Migrants as Weapons: The Belarus-EU Border Crises

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Introduction

The end of 2024 and 2025 witnessed border tensions between Belarus and its fellow European Union (EU) members—primarily Poland, Lithuania, and Latvia—once again escalating. Large numbers of migrants, most of whom are from the Middle East and Africa, are arriving in Belarus with suspiciously accelerated travel plans and aimed at the EU borders. The trend has striking similarities with developments in 2021, when Belarusian officials were known to have intentionally engineered a migration crisis as a form of revenge for Western sanctions and political isolation.

Back then, Belarus's migration strategy was one part of a larger hybrid approach that aimed to make use of loopholes in democratic legal orders. Migrants were effectively logistically and politically mobilized upon EU states without incurring direct military costs. The current 2024–2025 crisis seems to be a reversion and amplification of this strategy, emphasizing a chronic shortfall in the capacity of liberal democracies to counter hybrid threats without betraying their legal obligations or humanitarian values.

This note examines the history of Belarus's instrumentalization of migration, describes the changing 2024–2025 crisis, and answers a central question of increasing importance: How should democratic governments react when authoritarian powers weaponize migration?

These flows are both a politically motivated attack, aimed at sparking humanitarian crises, sowing internal divisions, and testing democratic resilience, and a legal and moral challenge. International law, including the 1951 Refugee Convention and Article 14 of the Universal Declaration of Human Rights, obliges states to uphold basic rights and ensure access to asylum. Thus, the weaponization of migration not only challenges border security, but also places democratic states in a moral and legal bind, forcing them to respond to hostile acts without compromising the values they are committed to uphold. This duality—between recognizing a security threat and fulfilling humanitarian obligations, makes the weaponization of migration a uniquely potent tool in hybrid warfare.

The next sections delve into Belarus's hybrid strategy targeting its EU neighbors and examine how Latvia, Lithuania, and Poland have responded, balancing national security concerns with the obligations of international law.

Belarus's use of migration as a lever of coercion reached the spotlight in 2021 following controversial presidential elections in 2020 in which President Alexander Lukashenko won an election which was widely condemned as rigged. In response, the EU, Britain, United States, and other Western powers followed up with iterative sanctions and public condemnation. On their part, the Belarus government resorted to unconventional measures to pressure its EU neighbors.

The Belarusian government began arranging the travel of migrants from Iraq, Syria, and Afghanistan. They were issued visas, housed in state-run hotels, and then driven to border regions in unmarked cars. Belarusian border guards have been reported to have assisted the migrants to the EU borders but forced them back so that they could not turn around or take refuge. There were even reports of Belarusian authorities cutting border fences, using lasers to blind Frontex Agents, and threatening migrants to continue onto EU territory.

The events of 2021 documented how instrumentalized migration is. Democratic governments are under obligation, on the one hand, by international human rights and refugee law, by for example non-refoulement principle and rule against collective expulsion. Authoritarian regimes like that of Belarus, with no similar norms or monitoring mechanisms, have on the other hand the privilege to leverage the legal imbalances in order to achieve coercive results.

Instrumentalized migration thus is a form of hybrid coercion: it uses civilian populations not as pawns or victims but as levers of pressure.

While full data and legal analysis have yet to emerge, the current crisis in 2024–2025 shares the same characteristics as that of 2021—but even more orchestrated, longer-lasting, and strategically managed. Different signs suggest Belarus has perfected its methods, and foreign responses remain constrained by the same factors as previously described.

Reports indicate Belarusian tour operators, a number of which are state-owned, are once more organizing package tours to "pick up" vulnerable populations in the Middle East and Africa. Migrants are guaranteed safe entry into Europe from Belarus. In Minsk, the majority are once again taken to staging points at borders with Poland, Lithuania, and Latvia. The EU border authorities and human rights organizations have seen a rise in attempted irregular entries and have confirmed that Belarusian agents are actively mobilizing such populations towards EU borders.

Compared with 2021, the 2024–2025 crisis is more calculated and synchronized with Russia's overall geopolitical goals, including its ongoing war against Ukraine and strategic destabilization campaign aimed at weakening

the EU. Russia has openly supported Belarus's stance, and its coordination is reported to receive technical assistance and reciprocal intelligence.

As the crisis of 2024–2025 unfolded, EU policymakers increasingly recognized Belarus's actions—backed by Russia—as part of a broader hybrid warfare strategy aimed at testing NATO's eastern flank and destabilizing the EU. For Latvia, Lithuania, and Poland, this weaponized migration has created a legal and moral dilemma: how to respond to a clear security threat while upholding obligations under international law like the 1951 Refugee Convention, the ECHR that obliges them to treat asylum claims fairly, even when an enemy state is transparently weaponizing migration.

With limited coordinated EU action and growing internal pressures, all three countries have adopted far-reaching national measures. These include laws that formally authorize pushbacks and restrict access to asylum, often violating EU and international human rights standards. An overview of how each state responded from 2021 onward as the crisis evolved into a long-term strategic challenge follows.

Latvia: Since 2021, Latvia's response to the migrant crisis at its border with Belarus has shifted from a temporary emergency measure to a permanent and deeply entrenched policy. Initially, Latvia declared a state of emergency on 10 August 2021. It introduced unprecedented powers allowing border guards, police, and military to forcibly return individuals to Belarus without formal return procedures or access to asylum. Although a domestic court ruled in 2022 that this approach violated EU and international human rights law, resulting in a formal amendment allowing asylum claims at designated border points and Daugavpils city, little changed on the ground. Migrants continued to be intercepted and pushed back in remote, forested border areas—far from any location where they could realistically access asylum procedures—as these were the places where they had been brought or left by the Belarusian regime. Afterwards, Latvia reinforced its physical border infrastructure and extended emergency measures, effectively institutionalizing pushbacks as a standard border control strategy. By 2025, while the legal framework appears more aligned with international norms, Latvia maintains a restrictive and security-driven approach that severely limits access to asylum and contributes to ongoing humanitarian concerns at its eastern frontier.

Lithuania: Since 2021, Lithuania has responded to the instrumentalization of migration by Belarus with a series of restrictive and security-focused policy changes that have progressively hardened its approach. On 10 November 2021, Lithuania declared a state of emergency and introduced legal amendments allowing border guards to summarily return people who crossed the border irregularly without registering their asylum claims. As a result, access to asylum was effectively limited to those who entered the country lawfully through official border checkpoints, diplomatic missions, or consular posts—excluding the vast majority of people arriving through Belarus. Despite criticism from international human rights bodies,

Lithuania reinforced these measures over the following years, including the physical fortification of its border and the legal codification of pushbacks. In 2023, Lithuania's Constitutional Court ruled that parts of the legal regime were incompatible with the Constitution, particularly regarding blanket denial of the right to seek asylum. While this led to formal legal adjustments, the ground operational practices remained unchanged. By 2025, Lithuania will continue to prioritize border security over access to protection, making the asylum process inaccessible for many and contributing to ongoing human rights concerns along its eastern border.

Poland: In 2021, Poland institutionalized pushbacks through two legal measures. The first was an amendment to a COVID-19 regulation restricting border access to specific categories, excluding asylum seekers. The second was a revision of the Act on Foreigners, allowing the Border Guard to issue immediate expulsion orders to those crossing irregularly. It also imposed entry bans of up to three years and permitted rejecting asylum applications made after an irregular entry—except in rare cases where the applicant could show credible risk and submit the claim immediately upon crossing.

Over the past year, Poland has further tightened its migration policies, culminating in a March 2025 law that temporarily suspends the right to seek asylum for illegal border crossers. Supported by Prime Minister Donald Tusk and signed by President Andrzej Duda, the law is part of a broader strategy to counter what the government sees as hybrid warfare by Belarus and Russia, accused of orchestrating migration flows to destabilize the EU. Human rights organizations, including Amnesty International and Human Rights Watch, argue the law violates international and EU law by undermining asylum rights and the principle of non-refoulement. Despite this, the European Commission granted conditional approval, noting member states may adopt temporary, proportionate measures in exceptional circumstances. As of April 2025, the law remains in effect, reflecting Poland's continued focus on border security amid ongoing geopolitical tensions.

Since mid-2021, pushbacks in Latvia, Lithuania, and Poland have become a systematic and openly endorsed practice, enshrined in national legal frameworks. Individuals intercepted at the border are routinely returned to Belarus at unofficial and often remote locations. This practice has left many stranded in dense forest areas under inhumane and dangerous conditions, leading to widespread reports of deaths, disappearances, and serious injuries. The normalization of such policies has resulted in a persistent humanitarian crisis at the EU's eastern border.

In light of this intricate environment, the fundamental question arises: How do democratic nations react to authoritarian states using migration as a weapon? An unequivocal response necessitates a strategic combination of legal strength, operational readiness, and political unity.

Legal principles must evolve to the extent that the instrumentalisation of migration is a form of hostile interference. It breaches norms of sovereignty and borders inviolability. EU and NATO member countries must formulate

a strategy to combat such hybrid attacks. This entails asserting claims of state responsibility, reasserting existing bilateral treaties, and appealing to international mechanisms such as the International Court of Justice or OSCE procedures.

While the core obligations, such as the prohibition against torture, are absolute, there are exceptions in refugee law (e.g., when there is a threat to national security). Such exceptions, however, require individualized determination and procedural due process. Democracies, therefore, must invest in efficient asylum screening mechanisms and safe legal channels that meet international standards but minimize exploitable vulnerabilities. Where mass expulsion is illegal, individual risk assessments must become faster and more sophisticated. Border infrastructure, such as physical barriers and monitoring technology, can assist in cutting uncontrolled flows without breaking legal commitments.

There can be no management of such crises by a single state. The 2024–2025 events underscore the need for intensifying EU and NATO coordination—both at the political but also at the level of legal policy, exchange of intelligence, and operational coordination. Joint border patrols, shared migration intelligence networks, and coordinated crisis communications plans can eliminate confusion and overreaction. Similarly, legal institutions in EU member states must share information in real time to maintain consistent interpretation of international obligations and avoid conflicting court outcomes that adversaries may exploit.

While sanctions will not deter Belarus in the short-term, they are part of an extended cost-imposition strategy. Sanctions must be aimed not only at Belarusian officials but at middlemen like the airlines, tour companies, and human trafficking facilitators.

Finally, democracies must uphold the same values that make them so resilient. Instrumentalized migration undermines rights-based migration because repressive forces like Belarus anticipate triggering overreaction or legal contradiction. By staying committed to principled and realistic actions, EU member states can neutralize coercive pressure without forfeiting legal or moral authority.

Visualisation: