

# **The Recent Flow of Asylum-Seekers from Georgia to Poland**

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## Introduction

Over the past months Poland has witnessed an exceptionally large number of Georgian citizens applying for asylum. From April to November 2009, approximately 4,000 Georgian citizens have crossed the Polish border with the aim of applying for asylum.<sup>1</sup> This number is astonishing in comparison with previous years when only approximately 400 applications were received in the entire period between 2000 and 2008.<sup>2</sup> In parallel, there has recently been an increase of asylum-seekers from Georgia in other European Union countries, with about 2,000 applications in Germany and 2,000 in the Baltic States, Greece, Switzerland, Italy and Austria together. Some of these people initially arrived in Poland and have thereafter disappeared from the asylum camps while their asylum application was still in process. Given that Georgia's total population is about four and a half million inhabitants this number is extraordinarily high. The number of Georgian asylum-seekers in Poland has now even exceeded the number of persons from Chechnya seeking asylum.

Out of the approximately 4,000 Georgian citizens applying for asylum between April and November, about 60% were persons aged 18-34. Children up to 13 years old constituted roughly a fifth of the asylum-seekers and people aged 35-64 made up about the same number. Males represented nearly two thirds and particularly young males between 18-34 were overrepresented, constituting around 40%. The flow of Georgian citizens to Poland peaked in July and August with 1,038 respectively 1,371 Georgian asylum-seekers.<sup>3</sup> In September, the number had decreased to 317, in October to 205 and in November further to 143. The large majority of the asylum-seekers from Georgia (about 90%) are reported to be Yezidi-Kurds, generally poorly educated and sometimes even illiterate. The remaining part is reportedly ethnic Georgians, Armenians and Azeris.

This paper aims at providing some insights into the background of the recent flow of asylum-seekers. As part of the research, several persons mainly from the Yezidi-Kurdish

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<sup>1</sup> See Appendix.

<sup>2</sup> UNHCR Statistical Yearbooks, available at [www.unhcr.org/pages/4a02afce6.html](http://www.unhcr.org/pages/4a02afce6.html)

<sup>3</sup> See Appendix.

minority in Georgia were interviewed. A number of representatives of the Yezidi-Kurdish community in Tbilisi have shared their information about the minority's situation in the country and possible motives behind the recent out-migration. Additional interviews were conducted with persons who have recently been deported back to Georgia from Poland.<sup>4</sup> The interviews have provided information about issues of the Yezidi-Kurdish community, enabling us to obtain a more accurate picture of the minority's situation, as well as details about the asylum-seekers' route to the EU-countries and their conditions there.

### **The Yezidi-Kurdish Population in Georgia**

The Yezidi-Kurds constitute the vast majority of the Kurdish population in Georgia. The word "Yezidi" indicates the Yezidi religion and "Kurd" the ethnic affiliation. For most people the terms Yezidi and Kurd are inextricably linked and the term Yezidi-Kurd is commonly used in Georgia today. Yezidism is the fundamental element of the Yezidi-Kurdish society and is strongly influenced by and combines elements from various faiths, such as Islam, Christianity, Judaism and Zoroastrianism. The belief system of Yezidism is orally transmitted and dependent on an organized social system. Yezidi society is regulated by a non-hierarchical caste system divided into three castes and numerous sub-castes, where each sub-caste has its specific role in the society. It is forbidden to marry outside of the ethnic group as well as of one's sub-caste and therefore it is impossible to become Yezidi-Kurd other than through birth. Moreover, according to tradition a person who gives up the faith is no longer a part of the ethnic community.

The language traditionally spoken by the Yezidi-Kurds in Georgia and in other countries is *Kurmanji*, a northern dialect of the Kurdish language. However, due to assimilation processes especially affecting Kurdish language usage today only about 30% of the population in Georgia speak *Kurmanji* and particularly among the younger generation the

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<sup>4</sup> I am grateful to Bobi Apkhazava, Shorena Kobaidze, Denola Chkhartishvili and Ekaterine Dolaberidze at the ECMI Georgia office for their support in conducting interviews and gathering information for this report, and to Shaina Sherer for copy-editing and proof reading this paper.

language is no longer used. While the young Yezidi-Kurds attend Russian and Georgian schools the communication even in the home mostly takes place in one of these languages. The Yezidi-Kurds are settled mainly in Tbilisi, but also in other bigger cities and towns. Some are also residing in rural settlements in the Gardabani and Mtskheta districts.

### **Migration Processes since the Fall of the Soviet Union**

A brief discussion on the out-migration of the Yezidi-Kurdish minority is necessary in order to understand the current situation of the group in Georgia.<sup>5</sup> During the past fifty years the Yezidi-Kurdish community has grown to significant numbers with over 33,000 members in 1989. Throughout the Soviet period, the cultural development of the Yezidi-Kurdish community reached its peak. The authorities provided financial assistance to the minority for broadcasting radio programmes in the Kurdish language, establishing Kurdish language faculties, forming dance ensembles and founding the only Kurdish theatre in the world. The civil wars in the early 1990s together with the economic recession created a very difficult situation for all Georgian citizens and gave rise to a large number of people emigrating, Yezidi-Kurds as well as Georgians and members of other minorities. The fall of the Soviet Union also resulted in a drastic deterioration of the conditions of the minority group. Due to the political turmoil and economic collapse the previously received state funding was ceased, which led to an almost complete collapse of most institutions supporting the preservation of the minority's heritage.

As a result of the lack of economic opportunities for both skilled and unskilled workers the period was marked by mass migration to Russia, Ukraine and Western countries with large Kurdish populations, including Germany, the United Kingdom, the Netherlands and Canada. The population loss was substantial, from 33,331 Yezidi-Kurds in 1989 to

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<sup>5</sup> For a more detailed description of the Yezidi-Kurdish migration processes from Georgia, see David Szakonyi, "Ethnic Mobilization in Post-Soviet Georgia: The Case of the Yezidi Kurds", 6 *JEMIE* (2007) Available at: <http://www.ecmi.de/jemie/download/2-2007-Szakonyi.pdf>, Accessed 8 August 2009.

20,843 (18,329 self-identifying as Yezidis and 2,514 as Kurds) in 2002, a decline of 37%.<sup>6</sup> However, only the wealthier members of the minority could afford emigrating and this loss of prominent and wealthy figures left the community without opportunities to finance their interests, especially since the state funding was withdrawn. Due to the lack of a kin state the community found itself in a situation where there was nobody to turn to for financial assistance for organizational and cultural-educational activities.

The emigration process has continued since and, according to estimates by community leaders, only approximately 12,000 Yezidi-Kurds were left in Georgia by the end of 2008, while the number now is a great deal smaller due to this year's significant out-migration. According to statistics, there is an overrepresentation of young males leaving the country, although families are also migrating in large numbers.<sup>7</sup> The vast majority of the migrants come from Tbilisi and Telavi, though some also come from rural areas. Until recently, Russia was the main destination country for migrating Yezidi-Kurds from Georgia due to the country's large Yezidi-Kurdish diaspora and the fact that many Yezidi-Kurds in Georgia have relatives there. However, after the closure of the Georgian-Russian border in September 2006, the cessation of direct air connections and the complication in obtaining visas, and especially after the South Ossetia War in August 2008, the possibilities to go to Russia have become dramatically limited. This has resulted in an even larger number of Yezidi-Kurds aiming at settling in countries of the European Union. Germany in particular is attracting members of the minority from Georgia with an estimated 30,000-40,000 Yezidi-Kurds, constituting the largest Yezidi community outside of the South Caucasus and the Middle East.<sup>8</sup> There are also communities in the Netherlands, Belgium, the United Kingdom, Greece, France, Denmark and Sweden, although they are much smaller than the one in Germany. Preferred destinations for Yezidi-Kurds from Georgia, apart from Germany, have been the Netherlands, Denmark, Greece, Switzerland and Spain in recent years.<sup>9</sup> However, the

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<sup>6</sup> David Szakonyi, *Ethnic Mobilization...* p. 7.

<sup>7</sup> See Appendix.

<sup>8</sup> Writenet (2008) *The Human Rights Situation of the Yezidi Minority in the Transcaucasus (Armenia, Georgia, Azerbaijan)*, commissioned by United Nations High Commissioner for Human Rights, p. 37.

Available at [www.unhcr.org/refworld/pdfid/485fa2342.pdf](http://www.unhcr.org/refworld/pdfid/485fa2342.pdf)

<sup>9</sup> *Ibid*, p. 38.

main destination countries of this year's Yezidi-Kurdish migration flow from Georgia have rather been France, Germany, Austria, Switzerland and Belgium.<sup>10</sup>

The emigration has had several considerable effects on the Yezidi-Kurdish minority in Georgia. Apart from damaging the financial base of the community it also made it difficult for the minority to preserve its traditions. The society rests solely upon relations within the caste system with each caste having its specific role and due to the considerable population loss the proportions between the castes were not kept. This meant, for instance, that there were fewer spiritual leaders who could pass on the religious traditions to the younger generation. Furthermore, since one is only allowed to marry within one's sub-caste it has become increasingly difficult for the members of the minority to find spouses within the community. Low levels of community interaction and few possibilities to find other members of one's sub-caste through organized events or meetings have resulted in an increased number of marriages outside of the community. This in turn leads to a loss of culture since, according to the Yezidi tradition, a person who marries outside of his or her sub-caste is no longer regarded as a member of the ethnic community and is not allowed to participate in any religious traditions.<sup>11</sup>

The usage of the Georgian language among Yezidi-Kurds was also affected by the economic deterioration in the 1990s. Yezidi-Kurds had up until then possessed a reasonable level of Georgian language knowledge since the majority of the group resided in large cities and hence frequently interacted with native Georgian speakers. The decline in living standards after the fall of the Soviet Union changed the Yezidi-Kurds' approach towards the Georgian language. Georgian was declared the official state language as the country achieved independence, but due to the poor economic opportunities there, parents began to send their children to Russian schools in order to prepare them for work in Russia. By preparing their children for a future abroad, the parents contributed to the younger generations' desire to migrate, which helps explaining the continuing emigration

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<sup>10</sup> As will be discussed later, Poland is used by many migrants as a springboard for travel into other EU countries and is not seen as an end destination.

<sup>11</sup> David Szakonyi, *Ethnic Mobilization...*p. 8-9.

after the crisis in the 1990s. Furthermore, without proper knowledge of the state language there was little reason for the young people to stay in Georgia.<sup>12</sup>

### **The Current Situation of the Yezidi-Kurdish Minority**

The main reason for Yezidi-Kurds to leave Georgia is the socioeconomic situation of the country and the perceived opportunities for development abroad. The economic crisis has created difficult conditions for most segments of society regardless of ethnic affiliation, but vulnerable groups like the Yezidi-Kurds are hit the hardest. It is generally very difficult for Yezidi-Kurds to find employment in Georgia and the high unemployment rate is an incentive for people to search for better conditions elsewhere. These difficulties are sometimes based on the lack of knowledge of the official language, since not being able to speak Georgian is limiting the chances for employment considerably. However, employment difficulties also derive from prejudices within the larger society and although there is no evidence that Yezidi-Kurds are discriminated against, persons belonging to minority groups often face more difficulties in finding jobs than ethnic Georgians do. Stereotypes about Yezidi-Kurds may also hinder members of the minority in finding employment, since being known for having low status jobs creates a situation in which it is difficult for Yezidi-Kurds to find employment outside of that sphere. For the uneducated part of the Yezidi-Kurdish community, i.e. the majority of the group, the economic situation in the country poses extremely difficult conditions. Young people in particular feel that there are no prospects in Georgia with few if any possibilities for personal development or economic independence. The 2008 war has further added to the situation with the many IDPs who now compete in the search for jobs in urban centres such as Tbilisi.

The Yezidi-Kurdish community faces additional problems in terms of the lack of support for their culture, language and religion. There are no Yezidi-Kurdish representatives in the parliament, the government or at the local level to lobby the interests of the minority

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<sup>12</sup> *Ibid*, p. 9-10.

and the result of this lack of inclusion can be seen in different spheres of society. The level of participation of the minority is very low and there are no specific programs initiated with the aim of enhancing the inclusion of the minority into society. Apart from a ten minute weekly broadcast on the state radio channel that was introduced in 2008 there are no media sources such as newspapers or TV-programmes in *Kurmanji*. Several Yezidi-Kurdish organizations have applied for grants with the state as well as with different embassies in order to set up language and computer classes, but without any positive results. There are currently no language courses in *Kurmanji* in Georgia and with only about 30% of the Yezidi-Kurds speaking the language, loss of the language is one of the main threats facing the minority.<sup>13</sup> No space has been made available by the authorities to establish a cultural centre where language classes could be provided, and religious services conducted, despite repeated requests from various Yezidi-Kurdish organizations.

The lack of place for worship contributes to the gradual disappearance of Yezidism in Georgia.<sup>14</sup> The Georgian Orthodox Church has an important place in Georgian society and the significance of the religion is manifested in the religious teaching in public schools as well as the high exposure of Orthodox priests in public life. In primary and secondary school only lessons in Christianity are provided which results in a lack of knowledge about Yezidism and other faiths among young people. Rare visits of spiritual leaders further adds to the declining strength of the religion and young Yezidi-Kurds tend to lean increasingly towards the Orthodox faith adhered to by the majority of the Georgians.<sup>15</sup> With many Yezidi-Kurds converting to Christianity and the large number of Yezidi-Kurds emigrating, it becomes increasingly difficult for the community to continue its existence in Georgia. Clearly, the assimilation process constitutes a real threat to the identity preservation of the minority and has led to a genuine fear within the community that the culture, religion and language will soon be on the verge of extinction in Georgia.

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<sup>13</sup> Jonathan Wheatley (2006) *Implementing the Framework Convention for the Protection of National Minorities in Georgia: A Feasibility Study*, ECMI Working Paper #28, Flensburg: ECMI, p. 60. Available at [www.ecmi.de/download/working\\_paper\\_28.pdf](http://www.ecmi.de/download/working_paper_28.pdf)

<sup>14</sup> For a detailed discussion on the construction of a Yezidi-Kurdish temple/cultural centre, see David Szakonyi, *Ethnic Mobilization...*

<sup>15</sup> *Ibid.*, p. 14-15.

## **The Way to the European Union**

The conditions outlined above create an incentive for many Yezidi-Kurds to leave Georgia. Today, the dream is typically to go to a country in the European Union in search of a better life which is indicated by the recent unprecedented flood of Georgians trying to gain entry into Poland, Germany and other EU countries, legally or illegally. It appears that there was a rumour spreading in Georgia in April-May 2009 that the Polish-Belarusian border is open to Georgian citizens. Informants explain that they have family and friends who have applied for asylum in Poland, which is the reason for their desire to go to the country. Families and friends have reported back from Poland that the easiest way to get to the EU is by applying for asylum in the country. It appears that some citizens of Georgia also believed that they would be welcome in Poland due to the Polish President's demonstrated solidarity with the people during his repeated visits to Georgia after the South Ossetia War in 2008.

The rumour that the border is open spread rapidly resulting in a large number of Georgians leaving at the same time. In an official statement the Polish Embassy in September denied the allegedly "open Polish borders" and stated that nothing in the legislation concerning rules of crossing the border and applying for possibility for legal stay had changed.<sup>16</sup> According to the Office for Foreigners of the Ministry of Interior in Poland there have been no cases in recent years where Georgian citizens have received asylum. The asylum claims are considered on an individual basis, but the information the Office for Foreigners has about the situation in the country of origin plays a major role in taking the decision. According to current Polish practices, asylum-seekers from Georgia normally do not have sufficient grounds to be granted refugee status in Poland. In October a rumour started circulating that the border to Poland is closed, although all persons still have the right to apply for asylum in Poland. It is rather the impossibility of receiving asylum in Poland that has become evident and therefore, according to the informants, the country is no longer considered a desirable destination for the migrants.

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<sup>16</sup> The Georgian Times, *Official Statement of the Polish Embassy*, 5 September 2009.

Another rumour that has been spreading in Georgia since April is that it is easier for Yezidi-Kurds to obtain asylum in Poland than for other Georgian citizens.<sup>17</sup> This conviction is probably a contributing reason for the large scale of Kurds trying to enter Poland this year. In order to clearly prove that they belong to the minority, some Yezidi-Kurds have applied for reinstating their original Kurdish surnames that traditionally stem from the family's tribe or from the regions they initially came from. Upon entrance to Georgia, Armenia and Azerbaijan in the early 1900s the authorities – at that time Imperial Russia - changed their surnames and thus members of the minority in these countries tend to hold Georgian, Armenian, Azeri or Russian names. There are a few Kurdish organizations in Tbilisi that seek to assist Yezidi-Kurds in the process of changing their names back to their original Kurdish names by giving them a document stating that they are of Kurdish origin. However, the process of changing one's surname into the original one is rather thorny. While the change of name is permitted according to the Civil Code of Georgia, the restoration of Kurdish surnames is virtually impossible due to complicated procedures and lack of legal clarity of what surname regaining involves and how a name can be restored into its original.<sup>18</sup> Repeated refusals are interpreted by the community as a deliberate attempt of the authorities to prevent Yezidi-Kurds from obtaining their original surnames.

The perception that Kurds can more easily get asylum in Poland has lead people belonging to other groups, including ethnic Georgians, Armenians and Azeris, to apply for asylum stating that they are Kurdish. For the asylum processing authorities, it is practically impossible to identify who is Kurdish among the migrants and who is not. Since most Kurds do not hold their original names that would distinguish them from persons belonging to other groups it is not possible to distinguish between a Kurd and, for instance, an Armenian, only based on their names. Due to the diffuse patterns of language

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<sup>17</sup> Claiming that one is of Kurdish ethnicity has been a common argument among Georgian citizens seeking asylum in earlier years and in other countries as well. There have also been cases where ethnic Georgians have obtained falsified documents indicating that they are of Kurdish origin. International Organization for Migration (2001) *Hardship Abroad or Hunger at Home – A Study of Irregular Migration from Georgia*, available at [http://iom.ramdisk.net/iom/images/uploads/Georgia\\_Report%20on%20Trafficking\\_2001\\_En\\_1071070157.pdf](http://iom.ramdisk.net/iom/images/uploads/Georgia_Report%20on%20Trafficking_2001_En_1071070157.pdf)

<sup>18</sup> Humanrights.ge, *Discrimination of Kurd-Yezids in Georgia*, 15 October 2004.

knowledge among the Kurds in Georgia, linguistic factors do not serve to identify asylum-seekers' identity either.

It is an expensive venture to seek asylum in Europe, with varying costs depending on which route one wants to take to the EU countries. There is a range of routes migrants from Georgia can choose to reach their desired destination. In order to get to western European countries migrants have commonly taken a plane from Tbilisi to cities such as Frankfurt, Amsterdam, Vienna or Paris and then further by means of bus or train to their end destinations in Belgium, France, Germany, etc. Russia used to be the main transit country for Georgian citizens, travelling by plane to Moscow and then further to western European countries. However, arriving by plane directly in an EU destination airport involves obtaining a visa which migrants often find very hard to manage on their own. A number of documents are needed in order to obtain a visa, including proof of employment in Georgia and bank account statements. Would-be migrants often do not have the means to obtain these documents and thus require assistance from visa brokers or illegally operating mediators - very expensive options. Mediators can supply additional documents such as an invitation from a company abroad or fake proofs of employment to facilitate the obtainment of visa, all to a high price.

Yet another option is to cross borders to the EU illegally, which commonly involves contacting agents that can secure a passage to the destination of choice. Travelling illegally through Ukraine into Slovakia or Hungary by bus has been a common alternative for Georgian migrants. Another possible and frequently used route is via Turkey to Greece by crossing the border illegally and then further on by bus or plane to other EU countries.<sup>19</sup> In comparison to these ways of entering the EU the newly discovered route through Poland is a cheaper and less complicated alternative. Indeed, this cheaper option also gives more people the opportunity to emigrate.

The asylum-seekers from Georgia typically enter Poland via the Polish-Belarusian border crossing point in Terespol, near Brest, after coming by plane to Minsk from Tbilisi. From

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<sup>19</sup> International Organization for Migration (2008) *Migration in Georgia: A Country Profile 2008*, p. 33. Available at [http://publications.iom.int/bookstore/free/Georgia\\_Profile2008.pdf](http://publications.iom.int/bookstore/free/Georgia_Profile2008.pdf)

21 July 2009, the weekly flight frequency between the two cities was increased from four to five departures, presumably due to the largely increased number of asylum-seekers from Georgia.<sup>20</sup> Later, Belavia, the Belarusian air operator, even increased its departures to six times a week. There is no visa requirement for Georgian citizens entering Belarus and the Belarusian border officers at the Polish border do not ensure that the people leaving the country have a visa that entitles them to travel further. Migrants can reach the Polish side of the border unhindered, where they apply for asylum post by submitting an application for the granting of refugee status to the commanding officer of the border checkpoint. Consequently, there is no need for a Polish visa to physically enter the EU.

A person has the right to seek asylum in another country if the country of origin is unable to protect him or her from persecution. According to the 1951 Geneva Convention relating to the Status of Refugees, a person can seek asylum for reasons of a well-founded fear of persecution on the grounds of race, nationality, religion, social group or political opinion. The Yezidi-Kurds indicate different reasons for their asylum requests, the main motive being discrimination based on ethnicity. According to some Yezidi-Kurdish representatives in Georgia these reasons often do not adequately reflect the reality, but are rather invented with the aim of gaining refugee status or at least entry to the country. All applications are processed regardless of whether the person entered the country legally or illegally.<sup>21</sup> The Office for Foreigners of the Polish Ministry of Interior is responsible for the consideration of asylum claims and thus the application form is sent to the Head of Office for Foreigners and then further to the relevant unit.<sup>22</sup> The asylum-seeker is directed to the Central Reception Desk in Podkowa Leśna-Dębak, near Warsaw, where he or she is examined by a doctor before being placed in one of the 25 refugee camps in Poland. Living in private accommodation is also possible, an alternative that the majority of the Georgian migrants have preferred.

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<sup>20</sup> Belavia, June 29, 2009, <http://en.belavia.by/news/news/0244160/>.

<sup>21</sup> As will be discussed below, the application of an asylum seeker who has applied for asylum before in the same EU country will only be treated if new facts or circumstances have emerged. Otherwise, the application will be rejected immediately.

<sup>22</sup> When a negative decision has been taken, the asylum-seeker has the possibility to appeal to the second instance, the Refugee Council. In case the Council does not grant the asylum-seeker refugee status, the asylum-seeker must leave the country. If this does not happen voluntarily, he or she can be deported back to the country of origin.

Once in Poland, the conditions for the asylum-seekers are often difficult. The asylum process can involve several months of waiting while the asylum procedures are completed. During this time, as mentioned, the asylum-seekers either stay in refugee camps or in private accommodation and both options, reportedly, often provide poor conditions with a shortage of food. Depending on in which camp the applicant is accommodated and the size of the family, he or she receives varying allowances, approximately 20 zlotys (approx. 5 EUR) per day, and is provided with accommodation, food and access to medical services. A person who stays in private accommodation outside of the camp receives 800 zlotys (approx. 190 EUR) per month in allowance for accommodation, food etc. According to some informants in Georgia, the families of the asylum-seekers back in Georgia have occasionally sent money to their relatives in Poland, while other migrants work illegally in the country during the asylum process. Moreover, there are high numbers of Chechens in the over-crowded camps waiting for their asylum application to be processed and reportedly some Chechen and Georgian groups frequently engage in fights, creating a very unsafe situation for the people residing there. Some migrants decide not to stay in the camps or private accommodation, while their cases are being considered, but migrate illegally to EU countries further west.

During the asylum process the asylum-seekers are obliged to stay in Poland and may not cross the borders of other Schengen zone member states. It is not up to the asylum-seeker to decide which country that will consider his or her asylum application. The Dublin Regulation<sup>23</sup> is an agreement between the EU Member States that determines the country responsible for the examination of an asylum application. Its aim is to as quickly as possible identify the responsible Member State<sup>24</sup> and provide for the transfer of an asylum-seeker to the accountable state, which will then complete the examination of the asylum application. According to the Dublin Regulation, the Member State in which a person first applied for asylum is usually responsible for him or her, meaning that if a person wants to apply for asylum in any other EU country he or she must – at least formally – have arrived first in the EU country where he or she wishes to apply.

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<sup>23</sup> Council Regulation (EC) No 343/2003 of 18 February 2003.

<sup>24</sup> Countries covered by the Dublin Regulation are the EU countries as well as Norway and Iceland which are covered by the Regulation through a special agreement.

Consequently, asylum-seekers who aim to apply for asylum in, for instance, Germany or France commonly try to cross the borders to the EU illegally in order to go further to the desired country and there apply for asylum.

It is possible to apply for asylum more than once in an EU country, but unless there are new facts or circumstances the application is regarded as manifestly unfounded and rejected immediately.<sup>25</sup> For many Georgian citizens who had their applications rejected this means that applying for asylum is no longer an option to access the EU via Poland. Some are, however, determined to get into the EU and as an alternative attempt to enter illegally either on their own or with the guidance of groups specializing in human trafficking. Informants in Georgia explain that by now it has become evident that there are no possibilities to receive refugee status in Poland, and hence some try to cross the external borders to the EU illegally with the intention to either seek asylum in other countries or stay hidden somewhere in the Union. The majority of the informants had as a goal to go to Germany or France. Germany is attracting Yezidi-Kurds with its large diaspora, although there have been few cases of granting of refugee status the last year. The choice of France as a destination country can probably be explained by the relatively high rate of granting asylum to Georgian citizens during the last years.<sup>26</sup>

There have been several cases where Georgian citizens have tried to get into the EU by crossing the Belarusian borders with Poland, Lithuania and Latvia illegally. Because of that, Belarus intensified the border watch by recruiting hunters with the task of tracking illegal migrants attempting to cross the borders.<sup>27</sup> The State Border Committee of Belarus cooperates with the EU in revealing illegal migration channels, the key aim being to find those responsible for guiding the migrants into the border zones. Cooperation between Poland and Belarus with the same aim is based on a governmental agreement of 1961 on legal relations on the Polish-Belarusian border. There are a number of criminal groups specializing in assisting people to cross the border, typically through the green zones. The

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<sup>25</sup> The possibility to apply for asylum several times creates a problem in statistics since the same persons are counted more than once.

<sup>26</sup> UNHCR, Statistical Yearbooks, available at [www.unhcr.org/pages/4a02afce6.html](http://www.unhcr.org/pages/4a02afce6.html).

<sup>27</sup> Georgian Times, *Belarus Trying to Stop Georgians Escaping to Europe*, 7 September 2009.

eastern Polish-Belarusian border is lined with forests, lakes and mountains, making it specifically beneficial for groups specializing in human trafficking to operate in the area. Georgian citizens report about Chechens waiting outside of the airport in Minsk when planes from Tbilisi arrive, offering their services to people and some people take the offer not realizing the risks involved. There are reports that in some cases, these criminal groups have taken migrants to the forests and robbed them on all their belongings. There have even been rumours about killings of migrants. Another type of group, reportedly also consisting of Chechens, operates in the Polish camps and has as a goal of assisting people in crossing the borders within the EU, for instance to get to France or Germany. These groups are considered more reliable since they allegedly often fulfil their aim. Since there are no border checkpoints between Schengen countries it is relatively easy to cross state borders by car without being discovered. Depending on where one wants to go the costs to cross borders vary between EUR 500-2,500. Travelling to France is more expensive than to Germany due to the longer distance and thus more risks involved. People who can not afford paying such groups often try to cross borders on their own going by car or taxi.

Indeed, getting into Poland is not the final goal for the migrants and the country is rather used as a transit country into the EU. Most of them want to go further to western European countries such as Germany, France, Switzerland, Austria and Belgium, an undertaking that is not uncomplicated since asylum-seekers, while waiting for refugee status in Poland, are not allowed to cross the borders of other Schengen zone member states. However, several cases have attracted attention where Georgian citizens have tried to cross the borders between Poland and other Schengen countries, such as the border with the Czech Republic. There have been additional cases of Georgian citizens trying to travel illegally via the Czech Republic to Austria where they have been detained by police in the border area. Since the Czech Republic joined the Schengen area in 2007,<sup>28</sup> police have been carrying out random checks in the border areas. The police within the Schengen area have the right to request from citizens of countries outside of the area

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<sup>28</sup> In December 2007, nine new member states were included in the Schengen border-free zone, namely Poland, the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Slovakia, Slovenia and Malta.

documentation verifying that they are authorized to be in the country. When illegal migrants are caught they are expelled from the concerned country for a period of time and then sent to Poland on the basis of the Dublin Regulation. The country the asylum-seekers originally entered has the responsibility for the treatment of the application and hence they are sent back to Poland where they initially applied for asylum. Back in Poland they are put in detention centres while their cases are processed. Persons who have entered Poland illegally without applying for asylum and were then detained within the borders of Poland, have the right to apply for refugee status in the detention centre, managed by the Polish Border Guards.

The Polish authorities have started, both on their own and in collaboration with Switzerland and Austria, to deport Georgian citizens who had their asylum applications rejected. The deportations started in August with four Georgian citizens and in September the number had increased to 49 persons. In October 19 persons were deported, in November 36 and in December 15. In addition, within the framework of voluntary returns arranged by IOM, 38 persons have returned to Georgia.<sup>29</sup> Some of the Georgian citizens who were refused asylum and were deported back to Georgia are faced with difficult conditions. Even though the way to the EU via Poland is a relatively inexpensive alternative, for some of the migrants the costs are still high and the trip involved selling part or all of their property. In the cases where families in Georgia had to send money to their relatives who were waiting for the asylum application to be processed in Poland, the conditions are particularly difficult. The situation that before leaving for Poland was considered untenable, in many cases, has now become even worse. Determined to migrate, there have been several cases where Yezidi-Kurds have tried to enter Poland more than once, which also is an indication of the affordability of the route. Informants claim that they were aware of the difficulties of reaching their goal of getting into the EU, but since the trip was relatively inexpensive they still considered it worth a chance.

Although some of the mostly Yezidi-Kurdish Georgian citizens have been and continue to be deported back to Georgia from Poland, large numbers of them are still in EU

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<sup>29</sup> Office for Foreigners of the Ministry of Interior of Poland.

countries in search of better lives. About 75% of the registered Georgian asylum-seekers in Poland have disappeared from the refugee camps and private accommodation while the application was being processed. Many have tried to get to other EU countries, which is confirmed by the large number of applications the Polish authorities have received via the procedure of the Dublin Regulation. 1,500 requests to take back asylum-seekers have been sent to the Polish authorities from various EU countries and 500 asylum-seekers have so far returned to the country within the framework of the Dublin Regulation.<sup>30</sup> Moreover, being granted asylum is not the only way for migrants to stay in a country. Getting married to someone with an EU citizenship is one alternative, although this is rarely an option due to the difficulties of finding someone who is willing to get married for the reason of obtainment of legal stay in the country. Another much more common alternative is to stay illegally in the desired country. An unknown number of Georgian citizens have entered the EU illegally and thus are not registered in the Union and about 2,000 of the Georgian migrants who applied for asylum in Poland during the last months are currently missing in legal terms.

While posing a problem for the Polish authorities and for other EU countries, the recent flow of mostly Yezidi-Kurdish migrants from Georgia has a severely negative effect on the community in Georgia. While already facing strong processes of assimilation and the loss of language and culture, the Yezidi-Kurdish community has been significantly diminished by the out flux of perhaps over one third of its members, including especially its younger generations. While some migrants eventually may return to Georgia, it is likely that many Yezidi-Kurds will remain abroad, facing uncertain living conditions as illegal migrants in European countries. There are now all reasons for Georgian and international actors to consider what measures can be taken to provide better conditions for the dwindling Yezidi-Kurdish population in Georgia.

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<sup>30</sup> Office for Foreigners of the Ministry of Interior in Poland.

**Appendix. "Persons having submitted an application for international protection or having been included in such application as a family member during the reference period"(2009)<sup>31</sup>**

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Total	
<b>Total</b>										
Total	56	58	849	1,038	1,371	317	205	143	<b>4,037</b>	<b>100.0%</b>
0-13	17	14	227	212	259	29	35	20	<b>813</b>	<b>20,1%</b>
14-17	2	2	22	26	40	7	4	2	<b>105</b>	<b>2,6%</b>
18-34	25	34	450	604	755	195	115	79	<b>2,257</b>	<b>55,9%</b>
35-64	9	8	144	195	311	85	51	42	<b>845</b>	<b>20,9%</b>
65 and above	3	0	6	1	6	1	0	0	<b>17</b>	<b>0,4%</b>
<b>Males</b>										
Total	26	58	511	681	871	218	137	93	<b>2,595</b>	<b>64,3%</b>
0-13	9	14	121	126	137	13	20	12	<b>452</b>	<b>11,2%</b>
14-17	1	2	13	14	28	2	4	0	<b>64</b>	<b>1,6%</b>
18-34	12	34	289	434	533	159	90	62	<b>1,613</b>	<b>40,0%</b>
35-64	4	8	86	106	171	44	23	19	<b>461</b>	<b>11,4%</b>
65 and above	0	0	2	1	2	0	0	0	<b>5</b>	<b>0,1%</b>
<b>Females</b>										
Total	30	0	338	357	500	99	68	50	<b>1,442</b>	<b>35,7%</b>
0-13	8	0	106	86	122	16	15	8	<b>361</b>	<b>8,9%</b>
14-17	1	0	9	12	12	5	0	2	<b>41</b>	<b>1,0%</b>
18-34	13	0	161	170	222	36	25	17	<b>644</b>	<b>16,0%</b>
35-64	5	0	58	89	140	41	28	23	<b>384</b>	<b>9,5%</b>
65 and above	3	0	4	0	4	1	0	0	<b>12</b>	<b>0,3%</b>

<sup>31</sup> Office for Foreigners of the Ministry of Interior in Poland, [www.udsc.gov.pl/Refugee.status.278.html](http://www.udsc.gov.pl/Refugee.status.278.html)