



BRUTAL BARRIERS

Pushbacks, violence and the
violation of human rights on the
Poland–Belarus border


EGALA


OXFAM

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EXECUTIVE SUMMARY

Please note that this report includes descriptions and images that may cause distress, including images of open wounds and references to physical and sexual violence. While it is necessary to share these experiences to raise awareness of the situation for people crossing the Poland–Belarus border, please take your own wellbeing into consideration when reading this report.

'Imagine a 16-year-old girl trying to cross many borders, having no family with her. Never traveled alone before, never left her country. She has no idea how the European forests look like, how the route really looks like, how there is no kindness, how many miles you have to walk through and how many of these miles you have to walk alone. This is where my story about the border begins.'

Sainab, 18-year-old girl from Somalia, who crossed the Poland-Belarus border in 2023.¹

This report has been produced in partnership between Oxfam and Egala, a grassroots organization providing humanitarian aid, medical support and legal assistance to people on the move² at the Poland-Belarus border. It collects extensive existing evidence, testimonies from Egala volunteers and workers on the ground, and the voices of people seeking protection, in order to document the human consequences of restrictive, illegal and inhumane policies at this border.

People crossing the Poland-Belarus border not only face harsh environmental conditions but also human-made barriers, pushbacks and violence from both Belarusian and Polish uniformed personnel. This has created a **humanitarian and human rights crisis**, where people on the move are trapped in situations of deprivation and are at risk of illness, injury and death.

Since 2021, when the route from Belarus into Poland became more popular as a result of visas offered by Belarus and increasingly few safe routes to seek asylum in Europe, **Poland has adopted a policy of pushbacks** despite this being illegal under international law, European law and the Polish Constitution. Pushbacks involve forcibly returning people to Belarus without examining their asylum requests or following formal deportation processes, by transporting them to the borderline and forcing them to cross – usually outside of official border crossing points, and often in dense forests or swamps.

These pushbacks not only form part of a **systemic denial of the right to asylum** for people seeking protection at Poland's eastern border, but are also **directly putting lives at risk**, by leaving people in the wilderness, without food, water or aid, in some cases while suffering a life-threatening illness or injury. Pushbacks are sometimes accompanied by **acts of physical violence by Polish uniformed personnel**, including beatings and routine use of pepper spray.

The policy of pushbacks, together with extensive border fortifications on the Polish side – including a 5m-high border fence topped with razor wire – **can trap people in the border area**, an area known as the *Sistema* or 'death zone', for days, weeks or even months.


On the Belarusian side of the border, people on the move are subject to **unrestrained violence by Belarusian uniformed personnel and are deprived of food, water, medical care and shelter**. This includes deliberate 'punishments' for people who are pushed back from Poland, who find themselves trapped in a cycle of abuse.

These conditions create urgent humanitarian needs for many people at the border – including for food, water, clothes, medical care and legal advice. However, the **humanitarian response is limited**, with most aid coming from small local organizations, activists and community members on the Polish side. These groups often provide lifesaving assistance in the forests, but lack resources and face access challenges – particularly due to the exclusion zone re-established around the border by the Polish government in June 2024. They are also subject to criminalization and harassment.

While there was hope that the situation would improve after Poland's right-wing populist government was voted out of office in October 2023, **over the course of 2024 conditions at the border in fact continued to worsen**. Humanitarian organizations report a surge in violence against people on the move, while Poland's new administration under Donald Tusk enacts increasingly restrictive laws. The most controversial is a bill approved by Poland's Parliament (Sejm on February 22, 2025, and Senate on March 13, 2025), granting the government the authority to temporarily suspend the right to seek asylum—despite violating both European law and the Polish Constitution.

RECOMMENDATIONS

- **The Government of Poland must end illegal pushbacks and ensure access to individual asylum procedures; repeal the recently adopted bill allowing the suspension of asylum right;** ensure all people at the border are treated humanely and in accordance with human rights standards; repeal the law adopted on July 26, 2024 decriminalizing the use of firearms at the border; grant humanitarian and human rights organizations meaningful and unrestricted access to the border area; drop charges against people facing criminal charges for legitimate humanitarian action; end the use of dehumanizing language about people crossing the border; and provide an independent border monitoring mechanism.
- **The Government of Belarus must prevent, investigate and punish all cases of abuse against people on the move;** end forcible movements, in full respect of people's rights to move freely within and to leave Belarus; provide genuine access to asylum procedures; and support the provision of humanitarian assistance to those in need at the border.
- **Relevant European Union (EU) institutions and agencies, supported by EU Member States, must investigate and follow up on potential violations of EU law by Poland at the border;** publicly condemn human rights abuses and policies not in line with EU laws and regulations; end political, financial and operational support for Polish border protection activities used to facilitate the violation of human rights; and direct greater support to Poland's asylum process and reception systems.
- **The international community, including relevant UN agencies, non-governmental organizations (NGOs) and European civil society, must publicly condemn the violation of asylum rights at the border;** support the provision of humanitarian assistance to people on the move at the border and monitor the conditions they face, including by seeking to fill knowledge gaps on protection issues.

A close-up photograph showing a person's hands pouring water from a black thermos into a white plastic cup. The person is wearing a dark jacket and a red string bracelet. The background is dark and blurry, suggesting an outdoor setting at night.

Humanitarian intervention taking place in a forest at night, in cold temperatures. Photo: Małgorzata Klemens/Egala Association, November 2024



INTRODUCTION

Since the middle of 2021, **Poland's border with Belarus has been the site of an unfolding humanitarian and human rights crisis.** In 2021, Belarus began facilitating visas for third-country nationals to travel to Belarus, advertising the option as part of a safer route to reach the EU by crossing Poland's eastern border.³ Since then, with few other options to seek safety, many people – mostly from fragile countries in Africa and the Middle East – have sought to cross this border.

People on the move at the border face harsh natural conditions, but also increasing physical barriers and militarization, the denial of asylum, human rights abuses on both sides of the border, and extremely limited humanitarian support. As a result, **thousands of people are facing life-threatening conditions at the border.** Yet the core humanitarian crisis that is unfolding continues to be ignored.

This report describes the situation as reported by humanitarians and activists working in the border region, as well as migrants themselves. It summarizes some of the key humanitarian and human rights issues that need to be addressed and compiles accounts of **pushbacks, denial of the right to seek asylum and other human rights abuses occurring at the border, including violence**

from uniformed personnel on both the Polish and Belarusian sides. Not every testimony can be independently verified – particularly given access challenges and a lack of systemic or official monitoring – but the testimonies are consistent with a multitude of reports published by human rights organizations and the media since this humanitarian crisis began.

The Poland-Belarus border, also known as the 'green border,' passes through the Białowieża Forest. This is one of the last and largest remaining parts of the once immense primeval forests of Europe, where the terrain is often dangerous and difficult, and temperatures can be extreme. **The border itself is a complex, multi-layered barrier** made up of natural obstacles such as rivers and forests, but also human-made fences, razor wire and 'smart walls' equipped with sensors and cameras.

For the past three years, humanitarian organizations working at the border, as well as journalists, activists, and migrants themselves, have repeatedly reported violations of the rights of people on the move in the border region. **People face pushbacks and the denial of their right to request asylum, as well as violence from uniformed personnel on both**

FIGURE 1 NO-ENTRY ZONE AT THE POLAND-BELARUS BORDER (IMPLEMENTED ON 13 JUNE 2024)



the Polish and Belarusian sides. Pushbacks are the practice of authorities preventing people from seeking protection by forcibly returning them to another country without examining their individual case or without any formal legal process. Pushbacks are illegal under European and international law and at the Poland-Belarus border they leave people in very vulnerable situations, often trapping them in the harsh conditions of the border area for extended periods.

This situation creates **significant and urgent humanitarian needs** – including for food, water, medical care and legal advice. The Government of Poland has increasingly responded by adopting securitized language and policies, which has only served to exacerbate the crisis. The burden of providing humanitarian assistance has fallen largely to a handful of humanitarian organizations and informal coalitions of locals and activists, who face criminalization and harassment as a result of their activities.

Despite hopes for an improvement following the change in Polish government in October 2023, **the situation at the border deteriorated throughout 2024 and beginning of 2025.** Local humanitarian organizations recorded over 3,000 pushbacks last year,⁴ and have spoken out about increasingly brazen pushbacks, violence and a rise in anti-immigrant narratives. The Polish government has also introduced dangerous new policies, including the reintroduction of an exclusion zone at the border and measures allowing suspension of the right to seek asylum at the Poland-Belarus border. These new policies have contributed to restricting the access for humanitarian organizations and journalists, decreasing oversight of the situation and further legitimizing human rights violations at the border.

The Egala Association was established in December 2021 in Białystok, in response to the humanitarian crisis at the Poland-Belarus border. It is a member of Grupa Granica (Border Group), a grassroots initiative dedicated to supporting people on the move along this border. Egala currently focuses on delivering humanitarian assistance, providing medical first aid, food, water and warm clothes, and offering legal and psychological support. It actively monitors human rights violations, raises public awareness about the situation at the border, and educates the community on issues related to migration and refugees. Egala's case workers support people on the move receiving care in Podlasie hospitals and those held in the Białystok guarded center for foreigners. They also assist individuals seeking international protection with their integration into life in Poland.

Oxfam established a humanitarian response to the Ukraine crisis in 2022, including a program in Poland to support refugees fleeing the war. In 2023 it began partnerships with three organizations responding to the humanitarian crisis at the Poland-Belarus border – The Egala Association, Helsinki Foundation for Human Rights, and Polish Humanitarian Action – as part of its commitment to provide support to refugees in countries where it work, regardless of their nationality. Oxfam supported these partners to provide aid in the forests and detention centers, and they continue to work together to raise awareness about conditions at the border.



WHAT IS IT LIKE
AT THE BORDER
BETWEEN POLAND
AND BELARUS?



Typical winter conditions in the Białowieża Forest: deep swamps that are extremely challenging to navigate.
Photo: Małgorzata Klemens/Egala Association, November 2022

CAUGHT IN HARSH CONDITIONS: 'IT'S A TRAP'

The border region is a harsh and inhospitable environment, characterized by difficult terrain and extreme weather conditions. The Białowieża Forest makes up a significant part of this area, with thick underbrush and uneven ground making travel slow and treacherous. The area also features several rivers and large swamps which are difficult and dangerous to cross, especially during rainy seasons. In winter the temperature can plunge below -20°C , with heavy snowfall and icy winds. Lack of clean water, particularly in summer, often leads quickly to dehydration.

On the Polish side, a border fence and additional fortifications make it difficult to cross further into Poland. The Belarusian side to the east is a densely forested area a few kilometers wide, containing marshes and rough terrain as well as concertina wire entanglements and a Soviet-era fence. **This area has become known as 'the Sistema' ('the system')**. It is worth noting that a strip of the *Sistema* is within Polish jurisdiction, as the border fence is built several meters into Polish territory.

'I was walking through the forest. I was checking my back all the time to look for Polish soldiers, even when I was many miles from the border, I was afraid they would catch me. I had not eaten for a long time, so I had no energy. I was close to the river so I was going through a lot of mud and swamps. I was wet, I was slow, because I had to move through deep mud. I was even walking on my knees to get safely to dry soil. I will never forget the sound of mosquitos all around. It was getting darker when I entered another swamp. I hoped it would end soon, but instead I was walking deeper and deeper into the water.'

Sainab, 18-year-old girl from Somalia

'It's June, the middle of summer, and I just met a man with first-degree hypothermia. He was emaciated and he hadn't drunk anything... which made him more vulnerable to hypothermia... A week or two ago, we found a man in the forest alone. He didn't have a phone, his group had left him as he wasn't able to walk – his legs were sore and swollen from trench foot. If we hadn't found him by chance, I don't know what his fate would have been.'

Jagna,⁵ Egala volunteer and professional medic

People on the move can become trapped in the *Sistema* for weeks or even months, caught between the border fortifications and facing pushbacks

from both sides. In June 2024, Médecins Sans Frontières (MSF) estimated that the patients they saw who made it to Poland had been stranded in the forest for around 21 days on average, and up to 90 days in the worst cases.⁶ As humanitarian aid workers are unable to access the *Sistema*, people are left without any access to food, water, shelter or medical aid. As a result, this area is also known in Arabic as *Muharrama* (a shortened form of the expression *muntaha muharrama*, meaning 'no man's land') or simply 'the death zone'.

Exposed to harsh elements for long periods, people face hunger, severe exhaustion, dehydration, stomach problems (caused by drinking contaminated water from swamps), trench foot, frostbite and hypothermia.⁷ They are also at risk of violence from Belarusian uniformed personnel, and have no access to legal procedures.⁸ Being trapped in this area for prolonged periods significantly increases risks of gender-based violence and death.⁹



A coat caught in the razor wire that lies on the western (Polish) side of the fence. Photo: Anna Kolber/Egala Association June, 2024

'It's a trap. They can't move from that side, or from this side – they have no way out. Sometimes it happens that people spend a week there and then manage to pass, but sometimes they spend four weeks, six weeks, two months. We meet people and we don't know how many pushbacks they've survived, how much time they've spent there – and how many of their loved ones are buried there as well.'

Jagna, Egala volunteer and professional medic

BARRIERS AND THE BORDER FENCE: A FILTER, NOT A DETERRENT

'It's not a deterrent, it's a filter – it traps the most vulnerable.'

Judyta Kuc, Head of Mission Support and Advocacy, MSF

In 2022, with the stated aim of deterring crossings, **the Polish authorities erected a 5m-high fence, topped with razor wire, which sits just inside Polish territory.** On the western (Polish) side of the fence, a 15m-wide border road is lined with additional 2m-high concertina wire entanglements. This area is heavily patrolled and regularly monitored by thermal and day/night surveillance cameras, motion detectors and drones.¹⁰ Even people who make it through these physical fortifications must then navigate swamps and rivers while attempting to avoid detection. The operations of the Polish Border Guard, which is responsible for protecting the border and accepting applications for international protection, are supported by Polish military forces.¹¹ Construction of the fence and surveillance infrastructure at this border have been partially supported by finance from the EU.¹²

Rather than deterring or preventing crossings, the evidence suggests that these fortifications

have only created a more dangerous environment for people on the move. The number of requests for assistance to humanitarian organizations was actually 66% higher in the period following the erection of the fence than prior to its construction, suggesting that the fence did not significantly decrease the number of people attempting to cross – although it may have caused more people to require humanitarian assistance.¹³

Medical NGOs also report that **the fence and razor wire have increased the risk of serious and potentially deadly injuries** for people on the move.¹⁴

These include broken limbs, broken pelvises, head trauma, head injuries, and cuts.¹⁵ MSF reported that between January and September 2023, almost 40% of its patients at the Polish border showed injuries caused by the border infrastructure, including blunt injuries, sprains, deep cuts and suspected fractures.¹⁶ Local organizations also saw a surge in fractures after the introduction of electronic monitoring systems, as people started trying to cross the barrier more quickly to avoid detection. The fence also drives people to attempt more dangerous crossings, in places where the fence does not reach – including through swamps, wetlands and rivers. This increases their risk of drowning, injury, hypothermia and death.¹⁷

The fence infrastructure disproportionately impacts the most vulnerable people, including children, elderly people and people with disabilities, illnesses or existing injuries; these individuals are most likely to suffer harm from the fence, particularly when they are trapped in the border region and cut off from medical care and humanitarian assistance.¹⁸

'Does the wall deter people? Statistically, no. It just makes things more miserable. People climb on it, they jump from it, they break bones. It's just another form of torture.'

Monika Matus, Senior Advocacy Specialist, MSF

TIMELINE: WORSENING CONDITIONS AT THE BORDER

Oct 2023	Donald Tusk's government is elected after nine years of rule by the right-wing populist Law and Justice Party (PiS) in Poland. The PiS government had taken a harsh anti-immigrant stance – criminalizing actions of solidarity at the border, blocking humanitarian access, and encouraging violence and pushbacks. Tusk's more EU-friendly stance brings cautious hope for improvement from human rights and activist organizations, although he also employed anti-immigrant rhetoric during his election campaign.
Dec '23 to May '24	Pushbacks at the border continue. Between the government taking power on 13 December 2023 and mid-May 2024, the Border Guard reports over 4,000 people being 'returned to the borderline' (pushed back) in its public statements. ¹⁹
18 May 2024	Poland announces the launch of the 'Shield East' fortification plan, an initiative costing over 10 billion PLN (€2.3bn) to intensify the system of fortifications, barriers and military activity on the borders with Belarus and Russia. ²⁰
6 June 2024	A Polish soldier tragically dies after sustaining stab wounds in a violent incident involving a person at the border, sparking media outrage and a government crackdown.
13 June 2024	The Polish government reintroduces an extended exclusion or 'no-go' zone, initially for a period of 90 days, preventing humanitarian organizations, activists and journalists from accessing the border area. The period of operation of the no-go zone is continually extended for 90-day periods, and it is still in place as of March 2025.
13 July 2024	A controversial new law is passed in Poland exempting soldiers, border guards and police officers from criminal liability for improper use of weapons at the border.
15 Oct 2024	Poland announces a new migration strategy, titled Regain Control, Ensure Security, containing a proposal to allow the government to 'temporarily and territorially' suspend the right to asylum. This causes outcry across civil society and academia, and even from within the government's ruling coalition. ²¹ Despite this, a draft law to implement the suspension is announced in December 2024.
11 Dec 2024	The European Commission announces that it will step up support to 'counter hybrid threats from the weaponization of migration,' including making an additional €52m available to Poland to enhance border surveillance. ²²
13 March 2025	The Polish Parliament approves a bill that would allow the government to introduce measures to temporarily suspend the right to seek asylum.

PEOPLE ON THE MOVE AT THE BORDER: WHO IS TRYING TO CROSS?

Available data indicates that the majority of people trying to cross the border come from Africa and the Middle East; the most common countries of origin fluctuate from month to month, in 2024 they included Syria, Ethiopia, Somalia, Eritrea, Sudan and Yemen.²³

‘The ones we help just have their dreams. Sometimes they want to be a road technician, someone wants to build bridges, someone wants to be a doctor. But very often their motivation to leave their country is that they have lost everything – they have lost their mother, father, siblings, and there is nothing keeping them in that country, which is dangerous, anymore. They just want to live safely. And that’s it.’

Jagna, Egala volunteer and professional medic

‘I am from Sudan. I used to live in Nyala, in South Darfur. I had to move out of my homeland because civil war broke out there. [...] It was a difficult time for us, we fell asleep and woke up to the roar of gunfire. We saw the wounded and the dead, we saw houses destroyed – there was not a single building that was not damaged. It also got to the point where families forbade young men from leaving their homes because they were targets for the rebels. [...] So I had to leave, although if it hadn’t been for the war I would never have left.’

Mubarak, who was pushed back multiple times before successfully applying for international protection in Poland²⁴



In the forest in Poland, a worker from Egala talks with a group from Syria. The group, made up of two women, two young men and a 10-year-old child, had already spent several days in the forest in Poland without access to food or clean water. Photo: Oxfam, June 2024

Stories collected by humanitarian organizations about people's motivations for crossing the border repeatedly feature the need to flee their home country due to violence and persecution.

People on the move at this border have typically traveled by plane to Belarus or Russia from their home country or a neighboring country, and then come to the border area by car, before attempting to cross the border to Poland on foot.

Demographic data collected by humanitarian organizations shows that the majority of people they encounter are men, with significant minorities

of women (including pregnant women) and children (including unaccompanied children) also crossing through the region. MSF reports that its medics encounter 'people in the forest of all genders and all ages,' including people from vulnerable groups.²⁵

'[We see] parts of families, separated families, married couples, women with children, young people.
Justyna, Egala hospital volunteer²⁶

REQUESTS FOR ASSISTANCE RECEIVED AT THE BORDER IN 2024



5,615
requests for
assistance
including
686 women and
469 children

Photo: Egala Association, November 2021
Source: *We Are Monitoring* data provided to Oxfam, January 2025



PUSHBACKS AND VIOLENCE IN POLAND

ATTEMPTING TO LEGALIZE THE ILLEGAL: THE POLISH POLICY OF PUSHBACKS

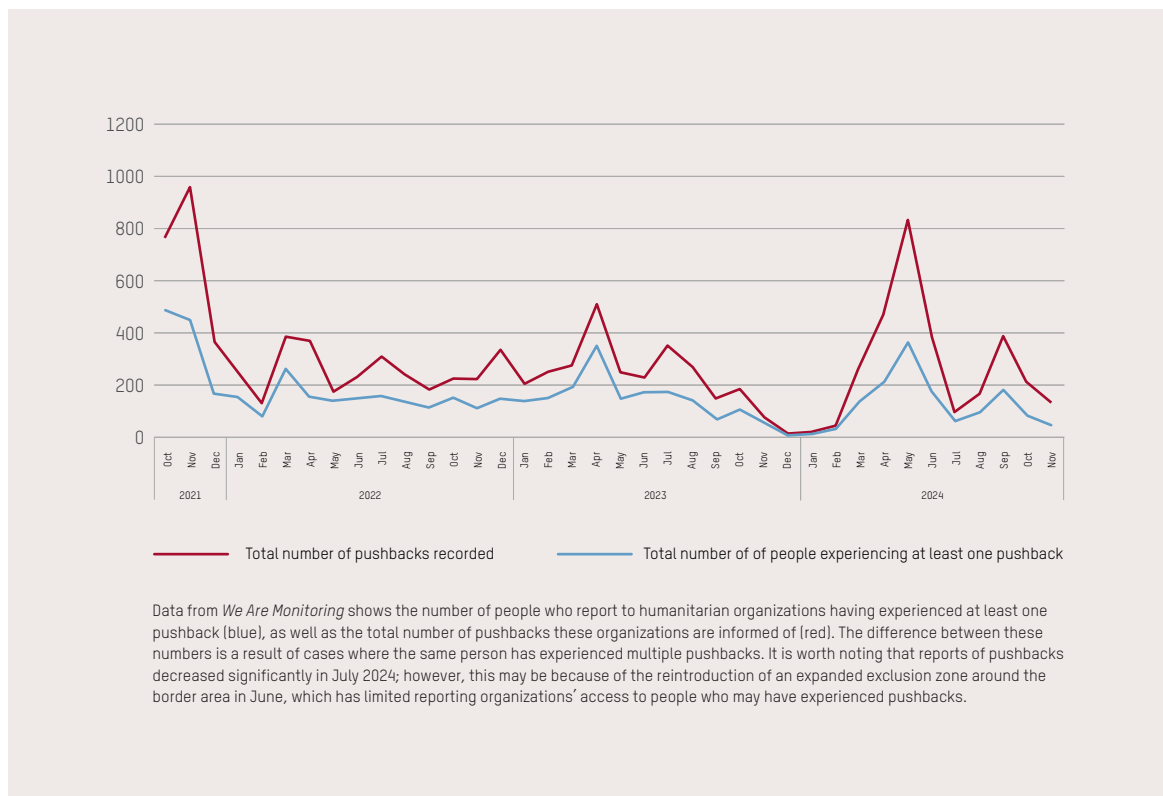
From the middle of 2021, the Polish government adopted a policy of pushbacks to Belarus – a practice that has continued. **In 2024, organizations at the border encountered 1,555 people who had experienced at least one pushback**, and early 2024 saw an alarming spike in overall reports of pushbacks, which reached their second-highest level since records began in 2021.²⁷ (For more on available data on the number of pushbacks, and the challenges of accurately estimating this figure, see below: [Available data and trends on border crossings](#)).

Testimonies of pushbacks have been well documented by NGOs²⁸ and journalists.²⁹ These are not singular occurrences but rather are part of a systemic, policy-driven response. Indeed, cases of groups of people ‘returned to the border’ – as the practice is termed by Polish authorities – have been communicated officially by the Polish Border Guard³⁰ and confirmed by individual border guards when asked.³¹

In August 2021, the Polish government attempted to ‘legalize’ the practice of pushbacks, enacting two Ordinances giving the Border Guard the power to reject any application for international protection without examination and without the opportunity to appeal.³² In March 2025, the Polish Parliament approved measures to allow the ‘temporary and territorial suspension of the right to asylum’ as part of its new migration strategy³³, representing a significant development in Poland’s efforts to legalize pushbacks (see below, [Systemic denial of the right to asylum](#)).

Despite these developments at a domestic legislative level, the practice of pushbacks remains illegal – under international law, European law and the Polish Constitution. As a result, both domestic³⁴ and European courts³⁵ have repeatedly found pushbacks by Polish border forces to be illegal, including as recently as July 2024.³⁶ The Commissioner for Human Rights of the Council of Europe has called on Polish authorities to ‘put a stop to all summary returns to Belarus and ensure every person who wishes to claim international protection on Polish territory is effectively able to do so.’³⁷

FIGURE 2 PUSHBACKS AT THE POLAND-BELARUS BORDER



International law

The principle of non-refoulement prevents states from expelling or returning someone to territories where they may face threats to their life, persecution, or torture, inhuman or degrading treatment.³⁸ This principle is a keystone of both refugee law and human rights law, and a vital part of protecting people from torture and persecution. It is 'characterised by its absolute nature without any exception.'³⁹ This principle means that states cannot push back people without an assessment of whether they will face these forms of ill-treatment, regardless of their circumstances. Countries are also specifically prohibited from penalising asylum seekers for 'their illegal entry or presence' when coming from a territory where their life or freedom was threatened.⁴⁰

European law

The principle of non-refoulement is also part of binding law covering the 46 countries party to the Council of Europe, under the European Convention on Human Rights (ECHR),⁴¹ where it is also non-derogable.⁴² Additionally, people are protected from collective expulsion, irrespective of whether they arrived in a state legally.⁴³ This, again, places an obligation on states to review individual cases before expelling people from their territory.⁴⁴

The pushbacks occurring at the Poland-Belarus border also appear to be contrary to Poland's obligations under the laws of the European Union (EU), which protect against non-refoulement⁴⁵ and collective expulsion.⁴⁶ EU regulations on processes for the returning of people require proper procedural safeguards and respect of fundamental rights and the dignity of the person involved, even when they enter the territory irregularly.⁴⁷ These procedural guarantees include giving foreigners the possibility of filing an application for protection, and the right to appeal decisions about their removal.⁴⁸

Polish law

Case law of Polish administrative courts has made it clear that returning foreigners to the borderline pursuant to the regulations introduced in August 2021 is illegal.⁴⁹ Domestic courts have held that one of the Ordinances purporting to legalize pushbacks was issued in excess of statutory authority and should therefore not be applied.⁵⁰ Questions have also been raised about whether the Ordinances are consistent with Poland's Constitution, which includes the right to seek asylum.⁵¹



A man from Afghanistan who had reportedly been beaten by Polish uniformed personnel. The injuries on his hands were possibly caused by crossing the razor wire fence. Humanitarian workers called for an ambulance and insisted on providing medical help. The man was taken away by a military ambulance but never appeared at any nearby hospital – suggesting that he was most likely pushed back to Belarus. Photo: Małgorzata Klemens/Egala Association, March 2024

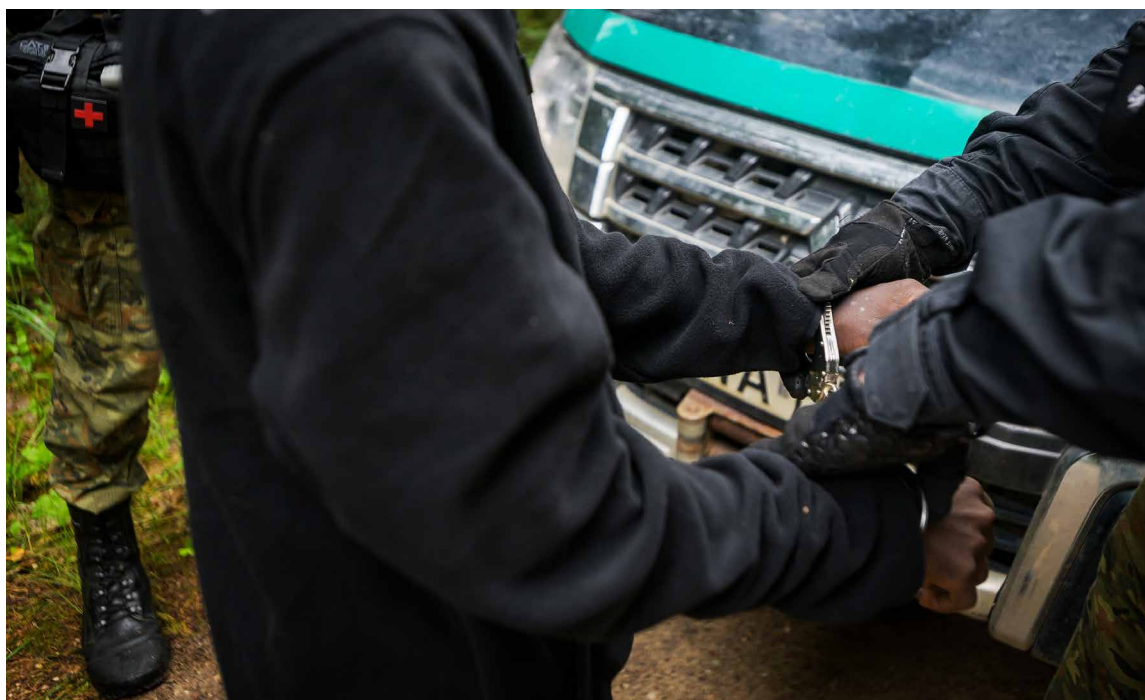
WHAT DO PUSHBACKS LOOK LIKE AT THE POLISH BORDER?

Border forces come into contact with asylum seekers through their patrols and surveillance of the border, and due to being notified by emergency services, humanitarian workers or people on the move themselves, who may reach out to lodge a request for asylum or seek assistance. **Not every person is pushed back – some applicants, particularly when assisted by humanitarian workers, are admitted to asylum procedures. But pushbacks are generalized and systemic**, with some asylum seekers reporting being apprehended even several kilometers into Polish territory and summarily forced back to Belarus.⁵²

People who are pushed back are transported in Border Guard vehicles, sometimes directly to the border and sometimes via Border Guard facilities.⁵³ Those who are taken to such facilities report being detained there for periods ranging from several hours to several days – at times in acceptable conditions, but in some cases without access to toilets, heating, food or water.⁵⁴

A pushback involves taking a group or individual to the fence-line, usually outside of official border crossings and often deep in the wilderness, where they are directed to cross the fence – or, in some cases, a border river.⁵⁵ These pushbacks are sometimes accompanied by acts of physical violence (see below, Violence at the hand of Polish uniformed personnel). People from vulnerable groups have also been subject to such pushbacks, including minors (some of them unaccompanied),⁵⁶ pregnant women⁵⁷ and people with serious injuries (see below, Pushbacks putting lives at risk).

These pushbacks are not formal deportations – people’s requests for international protection are not substantially examined before removal, they do not have the chance to appeal the decision through the usual administrative procedures, and they are not returned through a formal process.⁵⁸ Indeed, in 2023 it was reported that 90% of people ‘returned to the borderline’ did not receive any documentation of the decision to expel them.⁵⁹ What has already been a de facto reality at the Poland-Belarus border for the past three years may be further institutionalized with the implementation of the new law suspending the right to asylum in this border territory.



A 14-year-old Sudanese boy is handcuffed after requesting international protection in Poland in the presence of border guards and with the assistance of Egala workers. The boy was pushed back to Belarus – Egala’s team encountered him again in the forest on the Polish side of the border almost one month later. Photo: Małgorzata Klemens/Egala Association, June 2024

MUBARAK'S STORY: A TYPICAL JOURNEY

Mubarak fled his home in Sudan in June 2023. In neighboring Chad, he was able to buy a Russian visa. He flew to Moscow in late July, spending only one night there before traveling to Belarus. A few days later, he reached the forest on the border with Poland and began walking west with a group of other people of varying nationalities.

The group was stopped by Belarusian Border Guards in the area near the Polish border. 'They took all our food, drinks and phones and told us to go towards Poland,' Mubarak says. After reaching the border, the group waited in the forest, trying to choose the right moment to avoid Polish patrols and cross the fence. 'We spent 13 days like this, eating one meal a day and drinking dirty water.'

On the 14th day, the group crossed the fence into Poland but were soon surprised by Polish border guards on patrol, who used a flashbang grenade on them. Mubarak ran. He managed to evade the patrol and eventually found himself with two others, separated from the rest of their group and without a phone. They searched for the others in the Polish forests near the border, but after three days, running out of food and water, they decided to leave the forest and ask for help.

When they came out into the open, border guards were soon called. Mubarak and his travel companions asked the border guards for international protection in Poland, but they were not admitted to asylum procedures. 'They did not take us to the police station, but straight [back] to the border,' he says. 'There they searched us, beat us, then opened the door in the fence and sprayed [tear]gas in our eyes and threw us back to Belarus.'

Mubarak and one of his travel companions waited for another chance to cross the border. 'We tried to cross many times until we stopped distinguishing the days,' he says. On September 3, 2023, they finally succeeded.

Once again on the Polish side of the fence, they tried to walk to a location provided to them by a smuggler, who they contacted using a phone borrowed from someone they had met in the forest. They walked until 1am, when they

were spotted by Polish border guards. Mubarak describes what happened next: 'Headlights flashed, a "Stop! Stop!" command sounded through a megaphone, some of us fled, some of us stopped. I stopped. The border guard ran up to us and beat us, completely without reason. I was hit in the eye with a baton.' Mubarak pushed his attacker away and ran, stumbling through the forest with difficulty due to his injured eye. He managed to lose the border guards and found one of his companions. The two hid together in the dark until 4am.

The smuggler sent them a new pick-up location, but Mubarak's eye was hurting badly. 'It was swelling and bleeding all the time,' he recalls. He decided to call a humanitarian organization operating in the forest (Egala), who came to find them. 'They cleaned my eye, put a bandage on it, gave me drops and pain pills. They also gave me provisions and water and new clothes. They saved me.' Afraid of losing his sight, Mubarak asked the Egala workers to help him contact the Border Guard and apply for protection. With their help, he was able to successfully apply, and was taken to a border guards office, then a hospital, and finally a detention center to await the results of his application. He thinks that if the Egala workers had not been with him, he would not have been able to enter international protection procedures: 'If it wasn't for them, the guards would probably have taken me to Belarus again.'



Mubarak speaking at a Grupa Granica media conference in July 2024, where he shared his experiences of crossing the border. Photo: Wojciech Radwański, July 2024



During a forest intervention at night, Egala representatives help a woman fill out forms to apply for international protection. Photo: Małgorzata Klemens/Egala Association, June 2024

SYSTEMIC DENIAL OF THE RIGHT TO ASYLUM

Pushbacks at the border operate as part of a systemic denial of access to asylum. In the past the Polish government has asserted that people are able to apply for asylum at official border crossing points.⁶⁰ However, only one border point, Terespol, remains open, and applying for asylum there has been reported by Human Rights Watch to be 'extremely difficult.'⁶¹ Even prior to 2021, multiple sources found grave systemic irregularities in acceptance of applications for international protection at official border crossing points.⁶² According to an assessment by Protecting Rights at Borders (PRAB) in 2024, **there has been a**

de facto lack of opportunities to submit a claim for several years, and even once someone has entered Poland, 'requests for international protection appear to be ignored.'⁶⁴

'For us, even before the voting on the new law, in practice the asylum law was already basically suspended.'

Katarzyna Potoniec, Head of Egala

'People who crossed the "green border" and were caught by soldiers or border guards, even if they ask for protection, are most often pushed back to Belarus.'

Olga*, Egala employee⁶³

Asylum requests from people on the eastern side of the border fence are almost always ignored by Polish border forces, who have told humanitarian workers that they consider this area to be a no-man's land. This is despite the fact that the fence lies on the Polish side of the borderline, people are already standing in Polish territory if they stand against the fence and are thus entitled to request asylum.

As recently as July 2024, the Polish government maintained that the only people returned to the borderline were ‘migrants who are not interested in applying for international protection.’⁶⁵ However, in the experience of Egala staff and volunteers, people who do make an asylum request to Polish Border Guards in the forest are very unlikely to be allowed to enter asylum procedures. Some asylum seekers have reported that, upon requesting asylum, they were told they are not welcome in Poland or should return to their home countries.⁶⁶ Generally, it seems that **asylum seekers only have a good chance of being successfully admitted to asylum procedures if assisted by humanitarian organizations or Polish lawyers.**⁶⁷

However, even having witnesses to the asylum request was never a guarantee against pushbacks. In 2024, pushbacks were increasingly reported even when the applicant submitted an asylum request with the presence or assistance of humanitarian or activist organizations. In June 2024, organizations providing humanitarian aid at the border released a statement warning that they had begun to see ‘documented cases of people being thrown over the border with Belarus, people who explicitly and in our presence asked for international protection.’⁶⁸ Between June and December 2024, the organization *We Are Monitoring* recorded at least 165 cases of people who were pushed back after having expressed their intention to apply for asylum in the presence of humanitarian workers.⁶⁹

Some asylum seekers, including those who requested asylum in the presence of observers, report having been taken to Border Guard facilities and coerced to sign papers renouncing their intention to apply for protection.⁷⁰ These people report being manipulated (for example, through lack of translation of the document or false promises of being able to remain in the EU),⁷¹ intimidated or beaten to make them sign.⁷² Both people who signed and those who refused to sign report subsequently being summarily returned to Belarus.⁷³

‘The Border Guard have recently been pushing back people who have already applied for international protection. They are using all sorts of tricks to prevent these people from applying.’

Mateusz, Egala employee⁷⁴

The Polish government’s law to introduce measures for ‘temporary and territorial suspension of the right to asylum’ is likely to significantly worsen the current situation at the border, increasing the denial of asylum rights and placing more people at risk.

The law, which passed through the Parliament’s vote in March 2025, specifies that only people from certain vulnerable groups (e.g. unaccompanied minors and pregnant women) will be allowed to apply for asylum.⁷⁵ This is clearly contrary to laws regulating asylum, which contain no requirement that someone must be from a vulnerable group in order to apply. On top of this, the law contemplates only a very narrow definition of vulnerable groups, and the exceptions made for these groups do not apply where they are deemed to have ‘crossed or attempted to cross the border with violence and in cooperation with other persons.’ Significantly, the law offers no procedures for identifying, or excluding, people from groups permitted to apply, nor any appeal mechanism for this decision. This gives Border Guard personnel ‘excessively broad discretion’ to choose on the spot who they will or will not allow to enter asylum procedures.⁷⁶

It is not possible to know what effect this law will have until it is implemented; however, it will almost certainly increase the number of people who are denied the opportunity to apply for asylum. Without any mechanism proposed by the law to deport people whose requests have been refused, or a procedure for monitoring these requests, it is highly likely that it will also lead to an increase in illegal pushbacks and a decrease in the transparency of the actions of Polish authorities. It will place huge decision-making power in the hands of individual border guards, further discouraging people on the move from seeking the assistance of authorities when in distress. As a result, the policy is also likely to increase the risks of death, exploitation, extortion and gender-based violence.

PUSHBACKS PUTTING LIVES AT RISK

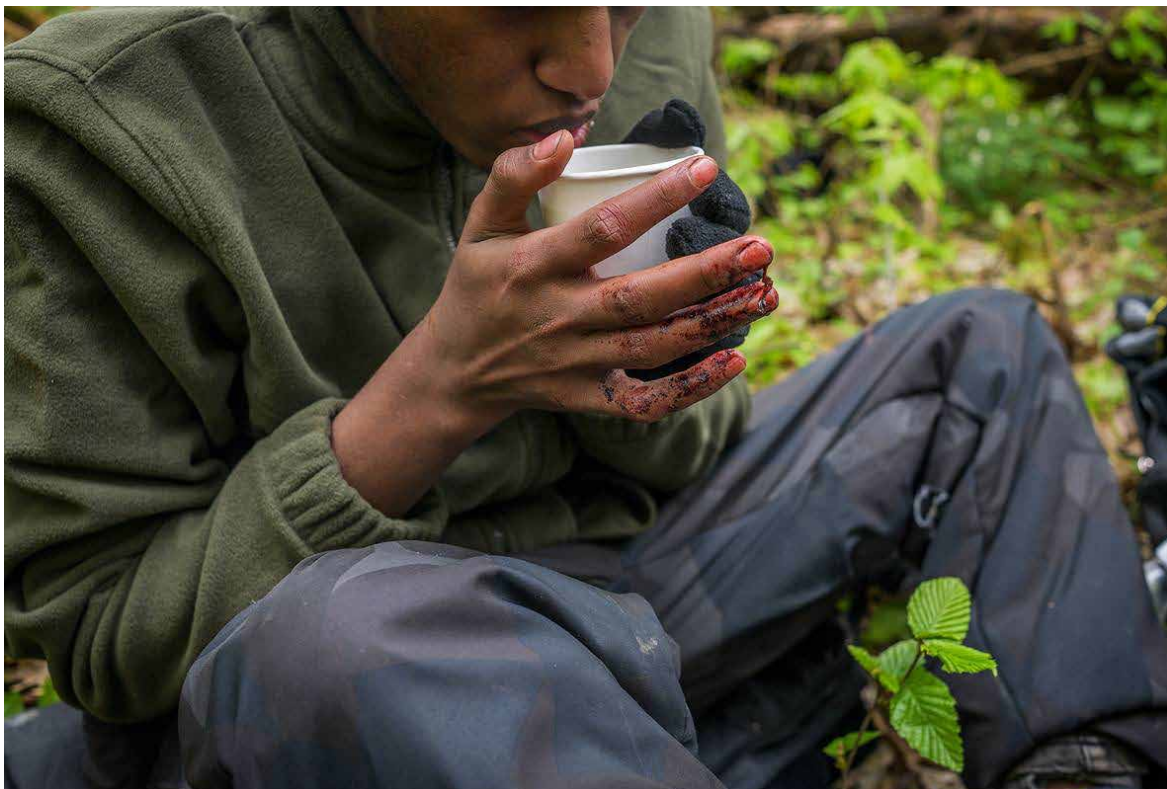
The pushbacks occurring at the Poland–Belarus border are not just infringing on people’s right to seek asylum – they are **exposing people to significant risks to health and life**. Pushbacks usually occur through the border fence, away from official border crossing points, in densely wooded or marshy terrain. This leaves people exposed to dangerous conditions, with few options to travel to safety. In colder months, the weather conditions alone represent a threat to the life of people in the wilderness.⁷⁷ While everyone in these areas faces significant risk, people from certain groups – including children, elderly people, women and people with disabilities, illnesses or existing injuries – are particularly vulnerable.

The way pushbacks are carried out often exacerbates these dangers. Multiple sources report cases of people being deliberately forced to cross border rivers or swamps, sometimes in very cold temperatures.⁷⁸ There are reports of Polish border guards confiscating or destroying

people’s belongings, including phones, SIM cards, money, clothing, shoes, and identification or other documents,⁷⁹ leaving them without the means to navigate, call for help or find shelter in the wilderness.⁸⁰

‘Women especially face certain risks connected to gender-based violence and sexual violence. But there’s not much we can do. This is one of the most frustrating things. When there is a group of women, we make sure they have their own power banks, that they all have items that can help them survive in case the group gets split up, and sometimes we leave cards with the numbers of organizations dealing with human trafficking, but that’s really all we can do.’

Katarzyna Potoniec, Head of Egala



A man from Somalia with injuries caused by razor wire, encountered by Egala workers during a humanitarian intervention. Due to the cold, he was given a cup of tea and warm clothes before they attended to his wounds. Photo: Małgorzata Klemens/Egala Association, April 2024

There are also cases of **people being returned to the border despite requiring immediate medical assistance**, posing a clear risk to life. Between June and November 2024, *We Are Monitoring* recorded at least 122 such cases.⁸¹ Documented returns to the forested border include pregnant women,⁸² some of whom subsequently suffered miscarriage,⁸³ people with visible injuries preventing them from walking,⁸⁴ and even unconscious or immobile people.⁸⁵ Migrants who have called for medical assistance for themselves or their companions have been pushed back rather than having treatment provided.⁸⁶ In several cases, this has resulted in individuals not receiving any treatment and later being found dead.⁸⁷

Incredibly, **pushbacks sometimes occur from hospitals on Polish territory**, where people are receiving treatment.⁸⁸ Between June and November 2024, humanitarian organizations observed at least 13 pushbacks from hospitals or other medical facilities.⁸⁹ Volunteers at a hospital near the border reported various cases of this, including pushbacks of a minor still wearing her hospital pyjamas, a man who was in hospital still suffering injuries from a beating, and a patient who was only part-way through a series of vaccinations for rabies following dog bites.⁹⁰ MSF told us of a case where they received a request for assistance from the eastern side of the fence, from a woman who had previously been pushed back from a hospital in Poland. They asked Polish authorities to allow them to cross the fence to assess her needs and provide medical assistance, but were prevented from doing so.⁹¹ In addition to the danger to the individuals involved, cases like these make people on the move less likely to seek medical treatment or accept a referral to hospital, even when they are in urgent need of medical care.⁹²

‘It had seemed that hospital patients were safe, but unfortunately in recent times again – even those who have attorneys – people have found themselves after a few days in Belarus. We thought at least the people who are in the hospital are safe. They aren’t.’

Justyna, Egala hospital volunteer

Additionally, the **lack of systematic identification processes or assessment of people’s needs** means that pushbacks can result in the separation of families or the return of unaccompanied children.⁹³ Even worse, some people have recounted being deliberately split up from travel companions during pushbacks, increasing these risks.⁹⁴ As the Border Guard does not keep records of the details of people it turns back to the borderline, it is difficult to search for missing persons that disappeared in this area (see below, Deaths and disappearances).⁹⁵

Pushbacks are directly putting people’s lives at risk, in conflict with Poland’s obligations under Article 2 of the ECHR. More extreme cases – for instance, where migrants are forced to cross the razor wire fence or subjected to deliberate violence – may also be a violation of their right to dignity or the prohibition of torture and inhuman or degrading treatment under European law and Poland’s Constitution.⁹⁶

AN ACTIVIST’S STORY: WITNESSING DANGEROUS PUSHBACKS

In April 2024 Egala workers and volunteers reached three men from Eritrea and Sudan in the Polish forest. ‘Before we even started explaining their legal situation to them, they started shouting ‘Please, we don’t want to go back to Belarus!’ said Olga*, who works with Egala. ‘They were very afraid that contact with any Poles meant pushback to Belarus.’ After a longer conversation, the men told Egala workers they wanted to apply for asylum in Poland.

The Sudanese man told them that he had been beaten and had his money stolen by soldiers in Belarus. He had also been pushed back by Polish border guards into Belarus. During the pushback, the Polish border guards destroyed his phone and sprayed him in the face with pepper spray. After the pushback, in the Sistema, he met his two travel companions.

The second man had a leg injury and an initial degree of hypothermia. As his condition was not improving, the volunteers explained that they could try to call an ambulance. About an hour after calling the official emergency number, the border guards arrived - without an ambulance. All three men were taken to the Border Guard post. At this point the Egala volunteers lost contact with them.

After a few days, they received a message from the three men, who were back in Belarus. They wrote that at the Border Guard post they were forced, by shouting and threats of beatings, to sign a document that they did not want to apply for international protection in Poland. Then they were returned to Belarus. 'These people believed that they would find help in the EU,' said Olga.

VIOLENCE AT THE HANDS OF POLISH UNIFORMED PERSONNEL

'Not only are the medical needs growing compared to 2023, the violence is growing – on both sides of the border. [...] Our patients have been repeatedly pushed back – not just once – and with this they are experiencing direct violence.'

Judyta Kuc, Head of Mission Support and Advocacy, MSF

Verbal and physical violence by Polish border guards against people crossing the border has been reported for several years and has been described as 'particularly alarming.'⁹⁷ *We Are Monitoring* recorded at least 609 cases of violence by Polish uniformed personnel in 2024,⁹⁸ with some



An elderly man traveling in a group of six individuals – including two women and one minor – described having been beaten by a Polish border guard, who struck him in the face and head, destroying his glasses and phone. He was then pushed back to Belarus. When humanitarian workers met the group, the man was in a bad condition, with a body temperature of just 31°C. Photo: Małgorzata Klemens/Egala Association, February 2024

organizations estimating up to 1,000 cases of such violence in the first half of 2024 alone.⁹⁹ Workers from Egala observed that violence worsened from June onwards, following the death of a Polish soldier at the border that month.

'In March this year, some people reported that there were fewer beatings on the Polish side – even that [border guards] were nice, that they even helped. But it has changed, because of the acquiescence of the public to the violence. [...] The brutalization from Polish soldiers is, from the stories we hear, getting worse and worse. It is getting harder to function in all this.'
Jagna, Egala volunteer and professional medic

People crossing the border describe instances of intimidation and derision;¹⁰⁰ beatings,¹⁰¹ including of people with existing injuries;¹⁰² routine use of tear gas or pepper spray;¹⁰³ being set on by dogs;¹⁰⁴ uniformed personnel forcing people to cross razor wire fences or cold rivers;¹⁰⁵ confiscating clothes or stripping people naked;¹⁰⁶ giving people water laced with pepper spray;¹⁰⁷ and using rubber bullets and stun guns.¹⁰⁸ Humanitarian organizations providing medical assistance at the border have often seen injuries consistent with accounts of violence by Polish authorities.¹⁰⁹ Although less well documented, several reports in 2024 included accounts of derogatory, humiliating or racist behavior. Examples include people on the move allegedly being forced to shout 'white power,'¹¹⁰ and a soldier referring to a female minor as 'a young whore.'¹¹¹

There are also concerns about the use of firearms at the border. Polish authorities confirmed that in the first half of 2024, Polish soldiers and border guards at the border fired thousands of rounds of ammunition as 'warning shots.'¹¹² In mid-June 2024, an Iranian woman was shot in the eye, reportedly without warning and from the Polish side of the border fence.¹¹³ People trying to cross the border describe being threatened with weapons, sometimes accompanied by verbal threats – for instance, 'If we see you again, will shoot you.'¹¹⁴

In July 2024, the Polish government passed a new law giving uniformed personnel at the border broad protection from prosecution for the use of firearms, even in cases in violation of usual rules on the use of force.¹¹⁵ When the law was introduced, it was widely criticized by organizations on the border¹¹⁶ and human rights defenders,¹¹⁷ who pointed out the threat it poses not only to migrants, but also to humanitarian workers, residents, bystanders and border personnel.¹¹⁸ The law may also be incompatible with states' obligations to establish legal and organizational frameworks defining when state officials are able to use force, including firearms.¹¹⁹ It has been criticized by the Commissioner for Human Rights of the Council of Europe, who considers it at variance with international law and Council of Europe standards, including the right to life and prohibition of torture and ill-treatment.¹²⁰

'It feels like the services have been given a green light, they've been given praise for being violent, for not following the rules – and that makes it so. It just raises our concerns about the safety of the people in the hospital and in the forest.'
Justyna, Egala hospital volunteer

It has been difficult for humanitarian organizations to monitor the impact this law has had on violence against people on the move, as they are unable to access the immediate border region due to the exclusion zone reintroduced in June 2024. However, in the last months of 2024, they started to hear more testimonies of, and see injuries consistent with, people being hit by rubber bullets. In any case, the law has had a clear impact on the work of humanitarian organizations like Egala, which has stopped conducting humanitarian interventions near the border fence at night for fear of putting employees and volunteers at risk of accidental shootings.

INCREASINGLY DANGEROUS NARRATIVES

In recent years, **successive Polish governments and media have fueled increasingly securitized and militarized narratives** about people at the border with Belarus. The Polish government has

framed people crossing the border as being part of aggression by Belarus, referring to them as instruments in a 'hybrid war'¹²¹ and even as being 'trained' to attack Polish forces.¹²² In July 2024, the Polish Defense Minister said people attempting to cross the border were not refugees seeking asylum, but were 'hordes of bandits who... try to attack Polish soldiers.'¹²³ These narratives are explicitly used to justify government actions at the border as the 'repulse of an attack.'¹²⁴

'[The Tusk government] has a really dangerous narrative based on securitization and militarization. They are starting to copy the narrative of hybrid war; this is what Belarus and Russia want. [...] This is the justification for violation of rights – they are not asylum seekers, they are not humans, they are only weapons.'

Katarzyna Czarnota, Research and Project Coordinator, Helsinki Foundation for Human Rights

These narratives have been influenced by heightened tensions following Russia's invasion of Ukraine and exacerbated by several security incidents at the border, as well as disinformation and rumors propagated on social media. **The rise of this 'narrative of fear'¹²⁵ has portrayed people on the move as an imminent danger to national security,** and has correlated with a significant decline in public and media interest in the humanitarian nature of the crisis.

'There is systemic racism and racist narratives in the media. You see very often these complete double standards in the language used when we talk about Ukrainian refugees compared to people with diverse backgrounds coming from this border. And this is something we see in other countries in Europe also.'

Katarzyna Potoniec, Head of Egala

However, **these narratives do not correspond with the realities witnessed by humanitarian and activist organizations at the border.** They report that the people they encounter overwhelmingly do not act aggressively, and the majority do wish to claim asylum. This is even supported by statements from sources within the Polish government; for instance, in June 2024, Maciej Żywno, Deputy Speaker of the Senate, responded to instances of securitized rhetoric by noting: 'People trapped in a cage between the Polish fence and the Belarusian "system" do not understand hybrid war... they [just] want to survive and save their children.'¹²⁶

'Myself, working two years in this forest, I have never encountered an aggressive situation, in any of my interventions. I have never had the feeling that this person is threatening.'

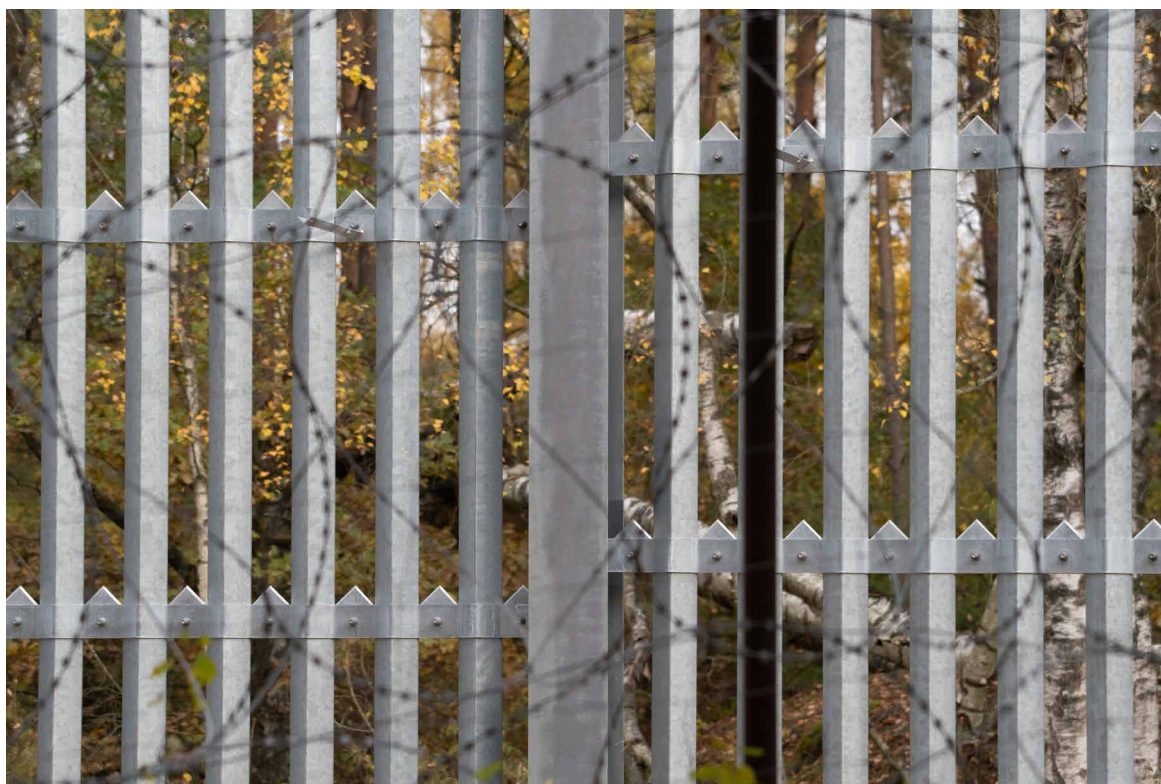
Jagna, Egala volunteer and professional medic

'The violent clashes are exactly the result of policies to push people back... our medics will tell you they never are subject to any aggression or difficulties from the people trying to cross.'

Monika Matus, Senior Advocacy Specialist, MSF



CONDITIONS IN
BELARUS: 'HELL
IS HAPPENING
THERE'



The Polish border fence, looking towards Belarusian territory on the opposite side. Photo: Anna Kolber/Egala Association, October 2024

‘Very often the first thing we hear from patients [we assist at hospitals in Poland] is “no Belarus, no Belarus.” That’s the most important thing for them. We have to assure them we’ll do our best – but we have no guarantees, of course.’ – Justyna, Egala hospital volunteer

While it is difficult to gain an accurate picture of conditions in Belarus, the testimonies of people who have crossed into Poland suggest **extremely unsafe conditions for people on the move.**

People in the border region in Belarus are at times detained in camps, or forced to create makeshift camps in the forest. Many are subsequently gathered by Belarusian uniformed personnel and coerced to cross the border at specific points. Both those detained in camps and those apprehended by Belarusian forces in the forest report being subjected to **violence and extortion, as well as deprivation and confiscation of water, food and shelter.**¹²⁷

NO WAY OUT: PEOPLE WHO ARE PUSHED BACK ARE TRAPPED IN CONDITIONS OF DEPRIVATION

People on the move report being prevented by Belarusian forces from leaving the border region or returning to the capital, Minsk,¹²⁸ meaning they have **no option to escape the cycle of violence in the *Sistema***, except by attempting to cross into Poland. This means that even those who do not have a claim for protection due to conditions in their home country can become trapped, unable to return to Minsk to travel to their home country or a safe third country.

‘The people that MSF medics encounter, they tell us, “Please don’t let me go back to Belarus. Whatever happens, I don’t want to go back to Belarus – hell is happening there.”’

Judyta Kuc, Head of Mission Support and Advocacy, MSF

People who have returned to Minsk have reported having to bribe Belarusian officers to do so, allegedly being asked for sums up to €5,000 – an impossible figure for many, especially after facing theft and extortion from Belarusian forces.¹²⁹ Some face violence even for asking to return to Minsk; in June 2024, several people reported witnessing a man having his arm broken by Belarusian forces for saying he wanted to return to Minsk;¹³⁰ in October, people reported seeing beatings for the same reason.¹³¹ **As a result, many people remain trapped in the *Sistema*.**

‘Reports of violence on the Belarusian side are often drastic - people are punished and beaten for failing to cross into Poland. We see many wounds from being bitten by dogs, marks of beatings. Sometimes we hear stories about sexual violence.’

Olga, Egala employee

‘UNCONTROLLED VIOLENCE’: TORTURE AND INHUMAN AND DEGRADING TREATMENT

‘People on the move call [the area on the Belarusian side of the border] a “death zone” ... it is a space of uncontrolled violence by the Belarusian uniformed services, mainly Belarusian Border Guards, who not only rob the people there, but also destroy their property – set fire to it, pour water on it, take away their food – they use physical and psychological violence on these people.’

Mateusz, Egala employee

Serious acts of violence and cruel treatment by Belarusian uniformed personnel have been consistently reported by people on the move. Their testimonies include descriptions of detention in camps (in the forest or in warehouses); deprivation



A man shows scars from dog bites sustained on the Belarusian side of the border. All six members of the group he was traveling with showed scars and wounds from dog bites. His group had spent nearly nine days in the forest and reported multiple pushbacks by Polish authorities to Belarus. Photo: Małgorzata Klemens/Egala Association, August 2024

of food, water, medical care or shelter; theft or extortion of phones, money and property; threats with firearms; psychological humiliation; being transported to areas far from the area of apprehension and forced to walk long distances without food or water; beatings; use of dogs to threaten or injure; and torture, including waterboarding and electrocution.¹³⁶ Many accounts by people crossing the border are corroborated by medics and volunteers who see consistent injuries on the patients they treat in Poland.¹³⁷

'[When people come to the hospital], it's not only about lack of food, but about violence, rape. They tell us about terrible things that were done somewhere in there, in the zone.'

Anton, Egala hospital volunteer

Activists who work with people on the move recount disturbing stories of deliberate and creative cruelty, including 'games the Belarusians arrange in order to hurt people' or 'violence just to make violence.'¹³⁸

Those who fail to cross the border into Poland or are pushed back can face 'punishment' for being returned – including beatings, mauling by dogs, or as in at least one case, cutting off of body parts.¹³⁹

'Every day we hear stories of violence and abuses suffered by people on the other side of the fence. Several of us have heard stories of Belarusians cutting off fingers. Belarusian soldiers are unpunished in this. There is no way to assert one's rights in a country like Belarus.'

Olga, Egala employee

The violence is indiscriminate; it is also reported to be carried out against individuals from vulnerable groups, including unaccompanied minors and pregnant women.¹⁴⁰ **Women and girls face particularly extreme risks**, with significant reports of sexual abuse by Belarusian forces, including rape and gang rape.¹⁴¹

'We hear testimony about what is happening on the eastern side of the border which is very, very concerning – including from female minors. They are trapped by the border infrastructure, exposing them to further violence, including sexual violence. Some of our patients reported being raped before being able to cross into Poland.'

Judyta Kuc, Head of Mission Support and Advocacy, MSF

'One woman who was hiding in the forest on the Polish side said that on the Belarusian side, women formed groups, and while a few of them were sleeping, others watched to make sure that no soldiers or smugglers were approaching. Meeting these people was a risk of rape and violence.'

Olga, Egala employee

Belarusian authorities also coerce people to force movement towards Poland, or seek to control their behavior. People on the move describe being gathered near specific parts of the border by Belarusian uniformed personnel and coerced to cross as a group,¹⁴² at times deliberately in view of Polish border guards or while Belarusian forces throw stones or other objects.¹⁴³ Some report the Belarusian authorities forcing them, through beatings and intimidation, to throw stones at the border fence or behave aggressively towards Polish uniformed personnel.¹⁴⁴ Such incidents are explicitly referenced by Polish authorities to justify securitized narratives and the denial of the rights of asylum seekers at the border.¹⁴⁵

'We hear that people don't have a say in when they will cross and where they will cross, because this is decided by the Belarusian services, and when they decide that a group should cross, they gather them in a particular place and just push.'

Justyna, Egala hospital volunteer

These testimonies of violence are consistent with earlier reports that have found **significant evidence that people pushed back to Belarus regularly face inhuman and degrading treatment, and potentially torture.**¹⁴⁶

It is clear that – whether or not individuals have a claim to asylum with respect to persecution in their home country – **it is illegal to push people back to face this violence in Belarus.** The Convention Against Torture (CAT), to which Poland is a signatory and which is binding, prohibits states from expelling or returning people to another state where there are substantial grounds for believing that they would be in danger of being tortured.¹⁴⁷ Poland is also prohibited under the ECHR from returning people who would face a risk of torture or inhuman

and degrading treatment or punishment.¹⁴⁸ There is a significant body of case law from the European Court of Human Rights (ECHR) which upholds this non-refoulement principle and underscores its absolute and non-derogable nature, even in situations it terms as 'mass arrivals of migrants' at border states.¹⁴⁹

'Poland is sending these people to the risk of torture, beatings, where they will not get any help, from anyone. After all, there are no independent NGOs in Belarus, and law enforcement agencies carry out the orders of the authorities. There is no such thing as a humanitarian pushback if migrants are pushed back to a country like Belarus.'

Olga, Egala employee. Olga is referencing statements by members of the Tusk government when they came to power, asserting that, in contrast to the previous government, they would implement only 'humanitarian pushbacks.'¹⁵⁰



OBSTRUCTION AND CRIMINALIZATION OF HUMANITARIAN ASSISTANCE

HUMANITARIAN NEEDS, BUT NO OFFICIAL HUMANITARIAN RESPONSE

People who cross the border in the forest regions have significant humanitarian needs, including food, water, clothes, medical care and legal advice. The Polish government has asserted that it cooperates with NGOs to 'cover above all the delivery of humanitarian aid.'¹⁵¹ However, in stark contrast to the largely well-organized and effective response to significantly greater numbers of Ukrainian refugees crossing its borders in recent years, **there is no systemic humanitarian response from the Polish government at the border with Belarus.** Evidence suggests that assistance from Polish uniformed personnel is at best ad hoc (see below, [Failure to provide lifesaving assistance](#)).

'There are interactions between migrants and soldiers through the fence. Sometimes it is aggression. But many volunteers and migrants say that soldiers give migrants food - for money or for free.'

Olga, Egala employee

There is limited presence of international humanitarian and human rights monitoring structures in the Poland-Belarus border area.

UNHCR has an active and significant presence in Poland;¹⁵² however, while it facilitates information sharing with local organizations working at the Poland-Belarus border, it does not provide humanitarian assistance at this border, nor does it produce any public reports monitoring requests for asylum or reported pushbacks there. The International Organization for Migration (IOM) also has a program in Poland targeting Ukrainian refugees,¹⁵³ including monitoring information on their mobility, vulnerabilities and needs,¹⁵⁴ but its reports do not include disaggregated information on people crossing the Poland-Belarus border.

MSF operates in the forest on the Polish side, and several international NGOs – including Oxfam – have provided support to local organizations in Poland. However, for some international organizations this was only enabled by funding raised for the refugee response in Poland after the escalation of the war in Ukraine in 2022, which is now decreasing. Access to the Belarusian side of the border is extremely restricted – few international organizations operate in Belarus, and according to the information available, none are currently able to provide practical assistance in the border region.

From the beginning of the humanitarian crisis, activists and local organizations, as well as members of the local community, have filled this gap in official assistance on the Polish side of the border, providing humanitarian support to people on the move. These small humanitarian or activist organizations, unofficial groups and concerned citizens, receive hundreds of requests for support every month. According to *We Are Monitoring*, which aggregates data from many of these local organizations, they were able to provide vital humanitarian assistance to 3,408 individuals on the Polish side of the border in 2024.¹⁵⁵

'I called for help and they found me in the swamp. I will never forget how they hugged me when they found me and the first words: "You are not alone." They helped me get out of the swamps, they gave me food and water and medical help. They treated my wounds. I remember the tea that they gave me – my body had forgotten how it feels to drink something hot.'

Sainab, 18-year-old girl from Somalia

WHAT DOES A HUMANITARIAN INTERVENTION BY A LOCAL ORGANIZATION LOOK LIKE?

Humanitarian workers and volunteers often walk long distances carrying backpacks containing food, water, warm clothes and medical supplies to reach small groups of people stranded in wild areas on the Polish side of the border. While sitting together deep in the forest, they provide people with lifesaving supplies as well as medical assistance and legal advice, including helping them to enter a legal claim for asylum. They can also act as intermediaries, helping to connect people on the move with medical services or with border guards so they can attempt to lodge an asylum claim.



Egala workers provide water, food, clothes, medical assistance and legal advice to a group of people from Syria in the Polish forest.
Photo: Oxfam, June 2024

While these organizations display the significant power of grassroots movements to provide assistance and protect the dignity of others, they lack the resources and reach of the state or larger international humanitarian actors, and are currently facing critical funding shortages. Although they have professionalized over the last three years, they also lack access to necessary training and equipment.

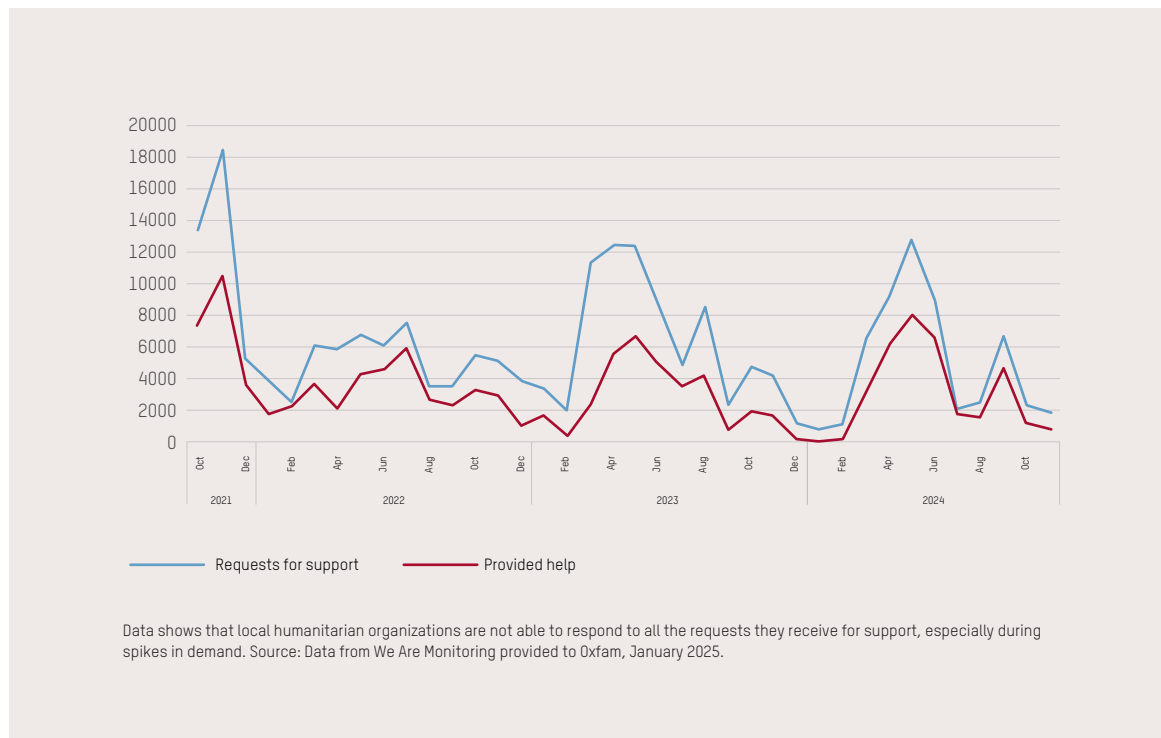
These organizations are restricted from accessing people in need because of the exclusion zone enforced by the Polish government (see below, [The exclusion zone limits access and oversight](#)), and as they are unable to cross the fence to help those trapped on the eastern side.¹⁵⁶ Harassment and criminalization (see below, [Criminalization](#)

and harassment of humanitarians) puts their staff and volunteers at personal risk, and at times forces them to keep their activities clandestine or unofficial. **Despite the many challenges they face, these local organizations have remained absolutely crucial to the provision of humanitarian assistance at this border.**

**'What would happen if we weren't here?
There would be a lot of dead bodies in
the forest.'**

Jagna, Egala volunteer and professional medic

FIGURE 3 REQUESTS FOR ASSISTANCE ON THE POLAND-BELARUS BORDER AND HELP PROVIDED



FAILURE TO PROVIDE LIFESAVING ASSISTANCE

On the basis of rights enshrined in the ECHR, including the right to life, the Polish government is required to ensure that people, including those stranded at borders, have access to humanitarian assistance including food, water, clothing, medical care and shelter.¹⁵⁷ However, in 2022, Amnesty International reported that **Polish authorities have made ‘virtually no effort’ to meet humanitarian needs at the border with Belarus.**¹⁵⁸ Local organizations at the border continue to observe that while individual border guards occasionally demonstrate kindness, there is no systemic effort to provide assistance to people in the forest, particularly on the eastern side of the fence. There are even some alleged incidents of Polish border guards extorting money from people on the move in exchange for food.¹⁵⁹ The prevalence of pushbacks and violence also discourage people from seeking help from government authorities.

In March 2024, the Polish Border Guard established ‘search-and-rescue’ teams, with the stated aim of seeking out and assisting migrants whose life

or health is at risk on the border.¹⁶⁰ While this is theoretically a positive step, particularly following the failure of the previous Polish government to institute initiatives to provide humanitarian assistance, observations by activists at the border suggest that while these teams do search for people in the forest and check their vitals to see if they are in a stable condition, they do not rescue – rather they too are part of pushing people back.¹⁶¹ Egala workers and volunteers have seen that these units often lack basic medical equipment, first aid kits or even water.

There are also widespread and consistent reports of Polish border guards and ambulance staff delaying or denying urgent medical care to people on the move. MSF reports that its **medics have frequently been asked by emergency services about their patient’s skin color, or whether they were foreign, when calling for an ambulance.** Depending on their answers, border guards can be sent directly to the site.¹⁶² This experience is echoed by local activists, who report often needing to make multiple calls to ambulance services or wait several hours for them to arrive if the patient is foreign.¹⁶³ These failures in the provision of medical care are reported as a significant risk factor for deaths at the border.¹⁶⁴



Due to the risks of encountering Polish authorities and the possibility of pushback, an Egala medical intervention in the forest at night is conducted using only dim red light. Photo: Małgorzata Klemens/Egala Association, April 2024

‘Sometimes we have to call an ambulance. And unfortunately, there were situations when the dispatcher asked about the patient’s country of origin. The question was formulated in different ways: “Is the sick person Polish?” or “What is the legal status of the sick person?”, or “Does the sick person speak Polish?”. All these questions aimed to determine whether the patient was a local resident or a tourist, or a migrant who had just crossed the green border ...If an ambulance arrived, it was always accompanied by the Border Guard. In many situations, only the Border Guard arrived.’

Olga, Egala employee

The failure on the part of the Polish government to provide immediate lifesaving assistance to people crossing the border, or to allow and facilitate the provision of this aid by independent humanitarian organizations, raises concerns that Poland is not

living up to its legal obligations to protect human life, including under Article 2 of the ECHR.¹⁶⁵

THE EXCLUSION ZONE LIMITS ACCESS AND OVERSIGHT

In September 2021, the Polish government announced a state of emergency and introduced an exclusion zone around the border (also referred to as a ‘no-go zone’ or, in government terminology, a ‘buffer zone’), effectively excluding both humanitarian workers and journalists from the area.¹⁶⁶ This was criticized by humanitarians, who argued that the measures were both putting lives at risk¹⁶⁷ and preventing human rights monitoring.¹⁶⁸ The zone was subject to successful legal challenges, including on the basis of doubts around the constitutionality of excluding reporters and the legality of excluding the charitable activities of the Polish Red Cross.¹⁶⁹ At the end of 2022, the zone was reduced to the immediate area of the fence (a 15m strip).

Despite the criticisms of the extended exclusion zone in its first iteration, **the Tusk government reintroduced a large exclusion zone to the border area on June 13, 2024.** The zone stretches along 60km of the border, extending between 200m and 2km from the border fence into Polish territory.



A sign marks the edge of the exclusion zone. It reads 'Restricted area. Entry prohibited'. Photo: Anna Kolber/Egala Association, June 2024

Originally introduced for a period of 90 days, the zone has been extended for subsequent three-month periods and currently remains in effect.

Humanitarian organizations at the border observe that **the new iteration of the exclusion zone is again cutting off people from humanitarian assistance, including access to water, food, medical assistance and legal support.**¹⁷⁰ Egala has repeatedly requested permission to enter the zone since its implementation in June; however, as of March 2025 it is yet to receive it. The responses to these requests are slow, and denials have been based on impractical demands by authorities for specific details, such as exact locations and schedules of humanitarian interventions, which are impossible to provide in advance as these interventions are planned urgently and only in response to requests.¹⁷¹ Human Rights Watch also reports that it has been granted only limited permission to monitor human rights conditions.¹⁷²

The Council of Europe Commissioner for Human Rights has warned the Polish government that this buffer zone increases the risk of people being

returned without proper legal process, and has raised concerns about the impact the zone will have on the provision of humanitarian and legal assistance, as well as human rights monitoring and the right to information.¹⁷³

'The impact of the reintroduction of the no-go zone is huge, and we can say that it's again an attempt to criminalize people who are providing humanitarian aid. This is a huge barrier in the context of documenting and monitoring human rights.'

Katarzyna Czarnota, Research and Project Coordinator, Helsinki Foundation for Human Rights



Left: text received by Polish phones when approaching the zone (in translation: 'Attention! Ban on staying in the buffer zone adjacent to the border with Belarus. Follow the orders of the services. Be vigilant and report suspicious people.'). Right: text received by foreign phones in the same area. Egala Association, June 2024

'Why was the exclusion zone expanded [in June 2024]? ... so that we, as the people bringing this aid, can't get there legally, but also so that we don't witness what happens over the fence, how Polish uniformed services treat people who ask for this help.'

Mateusz, Egala employee

CRIMINALIZATION AND HARASSMENT OF HUMANITARIANS

Under the previous Polish government, **activists reported being subjected to verbal abuse, random ID checks and searches by border guards, and at times being detained, held at gunpoint or threatened with prosecution.**¹⁷⁴ In one instance, the premises of one of Egala's partner organizations, which provided food, blankets and sleeping bags to people on the move, was searched by police, with volunteers detained and questioned overnight.¹⁷⁵ The apprehension and detention of people involved in providing aid was criticized by local courts,¹⁷⁶ and the UN Special Rapporteur on Human Rights

Defenders publicly raised concerns about the intimidation of activists working to help people at the border.¹⁷⁷

This harassment has continued, at least to some extent, under the Tusk government. In December 2024, Human Rights Watch reported that local humanitarian and human rights organizations face lengthy and repeated identity checks, 'random' delays by border guards and 'ever-changing' checkpoints.¹⁷⁸

'There is a criminalization of providing humanitarian help that's been the strategy of the previous government from the very beginning of the crisis. ... [The Tusk government] also criticizes our work, they insinuate that something we do is illegal. Some people are still facing charges from the first years of the crisis – we hoped it would go away with the new government, but it didn't.'

Katarzyna Potoniec, Head of Egala

Detentions and arrests of humanitarians and activists have at times led to prosecution, including for administrative offenses,¹⁷⁹ and for more serious criminal offenses.¹⁸⁰ Some of these cases are ongoing. For instance, five people originally arrested in March 2022 for providing assistance to an Iraqi family and an Egyptian national are still facing charges of 'facilitating unlawful stay in the territory of the republic of Poland,' punishable by up to five years' imprisonment.¹⁸¹ **The Human Rights Commissioner of the Council of Europe has called on the Tusk government to drop charges against people involved in legitimate activity aimed at defending human rights,** including providing legal and humanitarian assistance at the border.¹⁸²

The reintroduction of the exclusion zone also compounds the issue of criminalization. By limiting legal humanitarian access, **activist and humanitarian organizations are forced to make the impossible choice between responding to requests for help from people within the zone, knowing that their staff and volunteers may face criminalization as a result, and leaving people without any assistance at all.** The proposed law to suspend

‘This narrative has started to appear among politicians, they are starting to attack us, to put the responsibility [for violence at the border] on us. But we don’t help people cross the border, we don’t point out to them where the [Border Guard] services are, or anything like that – we just help people who find themselves on the territory of the Republic of Poland to survive.’

Jagna, Egala volunteer and professional medic

the right to apply for asylum risks further tying the hands of humanitarian organizations, who are already restricted by law from providing shelter or transport to people on the move. Without the possibility of calling border guards to help submit a claim for asylum, these organizations will be left with little option but to leave people facing life-threatening conditions in the forest.

THREATS AND VIGILANTISM

From mid-2024 **there has been an increase in threats made to humanitarian organizations and vigilantism in the forests and villages on the Polish side of the border**, creating additional risks for people on the move, humanitarian workers and residents of the area.

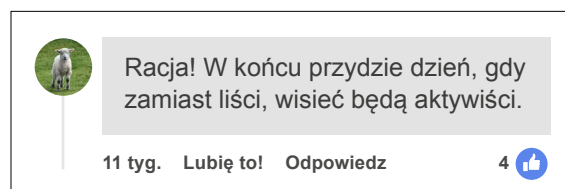
‘If you look at social media right now, it’s terrifying what people are writing sometimes. Basically accusing us of being Russian and Belarusian collaborators and wishing us all sorts of horrible things. [...] There are always risks to consider, safety rules we try to follow, but no one prepared us for this scale of hate speech.’

Katarzyna Potoniec, Head of Egala

‘Probably the most difficult thing that’s happening at the moment is what’s happening in the media around this whole story. Talking about how aid can be something bad. No, aid is always something good. I don’t know how you can even think otherwise.’

Jagna, Egala volunteer and professional medic

Humanitarian and activist organizations have reported receiving phone calls from ‘right-wing trolls,’ including people making false requests for assistance in order to disrupt their work. They also receive death threats on their social media pages.¹⁸³ Comments calling for violence against both people on the move and humanitarian workers and activists operating on the border are posted regularly on social media.



Example of a comment on Grupa Granica’s Facebook page, January 2025. Translation: ‘Right! The day will eventually come when instead of leaves, there will be activists hanging down [from the trees].’

Local organizations have also begun to report encountering **groups of Polish citizens conducting night patrols to search for people on the move. These groups, often coordinated through social media, sometimes carry private weapons and are often masked.** At best, they only inform border guards of the presence of people on the move; however, they have also been known to detain and handcuff people while they wait for border guards to arrive. They sometimes take pictures of people they find in the forests and post them on social media, exposing them to further risks.¹⁸⁴ There has been at least one alleged instance of an asylum seeker, who in this case had already been admitted to legal asylum procedures, being subjected to a racist attack.¹⁸⁵



AVAILABLE DATA AND TRENDS ON BORDER CROSSINGS

DATA CHALLENGES

Given the harsh terrain, the lack of media or humanitarian oversight of activities at the border, and the fact that people can be pushed back multiple times, it is very difficult to establish a clear picture of how many people are attempting to cross from Belarus into Poland.

Polish border authorities report regularly on the number of ‘illegal attempts to cross the Polish–Belarusian border.’ In 2024, they reported a total of roughly 26,800 attempts.¹⁸⁶ However, these figures are not consistently or comprehensively shared,¹⁸⁷ and it is difficult to determine exactly what is classed as an ‘attempt’ to cross the borderline. Language used in official communications is vague and may include, for example, instances of unidentified people witnessed approaching the fence and withdrawing. Even if government figures only include those who are apprehended after successfully crossing the border fence, **it is probable that the number of individuals trying to cross is several times lower than official government figures suggest, as most people report making multiple attempts to cross.**¹⁸⁸

Activist and humanitarian organizations at the border track the number of individuals who request their assistance, as well as the number of pushbacks they are informed of by people on the move – in 2024, this totalled 5,615 requests for assistance and 1,555 individuals who were subjected to pushbacks, with a total of 3,183 pushbacks recorded.¹⁸⁹ **The data monitoring by humanitarian and activist organizations provides vital oversight to information provided by government sources.** However, these organizations are facing critical funding challenges, and if they do not find further funding, there will be even less data on the situation at the border in future. For example, *We Are Monitoring* – which collates information from local humanitarian and activist organizations, and without which much of the information in this report would not be available – had to start operating on a purely voluntary basis as of January 2025 due to lack of funding, and has expressed concerns about its ability to continue its activities in this way.

Data on particular vulnerabilities or protection issues at the border is not systematically collected or shared by government or international agencies, leading to concerning gaps in knowledge. Some are filled by humanitarian or human rights organizations –



Egala workers head into the forest with supplies to assist people on the move. Organizations like Egala typically receive fewer requests for assistance in autumn and winter, suggesting that fewer people try to cross when temperatures are at their lowest. Photo: Małgorzata Klemens/Egala Association, February 2024

see, for instance, the work of Helsinki Foundation for Human Rights in monitoring the status of missing persons at the border – but other gaps remain. For example, there is little to no publicly available information on the prevalence of trafficking in persons across the Poland–Belarus border. Local organizations have raised concerns about their ability to identify or assist victims of trafficking given their lack of resources, training or ability to speak to people they assist in the forest in a safe and private environment.

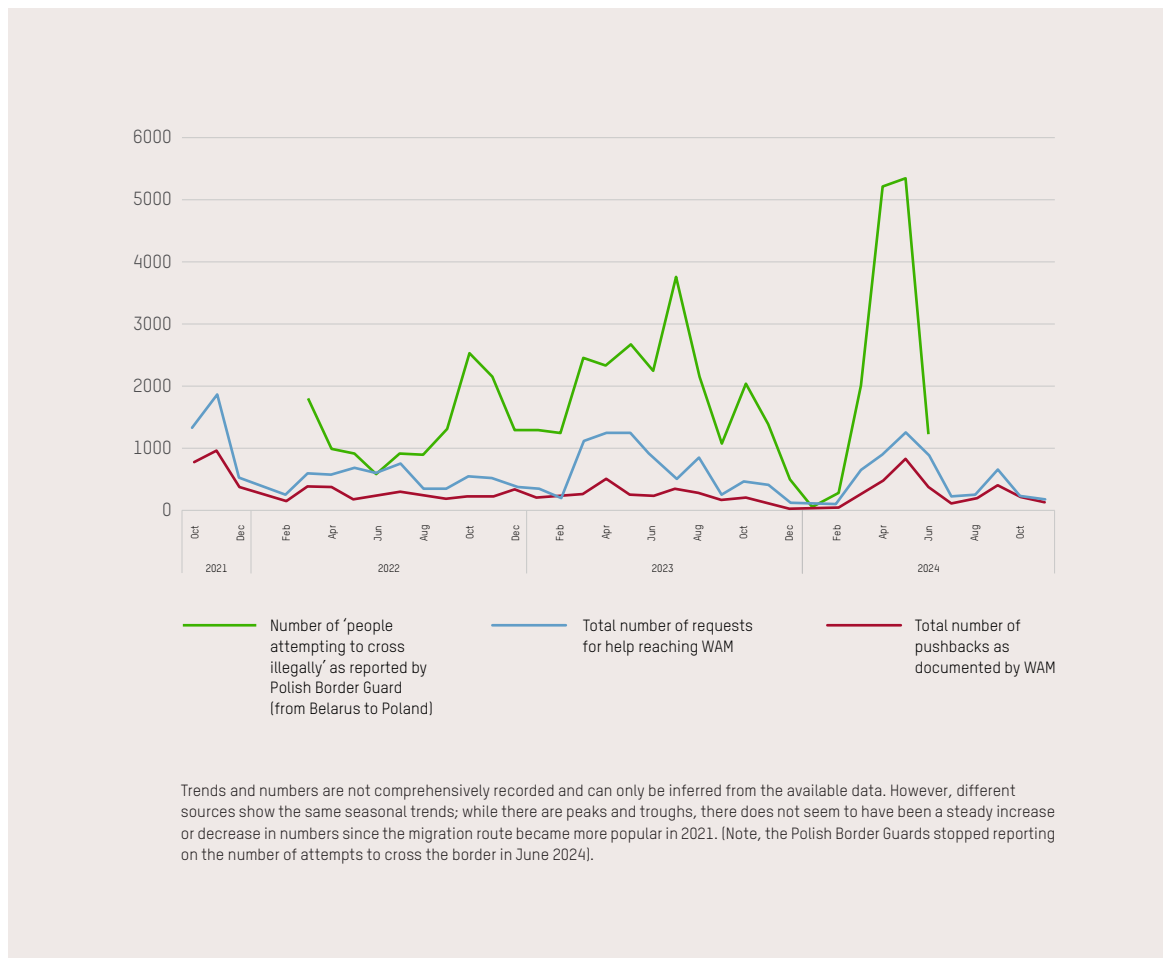
ARRIVALS AND TRENDS

The number of people crossing through the border region appears to fluctuate seasonally, with fewer people attempting to cross in the colder autumn and winter months.¹⁹⁰ Apart from these fluctuations,

the overall number of people attempting to cross does not appear to have significantly increased or decreased since 2021 – including after the building and strengthening of the Polish border fence (see graph below). This suggests that restrictive policies, although aimed at deterrence, are so far not appreciably preventing people from attempting to cross this border. This is in line with existing research at the European level, which has shown that fortified borders do not deter desperate people from seeking safety, and that stricter policies simply drive them to take more dangerous routes.¹⁹¹

While it is impossible to make an informed estimate of the number of people attempting to cross the border, given the data challenges outlined above, it is clear that the scale of movement (which can be estimated from the available data in the graph

FIGURE 4 NUMBER OF PEOPLE CROSSING THE POLAND-BELARUS BORDER



above)¹⁹² is significant in the context of evidence of human rights abuses and the level of humanitarian need at this border. However, it calls into question the narrative of a ‘security crisis’ used by the Polish government. The law to suspend asylum rights should be seen in light of the number of people actually permitted to enter asylum applications at this border in the past year. In 2024 the Border Guard Office registered approximately 2,600 applications for international protection from individuals at the Poland Belarus border.¹⁹³ This is in stark contrast to the almost one million people from Ukraine still successfully accommodated in Poland.¹⁹⁴

DEATHS AND DISAPPEARANCES

Due to a lack of official monitoring bodies and lack of documentation by the Border Guard, disappearances and deaths of people crossing the border are usually

documented by aid organizations, humanitarian workers, human rights activists and the media.¹⁹⁵

From mid-2021 until November 2024, **organizations operating at the border have been able to verify at least 88 deaths of people on the move** at the border.¹⁹⁶ However, deaths at this border are often hard to verify, given the lack of systematic data collection. Verification is particularly difficult for deaths that occur on the Belarusian side of the border, which can usually only be determined through statements or photographic documentation collected from the families of the deceased. The number of testimonies collected from people crossing the border which describe witnessing a death or seeing a body in the forest, but which very often cannot be verified, suggest that the verified number of deaths is a significant underestimation of the actual death toll.¹⁹⁷



Funeral for Abdullahi Abdirashid Mohamed, a 25-year-old from Somalia. He died on October 22, 2023 in a Border Guard vehicle – possibly as a result of razor wire injuries, possibly due to prolonged exposure to freezing swamp water before receiving help. Photo: Małgorzata Klemens/Egala Association, January 2024

'We are facing the fourth year of a humanitarian crisis, and we can observe the rising number of missing migrants, the risk of forced disappearances, and the lack of mechanisms for protection of victims of disappearances. We also see a rising number of fatalities at the border zone.'

Katarzyna Czarnota, Research and Project Coordinator, Helsinki Foundation for Human Rights

It is also difficult to track disappearances and missing persons in the border region,¹⁹⁸ as there are no effective mechanisms to report cases, and

families do not receive systematic support from government services to locate or identify their loved ones.¹⁹⁹ As of March 2024, Grupa Granica reported receiving at least 402 notifications of missing persons, of whom 122 had been found, 35 were still considered missing, 213 could not be verified due to loss of contact with the person reporting the disappearance, and 32 were found dead.²⁰⁰ The Helsinki Foundation for Human Rights, which monitors reports of missing persons at the border and assists families in their search for missing loved ones, has identified the use of pushbacks by the Border Guard, the failure of the Polish Police to sufficiently fulfill its duty to search for missing persons, and the lack of an active governmental body responsible for monitoring missing persons, as contributing factors to disappearances.²⁰¹



Photo from the Helsinki Foundation for Human Rights exhibition 'Waiting Room.' The Helsinki Foundation documents disappearances at the Poland-Belarus border and assists the families of missing persons. Its 2024 report, 'Disappearances on the Polish-Belarusian border: Pushbacks as a factor in enforced disappearances in Poland'²⁰² also makes specific recommendations for decreasing disappearances and improving people's ability to investigate the whereabouts of their loved ones. Photo: Shamil Husamaldin Hassan/Helsinki Foundation for Human Rights



RECOMMENDATIONS

RECOMMENDATIONS

THE GOVERNMENT OF POLAND MUST:

- **End the policy and practice of pushbacks and repeal the recently adopted law to ensure access to individual asylum procedures** in line with Poland's obligations under the Polish Constitution and international and European law.
- **Ensure that all people in the Poland-Belarus border region are treated humanely and in accordance with human rights standards**, including by fulfilling its obligations to provide humanitarian assistance and to prevent and punish unlawful violence by Polish uniformed personnel.
- **Repeal the law adopted July 26, 2024 which allows for broader use of firearms** at the border and reduces oversight on their use.
- **Grant meaningful access to the border region** to humanitarian and human rights organizations by discontinuing the exclusion zone or by providing reasonable and workable access to permits that allow these organizations to operate within the exclusion zone.
- **Drop charges against all people facing criminalization for legitimate activity aimed at defending human rights or providing lifesaving aid**, as per the recommendation of the Human Rights Commissioner of the Council of Europe.
- **End the use of dehumanizing language** about people at the border and work to create social cohesion by combating racist and anti-immigrant narratives in Poland.
- As per requirements under the new EU Pact on Migration and Asylum,²⁰³ at the latest by 2026, **provide an independent border monitoring mechanism** to check compliance with fundamental rights during the screening of new arrivals and when assessing asylum claims at this border.

THE GOVERNMENT OF BELARUS MUST:

- Urgently **prevent, investigate and punish all cases of abuse** of people on the move, particularly sexual abuse, torture, and inhuman and degrading treatment carried out by Belarusian uniformed personnel.
- **End the practice of forcing people to cross the border with Poland and/or preventing them from leaving the border region**, in full respect of the rights of people on the move to freedom of movement within Belarus, as well as their rights to leave any country and to return to their country of origin.
- **Allow genuine access to asylum procedures** in Belarus for people who wish to claim asylum, in line with Belarus' obligations under international law.
- **Support the provision of humanitarian assistance to those in need at the border with Poland**, including by granting humanitarian and human rights organizations meaningful access to the border region.

RELEVANT EUROPEAN UNION (EU) INSTITUTIONS AND AGENCIES, SUPPORTED BY EU MEMBER STATES, MUST:

- **Investigate accusations of breaches of EU asylum laws and border regulations by Poland at the border with Belarus**, and where justified initiate infringement proceedings against Poland.
- **Publicly condemn human rights abuses** at the border and policies not in line with international and EU human rights laws and conventions, as well as fundamental protections contained in relevant EU asylum and migration law.
- **End EU political, financial and operational support, including through Frontex, for Polish border infrastructure or border protection activities which facilitate violation of the right to asylum or other human rights.**²⁰⁴ Provide greater support for strengthening Poland's asylum processing and reception systems, including refugee inclusion activities.

THE INTERNATIONAL COMMUNITY, INCLUDING RELEVANT UN AGENCIES, NGOS AND EUROPEAN CIVIL SOCIETY, MUST:

- **Publicly condemn the violation of asylum rights, in policy or in practice, at the Poland-Belarus border.** Work with both countries to strengthen their adherence to international law and, in Poland's case, European law.
- **Support the provision of humanitarian assistance to address the urgent needs of people in the Poland-Belarus border region,** including by providing financial and technical support to local organizations and, where possible, negotiating access to the Belarusian side of the border for humanitarian agencies. In line with the 'One-Refugee' approach,²⁰⁵ actors implementing the Regional Refugee Response Plan (RRP) in Poland should extend their efforts, including programming, advocacy efforts and outcomes coordination, to all refugees regardless of their country of origin, including those crossing the border from Belarus.
- **Monitor conditions on the border** and include disaggregated data about people crossing this border in reports concerning conditions for asylum seekers and refugees in Poland. In particular, seek to fill knowledge gaps on protection issues like trafficking and gender-based violence, in coordination with local humanitarian actors.

FUNDING CRISIS APPEAL

There is an **urgent need for funding for local organizations** providing humanitarian assistance and monitoring human rights at the Poland-Belarus border, including Egala. These organizations rely on funding from international sources, especially given the often hostile political environment within Poland. However, many international NGOs, including Oxfam, which have provided a funding source to these organizations, are leaving Poland as the needs of Ukrainian refugees change and funding for the Ukraine humanitarian response decreases.

This has created a funding crisis for humanitarian organizations on the border. Egala, for example, has experienced a roughly 50% reduction in funding coming into 2025. *We Are Monitoring*, without whose data this report would not have been possible, was forced to start operating on a purely volunteer basis in January 2025 due to lack of funding – a model which it cannot sustain in the longer term. This trend is being experienced across local humanitarian and activist organizations working at the Poland-Belarus border.

We call on international organizations with a continuing presence in Poland to provide proportionate support to the humanitarian and refugee response at this border, and we urgently call on organizations and donors across Europe to contribute to sustainable funding for these organizations – to ensure not only the continued provision of humanitarian aid but also independent monitoring of human rights conditions at Europe's borders.



REFERENCES

- 1 Sainab fled her home in Somalia because, as a young woman, she faced threats from Al-Shabbab, including forced marriage and female genital mutilation (FGM). She crossed the border from Belarus to Poland in 2023, when she was 16, and was given food, water and medical help by Egala workers on the Polish side. She successfully applied for asylum and now lives in Germany. Sainab has spoken out publicly about her experiences, and has chosen to use her real name in this report, sharing her personal story to raise awareness about conditions on the border.
- 2 In this report we use the term ‘people on the move’ or ‘people crossing the border’ to broadly refer to people crossing over the border from Belarus to Poland, except where it is necessary to distinguish someone as an asylum seeker or refugee, or where we are reflecting the language used in the source cited.
- 3 For more information see, e.g. The Guardian, *Tourist visas and flights from Syria – the route to Europe via Belarus*, 13 November 2021, <https://www.theguardian.com/global-development/2021/nov/12/its-risky-but-ill-go-anyway-migrants-desperate-to-reach-europe-via-belarus>
- 4 We Are Monitoring Data provided to Oxfam, January 2025.
- 5 Interviews with Egala staff and volunteers quoted in this report took place in June 2024. Their names have been changed to protect their identities. The exception to this is the Head of Egala, Katarzyna Potoniec, who provided quotes and input between June 2024 and January 2025, and has chosen not to use a pseudonym.
- 6 Oxfam Key Informant Interview with Judyta Kuc, Head of Mission Support and Advocacy, MSF (June 11, 2024).
- 7 Médecins Sans Frontières (MSF) (February 2024), *Death, Despair and Destitution: the Human Costs of the EU’s Migration Policies*, <https://www.msf.org/death-despair-and-destitution-human-costs-eu-migration-policies>; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, <https://wearemonitoring.org.pl/wp-content/uploads/2024/09/2406-ST-CM-June-2024-ENG.pdf>
- 8 We Are Monitoring (October 2024), *We Have Only One War, Which is Immigration, Which is You: The Policy of Pushbacks and border forces violence on the Polish-Belarusian Border*, https://wearemonitoring.org.pl/wp-content/uploads/2024/10/RaportGranica_srodek_ENG_online.pdf; Human Rights Watch (March 2024), *To Really Help Migrants, Poland Should Stop Pushbacks at Belarus Border*, <https://www.hrw.org/news/2024/03/13/really-help-migrants-poland-should-stop-pushbacks-belarus-border>
- 9 Fundacja Ocalenie (March 2024), *No Safe Passage. Migrants’ deaths at the EU-Belarusian border*, p.70. <https://en.ocalenie.org.pl/news/the-premiere-of-the-report-no-safe-passage-migrants-deaths-at-the-eu-belarusian-border>
- 10 Protecting Rights at Borders (PRAB), (May 2023) *Policy Note III: Walls and high tech at Europe’s borders: the new normal and a tool used to prevent people from crossing the borders and even injuring those trying to reach safety*, <https://drc.ngo/media/2cqnt3oq/prab--policy-note--walls-and-high-tech-at-europe-s-borders.pdf>
- 11 We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, <https://wearemonitoring.org.pl/wp-content/uploads/2024/11/2410-ST-CM-October-2024.pdf>
- 12 For instance, over €67m (US\$83.9m) was assigned to Poland under the Border Management and Visa Policy Instrument 2021-2027 (BMVI) for European integrated border management, specifically to cover ‘the additional needs for support related to the situation at the border with Belarus.’ Department of European Funds Ministry of the Interior and Administration, *Border Management and Visa Policy Instrument 2021-2027*, <https://www.gov.pl/web/european-funds/border-management-and-visa-policy-2021-2027>
- 13 We Are Monitoring data provided to Oxfam, January 2025. From January to May 2022 (before the erection of the fence), humanitarian organizations received 2,504 requests for assistance. In the same period the following year, this number was 4,147. Note that comparison is made with the same months to account for seasonal variations in numbers of crossings.
- 14 MSF (February 2024), *Death, Despair and Destitution*, op. cit.

- 15 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit.; Oxfam Key Informant Interviews with staff from MSF (June 5, 2024) and Egala (August 6, 2024).
- 16 MSF (February 2024), *Death, Despair and Destitution*, op. cit.
- 17 PRAB (May 2023), *Policy Note III: Walls and high tech at Europe's borders*, op. cit., referencing a 2023 periodic report from Grupa Granica (2023), available online at <https://hfhr.pl/upload/2023/02/report-of-grupa-granica-december-january.pdf>
- 18 Oxfam Key Informant Interviews with Birte Schorpion, Senior EU Policy and Advocacy Advisor, Danish Refugee Council (June 18, 2024) and Judyta Kuc, Head of Mission Support and Advocacy, MSF (June 11, 2024). See also MSF (February 2024), *Death, Despair and Destitution*, op. cit.
- 19 Stowarzyszenie Interwencji Prawnej (SIP) (June 10, 2024), *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*, <https://interwencjaprawna.pl/en/statement-from-organizations-providing-humanitarian-aid-on-the-polish-belarusian-border/>
- 20 Defence Industry Europe, *East Shield: Poland allocates EUR 2.3 billion to fortify eastern border, 18 May 2024*, <https://defence-industry.eu/east-shield-poland-allocates-eur-2-3-billion-to-fortify-eastern-border/>
- 21 NGO Forum Razem (November 15, 2024), *NGO Statement in response to the Migration Strategy in Poland and in support of the right to international protection*, <https://www.oxfam.org/en/letters-and-statements/ngo-statement-response-migration-strategy-poland-and-support-right>; Egala (undated), *Grupa Granica's Statement on the Migration Strategy*, <https://egala.org.pl/grupa-granicas-statement-on-the-migration-strategy/>; Migration Consortium (October 18, 2024), *10 punktów krytyki rządowej strategii migracyjnej ('10 points of criticism of the government's migration strategy')*, <https://konsorcjum.org.pl/10-punktow-krytyki-rzadowej-strategii-migracyjnej/>; See, for example, statements by Parliament speaker Szymon Hołownia and Left member Krzysztof Śmiszek, reported by The Guardian (October 15, 2024), *Human rights groups urge Polish PM to shelve plan to suspend right to asylum*, available at <https://www.theguardian.com/world/2024/oct/15/human-rights-groups-urge-polish-pm-to-shelve-plan-to-suspend-right-to-asylum>
- 22 EU Commission (December 11, 2024), *Commission steps up support for Member States to strengthen EU security and counter the weaponisation of migration*, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_6251
- 23 As per We Are Monitoring periodic reports over the course of 2024, available at: <https://wearemonitoring.org.pl/en/report/>
- 24 Mubarak has spoken publicly about his experiences, raising awareness of the perspectives of people on the move, whose voices are rarely heard in discussions about the situation on this border. He has chosen to use his real name in this report.
- 25 Oxfam Key Informant Interview with Judyta Kuc, Head of Mission Support and Advocacy, MSF (June 11, 2024).
- 26 Justyna (name changed) and Anton (quoted below; name also changed) both volunteer for Egala at a Polish hospital in a town about 20km from the border with Belarus. They usually work in the Emergency Department, providing people who have crossed the border with supplies of essentials such as clean clothes, as well as help with power of attorney, overcoming language barriers and explaining what is happening to them. Both volunteers previously spent time volunteering in the forest.
- 27 We Are Monitoring Data provided to Oxfam, January 2025. The data provided covers the period up until November 2024.
- 28 See, for example: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, www.hrw.org/news/2024/12/10/poland-brutal-pushbacks-belarus-border; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone: 12 months of the Polish-Belarusian border crisis*, <https://hfhr.pl/en/publications/the-lawless-zone--12-months-of-the-polish-belarusian-border-crisis>; Human Rights Watch (June 2022), *Violence and Pushbacks at Poland-Belarus Border*, <https://www.hrw.org/news/2022/06/07/>

- [violence-and-pushbacks-poland-belarus-border](#); Asylum Information Database (AIDA) (last updated July 10, 2024), *Access to the territory and push backs, Poland*, <https://asylumineurope.org/reports/country/poland/asylum-procedure/access-procedure-and-registration/access-territory-and-push-backs/>
- 29 See, for example, Hanna Jarzabek (2023), *The Jungle*, <https://hannajarzabek.com/another-wall#Section-138478>; Balkan Insight (May 27, 2024), *Poland's New Government Continues Migrant Pushbacks on Belarus Border*, <https://balkaninsight.com/2024/05/27/polands-new-government-continues-migrant-pushbacks-on-belarus-border/>; The Guardian (April 27, 2024), *Polish border 'pushbacks' back in spotlight after pregnant woman's ordeal*, <https://www.theguardian.com/world/2024/apr/27/polish-border-pushbacks-pregnant-woman-donald-tusk>; The Guardian (October 2, 2023), *Beatings, dog bites, and barbed wire: life and death on the Poland-Belarus border*, <https://www.theguardian.com/world/2023/oct/02/beatings-dog-bites-and-barbed-wire-life-and-death-on-the-poland-belarus-border>
- 30 Up-to-date information is published by the Border Guard via Twitter: https://twitter.com/Straz_Graniczna and in the form of regular reports, available on its website: <https://www.strazgraniczna.pl/pl/aktualnosci/9880,Sytuacja-na-granicy-polsko-bialoruskiej.html> https://bip.brpo.gov.pl/sites/default/files/2024-09/Do_KGSG_cudzoziemcy_pelnomocnicy_pushbacki_9_09_2024.pdf
- 31 In 2022, Human Rights Watch reported that commanders at two Border Guard stations confirmed that they summarily push people back, and that, as there is no formal readmission agreement with Belarus, this involves taking migrants and asylum seekers to the fence and ordering them to go back. See Human Rights Watch (June 2022), *Violence and Pushbacks at Poland-Belarus Border*, op. cit.
- 32 Ordinance of the Minister of Internal Affairs and Administration of August 20, 2021 (authorizing the Border Guard to turn back foreigners to the borderline solely based on a verbal instruction) and the Law on Foreigners as amended in October 2021 (allowing for the issuing of immediately enforceable 'orders to leave the Republic of Poland' to foreigners apprehended after crossing the border irregularly). For more detail, see We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.18-20; and Asylum Information Database (AIDA) (December 2022), *Country Report: Poland*, https://asylumineurope.org/wp-content/uploads/2023/05/AIDA-PL_2022-Update.pdf
- 33 Cases before Polish domestic courts since 2021 have held, *inter alia*, that orders issued for foreigners to leave Poland have been issued in violation of provisions of relevant administrative procedures, and that border guards cannot escort foreigners to the borderline with Belarus without initiating relevant procedures or allowing the foreigner to apply for international protection. For more on domestic jurisprudence, see: Helsinki Foundation For Human Rights (December 2022), *Legal Brief on judgements in cases involving the expedited returns of migrants to Belarus*, <https://hfhr.pl/upload/2022/12/hfhr-legal-brief-on-push-back-judgements-eng.pdf>; AIDA, *Access to the territory and push backs, Poland*, op. cit.
- 34 Cases before Polish domestic courts since 2021 have held, *inter alia*, that orders issued for foreigners to leave Poland have been issued in violation of provisions of relevant administrative procedures, and that border guards cannot escort foreigners to the borderline with Belarus without initiating relevant procedures or allowing the foreigner to apply for international protection. For more on domestic jurisprudence, see: Helsinki Foundation For Human Rights (December 2022), *Legal Brief on judgements in cases involving the expedited returns of migrants to Belarus*, <https://hfhr.pl/upload/2022/12/hfhr-legal-brief-on-push-back-judgements-eng.pdf>; AIDA, *Access to the territory and push backs, Poland*, op. cit.
- 35 By January 2023, Grupa Granica had already reported that it had obtained 59 decisions on interim measures from the ECtHR ordering Polish authorities to refrain from transferring migrants to Belarus, with 10 judgments confirming that the method of returning migrants to Belarus is a gross violation of Polish, EU and international law. Reported by Oko Press (January 17, 2023), <https://oko.press/kryzys-humanitarny-na-granicy-polsko-bialoruskiej-grupa-granica-pomogli-smy-14-tys-osob>
- 36 For more details, see reporting on relevant case by Notes From Poland (July 18, 2024), *Polish border guard violated law by sending injured migrants back to Belarus, finds court*, <https://notesfrompoland.com/2024/07/18/polish-border-guard-violated-law-by-sending-injured-migrants-back-to-belarus-finds-court/>

- 37 Council of Europe Commissioner for Human Rights (September 23, 2024), *Poland needs to respect its international human rights obligations on the Belarusian border, says Commissioner O’Flaherty*, <https://www.coe.int/en/web/commissioner/-/poland-needs-to-respect-its-international-human-rights-obligations-on-the-belarusian-border-says-commissioner-o-flaherty>
- 38 See Article 33(1) of the 1951 Refugee Convention; Article 3 of the Convention Against Torture; Article 16 of the International Convention for the Protection of All Persons from Enforced Disappearance.
- 39 UNHCR notes ‘The principle of non-refoulement under international human rights law’, available at <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrinciple-Non-RefoulementUnderInternationalHumanRightsLaw.pdf>
- 40 As long as they present themselves without delay to authorities and show good cause for illegal entry or presence, as per Article 31(1) of the 1951 Refugee Convention.
- 41 Though not explicit, the principle of non-refoulement is derived from a number of articles of the ECHR, notably Article 2 (right to life) and Article 3 (prohibition of torture, inhuman and degrading treatment or punishment).
- 42 There is a significant body of case law from the European Court of Human Rights (ECtHR) which upholds the non-refoulement principle and underscores its absolute and non-derogable nature, even in situations of mass arrivals of migrants at border states. For more information see: the EU Migration Law Blog (February 28, 2020), *Hot returns remain contrary to the ECHR: ND & NT before the ECHR*, <https://eumigrationlawblog.eu/hot-returns-remain-contrary-to-the-echr-nd-nt-before-the-echr/>
- 43 See Article 4, ECHR; *Andric v. Sweden*, application no.45917/99, February 23, 1999, para. 1., ‘...the question of expulsion also applies to persons who arrived at the territory of the respondent State and were stopped and returned to the originating State [...] irrespective of whether or not they arrived in the respondent State legally.’
- 44 *Andric v. Sweden*, application no.45917/99, February 23, 1999, para. 1.
- 45 See, for example: Articles 18 and 19 of the Charter of Fundamental Rights of the European Union; Article 78(1) of the Treaty on the Functioning of the European Union; Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, <https://eur-lex.europa.eu/eli/dir/2013/32/oj/eng>, a protection which is replicated in Regulation (EU) 2024/1348, which will replace this Directive by 2026 under the new Pact on Migration and Asylum.
- 46 Article 19, Charter of Fundamental Rights of the European Union.
- 47 See, for example, Directive 2008/115/EC – common standards and procedures for returning illegally staying non-EU nationals, summarized here: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:j0014>
- 48 Directive 2008/115/EC, <https://eur-lex.europa.eu/eli/dir/2008/115/oj/eng>
- 49 For a comprehensive summary of domestic cases on pushbacks and the illegality of the border regulation under Polish law (available in English and Polish), see Helsinki Foundation for Human Rights (August 2024), *Disappearances on the Polish-Belarusian border. Pushbacks as a factor in enforced disappearances in Poland*, <https://hfhr.pl/publikacje/raport-zaginieni-na-granicy-polsko-bialoruskiej>
- 50 Judgment of the Provincial Administrative Court in Bialystok of September 15, 2022, case no II SA/Bk 492/22; judgment of the Provincial Administrative Court in Bialystok of September 15, 2022, case no II SA/Bk 493/22; judgment of the Provincial Administrative Court in Bialystok of September 15, 2022, case no II SA/Bk 494/22. With reference to the Ordinance of the Ministry of the Interior. For more detail, see Helsinki Foundation For Human Rights (December 2022), *Legal Brief on judgements in cases involving the expedited returns of migrants to Belarus*, op. cit.
- 51 Art 56 of the Constitution of the Republic of Poland. For analysis, see Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit.

- 52 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, www.hrw.org/news/2024/12/10/poland-brutal-pushbacks-belarus-border. See also We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.57. Stories from people apprehended by border forces several kilometers into Poland and returned to the fence are quite common. One man even reported to a humanitarian organization that he was apprehended ‘in the capital of Poland’ and returned to the Belarusian border (although this is unverified).
- 53 People have reported being held in detention for two to five days without explanation before pushback in 2024. Five people reported this treatment in June alone. See We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit.
- 54 We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit. In an interview with Abai, he reports being held overnight in a ‘jail-cell’ like room without a toilet, food or water.
- 55 Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit.
- 56 For example, in October, humanitarian organizations registered the pushbacks of 87 people, four of whom were minors and two of whom were unaccompanied (reported in We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit.) In September, of 180 reported pushbacks, 16 were minors and 24 were women, as reported in We Are Monitoring (September 2024), *September 2024: Report from the Poland-Belarus border*, <https://wearemonitoring.org.pl/wp-content/uploads/2024/10/2409-ST-CM-September-2024.pdf>
- 57 BBC News (April 27, 2024), *Poland minister denies ‘pushback’ of pregnant Eritrean woman at border*, <https://www.bbc.com/news/world-europe-68912810>; Norwegian Refugee Council, Poland (July 10, 2024), *Urgent action needed for refugees trapped in Europe’s “death zone”*, <https://www.nrc.no/news/2024/july/poland-urgent-action-needed-for-refugees-trapped-in-europes-death-zone/>
- 58 See, for example, We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.29. From a message sent to a humanitarian organization from a man pushed back at the beginning of June: ‘They sent me back to the Belarusian forest today, saying that I do not have access to apply for protection in Poland... I even asked to contact you and call a lawyer, they did not allow me access to the phone.’
- 59 Despite requirements that foreigners ‘accompanied’ to the border receive a formal and written decision, data gathered from border guards in 2023 suggests that only slightly more than 10% of people returned to the borderline by border guards ever received a decision to leave. In Hanna Jarzabek (2023), *The Jungle*, op. cit.
- 60 Letter of the Ministry of the Interior and Administration of Poland dated July 23, 2024, in response to criticism of the human rights situation at the border by Council of Europe Commissioner for Human Rights, <https://rm.coe.int/reply-of-the-authorities-to-the-commissioner-s-letter-to-poland/1680b10ba2>
- 61 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.
- 62 Commissioner for Human Rights, Poland (January 2021), *Input of the Commissioner for Human Rights of the Republic of Poland for the Special Rapporteur’s on the Human Rights of Migrants report on pushback practices and their impact on the human rights of migrants*, <https://bit.ly/3u2J3bx>; Helsinki Foundation for Human Rights (April 2019), *Access to asylum procedure at Poland’s external borders*, <https://bit.ly/40e9fyE>; Helsinki Foundation For Human Rights (October 2016), “Road to nowhere” – report from Brest-Terespol border crossing, <https://hfhf.pl/en/news/-road-to-nowhere--report-from-brest-terespol-border-crossing>; and AIDA, *Access to the territory and push backs, Poland*, op. cit.
- 63 62 Olga (name changed) works for Egala Association supporting those crossing the border.
- 64 PRAB (January 2024), *Pushbacks at Europe’s borders: a continuously ignored crisis*, <https://interwencjaprawna.pl/wp-content/uploads/2021/01/PRAB-Report-September-to-December-2023--final.pdf>
- 65 Letter of the Ministry of the Interior and Administration of Poland (July 23, 2024), op. cit.
- 66 See, for example, We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.57.

- 67 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. The same experience is reported by Egala workers and volunteers.
- 68 SIP (June 10, 2024), *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*, op. cit.
- 69 We are Monitoring data provided to Oxfam, January 2025
- 70 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.58-67.
- 71 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. One man's testimony included a description of being forced to sign papers in Polish, and only shown the content of the paper in a language he understood after signing. See also We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.28. A man told humanitarian organizations that he and his companions had been told they would be taken to a camp after signing, but instead, 'they drive to the border and they say [something] like: "Go back to Belarus, you are pushed back." That was it.'
- 72 See, for example, We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*. One man from Syria said he was taken with travel companions to a border post and 'beaten for two days' before border guards 'tried to force them to sign a document saying they didn't want asylum.' Also see: We Are Monitoring (June 2024), *June 2024, Report from the Poland-Belarus border*, op. cit., p.28: 'several [people who had been pushed back despite expressing desire to request asylum] related that after submitting themselves to the Border Guard they were taken to the station where they were reportedly forced or manipulated into signing documents stating that they do not wish to seek asylum in Poland. ... [Some] reported force and threats being used in order to make them sign the documents, with one person describing his fingers being broken as a result.'; SIP (June 10, 2024), *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*, op. cit. 'People on the move tell us that with threats or physical violence they are forced to sign statements that they do not want to apply for international protection in Poland.'
- 73 See, for example, We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit. The story of Abai: he said he did not sign, while a friend he was traveling with did – both were pushed back.
- 74 Mateusz has worked at the border for over three years, having joined the humanitarian efforts at the beginning of the humanitarian crisis. He is responsible for coordinating interventions from Egala's base camp.
- 75 The text of the draft law proposed to legislature can be found here: [https://orka.sejm.gov.pl/Druki10ka.nsf/Projekty/10-020-307-2024/\\$file/10-020-307-2024.pdf](https://orka.sejm.gov.pl/Druki10ka.nsf/Projekty/10-020-307-2024/$file/10-020-307-2024.pdf)
- 76 SIP (December 13, 2024), *SIP Statement on Draft Legislation Proposing the Suspension of the Right to Asylum*, <https://interwencjaprawna.pl/en/sip-statement-on-draft-legislation-proposing-the-suspension-of-the-right-to-asylum/>
- 77 Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit.
- 78 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. In the testimony of Abshir, a 25-year old from Somalia, he reports being forced to go through swamp water, and that people in uniform shot at him and his travel companions with rubber bullets to make them walk; Also see: We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.36: Story of Amadi: 'They point their guns towards them and say, "Get into the water," because, they don't want to be beaten, they jump and get into the water...'; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.3.
- 79 For testimonies and reports of this behavior see, among others, Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit; We Are Monitoring (October 2024) *We Have Only One War*, op. cit., pp.86-97; Dominika Ożyńska (July 24, 2024), *Violent pushbacks, a no-go zone and hostility: The triple threat for refugees at the EU's 'green border'*, <https://views-voices.oxfam.org.uk/2024/07/triple-threat-refugees-eu-green-border/>; SIP (June 10, 2024), *Statement from organizations providing humanitarian aid*

- on the Polish-Belarusian border, op. cit.; MSF (February 2024), *Death, Despair and Destitution*, op. cit.; PRAB (January 2024), *Pushbacks at Europe's borders: a continuously ignored crisis*, op. cit.; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit.; Hanna Jarzabek (2023), *The Jungle*, op. cit.; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit.
- 80 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.
- 81 We Are Monitoring data provided to Oxfam, January 2025.
- 82 See, for example: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. Human Rights Watch reports speaking with three pregnant women: two who had been admitted into Poland by border guards, and one who had been pushed back; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.27. In May, an Ethiopian woman reported traveling with a pregnant woman: 'Yeah, the pregnant woman was pushed back like 8 times, and then she was showing her baby [stomach] and showing that she is pregnant and she begged them too much to be accepted for international protection [...]. But they refused and they pushed us back at the point [...] they push both of us back.'
- 83 Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.37.
- 84 See, for example: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*. A 23-year-old woman reported being pushed back after breaking her leg. Human Rights Watch observed her hospital records and a scar on her leg that was consistent with her account; We Are Monitoring (October 2024) *We Have Only One War*, op. cit., pp.104-106. One man, Qasim, reported having a broken leg which prevented him from standing or walking. He recounts that when he saw a drone in the forest, he waved to attract the attention of the border guards and request that they take him to a hospital. Instead, when border guards came, he was driven for three hours on bumpy roads, causing him significant pain, before being pushed back to Belarus. On p.132, Ali also reports being pushed back despite being unable to walk.
- 85 In May 2024, footage published by local activists from the Podlaskie Ochotnicze Pogotowie Humanitarne (Podlaskie Volunteer Humanitarian Emergency Service, or POPH) showed uniformed Polish officials carrying the bodies of seemingly unconscious people to the border fence and pushing them back. See Balkan Insight Reporting Democracy (May 27, 2024), *Poland's New Government Continues Migrant Pushbacks on Belarus*, <https://balkaninsight.com/2024/05/27/polands-new-government-continues-migrant-pushbacks-on-belarus-border/>
- 86 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.39. André's story: Activist organizations took photos of his injuries, showing a congested, blackened wound visible on the sole and big toe of his left foot.
- 87 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.167. One respondent told We Are Monitoring that he was in a group with a man who could no longer walk. Several members of the group, including the respondent, continued walking to look for help. They were stopped by Polish forces, who they informed in English that their companion needed urgent medical help, providing his location. Before pushing the respondent back, the Polish uniformed personnel reassured him that they would go to the man and provide assistance. However, the man was not found – he died alone in the woods on the same day; See also Fundacja Ocalenie (March 2024), *No Safe Passage. Migrants' deaths at the EU-Belarusian border*, op. cit. In February 2023, two migrants reached out to border guards for help for a woman in their group who was very ill. Instead of following the men to where she lay in the forest, unable to walk, border guards took the two men to the border and pushed them back to Belarus. Ten days later, the woman was found dead by activists; See also the case of Ibrahim Jaber Ahmed Dehya, reported in OKO Press (January 14, 2023), *Śmiertelne zniwo push backów na granicy z Białorusią - znaleziono ciała aż 4 migrantów!*, <https://oko.press/smiertelne-zniwo-push-backow-na-granicy-z-bialorusia-znaleziono-ciala-az-4-migrantow>. Dehya, a 36-year-old doctor from Yemen, died from hypothermia in the Białowieża Forest. His travel companions told Egala that they knew his condition was worsening and that his life was in danger. They went out onto the road, found the Polish authorities and asked them for assistance. The authorities refused to help and pushed them back to Belarus.

- 88 MSF (February 2024), *Death, Despair and Destitution*, op. cit., p.44. The following is from the testimony of a patient treated by MSF in Belarus, who had been pushed back from a hospital in Poland in 2023: 'Because I was sick, I was in hospital for three days. I really asked for protection but, at the end, they gave me back to Belarus, without anything, just alone, and I didn't know how to find my way but I met people on the road [...] I told the doctor, I want to stay here, I am seeking asylum, but he said to me, "Honestly, I don't know what is going to happen to you," and the border guards came to the hospital, and they put me in prison for three hours, and after that, I went back to the border.'
- 89 We Are Monitoring data provided to Oxfam, January 2025.
- 90 Oxfam interview with Egala hospital volunteers Justyna and Anton (June 2024).
- 91 Oxfam Key Informant Interview with Judyta Kuc, Head of Mission Support and Advocacy, MSF (June 11, 2024). This incident occurred in May 2024.
- 92 MSF (February 2024), *Death, Despair and Destitution*, op. cit.
- 93 PRAB (January 2024), *Pushbacks at Europe's borders: a continuously ignored crisis*, op. cit., p.7; Asylum Information Database (AIDA) (December 2022), *Country Report: Poland*, op.cit.; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.37.
- 94 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.115-117.
- 95 Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.37.
- 96 Namely under Article 3 of the ECHR; Articles 30 and 40 of the Constitution of Poland. For analysis, see Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., pp.37-38.
- 97 PRAB (January 2024), *Pushbacks at Europe's borders: a continuously ignored crisis*, op. cit., p.9.
- 98 We Are Monitoring data provided to Oxfam, January 2025.
- 99 SIP (June 10, 2024) *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*.
- 100 See, for example, We Are Monitoring (October 2024) *We Have Only One War*, op. cit., pp.73-80.
- 101 See, for example: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.; We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit., story of Abai: 'They [Polish officers] have these shoes that look like they are made of metal and they kick you in the stomach and other sensitive areas.'; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.38, Andre's story: 'They were kicking me, they were beating me. They used their legs and hands, everything. ... One soldier took his gun and beat my friend with this.'; MSF (February 2024), *Death, Despair and Destitution*, op. cit., p.42; Hanna Jarzabek (2023), *The Jungle*, op. cit.; Human Rights Watch (June 2022), *Violence and Pushbacks at Poland-Belarus Border*, op. cit. 'On two occasions, people said, Polish border guards beat them with batons, and kicked and pushed them before forcing them back to Belarus.'
- 102 See, for example: We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.85-86, testimony of Mujeeb; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.38, testimony of Andre; We Are Monitoring (June 2024) *June 2024: Report from the Poland-Belarus border*, op. cit., story of Andre; We Are Monitoring (October 2024), *Only One War*, op. cit., pp.85-86, testimony of Mujeeb.
- 103 See: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.; We Are Monitoring (October 2024) *We Have Only One War*, op. cit., p.120: 'the reports of our interviewees point to a routine use of pepper spray against people on the move at every stage of their interactions with the authorities (not only during direct attempts to stop them from crossing the border).'; We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit., p.22, testimony of a man who said that despite telling border guards he had asthma, they still ordered him to open his eyes before spraying him with

- pepper spray; Asylum Information Database (AIDA) and European Council on Refugees and Exiles (ECRE) (June 2024), *Country Report: 2023 Update, Poland*, https://asylumineurope.org/wp-content/uploads/2024/06/AIDA-PL_2023-Update.pdf; MSF (February 2024), *Death, Despair and Destitution*, op. cit., p.42; PRAB (January 2024), *Pushbacks at Europe's borders: a continuously ignored crisis*, op. cit.
- 104 See: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. Human Rights Watch spoke with a man who said he was apprehended 12km inside Poland, and was bitten by border guard dogs; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.24: medics report dog bites that are allegedly from the Polish side of the border.
- 105 See, for example: We Are Monitoring (September 2024), *September 2024: Report from the Poland-Belarus border*, op. cit., p.13: story of 'Hiyab', who said he was physically pushed into water (possibly a river or swamp, based on translation ambiguity) by Polish officers; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., pp.34-37: story of Amadi; Helsinki Foundation for Human Rights (July 2022) *'The Lawless Zone'*, op. cit., pp.3, 7, 29-30.
- 106 See: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. A 24-year old Yemeni man reported that the third time he was pushed back, someone he believed was a police officer stripped him to his underwear and beat him; We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.142. In this case, sexual violence was also reported, in the form of painful touching of the detainees' genitals; We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit., p.14: 'He reported that other people on the move had their clothes destroyed by Polish officers before the pushback, e.g. by cutting trousers along the legs. His friend was pushbacked in nothing but his underwear.'; We Are Monitoring (September 2024), *September 2024: Report from the Poland-Belarus border*, op. cit., p.13. Hiyab shared his experience of being pushed back in only his boxer shorts.; SIP (June 10, 2024), *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*, op. cit.
- 107 PRAB (January 2024), *Pushbacks at Europe's borders: a continuously ignored crisis*, p.18.
- 108 Ibid.
- 109 See, for example: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. A Human Rights Watch researcher saw hospital records and observed a scar on the leg of a woman consistent with her report of being pushed back with a broken leg; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.23. An intervention report from a humanitarian organization records seeing the marks on a man's back, which he said was caused by being beaten with a truncheon by Polish authorities.
- 110 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.31.
- 111 We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit., p.15.
- 112 M. Kazubal (June 7, 2024), *Strzały na granicy z Białorusią. Wiemy, ile razy wojsko użyło broni*, <https://www.rp.pl/wojsko/art40581321-strzaly-na-granicy-z-bialorusia-wiemy-ile-razy-wojsko-uzylobroni>: 'From January 1, 2024 to June 6, 2024 along the Polish-Belarusian border, soldiers of the Armed Forces of the Republic of Poland fired 1,190 warning shots, using 1,190 pieces of ammunition' [translated from Polish by We Are Monitoring].
- 113 Dominika Ożyńska (July 24, 2024), *Violent pushbacks, a no-go zone and hostility*, op. cit.
- 114 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.81.
- 115 The draft text of the law can be found (in Polish) here: <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20240001248/T/D20241248L.pdf>. For more information on the law in English see, for example, Balkan Insight Reporting Democracy (July 29, 2024), *Poland Passes Law Granting Soldiers Immunity When Using Firearms at Belarus Border*, <https://balkaninsight.com/2024/07/29/poland-passes-law-granting-soldiers-immunity-when-using-firearms-at-belarus-border>
- 116 See, for example, Helsinki Foundation for Human Rights (July 1, 2024), *Negative opinion on the new rules for*

- use of firearms at border, <https://hfhr.pl/en/news/new-rules-for-use-of-firearms-at-border>
- 117 See, for example, Council of Europe Commissioner for Human Rights, Letter to the Marshal of the Senate of the Republic of Poland dated July 17, 2024, <https://rm.coe.int/letter-to-the-marshall-of-the-senate-of-poland-by-michael-o-flaherty-co/1680b108e0>; Amnesty International, Poland (July 10, 2024), *New firearms regulations risk undermining the rule of law*, <https://www.amnesty.eu/news/poland-new-firearms-regulations-risk-undermining-the-rule-of-law/>
- 118 SIP (July 11, 2024), *Current situation on the Polish-Belarusian border – statement by Grupa Granica*, <https://interwencjaprawna.pl/en/current-situation-on-the-polish-belarusian-border-statement-by-grupa-granica/>
- 119 Specifically Articles 2 and 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms. For analysis, see Helsinki Foundation For Human Rights (July 1, 2024), *Negative opinion on the new rules for use of firearms at border*; Amnesty International (July 10, 2024), *Poland: New firearms regulations risk undermining the rule of law*, op. cit.; See also Council of Europe Commissioner for Human Rights, Letter to the Marshal of the Senate of the Republic of Poland dated July 17, 2024, where he points out that ‘States are obliged to take necessary legislative, administrative, and regulatory measures to reduce as far as possible the adverse consequences of the use of force. National law must secure a system of adequate and effective safeguards against arbitrariness and abuse of force by state agents. Unregulated and arbitrary action by state agents is incompatible with effective respect for human rights.’
- 120 Council of Europe Commissioner for Human Rights (September 23, 2024), *Poland needs to respect its international human rights obligations on the Belarusian border*, says Commissioner O’Flaherty, op. cit.
- 121 For an example of this narrative, see The Polish Institute of International Affairs (February 2, 2022), *The Border Crisis as an Example of Hybrid Warfare*, www.pism.pl/publications/the-border-crisis-as-an-example-of-hybrid-warfare
- 122 In June 2024, Poland’s Defense Minister, Władysław Kosiniak-Kamysz, told the press, ‘We are struggling with a huge problem – not a migration problem, because today there are no migrants on the Polish-Belarusian border, there are people attacking Polish soldiers, policemen and border guards. They are trained for this.’ As reported by Notes From Poland (June 25, 2024), <https://notesfrompoland.com/2024/06/25/poland-asks-germany-and-france-for-help-policing-belarus-border/>
- 123 As reported by Reuters (June 26, 2024), *Polish border migrant crisis: bill to allow use of arms sparks rights concerns*, <https://www.reuters.com/world/europe/polish-bill-using-arms-belarus-border-sparks-human-rights-concerns-2024-07-26/>
- 124 Language used in the official Letter of the Ministry of the Interior and Administration of Poland, dated July 23, 2024, in response to criticism of the human rights situation at the border by Council of Europe Commissioner for Human Rights, op. cit.
- 125 As described by Monika Matus, Senior Advocacy Specialist, MSF, in an Oxfam Key Informant Interview (June 5, 2024).
- 126 As reported to the Gazeta Wyborcza, 25 June 2024; referenced in English by ECRE, July 19, 2024. *EU EASTERN BORDERS*, <https://ecre.org/eu-eastern-borders-significant-increase-in-arrivals-via-eu-eastern-borders-despite-overall-decrease-in-eu-%E2%80%95-finland-adopts-controversial-pushback-law-%E2%80%95-asylum-seeker/>
- 127 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.154.
- 128 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.151-152. One interviewee, Wissam, described asking a Belarusian patrol to let him return to Minsk to seek treatment for his broken leg – they reportedly responded, ‘No, you cannot return to Minsk, you have to go to Poland.’; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.24. Excerpt from humanitarian intervention report interview with a man in June 2024: ‘[He was] for several weeks in ‘*muharrama*’, after two

- pushbacks, beaten on both sides of the border. Belarusians did not allow him to retreat to Minsk.’; Human Constanta (June 2021–February 2022), *Humanitarian Crisis in Belarus and at the Border with the EU*, <https://humanconstanta.org/humanitarian-crisis-en-2021-2022/#!/tab/421514281-12>. People interviewed by Human Constanta reported that Belarusian border guards ‘did not allow them to return to Minsk or another city, directly stating that they could leave the makeshift camp in the forest in only one direction – the direction of the border with the EU countries.’
- 129 See: We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.146. Interviewee Ahmed recounted that a Belarusian officer directing them to cross the fence ‘gave us the understanding that even if we die he will not bring us back to Minsk, we have to go to Poland.’; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., pp.32-33;
- 130 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.10, quoting from an interview with men from Syria and Yemen.
- 131 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.16.
- 132 Ibid., p.153
- 133 Amnesty International (April 2022), *Poland: Cruelty Not Compassion, at Europe’s Other Borders*, p.16, <https://www.amnesty.org/en/documents/eur37/5460/2022/en/>
- 134 Human Constanta (June 2021–February 2022), *Humanitarian Crisis in Belarus and at the Border with the EU*, op. cit.
- 135 We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.156.
- 136 See: Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.; We Are Monitoring (November 2024), *November 2024: Report from the Poland-Belarus border*, p.9, https://weare-monitoring.org.pl/wp-content/uploads/2024/12/2411-WAM-update-november_2024.pdf. In November, nine persons reported violence by Belarusian services, including ‘beatings, destruction of property, restriction or forced movement.’; We Are Monitoring (October 2024), *We Have Only One War*, op. cit. p.158-163; We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., pp.36-37. Interview with three men from Somalia, early June: ‘Another form of violence used by Belarusian authorities involves transporting people 40–80 kilometres from the border as punishment and forcing them to walk back under threat of death, without food or water.’ Interview with three people from Somalia and Syria, June: ‘When he was dying of hunger and wanted to return to Minsk, the Belarusians took him deep into the forest, 40 kilometres away, and told him to return to the border, threatening him with death. They took his backpack, phone, and documents.’; SIP (June 10, 2024), *Statement from organizations providing humanitarian aid on the Polish-Belarusian border*, op. cit.; Fundacja Ocalenie (March 2024), *No Safe Passage*, op. cit., p.27. Testimonies report seeing a man shot by Belarusian forces, and another die as a result of waterboarding; MSF (February 2024), *Death, Despair and Destitution*, op. cit. p.40; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.31; Amnesty International (April 2022), *Poland: Cruelty Not Compassion, at Europe’s Other Borders*, op. cit.
- 137 See, for example, We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit. A field intervention report recorded five men speaking about being attacked by dogs on the Belarusian side of the border, two of whom showed dog-bite wounds (p.12). In another interview, three men from Somalia also spoke about being set upon by dogs from Belarusian forces, showing scars, bite marks and holes in their clothing where they had been bitten (pp.14-15); MSF (February 28, 2024), *Two years of response to the acute humanitarian crisis at EU’s eastern borders*, <https://msf.org/belarus-two-years-response-acute-humanitarian-crisis-eu-eastern-borders>; MSF (December 19, 2023), *People continue to cross Belarus-Poland border in search of safety in Europe*, <https://www.msf.org/people-continue-cross-belarus-poland-border-search-safety-europe> (MSF reports treating patients with dog bites).
- 138 In our interview with Egala hospital volunteers Justyna and Anton (names changed), they told us stories they had heard from patients who had crossed the border, that included the use of electrocution by Belarusian


- forces, and people on the move being told to run before dogs were set on them. Stories of people being placed in cars with snakes appeared in testimonies in We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.12.
- 139 See: We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.19; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.33. One local resident providing aid reported receiving a text and photos from someone who had been pushed back, who claimed Belarusians had cut off a piece of his finger as punishment for being pushed back.
- 140 See, for example: We Are Monitoring (October 2024), *October 2024: Report from the Poland-Belarus border*, op. cit., p.15. Testimony of a 16-year-old from Sudan who described being beaten by Belarusians in the *Sis-tema*; We Are Monitoring (September 2024), *September 2024: Report from the Poland-Belarus border*, op. cit., 104 people reported suffering from violence in Belarus, including eight children (five unaccompanied) and 12 women (one pregnant) (p.9). One group, consisting of 13 children and a pregnant woman, were allegedly forcibly thrown into the Bug River to force them to try to cross the border (p.12).
- 141 See, for example, Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.32; Egala hospital volunteers Justyna and Anton also reported hearing of sexual violence in their conversations with patients.
- 142 See, for example: We Are Monitoring (October 2024), *We Have Only One War*, op. cit., p.158; Amnesty International (April 2022), *Poland: Cruelty Not Compassion, at Europe's Other Borders*, op. cit.
- 143 See, for example, Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.31.
- 144 See, for example, We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.11. Excerpt from Humanitarian Intervention Report, discussing an interview with a man from Somalia, June 2024: 'He spoke of the relentless, terrifying violence in Belarus... the increasingly violent coercion to push larger groups against the border, and of being forced through beatings to throw stones at the fence.' Also, testimony by a man from Syria, who wrote: 'A police officer gave me a knife and said: "Hit a Polish officer." I told him I couldn't do it. The police beat me and said I had to. It was the Belarusian police. They told me to go to Poland, and if the Polish police caught me, I should stab an officer.'
- 145 See, for instance, the language used in the Letter of the Ministry of the Interior and Administration of Poland, dated July 23, 2024, in response to criticism of the human rights situation at the border by Council of Europe Commissioner for Human Rights, op. cit. 'It seems important to emphasize that a large number of cases of illegal border crossings are of a mass nature and involve brutal attacks on Polish officers, using knives, branches, broken glass, stones, etc. The actions taken in these conditions constitute a repulse of an attack at the border and cannot be compared to the standard administrative actions taken with migrants after crossing the border.'
- 146 See, for example, Human Rights Watch (June 7, 2022), *Violence and Pushbacks at Poland-Belarus Border*, <https://www.hrw.org/news/2022/06/07/violence-and-pushbacks-poland-belarus-border>. 'The gravity of abuses by Belarusian border guards constitutes cruel and inhuman or degrading treatment and may constitute torture, in violation of Belarus' international treaty obligations as a party to the International Covenant on Civil and Political Rights (ICCPR), the UN Convention Against Torture and Other Forms of Inhuman or Degrading Treatment (UNCAT), and the International Convention on the Rights of the Child (CRC).'
- 147 Article 3, CAT.
- 148 Article 3, ECHR.
- 149 For analysis see, for example: European Union Agency for Fundamental Rights, *Fundamental rights of refugees, asylum applicants and migrants at the European Borders*, https://fra.europa.eu/sites/default/files/fra_uploads/fra-coe-2020-european-law-land-borders_en.pdf; EU Migration Law Blog (February 28, 2020), *Hot returns remain contrary to the ECHR: ND & NT before the ECHR*, op. cit.
- 150 See, for example, comments from Minister Duszczyk in early 2024: 'I assure you that the Border Guard no

- longer conducts pushbacks like those seen under Law and Justice since 2023. As a migration researcher, I have seen films with pushbacks conducted in a very non-humanitarian way. Such actions cannot take place in a democratic state that respects human rights.’ Reported in *Gazeta Wyborcza* (February 14, 2024), *Wiceminister Duszczczyk: Nie będzie więcej śmierci przy granicy z Białorusią*, <https://wyborcza.pl/7,75399,30694187,wiceminister-duszczczyk-nie-bedzie-wiecej-smierci-przy-granicy.html> (for English language source see: <https://balkaninsight.com/2024/05/27/polands-new-government-continues-migrant-pushbacks-on-belarus-border/>)
- 151 Letter of the Ministry of the Interior and Administration of Poland, dated July 23, 2024, in response to criticism of the human rights situation at the border by Council of Europe Commissioner for Human Rights, op. cit.
- 152 In 2024, UNHCR had a budget of US\$85m, including US\$70m for protection activities, targeting 227,500 refugees. For details, see the Poland UNHCR 2024 Programme Summary (January 26, 2024), <https://reliefweb.int/report/poland/poland-unhcr-2024-programme-summary#:~:text=Based%20on%20potential%20population%20movements,refugee%20population%20in%20the%20country>
- 153 IOM’s 2024 appeal for Poland requested US\$50m, targeting 115,000 Ukrainian refugees in Poland: <https://poland.iom.int/pl/news/iom-polands-appeal-usd-50-million-support-115000-ukrainian-refugees-poland-2024#:~:text=Warsaw%20%E2%80%93%20The%20International%20Organization%20for,in%20Geneva%20on%2015%20January.>
- 154 See IOM’s Displacement Tracking Matrix at <https://dtm.iom.int/poland>
- 155 We Are Monitoring data provided to Oxfam, January 2025. Data covers the period from January to November 2024, and represents assistance provided by organizations which are part of Grupa Granica.
- 156 See, for example, MSF (February 2024), *Death, Despair and Destitution*, p.28. MSF recounts an incident on May 28, 2023, where its staff were alerted to a group of 30 people on the far side of the fence, including 17 children and a pregnant woman, who were in distress. Four were identified as being in a critical condition. Calls for the medical evacuation of those in the most critical condition went unanswered, and MSF personnel were forced to leave the militarized border zone without delivering the necessary medical follow-up.
- 157 This has been specifically reflected to Poland regarding people stranded at the border with Belarus in interim measures ordered by the European Court of Human Rights (ECtHR) in August 2021 in the case of R.A. and Others v. Poland (application no. 42120/21). See: <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECR&id=003-7100942-9612632&filename=Interim%20measures%20Poland-Latvia-Belarus%20border.pdf>
- 158 Amnesty International (April 2022), *Poland: Cruelty Not Compassion, at Europe’s Other Borders*, op. cit.
- 159 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit. Testimony of three Somali men included: ‘They said that for \$20, you could buy 2–3 slices of bread from Polish guards across the fence.’ (p.14). Testimony of a Somali couple and a man from Syria: ‘They told us that they could buy a piece of bread from Polish soldiers for \$20. On one occasion, a Somali man gave them \$100 to receive 5 pieces, but they gave him nothing in return and chased him away.’ (p.15).
- 160 Notes from Poland (March 11, 2024), *Poland sets up search-and-rescue teams to help migrants crossing Belarus border*, <https://notesfrompoland.com/2024/03/11/poland-sets-up-search-and-rescue-teams-to-help-migrants-crossing-belarus-border/>
- 161 Balkan Insight Reporting Democracy (May 27, 2024), *Poland’s New Government Continues Migrant Pushbacks on Belarus Border*, <https://balkaninsight.com/2024/05/27/polands-new-government-continues-migrant-pushbacks-on-belarus-border/>
- 162 MSF (February 2024), *Death, Despair and Destitution*, op. cit., p.44.
- 163 While the most cases of experiencing problems with contacting ambulances are from autumn 2021, and the situation improved somewhat in 2023 when MSF began supporting the process, Egala workers report that

- long negotiations with dispatchers are still common.
- 164 Fundacja Ocalenie (March 2024), *No Safe Passage*, op. cit.
- 165 See, for example, the intervention of the Commissioner for Human Rights of the Council of Europe to the ECtHR case R.A. and others v. Poland in 2022, in which they argued the Polish authorities' failure to provide humanitarian assistance to asylum seekers and migrants, and the restrictions put in place by Poland on access to the border zone for persons and organizations providing humanitarian assistance and legal aid, raise concerns under Article 2 and Article 3. <https://www.coe.int/en/web/commissioner/-/commissioner-intervenes-before-the-european-court-of-human-rights-in-a-case-concerning-the-situation-of-asylum-seekers-and-migrants-stranded-at-the-bo>
- 166 For more details see, for example, Norwegian Refugee Council (July 9, 2024), *Refugees trapped in Europe's "death zone"*, op. cit.
- 167 See, for example, MSF (January 6, 2022), *MSF leaves Polish border after being blocked from assisting people*, <https://www.msf.org/msf-leaves-polish-border-after-being-blocked-assisting-migrants-and-refugees>; Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.16.
- 168 Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., pp.24-25.
- 169 Supreme Court ruling of January 18, 2022 (Case no. I KK 171/21). For analysis, see Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.14.
- 170 MSF (June 11, 2024), *New ban on Poland-Belarus border risks blocking MSF from people in need*, <https://www.msf.org/new-ban-poland-belarus-border-risks-blocking-msf-people-need>; Norwegian Refugee Council (July 10, 2024), *Poland: Urgent action needed for refugees trapped in Europe's "death zone"*, op. cit.; Dominika Ożyńska (July 24, 2024), *Violent pushbacks, a no-go zone and hostility*, op. cit.
- 171 For more detail, see Dominika Ożyńska (July 24, 2024), *Violent pushbacks, a no-go zone and hostility*, op. cit.
- 172 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. Polish authorities refused a Human Rights Watch request to visit two border posts and speak to border commanders. They gave permission to enter the exclusion zone to see the border fence and to visit the reception center in Biała Podlaska, but denied access to detention centers in Białystok and Biała Podlaska.
- 173 Council of Europe Commissioner for Human Rights, Letter to Prime Minister of Poland Mr. Donald Tusk, dated July 17, 2024, <https://rm.coe.int/letter-to-the-prime-minister-of-poland-by-michael-o-flaherty-council-o/1680b108e1>. The Commissioner cited, *inter alia*, Article 4 of Protocol No. 4 to the ECHR (prevention of collective expulsions), Article 13 of the ECHR (access to effective remedies) and Article 10 of the ECHR (upholding media freedom and the public's freedom to receive information).
- 174 See, for example, Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., pp.40-41; Amnesty International (April 2022), *Poland: Cruelty Not Compassion, at Europe's Other Borders*, op. cit.
- 175 For details, see ICMICA Pax Romana (December 18, 2021), *Poland Belarus Border KIK Statement*, <https://www.icmica-miic.org/2021/12/poland-belarus-border-kik-statement/>
- 176 See, for example, the decision of the District Court in Biała Podlaska of March 18, 2022, case no. II Kp 92/22. For analysis, see Helsinki Foundation for Human Rights (July 2022), *The Lawless Zone*, op. cit., p.46.
- 177 UN Special Rapporteur on Human Rights Defenders (February 15, 2022), *Poland: Human rights defenders face threats and intimidation at Belarus border*, <https://www.ohchr.org/en/press-releases/2022/02/poland-human-rights-defenders-face-threats-and-intimidation-belarus-border>
- 178 Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit.
- 179 For example, one group of activists who threw food, drinks and clothes to people trapped on the eastern side of the border fence were prosecuted for administrative offenses – they were acquitted in October 2023, with the court finding they acted out of necessity to save the life or health of others. Helsinki Foundation for

- Human Rights (October 30, 2024), *Helping is legal: Court acquits people who brought humanitarian aid over border wall*, <https://hfr.pl/en/news/helping-is-legal-court-acquits-people-who-brought-humanitarian-aid-over-border-wall>
- 180 For example, in September 2023, a man providing humanitarian assistance was charged with ‘heading a criminal group organizing illegal border crossings to Poland,’ an offense which can carry a 10-year prison sentence. Human Rights Watch (September 25, 2023), *Polish Volunteer Detained for Aiding Migrants*, <https://www.hrw.org/news/2023/09/25/polish-volunteer-detained-aiding-migrants>
- 181 For details, see Helsinki Foundation for Human Rights (May 14, 2024), *‘I didn’t think there was a law punishing the donation of food, drink, clothes and medicine to a person in need’ - indictment against activists delivering humanitarian aid on the border*, <https://hfr.pl/en/news/-i-didn-t-think-there-was-a-law-punishing-the-donation-of-food-drink-clothes-and-medicine-to-a>
- 182 Council of Europe Commissioner for Human Rights (September 23, 2024), *Poland needs to respect its international human rights obligations on the Belarusian border, says Commissioner O’Flaherty*, op. cit.
- 183 Dominika Ożyńska (July 24, 2024), *Violent pushbacks, a no-go zone and hostility*, op. cit.
- 184 Ibid.
- 185 We Are Monitoring (June 2024), *June 2024: Report from the Poland-Belarus border*, op. cit., p.7. On June 29, 2024, an organization working at the border received a message from a man who said he was beaten by an unknown perpetrator while on his way to an asylum center.
- 186 This figure is based on cumulative statistics on the border authorities’ website, which in May reported 13,000 attempts since the beginning of 2024 (<https://www.strazgraniczna.pl/pl/aktualnosci/13324,Granica-polsko-bialoruska-trzy-dni-niepokoju.html>), 2,600 in the first half of June (<https://www.strazgraniczna.pl/pl/aktualnosci/13423,Trzy-dni-na-granicy.html>), and 11,200 from mid-June to December 5 (<https://www.strazgraniczna.pl/pl/aktualnosci/13899,Funkcjonowanie-strefy-buforowej-na-granicy-z-Bialorusia-przedluzone.html>).
- 187 Figures posted by the Border Guard on its public website cover varying and sometimes overlapping periods, from several days to cumulative figures over several months, rather than a consistent (e.g. monthly or annual) basis. At times, there are discrepancies between amounts posted at different times by official channels – for instance, in an article about the alleged effectiveness of no-go zone, it was mentioned that there were 19,000 crossings from June to December 2023 (<https://www.strazgraniczna.pl/pl/aktualnosci/13899,-Funkcjonowanie-strefy-buforowej-na-granicy-z-Bialorusia-przedluzone.html>). However, the sum of figures mentioned in articles posted on the same website between June and December 2023 comes to only 13,129 crossings. It is possible that the public articles from this time did not represent all figures recorded by the Border Guard, and this accounts for the difference in figures. However, this example demonstrates that the way in which data is presented makes it difficult to form an accurate picture of conditions on the ground, and is not conducive to accountability.
- 188 For instance, according to Human Rights Watch, in 2024, of 22 people interviewed after crossing the border and successfully applying for asylum in Poland, 17 reported experiencing pushbacks. Of these, 13 reported being pushed back more than once. Human Rights Watch (December 2024), *Poland: Brutal Pushbacks at Belarus Border*, op. cit. This misrepresentation of numbers of arrivals was also reported at the peak of the crisis in 2021, when the authorities were reporting numbers of attempted irregular crossing as high as several hundred people a day. See, Jarosław Kopeć (June 20, 2022), *Nie było masowego szturmu na granicę. Uchodźców było znacznie mniej, niż podaje Straż Graniczna* (‘There was no mass assault on the border. There were significantly fewer refugees than the Border Guard reports’), Biqdata.pl, <https://biqdata.wyborcza.pl/biqdata/7,159116,28585238,nie-bylo-masowego-szturmu-na-granice-uchodzcow-bylo-znacznie.html>
- 189 Information provided to Oxfam by We Are Monitoring, January 2025.

- 190 Trends are inferred from available data, including the number of attempted crossings/returns to the borderline reported by the Border Guard, and the number of requests for assistance received by humanitarian organizations.
- 191 See, for example, Danish Refugee Council (November 12, 2024), *Does the fundamental right to seek asylum still exist in the EU of 2024?*, euobserver, https://euobserver.com/migration/ar422ca909?gad_source=1&gclid=Cj0KCQiAIsy5BhDeARIsABRc6ZsH2BvR6cYdUxW9And9LtjPxtPVvfjYU3LRvgLIICSoU-KohqF5eQzQaAq7KEALw_wcB
- 192 The Polish authorities report a total of 26,800 *attempts* to cross in 2024, with a peak of just over 5,000 people a month in the busiest period since they began keeping records. The number of *people* this represents must be several times fewer, given that most people report making multiple attempts to cross (We Are Monitoring data suggests an average of 1.79 attempts per person, according to triangulation of data on the total number of pushbacks reported to them and the number of people who experienced at least one pushback in the period January to November 2024).
- 193 Polish Commissioner for Human Rights (October 10, 2024), *Sprawa zatrzymanych cudzoziemców ubiegających się o ochronę międzynarodową w RP. Pismo do KG SG oraz odpowiedź*, <https://bip.brpo.gov.pl/pl/content/rpo-cudzoziemcy-pelnomocnicy-pushbacki-kgsg>
- 194 See UNHCR, Ukraine Refugee Situation: Poland, as of January 14, 2025, <https://www.bankier.pl/wiadomosc/Ponad-2-5-tysiaca-wnioskow-uchodzacych-z-granicy-polsko-bialoruskiej-w-tym-roku-8831596.html>
- 195 Helsinki Foundation for Human Rights (August 2024), *Disappearances on the Polish-Belarusian border*, op. cit.
- 196 We Are Monitoring Data Dashboard, as of January 15, 2025, <https://wearemonitoring.org.pl/en/statistics/interactive-dashboards/>
- 197 For more detail on these reports, see We Are Monitoring (October 2024), *We Have Only One War*, op. cit., pp.163-168.
- 198 For more on missing persons, see the work of the Helsinki Foundation for Human Rights on the topic at: <https://hfhr.pl/zaginieni-na-granicy>
- 199 Helsinki Foundation for Human Rights (August 2024), *Disappearances on the Polish-Belarusian border*, op. cit.
- 200 Fundacja Ocalenie (March 2024), *No Safe Passage*, op. cit., p.60.
- 201 Helsinki Foundation for Human Rights (August 2024), *Disappearances on the Polish-Belarusian border*, op. cit.
- 202 Ibid.
- 203 Contained in Screening Regulation (Regulation (EU) 2024/1356) and Asylum Procedure Regulation (Regulation (EU) 2024/1348).
- 204 Frontex is the European Border and Coast Guard Agency which supports EU Member States and Schengen-associated countries in the management of the EU's external borders. Since 2021, Frontex and the Polish authorities have collaborated by sharing information and data on the Poland-Belarus border. Frontex has previously been accused of 'failing to safeguard people against human rights violations at the EU's external borders' ([https://www.europarl.europa.eu/thinktank/pl/document/EPRS_BRI\(2022\)738191](https://www.europarl.europa.eu/thinktank/pl/document/EPRS_BRI(2022)738191)). In October 2024, the German interior minister proposed deploying Frontex to the border with Belarus (<https://www.infomigrants.net/en/post/60927/germany-proposes-sending-frontex-to-polandbelarus-border>).
- 205 In line with the response strategy enumerated in the Joint Summary of the Ukraine Humanitarian Needs and Response Plan and Regional Refugee Response Plan, January 2025, <https://reliefweb.int/report/ukraine/ukraine-summary-humanitarian-needs-and-response-plan-and-regional-refugee-response-plan-january-2025-enuk>



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This report is dedicated to all those seeking safety from war, persecution, poverty, and who endure the unimaginable at this and other borders, in solidarity and hope for change.

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For further information on the issues raised in this paper, please email: advocacy@oxfaminternational.org

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