

MEMO FOR A REFUGEE

Everyone has the right to seek and to enjoy
in other countries asylum from persecution.
Universal Declaration of Human Rights,
Article 14(1)

Who is a Refugee?

The term «refugee» shall apply to any person who was

FORCED

to leave his/her home country or the country of his/her former habitual residence

**NOT OF HIS/HER OWN FREE WILL,
BUT FOR REASONS OF PERSONAL
SAFETY.**

He may be persecuted and his life may be endangered because his skin is of another colour, because he has another appearance, when he belongs to another race, or he is of another nationality and believes in another God. It may also be that he is a member of a particular political or social group. The person is fleeing the country if the authorities of that country fail to provide protection against persecution or if he does not want to avail himself of such protection owing to his/her fear of persecution. Therefore, he is forced to flee the country, trying to find a safe place of residence.

According to the definition given in the 1951 UN Convention relating to the Status of Refugees, a **REFUGEE** is a person who:

«owing to well-founded **fear of being persecuted for reasons of race, religion, nationality, membership of a particular social or political group or political opinion**, is outside **the country of his nationality** and is unable or is unwilling to avail himself of the protection of that country owing to such fear;

or, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it».

Therefore, we shall reiterate that a person leaves his country not because he does not like to live there, but because his further stay there would not be safe.

How can one get Refugee Status in the Republic of Belarus?

1. If you have arrived in the Republic of Belarus for one (or several) of the above-mentioned reasons, you can apply to representatives of border troops, the police, or direct to an *oblast* or Minsk City migration service to claim refugee status. The legislation allows you to do so.

Pursuant to the Law on Refugees of the Republic of Belarus, a **REFUGEE** is a person who:

a) is not a citizen of the Republic of Belarus;

b) stays in its territory for fear of being persecuted in the country of his nationality for reasons of race, religion, nationality, citizenship, membership of a particular social group or political opinion;

c) is unable or, owing to such fear, is unwilling to avail himself of the protection of that State.

The Law is also applicable, in equal measure, to stateless persons.

In conformity with international law and the legislation of the Republic of Belarus, you are exempt from **CRIMINAL and ADMINISTRATIVE RESPONSIBILITY** for having crossed the border and for staying in the Republic of Belarus illegally, if you have done so with the intention to seek refugee status.

2. A decision to grant refugee status is taken by the Department on Citizenship and Migration of the Ministry of the Interior of the Republic of Belarus. Therefore, upon arrival in the country, you should apply to an *oblast* or Minsk City migration service.

TRY TO DO IT WITHOUT DELAY!

Given below are the addresses of the migration services receiving refugee status applications:

- Citizenship and Migration Board, Department of the Interior of Minsk City Executive Committee
Minsk, *Prospekt Nezavisimosti, 48*, tel.: (017) 231 41 05; 231 32 03
- Citizenship and Migration Board, Department of the Interior of Minsk Oblast Executive Committee
Minsk, *ul. Kalvaryiskaya, 29*, tel.: (017) 259 15 03; 204 21 64
- Citizenship and Migration Board, Department of the Interior of Mogilev Oblast Executive Committee
Mogilev, *ul. Karla Marksa, 25*, tel.: (0222) 22 75 45; 39 55 13; 31 18 53
- Citizenship and Migration Board, Department of the Interior of Brest Oblast Executive Committee
Brest, *ul. Kommunisticheskaya, 28*, tel.: (0162) 20 56 16; 20 41 99
- Citizenship and Migration Board, Department of the Interior of Vitebsk Oblast Executive Committee
Vitebsk, *Prospekt Frunze, 41A*, tel.: (0212) 24 34 81; 24 48 77
- Citizenship and Migration Board, Department of the Interior of Gomel Oblast Executive Committee
Gomel, *per. Spartaka, 2A*, tel.: (0232) 74 88 45; 74 31 74
- Citizenship and Migration Board, Department of the Interior of Grodno Oblast Executive Committee
Grodno, *ul. Thelmana, 4*, tel.: (0152) 79 73 01; 79 73 14

Also operating in the Republic of Belarus is the Office of the United Nations High Commissioner for Refugees which provides support and assistance to refugees and asylum seekers.

3. The *oblast* or Minsk City migration service will give you application forms which you should fill in. Application forms should be filled in by all family members who have reached the age of 18 years. If someone in your family cannot write, a member of your family or a migration service employee will fill in the applications forms for all members of the family. Each member of the family will have to undersign the application form.

All available documents must be appended to the said application form, and other necessary particulars must also be given.

NEVER GIVE FALSE AND MISLEADING INFORMATION!

When migration service employees find out your information to be false, you will not be recognized as a refugee. If your information becomes known to be false when you were already granted refugee status, the status will be cancelled!

The officials, to whom you submit your refugee status application, will appoint the date when you should again come to the migration service to be interviewed.

REMEMBER! While the migration service is examining your application for refugee status, you must reside in the *oblast* where your application for refugee status is under examination. In the event you have changed the place of residence, you should inform there about the migration service examining your application without delay!

4. In the course of the interview, migration service employees will discuss your situation and will ask you to provide additional information and addresses. If you want to stay in the Republic of Belarus as a refugee, you will have to give straight answers to all the questions asked of you.

You will be interviewed by a migration service specialist, without the presence of outsiders. The interview may be conducted only in the presence of a qualified interpreter provided by the migration service or invited by the applicant. If you feel the interpreter is not conscientious in doing his work, you may refer to the Refugee Counselling Service which will provide a professional interpreter.

Addresses and telephones of the Refugee Counselling Service:

- **Minsk**, ul. Olshevskogo, 74, tel. (017) 228 59 64
- **Vitebsk**, ul. Pushkina, 6, rooms 210–211, tel. (0212) 36 48 31

DON'T WORRY! You should be sure that the information you provide will be confidential. All those examining your case **ARE PROHIBITED** to speak about it to anyone else, except the specialists authorised to examine your refugee status application.

5. Everything you say during the interview will be entered in the questionnaire. You will have to

**READ THROUGH
THE ANSWERS ATTENTIVELY**

or, if you can't read, ask someone to read it aloud to you. Prior to putting your signature at the end of the questionnaire, you have the right to make corrections and alterations, if any.

6. For the time period it takes to examine your refugee status application, you will be issued a temporary refuge claim registration certificate which confirms your identity and legality of your stay in the country.

As soon as you have received this certificate, you must get registered with the Interior body at the place of your temporary residence within three working days.

The police will take your fingerprints and will also make you have a medical examination.

7. The migration service will again thoroughly examine your documents and check the information you have provided. This examination could take a period of time between one month to one year. On the expiration of this period of time, you will be notified whether you have been recognised as a refugee or not.

8. If you have not yet reached the age of 18 years and you have arrived in the Republic of Belarus unaccompanied

In this case, you may be appointed a guardian who is a citizen of the Republic of Belarus or a foreign citizen (if they wish so and are able to take care of you). However, you are sure to be asked whether you agree to their guardianship.

In other cases, you may be temporarily referred to a specialised children's institution.

First, you'll have a checkup at the hospital. If you are in need of medical assistance, you should tell the doctor what troubles you. You'll have medical examination free of charge.

9. If a decision has been taken to

GRANT REFUGEE STATUS TO YOU

the migration service will invite you to receive your refugee certificate. To receive it, you will have to deposit your passport and other documents with the migration service, and they will be kept there while you are staying in the country as a refugee.

The Refugee Certificate is the basic document confirming your identity and allowing you to stay legally in the territory of the Republic of Belarus. It cannot be arbitrary withdrawn from you without a valid reason. The Certificate must be registered with the migration service and the local body of the Interior.

On the expiration of 7 years after your recognition as a refugee, you may apply for citizenship of the Republic of Belarus.

10. If one member of the family has received refugee status in the Republic of Belarus, all other members of the family (spouses, children under 18 years of age, disabled parents) will also be allowed to stay in the country as refugees after their arrival in the country.

11. In case of a

REFUSAL TO RECOGNISE YOU AS A REFUGEE

If you disagree with the decision to deny recognition as a refugee, you have the right to lodge an appeal against the decision to the court. This must be done within a month after you were notified of the negative decision.

If you have not exercised your right to lodge an appeal, you and your family will have to leave the Republic of

Belarus within a month. All your documents will be returned to you. You will also have to give back your temporary refugee registration certificate.

Should you refuse to leave the country voluntarily, you may be detained and then deported.

What kind of financial assistance can you get?

With your application for refugee status submitted and registered, you become entitled to financial assistance equal to one basic wage (approximately 15 US dollars, but this sum of money is changeable).

An equal amount of money will be paid to you when you are recognised as a refugee.

Your rights of a refugee:

- You may stay in the territory of the Republic of Belarus as long as you are recognised as a refugee.
- You have the right to choose the place of residence by yourself. You will get *propiska* at the permanent address of residence, if each member of your family has no less than six square metres of floor space per person.
- You may return to your home country voluntarily.
- The migration service may issue a travel document which allows you to leave for another country in accordance with generally accepted practices.

Like other foreigners residing in the territory of the Republic of Belarus you have the right to:

- medical care and assistance
- vocational training
- employment
- entrepreneurial activities
- education (at schools and universities)

- participate in public activities
- acquire real and personal property
- social welfare
- social insurance allowances

Your duties:

You must abide by the laws of the Republic of Belarus.

Within 7 days you must inform the migration service and the Interior body about the changes relating to the change of your name and surname, family status, and about the acquisition of citizenship of the Republic of Belarus.

You are obliged to inform the migration service about your intention to change the place of residence on the territory of the Republic of Belarus or to leave for another country.

In the case of changing your place of residence, you must have your name struck off the register (so that migration service employees know that you do not reside in the given region any more) and get registered, without delay, at the new place of residence.

REMEMBER! Living unregistered is a violation and it may entail **ADMINISTRATIVE** or even **CRIMINAL RESPONSIBILITY!**

The decisions and actions by the bodies of State power, which impair the refugee's rights, can be appealed against in court.

**WE DRAW YOUR ATTENTION
TO THE FOLLOWING!**

If you have fallen victim to sexual and other types of violence in the country of your nationality, or have been subjected to domestic violence in the country of asylum, you may apply for:

legal aid to the Refugee Counselling Service:

- *Minsk, ul. Olshevskogo, 74, tel. (017) 228 59 64*
- *Vitebsk, ul. Pushkina, 6, Rooms 210–211, tel. (0212) 36 48 31*

psychological and social aid:

to the International Public Association «Independent Social Support»

- *Minsk, ul. Kropotkina, 108, room 81, tel. (017) 237 23 08*

to the Medical and Social Centre of the Belarusian Red Cross

- *Minsk, ul. Polevaya, 26, tel. (017) 227 24 71*

General information on the Republic of Belarus

The Republic of Belarus is situated in the centre of Europe. The shortest transport communications intersect its territory to link it with the CIS and West-European countries. Belarus borders on Poland, Lithuania, Latvia, Russia and Ukraine.

The territory of Belarus is 207 000 square kilometers; the population is some 10 million people. The capital city is Minsk. There are six *oblasts* (regions) in the Republic. Belarusian and Russian are the official state languages.

The Republic of Belarus is a unitary democratic, welfare and law-governed state. The Republic of Belarus recognises the precedence of universally recognised principles of international law and secures conformity between its legislation and these principles. Foreigners and stateless persons on the territory of Belarus enjoy equal rights and freedoms and carry out their duties just as citizens of the Republic of Belarus do, unless otherwise specified by the Constitution, laws and international treaties.

State power is exercised in accordance with the principle of separation of legislative, executive and judicial powers. Belarus is a presidential republic. The President of the Republic of Belarus is the Head of State, the guarantor of the Constitution, of human rights and the rights and freedoms of the citizens. Parliament, composed of two chambers, is the legislative body of the Republic of Belarus. Government (the Council of Ministers) exercises executive power and is the central body of state management. Judicial power in the Republic belongs to law-courts. The Constitutional Court examines the constitutionality of normative acts.

ADDRESSES AND TELEPHONES OF ORGANISATIONS THAT MAY PROVIDE ASSISTANCE TO YOU

1. Department on Citizenship and Migration of the Ministry of the Interior of the Republic of Belarus

Minsk, ul. Gorodskoy Val, 2, tel.: (017) 218 52 68

Territorial state management bodies dealing with migration issues

- Citizenship and Migration Board, Main Department of the Interior of Minsk City Executive Committee

Minsk, Prospekt Nezavisimosti, 48, tel.: (017) 231 41 05; 231 32 03

- Citizenship and Migration Board, Department of the Interior of Minsk Oblast Executive Committee

Minsk, ul. Kalvariyskaya, 29, tel.: (017) 259 15 03; 204 21 64

- Citizenship and Migration Board, Department of the Interior of Mogilev Oblast Executive Committee

Mogilev, ul. Karla Marksa, 25, tel.: (0222) 22 75 45; 39 55 13; 31 18 53

- Citizenship and Migration Board, Department of the Interior of Brest Oblast Executive Committee

Brest, ul. Kommunisticheskaya, 28, tel.: (0162) 20 56 16; 20 41 99

- Citizenship and Migration Board, Department of the Interior of Vitebsk Oblast Executive Committee

Vitebsk, Prospekt Frunze, 41A, tel.: (0212) 24 34 81; 24 48 77

- Citizenship and Migration Board, Department of the Interior of Gomel Oblast Executive Committee

Gomel, per. Spartaka, 2A, tel.: (0232) 74 88 45; 74 31 74

- Citizenship and Migration Board, Department of the Interior of Grodno Oblast Executive Committee

Grodno, ul. Thelmana, 4, tel.: (0152) 79 73 01; 79 73 14

2. UNHCR Office in the Republic of Belarus

Minsk, *Patrizansky Prospekt, 6a, 6th floor, tel.: (017) 298 33 35*

3. Public associations

- Refugee Counselling Service of the Belarusian Movement of Medical Workers (*provides free counselling to refugees*)

Minsk, *ul. Olshevskogo, 74, tel.: (017) 228 59 64*

Vitebsk, *ul. Pushkina, 6, Rooms 210–211, tel.: (0212) 36 48 31*

- Belarusian Red Cross (*provides medical and humanitarian aid to refugees, carries out educational programmes, acts as a go-between in relations between refugees and State institutions*)

Minsk, *ul. Karla Marksa, 35, tel.: (017) 227 14 17*

- International Public Association «Independent Social Support» (*carries out social and cultural activities for refugees for the purpose of their integration into Belarusian society*)

Minsk, *ul. Kropotkina, 108, Room 81, tel.: (017) 237 23 08*

4. Center for Children and Adolescents «Evrika» (*provides assistance to refugee children*)

Minsk, *ul. Chigladze, 29, tel. (017) 253 40 14*

5. Refugees' Organisations

- Grodno Public Association of Georgians

Grodno, *ul. Suvorova, 298, tel.: (0152) 52 02 40*

- International Charitable Public Association of Afghans «Afghan Community»

Minsk, *ul. V. Khoruzhey, 31a, tel.: (017) 237 71 20*

- International Public Association «Afghan Community and Refugees»

Minsk, *ul. Kropotkina, 44, Room 608, tel.: (017) 234 17 62*

- Foundation for Support of Forced Migrants and Refugees «Integration-A»

Gomel, *ul. Yubileynaya, 8a, tel.: (029) 677 77 44*