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Migrant trafficking in Poland

Actors, mechanisms, combating

Marek Okólski

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MIGRANT TRAFFICKING IN POLAND

Actors, mechanisms and combating

Marek Okólski

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1. Introduction

The present paper reports on selected major findings of the study on migrant trafficking in Poland. The study was carried out in 1998.

The origins of a current wave of migrant trafficking into Europe seem to be in the blooming of the post-war European economy and in processes of the globalisation. In the 1960s many European countries were in a desperate deficit of labour, and started the policy of encouragement of the inflow of temporary migrant workers. Migrants from various parts of the world responded to that policy with a great enthusiasm. After 1973 the active recruitment policies have generally been abandoned but migrants have continued to pour to those countries, to a large degree exploiting the possibility of joining their relatives who arrived earlier and refused to go back to the countries of origin, or taking advantage of other similar channels. With a gradual tightening of regulations concerning the immigration due to family reunion, which had been introduced in the 1980s, migrants have widely resorted to another chance of being accepted by prosperous European countries, namely to using an umbrella of the Geneva convention on refugees. On various occasions of a political turmoil in the countries other than western democracies, migrants (usually driven by perfectly economic motives) were also accepted in Europe as political exiles.

Because of all those movements Europe has been attracting an increasing number of foreigners, coming from more and more countries which on the average were located in ever more distant areas of the globe. This process has attained such dynamics that finally in the 1990s, when Europe – due to various restrictions imposed, sometimes quite hastily, by the countries of destination – has generally become non-accessible to asylum-seekers or refugees, it turned out impossible to effectively suppress the inflow. For potential migrants have found a new solution, namely in using the assistance of trafficker organisations.

Since 1990, among many new migratory phenomena, also Poland has experienced a sizeable arrivals of foreigners from the East and South, many of them equipped with forged travel or identity documents, the foreigners whose ultimate destination was as a rule one of the western countries. After 1993, when asylum regulations and procedures in the West had generally been stiffened, the bulk of that relatively unsophisticated transit migration through Poland has turned into a very complex process of trafficking in migrants. Assisting or facilitating migrants in their attempts at arriving and settling in countries otherwise hardly accessible to them quickly appeared to be one of the most profitable criminal activity.

The perspective sketched in the preceding lines implies a specific perception of the study subject, i.e. migrant trafficking in Poland in 1998 or a little earlier, namely as an integral element of present international population movements on the global scale, rather than a peculiar phenomenon of local or regional reach and of marginal importance for migratory flows in general.

The reminder of this paper has been divided into four sections dealing with the following matters: design and implementation of the study (section 2), general description of the circumstances and recorded course of illegal migration, and migrant trafficking in particular, in Poland (section 3), characteristics of interviewed migrants and their perception of the trafficking process (section 4), and combating migrant trafficking in Poland (section 5).

2. Objectives, approach and method of the study

2.1. Objectives

The problem of migrant trafficking in Poland has already been surrounded by various myths and legends. For instance, one can find the following highly alerting statement in a recent story published in the widely-circulated *Transitions* magazine: “Three million people are waiting to be smuggled into Western Europe across Poland’s border with Russia, Belarus and Ukraine” (Nowak, 1998, p. 47). Although this is in pair with what is being published not only in the world media of general coverage but also in specialised journals¹, it obscures rather than clarifies the reality. It seems fully understandable that migration analysts feel urgent need to verify popular opinions on that problem.

At the end of 1997 the International Organisation for Migration² has initiated an exploratory comparative study whose major objective was to make an insight into the mechanism of trafficking in migrants in Central and Eastern Europe. Poland belongs to a group of three countries invited to take part in the project³.

The overall aim of the project was to “enhance the capacity of the three countries being studied to take effective measures to combat human trafficking, and to reduce the negative consequences of trafficking for all those affected by it, be providing a better understanding of how the business of human trafficking operates” (IOM, 1998c). It was hoped that the following seven specific objectives will have been achieved:

1. Assessment of the scale and extent of human trafficking in the countries being studied;
2. Working out of the profile of trafficked migrants and description of their motivations and relationships with traffickers;
3. Acquisition of a better knowledge on how human trafficking is organised;
4. Investigation on how trafficking may be influencing the direction of east-west migration flows and how it may also be affecting applications for asylum in Central Europe;
5. Juxtaposition of the conceptualisations of trafficking by different “institutional actors” in order to contribute to a better definition of trafficking in persons;
6. Identification and evaluation of policies developed to combat human trafficking;
7. Suggesting a set of measures which would simultaneously prevent/combat trafficking and protect the victims of trafficking.

Among a great number of specific goals tentatively set forth for the present exploratory exercise in Poland, the following four were the most general:

- improvement of the knowledge on the causes and consequences of trafficking as well as on the characteristics of the migrants concerned, especially in view of the lack of any systematic information and inconsistencies in the existing, albeit greatly scattered, data;
- testing the applicability and effectiveness of various research approaches and instruments confronted with that entirely new social phenomenon, bearing in mind its largely clandestine or illicit nature;
- testing various hypotheses and models concerning the behaviours of migrants, functioning of trafficking networks and mechanisms of human trafficking perceived as, on the one hand, an organised internationally-wide illegal activity and on the other hand, an ingredient of global migration trends;

¹ The following sentence extracted from an article published in *Migration World* will serve here as an illustration: “This year, untold millions of illegal aliens will enter Western Europe, Canada and the United States” (Walsh, 1998).

² IOM Technical Cooperation Centre for Europe and Central Asia co-ordinated the comparative project.

³ The other two countries included Hungary and Ukraine.

– an assessment of the national policy dealing with the trafficking in migrants and contributing to its more effective combating.

Last but not least, it was accepted that the following two main (by no means mutually exclusive) hypotheses would have been examined:

* the principal origin of migrant trafficking are shrinking opportunities for a legal entry of western countries by the citizens of states that belong to the South;

* the trafficking is a highly profitable business where a driving force constitutes an active recruitment or encouragement of migrants, supported by a high level of availability, reliability and efficiency of trafficking services.

2.2. Definition of trafficking in migrants

The following definition of “migrant trafficking” has been adopted for the purpose of the reported study: it is the activity carried out on international scale whose essence is in a deliberate facilitating of migration, and which is being conducted

- > by various networks of intermediaries, guides, couriers or other agents;
- > in the form of illegal acts or acts conducted in bad faith (*mala fide*);
- > within the framework of commercial transaction and for financial gain of the traffickers.

This definition was in accordance with what was implicitly or explicitly described as trafficking in migrants in a number of policy-oriented or analytical reports (e.g. Salt and Stein, 1997).

In the course of the study, the concept of “migrant trafficking” was extensively discussed at various international fora, and a sharp distinction was suggested by some of them between different manifestations of assisted illegal movements of foreigners. At the end, on 7–8 December 1998, the sixth meeting of the Budapest Group seemed to be strongly in favour of distinguishing “smuggling of persons” from “trafficking in persons”. The defining features of the both categories discussed in a relevant document (Expert Group, 1998), however, tend to present an intellectually interesting (albeit not fully consistent) model rather than a tool of operational value⁴, especially for use in empirical research in Central Europe. For this reason, even though obviously the definition adopted in the Polish study is far from being perfect (e.g. it appears excessively vague and inclusive), it was decided to continue with that definition until the completion of the project.

⁴ For instance, it is argued that (in contrast to “smuggling of persons”) “The goal of the whole process of trafficking in persons is the exploitation of the trafficked persons for criminal purposes, and crimes committed on the way are just steps towards exploitation. This feature also makes the issue of trafficking in persons a human rights issue and justifies the argument of the phenomenon of being a modern form of slavery” (p. 11). But at the same time it is clarified that “the concept of exploitation does not necessarily mean direct coercion but violation of human dignity and fundamental rights, abuse of the vulnerable situation of many of these people, making them dependant and treating them as trade products rather than as human beings” (p. 10). In order to illustrate the “softness” of the afore-mentioned concept it suffices to refer to the (reported here) study conducted in Poland in 1998 which identified a number of migrants who would fit the above definition of “trafficking in persons” but ironically all of them were better treated and less exploited than those fitting the definition of “smuggling of persons”.

It should be noted additionally that in the reported study only those who at any stage of their migration were in illegal situation qualified. However, not all illegal migrants were considered as being trafficked⁵, only those who personally contacted a trafficker (not just a “smuggler”) and whose trip in its whole or essential part was organised by that trafficker. By adopting this rule, hundreds of thousands (if not millions) persons entering Poland each year, thanks e.g. to the purchase of forged voucher or false invitation from a Pole, were omitted from the definition⁶.

2.3. Research team and external assistance

The study was conducted by an interdisciplinary team of researchers associated with the Centre of Migration Research (Institute for Social Studies, University of Warsaw)⁷, and it was funded in a predominant part by the International Organisation for Migration. Highly stimulating role of Professor John Salt (University College London) and Dr. Frank Laczko (IOM, Vienna)⁸ in its preparatory stage (November/December 1997), consisting of a series of working sessions aimed at developing of a comparative framework for the project, needs to be gratefully acknowledged. The successful implementation of the project would have hardly been possible without a moral and organisational support from the government of Poland⁹ and collaboration of numerous state agencies as well as NGOs. Last but not least, the study benefited from a harmonious collaboration on the part of the Hungarian and Ukrainian colleagues¹⁰.

⁵ According to a concept presented during the Budapest Group meeting, “Smuggling of persons is an illegal form of migration. [...] The phenomenon is without exception illegal and, thus, easier to define than trafficking in persons” (p. 11). However, as e.g. the experience of the reported study confirms, a lot of illegal migrants have never been assisted by anyone in their border crossing, and some of them might have crossed all borders legally. On the other hand, many other migrants might have paid for some services facilitating their migration but actually were not necessarily smuggled. On the other hand, hardly anyone from those migrants would fit the postulated (by the document referred to) definition of “trafficking in persons”.

⁶ With a degree of generosity, all those persons would have been covered by the above mentioned definition of “smuggling of persons”. On the other hand, only a handful of migrants spotted in Poland would meet the requirements implied by the corresponding definition of “trafficking in migrants”.

⁷ The team was led by Professor Marek Okólski and included the following members: Dr. Katarzyna Głabicka (co-ordinator), Dr. Teresa Halik, Ruslan Antoniewski, Monika Browarczyk, Ewa Kepinska, Piotr Korys and Aleksandra Sawicka. Also other researchers contributed to team’s work in a significant way: Dr. Nisha Malhan, Yahie Haji-Ali Yusef, Izabela Hawrylik, Irena Kaluzynska and Karol Kuhl.

⁸ Dr. Laczko also co-ordinated the activities of the three national teams throughout the project.

⁹ Special thanks are due to Mr. Krzysztof Lewandowski, Director of Department of Migration and Refugee Affairs, Ministry of Interior and Administration.

¹⁰ Dr. Judit Juhasz led the Hungarian team whereas Dr. Tetyana Klinchenko and Dr. Olena Malinowska led the Ukrainian team.

2.4. Methodology

Due to an exploratory character of the study, and in particular to a “soft” nature of the subject to be investigated, a mix of approaches, techniques and data sources had to be used. From the very beginning of the study, however, there was an understanding that its core will constitute a comprehensive analysis based on the empirical data collected by means of a genuine and purposeful investigation. In reality, that investigation included two surveys: one among the institutional actors dealing (directly or indirectly, actually or potentially) with trafficking in migrants and another among migrants (the representatives of migrant communities in Poland) involved (directly or indirectly) in trafficking. The surveys were pursued on stratified samples of targeted respondents by means of semi-structured in-depth interviews¹¹.

Each of those surveys was divided into two stage-oriented parts. The survey among institutions was first carried out on a sample of actors whose activity covered the whole territory of Poland or even reached beyond Poland’s boundaries, mostly central agencies of the state. The second stage involved actors operating in selected local areas, mainly within frontier zones. In turn, in its first stage the survey among migrants embraced persons found in various “confinements”, like reception centres, detention centres or deportation arrests. Finally, the issue of migrant trafficking was also investigated from the perspective of various migrant communities already established in Poland.

Not only that the investigation was divided into two surveys and four stages of field-work but in addition each stage preceded next stage in such way that any activity related to a particular stage could only be initiated after the completion of a preliminary analysis of the material collected during forerunning stage. The rationale behind this strategy was relatively straightforward. At the onset of the study the knowledge on migrant trafficking in Poland was close to nil. Therefore it seemed unjustified and, as a matter of fact, impossible beforehand to define the most important research features of each stage, like identifying topics, institutions, national groups, regions, not to mention the construction of research instruments and modes of effectively using those tools. In other words, an approach which might be termed “gradually learning and maturing by doing” was adopted in all field-work. On the other hand, that particular sequence of four stages led from relatively more general to relatively more detailed knowledge.

In practice, before the start of each stage of field-work a series of workshops was held. The workshops were participated by all members of the research team who discussed the conclusions of the previous stage, shared their experience (with respect to methodology and hypotheses tested) with the team, and finally – in an interactive manner – arrived at a workable form of instruments (e.g. a set of scenarios or detailed lists of topics for interviews with various groups of respondents, technical guidelines for interviewers) and hypotheses adequate for next stage. This approach greatly benefited from a coincidence of three characteristics:

- 1/ a large majority of the team members participated in all stages of the field-work;
- 2/ all interviews were conducted by researchers themselves (in many cases by teams of two persons);
- 3/ a final outcome of each interview was an instant preliminary analysis produced by a respective researcher.

¹¹ A predominant majority of interviews were taped (a small number of respondents refused their statements to be recorded on tape). As a rule thus the documentation of each interview consists of a tape, a disk version, a printed transcript and a tentative list of conclusions (prepared instantly after each interview by a respective researcher).

Apart from original data obtained through the surveys, the study widely resorted to all other empirical evidence. This included printed material obtained from particular respondents (usually unpublished documents), press cuttings and statistical data of wide circulation.

2.5. Generality and reliability of the data

It should be emphasised at the very beginning that the study did not attempt to estimate the magnitude of migrant trafficking to or through Poland¹². Neither aimed it at any far-reaching generalisations. Rather it was deliberately limited to small samples of respondents, and to probing the usefulness of an inquiry conducted under the circumstances which might have been perceived as threatening the safety and integrity of objects, and which was to penetrate various underground spheres of the society. Moreover no representative samples were investigated, in case of the sample of migrants by necessity.

In order to illustrate how quickly one has to abandon a temptation to make generalisations in quantitative terms in case of the analysis of migrant trafficking let us consider just one, probably the most obvious, example. Suppose that the annual 1997 figure on aborted incidents of being trafficked to or from Poland is accurate which, according to the official Border Guard's estimate, oscillates around 10,000. Within competent officers of the Border Guard itself, however, the estimates concerning the percentage share of cases of apprehended foreigners under trafficking vary from 20 to 90 per cent of all actually trafficked. This implies an estimated total between some 11,000 and 50,000 which might be meaningful in qualitative terms but is obviously meaningless as a numerical category. It requires to be said in addition that these figures do not account for (a large part of) apprehensions in the interior of Poland whose number might be non-negligible¹³, and fail to distinguish between the cases of border crossing by the trafficked migrants and the number of persons subject to that process¹⁴.

As far as the question of accuracy of the information collected during the study is concerned, different reliabilities should be ascribed to different data. While the aggregate numbers of court cases against traffickers and trafficked migrants as well as the numbers of apprehensions (or readmissions) would seem reasonable or even accurate, the information about the personal characteristics of migrants would not. Generally, a tendency might be stated: the more detailed or complex characteristics of migrants the lower reliability of information. Two complementary reasons are responsible for this. First, until now Poland has been unable to create a sound system of monitoring the stocks and flows of foreigners, and the official records seem to meet incidental and local or particular requirements of individual agencies or their branches or local authorities, rather than reflect any concerted and systematic effort to produce a complex picture of migrant trafficking¹⁵. Second, the lying (concealing the truth) to the authorities by migrants is an important element of their strategies¹⁶. With almost no exceptions, the migrants are equipped with either forged documents or travel with no documents at all¹⁷, and their credibility cannot easily be verified. This strategy enables the migrants and traffickers a possibility of a better time management.

¹² This was somehow against general objectives suggested originally by IOM.

¹³ Migrants arrested by the police.

¹⁴ Here it is about multiple attempts of unsuccessful border crossing by trafficked migrants.

¹⁵ Similar story could be said of Polish migration statistics in general.

¹⁶ It is for instance by no means unusual that migrants declare a false nationality.

¹⁷ Or destroy their documents before being arrested.

By the same token, the survey data also suffer from varying degree of reliability. In all interviews with migrants attempts were made to check on the knowledge of geographical, historical, political, cultural and economic features of migrants declared milieu, and cross-check the information concerning the reported events related to the trafficking. At that stage the researchers were well informed about the trafficking “habits”, the routes, concentration or dislocation centres, etc., and they were paired with respondents according to their cultural and geographical background and language skills¹⁸. In addition, a researcher (ex-Soviet citizen) was placed in the reception centre for refugees, where a little earlier a series of interviews with migrants was conducted by the team, to intermingle with the guests and pursue “participating observation”. Major goal in this step constituted verification of selected information and findings implied by the interviews.

All in all, it was found out that the least credible proved the migrants investigated shortly after the apprehension or kept in strict and harsh confinement (e.g. in Border Guard’s deportation arrests or in guarded police centres) while relatively more credible those staying outside the centres. On the other hand, it was obvious that migrants staying in the confinement for a very long time (for months, not to mention years) were reluctant to talk at all, and for that reason certain interviews, irrespective of their length, took a form of almost monosyllabic exchange of information.

2.6. Implementation and coverage of the study

As mentioned, in November and December 1997 a comparative framework for the project has been developed and adopted by the three participating national teams. As far as the activities of the Polish team are concerned, between December 1997 and February 1998 a series of training sessions took place, the institutions to be investigated in the first stage of the field-work were selected and contacted, and a pilot study was conducted.

In the period March-April 1998 36 competent representatives of institutions acting on nation-wide scale were interviewed. The main topics included the perception of migrant trafficking, in particular the trends, basic features and consequences, and the actual and postulated ways of prevention of or combating that phenomenon (see Appendix 1). The list of institutions embraces the parliament, the government (selected ministries), law enforcement agencies, Border Guard Headquarters, agencies dealing with organised crime, NGOs, foreign consulates, carriers and reception or detention centres (for a complete list, see Appendix 2).

Further 23 interviews with institutional actors were carried out between May and July 1998. The respondents consisted mainly of the officers of particular districts (border areas) of the Border Guard, the officers of local police and representatives of local judiciary institutions (for a complete list, see Appendix 2). This sample so to speak covered the Warsaw International Airport “Okecie” (more than 95 per cent of international passenger traffic in Poland), a prevailing section of eastern and western border, and a small fraction of northern and southern border. At this stage the study inquired i.a. into the organisation of illegal border crossing, the modes of prevention and counteracting, characteristics of migrants involved and support from local communities *vis-a-vis* local pathologies (e.g. bribery) (see Appendix 1).

In August 1998 the third stage of field-work started. It ended in October with 42 interviews (involving 72 trafficked migrants) accomplished. The field-work took place in Warsaw, Lublin (south-east of Poland), Szczecin (north-west of Poland) and a few small

¹⁸ Two researchers fluently spoke Hindi and Urdu, one spoke Chinese, one Vietnamese, and one was himself a migrant from the ex-USSR. In addition, the team was joined by a Somali refugee and (at the same time) an editor of the *Refugee Voice* (a monthly circulated in Poland, in particular among irregular foreigners) who served as an expert in Islamic cultures and a proficient speaker in a number of African dialects.

settlements near Warsaw. All migrants but two who were interviewed at this stage turned out the persons admitted in various reception centres (for refugees, for those awaiting decision and for those being finally rejected), deportation arrests (under the authority of the Border Guard or the Police) and the main guarded centre for illegal foreigners under the authority of the Police (see Appendix 2). The interviews inquired into life histories of migrants and their close relatives, socio-demographic characteristics of migrants, motif of migration, organisation of trip, source of financing and mode of payment, account of events during the journey, treatment by traffickers, attitudes on the part of Polish officials, behaviours of other migrants, plans for the future, etc. (see Appendix 1).

Finally, the fourth stage was executed in November 1998. It comprised 14 interviews with selected influential individuals related to selected three groups/communities of migrants: Muslims from Africa and West Asia (including Middle East), Armenians and Vietnamese (see Appendix 2). The range of topics investigated in the course of this stage was very wide, extending from ethnic-cultural, political and socio-economic context of emigration and impact of sending states on the readiness of migrants to move, through the role of migrant networks to the selectivity of illegal (*vis-a-vis* legal) migrants from the view-point of their personality, determination and other characteristics, and perceived cost-benefit evaluation of migrant trafficking (see Appendix 1).

2.7. Theoretical background

Due to a rather early “adolescent phase” of research devoted to the phenomenon of trafficking in migrants, no sound theoretical background suitable for a research on migrant trafficking has so far been created. This must have had an adverse effect on the consistency and completeness of the reported study.

In order to avoid or at least minimise shortcomings that might stem from the lack of theory, and e.g. not to proceed blindly and chaotically in the pursuit of major tasks of the study, it has been decided to follow to as much as possible extent a conceptual framework developed recently by John Salt and Jeremy Stein (1997). This work and few others (e.g. Gosh, 1998; IOM, 1994; IOM, 1998a; IOM, 1998b; Kyle and Liang, 1998; Mattila, 1998; Omelaniuk, 1998; Papademetriou and Hamilton, 1995; Salt, 1996 and Salt and Schmid, 1998) were consulted when it came to defining migrant trafficking, formulating objectives of the study and underlying hypotheses, and constructing research tools.

3. Migrant trafficking in Poland: the environment and perceived actual trends

3.1. Introduction

This section aims at a broad but comprehensive description of presently observed phenomenon of migrant trafficking in Poland. It has been based on the information derived from interviews with the institutional actors and all other relevant materials. The latter included legal documents, official statistics, reports produced by various institutions and press reports.

3.2. Why to or through Poland?

Since 1989 Poland has become one of important European buffer states between the West and rest of the world. It is located very close to various migrant communities in major cities of the European Union area; e.g. in less than one hour drive Berlin can be reached from western Polish border. For illegal migrants coming from the East and South, Poland can be entered from six countries, and until very recently this task seemed relatively easy. This was so for at least three reasons. First, the total length of land frontier amounts to as many as around 3,050 km. (around 2,300 km., excluding Polish-German border). Second, the distances between particular watch-points might be as large as around 100 km. Third, the topography of border areas is generally friendly. A general picture of a situation of Poland in this respect can be obtained from Map 1. In addition, for political reasons, before 1989 the control over the border with the ex-USSR was executed only symbolically, what still bears heavily on the current situation. Finally, the attitude of the local population and local authorities to foreigners, and to the control over their movements are rather liberal in Poland.

3.3. Legal environment

Around 1990 when systematic flow of the trafficked migrants across Polish borders began, the Polish law and judiciary institutions were hardly prepared to cope with it. The changes started late in 1990, when two important acts were passed by the Parliament concerning: setting up of the Border Guard and the protection of state boundaries, and they

were finally completed with coming into force of the Aliens Act (in December 1997) and the Penal Code (in the middle of 1998). All those basic new regulations, accompanied by various amendments to already existing acts and laws of lower order (ordinances, instructions, etc.), contributed to the “modernisation” of a legal environment of the migration problematique. In addition, Poland has become a signatory of almost all international conventions concerning migrants and migratory flows, and concluded various related bilateral or multilateral agreements, above all a number of readmission agreements and agreements with neighbouring countries on the mutual assistance in border protection and the control over people and vehicle movements.

As far as the trafficking in migrants is concerned, foreigners apprehended on illegal border crossing are subject to a legal action in Poland, and eventually to a penalisation, detention and expulsion. The same pertains to foreign citizens whose stay in Poland is found to be unauthorised or who during their stay in Poland commit a crime. All related judiciary and administrative procedures are clearly specified, and currently they seem to meet the European standards. In addition, subject to respective international agreements and appropriate procedures, Poland accepts illegal (in this number the trafficked) migrants apprehended in other countries who got to those countries from (or through) Poland whereas illegal migrants apprehended in Poland are admitted by the countries from which they directly arrived¹⁹. Carriers who become (willingly or not) involved in the trafficking are subject to a severe penalty fine and other sanctions. Since 1 September 1998 (by force of the Penal Code) also organising of the trafficking and assisting of the trafficked migrants have been treated as a petty crime and, consequently, prosecuted.

According to current laws, the typical procedure in case of a trafficked migrant is as follows. After the apprehension (the Border Guard officers are eligible to arrest an unauthorised foreigner in border areas while the Police officers do so in all other parts of Poland), on the basis of a warrant issued by a local prosecutor, an arrested foreigner can be detained for up to 48 hours in order to determine his/her identity and interrogate him/her on the occasion of being in illegal situation in Poland²⁰. During that period a district court may sentence that foreigner for up to 90 days of confinement in the arrest for foreign citizens. Then, and only within that time span, a district authority may issue a deportation warrant. Migrants in case of whom a deportation warrant has been issued, stay (up to 90 days) and await the deportation in special guarded centres (run by the Border Guard or the Police). The deportation is executed by the police force (who can cede this to the border guard force). This standard procedure may become more or less complicated when the following circumstance occur:

¹⁹ Two countries (of great importance from the point of view of migrant trafficking in Poland) still remain reluctant to entering into a readmission agreement with Poland: Belarus and Russia.

²⁰ It is possible (though by no means easy) to deport an unauthorised foreigner within this very short time. In order to achieve that, an identity of a migrant must be established and a deportation warrant must be issued by a representative of district administration (which is sometimes, e.g. on week-ends or certain holidays, virtually impossible). Effectively, deportations taking place shortly (practically instantly) after the apprehension of the trafficked migrant are feasible only when the apprehension takes place in border area and in the absence of application by a migrant for a refugee status.

- a migrant has applied for a temporary protection or refugee status;
- a migrant possesses no personal documents and, hence, his/her identity cannot be established;
- a migrant requests a contact with a diplomatic representative of his/her country (which is hard to implement within 48 hours);
- no interpreter able to communicate with a migrant can be found;
- no readmission agreement exists between Poland and a country from which a migrant directly arrived²¹.

3.4. General perception of migrant trafficking in Poland by institutional actors

At the beginning of the study, the notion of migrant trafficking (or smuggling) was still rather strange to a large majority of the representatives of investigated institutions of national or supranational reach. The definition adopted for the purpose of this study, however, was generally approved by the respondents. On the other hand, a majority of the respondents tended to focus rather on “illegal migration” of which migrant trafficking was perceived as only a part and specific aspect. For humanitarian organisations dealing with foreigners who have become the victims of the trafficking, all three components of the definition (especially, its illegal character) seemed irrelevant. Institutional actors operating in border areas, especially Border Guard officers, were perhaps the only respondents for whom the term “migrant trafficking” belonged to their routine vocabulary.

It might be concluded on the whole that although the phenomenon of migrant trafficking is perceived as financially costly and organisationally importunate, no institution was even vaguely aware of the magnitude of cost (be it only direct) incurred by the state

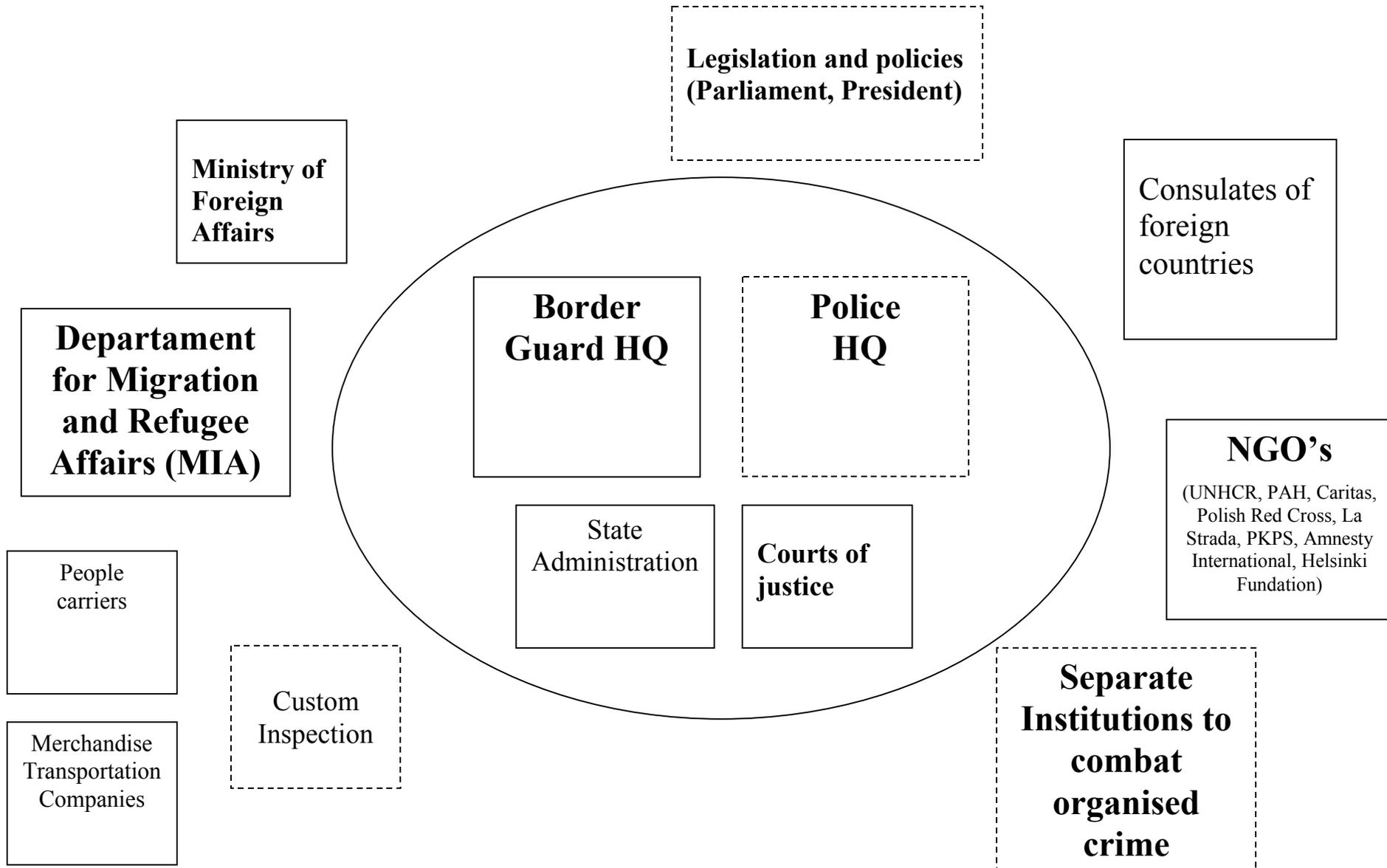
Trafficking in migrants is at the same time seen as being of relatively low importance from the view-point of the state priorities. It is definitely not regarded as a manifestation of organised internationally-wide crime, or as a threat to the state security. Institutions who are entrusted with a task of combating the trafficking in migrants emphasise the transient nature and relatively short duration of each individual case of the trafficking through Poland, and therefore their focus is on a quick getting rid of an unwanted foreigner rather than the general perspective of that phenomenon, including its causes and consequences. In other words, the focus is on punitive rather than on preventive and remedial measures.

3.5. Main institutional actors in the area of migrant trafficking

The description of a standard procedure in case of the apprehended foreigners being subject to the trafficking (presented above; 3.3) suggests that on the part of the Polish state four principal actors are involved, i.e. the Border Guard, the Police, courts of justice and authorities of district administration (*województwo*). As might be seen from Fig. 1, many other actors also actively deal with the phenomena related to the trafficking in migrants or at least are supposed to do so.

²¹ Another and a very specific circumstance which may disturb a relevant procedure might be the lack of willingness on the part of respective diplomatic mission to collaborate with Polish authorities.

Figure 1. Migrant trafficking in Poland: main institutional actors (actual and potential)



By law, all foreigners, irrespective of the way they get to Poland, are eligible for asylum/refugee status application upon their arrival in Poland. In many specific related procedures this involves the Department for Migration and Refugee Affairs (Ministry of the Interior and Administration). By the same token, migrants apprehended by Polish authorities have a right to contact the nearest diplomatic mission of their native country what brings foreign consulates into the action. On the other hand, legal procedures carried out by the Polish authorities request an assistance from foreign consulates (confirmation of the validity of identity documents, checking on a migrant identity, issuance of a lost/missing document, etc.).

Various non-government organisations, both local and of transnational character, render humanitarian aid to all foreigners in need, regardless of the legality of their stay in Poland. An important component of this aid is a legal advice in case of detained migrants.

Sporadically, actors dealing with the trafficking in migrants include first of all legislators and policy makers, and then custom offices and custom inspection/police, labour inspection/police, carriers, travel bureaux, and freight companies. However, hardly any interest to migrant trafficking is currently shown by state agencies dealing with the organised crime.

For all the above mentioned institutions migrant trafficking seems an ancillary or even marginal component of their statutory activities. Few of them deny having ever been confronted with that phenomenon. In no organisation, even within the Border Guard, there exists a specialised unit dealing with the trafficking in migrants. Consequently, a qualified personnel and material/financial resources devoted to its combating are very scarce and dispersed.

3.6. “Guesstimated” scale of trafficking in migrants

Two approximations are usually offered to give one an idea of the magnitude of organised illegal movements of people through Poland. First, it is estimated that around 300 thousand unauthorised foreigners remain (at any given moment) on the Polish territory. However, only a fraction, difficult to establish at that, of those persons have been subject to trafficking. On the other hand, many trafficked foreigners who may stay legally in Poland.

Second, in recent years (1995–1997) 10–15 thousand foreigners annually are apprehended (in Poland) on illegal crossing of the Polish state boundaries. It should be borne in mind that not all trafficked migrants are apprehended in Poland, and the estimates of the failure ratio vary to a substantial degree. Moreover, nearly nothing is known about the number of foreigners smuggled through Poland and equipped with “proper” (reliable) documents, i.e. about those who cross the border openly through any of the check-points.

Bearing this in mind one has to conclude that neither of the two approaches render it possible to arrive at even a very vague estimate of an annual incidence of migrant trafficking in Poland. One thing, however, seems certain for a majority of experts, its magnitude is very high and since 1995 probably declining.

3.7. Official records of illegal/trafficked migrants

Tables from 1 to 5 present the official data which seem most symptomatic to the phenomenon of trafficking in migrants. Respondents who are believed to be the most competent in making a correct distinction between trafficked migrants and other illegal foreigners would agree that the former constitute a large proportion (if not a large majority) among the following groups:

- 1/ the migrants apprehended on illegal border crossing;
- 2/ the migrants transferred/deported to Poland from other (western) countries in accordance with readmission agreements;

3/ the migrants expelled/deported from Poland to other (southern and eastern) countries;

4/ the foreigners applying for refugee status in Poland, and

5/ the foreigners admitted in various reception/detention centres.

Additional tables which might throw some more light on this issue are included in section 4 of the present report (Tables 6 and 7).

Trafficking in migrants in Poland was virtually non-existent still in 1990 when only 200 foreigners were found to have illegally crossed (or attempted to cross) German/Polish border. The situation changed radically in 1991, and in 1992 the number of foreigners' apprehensions on illegal border crossing reached a very high (the by far highest so far) level of around 30,000 (of which more than 90 per cent on German/Polish border). At that time, however, almost all apprehended persons were the citizens of the former socialist countries (almost 70 per cent were Romanians). In 1993 the number of apprehended foreigners fell to below 20,000 (around 15,000 in case of German/Polish border) but in that year citizens of certain remote or non-former-socialist countries became more visible (Algerians, Turks, Iraqis, Turks and Vietnamese). The trend towards decreasing number of uncovered cases of illegal border crossing and increasing proportion of the citizens of Asia and Africa in all apprehended foreigners continued until 1998²². It might be observed that a major factor contributing to this trend was almost complete cessation of illegal migration of Romanian citizens.

Table 1. Migrants apprehended in Poland independently by the (Polish) Border Guard during the 1st half of 1998 (compared with the 1st half of 1997) by country/continent of origin

Country/continent of origin	Total		German/Polish border		Air and sea border		Other sections of state border	
	1997	1998	1997	1998	1997	1998	1997	1998
Total	2,401	1,791	1,561	1,182	76	72	764	537
Asia	995	871	618	699	14	22	363	150
Africa	68	32	42	16	18	7	9	4
CIS	592	348	467	241	12	16	113	91
Romania, Baltic states	467	287	381	186	15	15	71	86
All other	279	253	53	40	16	7	208	206

Source: Border Guard

In 1997 a little more than 10,500 foreigners were apprehended in Poland on illegal crossing of the state boundaries, of whom nearly 8,000 on an attempted passage to Germany. This did not significantly differ from what was observed a year before.

²² Data in this paragraph originate from internal documents of the Border Guard Headquarters; some of them were quoted in annual SOPEMI reports of the Polish correspondent.

Independent operations of the Border Guard led to some 5,300 foreigners' apprehensions, of which around 3,300 took place on western border of Poland. A large majority of persons attempting illegal border crossing (more than 80 per cent) wanted to avoid border check points and were assisted by non-migrants. In that year Asians were by far the largest group of (uncovered) illegal migrants (40 per cent of the total), led by Sri Lankans (14 per cent of the total) and Afghanistani (11 per cent). Nationals of only three other countries (Armenia, Pakistan and Ukraine) passed the mark of 200 apprehensions (The Border Guard of the Republic of Poland, 1998). That year witnessed a further substantial increase in the incidence of illegal border crossing by migrants originating in Asia (by 24 per cent relative to 1996), and a decline in case of other groups of migrants.

Table 2. Incidents of (detected) attempted or realised illegal crossing of Poland's border in groups consisting of over 10 migrants in the 1st half of 1998; cases revealed in Poland, outside of the border check-points area

Characteristic	Section of the state border					
	Total	Germany	Lithuania	Ukraine	Czech Republic	Slovakia
Number of groups over 10 migrants	39	29	3	3	3	1
Number of persons travelling in groups over 10 migrants	637	478	56	49	34	20
Number of Asians travelling in groups over 10 migrants	586	458	56	49	23	
Couriers arrested with groups over 10 migrants	23	8	4	11	8	

Source: Border Guard

It is believed that the incidence of illegal border crossing declined further in 1998. For instance, in the first half of 1998 only 1,791 foreign migrants were apprehended (independently by the Border Guard) on illegal border crossing, which was by more than 25 percent less than in the first half of 1997. Importantly, for the first time in at least five years the number of illegal citizens of Asian countries declined²³ (Table 1).

In 1997 more than 1,600 organised groups of foreigners were found on illegal border crossing or unauthorised travelling through the country, of which 215 groups included at least 10 persons. In the first half of 1998 the number of groups comprising at least 10 migrants was 39, much below the 1997 level. The number of migrants apprehended in groups 10+ was around 4,100 in 1997 and around 600 in the first half of 1998 (Table 2). Another important symptom of a declining incidence of migrant trafficking in the first half of 1998 was lowering of a number of foreigners deported to Poland from the West (due to readmission agreements); in 1997 it was around 4,800 while between 1 January and 30 June 1998 only around 1,400.

²³ The number of apprehensions in case of Asians on German/Polish border, however, displays a small further increase.

Table 3. Decisions on expulsion of foreigners taken by district administration (a) by country of origin. Poland: 1994–1998

Country of origin	1994	1995	1996	1997	1998 (b)	1994–1998 (c)
Total	1,843	3,199	5,087	5,166	2,107	17,402
Afghanistan	–	25	48	133	71	277
Algeria	53	27	62	24	3	169
Armenia	149	505	606	261	195	1,716
Bangladesh	–	8	280	179	31	498
Belarus	82	128	211	119	88	628
Bulgaria	146	209	432	473	259	1,519
China	–	4	169	37	1	211
Czech Republic	2	6	3	338	102	451
India	4	241	327	154	31	757
Iraq	–	10	23	77	31	141
Lithuania	39	57	50	84	56	286
Moldova	21	211	357	285	155	1,029
Pakistan	2	47	226	103	38	416
Romania	184	397	561	1,049	242	2,433
Russia	151	192	188	110	65	706
Slovakia	2	3	–	114	13	132
Sri Lanka	–	22	273	286	57	638
Ukraine	826	815	887	844	409	3,781
Vietnam	16	13	45	24	48	146
All other	170	279	339	472	212	1468

(a) i.e. by district administration offices (*urząd wojewódzki*)

(b) 1 January – 30 June 1998

(c) 1 January 1994 – 30 June 1998

Source: Border Guard; Department for Migration and Refugee Affairs, Ministry of the Interior and Administration

Table 4. Asylum seekers (a) by country of origin. Poland 1994–1998

Country of origin	1994	1995	1996	1997	1998 (b)	1994–1998 (c)
Total	598	843	3,212	3,544	966	9,163
Afghanistan	7	73	489	636	123	1,328
Algeria	22	35	31	41	6	135
Armenia	289	151	354	469	181	1,444
Bangladesh	–	6	203	229	82	520
Belarus	10	5	33	31	12	91
Georgia	26	23	25	25	7	106
India	11	110	230	160	44	555
Iraq	39	57	359	198	61	714
Ukraine	21	11	20	29	14	74
Pakistan	5	34	173	349	99	660
Russia	26	83	63	50	26	248
Somalia	–	73	188	69	19	349
Sri Lanka	8	60	630	864	175	1,737
Yugoslavia	18	9	20	27	34	61
CIS (d)	9	12	59	67	12	159
All other	107	101	335	300	71	961

(a) refugee applications submitted (including accompanying family members)

(b) 1 January – 30 June 1998

(c) 1 January 1994 – 30 June 1998

(d) except nationals of Armenia, Belarus, Georgia, Russia and Ukraine

Source: Ministry of the Interior and Administration

A mention should also be made about the trend in the number of asylum seekers in Poland (Table 4). In the past four years (1994–1997) the declining incidence of apprehended illegal border crossing consisted of two opposite trends: a decrease on German/Polish border (predominantly exit from Poland) and an increase on other segments of the border (predominantly entry to Poland). This suggested that a part of the trafficked migrants might have changed their country of destination – from Germany (or other western countries) to Poland itself. It might have also led one further to a hypothesis that in the process of trafficking a new strategy has been adopted, namely of harbouring migrants in Poland until “better (or more suitable) times”. That hypothesis found a confirmation in the trend of refugee applicants. In 1996 the number of applicants, which for five preceding years oscillated around 500, went up to as many as 3,200 and increased to 3,500 in 1997. It became proverbial in those years among the government refugee authorities to say “they come, they go”. A lot of anecdotal evidence existed pointing to the fact that the reception centres for refugees turned to a large degree into contact points or waiting rooms for trafficked migrants. This, however, might have recently been reversed since in the first half of 1998 the number of applications declined dramatically – to less than 1,000.

Table 5. Migrants returned to Poland on the basis of readmission agreements and migrants expelled from Poland by citizenship. 1 January – 30 June 1998

Country of citizenship	To Poland	From Poland
Afghanistan	200	71
Moldova	167	155
Ukraine	166	409
Sri Lanka	163	57
Armenia	126	195
Yugoslavia	85	15
Iraq	73	31
Pakistan	49	38
Bulgaria	6	259
Romania	- (a)	242
Belarus	30	88

(a) Romanians apprehended in Germany (who get there through Poland) are deported directly to Romania

Source: Border Guard

3.8. Major countries of origin

As stems from Tables 1–5 and independent estimates of the respondents, in recent four years a large part of the trafficked migrants have originated from Indian sub-continent (including Afghanistan and Sri Lanka)²⁴. Other important countries of origin are located in the Middle East, Far East (Vietnam) and North Africa. There are indications of growing flow of this category of foreigners from Armenia, Turkey, Romania and Ukraine.

3.9. Major countries of destination

Most of foreigners referred to are said to head for Germany. Other important target countries seem to be the Netherlands, the United Kingdom, Sweden, Belgium, the United States and Canada.

For growing (but probably still rather negligible) numbers of migrants from Armenia, Romania and Vietnam Poland plays a role of a destination country, and in the case of Vietnamese citizens sometimes the direction of the flow seems to be different from other flows, namely eastwards (from Germany, sometimes through the Czech Republic), not westwards. It might be added that Poland also happens to be a “step-target country” for a number of trafficked foreigners who have been “stacked” on its territory.

²⁴ In 1998 the flow from those countries seems to be less intensive than in the three preceding years.

3.10. Trafficking routes

A major route is supposed to lead from east (Belarus and Ukraine) to west (Germany and onwards). It is mainly attended by people whose houses are in Afghanistan, Bangladesh, India, Pakistan and Sri Lanka. They often first fly from capital cities of their native countries to Moscow (almost exclusively by Aeroflot) or travel to Moscow by road or rail, next they are transported by road to the vicinities of Minsk, Kiev or other large cities in countries adjacent to Poland, and ultimately are smuggled through Poland. Very frequently the final step before arriving in Poland is being made from the territory of Lithuania.

Two routes of lesser importance are those leading from east to south and from south to west. The former features similar initial stages as the one just described, although after crossing eastern Polish border, it turns south to the Czech Republic. This route is often used by those migrants who on their earlier attempt had failed on getting directly to Germany (i.e. to west). The latter route brings to Poland citizens of Iran, Turkey and certain North African and Middle East countries who usually first fly to Istanbul and next use road transportation to reach the Polish-Czech (or Polish-Slovak) or a south corner of the Polish-Ukrainian border.

The trafficked migrants for whom the ultimate destination is Poland enter through Germany (Vietnamese), Slovakia (Romanians and Ukrainians), the Czech Republic (Vietnamese) and Ukraine (Armenians and Ukrainians). In terms of the number of migrants involved, however, those routes do hardly matter.

It might be added that frequently migrants use a variety of transportation means within the same “travel package” (including plane, truck, taxi, railway, boat and by foot). Typically, on their route, they hide in many places (a large majority of migrants – from three to five) and in various countries (a large majority – from two to four). Sometimes the hiding takes weeks and in most cases the total duration of migration (from a home to a final destination country) might be very long, up to several months.

3.11. International network of trafficking business

The business is organised in a complex way. By necessity, it is both very informal and flexible. It is believed that the core of many networks lies in Moscow-based international criminal underworld.

As far as the migrants coming through Poland are concerned, the following phases of “trafficking operation” can be distinguished:

1. recruitment of migrant in the country of origin or making a contact with a trafficker (or his agent) on migrant’s initiative;
2. transporting (flying over) a migrant to a key-note point of dislocation (Moscow, Istanbul and few other centres);
3. training of a migrant on the occasion of further (clandestine, illegal) travelling and (possible) arrest or interrogation on his/her route;
4. trip to a vicinity of big (usually, capital) city of a country which neighbours with Poland (e.g. Kiev, Vilnius, Minsk, Prague), and awaiting a “trafficking group” completion;
5. trip to the Polish eastern (or south-eastern) border, and awaiting a suitable moment for its crossing;
6. entering Poland, almost always through the outside of check-point area (but usually pretty close to some check-point);
7. trip to a vicinity of big city (to find a hiding) or (rarely) directly to the western (or south-western) border;

8. trip to the Polish western (or south-western) border and awaiting an appropriate time to get to Germany (or the Czech Republic), and, finally

9. actual smuggling of a foreigner to Germany (or, less frequently, the Czech Republic).

Four principal levels might be distinguished in the organisational structure of migrant trafficking networks²⁵:

- leadership (“brain”) which takes care of the entire process (and entire route), and ensures its security;

- internationally linked mafia bosses in each country through which a trafficking route runs;

- bilingual teams organising trafficking activities in specific border areas;

- local collaborators in specific border areas who are entrusted with particular separate tasks.

Only two first of those levels have a direct international connection.

Very few can be said of the “brain level” of the organisation. One might even suspect that its existence is a fantasy or at least a dubious fact²⁶.

The management level comprises bosses of the underground world (organised crime, mafia) in major cities of all countries involved (the countries of origin, transit and destination). They are linked to each other through the net of a variety of illegal businesses carried out on an international scale (gambling, prostitution, organising the trade in stolen cars, narcotics, weapon, etc.)²⁷. Apparently, only one boss in each country holds responsibility for the whole trafficking business in his country or at least for one of its major routes running through that country.

3.12. Organisation of trafficking business in Poland

It seems that in many cases the bosses supervising particular trafficking routes in Poland are foreign-born persons having the Polish citizenship or permanent residence permit in Poland. They may belong to an ethnic group whose members are subject to trafficking route managed by a given boss. Those persons live in big cities and have extensive connections with the underground world.

As a rule, they maintain contacts with professional traffickers (middlemen) who receive migrants entering Poland, provide foreigners with shelter, food, necessary documents and transportation facilities, escort/guard and protect them within Poland, organise specific groups of migrants to be smuggled through Polish borders or territory, and, ultimately, expedite the groups to the professional collaborators in the border areas in the west (or south-west).

At the bottom level of the organisation there operate various “free-lance” individuals who occasionally perform specialised functions in actual smuggling of the migrants through the border (such as letting and driving a car, monitoring border area, providing information about planned shifts and movements of border guard patrols, guiding a group to or through the state border, providing necessary electronic equipment, etc.). Activities of those individuals are often co-ordinated by a local leader²⁸.

²⁵ Obviously, not all trafficking events are controlled by organisations structured in such way.

²⁶ A suggestion often appearing in media that “Russian mafia” runs the whole business (e.g. Urbanek, 1998) have hardly been confirmed by the result of the reported study.

²⁷ A spectacular case illustrating such links was described in Kukulski, 1998.

²⁸ The scale of operations performed by those leaders and their profitability can clearly be seen from an example of the vicinity of Krosno Odrzańskie (Polish-German border) where a man (officially a local mason and the owner of a trucking company) was arrested and accused of being responsible for smuggling around 1,500 migrants between July 1996 and July 1997, which brought him the total of 300,000 DM (Nowak, 1998).

A story of a guide named Arek, operating on the western border of Poland, close to Zielona Gora, is illuminating: “Arek is banned for life from entering Germany. Two years ago he was ambushed together with Aska, as they were moving 20 illegals. [...] He spent ten months in a German prison. [...] Arek gets paid [a standard amount of 100 DM per one migrant] when his cargo makes it across [the Nysa river]. The immigrant pays his or her fee to a middlemen who manages the logistics of those involved in the smuggling chain that leads the illegals to and across the Nysa: the drivers, the renters of space in houses, bribes for border guards, and fees to smugglers such as Arek. Once a new migrant makes it safely to Germany, the person is expected to call the middleman, who then releases the funds to those involved in the last stage of the operation, like Arek. If they don’t make it, they don’t get paid and are expected to try at least one more time” (Nowak, 1998, p. 41).

3.13. Adaptability of the networks of traffickers

There are clear indications of very fast reaction of trafficker networks and of flexible developments in the organisation of trafficking business in view of the changes in legislation and law enforcement in the transit and destination countries, the improvements in border control infrastructure and technique of controlling documents, freight, etc., and the practices of inspection of the border areas. Particular trafficker networks are able to smoothly change from one route to another, cross borders in a diversity of places, use various modes of transportation and hiding places, and reach for ever new generations of technology.

Generally, it might be claimed that in face of continuous efforts of state authorities to undermine the potential and effectiveness of trafficking organisations, the latter quickly and elastically adapt to the changes, and are able to temporarily exploit their advantages. Indeed, their information seems to come from the prime sources, and the equipment is the most modern. The way in and pace with which the traffickers cope with the hindrances, and the amount of money they invest in the business are strong albeit indirect indications of how profitable their activity might be.

4. Migrant trafficking as perceived by migrants themselves

4.1. Introduction

Among three major groups of actors directly influencing the process of migrant trafficking: migrants, traffickers and persons designated by the state to combat trafficking in migrants, not only that each represents, by necessity, only a limited knowledge of the studied phenomenon but also in case of its various aspects those actors differ with respect to the minuteness of detail and accuracy. While the investigated state institutions appear to be most competent in providing the researchers with macro-level data, particularly those on migrant trafficking prevention and combating (see section 5), the migrants are believed to be able to give a correct (but largely confined to micro-level) account of circumstances leading to a trip and source of its funding, and traffickers seem by far most knowledgeable with respect to a midway type of focus, especially on how the business of trafficking in migrants is organised²⁹.

The hypothetical reliability of the latter group of actors as informants is very low; hypothetical because it was not attempted, within the framework of the reported study, to contact traffickers. On the other hand, the data emitted by the institutional actors seem not to be particularly strongly biased, bearing in mind a variety of those actors in the sample and availability of various ways of checking on their consistency and improving completeness or quality. This by no means that obvious with the evaluation of trafficked migrants as a source of information and verifying accuracy of the data provided by them. Consequently, as regards this, a cautious attitude has been adopted in the reported study.

For those reasons, an important purpose of the migrants' survey was testing cognitive value of the information originating in interviews, besides collecting entirely new empirical evidence. Therefore at that stage, the study focused on the adequacy of the approach and instruments applied, and particularly on a possibility of getting the respondents genuinely concerned and involved. The reasons for this was a relatively strong uncertainty regarding the state of mind of people who perceived themselves as being highly threatened and under surveillance (i.e. trafficked migrants), and their openness in front of strangers (i.e. interviewers).

The sample of trafficked migrants comprised persons of various degree of self-perceived menace. One, around one-fifth of all migrants (26.4 per cent) were persons kept under arrest in two deportation centres, administered by two different institutions. Those migrants (usually just apprehended by the border guard) were expecting, within 48 hours, a decision with four possible outcomes: 1/ instant deportation; 2/ transfer to guarded police centre (with up to 30-days stay there); 3/ transfer to refugee reception centre (with a perspective of safe and lengthy stay there), and 4/ instant release (in case of inability by the authorities of making a decision leading to one of three afore-mentioned outcomes). They all were under heavy stress, some were exhausted or undernourished. Two, around one-seventh of investigated migrants (15.3 per cent) stayed in a guarded police centre where they met with a rather harsh regime, similar to one in prison. Also those persons were under stress but they appeared less confused and frightened. Three, a reception centre run by one of NGOs hosted three migrants belonging to the sample (4.1 per cent). Those foreigners, already staying for a relatively long time in Poland, had to leave a refugee reception centre after having received the second (final) negative decision concerning their refugee

²⁹ It is very likely that in order to acquire exhaustive and comprehensive information on still other aspect of migrant trafficking, namely "story of each complete trip", a combination of the three sources would have been necessary.

application. They were deprived of all state benefits (all were engaged in irregular employment); they were seeking a legal solution preventing them from being expelled. The migrants, who at the time of interview were well acquainted with Poland, seemed mentally tired but determined. Four, around a half of interviewed persons (51.4 per cent) happened to be the guests of two state-run centres for refugee applicants. Most of those respondents, irrespective of their individual predicament, were confident in a successful end of their case, some of them seemed generally optimistic or even relaxed. Finally and five, two trafficked persons (2.8 per cent of the sample) were investigated in their (irregular) work place. The migrants have never had any contacts with Polish institutions; their trafficking went smoothly and according to expectations. They were satisfied with what has happened to them, and seemed to be feeling safe and relaxed. In addition, although with partly different objectives in mind, a number of foreigners were investigated who have been perfectly legal in Poland at the time of interview, and who were believed to having had close contacts with trafficked migrants.

It should furthermore be mentioned that in each site (the interviews were conducted in seven different places) the respondents represented various nationalities and diverse ethnic and socio-demographic characteristics (see 4.2). All in all, the diversity inhered in the migrants sample provided for good opportunity to test the usefulness of this source of information.

Surprisingly enough, a high degree of consistency among information provided by different migrants was found. Facts told by migrants were generally similar to those established by authorities or media, or at least led to similar conclusions. Many migrants were willing to talk, and in some cases volunteered to offer interviewers important unknown facts. In addition, not many refusals were recorded, and true failures on the part of researchers in this stage of the study stemmed less from reluctant attitude of migrants than from inability of coming into a sort of intimate contact with her or him. Typically such failure might have occurred due to one of two factors: poor language communication or poor cultural communication.

In summing up, despite initial caution, it seems that the information collected by means of the interviews carried out among migrants may legitimately be analysed and treated as relatively highly reliable.

In the following part of this section, first, basic personal characteristics of the migrants will be analysed³⁰, and next, on the basis on interviews, selected trends (depicted in section 3) will be re-examined and certain hypotheses (mentioned in section 2) discussed. The analysis to follow is accompanied (Appendix 4) by the excerpts from interviews which have been recognised as most representative for the whole collected empirical material.

³⁰ The analysis will refer to data included in the Appendixes, in the final report presented by K. Glabicka.

4.2. Socio-demographic description of the interviewed migrants

The sample comprises 11 citizens of Afghanistan, 9 citizens of Vietnam, 8 citizens of Pakistan, 7 citizens of China and India each, and 5 citizens of Armenia and Sri Lanka each. In addition, 11 interviewed persons originated from Africa and 5 from Europe³¹.

Males predominate with 91 per cent share in the total. The largest group according to age constitute persons 20–24-year old, followed by those 25–29-year old. These two groups account for as much as 62 per cent of the total. Only 10 per cent of all interviewed migrants are at or above the age 35³².

Almost 80 per cent of the sample are single migrants and 15 per cent are persons with complete families (parents with children).

Migrants distribution by educational attainment is of a glass of champagne type, with largest proportions of persons having attained the lowest and highest degree of education. Vocational (or lower) education is represented by 29 per cent of respondents whereas completed post-secondary by 23 per cent (around 12 per cent persons of unknown education).

Self-estimated level of affluence in home countries is most often “good” (30 per cent), and least often “very good” (15 per cent) or “very poor” (16 per cent). Middle positions occupy those who see themselves as “poor” and “medium” well-off. In most general terms, the better-off migrants predominate over those “less well-off”, though the difference between those two broad categories is not very large.

The duration of trip is typically 3–4 weeks and it is mostly due to the national composition of the sample. A clear “national pattern” is observed in this regard. What seems quite natural, the shortest duration, less than 2 weeks, represent migrants from European countries (Romania and Yugoslavia). Next interval (2–3 weeks) is characteristic for migrants coming from Indian sub-continent. A large majority among those whose travel takes 3–4 weeks originate in Far East. Finally, the trips of longest duration (longer than 1 month) are characteristic for African migrants.

Finally, the population of residents of all refugee reception centres (as on 15 December 1998) will be briefly described. The data come from outside of the migrant survey and have been presented in Tables 6 and 7. The reason for the presentation of those data is the fact that a majority in the sample were people interviewed in the refugee centres (51 per cent), and the share of those persons in the total number of centres guests was pretty high (7 per cent). On the other hand, almost all persons admitted in the centres have trafficking episodes in their migration history. It seems that nowadays, in this or other way, refugee reception centres in Poland play a role of the junction where a majority of trafficking routes meet, cross or (temporarily) end.

³¹ For more detailed information, see e.g. Table 8.

³² It might be mentioned that the youngest respondent was above the age 17.

Table 6. Residents of the reception centres of the Ministry of the Interior and Administration (*) by citizenship and age, as on 15 December 1998

Country	Age					
	All	0–6	7–15	16–18	19–30	31–65
All	508	53	41	44	256	114 (b)
Sri Lanka	146	1	6	17	100	22
Afghanistan	100	17	16	7	36	24
ex-Yugoslavia	77	19	9	8	22	19
Somalia	25	2		1	15	7
Pakistan	15			4	11	
Armenia	14	4			5	5
Iraq	12			2	2	8
Georgia	11	1	1		6	3
Cameroun	10				8	2
Ukraine	10	1	4	1	1	3
India	9			2	6	1
Nigeria	8				8	
Russia	8	2			2	4 (c)
Belarus	6		2		1	3
Turkey	6	3	1			2
Algeria	5		1	2	2	
Azerbaijan	5	1	1		2	1
Guinea	5				4	1
Other (a)	53	5			32	16 (d)

Notes:

(*) all six centres included; the residents in major parts were persons awaiting a decision on their asylum request (few remaining have been granted a refugee status before)

(a) countries with less than 5 representatives; (b) 2 persons aged 66+; (c) 1 person aged 66+; (d) 1 person aged 66+

Source: Ministry of the Interior and Administration

Table. 7. Residents of the reception centres of the Ministry of the Interior and Administration (*) by citizenship and age, as on 15 December 1998 (percentages)

Country of origin	Actual number	Age percentage distribution					
		All	0–6	7–15	16–18	19–30	31–65
Sri Lanka	146	100	.7	4.1	11.6	68.5	15.1
Afghanistan	100	100	17.0	16.0	7.0	36.0	24.0
ex-Yugoslavia	77	100	24.7	11.7	10.4	28.6	24.7
Algeria, Cameroun, Guinea, Iraq, Nigeria	40	100		2.5	10.0	60.0	27.5
Armenia, Azerbaijan, Georgia	30	100	20.0	6.7		43.3	30.0
Bangladesh, India, Pakistan	28	100		3.6	25.0	67.8	3.6
Somalia	25	100	8.0		4.0	60.0	28.0
Belarus, Russia, Ukraine	24	100	12.5	25.0	4.2	16.7	41.7
Other	53	100	9.4			60.4	30.2
All	508	100	10.4	8.1	8.7	50.4	22.4

Source: Ministry of the Interior and Administration

Almost two-third of the centres guests (508 persons altogether) come from just three countries, which include 29 per cent Sri Lankans, 20 per cent Afghanistani and 15 per cent citizens of ex-Yugoslavia. Citizens of the next countries distinctly lag behind those three, with Somali (5 per cent), Pakistani (3 per cent), Armenians (3 per cent) and Iraqi (2 per cent) being most important among them. Compared to the sample distribution by citizenship, persons originating in China and Vietnam are rare guests in the centres, while the ex-Yugoslavs are over-represented. In general, however, the main nationalities in the sample are also among major nationalities recorded by the refugee reception centres.

As far as migrant age is concerned, 18 per cent are minors below the age 15, and 2 persons (less than .5 per cent) are above the age 65. Migrants in their twenties (in fact: 19–30-year old) constitute by far the largest group (50 per cent of the total). Bearing in mind that the sample does not include juvenile respondents, the figures reflecting its age distribution seem to be consistent with the corresponding figures pertaining to the guests of refugee centres.

According to the centres data, persons from Belarus, Russia and Ukraine, followed by ex-Yugoslavs and Afghanistani include highest number of children (around one-third of the relevant sub-totals). Lowest proportion of children is observed among the migrants coming from Africa (except for Somali), Bangladesh, India, Pakistan and Sri Lanka (in each case below 5 per cent). The most homogenous population with respect to age present migrants from Indian peninsula of whom more than two-third fall in the 19–30 bracket. Among African migrants as many as 60 per cent are within that bracket. In turn, the highest age dispersion can be observed in case of people from Afghanistan and ex-Yugoslavia. Finally, Belarussians, Russians and Ukrainians are remarkably concentrated in the ages over 30 (42 per cent of the respective sub-total).

4.3. Hypothesis 1: Migration policies of destination countries are a major source of migrant trafficking

In examining this, crucial for the reported study, hypothesis, various factors which might play a role of the trafficking determinants will be discussed.

It should instantly be observed, on the basis of Table 8, that a large majority (75 per cent) of the respondents who originally headed to a specific country, wanted to be landed in the West, and on the other hand, the national composition of the trafficked migrants being investigated suggested inability to fulfil that plan in a predominant number of cases. As a matter of fact, around 30 per cent of persons in the sample wished to migrate to Germany. As follows from the interviews, almost all of those and other migrants knew from the very beginning that for them the doors to the countries of their choice were being firmly shut. Therefore the determination to get to a preferred country of destination whose migration policy prevented a given migrant from the legal entry seems to be the main single factor of him/her being trafficked.

Table 8. Interviewed migrants by country of origin and original (declared) country of destination; Poland, July-October 1998

Original country of destination	Country of origin									
	Total	Afghanistan	Vietnam	Pakistan (a)	India (b)	China	Sri Lanka	Armenia	Africa (c)	Europe (d)
Total	72	11	9	8	7	7	5	5	11	5
Germany	22	2	5	1	5	2	1	2		
Poland	17		3	4			3		5	2
Specific western European (e)	12		1			4	1	2	1	3
Any western European	3					1			1	
Specific overseas (f)	3				1				2	
Any safe country	15	9		3	1				2	

(a) including 1 migrant from Bangladesh

(b) including 2 migrants from Nepal

(c) Somali (5 migrants), Cameroun (2), Guinea (1), Liberia (1), Nigeria (1) and Sudan (1)

(d) Yugoslavia/Kosovo (3 migrants), Romania (2)

(e) United Kingdom (3 migrants), Switzerland (2), France (1–3). Netherlands (1–3), Denmark (1), Italy (1) and Spain (1)

(f) Australia (1 migrant), United States (2)

Source: Institute for Social Studies, University of Warsaw.

Why such determination, given money at stake and personal risks involved?

In answering this question let me note that the stories offered by many migrants imply a specific perception of their migration, namely as a collective investment of a household or family or community. Migrants in all stages of the movement, starting with mobilisation in the country of origin and finishing with insertion and integration in the country of destination (through all intermediate stages, which Salt and Stein term “en route”) benefit from expertise, personal contacts, money and all kinds of logistic support provided by other members of the collective (be it household, family or community). In most spectacular cases, migration could have been effectively managed even when the migrant was under arrest (following his/her apprehension while “en route”).

An important factor which makes this argument plausible is that in case of many migrants a collective structure which supports migration has transnational character. In addition to persons helping him/her in the home country (and sometimes also in transit countries), as a rule migrants have “somebody” (e.g. a cousin or just a fellow countryman) who is relatively well established in the West. The residence of that person determines the selection by a migrant of a target country, and furthermore ultimately that person is usually responsible for migrant’s “integration” (finding a safe shelter and job) in the place of destination. Finally, and most crucially, frequently that person plays a role similar to insurance policy; he/she buys the migrant out of troubles encountered “en route”: provides legal expertise, information, extra money, repairs a broken link with traffickers, etc.

The “investment” component of this reasoning implies that trafficked persons undertake their migration for economic reasons. It turned out, in the real world, that the “economic reasons” meant seeking a modern western quality of life rather than fleeing an extreme poverty as almost all “economic migrants” in the sample appeared to be relatively well-off (by home country standards).

That could hardly be evidenced directly by means of information provided by migrants in the course of interviews. Generally, during the interviews the respondents tended to be consistent in their stories with what they told the authorities in Poland, which means that quite often they pointed to some non-economic motives being behind their migration. Many of them (around 85 per cent of the sample) declared ethnic or political persecution experienced in the home country as reason of the migration. However, some migrants volunteered to frankly tell the interviewers that, despite formally made claim for asylum, they were motivated by purely economic reasons. At least 10 migrants in the sample were heading not only to a specific destination but at the same time to a specific employer who in some cases participated in the cost of the trafficking. Some other migrants offered arguments in favour of their precarious status which simply were too naive to be believed. To illustrate this point, a citizen of Bangladesh when asked about the reason of his migration replied plainly: “I was not safe”. And when he was encouraged to explain why felt unsafe, he went on saying: “Everything, flood and flood. Daily problems. You see TV – floods, economic problems, everything is a problem”.

Some migrants admitted to be instructed by trafficker to conceal the real motive of their migration and pretend to be a refugee. An Indian migrant in the sample was not only suggested to claim refugee status in Poland (as an intermediate step in his being trafficked to the West), but even driven by a trafficker in a taxi directly to the Warsaw bureau for refugees.

In many trafficking cases a disturbing coincidence was found of the fact of a very carefully planned trafficking process, eventually leading to the reunion with a family member or friend (often living in a remote country), and a refugee claim. The word “disturbing” seems justified here because it might be expected that a *bona fide* refugee would rather seek an asylum in the nearest safe country than embark on a costly and risky trip to far-away destination.

The argumentation so far seems to allow to make the following conclusion: many (probably a large majority of) trafficked migrants in the sample resorted to trafficking due to the policy of closed doors exercised by western countries they wanted to reach, and despite economic motive of their migration, on the occasion of contacts with the authorities, they indicated some other reasons, namely those normally presented in case of refugee applications.

There is, however, another important argument supporting the discussed hypotheses. For it is easy to notice, comparing the data contained in Tables 8 and 9, that many (many more than could be expected) migrants declared that Poland was the country of their preferred destination. That was already striking when the “original” (i.e. at the time of migration start) destination was established, as Poland ranked the second (after Germany) among all countries, and accounted for nearly a quarter of the total. It nevertheless turned out really conspicuous when it came to indicating the country of destination as perceived at the time of interview. Then more than a half of the respondents (51 per cent) stated that living in Poland was their ultimate goal.

Table 9. Interviewed migrants by country of origin and original (declared) country of destination; Poland, July-October 1998

Original country of destination	(Next) country of destination at the time of interview							
	Total	Germany	Poland	Specific western European	Any western European	Specific overseas	Country of origin	Undeclared or undecided
Total	72	8	37	3	6	3	12	3
Germany	22	6	5	1	4	1	4	1
Poland	17		16					1
Specific western European	12		6		2		4	
Any western European	3		2				1	
Specific overseas	3		1			2		
Any safe country	15	2	7	2			3	1

Source: Institute for Social Studies, University of Warsaw

There is no reason to put in doubts the declaration of certain migrants of their will to stay in Poland. A majority of those who made such declaration, however, did so in accordance with their migration strategy, most likely invented by traffickers and designed to confuse the authorities. As found in the interviews, many of them after having become aware (in frequent cases only after apprehension by Polish authorities) that Polish law is very elastic and lenient towards asylum seekers, undertook to apply for refugee status in Poland³³. This was being done in order to “win time” to rest and wait for appropriate opportunity to continue trafficking process. In some cases, however, the mentally (and financially) exhausted migrants might have become prone to accept Poland as their destination for longer than initially planned. At any rate, it is hard to believe in the converted migrants who after initially heading for a *niche* in the West, prepared for them by a relative or friend, changed their mind and decided to stay a strange, half-rich and painfully transforming country like Poland.

A final outcome from these consideration is as follows: the fact that after learning about the Polish asylum procedures and regulations many migrants declared a wish or genuinely wanted to become refugees in Poland implies that the “institutional factor”, especially migration (asylum) policy of that country was a decisive factor of the migration strategy of those persons. This seems to additionally strongly support the hypothesis examined here.

4.4. Hypothesis 1a (*ad hoc*): Poland has increasingly become a destination country for the trafficked migrants

This hypothesis has not been seriously considered at the time of the present study origins. It was thought at that time that the incidence of migrants being trafficked into Poland for their insertion there, if such phenomenon existed at all, was of negligible scale. After the first two phases of the study (focusing on the interviews with “institutional actors”), however, it became clear that for many trafficked migrants (more than it could be expected) Poland was a country of destination. At that stage an opinion was expressed (Border Guard Headquarters) that a considerable number of migrants (Vietnamese awaiting deportation from Germany to Vietnam) might be trafficked to Poland from Germany.

The hypothesis of Poland being itself an important target country for trafficked migrants was seriously considered during two final stages of the study (focusing on interviews with trafficked migrants and key informants related to selected ethnic communities of those migrants). It turned out (see e.g. Tables 8 and 9) that a large proportion of investigated migrants were originally heading for Poland and even more wanted to stay in Poland after apprehension in that country, expulsion from the West to Poland or making a voluntary contact (prior to eventual apprehension, either in Poland or in any further – western – country) with the Polish immigration/refugee authorities.

Originally 23.6 per cent migrants in the sample specifically wanted to be transferred to Poland as the ultimate place of destination by which Poland ranked as the second most important target country (after Germany). Interestingly, neither Afghanistani nor Chinese wished to migrate to Poland whereas around a half of persons from African countries, Pakistan and Sri Lanka did so. After arriving in Poland that overall proportion increased to 51.4 per cent by which Poland unquestionably became the main country of destination for migrants being interviewed. An important feature of the dynamics of migrants plans while

³³ It is important to note that migrants perceive Poland as not only a country of “easy asylum” (by which they mean having been accepted as an applicant and stayed “in the asylum procedure” for months if not years), but also as a country of no rules in the process of actual asylum granting. This was succinctly phrased by a Portuguese nun, a volunteer in a Caritas programme for refugees: “Poland is a country where asylum seekers are readily received but where nobody knows how to deal with them” (Urbanek, 1998).

in Poland was that those (but one who became undecided) originally heading for Poland did not change their mind. Moreover those migrants were joined by seven persons who originally wanted to arrive in any safe country (mainly the citizens of Afghanistan), six persons who wanted to reach a specific European country (other than Germany), five persons who planned to come to Germany and few others. The experience of the trafficking process, apart from shifting a desired destination of many migrants to Poland, also induced a relatively high proportion of migrants (16.7 per cent) to think of returning home. In the latter case a large majority of those persons were originally heading for Germany or any other western European country.

On the basis of the interviews and other sources (media reports, individual contacts with the representatives of migrant communities in Poland), it could be concluded that practically all Armenian and a majority of Romanian migrants who are subject to trafficking and their route leads through/to Poland, do actually head for Poland. The same holds for many Vietnamese migrants (probably more than a half). In addition, due to a growing strength of Vietnamese community in Poland, for many migrants from that country trafficked to the West, Poland happens to be the main dislocation country.

The principal reason for this new trend appears to be the “effect of demonstration”. The origins of that effect might be sought in extensive migration network developed by migrants from the above mentioned countries in Poland. Estimates speak of 20,000 Vietnamese (Gryczka and Kostyla, 1998) and 50,000 Armenians (Urbanek, 1998) settled in Poland after 1990, nearly all being undocumented migrants, which presents a striking contrast with almost zero migrants from those countries in earlier years. Many of those migrants are engaged in relatively successful businesses or have a steady employment in Poland, and are able to remit a part of their incomes to home countries. Stories are told about fortunes made by certain nationals of those countries in Poland and their investment activity. This is why in the course of time more and more citizens from those countries undertake migration (most often facilitated by traffickers) to Poland, a country where they hope to receive a substantial assistance from their compatriots and to be quickly successful. Other important stimulating factors in this case is said to be a lenient (as a matter of fact, only until early 1998) policy of Polish authorities towards undocumented (even indisputably illegal) migrants and/or irregular workers. In addition, migrants from those countries often point to generally good terms with the Poland’s population and even to “cultural compatibility” between themselves and Poles as a factor conducive to moving there³⁴.

It should be mentioned here *en passant* that the sample investigated in the reported project was strongly biased with regard to the discussed hypothesis. It did not include the migrants who – after being trafficked through Poland – got inserted (and somehow integrated) in the West, and those migrants certainly did not originally head for Poland. On the other hand, the circumstances of interviews (a place of confinement or a refugee reception centre) possibly prompted some migrants to create an impression and made the interviewers believe that they genuinely wanted to live in Poland. This notwithstanding, it can be argued that the discussed hypothesis has been confirmed by the empirical evidence generated by the reported study.

³⁴ This was particularly strongly suggested by respondents who were selected as key informants representative for the selected migrant communities.

4.5. Hypothesis 2: The scale of trafficking in migrants (as observed in Poland) depends on active role of trafficking organisations

In case of this hypothesis it is being implied that the traffickers and their specific own interests are at origins of the present wave of illegal migration through or to Poland.

It is a widely acknowledged fact that the business trafficking in humans, be it only its uncomplicated form like migrant smuggling, is highly profitable. The reported study fully confirmed that the fees charged by traffickers are as a rule very high. Around a half of migrants in the sample had to pay 5,000 US \$ or more and a quarter of migrants – 12,000 US \$ or more. Bearing in mind harsh conditions in which migrants lived and travelled while “en route”, and relatively low costs of labour (drivers, guides, etc.), the profits of people at the top of trafficking organisations must have been really substantial. Also local-level traffickers fared quite well, as already cited example of a Polish trafficker operating in western Poland (near Krosno Odrzańskie) proves (Nowak, 1998).

Does that high profitability prompt the migrants to play an active role in generating the flow of trafficked migrants? In addressing this question one can make use of an indirect evidence only. In a story presented recently in major Polish newspaper, it was made clear that the traffickers are involved in the process of recruitment. Two Sri Lankans experienced the following: “Those people come to villages and for 15,000 DM offer to whoever is interested a safe transfer to Germany” (Wojciechowski, 1998). The interviews do not render an unequivocal answer to the above asked question. Although some respondents admitted to be recruited by a trafficker, it seems that a predominant majority of migrants contacted trafficking organisation on their own independent initiative.

The active role of traffickers is more visible en route than in the place of migrant’s origin. To be sure a number of migrants were recruited somewhere in the middle of their way between the home country and destination country. This mainly pertains to the migrants who miscalculated their ability to reach the destination on their own. Traffickers seem to be perfectly aware of the existence of spontaneous flows of migrants who at this or that point of the migration process are being forced to turn to traffickers for assistance, and seem to actively seek “confused migrants” who got lost somewhere away from their homes.

Another important aspect of the active role of traffickers constitute their businesslike manners and relatively high reliability. Traffickers seem to rarely betray their customers, and when the latter are in trouble they often come with a “rescue mission”.

On the other hand, as mainly follows from interviews conducted with the institutional actors, trafficking in humans is far from being a major activity of trafficking organisations. In many cases it is a supplementary or even marginal area of the business. Quite frequently traffickers consider trafficking itself as their temporary activity and sometimes abandon it. One might hypothesise that trafficking in migrants, though inseparably connected with the operations of underground world, is relatively weakly rooted branch of illegal business.

This leads me to a modified version of the discussed hypothesis which might be stated as follows: the blooming of trafficking organisations is unexpected and, most likely, transient consequence of recent/present trends in migration policies of major migrant-receiving countries. Thus the trafficking organisations exploit the opportunities created by the emergence of a (possibly, momentary) specific profitable *niche* rather than contribute to its development.

4.6. Hypothesis 3: The trafficking business in run by the “Russian mafia”

What Polish officials, the media and migrants themselves have in common when it comes to discussing the issue of trafficking is that they all point at the “Russian mafia” as mastermind and management centre of the business of trafficking in persons. In December 1998 a prestigious Polish weekly magazine declared that “99 per cent [of people staying in various reception centres for asylum seekers] constitute illegal migrants who have been trafficked into Poland by the Russian mafia” (Urbanek, 1998). This is by no means an exceptional view in Poland.

The material contained in the interviews allows me to conclude that it is true that Russians were largely involved in the trafficking, but that material shows equally that a considerable proportion of trafficking events took place away from Russia and Russians did not participate (at least directly and visibly) in those events. This pertains to all cases of the trafficked Africans, persons from the Middle East and Armenians. Few cases were recorded of migration from Indian subcontinent whose course omitted Russia, and the dislocation centre proved to be Minsk. It should be admitted, however, that a majority of migrants in the sample explicitly described the traffickers as Russians or, more often, as the Russian mafia.

Before coming to a more substantive discussion, a reservation of methodological nature must be made. The reason is that one cannot trust in labelling someone as a Russian only because the respondent’s impression was that a person spoke Russian. This seems so for two reasons. First, it is legitimate to assume that many respondents were not able to distinguish between Russian, Belorussian and Ukrainian (and maybe other Slavonic languages). Second, the fact that someone spoke Russian was definitely not enough to classify him as a Russian. Bearing this in mind, it is possible now to evaluate the relevant empirical evidence.

First, a routine series of steps, pointing at Moscow as a major dislocation centre for the trafficked migrants, is obvious. As a rule migrants from China, Vietnam, Sri Lanka, India and Afghanistan (and in specific cases – migrants from other countries) come legally to Moscow. Then, at the point of arrival, they are being met by someone who might not necessarily be an ethnic Russian but certainly is perceived as a member of the local “mafia”. That person brings a migrant to a “waterhole” (flat in Moscow or its vicinity) where he/she awaits (usually locked and isolated) a next step. The next step comes when a sufficient number of migrants is collected: at that time a migrant is mixed with other migrants, put into a car or other means of transportation and transferred to next dislocation place (usually – Minsk). Respondents maintain that until the very moment when the Polish eastern border is reached, their guides/guards are exclusively Russians.

In view of the interviews, the simplicity and repeatability of operations ascribed to the Russian mafia is astonishing. If this is a true account, and there are good reasons to believe in that, then a question might be asked: how all this (involving almost exclusively highly illegal activities) is possible? An apt answer seems to be: the ubiquitous corruption.

Here the second group of empirical facts implied by the interviews might be mentioned. Many migrants who were dislocated in Moscow referred to a brutal chauvinism, xenophobia and exploitation (some also to maltreatment) encountered from all actors with whom they had to deal with.

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First, a routine series of steps, pointing at Moscow as a major dislocation centre for the trafficked migrants, is obvious. As a rule migrants from China, Vietnam, Sri Lanka, India and Afghanistan (and in specific cases – migrants from other countries) come legally to Moscow. Many of them, however, from the very beginning of their migration follow instruction received in their home country from traffickers, and some of them use forged documents provided to them by traffickers. Then, at the point of arrival, they are being met by someone who might not necessarily be an ethnic Russian but certainly is perceived as a member of the local “mafia”. That person brings a migrant to a “waterhole” (flat in Moscow or its vicinity) where he/she awaits (usually locked and isolated) a next step. The next step comes when a sufficient number of migrants are collected: at that time a migrant is mixed with other migrants, put into a car or other means of transportation and transferred to next dislocation place (usually – Minsk). Respondents maintain that until the very moment when the Polish eastern border is reached, their guides/guards are exclusively Russians.

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Here the second group of empirical facts implied by the interviews might be mentioned. Many migrants who were dislocated in Moscow referred to a brutal chauvinism, xenophobia and exploitation (some also to maltreatment) encountered from all actors with whom they had to deal with. Referring to that a Somali respondent concluded: “Everyone who lives in Moscow wants to get outside of Russia. [...] People from Somali, Afghanistan, Sri Lanka, all who have money will come to Poland”.

Respondents claim that while in Moscow migrants from developing countries are subject to exploitation and extortion from local gangs (mafia?) and the police. According to as many as four respondents, money received by the migrants from various charitable organisations based in Moscow is almost instantly taken away from them by gangsters and policemen. The latter seem to be well informed about the dates when allowances are being paid to migrants and the amount of money received.

The hypothesis of overwhelming corruption as a favourable ground for the undisturbed operation of the trafficking organisations in Russia is also strongly supported by the information provided by migrants which concern the role of the Russian national airline and Russian diplomatic missions in facilitating the process of migrant trafficking. It has been admitted in many interviews that the initial contact with the traffickers is with a local (in migrant's home country) travel agent who through informal contacts with the Aeroflot is able to arrange a package consisting in both the required documents and tickets. An unquestionable fact is that the trafficked migrants flying to or from Moscow never use airline but Aeroflot. There is also an evidence of Aeroflot plane crews being directly involved in the trafficking (the case of an Armenian included in Appendix 4). Also diplomats seem to be linked to trafficking organisations; in two interviews an explicit

reference was found to informal contacts of the trafficker with the Russian diplomatic representative.

All in all, the role of “Russian mafia” in running and exercising full control over the business of migrant trafficking on wider pan-European or global scale seems, on the one hand, greatly exaggerated due to the fact that, if for purely technical reasons, many trafficking routes can hardly be controlled by the Russians, and, on the other hand, such role has been well evidenced in many cases of the trafficking that took place through Moscow, especially when that city happened to be one of the dislocation centres.

4.7. How typically the process of trafficking is organised? – some additional findings

The way the trafficking functions in reality has been described in section 3 of the present report. The interviews with trafficked migrants, however, made it possible to broaden and deepen that picture.

Typically in its phase called “en route”, the process involves three important stages punctuated by the existence of two main dislocation centres. For migrants heading for Poland or any other non-western country there is no need for two dislocation centres, and the process comprises two stages.

To the first of those centres migrants arrive from their countries of origin. Such trip, usually easy and relatively inexpensive, mainly due to porous borders, constitutes the first “en route” stage of the process. For a substantial part (around a half of the total) migrants in the sample Moscow served as the first dislocation centre, for few migrants such role was played by Minsk whereas in several cases no such centre has been identified.

The function of the first dislocation centre is to prepare the logistics of the route and to collect an appropriate (in terms of size, direction and sometimes also ethnic composition) group of migrants to be trafficked further on. For this reason some people may stay in that centre for weeks while some other only for days. Generally migrants awaiting the second stage of the trip are accommodated in or nearby the dislocation centre, in a rented apartment where they are strictly confined and isolated.

Unlike during the first “en route” stage of the trafficking, the implementation of the second stage usually does not require and sometimes prohibits possessing of “appropriate documents” (e.g. forged identification or entry visa). Before the onset of this stage all documents and sometimes even money and personal migrants belongings are confiscated by traffickers. The purpose of this is prevention of easy identification of migrants by authorities of a transit country in case of the apprehension. That stage may take shorter or longer, which frequently depends on the amount of money paid by a migrant and therefore the quality of service. The major determinant of the duration of the second stage, however, appears the efficiency of the trafficking organisation in harmonising all elements indispensable to bring a group of migrants to the second dislocation centre (or in case of a two-stage route – to the ultimate destination): securing a means of transportation, establishing contacts with expected “waterholes”

The second dislocation centre is in a country immediately adjacent to the West. In case of the migrants being investigated, in most instances it was Poland. A strategy of some trafficking organisations upon arrival of a group to such dislocation country is to immediately insert migrants in one of the reception centres. In Poland the most efficient way for migrants to accomplish this is to apply for a refugee status. In other cases, especially when the preparation of a transfer to the West (Germany) are not expected to take long, the migrants are put into a “waterhole” in the interior or a place (a village) close to the western border. The insertion of a migrant in a reception centre for refugees has many advantages for the traffickers. Above all, migrants are safe and it does not cost money.

Moreover this secures a relatively long time to plan further steps and relieves the traffickers of the risks related to hasty operations

The virtue of the preparation typical for the time spent in the second dislocation centre is to organise a relatively safe passage through the border and secure the co-ordination of activities of traffickers on two sides of the EU border, including an instant insertion of particular migrants in the communities of their final destination. Consequently, the third stage is the shortest of all, and is limited to hours, rarely days, which are needed for migrants to be brought to the host community.

What has been found out with respect to trafficking process in addition, is a remarkable stability of *modus operandi* followed by the traffickers at all dislocation points and during all “en route” stages, accompanied by the stability of modes of transportation and location of “waterholes” used, areas where borders are crossed, ways of border crossing and “tricks” applied to exploit various opportunities rendered by gaps in legislation, corruption of state administration, police or army and reluctance on the part of the administration to crush on the trafficking networks. Confirmed was a high level of flexibility of trafficking organisations, a good management, and their efficient use of modern technologies.

4.8. Is migrant a victim of traffickers/trafficking or not?

In the light of rich evidence gathered from a number of other studies, this is obviously a trivial question. While some respondents interviewed during the reported project were reluctant to talk about the traffickers and made efforts to avoid any complaints and critical remarks concerning their treatment by the traffickers, many presented information which altogether make up a gloomy picture of the trafficked migrants’ predicament. A misery of that predicament is usually reflected in highly unequal relationships between the migrants and traffickers, in migrants being (usually for a long time) confined and deprived of personal documents and belongings, in dramatically low amount and poor quality of food served to migrants, sometimes also in precarious or extremely importunate conditions of travelling.

Nevertheless, it was observed that in a large majority of stories no complaints towards traffickers, not to mention resentment or anger, were expressed by migrants. Conspicuously enough, some migrants displayed a mixture of loyalty to “their” traffickers, understanding of nature of those persons’ profession and even thankfulness for the services rendered to them. From among a group of Afghanistani respondents, one person made his point on this very clearly: “It’s their job. They earn, and they help us when we want.”, and another person added: “Of course, they earn on us, but it’s us who want to leave. If there were no such situations, they wouldn’t be there, either”. In turn, a spokesman for a group of trafficked Somali migrants described the treatment by the traffickers as “good” but another respondent instantly observed: “It’s a business”. A female being trafficked with her minor child from Afghanistan acknowledged the risks to which the traffickers expose themselves in pursuing their activities: “After all by saving us, they risk their lives, don’t they?, and they have to be gratified. Whatever their objective, they [ultimately] help us”.

4.9. Sources of financing used by the migrants

The cost of a trafficking is rather well known, either from other studies or earlier stages of the present project. The migrants did not provide the interviewers with any data which would significantly change the already existing knowledge. What was less known before it came to the interviews with migrants was the ways money is mobilised.

It follows from the interviews that there is a wide variety of modes of financing the trafficking services. This diversity, however, is highly dependant on the country of migrant's origin. Rare exceptions stem only from the circumstances of transaction, e.g. when migrant is in a hurry he/she has to pay more and in a more direct way. Generally, a distinction might be made between homogeneous and heterogeneous source of money paid to the traffickers. In the former cases, all money is paid by a migrant himself/herself or by his/her family member. The latter means that money is being received from diversified sources, and the amount finally paid to the traffickers is a collection of contributions made by a migrant himself/herself, members of his/her household, family member living abroad and credit/loan obtained from a future employer or a friend. No clearly dominating mode of financing the migration can be identified.

With regard to the pattern of financing the trafficking services which would reflect behaviour specific to the country of migrant's origin, at least six types could have been distinguished on the basis of the interviews. First, what is typical for Chinese, all money is being paid after the successful insertion of migrant in the country of destination. The payment is guaranteed and executed by the family in home country (China). Second, all money (a lump sum) is paid in advance (or in two instalment) but the source of money is diversified. In a manner characteristic for the citizens of Vietnam, the first stage of migration (usually a flight to Moscow) is financed by migrant himself whereas the money to cover the cost of other stages is delivered (in the form of rather expensive credit) by the migrant's prospective employer. Afghanistani migrants usually present themselves the third type which consists in individual financing of the trafficking process. In this case, despite a multi-stage migration, all money is instantaneously paid to the traffickers. Four, Sri Lankans and to a lesser degree also other migrants originating from Indian sub-continent differ from the above only in that the money comes from many persons, usually close family members. According to fifth type, money is paid in advance and in one instalment (same as for types three and four) also when the migration involves only one stage (e.g. a trip on freight ship), and this is the case of a number of African migrants. Finally, some migrants gradually – partly during their migration – raise money necessary to pay for the services and they follow a piecemeal mode of payment, i.e. they pay for each stage and even each service separately. This type seems common to migrants from Armenia, European countries and Middle East.

4.10. In place of conclusion: great diversity of patterns

It suffices to carefully read the excerpts from selected interviews, included in Appendix 4 to become aware of how great is the diversity of personal characteristics and situations of the trafficked migrants and how their fates and migration courses differ. It would probably not be a great exaggeration to hypothesise that a composition of those diversities (with a distinct exception of ethnic diversity) is similar, if not typical, to any composition presented by other sizeable flows of migrants which are currently observed in the world. Generally, the migrants are young, dynamic and brave people who are fully aware of dangers and cost-benefit calculus involved in their migration. They represent various motives for migration. In the sample – rather small, to be sure – which serves as a basis for these reflections one can find a genuine refugee, an honest politically-motivated asylum seeker, a migrant worker, an accompanying family member, a person wishing to be reunited with family member already living in the West, an adventurer and somebody expecting a better life somewhere away of his/her home but migrating under the guise of a fugitive.

A diversity of country-specific strategies of migration should not be overlooked. For instance, a number of migrants from Vietnam might represent a classical case of being trafficked. Those persons head for a place where they will have to repay the debt to a local employer (but at the same time a compatriot) who financed the traffickers' services. They will be deprived of personal freedoms (documents, a possibility of walking in the streets, not to mention other things) and forced to exceptionally hard work. The role of employer seems crucial here; it is both complex and a little ambiguous as this is probably a person who maintains close contacts with traffickers and recruits migrants, and therefore can be considered as a part of the trafficking network. The following passage extracted from an interview with two Vietnamese migrants might serve as a good illustration here.

Question: Who did you get the information from?

Answer: From an acquaintance [...] He came to me and said the boss [owner of a Warsaw restaurant] needed employees. [...]

Question: And how did you get here?

Answer: First we got tickets for a plane to Moscow and then... well, we were on our own.

Question: How about passports, visas?

Answer (respondent no. 1): We paid the acquaintance... [respondent no. 2 interrupts:] We gave money for the formalities.

Question: How much money was needed for the formalities?

Answer: 200 \$ per person. The boss paid the rest for us.

Question: How much did the boss pay on the top of that?

Answer (respondent no. 1): We don't know precisely but we have a deal to work it off in 9 months. [Respondent no. 2:] It's 6, not 9. Then we'll get the papers and we'll get part of the money for ourselves from then on.

Question: You haven't been given any money now?

Answer (respondent no. 1): We have to work it off for the time being. [Respondent no. 2:] But we have everything. Board, lodging, and when we want something, cigarettes or a beer, we can take from the restaurant. [Respondent no. 1:] It's only that we have to stay here all the time.

Question: You're not allowed to go outside?

Answer (respondent no. 1): No, because we haven't got our papers yet. The boss tells us, too, not to walk in the streets by day. [Respondent no.2:] We don't have time for walking, anyway. We need to work it off as soon as possible to pay off other debts.

Question: What debts?

Answer: We had to borrow for the journey. It's a lot of money!

Question: Who did you borrow from?

Answer: Family, friends...

Chinese migrants represent quite a different pattern. They seem to be much better off than the Vietnamese migrants. The cost of their trafficking is much higher because their ultimate destination is usually much further away (exclusively a western country). The cost must be higher here also because a migrant is usually being credited by the traffickers, and the contract includes a clause which expects the payment only after safe insertion of a migrant in the destination country. The main objective of migration appears to be getting involved by Chinese migrants in the business/trade between the target country and China. Another important feature of this pattern is that the reliability of migrant's family staying in China constitutes a foundation on which the contract is based.

What mainly differs Afghan migrants from other investigated persons is their affluence, probably inherited from the communist times. Good reasons exist to believe that they were the members of the past times elites and have recently been deprived of that status. Some of them might be endangered by the new regime. Those persons are able to pay tens of thousands dollars to the traffickers, the amounts most likely inconceivable to a majority of migrants from other countries. The migrants from Afghanistan initially head for Russia in the expectation of the respect for their past loyalty, and then to "any safe country". Most of them do not have relatives nor friends in the West.

The citizens of Iraq subject to trafficking are family heads (males) who try to pave the way for other family members. The persons selected to the sample happened to have their wives and children put in the safety somewhere nearby their home country, and they themselves were attempting to reach places (in the West) with developed network of co-ethnics.

Persons originating from Sri Lanka, Bangladesh and Nepal belong to the poorest and relatively less educated than the trafficked migrants from other countries. In frequent cases they seem to be highly desperate. They express minimal requirements and expectations during the trafficking process and with regard to the final place (and conditions) of destination. Some Sri Lankans claim to be fleeing from a compulsory (but illegal) draft to the squads of the Tamil Tigers.

Finally, African migrants represent a diversity of goals, life careers and expectations in themselves. Many of them come from middle class families and are well educated but their personal fate is marked by the ethnic strife. A spectacular case illustrating that variation can be found in a story of a Sudanese migrant. He had been educated in Nigeria, and shortly became an orphan. Then he along with a friend embarked on a move to Libya with an intention of getting (illegally) to the West. He was recruited to a terrorist group, lured by a promise of receiving a British or American passport. After a while he decided to flee Libya and, together with another person, a citizen of Ghana, he abandoned his unit. A ship which was to arrive in Spain and then in the USA turned out to have headed for Gdansk (a port in Poland). By the time of the interview (5 months after the arrival in Poland) his companion has already been installed in Germany but the respondent did not make it. After the apprehension (in a large group composed of the trafficked migrants from Sri Lanka) on illegal border crossing, he spends part of his time in the refugee reception centre and another part on working illegally for a trading firm run by an Indian migrant. He considers staying longer in Poland due to having a Polish fiancée.

Coming to the close, migrants in the sample represent the characteristics typical for contemporary international migrants in general. The people are on the move; the costs and institutional barriers on entries do not matter, nor do the distances. The traffickers only play the role similar to lubricant in a clockwork. The dynamics of contemporary migration increasingly resembles a river whose flow can be dammed up and ultimately the bed diverted but it cannot be effectively stopped. At present and in the short-run perspective efficient preventing of migrant trafficking can only be conceived within a set of alternative choices between different forms of human mobility.

5. Prevention and combating of migrant trafficking in Poland

5.1. Prevention of migrant trafficking

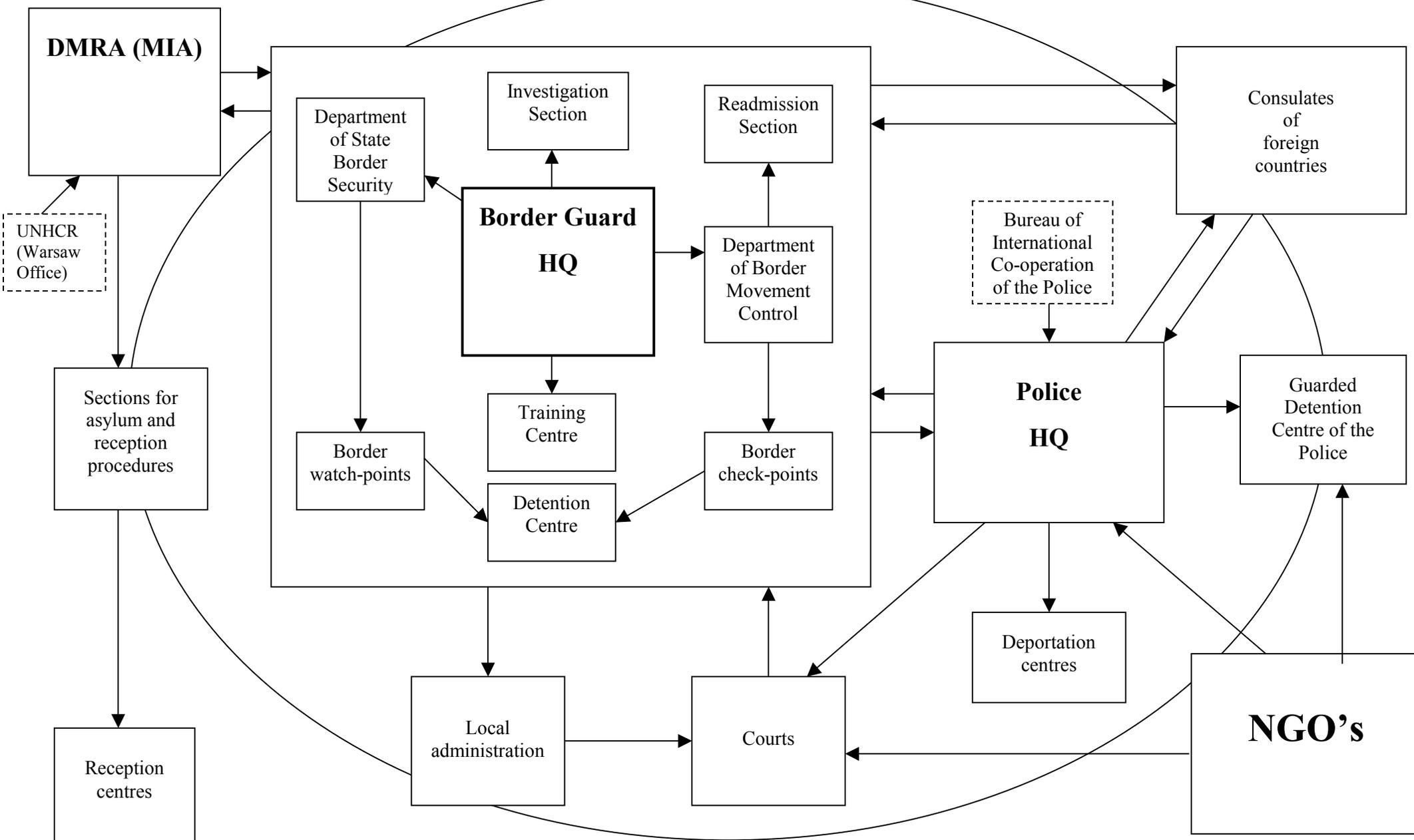
Very little is being done in Poland to prevent the operation of trafficking networks in Poland, to spread information among potential or apprehended illegal migrants, to create an environment/atmosphere unfavourable to the traffickers and trafficked, and to exchange information with members of local communities living close to border areas. This kind of activity is regarded as costly and inefficient. It would be more appropriate thus to talk about the absence of prevention of that phenomenon.

5.2. Actual links and collaboration between main institutional actors

As can be noted on the basis of Fig. 2, the links between the institutions dealing with the trafficking or trafficked migrants compose a rather sophisticated network. On the other hand, this finding might seem very cursory because the role of a number of actors (e.g. courts) is rather passive and activities of some other actors (e.g. NGOs) are semi-autonomous.

A preponderant role is played by the Border Guard who often is compelled to relieve other appropriate institutions (e.g. the Police) of their tasks. As a matter of fact, of all relevant institutions operating in Poland, it is only the Border Guard whose human, technical and financial resources, although by and large insufficient, seem to allow facing the challenges stemming from the migrant trafficking.

Disproportionately important (relative to the statutory objectives) are the activities of the Department of Migration and Refugee Affairs (DMRA) because a large share of the trafficked foreigners apprehended in or readmitted to Poland, apply for a refugee status, and due to that those migrants are being taken care of or their cases are processed by DMRA. By this the scarce resources of that institution are to some extent diluted in its dealing with false asylum-seekers.

Figure 2. Migrant trafficking in Poland. Selected main institutional actors (actual)

5.3. Everyday practice

For various reasons the existing legal regulations do not provide for a full control over migrant trafficking in Poland. Three examples suffice to illustrate this point. First, the Aliens Act sets procedures which appear hardly effective in distinguishing genuine asylum-seekers from refugees *mala fide*, and as a result seem to encourage many foreigners to head for Poland as a country of “easy asylum”. Second, as already mentioned, the lack of readmission agreement with certain countries, notably with Belarus and Russia, hampers expulsion practices. Third, the local courts and local administration authorities are understaffed and in frequent cases it is not feasible to take appropriate action against (detained) trafficked migrant within the time span accorded by law, and migrant must be set free. Most typical cases that obstruct legal procedures are: the shortage of interpreters, the lack of migrant’s documents, difficulty in contacting a diplomatic representative of relevant country, etc.

It might be noted here that in 1998 (mainly due to the provisions introduced in the newly enforced Penal Code) courts started to sentence the traffickers. For instance, an army officer collaborating with traffickers on Polish-Ukrainian border was sentenced to five years of imprisonment, a man involved in trafficking in women (for sexual exploitation) from Belarus to Spain (through Poland) was sentenced (together with his four collaborators) to one year of imprisonment, and a law suit was submitted to the court in keeping with trafficking in Poles to the United States and Canada (e.g. Sadecki, 1998 and Eki, 1998).

As follows from the preceding analysis, the Border Guard is responsible for a large part of everyday operations whose aim is combating migrant trafficking in Poland. At present its activities are regulated by the Aliens Act of 1997 which (its weak point related to the admission of refugee applicants notwithstanding) established modern and effective instruments allowing for meeting the relevant tasks. Four organisational units at the central level co-ordinate local activities of 12 regional branches of the Border Guard. The latter include 75 border control stations supervising 217 check-points and 154 watch-points. Consequently, four basic types of activities are being pursued:

1. control of the passenger traffic at the check-points;
2. monitoring of other areas of the state border and prevention of border crossing elsewhere than at the check-points;
3. processing the cases of apprehended/arrested migrants, and
4. processing the cases of readmitted migrants.

In addition, the Border Guard headquarters run their own personal database and a training centre for officers, and maintain international contacts with neighbouring countries, inter-government organisations and other interested parties located outside of Poland.

A fragile segment of the state border is a 1,245 km.-long area neighbouring with the four post-Soviet countries which until 1990 comprised only 28 watch-points³⁵. Currently their number has been increased to as many as 43. They are computerised and well connected through internal communication system. The equipment has also been greatly improved, and at present it includes modern monitoring devices, new-generation document testing devices, detectors of migrants hidden in cars or containers, powerful land vehicles and helicopters. The local staff undergo regular training, and in its routine activities is supplemented by soldiers of a special military unit of the Ministry of the Interior and Administration. Prospects for further substantial reinforcement of the protection of eastern border of Poland and prevention the trafficker organisations to operate in Poland were solidified at the end of 1997 when Polish Government concluded a related agreement with the Commission of European Communities. The agreement concerns joint financing of

³⁵ It means that around 45 % of land borders were monitored by only around 20 % of watch-points.

border infrastructure modernisation, border service activity, road transit safety, control of the validity of documents, etc. with view of Polish future accession to the European Union.

Preventive activities of local Border Guard units extend from pre-entrance checking of foreigners (e.g. verification of the credibility of visa applicants in own database) to operational work focusing *inter alia* on the identification and apprehension of organisers and members of trafficking networks. Other important type of prevention is a gradually growing collaboration with local communities.

The year 1998 witnessed a series of harsh operations carried out by the Border Guard against illegal migrants. Squads of the Border Guard raided selected areas of big cities or their vicinities, and temporarily detained all foreigners who were being found. Next, in specially prepared concentration centres the foreigners were carefully inspected and their documents and records checked. Unauthorised foreign citizens were subject to an instantaneous deportation, usually with a breach of their right of appeal (Rahnama, 1998). These actions met with immediate protests from Polish intellectuals and human rights activists (e.g. Rzeczpospolita, 1 December 1998). Although officially conducted on the grounds of provisions of the Aliens Act, the Border Guard raids executed in the interior of Poland (e.g. in Katowice) seemed hardly legitimate. For the Aliens Act authorises the Border Guard to monitor and control foreign citizens solely in the border areas whereas it designates the Police to do so beyond the border areas.

Practice of the Border Guard field activities also includes a tight collaboration with other services (custom officers, carriers, police officers, local administration, and district courts) in which the Border Guard units usually take an initiative and leadership and with foreign counterparts on the other side of the border. The forms and contents of collaboration with border guard units of each country neighbouring with Poland are different but each brings about rather fruitful results. Generally, close ties between the partner units on both sides of the border make many things more effective, cheaper and easier, e.g. there are frequent cases of informal procedures leading to *de facto* readmission of foreigners between Belarus and Poland despite the fact that no relevant inter-government agreement exists.

All in all, it is believed that with growing logistic and organisational experience and improving infrastructure of the Border Guard, the efficiency of its efforts to combat illegal migration and migrant trafficking in particular rapidly increases. By the same token, the state as a whole becomes more successful in combating that phenomenon.

5.4. Major difficulties and shortcomings

In coping with the trafficking in migrants, as much as in any other aspect of migration policy, Poland still lacks consistency and proper central co-ordination. There is no legally designated one superior or co-ordinating organ to deal with migration matters (such as e.g. Immigration Office) whereas the competencies of certain institutions active in that area partly overlap. In addition, relevant institutional actors are dispersed and their number is rather large.

In view of overall global trends in international migration and the magnitude (and dynamics) of migrant trafficking in Poland, the importance of the latter phenomenon to the state seems grossly underestimated. This might be symptomatic to most Central and East European countries under transition who are struggling with so many structural political, social and economic problems that by necessity migration has been reduced to the rank of second priority issues. What seems more striking and perhaps potentially more dangerous is inability among institutions to recognise a link of migrant trafficking with criminal organisations of transnational character, and the ensuing risk of spread of crime and pathologies in Poland. Additionally, the current approach to migrant trafficking in Poland seems to short-run-orientation biased as it neglects such aspects as spreading information in

migrant home communities, driving them back home and discouraging from further illegal acts of that kind.

Furthermore, the effectiveness of activities against the trafficking in migrants suffers from a long legislative process and frequent changes in the related procedures³⁶. This for some time may contribute to confusions or relinquishments in various specific cases.

Finally, there is a dramatic deficiency of professional staff and material/financial resources.

5.5. Conclusions

The magnitude of migrant trafficking in Poland is, according to all estimates, substantial, and probably by far exceeds 30 thousands foreigners yearly. The importance of the actual (although unknown) number is not so much in its absolute order but rather in that each event of trafficking involves a complex of illegal activities that reach not just to Poland but also to many other countries, and therefore the negative effects of this phenomenon might be seen with a certain “multiplier” relative to the consequences of other illegal/irregular migratory phenomena.

The main root causes of migrant trafficking appear deep and complex enough to ensure a high plateau and durable character of that phenomenon. This is another argument (besides the current scale and ensuing direct effects) testifying that the problem is socially sensitive and vital from the political point of view.

In spite of these arguments, the migrant trafficking is largely perceived by major institutions in Poland as a temporary and soft problem, as a nuisance rather than a structural illness. The actors dealing with this problem tend to focus on its current symptoms, and they aim at effectively dealing with its specific manifestations. By this rather than grasping the root causes and wide preventive activities pursued on national and international scale they see the way to cutting down of the incidence of migrant trafficking.

Although in Poland many institutions may have or wish to cope with trafficked migrants or trafficking organisations, the by far major burden of everyday activities rests with the Border Guard. Since the trafficking networks (and the movements of the trafficked foreigners) are spread all around the country whereas, by law, the Border Guard acts principally in areas close to the state frontier, this implies a sort of incompatibility of competencies. In the absence of a legally designated central agency that would be entrusted with carrying out the tasks of migration policy and co-ordinating the related activities of various organs, and bearing in mind the human, organisational and infrastructural potential of the Border Guard, such solution might be considered unavoidable. On the other hand, in view of the above mentioned incompatibility of competencies and an exclusive necessity of conducting other important statutory activities by the Border Guard, its all-embracing role in combating migrant trafficking in Poland would seem only provisional.

Combating the above mentioned phenomenon might become easier and more successful provided the recognition of its organised, international and criminal character and of its penetration into the interior of Poland become widespread. And, of course, if more national resources are allotted to the related activities.

³⁶ For instance, during the recent two years the authority to arrest and investigate an unlawful foreigner in Poland was subsequently entrusted to three different organs: district administration, district prosecutor and district court.

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Appendixes

Appendix 1. Research tools

A. Stage I - Interviews with 'Institutional Actors'

Preparatory work: compiling a dossier on the respondent and his institution (including standard and comparative information on the competence, scope of activity, measures undertaken to date in the field under examination), appointment for an interview and conveying to the respondent information in writing on the subject and purpose of the study (including practical benefits in general), the researchers and the maximum length of an interview (giving notice about possible further contact to complement the interview).

Form of interview: an essentially free, or rather 'semi-structured' interview, i.e. without a questionnaire, but based on a set of specific problems and an instruction on how to 'steer the conversation' (scenario), without notes, if possible, with the possibility of deciding freely, or improvising, on the sequence of problems defined in advance; recording – on magnetic tape.

Scenario: given considerable differences between potential respondents as regards their 'usefulness'/appropriateness as informers, the level of competence and responsibility, the degree of involvement in the problem under examination and the 'localness' of activity and observation, separate lists of problems (there will be of course areas of overlap) should be prepared at least for the following groups of institutional respondents: 1/ central state agencies (government, parliamentary, judiciary etc.); 2/ local state agencies (administration, self-government, police, labour inspection, Border Guards); 3/ Border Guards posts, border customs offices, anti-terrorist and anti-smuggling squads; 4/ official missions of foreign states (embassies); 5/ non-governmental organisations (including associations); 6/ 'centres' for foreigners; 7/ carriers, travel agencies, consulting agencies (e.g. legal consulting agencies) for foreigners, etc.; 8/ missions of international organisations (Interpol, UNHCR); 9/ other/special (pressure groups, large open-air markets, Warsaw's Central Railway Station and the like). No matter what its specific character, each interview must begin by confronting our working understanding of the subject of the study (trafficking in migrants) with the respondent's understanding of the term.

Length of interview: up to 1 hour, usually 40–50 minutes.

Processing of interview: a tripartite document on a floppy disk: 1/ label: basic data (place, date, length of interview, 'atmosphere', objective characterisation of respondent, personal impressions); 2/ transcript of interview; 3/ basic conclusions, 'tropes' and question marks.

Completion of the task: not later than 7 days after an interview, a processed interview must be presented to the co-ordinator and jointly analysed (preferably at once); the next interview may be conducted only after the previous one has been accepted.

Tasks to be performed before interviewing begins:

- setting a detailed timetable
- determination of names, addresses and telephone numbers of potential respondents
- drafting of an introductory letter and a leaflet concerning the essence of the project
- drawing up of detailed lists of problems to be dealt with during interviews with the distinguished groups of institutions
- assignment of tasks (interviews)
- a seminar for the purpose of instruction and discussion, immediately preceding a series of interviews

B. A Working Definition of the Trafficking in Migrants

An international activity of facilitating migrations:

- by means of a network of intermediaries, guides and agents,
- carried out in bad faith (*mala fide*) or illegally,
- connected with a transaction of sale of a respective 'facilitating' or 'aid' service.

According to this understanding, the trafficking might be perceived from two points of view:

- International business, where people are transported like goods, and multi-stage good and money exchange takes place.
- Criminal activity where migrants are abused or deprived of their rights in return for facilitating their migration.

C. Problems to Be Dealt with at Stage I of the Research Project

(Outline Problems for a Scenario for Stage I)

Central Agencies – General Questions

- How does a given department define the issue of the trafficking in immigrants in the context of domestic legislation; how is the relevant law enforced in practice?
- What are the objectives of the state as regards the combating of trafficking in immigrants?
- Is it acknowledged that under certain circumstances immigrants may be victims of trafficking and need protection?
- Characterisation of the problem: the nature, scale, organisation; What does the ministry know about trafficking, its nature, scale, economic proceeds therefrom? How is the trafficking in migrants organised? Types of immigrants, the ethnic groups involved.
- Perception of trafficking by a given institution;
- How important is the problem on a national scale?
- Do state agencies take any actions concerning border controls, crime, the mafia, security, human rights, labour market?
- What measures are employed to combat this phenomenon?
- Does the state have a policy on the issue, e.g. planned spending, the number of persons employed for and involved in combating the trafficking in immigrants?
- Who is responsible for dealing with the phenomenon: what ministries, units, individuals?
- Has a special division been established to deal with the trafficking in immigrants?
- Evaluation of the problem – is the situation headed in a right or in a wrong direction?
- What is known about the effects of the phenomenon? Advantages for immigrants;
- Immigration and the asylum system; to what degree is the phenomenon criminogenic?
- The basic sources of information – what kinds of information are collected on the trafficking in migrants (types, frequency, statistics, documentation)? How is the information used – for operational or other purposes?
- What do cooperation and flow of information between various bodies inside the country, and international cooperation with various agencies, e.g. Interpol, look like?
- Is the problem seen as crucial, significant?
- How is government assistance in combating the phenomenon perceived? Should it be more efficient and effective and protect victims of the phenomenon (e.g. respect for human rights)?

*Central Agencies – Additional Questions*National Employment Office

- Illegal immigrants' working conditions

Ministry of Internal Affairs and Administration

- Issues related to the immigration policy of the state;
- Experiences concerning the trafficking in immigrants into or across Poland;
- How is the trafficking in immigrants perceived?
- Are economic benefits from this kind of illegal activity in evidence? What are its scope, scale, structure, degree of organisation, methods of operation used, geographic directions?
- What measures have been taken with a view to combating it?
- Unpublished statistics concerning this type of migration, e.g. data concerning illegal entry into Poland, migrants' nationality, border-crossing point, means of transport.

Police Headquarters

- Information on the structure, scale and degree of organisation of trafficking;
- Kinds of trafficking organisations and their operational methods;
- Statistics on the subject;
- Connections with criminal groups;
- Bribery and corruption among PHQ officials.

Central Customs Office

- General data concerning the phenomenon: scope, scale, degree of organisation and methods used by trafficking networks;
- Current trends in trafficking;
- Methods employed by the groups, the geography of the phenomenon.

Carriers

- General experience with the trafficking in immigrants – description of cases;
- Current situation: methods and the degree of organisation, their evolution over time;
- Permanent routes, airports, ports, points of trafficking, directions;
- Nationality: immigrants' origin;
- Unpublished statistics on passengers without the required documents in individual vehicles;
- Specific methods of operation;
- Organisation of the illegal activity, the geography of trafficking, travel routes, potential penalties for carriers transporting immigrants without the required documents;
- Statistics;
- Bribery and corruption.

Police and Other Law Enforcement Officers

- Source of information on trafficking (where it comes from), what is kept on record;
- The image of traffickers and of those trafficked (is it possible to describe and characterise them?)
- Statistics and documentation on: arrests, deportations, other enforcement operations;
- Legal actions;
- Characterisation of the phenomenon;
- Bribery and corruption.

Consulates, Embassies

- (Should be selected according to information on the phenomenon received in advance, concerning e.g. the main countries of origin and directions of trafficking);
- Assessment of the awareness and knowledge of the phenomenon;
- Extent of cooperation with the Polish government;
- Issues of the introduction of visas and other countermeasures against trafficking;
- Controlling the problem of those captured while trafficked and sent back, protection of victims of trafficking;
- Local and regional levels.

Non-governmental organisations

- May be of assistance in localising unregistered trafficking agencies;
- Do they support and indirectly contribute to the trafficking in immigrants (e.g. consulting, financial aid)?
- Involvement of third persons in this illegal activity;
- Perception of the problem of trafficking – examples;
- Perceived consequences for the immigrant and the state;
- Characterisation of trafficked immigrants, organisation of trafficking, networks of connections, trafficking routes;
- Cooperation with other organisations and the government;
- Collection of data concerning the trafficking in immigrants by the organisation;
- Would it be possible to help reach immigrants who have been trafficked so that they could be interviewed?

D. Scenario for Stage I of the Research Project

LIST OF PROBLEMS FOR INTERVIEWS WITH SELECTED GROUPS OF INSTITUTIONS

1a. Perception of the problem by a given institution

- Definition of the trafficking in migrants as perceived by the respondent;
- Reference to national legislation; Does it address the issue of the trafficking in migrants at all? If so, in what sense (aspect)?
- What Polish institutions deal with this phenomenon?
- Is there a unit dealing with the problem within the respondent's institution?
- Relevance of the phenomenon to the institution;
- Significance of the phenomenon on a national or regional (borderland) scale;

IT IS (MORE OR LESS) AT THIS POINT THAT OUR UNDERSTANDING OF THE TRAFFICKING IN MIGRANTS SHOULD BE SPECIFIED

1b. Characterisation of the problem (further specification)

- Reasons for trafficking
 - why precisely 'these' migrants (the migrant's perspective)
 - why precisely 'these' networks (the network's perspective)
 - why precisely into Poland or across Poland (Poland's perspective)
- Course (what is known about trafficking, scale, structure, degree of organisation and internationalisation, methods of operation, geographical directions, etc.);
- Characterisation of immigrants (ethnicity, social background), organisations and individuals involved in trafficking;
 - Economic benefits (of the trafficking organisation) from the illegal activity (who gets the proceeds); how are the proceeds channelled?
 - Effects of the phenomenon on migrants – benefits and dangers;
 - Consequences of the phenomenon for Poland and Polish citizens;
 - Evaluation of the phenomenon;
 - Experiences of a given institution.

2. Basic Sources of Information

- Information on trafficking collected or used by the institution (source, type, frequency);
- Aim of collection, applications (operational, for documentation, statistics, analyses, evaluation, prognoses) (policy, counteracting, combating);
- Exchange and flow of information between various agencies inside the country;
- International cooperation.

3. Combating of the Phenomenon (current situation vs. desirable situation, measures planned for the nearest future, a given organisation vs. the state as a whole)

- Objectives and plans of the state as regards the phenomenon (e.g. spending for the purpose, persons involved in counteracting trafficking);
- Law and its practical application (the problem of asylum, an immigrant's status, etc.);
- Measures taken by the state and its agencies (border controls, crime, the mafia, human rights, labour market);
- Evaluation of the measures taken by the state. Should they be more efficient and effective?
 - The problem of victims of the phenomenon (migrants);
 - The place of a given institution in the measures taken by the state.

4. Measures Taken by the Institution

- Structure;
 - Funds appropriated for that purpose;
 - Specific actions;
 - Cooperation with other, including foreign and international, institutions;
 - Successes, failures, general experience;
-
- *Specific questions, depending on the progress of the interview.*

E. Scenario for Stage II of the Research Project

LIST OF PROBLEMS FOR FIELD STUDY

Border Guards and Customs Officers

1. Interview on experiences with the trafficking in immigrants:
 - The conduct of the relevant authorities at the borders;
 - Opinions on the incidence and scale of the phenomenon.
2. Organisation of the trafficking in immigrants across the Polish border:
 - The nationality and countries of origin of trafficked persons;
 - The ethnic composition of the group;
 - Methods of operation, trafficking routes;
 - The number of people involved in this illegal activity.
3. The principal measures of combating the trafficking in immigrants:
 - Methods employed by the Border Guards and the Customs to combat and prevent trafficking across the Polish border;
 - Experience;
 - Task groups;
 - Effectiveness;
 - How are traffickers detected, what procedures are applied with respect to them?
4. Detection rate in the case of trafficking:
 - The proportion of detected vs. undetected cases of trafficking (in percentage terms) (detection of traffickers and illegal immigrants);
 - Methods employed by the Border Guards and the Customs to combat and prevent trafficking across the border;
 - Comparison of the procedure to other (eastern and western) borders;
 - Time devoted to the prevention of trafficking in immigrants, methods employed.
5. Questions concerning immigrants:
 - How do they behave at the moment of capture?
 - How are they trafficked?
 - Connections with the criminal world;
 - What groups are trafficked?
 - What forms of trafficking are in evidence?
 - The effectiveness of expulsions of undesirable aliens;
 - Cases of re-capture;
 - What are the fates of captured illegal immigrants (episodes)?
 - How is the identity of a captured migrant established?
6. Cooperation
 - What does cooperation with Border Guards of other countries look like?
 - What does cooperation with the police and local administration look like as regards the combating of illegal trafficking in migrants?
7. Bribery and corruption
 - Have there been cases of dismissal of functionaries due to their cooperation with trafficking networks?

Security Guards at Airports and Sea Ports (Interviews with Individual Airlines and Ship Lines)

- Opinions concerning the incidence of trafficking in immigrants;
- Organisation of the trafficking in immigrants;
- The number of persons involved in trafficking;
- Methods of operation employed by trafficking groups (e.g. organisation of transport, forgery of documents, abuses of transit, destruction of documents);
- Trafficking directions and routes;
- The number of detected versus undetected cases of trafficking in immigrants.

Deportation Centres (Prisons), Reception Centres

- (Distinction between centres for asylum seekers and centres for other immigrants. A selection of centres after finding out about the number of immigrant inmates, and the types of centres cooperating with traffickers. How many of them are involved in trafficking?)
- What have been the trends concerning detention at a given centre? An average period of stay of a trafficked migrant at a given centre;
- The need of deportation prisons for assistance, consulting and support for immigrants in detention;
- Statistics concerning the nationality and country of origin of captured immigrants, cycles and practices;
- What has happened to immigrants who have left a given centre?
- Cooperation with other bodies and non-governmental organisations;
- Selection of immigrants to be accepted at the centre;
- Would it be possible to help reach immigrants who have been trafficked so that they could be interviewed?

F. Problems to Be Dealt with at Stage III of the Research Project

A total of 100 interviews are to be conducted in two stages:

Stage 1 is to comprise interviews with migrants who are staying in the territory of the Republic of Poland and have been captured by the Polish authorities in the process of trafficking (to include approx. 80 cases)

Stage 2 should consist in a penetration of selected ethnic groups, particularly conspicuous in the context of trafficking into or across Poland, by interviewing both migrants who are being trafficked, though not necessarily detected by the authorities, and other representatives of those ethnic groups (approx. 20 cases)

1. Groups by nationality. Interviews will be conducted according to the following division into groups by nationality:

Group I – Citizens of Asian States

Sri Lankans, Afghans, Pakistanis, Iraqis, Indians, Bengalis, Kurds,

Group II – Citizens of the Former USSR

Moldovans, Armenians, Ukrainians, Belorussians, Azeris

Group III – Citizens of African States

Somalis, Algerians, Lebanese

Group IV – Other Nationalities

Romanians, Bulgarians, Vietnamese

2. Command of foreign languages

Hindi, Urdu, Arabic, Russian, Bulgarian, Romanian

3. Place of interview (for Group I)

- centre at Dembak – 35 per cent of the total
- centre at Lesznowola – 35 per cent
- deportation prison at the western border (Szczecin, Zgorzelec) – 10 per cent
- deportation prison at the eastern border (Białystok, Chelm) – 10 per cent
- deportation prison at the southern border (Muszyna) – 10 per cent

4. Form of interview

- individual interview (migrant – interviewer)
- group interview (4–6 migrants – interviewer). In the case of group interviews, migrants of the same age ought to be selected.

5. Purpose of the project – to answer the research hypotheses:

Is the trafficking in migrants a market phenomenon, whereby we understand that the convergence of high effective demand for trafficking services with their high supply provides favourable conditions for business, which to a large extent determines the framework and organisational principles of trafficking?

Trafficking in migrants as a mass phenomenon is the result of blocking up the channels of legal and semi-legal flow of migrants from the South to the North, while the already enormous surplus of highly mobile labour force in the former region keeps mounting up.

The impact of the evolution of target countries' migration policies: searching for loopholes in the legislation of target countries allowing a migrant to remain in the West versus an immigrant's genuine motives.

Bringing compatriots from one's own ethnic group to work.

6. Division into groups by nationality and the place of interview

- Romanians, Gypsies – Poland's southern border (e.g. Muszyna)
- citizens of Asian and African states – Dembak and Lesznowola and Poland's eastern border
- citizens of the former USSR – Poland's western border (Border Guards deportation prisons and the Lesznowola centre)

G. Scenario for Stage III of the Research Project

LIST OF PROBLEMS FOR INTERVIEWS WITH TRAFFICKED MIGRANTS

0. Discussing neutral subjects to overcome the interviewee's fear and anxiety, e.g.:
 - Have you been to Poland before, how many times, for how long?
 - Would you tell us about the living conditions at this centre?
 - Relations with the staff;
 - Relations with the management of the centre/detention prison;
 - Who is interested in your stay here, what offices and organisations?
 - Who helps you?
 - How are you getting on with persons of other nationalities in the communal life at the centre/in prison (whom the interviewee likes/dislikes and why)?
1. General information concerning a given person:
 - Name
 - Age
 - Place of origin, size: town/village
 - What family does he/she have?
 - Does he/she migrate alone or with a relative/friend?
 - What was his/her occupation in the home country?
 - What kind of school did he/she graduate from?
 - What is his/her job?
 - Where do his/her family live (in the home country or in Western Europe)? If in Western Europe: In which country? Since when? What do they do there?
 - What family members have remained in the home country?
 - Does he/she know anybody who has emigrated to the West in the same way and succeeded (family, friends, strangers, has he/she been in touch with them)? How exactly did he/she emigrate?
2. Motivation – reasons for emigration
 - What is the social situation like in the home country, what are human relations like out there?
 - What is the political situation like in the home country, are there politically motivated clashes, is there political persecution?
 - What is the economic situation like in the in the home country, is it easy to find a job, do many people live in poverty?
 - What was the migrant's personal situation like in the home country?
 - Where did he/she work, did he/she earn a lot?
 - What way of living is prevalent in his/her home country?
 - What was the immediate reason for his/her decision to migrate?
 - Does he/she know many people who dream of leaving the country and living in a peaceful country, in affluence?
 - What was his/her target country?
 - What are the possibilities of getting to that country?
 - What did he/she know about that country and from whom?
 - Where would you like to live, would you like to live with your family, why?

3. How were the arrangements made for him/her to leave the home country?

- Whence the idea to leave the country (had his/her friends told him/her about it, had he/she read an advertisement in the press or in the street, had he/she been persuaded to do so, etc.)?

- How did he/she get in touch with the traffickers (on his/her own, or did an agent come to his/her town/village to encourage people to leave)?

- Had he/she heard of persons who had succeeded in making a new start in life?

- Who had told him/her about the possibility of migration (some people he/she knew or strangers)?

- What was his/her journey supposed to look like, what had he/she known before leaving home?

- Was he/she persuaded and encouraged to leave?

- Who made arrangements for him/her to leave the country?

- What formalities did he/she attend to in the home country?

- Who helped him/her make arrangements to leave the country?

- What was promised to him/her at the signing of the contract?

- What was the cost of getting out of the country, what was guaranteed for that amount?

- What was his/her future life supposed to look like; did he/she want to bring his/her family here, to start a family here, etc.?

4. Progress of the journey from leaving home until the capture

- How long did they travel?

- Who did they travel with, what nationalities?

- Did they leave their country legally, what was the route?

- Up to what point was their journey legal, and from what point on were they trafficked and did they have to hide?

- How were they treated by the traffickers?

- What were their contacts with the traffickers like?

- By what means of transport did they travel?

- Where did they stay?

- Were they fed, how many times a day?

- How did they communicate?

- Were they instructed how to behave during the journey?

- How often did their guardians change?

- Was the journey hard, what was the hardest moment?

- Would they decide to travel like that once again?

- Would they allow a person close to them to travel like that?

- Would they recommend this form of emigration to relatives and friends?

5. Experiences of other persons

- Do they know many people living in Western Europe?

- How did those persons emigrate there?

- For what reasons?

- Have they had problems?

- What is their current status?

- How do they live now, do they have jobs, are they satisfied?

5a. What are their experiences of their stay in Poland?

- What are Poles like?
- What sort of contacts have they had with Poles in Poland?
- Do they like our country (nature, architecture)?
- Is it easy to find a job in Poland, have they been looking for work in Poland, where, when?
 - Would they like to settle down in Poland, what would they like to do here?
 - Do they know how to legalise their residence in Poland, what formalities they have to attend to, the criteria required to be granted asylum or refugee status?
 - Has anybody made them an offer to remain in Poland?

6. Treatment by the Polish authorities

- Under what circumstances were they captured?
- What does their situation look like at present?
- What do they suppose will happen to them?
- What do they dream about?

7. Can they imagine going back home, what will happen to them in such a case, what will they do, may they go back at all, do they have any place, anything or anybody to go back to?

8. Will they attempt to get into the West again?

9. Were they persuaded to commit any offences or to work, or did they have to make any additional payments in the course of the journey (e.g. were women incited to prostitution, were they incited to drug trafficking, were they supposed to transport or carry something across the border)?

10. Would they recommend this trafficking route to others?

H. Scenario for Stage IV of the Research Project

SUBJECTS FOR INTERVIEWS AT STAGE IV: INTERVIEWS IN SELECTED GROUPS OF MIGRANTS

Respondents:

Leaders of the ethnic communities (formal or informal),

Employers (or, more generally, 'businesspeople') from the groups covered by the study,

Private individuals from the groups covered by the study, regarded as authorities by the migrants,

Persons on key ('contact') positions at the institutions with which migrants from the selected groups naturally stay in touch,

Those professionally dealing with the observation (or animation) of such groups,

Selected members of these groups having special qualities or intellectual predispositions.

Basic problems:

1. Social background in the community of origin, including the degree of acceptance (approval, stimulation, pressure, disapproval, etc.) of emigration and (voluntary or compulsory) return; the stimulus for migration in the mother country – is there an atmosphere of 'forcing' people out to Western Europe, is it a matter of prestige in certain social groups?

2. What becomes of persons deported back to the country of origin? How are they received by local communities? Is re-emigration possible? Are re-emigrants, returning after a long stay abroad, regarded as successful or rather as failures?

3. Regional, ethnic, religious, political, etc. background in the country of origin (e.g. to what degree decisions on migration are voluntary and taken autonomously within households/families or local communities, and to what degree compelled by that 'background').

4. Mental predispositions of a given person to make a decision to migrate: Who are migrants? What are their backgrounds? What problems do they face in their countries? Who migrates: the rich or the poor, rural or urban residents, the active or the helpless? Why do some individuals decide to emigrate and actually migrate, while others, facing the same problems, remain in their native country?

5. The selectiveness of migrants reaching the target country in a manner which is not completely legal (or ready to migrate in such a manner) as compared to the selectiveness of fully legal migrants, in particular their special personal qualities (may they be determined and to what extent?). For example, are the former, in a sense, more determined than the latter to reach the target country?

6. The role of the sending state in stimulating migration. Who helps an individual to go abroad? What regions do these people come from? Do local officials and officers help? Why? In what way?

7. Is emigration of the native population a privation, a loss of the best individuals, or rather a relief for the countries of origin? How do the national authorities perceive this phenomenon and involvement of their citizens in illegal migration?

8. The role of migration networks in Poland and other (especially target) countries, including the role of resident/legalised migrants. For example, is there an institution of the 'main financing and steering source' in the case of a given migration process? If so, is it the community of origin, or rather a network/individual in the target country?

9. Group (ethnic, religious, national, regional, etc.) coherence of migrants at various stages of the journey, especially when in jeopardy. The stability of the 'sense of community', depending on the stage, place and degree of difficulty of migration.

10. How have migrations from a given territory evolved? The historical aspect of migration from a given country (e.g. was it a colony?). Since when has migration been growing? For what reasons?

11. The advantages and disadvantages of such migration for an individual. What future and development opportunities do migrants have in the country of immigration? Do they achieve professional advancement and higher living standards? Does illegal migration affect migrants' future lives? Does it leave a mark on the minds of migrants? Does illegal migrants' way of thinking and way of life of change while abroad? How did they imagine their future life in the country of origin, and what has the reality turned out to be like? Do they experience moments of disappointment and depression, or are they satisfied?

12. Why do migrants have to travel illegally? Is there no legal way to go abroad? Are there no tourist trips from a given country? Is it not possible to legally rejoin close family resident in Western Europe?

Specific problems:

1. Migrants' occupations in transit countries, especially in the former USSR. What does the waiting period in the territory of the former USSR look like? Why do trafficked migrants spend from a few days up to a few months there?

2. The actual shortage of information (route, topography/geography, laws and regulations, including possible sanctions, costs, trafficking networks and their individual representatives, etc.).

3. Verification of the data obtained heretofore concerning the price of trafficking, abuses in the provision of services for the price agreed upon initially, changes of the original price in the course of migration, the source of funds for migration and the ways of paying back a possible loan. Who pays for trafficking? The migrants themselves or their families in the country of origin, or, rather, friends and relatives already in emigration? The source of money for trafficking, where does it come from? How are the migrants to pay/work off the whole debt in the future?

4. The permanence of migrants' stay in Poland, especially in the case of those for whom Poland has become (even if temporarily, accidentally or out of necessity) the target country, and the determining factors. What is the emigrants' attitude towards naturalisation and the marrying of citizens of target countries?

5. 'Recruitment' of migrants in the country of origin and the organisation of trafficking groups there or while in transit.

6. How are they treated during the journey? Are their rights violated? Are they victims of trafficking organisations? Treatment of migrants depending on the form of payment and the amount.

7. The issue of transfer of migrants' proceeds after a successful completion of the journey.

8. Assistance and support in the first difficult days as emigrants. Who helps? Families, friends, or whole communities? How do illegal migrants survive at the beginning of their stay in the country of immigration? What is their life like? What are their family ties, ties of friendship and ethnic ties like in the target country?

Appendix 2. List of respondents

Stage I. Institutions of National or International Reach

Total	(36)
Ministry of Foreign Affairs	(1)
Consular and Emigration Department	1
Ministry of the Internal and Administration	(4)
Migration and Refugee Affairs Department	1
Citizens' Affairs Department	1
Division for Refugees and Asylum-seekers	1
Division of Refugee and Asylum Procedures	1
Ministry of Justice	(2)
National Public Prosecutor's Office	1
Organised Crime Bureau	1
State Security Office	1
Border Guards Headquarters	(5)
Border Security Management Department	2
Border Traffic Control Department	3
Police Headquarters	(3)
Prevention Bureau	1
Organised Crime Department	2
National Labour Office	(1)
Illegal Employment Department	1
The Office of the Committee for European Integration	(1)
Law Harmonisation Department	1
Central Customs Inspection	1
The Senate House (of the Parliament)	(1)
Human Rights and Legality Commission	1
Polish Airlines LOT	1

Non-Governmental Organisations	(9)
Amnesty International	1
Caritas	1
Cultural Centre “Podkowa Lesna”	1
Helsinki Foundation for Human Rights	1
La Strada	1
Polish Committee of Social Aid (Welfare)	1
Polish Humanitarian Action	1
Polish Red Cross	1
Socio-Cultural Association of Vietnamese in Poland	1
Inter-government organisations	(2)
A representative of the United Nations High Commissioner for Refugees	1
Bureau of International Co-operation of the Police (formerly, Polish Branch of Interpol)	1
Foreign embassies	(5)
Embassy of Germany	2
Embassy of India	1
Embassy of Ukraine	1
Embassy of Rumania	1

Stage II. Local-level and border area institutions

Total	(23)
Detention and reception centres	(3)
Reception Centre in Szczecin	1
Guarded Centre for Foreigners in Lesznowola	1
Reception Centre for Refugees in Dembak	1
Non-governmental organisations in the field	(1)
Caritas-Lublin	1
Local Branches of the Border Control	(12)
Bieszczadzki	3
Luzycki	2
Nadbuzanski	2
Pomorski	3
Podlaski	1
Warszawa-Okecie Airport	1
Training Centre of the Border Guard in Ketrzyn	2
District Police	(2)
District Police Authority in Bialystok	1
District Police Authority in Przemyśl	1
Division of the Control of Legality of Employment	(2)
Illegal Employment Division in Bialystok	1
Illegal Employment Division in Warsaw	1
District attorney in Bialystok	1

Stage III. Trafficked migrants (by citizenship)

Total	(72)
Afghanistan	11
Armenia	5
Bangladesh	1
China	7
Guinea	1
India	5
Iraq	4
Cameroun	2
Liberia	1
Nepal	2
Nigeria	1
Pakistan	7
Romania	2
Somalia	5
Sri Lanka	5
Sudan	1
Vietnam	9
ex-Yugoslavia	3

Stage IV. Leaders or key-informants in three selected communities

Vietnamese	(7)
Ex-chairman of the Union of Vietnamese Entrepreneurs	1
Secretary, Embassy of the Socialist Republic of Vietnam	1
Deputy chairman of the company “Viantex”	1
Owner of the Vietnamese restaurant	1
Chairman of Socio-Cultural Association of Vietnamese in Poland (and owner of the Vietnamese restaurant)	1
Vietnamese student, activist	2
Armenian (4)	
Member of Armenian music band (and community activist)	1
Chairman of Armenian cultural group	1
Key person involved in animating of Armenian community in Poland	1
Chairman of Armenian Association in Poland	1
African (3)	
Imam, superior of Warsaw mosque	1
Ex-chairman of Tanzanian Student Union in Poland	1
Editor of <u>Refugee Voice</u> magazine (and founder of Polish-Somali Colaboration Centre)	1

Appendix 3. Reports on the study

R. Antoniewski, Sprawozdanie z przebiegu obserwacji uczestniczącej w ośrodku dla uchodźców w Smoszewie, październik 1998, OBM/ISS UW.

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K. Glabicka, Raport z IV etapu badań nad przerzutem migrantów do lub przez terytorium Polski, Warsaw, 1 December 1998, OBM/ISS UW.

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M. Okólski, Combating migrant trafficking in Poland. Results of a recent study with interviews of relevant national actors, IOM, Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries, 17-18 September 1998, Vilnius.

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Appendix 4. Excerpts from selected interviews with trafficked migrants

4.1. A respondent (R) from Sri Lanka

[...]

– **Why did you leave India?**

R: Because, you know, there is some problems there.

– **In India?**

R: Yes. That Rajiv Gandhi bombs, they make too much trouble with some group in Tamil, some Sri Lankan Tamils group, Tigers and Tamils, too much group in...

– **In Madras?**

R: Yes, in Madras. They, I don't know. They asked me if you are in this group or this group.

– **Uh-huh. So they asked you to join one or the other group.**

R: Then my mother they you can't go with them.

– **So you left India because of these groups, because they asked you to join these terrorist groups. These groups are terrorist groups, aren't they?**

R: Yes.

– **Did one of them kill Rajiv Gandhi?**

R: Sorry?

– **One of them is involved in Rajiv Gandhi's death?**

R: Yes, I think so.

– **You think so. OK. So, you left India because of these groups. Did you have problems in India? What did they do, they just said you join this group or that group?**

R: Yes, yes. They asked, this group or this group.

– **And you said, no group.**

R: No group.

– **And then what happened?**

R: Then they arrested me one day.

– **Who arrested you?**

R: In the Tamil group. Terror group.

– **Uh-huh.**

R: Then they beat me and something, yeah? Then I went to Colombo.

You went to Colombo? From India?

R: Yes, from Madras.

– **So you went back to Colombo?**

R: Yes.

Why?

R: I took a passport in India. Emergency passport, yeah? In Madras, yeah, I took my passport.

– **Indian passport?**

R: No, Sri Lankan passport. Easy passport. [?]

– **And you did that yourself.**

R: Yes.

– **And why go from India to Sri Lanka? Aren't there problems in Colombo?**

R: Yes, because the government embassy in India, Sri Lankan embassy, yeah? They [unintelligible] because I wanted to go there in Colombo.

– **OK, right. So, you went from India to Colombo. What happened then? How did you come to Poland?**

R: I went to Ukraine, and afterwards here.

– **OK. Did you come by yourself or with other people?**

R: By myself.

– **Did you use an agent, did you pay somebody money?**

R: An agent, yeah.

– **How much did you give?**

R: Seven thousand dollars.

– **Seven thousand dollars. Um, who gave you, how did you get seven thousand dollars?**

R: My father, he has a business.

– **And so he gave you [the money]. Was the agent in Colombo?**

R: Yes, in Colombo.

– **How did you find out about the agent?**

R: I don't know [unintelligible]

– **Not now, but how did you know that when you got to Colombo you could find an agent?**

R: My father has some friends in Colombo, yeah.

– **And this agent. For seven thousand dollars, what did he promise you, what did he say he could do?**

R: When he heard that I was in Poland...

– **Sorry?**

R: When I was in Poland, my father gave him the money. Seven thousand.

– **Aah... so your father gave money to him when you come to Poland, not before?**

R: Not before.

– **Not before. So, great. This is unusual. Um, so he said that once you get to Poland, your father give seven thousand dollars. What did he say to you about how you would get to Poland?**

R: He told me about only one flight, Sri Lanka to here, through the flight.

– **Through the flight? In Poland.**

R: Poland, yeah. But I dunno.

[break]

– **So, what did this agent do? You had a passport, yeah?**

R: Yes, yes.

– **And then did he get your visa? Did he get your ticket with the seven thousand?**

R: Seven thousand.

– **So, when you left Sri Lanka and you went to Moscow, you went there legally, legally?**

R: Yes, yes – Ukraine, Ukraine.

– Oh, you went to Ukraine? You went straight to Ukraine? Kiev? So you went straight to Kiev. With a visa.

R: Yes, yes.

– So what happened there? What happened – you went by plane to Kiev – what happened there in Kiev?

R: Nothing.

– Nothing? Everything's OK – so, what, somebody meets you at the airport?

R: Yes, somebody meets you. Too much passengers [?] we're on – maybe forty percent Sri Lankan.

– Ah-ha. Did they meet you at the airport straight away, your flight come and they come and get you, or did they meet you at the airport directly?

R: Directly. Yes.

– Was it a Ukrainian man, or a Sri Lankan?

R: No, Sri Lankan.

– Sri Lankan man. One Sri Lankan.

R: Yes.

– And what happened then? He meets you at the airport, then what happens?

R: He took me to a house, and I stayed there twenty days.

– Twenty days.

R: I'm thinking about counting it.

– And when you were in Ukraine, in this house, were you locked inside?

R: Yes, locked.

– Could you see outside?

R: No, nothing.

– Nothing. Um, how many people were there, in this room?

R: Twelve or thirteen.

– Were they all Sri Lankan?

R: Yes, all Sri Lankan.

– And they had all come from Sri Lanka to Ukraine?

R: Yes, yes.

– And paid money?

R: Yes.

– And you were there twenty days. Did they give you food?

R: Sorry?

– Did the Sri Lankan man give you food?

R: Yes.

– Did they give you food once a day, twice a day...

R: Yes, yes.

– Once? Once. OK. Were there any other people there? Was it just the Sri Lankan man? Or were there other...?

R: All Sri Lankans.

– No, no do you speak Hindi? No Tamil. Um, the agent. Was it just a Sri Lankan agent, or did you have a Ukrainian agent as well?

R: Sri Lankan agent.

– **Just all the time, twenty days, Sri Lankan.**

R: Yes, Sri Lankan.

– **After these twenty days, they put you in a container, in a truck, yeah?**

R: Yeah.

– **Then what happened?**

R: Then I came here – no, then they arrest people, the Lithuanian police, yeah?

– **Lithuanian police? OK, stop.**

R: Yeah.

– **So you went from Ukraine to Lithuania in a container. Was it just you, by yourself?**

[break]

– **So you're in this container from Ukraine to Lithuania, for how long?**

R: Well, one day.

– **One day. And was the driver Ukrainian, was he a white man, or was he a Sri Lankan?**

R: I don't know.

– **You don't know, you didn't see. And in this container, how many people, just you?**

R: Fifty-nine people.

– **Fifty-nine people? In one container?**

R: Uh, from Pakistan, Bangladesh.

– **Fifty-nine. Fifty-nine?**

R: Yes, 59 persons.

– **OK. So, you spent one day, and you crossed from Ukraine into Lithuania. What happened?**

[break]

– **OK. So you were in this container, and you crossed the Lithuanian border. Do you know when you crossed the Lithuanian border? No?**

R: No.

– **You don't know.**

[break]

– **So you said the police caught you. How? Where?**

R: Uh...

– **You said you were arrested by the police, Lithuanian police.**

R: Right.

– **What, did they open the container?**

R: Yes. Opened the container.

– **Where, on the border? Or in Lithuania?**

R: In Lithuania.

– **In Lithuania. And then what happened?**

R: Then I stayed one month in Lithuania.

– **In a jail?**

R: Yes, in jail.

– **And then?**

R: Then they gave me a visa, one-month visa.

– **You had a one-month visa to stay in Lithuania. And what happened there?**

R: Then my agent in Sri Lanka...

– **Your agent in Sri Lanka again?**

R: Yes, yes, he made something, and I'm here.

[break]

– **Sorry, so you had a visa to stay in Lithuania for a month, and how did your agent know that you were in Lithuania?**

R: He knows.

– **How?**

R: There is too much telephone, and too much Sri Lankan people. I told my father.

– **You telephoned your father?**

R: Yes, and then my father told him.

– **Again. Did he give some more money?**

R: Yeah.

– **OK, how much?**

R: I dunno.

– **One thousand, two thousand, three? Four thousand, five thousand, six, seven? Seven again?**

R: No, I dunno, maybe three.

– **Three, three thousand. OK. So this agent, was he in Sri Lanka, or was he in Lithuania?**

R: In Sri Lanka.

– **In Sri Lanka. So he has contacts with the people in Lithuania?**

R: Yes.

– **So you stayed in Lithuania one month legally in the camp there.**

R: Yes.

– **What happened after that?**

R: They gave a visa.

– **You had a visa.**

R: And one person from [unintelligible] I think, he put me in a Lithuanian jail, yeah. Then I am here in Poland.

– **How, how? Legally, illegally?**

R: Illegally.

– **Illegally. So you found another agent in Lithuania. Was he Lithuanian or Sri Lankan?**

R: He's in Lithuania.

– **No, was he Lithuanian, was he white?**

R: Yes.

– **And how did he know how to contact you?**

R: There is too much person, they contact first, yeah? They help you.

– **There's a network of people. So how did he get you from Lithuania to Poland?**

R: Same way.

– **Same way? How?**

R: Container.

– **In a container. From the Lithuanian border to Poland.**

R: Poland, yes.

– **How many people in this container?**

R: Twenty people...

– **Twenty. All Sri Lankans?**

R: No, all people Iraq, Iran.

– **Everywhere. Um, did you want to come to Poland?**

[break]

– **Did you want to come to Poland or did you want to go somewhere else?**

R: No, I go to Poland.

– **Why come to Poland?**

R: When I was in Ukraine, yeah, there was too much problems there, every time – I don't know anywhere in Ukraine, then I go see Lithuania, only jail. When I was in Poland, I am free.

– **The first agent you met in Colombo, in Sri Lanka, did he say he would take you to Ukraine only, or would he take you to Lithuania, or would he take you to Poland?**

R: In Poland. Sri Lanka to Poland.

– **So you got caught in Lithuania, and you had to pay another three thousand dollars to come to Poland.**

R: Yes.

– **If you could come again, and you could come to Poland legally, would you use the same channel? Would you come using these agents?**

R: Sorry?

– **If you had to decide it again, to leave Sri Lanka, would you come the same way? Would you pay money?**

R: No.

– **Why not?**

R: No, I don't like this. Too much problems.

– **What problems?**

R: I can't... I was living in jail. Only this is two times in Poland. Second time.

– **Second time in Poland? When was the first time?**

R: First time in, that would be 1996. When I was in Poland.

– **Why were you in Poland then?**

R: It was one house, fifty people [?], seventy-five or something.

– **Seventy-five people.**

R: In one house, yeah? Then the police arrested you.

– **Police arrested you then? And then what happened? Did they send you back to Sri Lanka?**

R: No, three month I was in jail.

– **In jail. And then?**

R: And then I got card, visa card.

– **So when did you leave? When did you leave Sri Lanka? In 1996?**

R: In 1996. No, 1995.

– **You left Sri Lanka in 1995.**

R: Yeah.

– **We're now in 1998. So you paid twice?**

R: Yes.

– **How much money have you paid to come to Poland in total? Ten thousand? More?**

R: More.

– **You paid seven thousand twice?**

R: Yeah.

– **Fourteen thousand. So, OK, when you first flew from Colombo to Kiev, that was three years ago. Was that three years ago?**

R: Yes.

– **That was three years ago. And then you came to Poland first time. You got caught in Lithuania. When did you get caught? When did you get caught in Lithuania?**

R: The same time. Only twenty days I am living in Kiev, and I'm caught.

– **And that was in 1996.**

R: Yeah.

– **And then you came to Poland in 1996.**

R: Ninety-six.

– **Then what happened – you've been in Poland since 1996?**

R: Yes. I was in jail...

– **You're in jail...**

R: Yes, three months I was in jail.

– **OK, then what did you do between 1996 and 1998?**

R: I was in a camp in Warszawa.

Where is that?

R: In Dembak.

– **You were in Dembak.**

R: Yeah. And there I got a negative.

– **You got a negative decision.**

R: Yeah.

– **Then what happened?**

R: Then I completed in Dembak and I was in, got one house in another city.

– **Illegally. You were staying illegally.**

R: No, nothing like that, because...

– **You have a visa but you have a negative decision.**

R: Yes, but I don't, second time...

– **So you got the second time. On appeal.**

R: I had an advocate.

– **So you got a lawyer. Pay more, how much?**

R: Five hundred zloty.

– **Five hundred zloty. OK. So that was all in 1996.**

R: Yes.

– **OK. So why are you here now?**

R: Sorry?

– **So what happened in between 1996 and 1998? You were in a house?**

R: I waited, I go to negative. [?]

– **Again?**

R: No, not again. First time.

– **Ah, OK.**

R: Two years I am waiting for this decision.

– **Two years you've been waiting?**

R: One and a half years.

– **And you're still waiting to find out whether you have refugee status.**

R: Yes.

– **And you're still waiting.**

R: Yes.

– **You said that your father would have to pay the money once you got to Poland. How would he pay the money? Would he pay the money to the Sri Lankan man in Colombo?**

R: Sri Lankan, Sri Lankan.

– **So did he pay the money? The first time?**

R: Yes.

– **And then he paid the money the second time?**

R: Second time.

– **And then he paid the three thousand dollars to get you from Lithuania to Poland?**

R: Yes.

– **All in Sri Lanka.**

R: Yes, all in Colombo.

– **All in Colombo. What, in cash? Through the bank?**

R: In cash.

– **How did your father get so much money?**

R: Sorry?

– **How did your father get so much money?**

R: Because they have a marketing firm in Sri Lanka.

– **So you have money in Sri Lanka.**

R: My father sent it to India to my family.

[break]

– **It seems to me that you've been cheated by this agent. What do you think?**

R: Yes.

– **Naah, but what do you think?**

R: I've lost lots of money.

– **What happens if you get a negative decision again and they say you have to go in Poland? What will you do?**

R: I don't know.

– **Go back to Colombo?**

R: Umm.

– **Try again? Try again to come? Do you think you'll go somewhere else from here? Go somewhere else in Europe? Go to Germany?**

R: No.

– **Why not?**

R: Because I don't like anyplace I go to. Too much time.

– **Too much time. Too much money.**

[...]

4.2. Two respondents (R1 and R2) from Vietnam

[...]

– **Why did you want to come to Poland?**

R1: I came with him [indicates R2].

– **Did R2 talk you into it?**

R2: I didn't have to talk him into it. I got information that one could go abroad to work and earn good money and I told him, and he wanted to earn some money, too, so we went together.

– **Who did you get the information from?**

R2: [interrupts R1] From an acquaintance who had come to Vietnam and had worked here earlier.

– **Here, you mean at this restaurant?**

R1: Yes, but he later bought himself a bar and now he owns one.

– **How did this acquaintance get in touch with you?**

R1: Normally. He came to me and said the boss needed employees, one could earn good money.

– **The boss of this restaurant?**

R2: Yes, that's why we came here.

– **And how did you get here?**

R2: First we got tickets for a plane to Moscow and then... well, we were on our own.

– **How about passports, visas?**

R1: We paid the acquaintance...

R2: [interrupts R1] We gave the money for the formalities.

– **How much money was needed for the formalities?**

R2: \$200 per person. The boss paid the rest for us.

– **How much did the boss pay on top of that?**

R1: We don't know precisely, but we have a deal to work it off in 9 months.

R2: It's 6, not 9. Then we'll get the papers and we'll get part of the money for ourselves from then on.

– **You haven't been given any money now?**

R1: We have to work it off for the time being.

R2: But we have everything. Board, lodging, and when we want something, cigarettes or a beer, we can take from the restaurant.

R1: It's only that we have to stay here all the time.

– **You're not allowed to go outside Warsaw?**

R1: No, because we haven't got our papers yet. The boss tells us, too, not to walk in the streets by day.

R2: We don't have time for walking, anyway. We need to work it off as soon as possible to pay off other debts.

– **What debts?**

R1: We had to borrow for the journey. It's a lot of money!

– **Who did you borrow from?**

R1: Family, friends...

R2: The people were willing to lend us money, because they know we're honest and we'll pay back all, even more. You know that in Vietnam we live together and help one another. That's why we won the war!

– **And did you have your own money? Had you worked anywhere?**

R2: Yes, of course, but not much. Our economy is not as developed as yours and one gets paid little.

– **Where did you work?**

R1: I at a bar - I did the cleaning and washing up.

R2: And I at a construction site, but only when there was work, and when there was none, then. [He spreads out his arms helplessly]

– **Do you have families?**

R1: Yes. A mother, a father and two sisters. One has got married, actually, but she lives with us.

– **Where, in Hanoi?**

R1: Well, almost in Hanoi. The other sister is in school, she wants to study languages. Perhaps I will help her. Because only the father works. At the same bar as I did. He's a cook.

– **How about you?**

R2: Me, too. A mother, a father, two brothers and a sister. I'm the eldest. We had a tough time, because my father had been a soldier. He had fought in the South. Now he works at the Army Museum, but he doesn't earn much. And my mother works at a kindergarten, she teaches children. She earns very little, too.

– **And what schools did you finish?**

R2: I finished secondary school, but then I didn't have the money to continue my education. I wanted to study technology.

R1: Me, too. My father took me to work at the bar. I thought I would earn enough to continue my education, but I used to earn too little.

– **You said you had gone to Moscow by air.**

R1: Yes... [R2 interrupts him]

R2: We travelled as tourists.

– **And after that?**

R2: We were on our own.

– **Nobody helped you?**

R1: In Moscow an acquaintance put us on a goods train.

– **How about the papers?**

R1: We gave them to him, as he said it would be safer that way.

– **A Vietnamese or Russian acquaintance?**

R1: A Vietnamese.

R2: Actually, not a Vietnamese, because he's lived in Moscow for a long time, has a Russian wife and children.

– **Did you pay him anything?**

R2: No. He just put us on a train, anyway.

R1: Each of us was in a different carriage.

– **He placed you there just like that?**

R2: Well, we went to a railway siding in the evening and he told us to get in.

R1: I was under some sacks, potatoes or onions, hard.

– **How about food and drink?**

R2: Somebody brought us during the journey, but just bottled mineral water.

How long did you travel?

R1: Three days and nights! I was so hungry I thought I was going to die.

– **Did you arrive in Warsaw?**

R2: Yes, I think so.

– **How did you know you had arrived?**

R2: They had put the carriages on a siding. And we had been standing for a few hours already.

– **Did you know where R1 was?**

R2: Sure, R1 knew where I was, too.

– **Didn't anybody pay attention to you?**

R2: I don't know. Both his and my carriages were open.

– **And what happened next?**

R1: I hardly got out, but we walked fast...

– **How did you find each other?**

R1: R2 called.

R2: I went near the carriage and called in a low voice.

– **Where did you go next?**

R2: To make a call.

– **To whom?**

R2: We had the number.

– **Did you know how to make a call?**

R1: No. We showed a slip of paper with the number on it so that someone else made a call.

– **And what happened next?**

R1: We took a taxi to this address.

R2: The boss paid for the taxi. He had already been waiting for us.

[...]

4.3. A respondent (R) from Armenia

[...]

R: I'm from Armenia. I was born in the city of Kumayri on 25 August 1972. I had achieved a lot in the course of my young life. I had a normal job and a normal life at home. I've been here almost two years already, but I haven't obtained any reply yet, I'm just sitting and waiting. I've fled my country, taking my family with me. Life is a cool thing, but you have to fight for it.

– **Where did you work?**

R: When I first joined our party, our party was illegal, in opposition. We worked really hard. A year later, success came – I became the party chairman in our city. Our city is the second biggest in the whole of Armenia. From that time on, persecution started. The authorities began to look askance so that we kept quiet – we said little, we did little. Various things happened, various accidents. We organised meetings, struggled for justice – there is no democracy at all back at home. Now the authorities, that is the president and the defence minister and the minister of the interior do whatever they like. The citizen has no rights at all.

– **How do they make things difficult for people from the opposition?**

R: Many people disappeared and nobody knew their whereabouts. A few of my friends have disappeared and nobody knows their whereabouts. A car came to fetch them, they took them away and that was it. The witnesses said so, the neighbours. We heard that they had hanged one of them in prison, although the investigation showed that he had hanged himself in prison. Or, for example, one gets a notification about conscription or a three months' military training. It's civic liability, it's mandatory. One gets into Karabakh and is shot in the back in action or during military exercises. There is no way out, you can write, protest, nothing will help. They may do something to one's relatives.

– **How did you manage to get out of Armenia? Were there any difficulties at the border? After all, they might have arranged something?**

R: Yes, they might've done a lot. But I found an illegal organisation, a kind of mafia. I paid well for the journey. It didn't make any difference to me. I would've liked to go to Russia, but it's dangerous. If they caught one there, they'd notify Armenia immediately – handcuffs, onto an aeroplane.

– **Does the ruling Armenian party have links with Russia?**

R: We have our people in Moscow, but it's unofficial. Officially, Moscow supports the ruling party. The war that's going on in our country suits Moscow – arms sales. Nobody needs this war – it's about big money. Moscow controls everybody, both the ruling party and the opposition.

– **How does Moscow do it – using the mafia or State powers?**

R: State powers. For example, they cut off the railway connection to Armenia and only arms arrive.

– **What does Moscow support the war for?**

R: These territories used to belong to us. It was only Lenin who gave these territories to them, but they're mostly populated by Armenians. The Turks want this land, too. Now it's no-man's land. The Turks may take it away, but only with Moscow's support, with Moscow's consent. Moscow has a stake in Baku, in the Azarbaijani petroleum, so it can accept any deal with this object in mind. We have nothing, just the mountains. And now the war on top of that, although officially there's no war. Snipers are active, mostly. He shot,

killed, and even the UN doesn't know anything about it, these politics that we have in Armenia are that strong.

– **How did they impede your departure?**

R: Everything was done in secret. I travelled to Minsk by air. A car brought me to the aircraft. I hadn't bought the tickets, I didn't even know where the plane was headed. In the car they told me: 'You board the plane and they'll meet you there', and I boarded. I remember an air hostess came up to me and asked: 'Should he go?' They said yes. They took us inside and told us to sit down, and when the flight was over we were to get off and some people would come to collect us. After we arrived, a car came to collect us, we got inside and we normally arrived at the border, we travelled for half a day. We didn't get out of the car at the border, we didn't show anything. There were no problems whatever on the Russian side. On the Polish side the car stopped, the guide got out, the man who was sitting next to the driver, he went there and talked. I didn't see him talk. I saw him enter the customs control building. I don't know what he said and to whom, but he went out, got into the car and off we went. In Poland we arrived at a town called Zagan, as it turned out later. We travelled in Poland almost a day and a night in this car. The town of Zagan is situated near the German border. There they handed us over to other people who were supposed to traffic us illegally across the German border. From Germany, they were to traffic us to the Netherlands or to France, I don't know. To some peaceful country, I had told them back in Armenia. I paid \$6000.

– **Did you have your passport on you?**

R: No, the passport had remained at the police office in Armenia. After all, proceedings had been instituted in my case, an investigation, there had been a trial already. I could not leave the country any more, the city even. A warrant of arrest had already been issued. I have all these documents now, I can show you.

– **This is a serious argument for the Polish authorities that you're a political refugee.**

R: When I was captured near the border, they took me to a prosecutor in the town of Kranojansk, the centre of the Zielona Góra Border Guards Division. They brought me before the prosecutor, I asked what would happen to us. Nothing terrible, he answered. I calmed down. I got some papers in the Polish language, they said – sign. I didn't ask what sort of papers they were. I was informed that it was about returning my personal effects, and that I would be placed at a [centre for] asylum [seekers]. I signed all those documents, and it was the prosecutor's sanction for ninety days' imprisonment. My baby was seven months old then, and my wife was four months pregnant. They put us in prison. I asked: is this your asylum? They say, it isn't an asylum [centre], it's a prison.

[...]

4.4. A respondent (R) from Somalia

[...]

– **When did you leave Somalia?**

R: In 1991. I lived in Ethiopia for two years. Then I got a Russian visa and went to Russia. I lived in Russia from 1993 until 1997, for four years.

– **How did you manage to get to Russia?**

R: When I was in a refugee camp in Ethiopia, one Somali indicated an Ethiopian to me who had contacts with the Russian embassy. I talked to that Ethiopian and he got me the papers for \$150.

– **What did you do there?**

R: I stayed with a friend from the same tribe, who had lived in Russia and worked there for a long time already. The French organisation ‘Elcbaro’ helped me, too. But it was very dangerous in Russia. Not only Russians, but also the Russian police themselves attacked me in the streets. The police would take away all the money I had on me. But I didn’t have the money to go elsewhere. I borrowed the money from my friends from Norway and America. The Somalis are a special people. They always help one another.

– **How much did you pay for the journey?**

R: \$1250.

– **How many people travelled together with you?**

R: Some 50–60.

– **What nationality were they?**

R: 6 from Somalia, 45 from Bangladesh, 2 from Pakistan, 4–5 from Sri Lanka.

– **What was the journey like?**

R: We went via Belarus and Vilnius. We mainly travelled by motor vehicles, once even by a large military truck. We were driven by Poles and Lithuanians. They transported us in small cars, too, with the seats taken out. We were all of us crammed into 4–5 cars. The drivers communicated by short-wave radio. They told one another what was going on, informed one another of danger.

– **How did you get into Poland?**

R: We crossed the Polish-Lithuanian border on foot. It was only over the border that cars were waiting for us. The whole journey was very dangerous.

– **Would you allow a relative to travel in this way?**

R: No, never.

– **Do you have family resident abroad?**

R: Yes, my brother lives in Canada.

– **When did he leave and how?**

R: My brother is much older than I am. He left when I was little. He had worked as a doctor in the maternity ward of a Somali hospital before. First he went to work in Saudi Arabia. He lived there for a few years with his wife and children. Then in 1984 they went to Canada.

– **How did they manage to do that?**

R: They had Saudi citizenship and could go to Canada.

– **Do you have any other family abroad?**

R: Yes, another brother in America.

– **And what is the situation of the rest of your family?**

R: My mother and sister are in a refugee camp in Ethiopia. My father and two brothers were killed during the civil war in Somalia.

– **How old are you?**

R: I'm already old. I was born on 31 December 1967. I have a wife and two children.

– **Are they in Ethiopia?**

R: Yes, in a refugee camp.

– **What did you do in Somalia?**

R: My father had a delivery truck and 2 automotive spare-parts shops. I helped him and transported the parts.

– **Did you finish any school?**

R: Yes, high school. I could not study, as my tribe was discriminated against.

– **How many years did you go to school altogether?**

R: 12.

– **What is your situation here in Poland?**

R: I've filed an appeal, as my request for [refugee] status has been turned down. I'm a refugee, and I haven't been granted the status.

– **Why have you come to Europe?**

R: Because nothing whatever is done for the refugees elsewhere.

– **What will you do if you stay in Poland?**

R: I may work at a certain Polish-Russian restaurant.

– **What do you feel?**

R: Sometimes I'm furious that I live under such conditions.

– **Do you think you're different from the persons who have remained in Africa?**

R: I'm not different from the people from my tribe. (In Ethiopia, there are three refugee camps. Two are inhabited exclusively by his fellow tribesmen.)

– **But are you different from the other people from your tribe who have remained in Ethiopia or Somalia?**

R: No, they remained because they didn't have the money to go away. I'm different only from those Somalis who aren't from my tribe. My tribe is persecuted.

[...]

4.5. Story told by a migrant from Sri Lanka (excerpts)

(Amnesty International and Kolo Podkowy, 1997, pp. 15-31)

[...]

I am twenty-five years old. I am Tamil, I belong to the community of Sri Lankan Tamils. I come from Jaffna; it is a peninsula and a city in the north of Sri Lanka. My ancestors came there from India centuries ago, settled down and founded a Tamil state. Jaffna and the land in the north of Sri Lanka have always belonged to the Tamils, my parents and grandparents were born there.

[...]

I used to live in Jaffna with my parents and a younger sister. I finished secondary school, passed my school-leaving exam. Had the times been different, I might have gone to college. But the circumstances didn't allow it. I had to go to work to help my family, because life was hard in Jaffna. It was horribly expensive, the necessities were in short supply. It was hard to get a permanent job, so I went into commerce. I used to go to the country, buy goods and sell them in Jaffna. One had to get by somehow. If it hadn't been for the war, I might have gone to college.

[...]

Some people say that Tamil Tigers draft young Tamil men to their squads by force. I do not know if that is true or not. I also was persuaded to join but no attempt was made to compel me to do so [...] They say it is our duty and destiny.

[...]

I did not want to fight in the squads of LTTE [Liberation Tigers of Tamil Eelam]. I do not want to be a hero. I am plain man. I do not want to die, I want to live. That is why I am now in Poland.

[...]

I got to Kilali. LTTE units were already there, they organised a ferry crossing to the other side. I boarded the ferry and crossed to the other side. From there, one could get straight to Kilinochchi. I was hungry, tired and depressed. I was anxious about my parents. I didn't know where they were, what had happened to them. The next day I decided to set off back towards Jaffna. I thought I would be able to find my parents or learn something about them. The same sight everywhere. Crowds of terrified, confused people who didn't know what to do with themselves, where to go.

Destroyed villages, bombarded houses, the killed, the wounded. In Tirunelveli awful things happened. Sinhalese soldiers had raped sixteen girls, then killed them, cut off their heads. The bodies lay on the market square. I saw that with my own eyes, it's unforgettable. I was full of pain and bitterness. How are we to live on in the same country with the Sinhalese after what they have done to us? We cannot ensure that our families are safe, we cannot protect our sisters, wives, mothers.

I didn't manage to learn anything about my parents, whether they were in Jaffna, or whether they had taken refuge in some other town. I returned to Kilinochchi. Thousands of refugees from Jaffna and its surroundings had gathered there. New ones kept arriving all the time. Food was in short supply. It was hot, steamy. It was pouring with rain. People sat in the rain. We hid in the forest under the trees. Everybody was hungry. We gathered some twigs to build a fire and tried to cook something. We had only rice, but there was too little of it anyway to prepare a normal meal. The only thing one could prepare with it was rice pap, with more water in it than rice. There was no water, either, incidentally, normal drinking water. We took the water from streams or poodles. It was turbid, muddy. To make it fit for drinking and cooking, one took some of that muddy water and strained it through a

cloth. People fell ill, particularly children. Because of this bad water and malnutrition. Basic medicines were lacking. Who knows how many people starved to death or died from exhaustion?

The Sri Lankan government made assurances that it would send provisions for Tamil refugees. But everything went wrong. Shipments arrived late and there were too few of them. The authorities said they could only send a limited number of trucks with provisions, since the LTTE intercepted the shipments.

They obstructed the activities of international humanitarian organisations, too, refused entry permits to the territories where hostilities were going on. They did not allow journalists and reporters to enter, either, so that nobody could learn what the situation was like in the Tamil territories. All those food shipments were a drop in the ocean. Hundreds of thousands of people had fled Jaffna escaping from the Sri Lankan army. Nobody bothered to feed them. The government wanted to punish the Tamils for disobedience, for refusing to subordinate to the Sinhalese. Provisions were distributed through co-operative shops. People queued for their rations. There was not enough for all. What is more, we received provisions that were inedible. Flour and rice were spoilt, worm-eaten. They had sent us old, spoilt provisions, that must have been in storage for a year or maybe more. But what could we do? We had no choice, we had to eat them. People starved, fell ill, died. We were wondering what to do next. Some thought of returning to Jaffna, but one didn't know whether there was anything to return to. Jaffna was under military control. People were afraid of Sinhalese soldiers. The war continued, fighting was going on between the army and the LTTE, bombardments, shelling. Many thought that the best way out was to flee Sri Lanka and go abroad, as there was no future for the Tamils there. The Sinhalese would not let us live normally. Even now, there was no place for us any more. The army had pacified our territories. And we didn't stand a chance elsewhere, among the Sinhalese. I, too, started thinking about leaving, but it was not until a few months later that I was able to leave Sri Lanka.

The next stage of my wanderings was Vavuniya, a major city south of Kilinochchi. From there, one can go on straight to Colombo. In Vavuniya, the situation was similar to that in Kilinochchi. It was full of refugees from the surroundings of Jaffna. The city remained under military control, but there were also some LTTE units around. There was occasional fighting. I have relatives and friends in Vavuniya. They took me under their roof. I was hoping to find appropriate people who would help me leave the country. Vavuniya was terrorised. Full of the military and the police. The locals warned me to be cautious. They advised me not to go out into the street after dark, as I might get caught by the members of one of LTTE-rival Tamil military groups. I was told that PLOT [People's Liberation Organisation of Tamil Eelam] and TELO [Tamil Eelam Liberation Organisation] members ruled Vavuniya. These groups have long been active in Tamil territories. They have always competed with the LTTE for priority. When the Indian army was deployed in our territories, the PLOT and the TELO were strong and enjoyed the support of Indian troops. Afterwards they were smashed by the LTTE, because they refused to subordinate to them. And now they reappeared with the Sri Lankan army, the government army. These groups and the Tigers are mortal enemies. The PLOT and the TELO now cooperate with the government army. They patrol the city by night and capture Tamils from Jaffna to get information on the LTTE. They have their camps-barracks, too. They detain people there, torture and kill them. The Sinhalese use them against the LTTE and the Tamil population. They want to set the Tamils at variance so as to be able to destroy them all the more easily.

In order to leave the country, I had to get to Colombo. But first I had to get a pass to go to Colombo from the military authorities. Such passes are issued at Tandikkulam near Vavuniya. This is a border post between Tamil and Sinhalese territories. There is a military barracks there. When I got to Tandikkulam, I found myself in a crowd of people seeking

passes. The soldiers walked among us, looked around and selected young people, especially young men, from the crowd. Young people find themselves in the most suspect group, especially if they have scars or are crippled, with their legs or arms missing. That immediately arouses suspicion that they have had something to do with the guerrillas. They led me out of the crowd, too. They lined us up and led us into a yard, which was fenced in and separated from the rest of the premises. In front of us, military personnel were seated, and some Tamil stood aside. I didn't know him. They told us to come up to that man one at a time. The military officers said something, and he nodded. When it was my turn, I approached and the officers asked: 'Is he an LTTE member?', and the Tamil nodded. This is such a game of the Sinhalese soldiers. They choose a man, a Tamil, and they tell him to confirm by a nod that the one standing in front of him belongs to the Tigers. And that man nods each time, because he will himself get a blow on the head unless he does it. They hit him so hard as to make him fall. Out of fear, he nods each time. He's just in fear of losing his life, in fear of getting killed. I tried to defend myself. I said that I didn't belong to the LTTE, that I had nothing to do with the organisation, that I was a refugee from Jaffna, a trader. And they replied: "You're a liar. Your man has identified you". They took me to prison in the barracks together with the others. I was interrogated a few times. They accused me of being an LTTE member, asked me about my contacts with the Tigers, mentioned some names. I denied everything and said I didn't know anything. Then they would beat me: with their hands, a club, the butt of a rifle, and kick me.

Beating is the order of the day. They use other kinds of torture, too, hang people by their legs head down, apply electric shocks. Some people, whom they have tormented with particular cruelty, have lost the use of their arms or legs. They had more sophisticated methods against us, too. They would put a sack full of sawdust, for example, or ground pepper or paprika on one's head, or a sack soaked with petrol. One can't breathe, one suffocates, the eyes burn and overflow with tears. They starved us, beat us and abused us: 'You terrorists, you bandits, we will teach you order'.

The military knew that we didn't belong to the organisation, that we were civilians, but they tormented us and waited for money. Everybody well knows that one has to pay to be released. The commander or the officers must get an adequate bribe. They arrest us on purpose, so that they may beguile us of money. Obviously, parents will pay any price to save their child. Members of those other Tamil groups came to us, too. They told me: 'Pay us and we'll ensure your release'. That's what it looks like. We have to pay everybody for freedom, for letting us live. We work hard and we must spend the money on bribes for the military, the police, civil servants. We not only have to earn our living, we have to earn for bribes, too.

After two weeks they released me from prison on condition that I would report at the barracks every day and confirm my presence with a signature. If I hadn't gone to report to them, they would've put me in prison again or ordered me to pay. This incident finally convinced me that I couldn't remain in the country, that there was no life for me there, that I had to escape abroad.

I went to a shop-owner I knew in Vavuniya. I asked him to put me up and help me make arrangements to leave the country. The acquaintance was afraid that they would arrest him, too, if he received me. I begged him for help on my knees. At last, he agreed. He promised to borrow me the money for the journey. It costs a lot of money, several thousand dollars. People borrow money, sell their houses, shops, farms, jewellery, everything they own to get the money for the journey. I promised that man that I myself would pay back the money as soon as I could or my family would do that. I got in touch with people who arranged for Tamils to go abroad. In Colombo and in other cities in Tamil territories there are special agencies which handle that. One has to pay them, and they arrange whatever is

necessary. They have connections and arrangements with officials, with the police. Surely they pay them. I don't know the details and I don't want to know them. It's better this way.

On the appointed day I was ready for the journey. They took me from Vavuniya by truck and brought to Colombo. I was afraid but there were no problems on the way. In Colombo they placed me in some shop in a Tamil district. I stayed there. Everybody says it's very dangerous in Colombo nowadays. Tamils cannot move about freely. The police keep checking their IDs and detaining them all the time. Police repression has intensified especially after the LTTE bomb attacks in Colombo. Each Tamil from Jaffna immediately becomes a suspect. 'Whatever have you come here for? You want to plant a bomb.' They make an arrest and the same thing starts that I was through at Tandikkulam. The police often check and search the Tamil districts and small hotels Tamils usually stop at. It's better not to show one's face, not to go out into the street. I stayed put in the shop. The next day they came to collect me in a bus. Everything was prepared - a passport, a ticket. They took me to the airport. There they arranged whatever was necessary with the guards and put me on a plane. There were about thirty people in my group, including women. We went to Moscow via Karachi by Aeroflot. That's how the next stage of my journey began. I left Sri Lanka on 14 August 1996. I didn't get to Poland until much later. I was in Russia and Ukraine for six months. I don't know whether I may say that I was there, because I didn't see anything, actually. I stayed indoors all the time, and whenever they transported us somewhere, it happened by night.

In Moscow two white men received us at the airport. It was impossible to communicate with them. They didn't speak Tamil, and only knew several words of English. 'You mustn't talk or ask any questions. Follow us, but keep aside. If the police stop you, pretend not to know us, to know nothing about us.' We understood that we were supposed to behave that way. We were frightened. We got on a train and reached some housing estate, the men took us into a flat in a block of flats and told us to stay there. They themselves left and locked the flat on the outside. I stayed in that flat for about a month. I didn't get in touch with anyone throughout that time. We didn't go outside at all. Strange men appeared every few days. They brought provisions and we used them to cook our meals ourselves. Then they moved us to another flat. Everything went on much in the same way. We sat and waited what was going to happen next. We were tired of such inactive waiting and uncertainty. We didn't try to rebel, though, as it could turn out badly for us. We waited. Finally, one night our guardians appeared and told us to go out. They loaded us onto a container-type truck. One could see nothing at all. We were to behave quietly. We travelled for quite a long time. When they dropped us off, I saw I was in a forest. It was dark, cold, it was snowing. From that point on we walked on foot. That's how I found myself in Ukraine. They brought us to Kiev and again placed in some flat. Again we sat locked up and waited. Right before we left for Poland, they had taken us out of Kiev. They kept us in a forest, in a small building. It was not a residential building. Snow lay all around. I remember I was terribly cold. I didn't have proper clothes. I was hungry.

At last, a container truck arrived. They loaded us inside and we travelled on. It was an awful journey. I wouldn't like to go through that again. When we finally arrived, I saw that I was in a city. Later, it turned out to be Warsaw, it turned out that I was in Poland. The Polish police detained us here. I was very much afraid at first. I didn't know what they were going to do to me. I know the ways of the Sri Lankan police, it's better to stay out of their way. I have heard many times about the Russian and Ukrainian police, too. But the Polish police didn't do me any wrong. On the contrary, the policemen took care of us. We were chilled, hungry, dirty. The policemen fed us. They told us we could seek asylum in Poland, we had the right to do that as refugees. On 8 February 1997 I filed an application for refugee status in Poland. Now I'm waiting for the decision at a refugee centre in Białobrzegi. [...]

4.6. A group of five respondents (R1-R5) from Afghanistan

[...]

– **I would like to ask you about the reasons for leaving Afghanistan, about the progress of your journey.**

R1: We left because we had to. Nobody leaves his family for no reason at all.

– **And what was the reason that you left?**

(A considerable din arises, they speak loudly, as if arguing; at last, Karim says)

R1: Why, everybody knows that in Afghanistan, unless one is a Talib, he either has to leave or it's the end of him.

– **Why did you go as far as Europe?**

R2: The farther the better. Life is easier and it's more difficult to capture us and kill us.

R3: May I speak English? My Russian is poor.

– **Yes, please.**

R3: It's not only about us, it's about our families as well. I left my parents and two sisters. Of course they don't know that I've left. I feel pity for them, I'm sorry, they probably think I've been killed, but I had to!

– **What did you do in Afghanistan?**

R3: I studied medicine. I had one more year left, but... I had to, because I was politically active.

R2: He could've gone to Pakistan but he didn't want to, he was scared, and we persuaded him to go with us to some civilised country. Maybe he will graduate, be a doctor, help people and have a job.

– **Who in particular persuaded him?**

R2: I and my father. We had known him before, as he lived nearby and when my father fell ill after my mother's death, he treated him. He will make an excellent doctor!

– **How about you and your father, why did you want to leave?**

R2: My mother had worked at the University, it was still under the Russians. She taught Russian. Afterwards she couldn't work anymore, but she encouraged other women not to give up, to try teaching at home. They beat her up and she died. My father wanted to kill our neighbour, because he had denounced her. There was no life for us after that. I didn't go to school, my father went into hiding - a tragedy.

– **Who helped you leave the country?**

R4: It's not all that difficult. There are people who have an interest in it. One tells another in secret, and after that it's just the matter of money.

– **How much did you pay?**

R4: We were travelling in a group, it was \$1000 per person, but without food and only as far as Russia.

– **How do you mean: without food?**

R4: One had to pay for the food separately.

R1: Or starve... like me. I ate every second or third day, and just drank water otherwise.

R4: One had to pay for the water, too!

R3: I paid \$14000, but it was with food included, and the deal was that it would be as far as some Western country.

R2: My father and I were charged the same, but they didn't tell us where we were going.

– **How do you mean, you went just anywhere?**

R2: Frankly speaking, I thought we would stay in Russia. Or else, I thought that the Russians would catch us. I didn't mind, though. The Russians would not have turned us over to Afghanistan, and that's the most important thing. Besides, I speak Russian - my mother taught me.

R5: I wanted to get to Germany, but actually I didn't know where I was going.

– **Were you all in the same group?**

R2: No. I was just with my father.

R5: I travelled together with Aishna.

R4: I travelled together with Karim for \$1000 each.

– **You said that for \$1000 one could get as far as Russia, then how come you're here?**

R4: And we made it as far as Russia. They left us near some railway station or other. It was cold and we got into a goods wagon between some sacks.

– **Don't you remember the name of the station?**

R1: No. It was freezing. Then we slept. It seems we were making up for the whole journey.

R4: When we were travelling in trucks from Pakistan, it was so crowded and stuffy that one couldn't sleep...

R1: When we woke up, it was Leningrad.

R4: Yes. We were frightened...

R1: But we met one guy there who said that for my ring and Sarvar's watch and ring he would put us on a train to Poland. That's how we went.

R4: And we changed trains once again at some station, because that train...

– **A goods train?**

R1: Sure.

R4: It stood for a long time and we were afraid.

– **Where were you captured?**

R1: Zagan - such a town.

R2: And we in Bielsko-Biala.

R3: I and Marasherif were already at the German border, but they took us back to Poland. I don't remember the town. A difficult one.

– **How did you leave Afghanistan?**

R5: First from Kabul by train near the Pakistani border.

– **Did you have the papers?**

R3: Yes. We were travelling legally. It was only at night that we got into such a large container, and, after we had passed Pakistan, into trucks. Then we had to give in our papers.

R2: I and my father [went] from Kabul by truck, but as far as the Pakistani border there were only the two of us. Then it got crowded, lots of people, but we were forbidden to speak. We had no papers from the very beginning.

R4: Yes. Just like us. They shouted terribly if anybody spoke.

R1: Not all of them. Some just threatened. But they were cross and didn't want to get in touch with us at all.

– **Did the guides change?**

K. Yes, and quite often, too (the others nodded to confirm his words).

– **If you were to make such a decision today, would you set off on such a journey, too?**

(Mahomed interprets for the benefit of the others. Again, they all start shouting at the same time. Mahomed says)

R2: You can hear, they all say yes, to a man.

– **And the hardships of the journey, the cold, the hunger...**

R3: Most of us are no strangers to such problems. Back at home there was real poverty, too.

– **Well, then where did you get so much money from?**

R5: We sold whatever we could. Our families used to be rich once, but one had to conceal it.

R3: I borrowed some money from my friends, too. I said it was for medicines for my parents. But mainly I sold whatever I could. I have nothing and I have no home, nothing...

– **Don't you think that the fare was too high, considering the conditions under which you travelled?**

R2: It's their job. They earn, and they help us when we want.

R3: Of course, they earn on us, but it's us who want to leave. If there were no such situations, they wouldn't be there, either.

– **How do you imagine your future?**

(A moment of silence, then some isolated words.)

R3: I hope to get a refugee status. I've already written to UNHCR, and after that I would like to graduate and work. I dream of being a doctor - a paediatrician - here in Poland.

R2: I hope to remain in Poland, I don't want to go any farther. I should finish school, then get a degree - that's what my mother wanted, but will I succeed? I don't know, but I believe that if I succeeded in leaving the country, I will succeed in other things, too. Now I'm seeking my father's release from prison, I don't understand what [he is in prison] for. They have released the others and they are here, but not him, but that's a different matter.

R5: I'm a geologist, I don't have a degree, but I'm knowledgeable about petroleum-bearing rocks. Maybe I will manage to get a job... here. I don't want to go any farther, I've had enough. I've left and I'm far enough for them not to catch me..

R1: That's what I think, too. I don't want to go any farther...

R4: I don't know. Maybe I'd like to go and see what it's like there, farther.. but it seems impossible. I prefer to be here, anyway. I already have some friends, acquaintances... I know one thing, I won't return home any more. Sometimes I'm a little sorry.

[...]

4.7. A respondent (R) from Cameroun

[...]

R: My father was a political party member [leader?]. It is the second most important party after the presidential party. So I was always with him and helped him in campaigns, for instance, because I had finished school and I didn't have a job. I went to various places, but there were no jobs. I went elsewhere. There was no job, either. All over our province one could see people with degrees looking for a job like myself. I did not have a university degree. I'd just finished secondary school. But I know students who after three years of studies were precisely in the same situation as I was. They had a degree, but no job. That's why I went into politics and helped my father. It was like that until the 1997 parliamentary election, in August or thereabouts. We supported our party, the SDF, at that time. But the parliamentary election was very dishonest, as people were forcibly driven to police stations by the president's men. And there they all voted for the RDPC, the presidential party. The votes were counted at police stations, where there were no SDF representatives. And when the results were announced, oh, God! I know the man from the SDF who took first place. Nagiria [?] from the RDPC came second in Buea, but it suddenly turned out that it was Naigira who had won. Nothing could be done, as the government had the power. When the results were announced, the city was patrolled by the police.

- What happened next?

R: The situation was similar during the presidential election in November. Again, we struggled and struggled.

- Was there a civil war?

R: No. It wasn't hand-to-hand combat, it was a political struggle, a campaign. We knew it would be decisive for the next 7 years, because the president is elected for a seven-year term. And it's a very long time. Therefore, we didn't want the presidential regime to rule again, but they rigged again and won the election. After the election, my father had no prospects. A group of people came to his house, I wasn't at home at that time. He was taken away then. Afterwards he came back and said he had to go to Tombel. Tombel is the town where I was born. On 19 December 1997 he went to Tombel. Then the news came that he was dead.

- Was he killed?

R: Yes. I was not surprised that he had been killed, because I knew those people. I knew that he had been killed as the head of a clan. I went to Tombel to find out about the details of his death. People from the presidential regime came to me once and told me that I would be killed soon. I didn't stand a chance. I returned to Buea, went to see my sister and told her I couldn't stay there and I had better leave. She gave me the money and I managed to leave with a Russian visa.

- And you went to Russia by air?

R: Yes, to Moscow.

- And what happened next?

R: The Russian visa that I had was a student visa. I arrived in Russia on 5 January 1998. I met many blacks there. I had an invitation from the man who had helped me get the visa, but it wasn't a good invitation. On this student invitation it read Sevastopol. My school was supposed to be there. I went there and gave them the invitation. They looked at it for a long while and said I wasn't on their student roll. It was a fake. I had to stay with some friends. I was accosted by the police. I couldn't do anything. I wanted to go to school, but I didn't have enough money. It cost \$8000, and I had left Cameroon with little money, as I hadn't

had an opportunity to earn earlier. When I was there, my sister sent me \$2000. I enrolled at the school and lived at a hostel. But they kept attacking me on my way back from school, until I decided that I had had enough. There was a time when I wanted to kill myself; after all, I had escaped from my country to save my life, and here I was still hunted and my life was in danger. It was even worse than in my country. I had no money, so I wasn't able to go back home. I was threatened in the streets. Thus, a month had passed, and the friend I was staying with took me to Ukraine. He took me there in a taxi. We lived there for some time. [...]

– **What happened next?**

R: I asked my friend how to get to Poland, how I was to find myself in Poland, because I believed that it was all right there. I knew a little about Poland. I have a friend who lives in Poland. When in Cameroon, I had only known that he lived in Poland, but I hadn't known where. My friend said that Poland was a place one could live in. I asked him to help me get to Poland, because my life would be much, much safer there. He told me that the 'mafia' handled that. The 'mafia' brought me to Poland.

– **How?**

R: By truck, by car, we walked through the forest, too.

– **Could you describe the journey?**

R: First I went by car. Then by truck.

– **Did you travel alone with the driver in the first car?**

R: There were five of us. I and four Vietnamese. One in the front with the driver, and four persons in the back.

– **And then by truck?**

R: Yes, it carried glass.

– **Where did you change vehicles? In Ukraine?**

R: I cannot identify any places.

– **But was it already in Ukrainian territory?**

R: I think so, but I don't know, we travelled by night all the time.

– **Who was in the truck with you?**

R: There were 5 of us all the time. We changed vehicles once again. Then we were dropped off in a forest and we walked for a very long time. My feet hurt terribly. I had wounds on my feet from my shoes.

– **When did it happen?**

R: Last month. We kept walking until we reached another place after a seven-hour march. We arrived there about 5 a.m., somebody had an electronic watch.

– **Does it mean that you crossed the border on foot?**

R: Yes.

– **With four companions and a guide?**

R: Yes. When we arrived, we met another person. And we set off to walk with this new person. We didn't know where we were. We stayed in the forest until the night, the mafioso left us then and went to get some bread for us. We waited for him an hour and a half, and finally I set off alone. Then I saw a town from behind the trees. I was afraid to go there. I didn't know the place. Besides, I was very dirty. I looked like a madman. I had a parcel with bread, sugar and a bottle of water on me. I had been in the forest for almost 10 days. I was so hungry that I ate whatever I could find in the forest. And while I was walking like that, at last I met a group of people. I didn't know what kind of people they were. But I began

watching them. I realised after a while that they were guided by the ‘mafia’, too. I joined them, but they didn’t speak English. These were Afghans and Pakistanis.

– **How many of them?**

R: A lot. They were with children.

– **Yes, but how many were there?**

R: Almost forty-odd, including children. I joined the group and walked with them. I did so because I saw there were some blacks with them, too. They were from Senegal. I didn’t tell them where I had arrived from or where I came from. We sat together for an hour, an hour and a half, two hours. Finally, cars came. They took all and started getting them inside. It was a taxi-bus. Everybody knows what the police look like, and I saw a police car and I was happy. When the police arrived, some started to escape.

– **Were they the Polish police?**

R: Now I know that they were. But at that time I didn’t know that we were in Poland. The policemen began shooting into the air. Perhaps to frighten those who started to escape into the forest. Really, when I saw the police, I calmed down. Because when you have problems and see someone who will ensure your safety, you feel better. Then I learned that I was in Poland, because an inscription on the taxi read ‘Taxi-Warszawa’. I knew that Warsaw was the capital of Poland. Then, 15-20 minutes later, we made it to a police station. The first thing the policemen did was feed us. And then I thought that when I had lived in Russian territory, the police used to accost and harass us. And here, when I was captured in another country which I had entered illegally, they immediately gave me food. Their English was poor. I speak both French and English. They asked me where I came from. I said I was from Cameroon. Then they asked about the others. I said I didn’t know where they came from. I only knew that some were from Afghanistan, that there were people from Africa, from Senegal. Then a woman came. She spoke English. She’s a journalist, she called me and began asking where I came from. I said from Cameroon. She asked how I had got into Poland. But I was a little scared at that time, so I said that I had gone from Cameroon to Nigeria, from there to Chad, then to Algeria, then to Sicily, and then I didn’t know how I had found myself in Poland. I was afraid and that’s why I told a story that wasn’t true.

– **What nationality were the ‘mafia’ people?**

R: It’s difficult, I don’t know. They spoke Russian. The first person who set off with us was Russian. The second and the third were Russians. The fourth was Polish. I heard the language and the language had changed.

– **Did you have to pay them at the beginning of the journey? Or maybe you paid them at each stop, after each stage?**

R: When I set off on that journey I had \$2400. But when they abandoned me, I had no money, because at the second stop they had told us to give them the money. I was afraid, so I gave them the money. I wasn’t able to keep even a single dollar. I gave them everything. The price was \$3000. They agreed that I should give them as much as I had. And that’s how I’ve got into this beautiful, good country, which I like very much, into Poland.

[...]