Chechen Refugees: From Friendship to Freedom

By MADELEINE LEROYER

A balloon bursts. Raissa jumps, her hands clasped over her pregnant stomach. Another balloon goes off. For a moment there is panic in her eyes as she searches for her sons. It's December 23 in Brest. The association Brest Education Sans Frontières, which coordinates the city's aid groups for illegal immigrants, is holding a Christmas tea in the town's union headquarters. The children are playing. Raissa drives away the memories.

Twenty-five-year-old Raissa Salikhova was born in Novy Atagi, a 30-minute drive from the Chechen capital, Grozny. Since April 2005 she has found refuge in Brest with her husband Aslanbek, aged 40, their sons Malik and Askhab, who are four and three, and Amin, who was born only three months after they arrived in France. The three brothers are expecting a little sister in April.

The boys have already forgotten Chechnya. They understand the language but now only speak French to one another. At table, Malik explains to his parents: "You say 'radioushka' but here in France we say 'radis.'"

For Raissa and Aslanbek, however, Chechnya is still uppermost in their minds. They met in a market in Grozny. It was the summer of 1999. Raissa was 18 and had been studying accounting for a year. Aslanbek, a movie stagehand, was 34. He courted her assiduously for five months. They got married. "We didn't dance. The only whistling came from the bombs," says Raissa wistfully.

Before they fled the country, they were living with one of Aslanbek's four brothers, after bombs had destroyed their building. "The Russians asked Aslanbek why we were no longer living at the same address. He replied 'OK. I'll show you where I live.' He took them to see the ruins. The soldiers beat him up," says Raissa.

It was at this point that Aslanbek bought four Russian passports valid for foreign travel. They cost $300 each. For $1,000, the family was taken by a smuggler on a 48-hour car journey to Brest, a Bielorussian town on the Polish border.

On the other side, in Terespol station, the border guards were waiting. Since Poland joined the European Union in 2004, it has had to comply with the European Dublin II Regulation, which means it has to study all asylum applications made by the refugees crossing its borders.

The Salikhovs had the Regulation explained to them. The police then took their fingerprints, storing them in the European database Eurodac, a tool designed to alert member countries to "excessive" multiple asylum applications by tracking the refugees' itinerary.
From Terespol they were sent to Debak, the largest of the 18 reception centers for asylum seekers, located deep in a forest in a far-flung suburb of Warsaw. They were asked to provide proof of the threats facing them in Chechnya. They spoke little.

They only had one thing in mind: to join Raissa's sister in France, where she had been living since January 2004. Less than a week later, they contacted another smuggler, who took them to Strasbourg, where he provided them with train tickets to Brest, Brittan, saying that the prefecture would quite easily grant them asylum.

On their arrival, however, they were informed by the prefecture that they could not apply to the French Office for the Protection of Refugees and Stateless Persons (OFPRA) because they were already registered in Poland. Social services found a room for them in a hotel. They were placed under house arrest and had to register every day with the border police.

Some other refugees told the Brest associations of their plight. The chair of the local Movement Against Racism and for Friendship Between Peoples, the high-school economics teacher Arnaud Hell, lost no time in taking on their case.

He enrolled the boys at school and arranged French lessons for the parents. His strategy was straightforward: "The more procedures we undertake, the more their desire to integrate has to be proved."

He then organized press conferences at the hotel, formed a support group and hired a lawyer from the city of Rennes.

The family moved hotels and struck up a friendship with the new owner and chambermaid. In August 2005, just one month after Amin was born, they received a compulsory readmission order to Poland. "In the hotel we had a code using a broom. I was to bang on the floor if ever the police arrived so that the owner could let Arnaud know immediately," recalls Raissa.

"One day the police turned up at the hospital. Amin was suffering from a urinary infection. The doctor intervened and told them that he was in no state to face a plane journey. And he gave me an appointment for a check-up the following month," she continues.

 Appeal before the administrative court, adjournment of the prefectoral ordinance for readmission into Poland as a result of procedural issues in the judgment of the court of first instance, appeal introduced before the Council of State by the Ministry of the Interior, failure of the appeal by summary procedure on substantive grounds: the Chechens and their Brest friends became embroiled in the maze of administrative jurisdiction. To no avail.

In Brest, the illegal immigrant support group was growing from strength to strength. Meanwhile, the town hall registered 132 asylum seekers. The associations focused their activities on the schools attended by the children. Mr. Hell took another Chechen family under his wing, the Ismailovs, who had arrived in November 2005.
Despite his vigilance, the Ismailovs were sent back to Germany on Jan. 12, 2006 under the Dublin II Regulation. For fear of being deported to Russia, they made their way back clandestinely to France three days later. Local television covered the children's return to school.

"It had a huge impact. From then on, it was no longer possible to take them away by night," explains Mr. Hell.

He went through the Dublin II Regulation with a fine tooth comb and realized that if France did not succeed in bringing the readmission to a satisfactory conclusion within six months, it would become responsible for the asylum application. He decided they had to "keep going" and launched an appeal procedure before the administrative court in Nantes.

"Once they are at the police station it's too late. The long-term aspect is the most important. You can't be in aggressive mode all the time. If you give the prefecture the means to avoid deportation then it won't deport," says Mr. Hell.

The summer vacation was looming. For illegal immigrants, this is a particularly risky time: the children are home and this means the police can remove the family in its entirety. The aid groups amalgamated to form an association: Brest Education Sans Frontières was launched. On July 1, 2006 the organization held a child sponsorship ceremony before Brest's elected representatives. The sponsors then took the children away on vacation.

"The aim was to ensure that the families were never together at one time and thereby avoid deportation" explains Mr. Hell. One after the other, Malik and Askhab discovered the beach.

At the start of the school semester, the prefecture announced that the Salikhovs could finally make an asylum application to OFPRA, as long as they withdrew the Nantes administrative court appeal.

It was then that the Chechens' defense attorney played his trump card: he refused to withdraw the Salikhovs' appeal unless he was also given a guarantee covering the other family, the Ismailovs. Aslanbek Salikhov began to lose patience. Mr. Hell persuaded him to wait and won him round.

Finally in December the two Chechen families traveled to Paris to defend their case before OFPRA and received a receipt confirming they were seeking asylum.

Time passed and still there was no reply. But Mr. Hell did not give up. "It's all on track. They're being really careful. They aren't working undeclared, they're learning French. They have just as many French contacts at they do Chechen ones, if not more, and that's a really positive sign," he says.

Just before Christmas, the Salikhovs moved into an apartment in the working-class Bellevue area and obtained an allowance of 563 euros a month and entitlement to free health care.

In their apartment there are no souvenirs from Chechnya, no family photos. Just a few DVDs of popular singers, the city of Grozny in the seventies and some wedding videos that Raissa enjoys
"I love dancing. I used to dance at weddings all the time with my brother." Her brother was killed on Aug. 22, 2005 at the age of 27, as he was on his way home after visiting his parents. He had three children and his wife was expecting.

Raissa still dreams of him. The memories bring back the fears. "In Chechnya I was so afraid," she says. "I used to say to myself: the Russians didn't come today. Maybe they'll come tomorrow. Here in France if I go outside and see a police car I still think they've come to arrest me."