



Warsaw, 29.09.2021

Madam Ylva Johansson

The European Commissioner for Home Affairs
Rue de la Loi / Wetstraat 200
1049 Brussels

Ref.: Humanitarian emergency on the Polish - Belarusian border

Dear Madam Commissioner,

We are writing to you in relation to your meeting with the Polish authorities planned for this Thursday to discuss the current situation on the Polish - Belarusian border. For you to have the full picture, we would like to ask to have the chance to share from our experience. Fundacja Ocalenie has been present at the border area from mid August 2021, and together with other NGOs, journalists, members of parliament and representatives of Poland's Commissioner for Human Rights, documented numerous illegal and inhumane practices of the Polish authorities, including:

- denying asylum seekers the right to apply for international protection (at border crossings, other sections of the border, on the Polish territory);
- rounding up asylum seekers on the Polish territory, illegally transporting them back to the border and forcing them to cross the border back to Belarus (sometimes several times) in places not intended for this purpose (also in swamps), which exposes these people (including young children) to life threatening conditions;
- refusing to provide or allow non-governmental organizations to provide humanitarian aid to people trapped on the border between the border services of Poland and Belarus, including a group of 32 citizens of Afghanistan in the town of Usnarz Górny, despite the interim measures issued by the European Court of Human Rights;



- refusing to provide, or allow non-governmental organizations to provide, medical assistance to people trapped at the border between the border services of Poland and Belarus, including a group of 32 citizens of Afghanistan in the town of Usnarz Górny;
- preventing legal representatives from contacting and visiting their principals - asylum seekers, even despite the decision of the European Court of Human Rights, which demanded that refugees from Usnarz Górny be allowed to contact lawyers;
- concealing the identity of state officials carrying out illegal activities - refusal to show a service ID card while performing activities towards Polish citizens trying to help asylum seekers;
- publishing false statements by public officials denying the presence of asylum seekers in Poland (despite their presence confirmed by satellite imagery);
- deliberately promoting xenophobic discourse/sentiments towards migrants and refugees;
- introducing a state of emergency in the area of 3 km at the Polish-Belarusian border without a factual basis in order to prevent non-governmental organizations and citizens from helping asylum seekers, for the media to document violations of the law and for parliamentary representatives to monitor the activities of state officials.

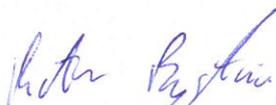
The practices listed above already led to at least five deaths in the border area and could lead to more tragedies. We therefore ask Madame Commissioner to urge the Polish government to:

- immediately provide the 32 Afghan asylum seekers in Usnarz Górny with medical assistance, shelter, food and water and contact with their legal representatives - as ordered by the ECHR. Process their applications for international protection in accordance with applicable law;
- immediately stop using pushbacks, which are banned by international law and put people's lives at risk;
- enable international organizations and Polish NGOs to help migrants, including those seeking asylum, in the border area;
- give journalists full access to the border area.

We are aware of the cynical game played by Alexander Lukashenko, but we refuse to accept that Poland – a member state of the European Union for 17 years - is using equally inhumane tactics. Your voice and the authority of the European Commission are needed to ensure the Polish government respects international law and upholds democratic values.

Given the emergency situation we would be grateful if an urgent meeting can be arranged to bring the perspective of civil society groups on the ground and discuss the humanitarian crisis now unfolding on the EU's external border. We are happy to offer our knowledge and experience, resulting from 21 years of work with migrants and refugees in Poland and our active participation in the recent events on the Polish - Belarusian border.

Yours sincerely,



Piotr Bystrianin

Chairperson of the Board of the Ocalenie Foundation