities organizing or contributing to activities ... that facilitate illegal crossing of the EU's external borders." The Biden Administration has said it also is considering additional sanctions. Several Members of Congress have expressed concerns about Belarus's use of hybrid operations against European states and stressed the need to provide for the safety and security of mistreated migrants and asylum seekers.

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