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BORDER CONTROL CULTURE ON THE POLISH-BELARUSIAN BORDER IN 2021-2023

MATERIAL, NORMATIVE AND SYMBOLIC DIMENSIONS

ABSTRACT In recent years, Poland has faced unprecedented immigration pressure. In addition to the massive influx of war refugees from Ukraine, irregular migrants have challenged the Polish border control. During 2021, the first year of the crisis, the number of unauthorized border crossings made on the Polish-Belarusian border increased by 12.5 times. This led to significant changes in state border policy and border control practices locally implemented by the Border Guard (BG). The assessment of the reaction of the Polish authorities and the BG as a leading actor in this challenge aroused several controversies. Researching legal sources, official media releases and scholarly literature, I argue for a multilayered explanation of how the BG coped with this task. I examine this issue in light of the border control culture (BCC) concept, which makes it possible to embed border control practices in a broader cultural-normative context. I propose a more comprehensive approach to the BCC to show that the main actors in these processes, i.e. BG officers, operate in a specific work environment. It has three components: material, normative, and symbolic. This approach shows that changes in the material artefacts and legal norms referring to border control and ideas and views about the purpose and meaning of the border and the BG service are integral elements of the BCC and can stimulate BG officers to take the desired actions.

Keywords: border control, Border Guard, border control culture, Polish-Belarusian border

INTRODUCTION

In recent years, Poland has experienced unprecedented immigration pressure. In addition to the massive influx of hundreds of thousands of refugees from Ukraine in 2022, irregular migrants have challenged the border control on the Polish-Belarusian border. The flow of irregular immigrants across that border sharply erupted in the second half of 2021 and has persisted, although on a smaller scale, until now. In 2024, three years after the Belarusian regime launched an irregular immigration route to the EU and the application of measures to manage it by the Polish authorities, the situation remains unresolved. Although the scale of detected illegal border crossing on the Polish-Belarusian border is relatively low compared to the number of such cases recorded on other irregular migration routes to the EU, it poses a new challenge for the Polish state and Polish border services.¹

Although the number of foreigners detained to attempt or cross the border illegally on the section with Belarus decisively decreased in 2023,² the BG, nearly every day throughout 2022 to 2024, reported on further disclosed cases of unauthorized crossings of the Polish-Belarusian border or attempting to cross it illegally. In spring 2024, humanitarian organizations continued to raise alarms about groups of exhausted migrants camping on the Belarusian side of the border. In addition, a few thousand foreigners were still detained due to unauthorized crossing (or attempted crossing) of the Polish-German border, part of whom entered Polish territory through the border with Belarus. During the first quarter of 2024, third-country citizens apprehended on the Polish-German border amounted to 512 (57% more than in 2023).³

This article addresses the actions of Polish border services in response to the influx of migrants across the border with Belarus. This issue is situated in research on an integrated system of managing the EU's external borders, including its impact on the nature and functions of these borders. The recent changes that have been taking place in the functioning of the European borders and in carrying out border controls reflect some important aspects of European integration (legal, economic, social, cultural and normative).

My analysis aims to show the functioning of the system of control of the EU's external borders on the Polish-Belarusian section in a crisis associated with an increased influx of irregular immigration. I consider it necessary to indicate how the BG, responsible for the operational dimension of the management of the EU's external borders, copes with the new challenges arising from the launch of a route of unauthorized immigration

¹ The most illegal border crossings to the EU in 2024 were on the Mediterranean routes: the Eastern (69,436 cases) and the Southern (61,092 cases). At the same time, 17,001 illegal border crossings were reported on the Eastern border route, most of them taking place on the border with Ukraine. Frontex, "Annual Brief 2024," 2025, at https://www.frontex.europa.eu/assets/Publications/General/Annual_Brief_2024.pdf, 7 February 2025.

² Komenda Główna Straży Granicznej, "Straż Graniczna. Informacja statystyczna za 2023 r.," Warszawa 2024, at <https://strazgraniczna.pl/download/1/35114/Informacjastatystycznaza2023r.pdf>, 10 July 2024.

³ Komenda Główna Straży Granicznej, "Straż Graniczna. Informacja statystyczna za I kwartał 2024 r.," Warszawa 2024, [on-line] <https://strazgraniczna.pl/download/1/35804/Informacjastatystycznaza1kwartal2024r.pdf>, 10 July 2024.

to the EU by a neighboring country. I examine this issue by applying Ruben Zaiotti's concept of the culture of border control, which initially refers to border control regimes on the European level, and by adapting it to the local level to embed the practices implemented in the Polish-Belarusian border area in the border protection and control field in a broader cultural-normative context. This approach shows that the main actors in these processes, i.e. BG officers, operate in a specific cultural-normative environment, which fundamentally constitutes both the perception of border controls and the understanding of the meaning and functions of the state border. From this perspective, the BG's border control culture (BCC) on the Polish-Belarusian border can be seen as a work (organizational) culture. It encompasses a specific work environment, especially the infrastructure of the border and the guards' equipment and selected organizational elements of the formation (material dimension) and the formal legal norms in force at the workplace and documented, repeated, routinized practices and desired behaviors of officers during everyday control practices (normative dimension). Both are rooted in symbolic assumptions concerning a particular understanding of what a border is and what functions it should perform, expressed in the narratives of the BG management and their superiors (symbolic dimension). This component constitutes a deeper justification for the changes introduced by decision-makers in the years 2021-2023 in the BCC's material and normative dimensions, the impulse of which was the pressure of migration.

The following analyses are conducted based on various types of foundational materials. They can be divided into three groups. In the first one, there are legal sources: national law, EU law and international law, primarily relating to the protection of the state border and the rules and procedures of the BG, as well as court rulings on related matters. The second group includes official media releases of the BG Headquarters (including social media posts) and the Minister of the Interior and Administration, who oversees the formation. The third group of sources includes various types of mediated texts from the rich literature of scholars, experts, and reporters relating to the analyzed issues. They include publicly available media statements and interviews with people cooperating with the BG (e.g., medical services, representatives of aid institutions), residents of the border region who are eyewitnesses to the actions of the BG, activists involved in humanitarian assistance to migrants crossing the Polish-Belarusian border.

1. THEORETICAL AND METHODOLOGICAL ASSUMPTIONS OF THE STUDY

The analysis presented in the paper refers to culturally oriented border studies.⁴ This broad and internally diverse perspective on borders began to develop in the 1970s in response to the cultural turn in the humanities.⁵ At that time, approaches focusing on

⁴ Cf.: H. Donnan, T.M. Wilson, *Borders: Frontiers of Identity, Nation and State*, Oxford–New York 1999; V. Konrad, H.N. Nicol, "Border Culture, the Boundary between Canada and the United States of America, and the Advancement of Borderlands Theory," *Geopolitics*, vol. 16, no. 1 (2011), pp. 70-90.

⁵ J.W. Scott, "Borders, Border Studies and EU Enlargement," in: D. Wastl-Walter (ed.), *The Ashgate Research Companion to Border Studies*, London 2011, pp. 123-142.

legal and politico-social analyses of national borders were supplemented and expanded by socio-cultural approaches to border issues. This involved incorporating constructivist approaches to border studies, analyzing borders in symbolic and imaginary terms as products of discourses and practices about formal borders or as elements of other identity processes. An essential strand within this perspective has become the study of borderlands as physical spaces where social interactions between culturally distinct individuals and communities occur.⁶ As a simplification, it can be pointed out that culture as a variable in border studies can refer to 1) cultural dimensions at borders (culture here becomes one aspect of the structures and functions of borders between states), 2) culture of borderlands communities, 3) cultural borders between groups, i.e. live at borderlands.

The analysis in this article joins the current research on the culture of border communities, focusing on the culture of border control implemented by a specific professional group 'living' from the border, namely the Polish border guards working on the Polish-Belarusian border. The article adopts the notion of a 'culture of border control' proposed by Ruben Zaiotti in his work about the evolution of border control regimes in European integration. According to Zaiotti, a culture of border control is *a relatively stable constellation of background assumptions and corresponding practices shared by a border control policy community*.⁷ Analyzing the functioning of border regimes in Europe from a historical perspective, Zaiotti points to three fundamental types: Westphalia, Schengen and Brussels.⁸ Each of these regimes is characterized by the different roles and functions of international borders and the approaches and methods of conducting border controls. In pointing out the differences between these regimes, the author refers to the concept of the culture of border control. He denotes that the border control community produces the culture of border control, which consists of actors that *share similar background assumptions and participate in common practices in the border control domain*.⁹ These actors have frequent contacts and conduct professional activities that allow them to communicate, exchange opinions, and develop common approaches to issues. This creates an intersubjective reality, characterized by sharing beliefs among its members regarding every day and normative matters. A community of values is formed, and the awareness of the participants' shared identity becomes essential to border control actors equally interpret the reality they find themselves in and understand what

⁶ Cf.: N. Niedźwiecka-Iwańczyk, "Pogranicze," in E. Opiłowska et al. (eds.), *Studia nad granicami i pograniczami. Leksykon*, Warszawa 2020, pp. 283-294.

⁷ R. Zaiotti, *Cultures of Border Control: Schengen and the Evolution of European Frontiers*, Chicago-London 2011, p. 23.

⁸ The Westphalian regime focuses on state sovereignty, territorial integrity, and strict borders for security, with unilateral border policies based on nationalism. In contrast, the Schengen model features semi-linear borders, with transgovernmental and pooled controls shared among EU countries. Although the alternative Brussels model has not replaced Schengen, it emphasizes borders as bridges rather than barriers (which should be eliminated), with shared responsibility and a supranational, multilateral approach. Cf.: *ibid.*, pp. 21-142.

⁹ *Ibid.*, p. 25.

they should do and why. So, the daily practice, the routine of certain control activities, is rooted in assimilated assumptions about the meanings and functions of the border and the control activities implemented on it.

Anna-Maria Sarantaki also uses the analytical framework introduced by Zaiotti to study border control practices implemented at two external EU borders: the Italian maritime border on the island of Lampedusa and the Greek-Turkish land border.¹⁰ She focuses on the role of the supranational border control actor, the Frontex agency. She argues for the growing role of this entity in conducting border controls at the external EU borders. According to her, this results from how borders are justified and how the border and its functions are perceived. She points out that the external border has become common, although we still have national territories in the EU. She describes the assumptions regarding border control at this common, external EU border, pointing to securitization, technocracy, extra-/intra-territorialisation, surveillance and intelligence. She notes that despite differences in border control practices applied at the Greek-Turkish land border and the maritime border at Lampedusa, they share similar practices, such as information collection and analysis, multilateral cooperation, technocracy and professionalization of the service. In this context, the author argues that there is a transition from the Schengen-type culture of border control to a new one, which she calls the Warsaw culture (referring to the location of Frontex headquarters).

Apart from evident differences, in both Zaiotti's and Sarantaki's approaches, the culture of border control is treated as a concept that captures the features common to the Schengen countries (or the EU), forming a system of integrated border management. This approach is intended to accentuate what makes up a unified regime of border controls of EU member states while simultaneously distinguishing the legal, institutional and operational solutions adopted within its framework from others implemented in the previously dominant Westphalian regime.

In my research, I would like to highlight the role of specific actors in the EU border control regime. However, while Sarantaki focuses on the participation of Frontex in these activities and then stresses supranational elements of the BCC, in my research, the key actors are the national authorities responsible for planning, managing and practicing border control on the Polish-Belarus border. Using the concept of the BCC produced and reproduced (and spread) by the border control community, I refer to a specific section of the border and the activities of border services on this section to show the changes that have taken place in the area of everyday control practices and indicate their cultural-normative determinants.

National actors operate under regulations and legal principles from the supranational (relating to the control of the EU's external border) and national levels (and, in principle, these orders should not conflict with each other). However, they carry out their activities in a distinct geographic and social reality of the Polish-Belarus borderland. At the same time, they operate under professional obligations, defined from the level of a central political authority with specific ideas and beliefs about borders and

¹⁰ A.M. Sarantaki, *Frontex and the Rising a New Border Control Culture in Europe*, London 2023.

border controls. The BG is a formation subordinated to the Ministry of the Interior and Administration, which decides on the goals and methods of its operation. What is particularly important for the symbolic dimension is that it builds a narrative defining the profile of this formation and its mission. Therefore, in my research, the term border guard is understood with its political leadership.

I situate Zaiotti's concept of the culture of border control alongside Robert Bierstedt's broad definition of culture.¹¹ Bierstedt noted that *culture is everything people do, think, and have as community members*.¹² This definition can apply to different types of communities of various scales. I apply the definition to the border control domain created on the Polish-Belarusian border in 2021-2023. I recognize this kind of culture as a professional culture of the BG, operating in a specific legal and organizational order as a highly hierarchical uniformed formation. These features are essential for the nature of the BCC produced, reproduced, and enforced in this community.

According to Robert Bierstedt's definition, each culture is divided into three components: material, normative and ideological (symbolic), defining, in turn, human ways of acting, appropriate ways of thinking and all the objects and devices we have and use.

2. WORK ENVIRONMENT AS A MATERIAL COMPONENT OF THE BCC

The material dimension of the border control culture creates physical conditions for the functioning of the other dimensions. It is their base. It consists of various elements of the physical manifestation of the border and the environment through which it runs as well as devices and items used by the BG to conduct border controls.

The Polish-Belarusian border does not have a particularly long history. It dates back to the end of 1991 when Belarus gained independence. It is worth adding that the current line of the border is a part of the previous Polish-Soviet border, which was established after World War II by moving the pre-war eastern border of Poland westward. Currently, this border is four hundred and eighteen kilometers long. It begins with the triple junction of the border with Lithuania in the north and continues until the triple junction with Ukraine in the south. From the North, the border begins at the southern edge of the Augustów Primeval Forest and runs through the upper Czarna Hańcza river valley. Below, it passes through the Biebrza River valley, then it is not far from the Knyszyn Primeval Forest, and finally, it crosses the oldest European virgin forest, i.e. the Białowieża Primeval Forest. In its southern part, the border coincides with the course of the Bug River, which also separates Poland from Ukraine, and it is the most extended section of the natural border in the east. The areas along the border are difficult to cross without special preparation. Many places are wet, marshy and swampy, and high humidity causes frequent fog. Fallen trees, dead branches, numerous streams and backwaters make hiking difficult in the forest complex. Due to the dense forestation of both primeval forests, dusk

¹¹ R. Bierstedt, *The Social Order*, 4th ed., New York–London 1974.

¹² *Ibid.*, p. 129.

falls about an hour earlier than in the open. To sum up, the terrain, natural conditions, and low population in the areas along the border with Belarus mean that these are areas where it is easy to get lost.

There are fifteen border crossings: seven road-crossing points, five rail points, one river crossing, and two simplified border crossings in Białowieża and Rudawka. There were also plans to open another border crossing in Włodawa. This border is the only section of the Polish border, which is also an external EU border, where local border traffic has never been introduced. In 2021-2023 – due to the crisis on this border – apart from the railway crossings, only two road crossings were open (in Kukuryki and Terespol). Other border crossings were suspended as a sanction against Belarus for causing the border crisis.

Until mid-2021, there was no problem of mass unauthorized migration at this border, although people smuggling did occur. However, due to the critical role of this border in the European transit of goods on the East-West line, the activities of the BG were focused primarily on detecting illegal smuggling of excise goods, drugs and other goods prohibited on the EU market.

Before and after 2021, the border was protected by 19 BG posts. However, after the crisis began, additional officers from other BG units were assigned to operations in this section. In autumn 2023, the Polish-Belarusian border was protected by about 4,500 border guards, supported by approximately 500 police officers and 3,000 soldiers.

Due to the migration pressure on the border with Belarus, the formation's command decided to increase recruitment limits for the BG. In the following years, recruitment regulations were also simplified to attract candidates for service, continuous recruitment was implemented, and the upper age limit for candidates was lifted.¹³ Moreover, to keep the most experienced officers in the formation, a special salary supplement was introduced starting in March 2023, vesting after 15 years of service and increasing each subsequent year. At the same time, a special financial allowance was also introduced for those performing direct border protection services.¹⁴ These measures were intended to increase the formation's workforce resources and create additional financial incentives for people to stay in the formation or come to work in the service. A key effect of these changes was a massive generational change of border officers. New border guards entered the service and began conducting border control under new conditions and in different technical and infrastructural circumstances, corresponding to the change in perception of threats to security and policy priorities regarding borders and migration.

Another essential element that has changed the circumstances of the BG's service on the Polish-Belarusian border since the summer of 2021 is the support provided to

¹³ However, in 2021-2023, some officers left the service, mainly retiring after 15 years of service. In 2022, 589 officers left the service, while 870 new officers were admitted. During the first three months of 2023, more than 1,133 guards left the service, and 350 new officers were admitted. M. Rachwałska, "SG ma szansę wyjść na kadrową prostą?", *InfoSecurity24*, 13 March 2023, at <https://infosecurity24.pl/sluzby-mundurowe/straz-graniczna/sg-ma-szansę-wyjść-na-kadrową-prosta>, 12 December 2023.

¹⁴ D. Mikołajczyk, "Straż Graniczna rekrutuje, ale bilans kadrowy na minusie," *InfoSecurity24*, 15 November 2023, at <https://infosecurity24.pl/sluzby-mundurowe/straz-graniczna/straz-graniczna-rekrutuje-ale-bilans-kadrowy-na-minusie>, 11 January 2024.

the formation by military and police units. The support of the BG by the Polish Armed Forces began in July 2021 with the creation of the BORDER Task Force. The first line on the border consisted of soldiers of the operational forces (taking part in constructing a barbed wire fence on a 180-kilometer section of this border). The second line comprised soldiers of the Territorial Protection Force. In August 2021, approximately 1,000 soldiers were delegated tasks on the border.¹⁵ In November 2021, it was reported that the BG was already supported by nearly 15,000 soldiers on this border section.¹⁶ The pool of tasks of military units was also increased. The army was tasked with helping the BG in counteracting the spread of illegal immigration by conducting surveillance, patrol and reconnaissance activities in the border areas. The tasks carried out by the Territorial Protection Force soldiers included performing duties at observation posts along the border and conducting foot patrols in the border zone independently and with the BG.¹⁷ In addition to foot patrols, the army conducted air patrols using drones, both at night and during the day, and helicopters.

In 2022, the commitment of military forces was reduced, but in mid-2023, following the BG's appeal for more support due to increased immigration pressure and the appearance in Belarus of military units of the so-called Wagner Group, the number of soldiers stationed along the Polish-Belarusian border was increased to 4,000.¹⁸ Together with numerous military forces, military equipment appeared on the border, including armored vehicles, transport vehicles, light off-road vehicles for long-range reconnaissance, and light intervention vehicles. The soldiers were also equipped with thermal imaging systems and night vision equipment, permanently used by the BG officers.

In addition to soldiers, the BG also received support from the Police. Police officers were directed, in particular, to control persons entering and leaving the area under the state of emergency in force along the border. After lifting the state of emergency on 30 November 2021, authorities maintained a ban on staying in the designated border zone, which was kept until the end of June 2022. After that, the presence of additional police troops was reduced. Police officers were again directed to the border with Belarus in the summer of 2023. In September 2023, a spokeswoman for the BG reported that protecting the Polish-Belarusian border from the influx of irregular immigration involved approx. 500 police officers.¹⁹

¹⁵ "Żołnierze wspólnie z funkcjonariuszami Straży Granicznej dbają o bezpieczeństwo granicy," *MON*, 31 August 2021, at <https://www.gov.pl/web/obrona-narodowa/zolnierze-wspolnie-z-funkcjonariuszami-strazy-granicznej-dbaja-o-bezpieczenstwo-granicy>, 20 July 2023.

¹⁶ K. Kostrzewa, "Wiceszef MON: sytuacja na granicy jest trudna. 15 tysięcy polskich żołnierzy na granicy," *PAP*, 13 November 2021, at <https://www.pap.pl/aktualnosci/news%2C999051%2Cwiceszef-mon-sytuacja-na-granicy-jest-trudna-15-tysiecy-polskich-zolnierzy>, 20 July 2023.

¹⁷ "Rocznica wsparcia SG przez WOT w ochronie granicy RP," *WojskoPolskie.pl*, 2022, at <https://www.wojsko-polskie.pl/1bot/articles/aktualnosci-w/rocznica-wsparcia-sg-przez-wot-w-ochronie-granicy-rp/>, 10 February 2025.

¹⁸ E. Korsak, "Więcej wojska na wschodnią granicę," *PolskaZbrojna.pl*, 28 June 2023, at <https://polskazbrojna.pl/home/articleshow/39870?t=Wiecej-wojska-na-wschodnia-granice>, 10 February 2025.

¹⁹ "Granica polsko-białoruska. Rzeczniczka SG o tym, skąd w puszczy biorą się cegły," *PolsatNews.pl*, 22 September 2023, at <https://www.polsatnews.pl/wiadomosc/2023-09-22/granica-polsko-bialoruska-rzeczniczka-sg-o-tym-skad-w-puszczy-biora-sie-cegly/>, 20 July 2024.

In addition to the involvement of additional services in protecting the border with Belarus and countering irregular immigration, the changes in the conditions under which the BG exercised its authority in 2021-2023 were primarily influenced by the fortification of the borderline. Until 2021, the Polish authorities did not maintain any physical barriers along this border apart from the infrastructure at border crossings. It is worth noting that on the Belarusian side, in many places on the green sections of the border, barbed wire and a ploughed strip of land dating back to the Soviet era have been preserved. Construction of the fence began in the summer of 2021. Initially, barbed wire coil entanglements were laid along the border, modified as of August to provide a more permanent fence. It was decided to use razor wire fencing, which was easy and quick to install, with coils laid 2.5 meters high, one on top of the other, between metal posts. However, as early as October 2021, it was announced that this fence would be replaced by a steel barrier supported with electronic solutions. This barrier was built in the first half of 2022 along a distance of 187 km. It is a 5.5-meter-high structure topped by a coil of razor wire at the top. In the following months, this dam was equipped with cameras and motion sensors, facilitating constant monitoring of the situation along the border and thus making it more difficult for unauthorized crossings. A road for patrol vehicles and numerous access roads were also built along this dam, facilitating the movement of border services near the border.

All these changes to the work environment, introduced from mid-2021 to the present, resulted in a comprehensive focus of the BG's activities on combating illegal migration. The target was preventing attempts to cross the border, detecting people who had already crossed the border illegally, and combating smuggling services. The number of BG officers on this section of the border was increased, and the army and police were included in implementing some of these activities. New staff resources, including implementing mixed teams (consisting of soldiers and border guards), anonymized the officers' work environment and resulted in mutual suspicion, thus strengthening unconditional compliance with new regulations and orders from superiors. In addition, the inclusion of military formations in the implementation of control tasks, the daily use of military equipment (including equipping the BG with long weapons), and the installation of fences along the border resulted in the militarization of the work environment of the border officers.

3. NORMATIVE COMPONENT – LEGAL AND PRACTICAL NORMS

The BCC's normative dimension is formed by norms and values²⁰ defining BG officers' rules of conduct. First, from the perspective of BG's daily activities, norms that create obligations for certain control activities (prescriptive norms) and obligations to refrain from prohibited activities (proscriptive norms) are important. This is because

²⁰ Norms and values are understood here as cultural rules for human actions. Norms regulate the choice of means, ways or methods of action, while values refer to the goals the actions are intended to serve. P. Sztompka, *Socjologia. Analiza społeczeństwa*, Kraków 2007, pp. 258-259.

the normative pattern of the border control community is formed not only by actions burdened with the suggestion of duty (proper actions) but also by actions that are prohibited (forbidden). At the same time, the intensity of the duty factor is also essential, making it possible to indicate not only what is directly ordered or prohibited (legally) but also acquiesced (albeit informally) or preferred.²¹ This is expressed in the types of sanctions (punishments and rewards) applied by superiors (or, in the opinion of officers) to certain acts to reinforce specific rules of conduct.

The primary legal act that defines the tasks of the BG, as well as the scope of powers of its officers, is the Act of 12 October 1990 on the BG.²² Along with modernizing this service and the Europeanization of border management, this Act has been amended several times. Currently, the tasks of the Polish BG include protecting the state border on land and sea; organizing and carrying out border traffic control; preventing and counteracting illegal migration; issuing permits to cross the state border (including visas); recognizing, preventing and detecting crimes and offences and prosecuting their perpetrators in matters appropriate to the BG; ensuring safety in international communication and public order within the territorial range of the border crossing, and within the jurisdiction of the BG - also in the border zone; conducting security checks; cooperating with other authorities and services in identifying and countering threats of terrorism; protecting the integrity of signs and equipment used to protect the state border; processing information, including personal data, in the field of state border protection, border traffic control, prevention and counteraction of illegal migration. Following the provisions of this law, the BG performs tasks arising from the provisions of EU law and international agreements and treaties on the principles and to the extent specified therein. This implies adherence to the provisions contained in the Schengen Borders Code and other acts of EU law relating to the management of the external and internal borders of the EU, as well as common measures adopted in the area of asylum and immigration policy.

Following the Border Guard Act, in carrying out the above-mentioned tasks, BG officers primarily perform border duty, conduct border operations, and carry out operational and exploratory activities and administrative and law and order activities.²³ All these formal regulations specifying the tasks of the BG translate into routine, standard procedures and practical activities. They include:

- police border control (policing tactics: foot patrols, road blocking, etc.),
- militarization of border control through the use of military equipment such as drones, helicopters, and heavy vehicles,
- the use of physical barriers to facilitate border protection,
- information collection and risk analysis,
- cooperation with a neighboring country, Frontex, and other Schengen countries.

As of summer 2021, cooperation on border protection with Belarus was impossible. The services of the Belarusian regime not only withdrew from effective control of the

²¹ Ibid., p. 259-261.

²² Ustawa z dnia 12 października 1990 r. o Straży Granicznej, tekst jedn.: Dz.U. z 2024 r. poz. 915.

²³ Ibid.

border but also actively participated in organizing the illegal migration route to the EU. Whereas the actions of Belarusian border guards were aimed at hindering the activities of the Polish BG, unfriendly state relations with Belarus and Russia limited intelligence activities regarding the migration route and smuggling activities outside Polish territory. In this situation, BG intensified its activities on the Polish side of the border, such as surveillance of border communities.

It should also be emphasized that in the face of the migration pressure, the Polish authorities, unlike the Lithuanian authorities, did not request Frontex for support in border control. The Minister of Interior and Administration argued that the Polish services are professional enough and well-prepared, and they can cope with this challenge independently. This political rhetoric was rooted in the intergovernmental strand of the Polish government about EU migration policy. While the Polish authorities demanded higher EU financial support for controlling the EU's eastern borders, they strongly opposed including Frontex officers in operational activities at the border. The European Council on Refugees and Exiles (ECRE) noted that Poland ignored the pressure of the European Commission to deploy Frontex officers on the border with Belarus and that this could suggest the Polish government's concerns about limiting the activities of national border services if such Frontex support were to occur.²⁴

While carrying out their duties, BG officers are obliged to be faithful to the oath rote, which includes the obligation to strictly observe the principles of the Constitution of the Republic of Poland²⁵ and the applicable legal order, as well as to observe official discipline (Article 33 of the Act²⁶). In the event of refusal or failure to carry out an order or command of a superior and in a situation of failure to comply with the obligations arising from the oath taken and the provisions of the laws, an officer is subject to a disciplinary offence. At the same time, an officer is obliged to refuse to execute an order or other command if its execution involves committing a crime. In addition, in exercising all their powers, BG officers – according to Article 9, pos. 5 of the Act – *are obliged to respect the dignity and observe the freedoms and rights of human beings and citizens.*²⁷ Concerning the protection and crossing of the EU's external borders, the recognition of the right to asylum (entrenched in EU primary law) and the need to respect the *non-refoulement* principle, as defined in the Geneva Convention of July 28, 1951, and reaffirmed in Article 78 of the Treaty on the Functioning of the European Union, are considered particularly important in this aspect.

²⁴ European Council on Refugees and Exile, *EU Eastern Borders: Poland Ignores Commission Pressure for Frontex Deployment, Eastern States Move to 'Legalise' Pushbacks, Belarus Suspends Return Agreement*, 8 October 2021, at <https://ecre.org/eu-eastern-borders-poland-ignores-commission-pressure-for-frontex-deployment-eastern-states-move-to-legalise-pushbacks-belarus-suspends-return-agreement/>, 10 December 2024.

²⁵ In this context, Article 56 (1) of the Constitution is highly important. It recognizes the right to seek asylum in Poland in accordance with international agreements to which Poland is a party. Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r., Dz.U. z 1997 r. Nr 78, poz. 483.

²⁶ Ustawa z dnia 12 października 1990 r. o Straży Granicznej...

²⁷ Ibid.

From the very first weeks of increased migration pressure on the Polish-Belarusian border in 2021, the actions of the BG raised concerns relating to non-compliance with the law (national, EU and international law). An example of this was the events unfolding near the borderline (close to the village of Usnarz Górny) in August-September. There was a group of migrants held in a small area between cordons of Polish officers on one side and Belarusian officers on the other, who also blocked their withdrawal into the territory of Belarus. Polish services argued that the migrants were in the territory of the opposing side and that there was no consent to let them into Poland and apply for international protection. For about a month, Polish officers prevented medical and humanitarian aid from reaching the migrants from Polish territory. This was the first publicized example of the BG's failure to respect the right to asylum and the basic principles of humanitarianism.²⁸

Another example of lawbreaking was the violation of the principle of *non-refoulement* against a group of migrants, among whom were several minor children. These individuals were detained on Polish territory on September 27, 2021, having unauthorizedly crossed the border, and then taken to the BG post in Michałów. From there, as reported by NGOs and the media, the migrants were taken to the border and pushed back to Belarus.²⁹ The BG did not admit to the expulsion of these persons from the country, and at the same time, the presence of these persons in any of the country's migrant centers was not reported.

The government introduced several significant legal changes to the possible (and permissible) BG's activities to legalize the automatic expulsion of foreigners detained on Polish territory after crossing the border unlawfully. These changes disregard the migrants' reported willingness to apply for international protection in Poland.

First of all, Poland's authorities introduced changes to relevant domestic laws on migration and asylum, namely the Act on Foreigners of 12 December 2013 and the Act on granting protection to foreigners within the territory of Poland of 13 June 2003. On 20 August 2021, the Minister of the Interior and Administration amended the above-mentioned acts by issuing a decree adding new provisions allowing the removal of persons who had crossed the border outside official procedures and for the return back to the State border of persons found at border crossing points where border traffic has been suspended. The decree did not provide exceptions for persons seeking

²⁸ On 12 February 2025, the trial before the European Court of Human Rights began in the case against the Polish government accused of violating the human rights of migrants from Afghanistan detained at the Polish-Belarusian border near Usnarz Górny. Given the significance of the accusations made against Poland of violating fundamental human rights, it was decided that the trial would be conducted before the Grand Chamber (by 17 judges) and not before the Chamber of the Court (composed of 7 judges). M. Chołodowski, "Sprawa uchodźców przetrzymywanych w Usnarzu przed Europejskim Trybunałem Praw Człowieka," *Wyborcza.pl*, 13 February 2025, at <https://bialystok.wyborcza.pl/bialystok/7,35241,31685762,sprawa-uchodzcow-przetrzymywanych-w-usnarzu-przed-europejskim.html>, 13 February 2025.

²⁹ A short time later, photos from a makeshift encampment on the Belarusian side reached the public, among which children formerly placed at the Border Guard outpost in Michałów were recognized.

international protection, thereby significantly limiting the ability of foreigners irregularly entering Polish territory to apply for international protection.³⁰

As a result of a legal challenge to this regulation by the Ombudsman and the legal representative of a large family pushed by the BG to Belarus in September 2021, the Provincial Administrative Court ruled that the act was unconstitutional and in conflict with national acts of a higher order and international agreements binding Poland.

In this situation, the government authorities decided to change the regulations (including the legalisation of push-backs) by statutory means. The changes were adopted on October 14, 2021 (the so-called 'Expulsion Act') and entered into force on October 26, 2021. Thanks to them (introduced in the Act on Foreigners), the Commander of the BG gained the power to order the immediate detention and expulsion of any person who did not cross the border at the official border crossing. *Although the decision on expulsion could be appealed to the Commander of the BG, the complaint did not have a suspensive effect; as a result, the orders were immediately enforceable and included a ban on re-entry into Poland and the entire Schengen area for a period of six months to three years, regardless of protection needs.*³¹ In practice, these changes enabled Polish BG to almost automatically return migrants apprehended while trying to enter Poland outside official border crossings directly back to the border. This resulted in limited opportunities for people detained in the border area to apply for asylum.³² Complaints submitted by the Ombudsman and migrants' representatives to the Provincial Administrative Court in Białystok as a result of such actions of the BG show that unaccompanied minors and disabled persons were also subject to expulsion.³³

Secondly, the Polish authorities introduced a state of emergency in borderland, which entailed several restrictions on citizens' rights. The key prohibited all persons except residents and those working in the area from staying in the zone covered by the state of emergency. Entry to the zone was controlled. Foot and motorized patrols armed with long sharp weapons were deployed throughout the zone, with soldiers from the Territorial Defence Forces and other uniformed services in addition to BG officers.

³⁰ The OSCE issued a critical opinion on this regulation, noting that it raises concerns about a serious limitation of Poland's international legal obligations regarding asylum and other forms of international protection. OSCE, *Urgent Opinion on Draft Amendments to the Aliens Act and the Act on Granting Protection to Aliens on the Territory of the Republic of Poland and Ministerial Regulation on Temporary Suspension of Border Traffic at Certain Border Crossings*, 2021, at https://www.osce.org/files/f/documents/3/3/498252_0.pdf, 22 October 2023.

³¹ F.G. Morales, *A/HRC/53/26/Add.1: Visit to Poland. Report of the Special Rapporteur on the Human Rights of Migrants*, UN General Assembly, Human Rights Council – Fifty-third session, 19 June – 14 July 2023, p. 6, at <https://documents.un.org/doc/undoc/gen/g23/076/74/pdf/g2307674.pdf>, 24 November 2023.

³² European Council on Refugees and Exiles, *Seeking Refuge in Poland: a Fact-finding Report on Access to Asylum and Reception Conditions for Asylum Seekers*, 2023, at https://hfhf.pl/upload/2023/04/seeking_refuge_in_poland.pdf, 11 January 2024.

³³ Wojewódzki Sąd Administracyjny w Białymstoku, "Wyrok w imieniu Rzeczypospolitej Polskiej," *Biuletyn Informacji Publicznej RPO*, 2022, at https://bip.brpo.gov.pl/sites/default/files/2022-10/uzasadnienie_wsa_bia%C5%82ystok_pushback_15.09.2022.pdf, 22 November 2023.

Initially, the ban was for 30 days and then extended for another 60 days. After November 30, 2021, when the state of emergency ended, a temporary ban on staying in a specific area in the border zone came into force (and last until the end of June 2022). The introduction of a state of emergency at the borderland significantly limited independent institutions (including the media) from accessing information about the actual situation on the border. This made it impossible to document events on the border and verify the BG spokesman's announcements and, thus, any public control over the activities carried out in the zone by BG and other services. In the zone, recording and photographing objects and areas covering the border infrastructure was utterly forbidden, including images of BG officers, police, and soldiers. In addition, while performing official duties, the BG was allowed to cover their faces and use uniforms devoid of insignia. Officers were also allowed to use unmarked vehicles. Citing security considerations, access to public information about activities in the emergency zone related to border control and countering illegal migration was also restricted. These provisions gave BG officers greater freedom in carrying out their tasks and anonymity when performing certain activities. The anonymity of BG officers was crucial because of repeated allegations that officers acted unethically and inhumanely toward migrants, especially children, women and people with disabilities. It was also important because of the peculiarities of local border environments (where everyone knows everyone else) and to reduce possible moral doubts among BG officers forced to carry out orders with which they did not necessarily agree.

It should be noted that humanitarian organizations, including those with experience in helping in situations of armed conflict (such as the Polish Centre for International Aid or Doctors Without Borders), were also banned from entering the zone. This severely restricted the provision of assistance to immigrants in life and health-threatening situations.³⁴ This ban was in force until March 1, 2022, when some restrictions were liberalized, allowing the media to enter border areas, although to a limited extent and under the control of the BG. These regulations were abolished on July 1, 2022, leaving only a temporary restriction on staying within 200 meters of the borderline.

Due to the restrictions imposed on the border area, access to reliable information on the scale of unauthorized immigration, the profile of immigrants crossing the Polish border, or the control practices implemented by BG officers was severely limited. Messages issued by the BG spokeswoman focused exclusively on laconic, quantitative information about often aggressive immigrants detained after illegally entering the Polish territory or stopped from crossing the border.

Thus, all reports and communiqués published on the websites of national (including local) aid organizations are an important source of information on the practices of the

³⁴ The ban was criticised by Dunja Mijatović, the Council of Europe's Commissioner for Human Rights, who came to Poland in the autumn of 2021 to review the situation personally on the border with Belarus. See: Commissioner for Human Rights, *Commissioner Calls for Immediate Access of International and National Human Rights Actors and Media to Poland's Border with Belarus to End Human Suffering and Violations of Human Rights. Report for Council of Europe*, 2021, at <https://www.coe.int/en/web/commissioner/-/commissioner-calls-for-immediate-access-of-international-and-national-human-rights-actors-and-media-to-poland-s-border-with-belarus-in-order-to-end-hu>, 9 November 2023.

BG while patrolling the border. They are complemented by numerous statements and media interviews given by activists (who help immigrants), medics, translators, social welfare workers, volunteers in the centers for foreigners, residents of border areas, and immigrants themselves. Remembering the subjective nature of these statements and interviews, often based solely on personal, individual experiences (as in the case of the migrants' narratives), it is worth paying attention to the image of control practices carried out by the BG that emerges from them.

First of all, from the beginning of the crisis, the actions carried out by the BG were aimed at preventing the admission of immigrants to Poland, understood as the inclusion of these people in asylum procedures that would result in the possibility of them residing in Poland. This included a wide range of measures, from closing almost all border crossings with Belarus (and de facto making it difficult to cross the border legally) through the fortification of the borderline, increased patrols along the border, intensive surveillance of the border area to detect cases of irregular migration, to not accepting declarations from immigrants on their intention to apply for protection in Poland, turning them back to the border and pushing them to the Belarusian side regardless of their age, gender, health status and reasons for migration. In the opinion of witnesses and the migrants, the officers committed reprehensible acts in this regard, inconsistent with ethical and humanitarian principles. These included:

- ignoring 'interim measures' ruled by the European Court of Human Rights,
- carrying out push-backs at night, during harsh weather conditions (temperatures below zero), pushing migrants back across the border in the middle of the forest, in hard-to-reach places,
- pushing into Belarus families with children and unattended children, visibly pregnant women, people with disabilities,³⁵
- ignoring the health situation of immigrants, including hypothermia, dehydration, internal injuries, urinary tract and respiratory infections or limb injuries,³⁶
- separating families during deportations,³⁷
- destroying immigrants' cell phones, depriving immigrants of their personal belongings,³⁸

³⁵ A. Pałęcka, "Przemoc państwa i działania oddolne: Raport Fundacji Ocalenie z kryzysu humanitarnego na pograniczu polsko-białoruskim," *Fundacja Ocalenie*, 2022, at https://ocalenie.org.pl/wp-content/uploads/2022/04/raport-fundacji-ocalenie-z-kryzysu-humanitarnego-na-pograniczu-pl-by_1kor-1.pdf, 19 November 2023.

³⁶ Interviews with doctors from hospitals where seriously ill migrants were taken showed that the BG did not have standardized, transparent and objective procedures for dealing with such people. Doctors noted that at the beginning of the border crisis, BG brought migrants to hospital often, even with moderate health conditions. However, since October 2021, fewer migrants have been admitted, usually in severe conditions. Hospitalization and care frequently depended on the BG facility the migrants were brought from, showing inconsistency and arbitrariness in the treatment of sick migrants by officers. Cf.: M. Pietrusińska, N. Gebert, *Leczymy uchodźców. Raport oparty na relacjach pracowników przygranicznych placówek służby zdrowia*, Warszawa 2021.

³⁷ Cf.: U. Glensk, *Pinezka. Historie z granicy polsko-białoruskiej*, Wołowiec 2024, pp. 210-211.

³⁸ In February 2024, the prosecutor's office opened an investigation after the remains of about 80 burned phones and passports were found in a barrel at a border post in Dubicze Cerkiewne.

- use of verbal and physical violence against immigrants while pushing them across the border.³⁹

As noted above, these accounts were not isolated, and their credibility is also confirmed by court judgments that were issued in cases involving abusing power by border officers. This is exemplified by the judgment of the District Court in Bielski Podlaski VII Judicial Department in Hajnówka of 28 March 2022 (case no VII Kp 203/21), which found unjustified, illegal and improper detention of two foreigners by the BG Post officers in Narewka.⁴⁰

It should be emphasized that these actions were a direct or indirect result of the methods of conduct imposed by superiors in contact with migrants (including verbal orders) and, more importantly, methods sanctioned in new national legal regulations. Such a situation could lead to a conflict of values between, on the one hand, the obligation to carry out an official order in the name of state security and, on the other hand, the individual beliefs of officers about the need to assist people in need. Eyewitness accounts of events at the border indicate that in the first weeks of the crisis, officers often felt remorse for carrying out orders ordering inhumane practices towards immigrants, frequently used sick leave (to avoid participating in these practices), some officers took early retirement, others changed their profession (especially women).⁴¹ However, from the accounts of border residents and people involved in supporting migrants on the Polish-Belarusian border, who have frequent contact with the border guard, a whole repertoire of strategies and attitudes adopted by officers towards the new type of control activities emerges. In addition to the gradual accustoming of officers to the humanitarian crisis and indifference to the fate of migrants, some accounts also indicated the emergence of attitudes of gaining the favor of superiors by using methods that were ethically reprehensible but effective in limiting the chances of migrants to cross the border again (depriving migrants of telephones, clothes, shoes and even water). It was

³⁹ These issues are documented in numerous field research reports and monitoring reports conducted by advocacy organisations, such as: P. Sadura, S. Urbańska, “Tam, gdzie ich zabierają i ‘gonią’ z powrotem”, *Krytyka Polityczna*, 5 October 2021, at <https://krytykapolityczna.pl/kraj/reportaz-badawczy-sadura-urbanska-granica-uchodzcy-wojsko-polisja-straz-graniczna>, 19 October 2023; W. Klaus (ed.), “Kryzys humanitarny na pograniczu polsko białoruskim. Raport,” *Grupa Granica*, 2021, at <https://monitorkonstytucyjny.eu/wp-content/uploads/2021/12/Raport-GG-Kryzys-humanitarny-na-pograniczu-polsko-bialoruskim.pdf>, 17 October 2023; Human Rights Watch, *Die Here or Go to Poland. Belarus’ and Poland’s Shared Responsibility for Border Abuses*, 24 November 2021, at <https://www.hrw.org/report/2021/11/24/die-here-or-go-poland/belarus-and-polands-shared-responsibility-border-abuses>, 17 October 2023; K. Czarnota, M. Górczyńska, “The Lawless-Zone – 12 Months of the Polish-Belarus Border Crisis,” *Helsinki Foundation for Human Rights. Poland*, 2022, at <https://hfhr.pl/en/publications-7798/the-lawless-zone--12-months-of-the-polish-belarusian-border-crisis>, 9 November 2023.

⁴⁰ Helsinki Foundation for Human Rights, *Helsinki Foundation for Human Rights’ Legal Brief on Judgements in Cases Involving the Expedited Returns of Migrants to Belarus. Report*, 2022, at <https://hfhr.pl/upload/2022/12/hfhr-legal-brief-on-push-back-judgements-eng.pdf>, 26 February 2024.

⁴¹ Cf.: an interview with Maciej Żywno, member of the Polish Parliament, former Podlaskie Voivode and Vice-Marshal of the Podlaskie Voivodeship, involved in helping migrants on the Polish-Belarusian border, in the book by M. Grynberg, *Jezus umarł w Polsce*, Warszawa 2023, pp. 123-132.

reported that some of the more ruthless behaviours sometimes resulted from informal obligations suggested by superiors as a condition for accelerating professional advancement or obtaining other rewards and preferences (such as favorable working hours). Moreover, it should be remembered that some border guards may have shared the need to introduce stricter measures at the border, including those violating ethical norms and human rights, justifying this with the narrative of hybrid warfare and migrants as a threat to state security, shared in public media, government communications, and repeated by high-ranking BG representatives.⁴²

4. SYMBOLIC COMPONENT

The BCC's last component is the symbolic one, i.e., the set of dominant beliefs, views and ideas characteristic of the border control community. It constitutes a system of meanings and senses that create justifications and thus regulates the actions of this community (articulated in legal and organizational norms) and can stimulate BG officers to take the desired actions.

Concerning the BCC, the key elements that create the symbolic component refer to dominant background assumptions about the purpose and meaning of the work performed by the actors of the border community. As Sarantaki points out, these assumptions arise from beliefs about the state border and its functions.⁴³ These beliefs and values form the rationale for officers' implementing specific border control practices and desired behaviors in the field of border control.

The meanings and values attributed to the border and beliefs related to the goals and meanings given to border officers' work are already transmitted at the training stage. At the stage of preparation for service and professional training, and then training carried out during service, (future) officers familiarize themselves with and assimilate the entire system of meanings that form the foundation of the BCC. Its idealistic manifestation is the oath those who begin work in the BG take. The words of the oath contain several essential beliefs and interpretations of the border and the functions it performs. First, the border expresses the sovereignty of the state and nation, and its inviolable nature is the foundation of independence. The BG is to obey this order, and this service – not work – is to be performed conscientiously, even with a willingness to risk one's life to defend the border.⁴⁴ Although this rhetoric seems more in line with the military-type service than the police-type service that the BG⁴⁵ currently is, it should be

⁴² K. Fiałkowska, "Obsesja systematyzacji – czyli co o migracjach sądzi Straż Graniczna, ustami swojego generała na wykładzie inauguracyjnym," *BBNG*, 2022, at <https://www.bbng.org/obsesja-systematyzacji>, 11 January 2024.

⁴³ A.M. Sarantaki, *Frontex...*, p. 82.

⁴⁴ The text of the oath BG officers took before joining the service is specified in Article 33 of the Border Guard Act. Cf.: Ustawa z dnia 12 października 1990 r. o Straży Granicznej...

⁴⁵ The Polish Border Guard is a uniformed police formation. However, in extraordinary situations, e.g. during war, BG officers can be militarised and subordinated to the armed forces.

emphasized that it is part of the thinking about the need to protect the border as a fundamental patriotic duty that border guards can be proud of performing. The patriotic narrative about the work of BG officers, emphasizing sacrifice for the homeland, has been present in the statements of the Ministry of Interior and Administration (MIA) management since the beginning of the border crisis. Already in August 2021, Minister Mariusz Kamiński, the head of the MIA, drew the attention of all officers, saying that *a unique time of trial has come for you, increased effort* and appreciated the fact that for several weeks, BG officers *have been resisting the migration pressure on the Polish-Belarusian border*.⁴⁶ In the minister's message, *guarding the security of Poland and Poles* appeared as an expression of devotion and sacrifice for the homeland. To the service of border guards and assure them of the correctness of the actions taken on the Polish-Belarusian border, the Prime Minister recalled that Poland belongs to the group of countries that protect their borders. Referring to the tradition of fighting for independence, he thundered against the background of the wall being built along the border that *the Polish border is sacred*.⁴⁷

It is worth remembering that before 1990, the BG was a military formation with several achievements in the defence of Polish borders, especially after Poland regained its independence in 1918. Today, it is a formation for the protection of public security and order, which also has the exclusive powers of an immigration service. The challenges that border officers face daily are predominantly offences related to violations of regulations on the conditions under which persons and goods can cross borders and the conditions of stay and work that foreigners must meet to reside in the territory of a country legally. However, the BG also copes with serious organized cross-border and international crimes, such as organized smuggling of goods (including weapons, drugs or radioactive materials) and smuggling and trafficking of human beings. Along with the crisis on the border with Belarus, *illegal immigration*⁴⁸ was also classified by the management of the MIA (and the Polish government) as a type of serious offence that threatened Poland and Polish citizens. The authorities emphasized in their communiqués that *the government of Law and Justice has opposed illegal and uncontrolled migration from the beginning, Poland does not consent to the entry of people into our country who may be a threat to our citizens*.⁴⁹

⁴⁶ "List Ministra Mariusza Kamińskiego do Funkcjonariuszy Straży Granicznej," *MSWiA*, 13 August 2021, at <https://www.gov.pl/web/mswia/list-ministra-mariusza-kaminskiego-do-funkcjonariuszy-strazy-granicznej>, 10 III 2023.

⁴⁷ "Powstaje zaporą na granicy polsko-białoruskiej," *MSWiA*, 16 February 2022, at <https://www.gov.pl/web/mswia/powstaje-zapora-na-granicy-polsko-bialoruskiej>, 10 March 2023.

⁴⁸ In the messages of the management of the MIA and the BG, people attempting to cross the Polish-Belarusian border, regardless of the circumstances of their actions and the individual situation of these people, were consistently referred to as 'illegal immigrants'. Humanitarian and human rights organizations drew attention to the serious difficulties in the possibility of these people legally crossing the border due to the closed border crossings (except Terespol) and the refusal of the Polish BG to accept applications for international protection, the legal and factual dependence of migrants on the Belarusian services, and their poor treatment by officers of the Belarusian regime, violating health and life.

⁴⁹ "Działania polskich służb na granicy polsko-białoruskiej," *MSWiA*, 18 August 2021, at <https://www.gov.pl/web/mswia/dzialania-polskich-sluzb-na-granicy-polsko-bialoruskiej>, 10 March 2023.

The authorities consistently maintained the message about BG officers as defenders of the homeland, safeguarding Polish independence and sovereignty, and protecting the safety of Polish citizens throughout the period 2021-2023. The Prime Minister and the head of MIA have repeatedly come to the Polish-Belarusian border in person with encouraging messages intended to give support and motivate officers to continue their efforts to ensure the tightness of the border and fight irregular migration despite the serious allegations made against them about violating fundamental human rights and inhumane treatment of migrants.⁵⁰ Direct superiors – such as the BG Commander – have also convinced the guards of the correctness of the solutions introduced on the Polish-Belarusian border and solidarity towards all subordinates who implement these new regulations.⁵¹ This narrative about the need to (re)secure the border and the duties of the BG as defenders of Poland's security was disseminated as part of the government propaganda campaign expressing solidarity with border officers and other services. The campaign was carried out particularly intensively in the border areas with Belarus through a billboard campaign and agitation in schools and cultural centers, supported by the national media.⁵² As some scholars pointed out, all these actions and authorities' rhetoric used the patriotic frame to justify the violence and repression present at the border control practices since the middle of 2021.⁵³

The authorities have consistently maintained that the new solutions in the field of border protection and control, including in particular the introduction of a state of emergency, the inclusion of military units in the tasks of border protection and countering irregular migration, and the construction of fortifications along the borderline, which strengthen the militarization of border control practices and the BG formations themselves, are a response to the 'hybrid war' triggered by the Lukashenko regime supported by the authorities of the Russian Federation. According to the authorities, this extraordinary state of threat, de facto 'war', required introducing extraordinary measures. On the one hand, it justified restricting the rights of border residents

⁵⁰ "Premier Mateusz Morawiecki o sytuacji na granicy z Białorusią," *Polsatnews.pl*, 6 December 2021, at <https://www.polsatnews.pl/wiadomosc/2021-12-06/sytuacja-na-granicy-z-bialorusia-konferencja-premiera/>, 22 August 2023.

⁵¹ The BG Commander declared: *I promise that we will always stand behind the officers and defend them. Because it is our fault that we are faithful to the words of the oath?* "Ochrona granicy polsko-białoruskiej w czasie stanu wyjątkowego," *MSWiA*, 6 September 2021, at <https://www.gov.pl/web/mswia/ochrona-granicy-polsko-bialoruskiej-w-czasie-stanu-wyjatkowego>, 7 November 2023.

⁵² The authorities initiated a nationwide campaign which included billboards supporting and thanking the BG for its service (banners with the popular slogan in support of the uniformed services, *We stand firmly behind the Polish uniform*, were hung on local buildings – churches, offices and public places), a concert broadcast on public television was organized to thank the officer for his work, and kindergartens and schools – especially in border regions – were encouraged to prepare cards from children and send them to BG posts. All these actions had the intention to give the impression that everyone, without exception, supports extraordinary measures adopted at the border region.

⁵³ J. Stracuk, "'Hybrid War', Military Humanitarianism, and Epistemic Friction. Framing Illegalised Migration on the Polish-Belarusian border," *Journal of Ethnic and Migration Studies*, vol. 50, no. 16 (2023), pp. 4234-4252.

and citizens to reliable, media-verified information and stay in the border zone. On the other hand, by referring to the emergency, it rationalized the anonymity that officers gained during their activities (covered face, uniform without a personal identification tag, service vehicles with covered license plates) and the secrecy of most information regarding the activities carried out by the services. The introduction of these exceptional measures based on the logic of exceptionalism was also accompanied by securitization practices in the form of specific speech acts used in the authorities' narrative.⁵⁴ In official media releases, statements in parliament, etc., representatives of the MIA and the BG described the situation at the border exclusively in terms of a 'significant threat to security', a 'crisis' (particularly 'migration crisis') or a 'hybrid war'.⁵⁵ The terms used included 'attacks', 'assault', 'hybrid aggression', 'massive pressure on the border', 'forceful assault of the border', and 'onslaught'. In this narrative, migrants were described as a 'weapon', 'tool of attack', 'instrument', and 'human shield' in the hands of authoritarian regimes, who were brought to the border with Poland, appropriately trained and equipped, and then used to attack the border and Polish officers. Importantly, in this rhetoric, migrants lost their subjectivity and often became an anonymous mass, described by numbers.⁵⁶ If they were attributed with specific demographic characteristics, it was usually indicated that they were male and relatively young.⁵⁷ In its communiqués, the BG also provided information about the immigrants' country of origin. In the first few weeks of the border crisis, the most frequently reported nationality of migrants was Iraqi, and politicians often repeated this information to justify that those who were trying to cross the border were mainly people with no grounds to seek international protection.⁵⁸ They were also often imputed with negative traits, including aggressiveness and a propensity for various types of crime and pathology.⁵⁹

⁵⁴ A. Graban, "Instrumentalisation of Fear and Securitisation of 'Eastern Borders Route': the Case of Poland-Belarus 'Border Crisis,'" *European Security*, vol. 33, no. 2 (2023), pp. 236-260.

⁵⁵ This rhetoric was present in various types of messages from the MIA: statements made by the minister in debates in the Sejm (e.g. 01.10.2021, 09.11.2021) and meetings of the Justice and Home Affairs Council (e.g. 9.12.2021), during press conferences of representatives of the ministry, as well as in official letters to the heads of ministries of internal affairs of other EU countries (e.g. letter of 21.10.2021 to the head of the Interior Ministry in Germany). The same rhetoric was used by the spokeswomen of the BG in official press releases.

⁵⁶ The SG's messages posted on social media (Twitter – the previous X) reproduced the same phrases over and over again, writing about 'illegal migrants', 'violent migrant groups', 'forcible border crossings', 'an onslaught of migrants on the border', 'an assault on our border'.

⁵⁷ More on the masculinization of migrants crossing the Polish-Belarusian border, in the narratives present in the public media and the rhetoric of the authorities: N. Bloch, "Is a Woman a Better Refugee Than a Man? Gender Representations of Refugees in the Polish Public Debate," *Studia Migracyjne – Przegląd Polonijny*, vol. 189, no. 3 (2023), pp. 39-56.

⁵⁸ "Posiedzenie nr 38 w dniu 30-09-2021. Minister Spraw Wewnętrznych i Administracji Mariusz Kamiński," *Sejm Rzeczypospolitej Polskiej*, 30 September 2021, at https://www.sejm.gov.pl/Sejm9.nsf/transmisja.xsp?documentId=6EE6EBFCEE333D85C125876400374939&symbol=WYPOWIEDZ_TRANSMISJA, 20 March 2023.

⁵⁹ Attacks of aggression by immigrants 'forcing' the border were constantly reported in messages posted in the news on the website of the Podlasie Border Guard Branch. Information was provided about

The most moving image of migrants for public opinion was the one that emerged from the press conference of the management of the ministry and the border guard organized on 2021, 27 September. During it, the links of migrants trying to cross the Polish-Belarusian border with terrorist organizations were indicated. The message about aggressive migrants associated with Belarusian or Russian services or/and being members of Middle Eastern Islamic terrorist organizations has become a permanent part of the rhetoric presented in public media and political discourse.⁶⁰ It has been repeated by the authorities many times between 2021-2023.⁶¹ Moreover, during this press conference, the authorities of the MIA tried so hard to dehumanise and discredit migrants that alleged evidence of their inclinations towards paedophilia and zoophilia was presented. Independent media quickly denied the credibility of these reports.

Some background assumptions regarding the purpose and significance of border control on the border with Belarus resulted from the belief in the European significance of this border. In the narrative of the Polish authorities, including the BG leadership, the Polish-Belarusian border was often presented in pan-European categories. Both in the national debate and in the forums of European institutions, they present the BG tasks as activities carried out in the interest of the entire EU, for which mass and irregular immigration was portrayed as a serious threat.⁶² The border's tightness, understood as a guarantee of its complete resistance to attempts at the unauthorized crossing, was noted in this narrative as a condition for functioning the Schengen area and maintaining order and security in the EU member states.⁶³ The border was, therefore,

throwing stones and tree branches at border guards and the repeated destruction of security measures along the borderline. These messages were accompanied by information about 'revealing' illegal immigrants or 'preventing attempts to cross the border illegally,' as well as about detaining smugglers. See e.g.: "Kolejne próby forsowania polsko-białoruskiej granicy, Podlaski Oddział Straży Granicznej," *Podlaski Oddział SG*, 5 May 2022, at <https://www.podlaski.strazgraniczna.pl/pod/aktualnosci/45585,Kolejne-proby-forsowania-polsko-bialoruskiej-granicy.html>, 20 March 2023.

⁶⁰ The anti-immigration discourse of the ruling PIS [in English: the Law and Justice] party and its leading politicians was marked by anti-Islamic rhetoric already from the campaign for the 2015 parliamentary elections. The PIS portrayed Islamic immigrants as a danger to national security due to the terrorist threat and to Polish identity and culture. M. Kabata, A. Jacobs, "The 'Migrant Other' as a Security Threat: The 'Migration Crisis' and the Securitising Move of the Polish Ruling Party in Response to the EU Relocation Scheme," *Journal of Contemporary European Studies*, vol. 31, no. 4 (2022), pp.1223-1239.

⁶¹ See: "List Ministra Mariusza Kamińskiego z okazji święta Straży Granicznej," *MSWiA*, 16 May 2022, at <https://www.gov.pl/web/mswia/list-ministra-mariusza-kaminskiego-z-okazji-swiewta-strazy-granicznej3>, 20 March 2023.

⁶² The Prime Minister, the Minister of the Interior and Administration, and the Minister of National Defence drew attention to the aggression of migrants and their links with terrorist organizations from the Middle East in their parliamentary speeches during parliamentary session no. 41 on 9 November 2021. "Posiedzenie nr 41 w dniu 09-11-2021 (1. dzień obrad)," *Sejm Rzeczypospolitej Polskiej*, 2021, at <https://www.sejm.gov.pl/sejm9.nsf/posiedzenie.xsp?view=1&posiedzenie=41&dzien=1>, 12 February 2025.

⁶³ "Wiceminister Bartosz Grodecki oraz szef Agencji Frontex z wizytą na granicy polsko-białoruskiej," *MSWiA*, 4 October 2021, at <https://www.gov.pl/web/mswia/wiceminister-bartosz-grodecki-oraz-szef-agencji-frontex-z-wizyta-na-granicy-polsko-bialoruskiej>, 20 March 2023.

to be an effective security cordon against the threat of ‘hybrid warfare’ waged against Poland and the entire EU, using tools such as ‘illegal immigrants.’⁶⁴ In this narrative, the importance of the BG’s control actions on the border with Belarus was growing, and thus, the pressure on Polish officers to effectively stop immigrants from flowing into the EU was increasing.

As noted above, political decision-makers and the Border Guard leadership found an essential justification for the actions taken on the Polish-Belarusian border by referring to the identity function of the border. But the patriotic interpretation was not the only one here. The border was also presented from the point of view of the critical task it plays in defending European culture and civilization. On the one hand, it was pointed out that this border marks the end of the democratic world, beyond which the authoritarian regime of Lukashenko and Putin extends.⁶⁵ On the other hand, it was pointed out that defending the border is the saving European culture and tradition based on Christianity. In this narrative, immigrants from countries different in culture and religion posed a threat. The portrait of mass immigration posing a serious threat to the European way of life, values and social order was repeatedly discussed in the public media, uncritically supporting the government’s actions on the Polish-Belarusian border.⁶⁶ Thus, following this argumentation, the task of border guards was to protect the border against immigrants, not only because they tried to enter the EU illegally but also because of their cultural and religious alienation, which threatened Polish and European identity and social cohesion. In this narrative, the tight and fortified Polish-Belarusian border became a modern *Antemurale Christianitatis*, protecting Christian Poland and Europe from Islamization, the carriers of which were migrants.

In summary, the symbolic component of the BCC referring to the understanding of the border and its functions, as well as the essence of the tasks performed by BG officers, created a system of meanings and senses that provided moral justification and were a kind of compass for the implementation of control tasks. The narrative of the BG authorities and superiors, supported in the media discourse in the public media, was dominated by securitization practices. Defence of the border was justified primarily by reaching for the patriotic, independent rhetoric in which the border was sacralized. However, the need to introduce extraordinary measures in border control was also explained by referring to the need to maintain the Schengen area and defend European democracy, Christian culture and tradition, which is threatened by immigrants from Islamic countries of the Middle East. An essential element of the assumptions related to border control was also the perception of the subjects of this control, i.e. immigrants. In

⁶⁴ See, e.g. speech of the Prime Minister during the parliamentary session no. 41 on 9 November 2021: “Posiedzenie nr 41 w dniu 09-11-2021...”.

⁶⁵ See, e.g. speeches of the Minister of Interior and Administration and the representative of the PiS parliamentary club during the parliamentary sessions no. 38 (30 September 2021) and 41 (9 November 2021): “Posiedzenie nr 38 w dniu 30-09-2021...”; “Posiedzenie nr 41 w dniu 09-11-2021...”.

⁶⁶ M. Kosman, “Framing the Polish-Belarusian Border in 2021. The Case of Public Service Television (TVP),” *Problem of Post-Communism*, 24 April 2024, at <https://www.tandfonline.com/doi/full/10.1080/10758216.2024.2337947>, 18 November 2024.

the narrative produced by the MIA and the BG leadership, immigrants were dehumanized and subjected to securitization and weaponization practices.⁶⁷ While creating this portrait of immigrants, the masculinization of this group, its connections with terrorist organizations and the world of Islamic religion and culture were emphasized.

CONCLUSION

The study of the BCC on the Polish-Belarusian border from 2021 to 2023 reveals how migration pressure and border crises can reshape state policies, security practices, and the professional environment of border officers. The influx of irregular migrants, largely facilitated by the Belarusian regime, led to a transformation in how Poland managed its external EU border, resulting in significant changes in material, normative, and symbolic dimensions of border control.

Materially, the Polish state undertook large-scale infrastructural and organizational modifications, including constructing a steel border barrier, deploying military forces, and modernizing surveillance and monitoring systems. These measures reflected a broader trend of border militarization, in which the Polish-Belarusian border became a heavily fortified and technologically advanced frontier aimed at deterring unauthorized migration. The expansion of personnel, including reinforcing the BG with police and military forces, further institutionalized this securitized approach. However, as Nicholas De Genova, the creator of the concept of the 'border spectacle,' suggests, border infrastructure is not simply a tool for migration control.⁶⁸ It also can generate and demonstrate sovereign power and thus internalize its political effects within the policies that create it. Similarly, the BCC shows how these artefacts that make the work environment of the BG gain justification and deeper meanings expressed in the authorities' narratives about the border and the interpretation of border control tasks.

Normatively, changes facilitated stricter border enforcement, including the legalization of push-backs, restrictions on asylum applications, and expanded executive powers for the BG officers. Some of these measures conflicted with EU and international legal standards, raising concerns from human rights organizations about the erosion of migrant protections and violations of the principle of non-refoulement. The legal and procedural shifts reflected a broader European debate on balancing security and humanitarian responsibilities at external borders.

Symbolically, the Polish government and BG leadership reinforced a securitized narrative that framed migration as a national security threat and an instrument of hybrid warfare. This messaging aligned with a broader European discourse on migration management and introduced nationalistic and civilizational rhetoric, portraying

⁶⁷ M. Krępa, N. Mondal, "Can The Pushed-Back Speak? Tracing Narrative Agency of Enemised and Victimised Migrants in Poland", *Studia Migracyjne – Przegląd Polonijny*, vol. 189, no. 3 (2023), pp. 15-37.

⁶⁸ N. De Genova, "The Border Spectacle of Migrant 'Victimisation'", *Open Democracy*, 20 May 2015, at <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/border-spectacle-of-migrant-victimisation/>, 14 February 2025.

Poland as a defender of European security and cultural identity. The portrayal of migrants as a security risk, coupled with narratives emphasizing Poland's role in protecting the EU, shaped the attitudes and practices of border officers, reinforcing compliance with restrictive policies and legitimizing controversial enforcement methods.⁶⁹

The case of the Polish-Belarusian border crisis illustrates how the BCC evolves in response to geopolitical pressures, security concerns, and political directives. It highlights the intricate relationship between security measures, legal frameworks, and the symbolic meaning of borders. While the focus on sovereignty and state security is a crucial aspect of border governance, the study raises critical ethical and legal questions about the treatment of migrants, the accountability of border enforcement agencies, and the broader implications for EU border management policies. Considering material, normative and symbolic dimensions in the analysis of the BCC provides insight into the complexity of border management on the local level and the implications of a securitized approach to border control under the national policy.

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⁶⁹ More on migration discourse that facilitates normalization of violence see: L. Zessin-Jurek, “(Non)responsibility for Refugees – Communicating about the Belarusian-Polish Border (2021-2023)”, *Studia Migracyjne – Przegląd Polonijny*, vol. 189, no. 3 (2023), pp. 101-119.

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