

The Poland-Belarus Border Crisis

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1. Introduction

The current migration crisis on the border between Belarus and Poland is a new kind of crisis which is considered as a hybrid war according to Polish authorities (*Szef VSAT o sytuacji na granicy: to już nie atak, lecz wojna hybrydowa* 2021). This new migratory crisis, unlike the previous ones and in particular the one linked to the war in Syria in 2015, does not concern the borders of southern Europe, but of the east of this continent. At the Belarusian border, opposite to Latvia, Lithuania and Poland, thousands of migrants gather, almost all from Iraq, Syria and to a lower extent from Congo and Cameroon.

Alexander Lukashenko, the President of Belarus, and its leadership had decided to artificially generate migratory pressure on European soil in response to several packages of sanctions adopted by the European Union (EU), the United Kingdom, and the United States of America. This crisis had been in preparation for many months. Based on reports provided by social medias, the EU leadership was aware of this and this known outcome was predictable.

The testimonies multiply and attest that this new migratory route was opened deliberately and supported by Belarussian authorities and its leader Alexander Lukashenko. The EU accuses Belarusian leaders of orchestrating the influx of migrants in retaliation for sanctions imposed among other by Brussels following the crackdown on the opposition by the Minsk regime. Alexander Lukashenko has refuted these accusations. However, he warned at the end of May 2021 that his country would no longer stop drugs and migrants at the gates of Europe. Belarussian authorities wishes to demonstrate that its traditional discourse, according to which it is the main provider of security in Europe, had to be taken seriously. Belarussian authorities consider that the EU has no interest to criticize the regime of Minsk because without it, it could jeopardize his own safety. Belarusian power thus presented itself as a bulwark against all forms of insecurity and trafficking, whether it was drugs, human beings or weapons.

The purpose of this paper will be to present and assess the impact of this humanitarian crisis, through an analysis of the issue considering the border between Poland and Belarus

2. Background of Issue: How the Poland-Belarus Border Crisis Started

The difficult relations between the EU and Belarus are due to two interconnected elements. The EU imposed sanctions on the Belarussian leadership and its president after his fraudulent re-election in August 2020. These sanctions are including travel ban and asset freeze for selected

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members of the Belarussian political and economic leadership (*Restrictive measures against Belarus* 2021).

For this reason the Belarussian regime is threatening the stability of the EU by allowing migrants to wait at the border with the EU, including Latvia, Lithuania and Poland. The cumulated border of Belarus with the EU is around 1200 kilometers. The length of the border of Belarus with Latvia, Lithuania and Poland is respectively 173, 678, and 399 kilometers. There are currently twenty thousand of migrants all around Belarus who expect to cross the border and enter safely in the EU through the Polish border (*A scheme to use migrants to split the EU is likely to backfire* 2021). Already more than ten thousands tried to cross illegally the border with Poland since the beginning of 2021 (*Z Iraku na Białoruś. Jak migranci trafiają do Europy* 2021).

For this reason, since July, Poland (but also Latvia and Lithuania) has experienced unprecedented pressure on its eastern border, with Belarus. Together with neighboring Lithuania and then the EU, Poland accuses Belarussian Alexander Lukashenko of opening a new migratory route, with the aim of putting pressure on the EU for the reasons previously mentioned. The Polish government promptly started to set up a new set of laws, including from September 3, 2021, a state of emergency for 183 localities in the border region between Poland and Belarus (*Informacje dla mieszkańców terenów objętych stanem wyjątkowym* 2021), forbidding humanitarian organizations and journalists from getting in. Only security services and inhabitants of this region have the right to enter. Besides since September 2021, the Polish border guards are also practicing the refoulment principle (pushing back migrants out of Poland) and thus violates the Fundamental Human Rights Law related to refoulment. Poland ratified, on September 27, 1991, the 1951 Refugee Convention which establishes in particular the principle of non-refoulment. The violation of the human rights is also mentioned in the Belarussian press, through its national news agency Belta, which considers the behavior of European authorities as criminal (*West's treatment of migrants on Belarus-Poland border decried as 'crime of the century'* 2021)

As of mid-November, at the border check point of Bruzgi-Kuźnica between Poland and Belarus, there are at least several hundreds of immigrants who gathered there (*Setki imigrantów na przejściu w Kuźnicy. W pobliżu białoruskie oddziały* 2021), however some sources mentioned even the number of thousands of migrants at this checkpoint (*A scheme to use migrants to split the EU is likely to backfire* 2021). For this reason, fifteen thousand soldiers are said to be deployed in the border area to lend a hand to the border guards of the Podlaskie region to forcefully turn back migrants without allowing them to assert their right to asylum, in contravention of international rules mentioned above. Polish authorities decided to erect a wall at some parts of the border between Poland and Belarus (*Mur na granicy z Białorusią pochłonie gigantyczne pieniądze. Rząd oszacował koszty* 2021). The other border check points between Poland and Belarus are not occupied by migrants however some migrants can be found close to the Bug River in the area of

Terespol (*Migranci ruszą na Polskę przez Terespol* 2021). Terespol is the main border check-point between Poland and Belarus.

3. Roots of the Migration Crisis at the Eastern Border of EU

One year after the false re-election in August 2020 of Alexander Lukashenko during presidential elections in Belarus, the EU, the United States and the United Kingdom have announced of sanctions against personalities, companies and entities in Belarus, thus stepping up international pressure on the Belarussian leadership. These sanctions included also major Belarussian companies, such as Balruskali OAO, one of the largest producers of potash-based fertilizers in the world (*Overview of International Sanctions Currently Applicable to Belarus* 2021), but also Belarussian State Airlines Belavia. Another element which make angry the Belarussian leadership, is the presence of a structured Belarussian opposition in Poland and Lithuania.

As an answer to these sanctions and the Belarussian opposition, in order to destabilize the EU leadership, the Belarussian head of state Alexander Lukashenko uses migrants as a weapon against the EU. Starting from the middle of 2021, the Belarussian leadership authorized migrants from the middle-east to come to Belarus. Firstly, migrants were granted touristic visa by Belarussian organizations in order to enter Belarus. Secondly, Belarussian secret services coordinate the arrival of these migrants to its border with the EU.

The Polish authorities reacted promptly by disembarking at the border with thousands of men in front of a few hundred migrants, including women and children. Ideologists close to the government have said that this crisis was reminiscent of the Russo-Polish war of 1920. The government is using this migration crisis as a godsend to try to play national unity, with a speech which asserts that Poland is in danger in the face of the Russians and the EU.

As mentioned above, starting from mid-September, the Polish nationalist government decided to send thousands of soldiers and built a barbed wire wall to contain the migrants on the Belarussian side. In October, Poland asked the European Union for funding for a wall along its border that would cost 350 million euros (*Poland to build €350 million “impenetrable” wall on Belarus border after president approves plan* 2021). If the interior ministers of 12 countries had called on the European Commission to help finance this wall - Austria, Bulgaria, Cyprus, Denmark, Estonia, Greece, Hungary, Lithuania, Latvia, Poland and the Czech Republic, Slovakia - the president Commission, Ursula von der Leyen, replied to this request in the negative. Poland is not the first country to want to erect such a barrier. Greece on a 40 km long section of its border with Turkey; Hungary on the border with Serbia and Croatia. These barriers are not necessarily effective since the border is always a place of passage. The collapse of the Berlin Wall in 1989 is also an example of the precarity of a such solution.

4. Conclusions and Future Expectations

Several conclusions can be drawn on a short and long-term perspective.

On a short-term approach, we may imagine border incidents involving weapons or a bomb of unknown origin, which could later be attributed to Poland. Besides, Belarussian authorities may use an economic weapon by suspending the operation of the Yamal-Europe gas pipeline which crosses Belarus. and delivers Russian gas, notably to Germany and Poland. From an internal perspective to Poland, The Polish government is in a delicate situation with the European Union and in its country, in particular since its reform of justice and the demonstrations after the new law anti-abortion. So, by playing on this migratory crisis, the government has managed to gain some points in the polls because public opinion is afraid.

From a longer perspective the anxiety at the EU-Belarussian border will be maintained. If we consider that the Russian regime is militarily supporting the Belarussian authorities, then we may face a similar situation to what is happening on the Russian-Ukrainian border, with a heavy presence of Russian troops (*80,000 Russian Troops Remain at Ukraine Border as U.S. and NATO Hold Exercises* 2021). Perhaps the Russian leadership will transfer Russian troops to Belarus close to the Polish border. That is why Belarus cannot be considered as a relatively peaceful neighbor of Poland.

Another element to consider on a long-term perspective is the fact that Polish authorities may have the European Court of Human Rights on its back, because of the decision of authorizing refoulements, which is contrary to the international law. That is why the Polish government is caught in a trap: it will be forced to back down and let Frontex intervene, but probably not in the short term. This is due to the fact that The European Union is acting, but it is a little too conciliatory with the Polish authorities on the situation of migrants, in particular because, on this question, the member countries are divided as mentioned above.

The presence of Frontex (ironically headquartered in Warsaw) at the border with Belarus, a European agency promotes, which coordinates and develops European border management in line with the EU fundamental rights, would have annoying consequences for the Polish government. This would mean that the authorities would be forced to open the border and bring in migrants because, in theory, Frontex's mission is to identify legitimate asylum claims and return migrants who do not have them. It would then be necessary to coordinate with the other Member States to distribute the migrants in the EU. But Poland refuses this scenario because it absolutely does not want to have the support of the EU, to go back and therefore to question its ultranationalist discourse.

Belarus's goal was to confront the EU with its own contradictions. How to react to a regime which exploits the situation of migrants when the EU present itself as the main promoter of human rights throughout the world? The dialectic of interests and values has crossed the EU for several years now, and this migratory crisis is putting them under strain. The European choice this time was clear: faced with a regime for which the rule of law is never a paramount parameter, it is sometimes necessary to deviate from its own commitments.

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