

Anette Brunovskis and Silje Sønsterudbråten

Asylum, integration and irregular migration in Lithuania

Policy and practice at the edge of the European Union



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Introduction

This publication was commissioned by the Norwegian Association of Local and Regional Authorities (KS) and is funded through EEA grants¹. This project is part of a larger cooperation between Norway and Lithuania running from 2009 to 2014, funded by EEA grants and covering a range of sectors.² The project of which this report is a part addresses three related, but separate fields of policy: *asylum procedures*, *integration work*, and *handling of irregular immigration*.

The project addresses these policy areas in three main ways. First, the policy areas are addressed in study visits to Norway undertaken by groups of Lithuanian officials. Second, this publication provides an overview of Lithuania's main challenges in these fields, as seen from an official Lithuanian perspective. And last, the issues will be addressed in a conference involving central actors from both Norway and Lithuania.

The purpose of this publication is this to collect and synthesize Lithuanian perspectives on these three policy fields. It is meant to serve as a point of departure for further discussions on Lithuanian policy. The overarching aim of the project as such is to provide input into which parts of the systems can be improved to enable Lithuania to better meet its international obligations under the Refugee Convention and EU obligations related to asylum and migration as well as the so-called burden-sharing agreement of 2015, wherein Lithuania undertook to relocate 1,035 asylum seekers from Greece and Italy.

In line with the project mandate, this publication consists of three separate but related reports. The first section deals with asylum procedures, the second with integration and the last with irregular migration. The three parts can be read as independent reports, and there will, for that reason, be a certain degree of overlap between the three parts.

Our scope and focus in this report is to give an assessment of asylum policies, integration efforts and the handling of irregular migration in Lithuania. Each of the subsections has two main parts. The first part focuses on describing the system, policies and practices in the three areas, and the second part aims at addressing what Lithuanian actors see as the main challenges in each of the areas.

¹ For information on the EEA grants see: <http://eeagrants.org/>

² For information on this cooperation see: https://www.regjeringen.no/contentassets/29b97a7e67b44efb96001532de3a6e2e/2015-lithuania-fact-sheet-update-april-2015_web.pdf

Our assessment is based on one field visit to Lithuania in May 2017, organized by the Lithuanian Ministry of the Interior, during which we had group discussions with central actors in the field and visited migration and integration institutions at an implementing level in Lithuania. We had meetings with the asylum, law, immigration, and control divisions of the Migration Department, the Police Department, the State Border Guard Service (SBGS), and Red Cross Lithuania, and visited the Vilnius International Airport border crossing point, the Kena railway border crossing point, the Foreigners' Registration Centre (FRC) in Pabrade and the Refugee Reception Center (RRC) in Rukla. In these discussions, we sought to explore central issues for each sub-topic and issues that were flagged as being of particular importance by the various Lithuanian actors we spoke with. For asylum processes, central issues were access to the territory and to asylum procedures, access to information for asylum seekers, capacity, reception centre conditions, rights, infrastructure and resources, and how these relate to the number of asylum seekers coming to Lithuania. For integration, central issues included at what point in the asylum process integration work begins, the comprehensiveness of integration programs offered and what they contain, and access to language classes, education, and the labour market. For irregular migration, a particular concern in Lithuania was the misuse of legal pathways to obtain legal residency.

Our analysis is based on these discussions, as well as on a review of existing literature available in English. We will not provide a summary of previous literature on the topic, but we will, where we find it necessary, refer to this work, which is also included in the literature list at the end of the report. And we recommend that these sources be carefully considered in future discussions.

In line with the purpose of this report, the main focus in our discussions was what were perceived as challenges and barriers in this work by these central actors in Lithuania. This report must therefore be seen as a critical reflection of the various official positions of the state institutions and the Red Cross. Due to the limited time and resources allocated to this project, it was not within the scope of the project to collect data independently or to triangulate the data at hand. The report hence rests on the data provided by the abovementioned actors, with the strengths and limitations such an approach entails. The discussions with the actors in the field focused mainly on asylum procedures and integration efforts and our data on irregular migration are therefore more limited.

Before going into the three main parts of the report, we would like to address two overarching features that are prominent in all three reports and are central to understanding the migration context in Lithuania. First, the country is a typical transit country, and second, the relocation agreement from 2015 has significantly impacted the status of all the three areas of focus in this report.

Lithuania – a transit country

Though this claim is contested, Lithuania claims to be the geographical centre of Europe. Still, with regard to migration, Lithuania represents the outskirts of the Union; its borders with Russia are also part of the EU's external borders. A main feature when assessing migration to Lithuania is the fact that very few people seek asylum in the country, and among those who do, the majority leave the country after being granted refugee status or subsidiary protection.

At the height of asylum arrivals to Europe in 2015 and 2016, Lithuania experienced a decline in arrivals. A total of 291 people applied for asylum in Lithuania in 2015. In comparison, 2,545 people applied for asylum in Norway in one month the same year (November 2015). Even among the few that did seek asylum in Lithuania, it is likely that a large share had not originally intended to do so (examples mentioned are people stopped by the State Border Guard Service or people buying a Schengen visa abroad, not knowing it would activate a return to Lithuania under the Dublin III agreement). Lithuania is, as these figures reveal, not an attractive country for migrants. There can be several explanations for this that are not mutually exclusive. One explanation, which will be dealt with in the second part of this report, is that Lithuania's integration policies are lacking and unable to integrate foreigners who have been granted asylum. While this may be true, it is important to understand immigration statistics, experiences, and challenges in the larger context of Lithuanian development.

While most European states are worried about immigration, Lithuania is more worried about emigration. Since 2000, no EU member state has had a faster shrinking population than Lithuania.³ Since the country joined the EU in 2004, Lithuania's population has fallen by 500,000. In a country with just under three million residents at last count, the emigration rate is significant. Low wages, increasing income inequality, price policies and unemployment rates are economic factors driving this development (Kumpikaitė-Valiūnienė & Žičkutė 2017). The recent severe recession has resulted in a significant decrease of state-funded social programs, budget cuts, and the reduction of staff at all governmental agencies and institutions.⁴ Due to the limited immigration, Lithuanian society is very homogeneous, with only 1.5 per cent foreigners, the majority of whom come from Russia, Ukraine, Belarus or other culturally similar countries.

Being a transit country affects all three policy areas of focus in this report. Low arrivals and limited public attention have placed asylum policy at the outskirts of public debates. The asylum division in the Migration Department is staffed by a mere eight persons doing asylum interviews and processing applications. The value of compari-

³<https://qz.com/817538/lithuania-is-a-rare-country-where-voters-are-less-worried-about-immigration-than-about-emigration/>

⁴<http://www.refworld.org/pd/4d806f12c.pdf>

son with Norway, where the Norwegian Directorate of Immigration (UDI) employs around 1,000 people, is thus limited.

Being a transit country also greatly influences integration efforts. Not only are arrivals limited, but among those who arrive, the vast majority leave the country after gaining residency. The integration efforts are thus limited and a far cry from the integration efforts and programs seen in the Nordic countries. Since only a handful of asylum seekers remain in the country for years after gaining legal residency, it is impossible to assess the integration efforts beyond the ones offered in the integration centre in Rukla, where refugees live for three to six months after gaining legal residency.

As a transit country bordering non-EU states, Lithuania also faces challenges with irregular migration. Systems for legal migration to Lithuania are used as pathways to a Schengen visa and access to Europe. Fake marriages, fake businesses, and fake Schengen visas are three central concerns raised by officials in Lithuania, and combating irregular migration is high on the authorities' agenda. Despite being a transit country that regularly stops smugglers attempting to transport humans in vans across the country illegally, there is limited awareness of and response to human trafficking. Anti-trafficking activities are largely dealt with as part of crime prevention and control.

The relocation agreement – a game changer?

In late 2015, the member nations of the European Union signed an agreement, often referred to as the burden-sharing agreement, the main intention of which was to secure more solidarity in asylum processing across the Union and relieve pressure on Italy and Greece brought on by the large increase of asylum seekers that year. Lithuania does not have a national resettlement program and until recently did not have a legal framework for such programs. However, as a result of the refugee situation in 2015–2016, on 22 June 2015 the government of the Republic of Lithuania adopted a decision to resettle 70 and relocate 1,035 foreigners in need of international protection by the end of 2017. At the end of 2015, the Law on the Legal Status of Aliens was amended to provide for the possibility of relocating and resettling third-country nationals in the Republic of Lithuania.

The agreement, in essence, meant that the choice of what country to apply asylum in (to the extent people can make an active choice) was taken more or less entirely from the individual migrants and given to the EU states. This could have changed Lithuania's status as a transit country, but this was not the case. As of spring 2017 Lithuania has, like the majority of signing states, not fulfilled its obligations under the agreement. A total of 343 persons have been resettled in or relocated to the country. In addition, one may argue that the relocation agreement has reinforced this transit status by the mere

fact that the vast majority of the relocated refugees leave after being granted asylum. The agreement has therefore not had as great an impact on the country's migration management as might have been expected. Still, by placing migration management and asylum procedure higher on the public agenda and by lowering the financial support to asylum seekers and delaying the processing of the asylum cases outside the relocation agreement, the agreement has had a number of consequences.

The asylum system is challenged as the arrivals put an additional workload on the already limited staff of the Migration Department, which is in charge of processing the applications. The agreement increased the public's awareness of asylum processing. As a consequence of the agreement, several restrictive measures were introduced, financial support for asylum seekers was reduced, and time available to process applications was cut. The resource limitations and the additional cuts in processing times have the potential to compromise asylum processing. In addition, migrants arriving as a result of the relocation agreement are prioritized over asylum seekers arriving through more traditional routes, likely due to the public attention and international obligations. The consequence is that the processing time for these asylum seekers has increased, leading to longer stays in the Foreigners' Registration Centre, a place meant for short stays.

1 Lithuania's asylum system

The first part of this study provides a closer look at Lithuania's asylum system. We start this section by providing a descriptive account of the relevant statistics and main features of the current asylum system. The presentation is not exhaustive, but it should provide sufficient information to provide a foundation for the second part of this section, where we outline the main challenges as identified by central actors working in the field in different capacities.

In 2015 and 2016, Lithuania did not experience such a big influx of asylum seekers as other EU member states. In fact, in 2015, the number of asylum applicants decreased somewhat compared to 2014 (statistic provided below), despite the country's accepting relocated asylum seekers from Greece and Italy. As presented in the introduction of this report, Lithuania is a typical transit country when it comes to migration. Compared to the Nordic countries, Lithuania's asylum arrivals have very been low, and the majority of foreigners who get legal residency leave the country shortly after receiving formal status and travel documents. Still, Lithuania's asylum system, like those of like its Nordic neighbours, suffers under limited resources in the wake of the refugee situation in 2015–2016. For Lithuania, this shortage is directly linked to the decision taken by the Government of Lithuania on 22 June 2015 to resettle 70 and relocate 1,035 foreigners who need international protection by the end of 2017. At the end of 2015, the Law on the Legal Status of Aliens was amended to provide for the possibility of relocating and resettling third-country nationals to the Republic of Lithuania. As of spring 2017, Lithuania, like the majority of signing states, has, not fulfilled its obligations under the agreement. Still, a total of 343 persons have been resettled in or relocated to the country. As will be presented below, this agreement has had a direct and negative influence on the regular asylum cases, and central actors in the field identify several challenges and potential for improvement in the country's asylum system.

Numbers of asylum applicants in Lithuania

Lithuania remains a transit country for mixed migratory movement and consistently receives a relatively low number of asylum applicants compared to neighbouring Scandinavian countries. The total number of arrivals to Lithuania in 2015 was a mere 12 per cent of the total arrivals of just the month of November in Norway. Looking at

the statistics, the number of asylum claims processed in this period actually decreased by over 40 per cent, compared to the previous year (496 applications in 2014, 291 in 2015).

Table 1.1 Asylum applications, 2014–2017 (April).

	Asylum applications				Total
	First	Repeated	Dublin III		
			First	Repeated	
2014	339	109*	47	1	496
2015	208	12	67	4	291
2016	345	13	66	1	425
2017 (I-IV)	147	2	23	3	175
Total	740	129	139	8	1387

* Before 2015, there was a legal provision in the national law, according to which subsidiary protection had been granted for 1 year only. Thus every year the beneficiaries of subsidiary protection had to re-apply for asylum in order to get their status renewed.

There was an especially steep fall in applications from Afghanistan, Georgia, and Russia. Looking at the last few years, it is also worth noting that the decrease has been more significant than what can be read from the table above. The arrivals in 2016 and 2017 also include asylum seekers relocated from Greece and Italy as part of the relocation agreement. This means that in the years where arrivals of asylum seekers exploded in Europe, the arrivals to Lithuania continued to drop.

Table 1.2 Asylum applications under the EU relocation scheme.

Year	Relocation asylum applications
2015	4
2016	180
2017 (I-IV)	134
Total	318

The apparent increase of asylum seekers in 2016 is not a reflection of increased arrivals, but rather reflects the EU relocation agreement. The EU relocation scheme is an expression of the principle of solidarity. EU member states agreed to relocate asylum seekers from member states experiencing high migratory pressure. Relocation is the transfer of asylum seekers who are in clear need of international protection from one EU member state to another member state where their asylum application will be examined once the relocation has taken place. This means that persons that are relocated from Greece or Italy will have their application processed in Lithuania. Eligibility for the relocation scheme is limited to applicants who are in clear need of international protection and are a national or stateless resident of countries for which the EU-wide average recognition rate is more than 75 per cent. The majority of beneficiaries so far have been from Syria,

with Eritreans and Iraqis as the second and third largest groups. While exact numbers are difficult to come by, one official source said that the vast majority of these people had left Lithuania (the impression being that they mainly headed towards Germany).

In addition to the relocation scheme, the EU-Turkey deal of March 2016 has led to 25 persons being resettled in Lithuania. The agreement is based on a 1:1 scheme. For every Syrian returned from the Greek islands under the agreement, another Syrian hosted in Turkey should be resettled from Turkey to the European Union. The eligible refugees under the scheme are the ones already registered as refugees by the UNHCR. Hence, when these refugees are transferred to Lithuania, their cases are not processed and they are not included in the population subject to the Lithuanian asylum system.

Looking at the asylum decisions since 2014 and up to and including April 2017, a total of 588 persons have been granted protection in Lithuania, either refugee status (351 persons) or subsidiary protection (237 persons).

Table 1.3 Decisions on asylum applications, 2014–2017 (April).

	Status		(Total granted protection)	Rejected	Withdrawals	Decision not to process	Transfer to Dublin III state	Total
	Refugee	Subsidiary						
2014	24	153	(177)	106	151		13	447
2015	17	69	(86)	97	158		10	351
2016	181	14	(195)	87	60	4	8	354
2017 (I-IV)	129	1	(130)	31	25	-	5	191
Total	351	237	(588)	321	394	4	36	1343

Unaccompanied and separated minors make up an especially vulnerable group of asylum seekers and have other more extensive rights than adult asylum seekers and refugees in the asylum system. There are very few minors in this category in Lithuania. In 2016 only one unaccompanied minor was registered.

Table 1.4 Unaccompanied and separated minors arriving in Lithuania, 2014–2016.

Year	Male	Female	Total
2014	4	1	5
2015	3		3
2016	1		1
Total	8	1	9

Due to the low number of unaccompanied minors, dealing with such cases was not raised by any of the actors as a prominent challenge. Hence, it will not be treated on its own merits in this report. This does not mean that there are no challenges or improvements to be made in this field; it simply reflects that we do not have data to address the issue in this publication.

To sum up, the number of asylum seekers to Lithuania is limited and the asylum system seems not to be under any significant pressure. Yet, as will be presented below, the system is still suffering from limited resources and is not likely to handle an increase in asylum seekers well the way it is organized today.

The process of applying asylum

Being an EU country, Lithuania is subject to the Common European Asylum System (CEAS). In 2015 Lithuania transposed asylum directives into national law (the recast Qualification Directive, Procedures Directive, and Reception Conditions Directive). The EU Common European Asylum System (CEAS) is a set of EU laws, completed in 2005. The laws are intended to ensure that all EU member states protect the rights of asylum seekers and refugees. The CEAS sets out minimum standards and procedures for processing and deciding asylum applications, and for the treatment of both asylum seekers and those who are recognized as refugees. Implementation of CEAS varies throughout the European Union, and despite the fact that asylum procedures have been “harmonized”, there are differences in procedures across the union. The chances for asylum seekers of gaining protection depend greatly upon the procedures used to assess their cases. Even the most compelling claim for international protection may fail if it is not fully and fairly considered.

To address the uneven application of CEAS and the problems of the Dublin system, a reform of the CEAS was proposed in 2016, but is still on the negotiating table. Looking to national legislation, the Law on the Legal Status of Aliens lays down the foundations of the national asylum system in Lithuania.

The process of seeking asylum in Lithuania is administratively located in the Migration Department, under the Ministry of Interior. The department implements the government’s policy in the area of migration and has done so for 25 years; and for approximately 20 years, asylum procedures have been in place in some form. The asylum unit of the Migration Department determines refugee status. All procedural decisions on asylum may be appealed and brought to court. These cases are handled by administrative courts, which follow ordinary case law, with the option of appealing to the Supreme Court.

State-funded lawyers and NGOs provide legal aid to asylum seekers. The State Border Guard Service is responsible for the initial processing of asylum applications made at the border and in some specific instances, in consultation with the Migration Department, make a decision on an asylum-seeker’s admission to the territory. The State Border Guard Service is also responsible for the administration of the Foreigners’ Registration Centre, the reception centre for asylum seekers in Pabrade.

The first 48 hours

Focusing on the initial phases of the asylum procedures, there are three ways to submit an asylum application: (1) at the border, (2) at the territorial police department, or (3) at the registration centre for foreigners in Pabrade. The State Border Guard Service (SBGS) is responsible for the initial registration of asylum applications made at the border. The Asylum Procedures Directive confirms certain basic procedural guarantees at this stage such as the right to a personal interview, the right to receive information and to communicate with UNHCR, and the right to a lawyer.

The Officers in the SBGS shall immediately interview the asylum seeker, take his/her available personal, travel, or other documents, take his/her fingerprints, and take his/her photo. The registration interview is done by an officer in a language spoken by the officer. According to our source, translators are often not available, and border guards often have to rely on gestures or body language. These initial procedures must take no more than 24 hours before the documents are handed to the Migration Department for processing.

The asylum application and other related documents are then sent to the Migration Department, while at the same time the information is registered in the Eurodac system. These data are used to help identify the country responsible for the asylum application (in line with the Dublin Regulation). After receiving the documents, the department must decide within 24 hours how the case should be processed. There are four main ways of processing the applications.

1. The application may be processed through *a general procedure*, which entitles the person applying to the status of a regular asylum seeker in the country. This procedure normally takes three months, but it may be extended by another three months, which, according to our informants, is quite normal.
2. The application may be processed through *an accelerated procedure* (unaccompanied minors are exempted from such procedures). An accelerated procedure has to be completely processed within ten working days (seven days and a possibility to extend by three more). During this time, the person that has applied stays in detention in the transit zone, or the State Border Guard Service may go to court to get permission to settle the applicant at the Foreigners' Registration Centre. If the applicant arrives with young children, they are driven directly to the registration centre. According to our informants, most asylum seekers spend one night in the rooms in the transit zones.
3. The initial investigations may reveal a case to be a *Dublin case*, meaning that the person has registered an asylum application in another EU country, and this application is the responsibility of another EU member state in accordance with the Dublin regulation. In this case, the asylum application is not considered on its merits; instead, an investigation is carried out, the aim of which is to transfer

the asylum seeker to the EU member state responsible for the examination of the asylum application. Such cases do not strain the asylum system in Lithuania, and transferring applicants to the country in charge involves no specific challenges. Lithuania requests around 20 such transfers per year.

4. There is also the option of *immediate rejection*. This applies if the asylum seeker has arrived from a safe third country (the principle of a safe third country is not applicable if the asylum seeker is an unaccompanied minor or if a safe third party is a member state of the European Union; in the latter case, a decision specified in bullet point number 3 applies).⁵ There is a limited amount of such cases.

The Migration Department has to decide how to process the case within 48 hours after the application is lodged. The Migration Department rules on the admissibility of an asylum seeker's claim based on the information collected by the SBGS and police. These time restraints are linked to legal restrictions of detention. It is not legal to detain a person without a legal verdict more than 48 hours.

In this initial phase, asylum seekers are entitled to legal counsel, but this is rarely given. According to our sources, asylum seekers are informed about this right but have to actively request it; legal counsel is not automatically given. While legal counsel is a choice for adults, it is mandatory for unaccompanied minors.

The Asylum Procedures Directive secures the right to receive information and to communicate with UNHCR. In this initial phase of the asylum process, the amount of information available at border crossings varies. The SBGS and UNHCR have a written memorandum of understanding (MOU) guiding access to information. According to our sources, the MOU states that when an asylum application is handed in, representatives from the Red Cross are to be contacted and will come to witness all the procedures (such as fingerprinting and the registration interview). According to both the Red Cross and the SBGS, the MOU is respected. Persons seeking asylum are entitled to information, legal counsel, and a translator, free of charge. In this initial phase, information is provided mainly in written materials. There are leaflets available in a range of languages inside the detention rooms with information on the rights of asylum seekers in Lithuania, contact information for the Red Cross and International Organization for Migration (IOM).

⁵ A safe third country is defined by Lithuanian authorities as follows: A safe third country means a country other than the foreigner's country of origin that is a party to the 1951 Convention relating to the Status of Refugees and/or the 1967 Protocol relating to the Status of Refugees, as well as the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and (or) the 1966 International Covenant on Civil and Political Rights, implementing the provisions of the aforementioned documents and in accordance with its national laws, providing a realistic opportunity to apply for asylum and be granted it in accordance with the established procedure (Part 25 of Article 2 of the Law on Legal Status of Foreigners).

The rooms the asylum seekers stay in in this initial phase, also called transit zones, are closed rooms. Each border crossing has one room, with one extra at the Vilnius airport. The facilities are clean and recently renovated in most places following a recent initiative by the minister to improve the rooms and introduce minimum standards. According to our informants, the new standards address a vast range of factors such as equipment (pillows, duvets, cutlery etc.), cleaning standards, and lighting. Asylum seekers have access to a toilet, a bed, and a shower. Still, it is worth underlining that these are detention facilities, and asylum seekers are not allowed to leave the premises. While they cannot go out alone, all asylum seekers should be able to walk outside to get fresh air with an escort.

Some rooms do not have windows. After handing in their application, asylum seekers wait in the room for the decision, up to 48 hours. Still, the decision on how to process may sometimes exceed this deadline. According to the SBGS, asylum seekers are allowed to buy food, accompanied by a guard. If they cannot afford food, they receive food from the SBGS. If asylum seekers are in need of health care in these 48 hours, they are escorted to necessary treatment. All asylum seekers are also systematically screened using a standardized form, and persons judged to be vulnerable get access to medical or psychological assistance.

The asylum interview

When the Migration Department decides to process the asylum application in line with the general procedures, the next main step is the asylum interview. The person applying for asylum is interviewed by a case worker trained in EU law, with the help of an interpreter, to determine whether he/she may qualify for refugee status or subsidiary protection (in line with the Qualification Directive and the Asylum Procedures Directive).

This asylum interview conducted by the Migration department, and is completely different from the initial interview conducted by the SBGS. There are no «standard» forms or «standard» questions, all the interviews are recorded and subsequently transcribed. First of all open questions are asked, allowing for a free-form narrative. Then additional and specifying questions are asked or documents presented are discussed. Finally all applicants are given an opportunity to comment on any possible discrepancies or contradictions in his/her story. The asylum interview mainly focuses on the essence of the claim, i.e. the reasons why the applicant has left his/her country of origin and is unwilling to return; also applicant's background and life conditions in home country are usually discussed. Translators are used in the interviews, and the costs for this are covered by the authorities.

Right to appeal

In line with international commitments, asylum seekers are entitled to appeal negative decisions within 14 days, and 80–90 per cent of those who get a negative reply do so. When an asylum seeker appeals, he or she is assigned a lawyer and this legal counsel is free of charge, unless the appellant is able to cover the expenses. The number of lawyers with experience in such cases in Lithuania is limited. The authorities use one law firm, and to date around four lawyers have been used in such cases.

Appeals are brought to court and decided by a judge. These cases are handled by administrative courts, which follow ordinary case law, with the option of appealing to the Supreme Court.

In the majority of cases, the negative decision is upheld, although in a limited number of cases, it is annulled, and the case must be processed again. Reasons for annulling the asylum decision may be, for instance, that the interview has not been properly conducted or vital documents were not considered in the asylum processing. The courts cannot reverse the decision on the asylum case, but they may require a new asylum processing. Sometimes, the migration department will come to the same decision, but other times new information is brought up that may change the result of the asylum processing.

Reception conditions

While the application is being processed in the Migration Department, asylum seekers are accommodated at the Foreigners' Registration Centre (FCR) in Pabrade. This is the only asylum reception centre in Lithuania. The centre in Pabrade is an a former Soviet military camp and consists of two main buildings. Asylum seekers are accommodated in one of the buildings and enjoy some freedom of movement. They can go outside and leave the premises if they please, but there are restrictions on how long they can stay away before losing the right to accommodation. The second building stands right next to the asylum centre and is a detention centre for foreigners without valid identification and legal residency in the country, so-called illegal migrants. The detention centre is surrounded by barbed wire and guarded by armed guards, and freedom of movement is severely restricted. A person in the detention centre may apply for asylum and be moved to the asylum facility by a court verdict; and in very rare cases, persons who have applied for asylum are held in detention. This is confirmed by the Red Cross, who visit the facilities on a regular basis.

The FRC has been heavily criticized for both its detention practices and the living standards, but according to all actors working the field today, including the Red Cross, there have been significant improvements in recent years. The facilities have been renovated and the standard of housing has improved. There has also been a significant decrease in arbitrary detention practices.

The facilities for the asylum seekers are in one large building with three floors. The building is, as mentioned, newly renovated and the physical living conditions are very good compared to both Lithuania's European and Nordic neighbours. On the first floor of the building there is a staffed medical office as well as a psychologist. All medical expenses for asylum seekers are covered by the state. The first floor also has a room dedicated for children where children living in Pabrade can come and play, draw, and do activities guided by a social worker. The second floor is the family floor, and families get their own rooms, although they share a kitchen and bathroom. The third floor is for single men. If the centre is full, they share rooms, but when possible, the men also get their own rooms. Outside the centre there is limited room for recreational activities and there are no play areas for children in the compound. There is some grass, but the main impression from the outside is the barbed wire surrounding the neighbouring building.

When staying at the FRC, each asylum seeker gets EUR 10 per month to cover expenses. This is not meant to cover food, hygienic products (including diapers for babies), or cleaning supplies, which are provided. Children attend the local school; school attendance is obligatory for all children residing in the country. Children under school age are offered one hour of activities in the first-floor rooms described above.

Adults are not permitted to work while waiting for their asylum case to be processed. The NGO Vilnius Caritas offers different activities in the Caritas Day Centre in Pabrade. The Lithuanian Red Cross offers free legal assistance to asylum seekers living at the FRC. European Union funds are the main source of funding for these activities.

It is relevant to note that asylum seekers who come to Lithuania through the relocation agreement are not accommodated in Pabrade but go directly to the integration centre in Rukla, where regular asylum seekers go when their application is accepted. The living standards at Rukla are higher than at the FCR (see part 2 of the report for a full description of Rukla).

Return policies

A central feature of a well-functioning asylum system is that asylum seekers who are not granted asylum status in the country return to their country of origin. Return policies are perhaps the most controversial and most discussed in central and northern European states, such as Norway. This is not a central issue in Lithuania and was not raised as a central issue by any of the relevant actors working in the field. This is linked to the limited number of asylum seekers and the fact that the country is a transit country. There are few people to return, and a lot of them disappear or return of their own volition. All return decisions are taken by the Migration department, by the same staff responsible for examining applications and within the same procedure. Decisions on forced returns are enforced by either SBGS or the police, who also control the execution of voluntary return decisions.

Challenges in the asylum procedures

In this section we present the main concerns raised by Lithuanian actors during our discussions. An overarching challenge is that asylum policies have not been a prioritized policy area in Lithuania. As a transit country, Lithuania has, as mentioned in the introduction, been more concerned over the emigration rates than immigration, as the country has not experienced the same increase in asylum applications as Western and Northern Europe.

Despite the decline in asylum arrivals, the Migration Department has had an increase in its workload due to Lithuania's commitment to the EU relocation scheme. Hence, as will be seen below, one of the main challenges facing Lithuania's asylum system is underfunding – there is not enough staff or resources to keep up with and secure proper and justifiable asylum processing. The main challenges of the asylum system in Lithuania today, according to our Lithuanian informants, include,

- Lack of resources in the Migration Department;
- Too little time to process;
- Suboptimal reception facilities;
- Confidentiality/data protection.

Lacking resources in the Migration Department

The most prominent challenge with regard to asylum procedures raised by the relevant informants was the limited resources at the disposal of the asylum division of the Migration Department. After the initial registration described above, all relevant documents are sent to the asylum division, which is in charge of processing all asylum applications. In the last several years there have been 300–400 cases yearly. There are 12 people working in the division. Only seven or eight of them are working with asylum interviews and case processing. At the time of the field work, there was talk about increasing the number of staff, but nothing had been decided.

The relocation agreement has influenced not only the number but also the pattern of asylum arrivals. Asylum seekers arrive in larger groups at the airport, and distribution of workload is therefore not even. In addition, the asylum interviews for asylum seekers relocated from Greece were conducted in Greece. This means that two of the seven case workers have been travelling a lot the last years, further limiting the staff working on processing cases from Lithuania.

The size of the staff makes the asylum division vulnerable. An illustrative example is that while we were conducting our fieldwork for this report, one person was sick. This was the one person in charge of country of origin information. This means that there

was no one responsible for collecting, analysing, and presenting objective and updated country of origin information to various actors within the immigration authorities at the time of the fieldwork. In the same way there is one person in charge of all Dublin cases. The Dublin Regulation is the key legislation for the allocation of this responsibility. The main principle is that only one member state is responsible for examining an asylum application. The member states follow these regulations and send requests to other states for the acceptance of responsibility of an asylum application. According to the Migration Department, Lithuania received 550 requests to process in 2014, 980 in 2015 and 1410 in 2016. If this one person is sick, another member of staff will be assigned to this task, possibly on top of his/ her responsibility. The limited number of people working in this division also means that the person conducting the asylum interview is the same person processing the application, a situation that is normally avoided to secure fairer processing, but hard to avoid in Lithuania with just a handful of people doing these tasks.

According to our informants, funding and staffing have been particularly limited during the last few years. The last 20 years have been described as stable, with regard to both staffing and workload, whereas the last 4-5 years have seen a reduction in staff. The reductions were motivated by internal reorganization, as other divisions within the department had an increase in their workload. One example is the immigration division in charge of legal migration. Their workload was increased and staff were moved; while it was said that the changes were temporary, they became permanent, despite an increase in asylum applications after the signing of the relocation agreement.

Too little time to process

Time and time limits are factors that were brought up repeatedly during discussions with Lithuanian actors. Three time constraints were mentioned as being particularly challenging.

The first challenge was the time limit set for deciding how to process the asylum case. As described above, the initial asylum proceedings registering the application, fingerprints, and pictures and deciding how the case is to be processed must be done within 48 hours. If the Migration Department exceeds this limit, asylum seekers have no legal foundation for residence; detention over 48 hours requires a legal verdict. Informants we spoke to were clear that this negatively impacted the ability of the civil servants in the Migration Department to make well-informed decisions.

Second, the accelerated procedures were also discussed as a challenge. Accelerated procedures lead to lower safeguards in a wide range of situations. As outlined above, the accelerated procedure has to be completely processed within ten working days (seven days with a possibility to extend by three more). According to informants working with case processing, this is not enough time to gather the necessary information.

A consequence of the relocation agreement, the processing of regular asylum seekers and Dublin returns takes longer than before. The relocation agreement has also taken priority in the asylum system, in effect creating a system of prioritized and non-prioritized asylum seekers, where one group is offered better living standards and have their cases processed quicker than the other group. This appears also to be linked to the extraordinary focus on relocated asylum seekers in the media.

Reception facilities not optimal

A main issue raised by several actors is the reception facilities in the asylum process. There are two main concerns. First, the detention rooms or transit zones where asylum seekers are kept during the first 48 hours are substandard. Second, the living conditions in the Foreigners' Registration Centre (FRC) are not suitable for longer stays.

The standards of the detention rooms used for all asylum seekers during the first 48 hours after handing in an application are raised as a concern by several actors in Lithuania. While the standards of the rooms have been improved, our informants stress that several detention rooms are still not satisfactory. It is seen as especially problematic that the accommodation facility for asylum seekers is next to the detention section, which is surrounded by a barbed wired fence and uniformed guards. This atmosphere might negatively impact traumatized asylum seekers, especially those who have been subjected to physical and/or psychological violence, and persons with disabilities. There is limited space for outdoor activities, and the area is not suitable for families with smaller children.

Some actors also addressed the lack of meaningful activities at the FRC. The Caritas Day Centre in Pabrade, which has operated in cooperation with the FRC and the Lithuanian Red Cross, works towards remedying the shortcomings of the Registration Centre. However, its projects depend on the availability of EU financial support.

There seems to be wide agreement among actors working in the field that the living conditions are not suitable for longer stays. The law does not foresee a maximum duration of the stay in this place. Such accommodations occasionally last one year or more, and, during this period, asylum seekers are not allowed to work. While it is possible to choose another place to stay during the application procedure, the option is unavailable to the majority of asylum seekers, as it requires access to legal documents, something most asylum seekers do not have. Therefore, almost all asylum seekers (who are not part of the relocation scheme) are housed in the FRC.

Confidentiality/data protection

An issue raised by the Red Cross as problematic was confidentiality and data protection in the asylum procedures. In order to get funding for NGO activities, NGOs are

required to send a copy of the identity documents of the asylum seekers to the funding agency. The Red Cross finds this problematic and noted that there are concerns about data protection and confidentiality in the country in general and in the migration field especially.

This was not an issue we were able to address further in this project due to the constraints in time and resources. We do advise that this issue be raised in further discussions in the upcoming conference and beyond.

Key points for further discussions

To sum up, the asylum system in Lithuania is, at the moment, heavily influenced by the EU relocation scheme. Despite a decrease in asylum arrivals, the number of applications to be processed has increased. In the same period, public spending on asylum processing has been cut, resulting in a lack of resources in the Migration Department.

The lack of resources, combined with stricter time frames, means that it has been necessary to prioritize the processing of some cases over others. Given that the public eye has been on the relocation scheme, priority has been given to asylum applicants arriving from Greece and Italy. This has led to longer processing times and longer stays at the FRC for asylum seekers arriving by the regular asylum routes. As of today, asylum seekers are not treated equally in Lithuania; not only are relocated asylum seekers prioritized in terms of processing, but they are also provided better reception conditions.

Given the limited time and resources available to the Migration Department, it is timely to ask whether the way cases are processed is justifiable. Issues that cause some concern in this area are procedures and practices at arrival at a border crossing point, where asylum seekers must be registered within 24 hours. There appear to be very limited possibilities to get translators in some cases, and there were references to border guards using body language and gestures in order to obtain information. Information gathered at this stage is important as it provides the foundation for the decision on how the case should be processed. Given the limited resources in the department, where a single person is in charge of country information, the asylum procedures are also vulnerable.

An issue we find it important to raise, which was not addressed by the actors working in the field, is the limited numbers of translators. One single translator has more or less been used in all cases of Arabic-speaking applicants and at all stages of the process. There have also been reports of asylum seekers who had to wait for a long time for the asylum interview because of limited access to translators.

We find it worth mentioning that the practice of detention itself was not challenged by the Lithuanian actors. There seemed to be a consensus regarding the need to detain

asylum seekers in the initial phase of the process. Considering the suboptimal living conditions, we suggest that the option of letting asylum seekers live in the FRC in this initial period should be discussed. Considering the increased time spent in the FRC for asylum seekers not arriving through the relocation agreement we also suggest that it is discussed in the future whether all asylum seekers should be moved to Rukla, at the latest after the six month limit, even if their cases have not been processed.

Another issue that was not brought up in the field by the actors themselves is whether refugees are assured access to the asylum application system. For example, in 2015, the Supreme Court of Lithuania established that, despite sufficiently clear articulations of protection-related reasons for their flight, two Afghan nationals were denied access to the asylum procedure. Instead, they were prosecuted and placed in pre-trial custody in relation to irregular border crossing.⁶ UNHCR emphasizes that a wish to apply for protection does not need to be expressed in any particular form and that the word “asylum” does not need to be used expressly. Any expression of fear of return to one’s home country is enough to indicate a possible need for asylum. Therefore, where there are indications that third-country nationals or stateless persons fear return to their home countries or countries of prior habitual residence, the representatives of the SBGS must provide them with information on asylum procedures, register their asylum applications without delay, and refer those cases to the central determining authority. UNHCR recommends that the government of Lithuania ensure that persons who may seek international protection be proactively identified, including at border crossing points and detention facilities, provided with information about the asylum procedure, registered as asylum seekers, and referred to the determining asylum authority without delay.

A related issue is that of access to information at border crossings. Currently, this is provided mainly in the form of written material in a range of languages, but the range is not exhaustive and, as noted above, the access to translators is very limited if not non-existent at this stage. Whether and how information on asylum is given is not something we were able to look into in depth, given the limitations of this study. From what we could gather, there is very limited use of technology to enable translation without requiring the translator to physically travel to the premises, but this could be arranged, via Skype or telephone, for example. Access to information at border crossings is related to the key issue of admission to the territory and access to asylum procedures, an obligation under the Refugee Convention. And at a time when the number of asylum applications not part of the relocation agreement has actually declined over the past

⁶ https://www.upr-info.org/sites/default/files/document/lithuania/session_26_-_november_2016/unhcr_upr26_ltu_e_main_0.pdf An old but still relevant example is from 2002 when Lithuanian border guards refused entry to 26 Chechens and returned them to Belarus, linking Chechens with terrorists. <http://www.w2eu.info/lithuania.en/articles/lithuania-asylum.en.html>

few years while they have increased elsewhere – dramatically, in some countries – this is an aspect of asylum procedures that is worth paying close attention to.

To sum up, the data at hand seem to confirm that Lithuania adheres to CEAS in most respects. Yet, we do not have sufficient information to come to any conclusions in this regard. We do find it important to note that the authorities have cut spending in this sector while at the same time making significant commitments to increase the workload. The consequences are less optimal asylum procedures and lower safeguards in a range of situations.

2 Integration policies

This second partial study concerns integration of persons granted legal residency after having applied for asylum in Lithuania in terms of policies, practice, and outcomes, with a focus on challenges as identified by central actors working in the field in different capacities.⁷

Integration is a term that is used in several different ways and integration policy is a complex field. The goal of integration can be understood in economic terms, not least integration into the labour market, as well as in socio-cultural terms. Integration is both a goal and a process; the goal is to promote participation and a sense of belonging in society, and the process comprises measures to support the ultimate goal.

UNHCR, in a study of refugees' experiences with integration in Lithuania, operationalizes integration into three processes (UNHCR, 2014), underlining their two-sidedness. Refugees need to adapt, while host communities need to facilitate integration:

- **Legal process:** legal rights, including freedom of movement, access to education and the labour market, access to social assistance, access to health services, valid travel and identity documents, and family unity. Over time, the process should lead to permanent residence rights and, in some cases, citizenship (*naturalization*).
- **Economic process:** attaining a growing degree of self-reliance, being able to support oneself and contribute to economic life in the host country.
- **Socio-cultural process:** being able to live in communities without facing discrimination or exploitation, and contribute actively to the social life in the country of protection.

In order to understand processes of integration and potential for improvement, an important question is whether there are barriers in any of these processes. Given the two-sidedness of integration (refugees adapting and host communities facilitating), it is important to see barriers to integration both in terms of policy and in terms of choices made by refugees. However, decision making processes by refugees cannot be seen in

⁷In this report we use the term “refugee” to signify persons granted refugee status or beneficiaries of subsidiary protection. This is in line with recent usage of terms in UNHCR’s reports on various aspects of refugee and integration policies in Lithuania.

isolation but must be understood as taking place within a particular socio-political landscape that goes beyond what are narrowly understood as specific integration policies: their decisions will also be strongly influenced by (perceived) opportunities and likely outcomes both in the shorter and longer term. The perception of whether it will be possible to participate in society, in economic and social terms, will influence their choices about whether or not they themselves will invest in their future there, something that is also closely related to whether the state invests in their integration.

This is particularly important in a discussion of integration policies in Lithuania. The most prominent issue brought forth in discussions about this topic is that most refugees leave Lithuania shortly after receiving formal status and travel documents. Discussions of integration will inevitably be different than in a country like Norway, for example, which, in 2015, received 31,150 asylum applications, whereas Lithuania received 291 asylum applications in the same year.

The limited number of asylum seekers, combined with the overarching impression that most refugees leave Lithuania shortly after receiving residence permits and travel documents, also has bearing on which aspects of integration it is meaningful to discuss. In other contexts, integration may, for instance, look at labour market participation rates, civic participation, or other aspects of integration that are discussed in the literature. A very small proportion of refugees even begin a process that can lead to integration in this broader sense in Lithuania.

Integration in Lithuania must thus be read against a background of the apparently small numbers of people who stay on in Lithuania after being granted refugee status or subsidiary protection. There are several possible explanations for this:

- Lithuania's integration policies are lacking and unable to integrate refugees.
- The refugees found it difficult to integrate in Lithuania, and decided to leave after not finding options in the country.
- The refugees had not planned to settle and integrate in Lithuania in the first place, preferring another destination country.

These possible explanations for the low numbers of refugees that stay in Lithuania are not mutually exclusive, but can rather be seen as parallel and mutually reinforcing.

Numbers and categories of asylum seekers and refugees in Lithuania

There are two sets of important dividing lines between persons that receive protection in Lithuania (in this report termed refugees) which has some bearing on their integration: being granted refugee status or subsidiary protection, on the one hand, and being part of the relocation/resettlement schemes or being a mainstream asylum seeker on the other. We discuss these issues below.

Refugee status and subsidiary protection

As shown in table 2.1, since 2014, 351 persons have been granted refugee status and 237 persons have been granted subsidiary protection. The main difference, in terms of legal status, which has great bearing on integration, is that the refugee status qualifies a person for legal residence for five years, while subsidiary protection gives two years' legal residence.

Table 2.1 Decisions on asylum applications, 2014 to 2017 (April).

	Status		(Total granted protection)	Rejected	Withdrawals	Decision not to process	Transfer to Dublin III state	Total
	Refugee	Subsidiary						
2014*	24	153	(177)	106	151		13	447
2015	17	69	(86)	97	158		10	351
2016	181	14	(195)	87	60	4	8	354
2017 (I-IV)	129	1	(130)	31	25	-	5	191
Total	351	237	(588)	321	394	4	36	1343

* Numbers do not correspond with those found in the UNHCR periodic review 2016. We based this table on numbers provided to us by the Ministry of Interior in May 2017.

The difference in future prospects in terms of time frame has bearing on the decision making of refugees, and to what extent it makes sense for them to invest their time in trying to integrate in Lithuanian society. This was mentioned by several actors, who had experienced that those granted subsidiary protection found it difficult to envision a future in Lithuania. While beneficiaries of subsidiary protection previously had less

extensive social rights than those granted refugee status, steps were initiated in 2016 to unify the social welfare rights of the two groups.⁸

Relocation, resettlement, and mainstream asylum procedure

In terms of integration, it is also relevant to distinguish between refugees who are relocated to Lithuania through the so-called burden-sharing agreement and refugees who apply for asylum after having come to Lithuania, either of their own accord, or following a return from another country subject to the Dublin III Regulation.

The distinction between refugees who come to Lithuania as part of the relocation and resettlement schemes and those who do not (mainstream asylum seekers) is important in terms of integration. In this report, the term “mainstream asylum seekers” refers to those who apply for asylum after having come to Lithuania, either of their own accord, or following a return from another country subject to the Dublin III Regulation (and are thus not part of the relocation/resettlement schemes). As we have discussed in section 1 of this publication on the asylum system in Lithuania, the introduction to and path into Lithuanian society differs considerably for the two groups. We also describe these differences in the section below on steps in the integration process.

The relocation scheme refers to the agreement to transfer persons who are in need of international protection from one EU member state to another to alleviate the situation in Italy and Greece. The relocation agreement came into existence through two emergency proposals from the European Commission in 2015. The first proposal, in May 2015, proposed to relocate 40,000 people from Greece and Italy over two years (40 per cent of recent applicants at the time). In September of the same year, the commission proposed to relocate an additional 120,000 people from Italy, Hungary, and Greece.⁹ The relocated persons have their applications for protection processed in the receiving country. *Resettlement* of refugees, on the other hand, is defined by the UNHCR as “the selection and transfer of refugees from a state in which they have sought protection to a third country that admits them – as refugees – with a permanent residence status”.¹⁰ In the context of Lithuania, resettlement refers to the transfer of refugees from Turkey as part of the EU-Turkey Statement on Resettlement.

⁸ <https://ec.europa.eu/migrant-integration/news/lithuania-beneficiaries-of-subsi-dary-protection-to-receive-same-social-assistance-as-refugees>

⁹ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_solidarity_a_refugee_relocation_system_en.pdf

¹⁰ <http://www.resettlement.eu/page/resettlement-relocation-or-humanitarian-admission-we-explain-terminology>

Table 2.2 shows the number of applications for asylum in Lithuania from 2014 up to and including April 2017. These numbers include both mainstream asylum seekers and applications processed under the relocation scheme.

Table 2.2 Asylum applications, 2014–2017 (April).

	Asylum applications				Total
	First	Repeated	Dublin III		
			First	Repeated	
2014	339	109	47	1	496
2015	208	12	67	4	291
2016	345	13	66	1	425
2017 (I-IV)	147	2	23	3	175
Total	740	129	139	8	1387

The category “Dublin III” in table 2.2 refers to applications received from persons who have been returned to Lithuania from another member country of the Dublin III Regulation, having either first been registered as an asylum seeker in Lithuania, or having been issued a Schengen visa by Lithuanian authorities.

A total of 343 persons have been transferred to Lithuania under the relocation/resettlement schemes, starting in 2015. While exact numbers are difficult to come by, one official source stated that the vast majority of these had since left Lithuania. Twenty-five persons arrived from Turkey in 2016 as part of the EU-Turkey resettlement agreement, while 318 were relocated from Greece and Italy and had their applications processed in Lithuania.

Table 2.3 Asylum applications under the EU relocation scheme.

Year	Relocation asylum applications
2015	4
2016	180
2017 (I-IV)	134
Total	318

In terms of how many persons are eligible for integration in Lithuania, since 2014 and up to (and including) April 2017, a total of 588 persons have been granted protection, either refugee status (351 persons) or subsidiary protection (237 persons) (see also table 2.1). These numbers include persons arriving as part of the relocation scheme, discussed above, but not the 25 people arriving from Turkey under the resettlement scheme.

Resettlement of Ukrainians

Lithuania has also implemented a special humanitarian programme in response to the situation in Ukraine, starting in 2015. Lithuania admits nationals of the Republic of Lithuania, persons of Lithuanian descent, and their family members residing in the Ukrainian Autonomous Republic of Crimea, the city of Sevastopol, or the Donetsk and Luhansk regions to Lithuania. In 2015, 104 took advantage of this programme to move to Lithuania from Ukraine.¹¹ The programme was also extended in 2016. According to the Red Cross, most Ukrainians have gone straight into municipalities and follow a different path to integration than other migrants. Issues specific to this group were not among those raised in our interviews in Lithuania, and we do not include a discussion of this topic in this report.

Integration policies and practice in Lithuania

Integration as a process starts before a refugee is granted one or the other status – their first introduction to Lithuania is important to their impression of Lithuanian society and their future prospects. We describe the asylum procedures in Lithuania in more detail in section 1 but repeat features particularly relevant to integration here before discussing aspects of these features in more detail in the next section in terms of challenges identified by Lithuanian actors.

Steps, institutions, and procedures in the integration process

Once an asylum application has been filed, the asylum seeker can either find private lodgings to support themselves or move to the Foreigners' Registration Centre (FRC) in Pabrade.¹² The normal processing time for an asylum application should be no more than three months, with the possibility for another three-month extension in case there is a need to collect more information.

Once the person has received either refugee status or subsidiary protection, they will move from the FRC to the Refugee Reception Centre (RRC) in Rukla. The RRC implements the integration process. Under normal circumstances, a refugee will stay at the RRC for three months, but the stay can be extended under certain

¹¹ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/emn-studies-17a_lithuania_resettlement_study_en.pdf, http://www.lrt.lt/en/news_in_english/29/109542/lithuania_to_resettle_nationals_from_crimea_and_eastern_ukraine, : <https://lrv.lt/en/news/resettlement-of-lithuanians-from-unsafe-areas-in-ukraine-extended>

¹² Provided a decision that the application will receive regular and not expedited processing.

circumstances. Importantly, only mainstream asylum seekers are accommodated in the FRC. Those arriving under the relocation/resettlement schemes go straight on the RRC to commence the integration programme. Furthermore, the processing time for relocated asylum applications is shorter than the (formal) maximum of six months for mainstream asylum seekers (in practice it appears that it can in many cases also be considerably longer). This means that the two groups (relocated and mainstream) get a very different introduction to Lithuanian society.

The Foreigners' Registration Centre

The FRC is housed in a former Soviet military camp, located in a small community, Pabrade, approximately 50 kilometres outside of Lithuania's capital, Vilnius. The centre has two separate buildings for accommodation, one open section that houses asylum seekers, and one closed section, where irregular migrants (and in exceptional cases, asylum seekers) are detained. Both buildings are surrounded by a tall fence (and the detention building by vast amounts of barbed wire) and guarded by armed guards. There is an activity centre run by Caritas in the village close by, where asylum seekers can participate in activities, run with EU funding on a project basis. Children are enrolled in day care or school. Asylum seekers in the open section can register to leave the centre for up to 24 hours. In terms of the physical environment, there is one section for families and one for single men. Each family has their own room, single men share rooms (up to four people per room depending on capacity). At the time of our visit, the family section at the centre was full, and the open section of the FRC housed a total of 83 people, including 12 children.

The FRC provides full board and the asylum seekers receive EUR 10 per month for incidentals. The centre also has a health department, with access to medical and psychological assistance. There are no language classes or other systematic training activities at this stage of the asylum process. Representatives from the Lithuanian Red Cross visit the centre once a week and can provide legal assistance when necessary. A normal length of stay should, strictly speaking, not exceed three months (the standard processing time for an asylum application) or six months (in cases where additional information and processing time are needed). While we have not been able to obtain average or maximum lengths of stay at the FRC, there were anecdotal accounts of some asylum seekers staying at the FRC for more than one year.

The Refugees' Registration Centre

As mentioned above, when asylum seekers are granted protection, they move to the RRC. Unaccompanied minors and persons arriving under the relocation scheme are also accommodated at the RRC before their applications are processed. (Persons arriving under the resettlement scheme already have refugee status and also go directly to the RRC). The normal length of stay and duration of the integration programme

is three months, but it can be extended under certain circumstances, most notably in cases of vulnerability or if there are particular challenges to integration. The length of stay has been reduced in recent years from eight months.

The RRC is located in Rukla, a small town 35 kilometres from Kaunas with a population of approximately 2,000 people. Its main distinguishing feature is that it hosts a large and active NATO military base. The RRC implements the integration programme, which consists of language training (96 hours) and classes on Lithuanian culture and society (40 hours). During the integration programme, refugees receive €71.4 per month for expenses. The centre also provides in-house medical services to the residents.

The standard and physical conditions at the RRC are of a drastically higher quality than those of the FRC. The centre has a library and movie room that is open and staffed for 12 hours per day, a large play room for children, a well-equipped gym, and well-maintained grounds, including sports facilities and a playground for children. It is, however, impossible not to note the very particular environment of the centre with a very high military presence in its immediate vicinity, including helicopters regularly flying over the centre; tanks and fully equipped military personnel are a common sight in the streets.

Integration in municipalities

Following completion of the integration programme at Rukla, the next step for refugees is to be settled in a municipality. At the moment, the cities of Vilnius, Klaipeda and Kaunas receive refugees. The integration process in the municipalities is implemented by the Lithuanian Red Cross, which signs contracts with refugees and provides support in becoming acquainted with and orienting in Lithuanian society, with Red Cross staff serving as mentors. There are plans for the Association of Local Authorities to become more involved in integration efforts, but there was little information about this available at the time of our visit. During this phase, the government provides financial support for an additional 190 hours of Lithuanian language classes. Refugees receive financial integration support for one year, which consists of €204 per person per month for six months, and €102 per person for the following six months. These rates and the duration of support were reduced in November 2015. Before the relocation and resettlement schemes started, the financial support was twice the amount and could be extended up to five years with a degree of flexibility for vulnerable groups.

It is worth noting that this step – settlement in municipalities – is only fulfilled for a handful of people. When we visited the RRC for this study in May 2017, there were 15 people settled in municipalities. The general experience is, as mentioned above, that refugees leave shortly after having received their travel documents, often before the three-month option to stay at the RRC is over.

Challenges in integration of refugees in Lithuania

This section presents identified challenges in integration work in Lithuania as seen by central government and NGO actors. There was a broad agreement among different actors that integration efforts are currently insufficient. Specific issues that were raised and broadly agreed upon include the following:

- The physical environment at the FRC provided an unfortunate first meeting with Lithuania and was un conducive to integration.
- Increased processing time for mainstream asylum applications due to a prioritisation of relocation asylum applications led to longer stays at the FRC for mainstream asylum seekers, further hampering their integration into Lithuanian society.
- The organisation of integration taking place within an institution (the RRC) and not in communities caused delays in actual integration and contact with society.
- Several actors saw the location of the RRC in immediate proximity of a military base as inappropriate.
- Lack of alternative accommodation outside institutions in the integration process.
- Low level of and too short a time span for financial support in the integration process limiting refugees' opportunities to integrate in Lithuanian society.
- Insufficient duration of language training for functional language skills.

Interestingly, many of these concerns, which came both from government and NGO representatives, closely echo findings from UNHCR's participatory study with refugees and their views on and experience with integration in Lithuania (UNHCR, 2014). Given their different vantage points, the consistency across groups in identifying challenges in integration supports the centrality of these concerns. Below we elaborate on each point.

Conditions at the FRC provide an unfortunate first meeting with Lithuania

The conditions at the FRC are also described in section 1, as part of our discussion of treatment of asylum seekers during the application process. The conditions at the FRC were cited by most actors we spoke with as providing a very unfortunate first meeting with Lithuania. Lithuania has previously been criticized for detaining asylum seekers, with profound detrimental effects to both their well-being and their first impression of Lithuania. This is discussed at some length in the UNHCR study of refugees' experiences with integration in Lithuania issued a few years ago. The report

states that several refugees had been traumatized by the detainment and spent their initial time at the RRC trying to recover, rather than being able to effectively benefit from the integration programme (UNHCR, 2014: 37).

The practice of detaining asylum seekers appears to have considerably changed after the publication of the UNHCR report mentioned above, and asylum seekers appear, at present, to be detained only under extraordinary circumstances. This was corroborated by non-state actors we spoke to during our field visit. Nonetheless, the very close proximity – just a few metres – of the open part of the FRC to the detainment facility contributes strongly to a prison-like environment, as does the vast amount of barbed wire fencing and the presence of armed guards in camouflage uniforms. This is particularly concerning given what appears to be an increase in the average time that asylum seekers spent at the FRC, due to increased processing times for mainstream asylum seekers, which we turn to next.

Increased processing time for mainstream asylum applications

One issue that was flagged for concern by several actors was the increased pressures on the Migration Department in the Ministry of Interior due to the extra workload connected with the relocation agreement asylum applications. As discussed above, the normal processing time for an asylum application should be no more than three months, with the option for an additional three months in cases where additional information is required. This is different for asylum applications received under the relocation agreement, for which the processing time is much shorter. This appears to be a political decision at a ministerial level, and we have not been able to identify a legal or policy basis for this practice or for the very differential treatment of the two groups of asylum seekers. In addition, asylum applicants who may be eligible for relocation from Greece to Lithuania are also interviewed on two occasions in Greece before they are admitted to Lithuania. This means that representatives from the Migration Department travel to conduct interviews, which makes further demands on department resources. With only 12 employees, eight of whom are case workers, the Migration Department's capacity to process mainstream asylum applications is thus limited substantially.

Integration taking place within an institution

As will be remembered, after protection is granted, or upon arrival as part of the relocation scheme, refugees move to the RRC in Rukla for a three-month integration programme. Concerns were raised about the usefulness of the integration programme's being implemented within an institution and in relative isolation from Lithuanian society. In particular, refugees who come to Lithuania as mainstream asylum seekers spend substantial time in institutions in relative isolation from the general popula-

tion. Some of the actors we spoke with during our visit questioned the usefulness of conceptualising integration as something that could be implemented in an institutional environment, rather than in close contact with mainstream society, in the form of limited language and society/culture classes rather than interaction with local inhabitants in communities. On the other hand, representatives of the RRC argued that the three-month programme at the RRC was important to address any health issues as well as provide language training, which would ease refugees' transition to municipalities at a later stage. Nonetheless, the general impression that most refugees leave Lithuania either upon or prior to completion of the integration programme in the RRC seems to support the view that the current system is not a particularly efficient way of facilitating integration.

The location of the RRC in a military base town

Related to the concern about the integration programme being implemented in an institution were concerns about the RRC being located in a military town with only a small civilian population and with a very high military presence. This concern is related to two issues. One issue is that the community in which the RRC is located is hardly representative of Lithuanian communities in general. In terms of being introduced to and becoming familiar with Lithuanian society and culture, Rukla presents a very particular reality. If integration is to begin in an institutional environment rather than with direct settlement and independent living in a community, it does seem that a more mainstream community would give more opportunity to participate in normal social life and begin the process of actual social (and economic) integration. The limited financial support (EUR 71.4) and distance to the nearest city, Kaunas (approximately 40 kilometres), also mean that options for interaction with Lithuanian society outside of Rukla are limited. The other issue of concern raised in terms of the location of the RRC was the dominant presence of the military itself: Actors in close contacts with refugees said that several had reacted strongly and negatively to the high military presence, which brought back memories (and sometimes trauma) of war experiences. This was particularly noted as a concern for refugees who had been placed in the somewhat prison-like environment of the FRC for a considerable length of time prior to being transferred to the RRC.

Lack of alternative accommodation outside the integration institution

Related to the criticism of integration currently being organized in an institutional environment were concerns that there were very limited options for alternative accommodation outside of the RRC during the integration period. From what we understand, there is new legislation in development to provide options for alternative

accommodation during the integration period. There is also a pilot project, due to start soon, in which some families will be selected to be settled directly in municipalities, bypassing a stay at the RRC. At the time of our visit, however, the options to go straight to a municipality were limited.

Low level of, and too short a time span for, financial support in the integration process

During their stay in the integration centre, refugees receive €71.4 per month. After settlement in municipalities, they receive €204 for six months, and then €102 for the next six months. Concerns were raised about these funds being insufficient. It was also pointed out that this support (both the amount and the duration) had been substantially cut in November 2015 before the relocation and resettlement schemes were implemented. Previously, the amount was higher and the duration longer and, reportedly, more flexible for particularly vulnerable refugees.

Related to this issue are the difficulties faced by refugees in integrating in municipalities. Again, it must be noted that most leave before this is an issue, but difficulties in finding both accommodation and work were noted by several actors. The Red Cross works with refugees through a mentor programme to help them orient in Lithuanian society and provides support, for example in accessing public services. As part of this work, the Red Cross mentors also have conversations with refugees to establish their prospects and plans; mentors noted that they were often met with despondency when they told refugees about the low level of financial support they would receive.

Insufficient language training

Language skills are imperative for both social and economic integration. For the handful of cases that were mentioned as examples of successful integration, it was also pointed out that the refugees had been proficient in English and that this had been a key to their being able to communicate and interact from an early stage and had also been instrumental in their ability to get jobs (that required English skills). Language classes are very limited, and refugees receive 96 hours over three months at the RRC, as well as financial support for an additional 196 hours after settlement in municipalities. It is our understanding that language classes after settlement must be privately organized. It was also pointed out by some that the cost cap set by authorities for financial support for language classes at this stage was too low (reportedly, €2.90 per hour) and not sufficient to attract qualified teachers. Again, it must be pointed out that experience in this field is limited since very few refugees stay in Lithuania to complete this step of integration. Nonetheless, there seems to be an agreement that a total of 286 hours of language classes is not enough for most people to learn Lithuanian

at a functional level. While there were a few examples mentioned of people who had learned Lithuanian in a very short time, the general picture was that most people need more extensive training, and that there is very little flexibility for individual differences in the current system, where the number of hours is the same for everyone, regardless of personal capacity and circumstances.

Key points for future discussions

It seems quite clear that Lithuania is not a preferred destination for refugees. The number of “spontaneous” asylum applications, that is, not arriving as part of the relocation agreement or following a return from a Dublin III country, have actually declined from 2014 to 2016. This is striking in a time where asylum applications to other countries in Europe have drastically increased, often referred to as the “refugee crisis”. In 2016, subtracting relocation and Dublin III returns from the total number of applications, Lithuania received 178 asylum applications that can be considered “independent”. These are extremely small numbers compared to most any other state.

Simultaneously, integration efforts are lacking. While there seems to be a broad agreement that most refugees do not choose Lithuania in the first place and are motivated to move on once they can, there can be little doubt that the system and prospects they face in Lithuania further strengthens their motivation to leave. The motivation of refugees to integrate in Lithuania may be limited, and so are the efforts and resources allocated to their integration by authorities. Integration must be read against the form of protection granted: subsidiary protection is given for two years at a time, refugee status for five years at a time. In terms of the personal efforts and investments required to integrate (learning a language, finding a job, establishing social contacts, etc.), it is more than likely that the time span and degree of predictability will impact on individuals’ and families’ decision making processes and assessments of opportunities.

Ironically, the increased influx of asylum seekers following the relocation agreement appears to have been followed by a decrease in resources in some central fields, namely asylum processing capacity and integration support. With the very limited numbers of people who apply for asylum in Lithuania, it is difficult to see how an increase in support would be overly burdensome for the state.

One of the starting points for this assessment was an interest on the part of Lithuanian authorities to discuss how the country could become better equipped to fulfil its international obligations related to migration and refugees. Several publications have already developed recommendations in this field with respect to legislation and structure based on in-depth studies and review of legislation. We take as a starting point for our report that these publications will also be included in future discussions. Central documents include the abovementioned “Integration of Refugees in Lithuania

– Participation and Empowerment” (UNHCR, 2014) and the “Strategic Document on the Integration Policy for Foreigners Granted Asylum” (DDG et al., 2017). In this report, we have examined integration from the vantage point of different implementing actors who have expressed their concerns and viewpoints, as discussed above. Our conclusion from these conversations, and our own observations, is that the current system for integration in Lithuania is not well prepared for an influx of refugees and poorly equipped to accommodate the very low number of current arrivals.

In terms of Lithuania’s international obligations, the most notable, at the moment, is the obligation to relocate 1,035 asylum applicants from Greece and Italy as part of the EU relocation scheme and to resettle 70 refugees in two years as part of the joint EU response to the crisis situation in the Mediterranean. The relocations from Greece and Italy are scheduled to be completed by the end of 2017. Given that Lithuania has relocated 318 asylum applicants between 2015 and April 2017, it seems very unlikely that this time frame will be met. Indeed, the relocation scheme is delayed in most countries. Nonetheless, the plan is to receive an additional 717 asylum applicants with high chances of being granted protection in the near future (in addition to other asylum applications that are filed in Lithuania). This will put increased pressure on an integration system that is already struggling to cope. This is related both to the resource situation and to the organisation of integration efforts, and substantial changes in all steps of the integration process will be needed if the goal is to encourage more refugees to stay in Lithuania and integrate in any real sense.

3 Irregular migration

This third sub-study concerns irregular migration to (and through) Lithuania. There is no universally accepted definition of irregular migration, but the term is generally used to signify migration that takes place outside the regulatory norms of sending, transit, and receiving countries. The term irregular migration is generally preferred to the often used “illegal migration”.¹³

Irregular migration covers several separate issues, from the crossing of a border without legal documents, visas, or residence permits (which is the case for many fleeing war and persecution) to clearly illegal activities and the crossing of borders with criminal intent. Irregular migration as a policy and practice field thus involves many different actors and requires vastly different responses to the different manifestations of irregularity. In our discussions in Lithuania, the issue flagged of being of particular concern was the misuse of legal pathways of migration, especially pro-forma marriages and the establishment of fake businesses to obtain residence permits, which in turn enable legal border crossings into Europe. These forms of (attempted) irregular migration were a concern in terms of the resources necessary to control and check documentation in connection with the establishment of businesses and marriages/family reunification. The main reason, though, that these forms of irregular migration are a priority for discussion is the observation that the exploitation of legal loopholes in irregular migration may gain in relative importance, as other forms of irregular migration that were previously more common (e.g. forged documents, illegal border crossings) are now more effectively controlled through international cooperation and Frontex joint operations, as well as through modernisation of surveillance equipment (IOM/EMN, 2011).¹⁴

Irregular migration in Lithuania should also be seen in relation to Lithuania’s role as a transit country into other EU/Schengen states. The general impression in Lithuania is that most of the irregular migration into the country does not necessarily happen with an intent to *stay* in Lithuania, but to transit further into the EU. Lithuania’s borders are part of the EU’s external border, with Belarus to the east and the Russian enclave Kaliningrad to the west. Several attempts at human smuggling between Latvia and

¹³ See for instance the EMN glossary, https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary/i_en

¹⁴ <https://ec.europa.eu/migrant-integration/librarydoc/practical-response-to-irregular-migration-in-lithuania>

Lithuania have also been detected. Latvia, a member of the EU along with neighbouring Estonia to the north, also shares borders with Belarus and Russia. Irregular migration is therefore also a key issue for the State Border Guard Service, which is responsible for monitoring and guarding Lithuania's border. Regular attempts at illegal border crossings have been detected.

We also include in this section a brief discussion of human trafficking and screening for and identifying victims of exploitation. Human trafficking is often discussed in terms of irregular migration. However, it is important to note that human trafficking does not necessarily take place within an irregular migration context (although it sometimes does), nor in a migration context at all. Victims of trafficking can be subjected to exploitation within their own countries (and indeed, their own communities). Nonetheless, there are specific issues relating to human trafficking and refugees that are generally underconsidered and under-reported in many countries, which is why we include this discussion. Despite Lithuania's being a transit country that regularly stops smugglers attempting to transport humans through the country illegally, there is limited awareness of and work done to combat human trafficking. Anti-trafficking activities are largely dealt with as part of crime prevention and control.

Irregular migration and control procedures

While Lithuania is arguably at the centre of continental Europe, the country has a border of 1,700 kilometres, of which 1,070 kilometres are part of the EU's external border. The borders are guarded by the State Border Guard Services (SGBS), under the Ministry of Interior. There are 37 official border crossing points controlled by the SGBS. According to official statistics,¹⁵ there has been a steady decline from 2014 to 2016 in the numbers of irregular migrants identified:

Table 3.1 Irregular migration categories identified by the SGBS, 2014-2016.

	2014	2015	2016
False documents	3	2	10
Illegal border crossing attempts	375	256	146
Identified during document check, after arriving in territory	145	234	158
Stopped and returned without legal documents at Polish border	170	197	89
Overstayers*	1482	962	958
Total	2175	1651	1361

* An overstayer is a person who remains in a country beyond the period for which entry was granted, see for instance https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary/o_en

¹⁵ Provided by SGBS during our field visit in May 2017.

The decline in the various categories of irregular migration was explained by the SBGS as being related to a general decline in migration streams from Georgia and Afghanistan, countries from which irregular migration has previously been detected. In addition, and as mentioned above, more effective border controls through international cooperation and Frontex joint operations, as well as modernisation of surveillance equipment, have contributed to the decline. The SBGS also works in cooperation with other authorities to prevent irregular migration. One important part of this work is consultations with diplomatic missions and consular offices on the issuance of visas.

The SBGS have also stopped attempts at organized smuggling of human beings. And as the table below reveals there was a considerable increase in detection of smugglers from 2014 to 2015.

Table 3.2 Smuggled persons and smugglers detected by the SBGS, 2014–2016.

	2014	2015	2016
Smuggled persons detected	150	254	286
Smugglers detained	54	98	38
Total	204	352	324

Several of these smuggling attempts were detected by stopping trucks crossing the borders from Belarus in the east and Latvia in the north. One change that the SBGS noted was an increase in the number of people smuggled in each truck, as reflected in the numbers in table 3.2: while the number of smuggled persons detected increased somewhat from 2015 to 2016, the number of smugglers detained was more than halved. The SBGS also participates in efforts to detect irregular migration to the territory, in the form of document checks, in cooperation with the police and customs and labour inspection authorities.

As mentioned above, marriages of convenience and the establishment of fictitious businesses in order to obtain residence permits are of some concern. There are established procedures for carrying out checks to verify both businesses and marriages. These are undertaken by the Control Division in the Migration Department of the Ministry of Interior, which was established in November 2016.

Fictitious businesses are companies that are established, not with the intent to carry out business activities, but to obtain residence permits. Control mechanisms have therefore been set up to verify that businesses established by foreigners are, in fact, real. In order to obtain a residence permit for the establishment of a business, a foreigner must provide a number of documents, among them an application for a residence permit, a passport, documentation of the foundation of the business, a business plan, labour contracts for employees, documentation of ownership, auditing reports, and more (a full list is available on the website of the Ministry of Interior of Lithuania).

The foreigner must also pay a processing fee: €86 for a normal procedure (four months) or €172 for an expedited procedure (two months).

The value of the company's capital must be no less than €28,000, and at least €14,000 must be invested by the foreigner applying for the residence permit. Aspects that may cause suspicion that a company is fictitious are if the foreigner cannot answer questions about the company's business, if he or she has no experience in the sector the business operates in, if there is no evidence of business premises, and other indications of inconsistencies that warrant further examination. In such cases, investigations are carried out with the applicant, in the form of written and oral interviews seeking to establish, for example, the names of employees, their salaries, where the business is operating, and other facts that may support or disprove the existence of the business. This is carried out in tandem with checks of all relevant documentation and can be a very time consuming task. In some cases, it is necessary to conduct a control visit to the business premises, checking whether the company fulfils official requirements regarding payment of employees and work hours and whether there have been complaints against the company. This information is also considered in relation to information from official registries and, when relevant, to other institutional actors, particularly labour inspection authorities. At the time of our visit in May 2017, the control division had detected 179 fictitious companies, which was already twice the number of the previous year.

As mentioned above, the other category flagged for particular concern by Lithuanian actors, was pro-forma marriages/partnerships, or marriages/partnerships of convenience, with the sole intent of obtaining a residence permit or enabling the person concerned to live in the state. According to official statistics, there are serious grounds to believe that marriages of convenience or registered partnerships of convenience had been contracted or fake adoption were effected in five cases since 2014. As in the case of business applications, the first step in obtaining a residence permit based on marriage/partnership is for the foreigner to submit the required documentation. This includes documentation of a valid passport and visa (if the foreigner is already in Lithuania), documentation of marriage, documentation of income and means, and so on (a full list is available on the website of the Ministry of Interior of Lithuania). In terms of income, it is sufficient to document the minimum wage in Lithuania, which is currently €350 per month. It is sufficient that the resident document income and willingness to support their spouse/partner. Following the submission of documents, interviews are conducted with the spouses. In the experience of the Control Section, the foreigner will normally already be in Lithuania when the application is submitted. In cases where they are not, the control procedure will be undertaken in collaboration with the relevant diplomatic missions and consular offices. Issues that may cause suspicion of convenience marriages or partnerships are if the spouses do not share an address, if they tell diverging stories of how they met, do not speak the same language,

and so forth. In other cases, authorities are able to document that the marriage has been paid for or establish that one or both spouses have previously entered into marriages/partnerships of convenience.

Challenges connected with irregular migration in Lithuania

In the two other thematic areas included in this project, asylum application processing and integration work, a number of clear challenges were identified. This was less pronounced in our discussions on irregular migration. The main issues raised were, as mentioned above, fictitious businesses and marriages of convenience. Still, the informants did not present the issues as areas where they experienced challenges. Rather, the representatives of the SGBS, the Control Division, the Immigration Division in the Ministry of Interior, and the police department expressed that while some cases were challenging and time consuming, their efforts to uncover irregular migration attempts in these categories had mostly been successful. As mentioned above, the number of attempts to establish fictitious businesses detected in 2017 up until May was 179, which was already the double of the number of cases uncovered in all of 2016. However, it was also conceded that some of these cases could be very complicated and demanded a lot of resources. Preparation for interviews with business owners could sometimes be time consuming, and one concern was that the requirement to review documents and prepare for these interviews sometimes made it difficult to meet the two month timeline for the expedited procedure.

Cases that required physical inspection of businesses were mentioned as being particularly challenging. Such cases require the involvement of the police, and at the time of our visit, there were reportedly 50 requests made to the police to investigate businesses further. From what we were told, there were two police officers assigned to conduct these inspections. The formal requirement was that these inspections be carried out within one week, which was clearly not realistic. It was consequently pointed out that the police sometimes lacked resources to follow up these cases.

A considerable proportion of irregular migrants are overstayers, or persons who remain in the country beyond the period for which access is granted, as evident from table 3.1. We sought to explore whether issues of returning migrants in this and other irregular categories was a problem in Lithuania, but our impression was that it was not. Again, as in most issues influencing the migration landscape in Lithuania more broadly, it was held that Lithuania is primarily a transit country for migrants, and that most people leave voluntarily, either of their own accord or as part of the assisted voluntary return programme with the IOM (EMN, 2016).

Key points for further discussion

Our impression from discussions with Lithuanian actors was that control procedures and cooperation to prevent and detect irregular migration had improved and were functioning satisfactorily according to the actors working in the field. As with other aspects of official responses in the migration field, there are issues with resources, and this appears to be related to general cuts in public administration in most sectors in Lithuania. This does have some consequences for the state's ability to carry out procedures within the expected time frame, which was seen as problematic, but not necessarily as hampering efforts altogether. The issue of resources relative to tasks and functions does, however, remain an issue for discussion in all problem areas addressed in this publication. It is outside the scope of our analysis to determine whether resources are sufficient or not, but we do recommend that this be carefully considered in future discussions.

An issue that was addressed but deemed not to be a relevant concern for Lithuania by the central actors was human trafficking. From the discussions, it became evident that this was not a prioritized area, and it was argued that this form of exploitation did not happen in Lithuania. In a country where the attempted smuggling of close to 300 people was detected (see table 3.2), we would like to flag the importance of addressing human trafficking in the upcoming future discussions on irregular migration in Lithuania.

As mentioned in the introduction to this topic, human trafficking is often discussed in relation to irregular migration (even though it does not necessarily take place in an irregular migration context). Human trafficking, while often likened to modern slavery and understood in relatively narrow terms as situations of obvious force and coercion, is defined in the United Nations Trafficking Protocol as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”¹⁶ The definition also notes that if any of the means listed above have been used, the consent of the person to exploitation is irrelevant (United Nations, 2000). This means that (1) human trafficking is not merely a matter of whether the exploitative situation is voluntary or not, and (2) situations where people are in a vulnerable position and are exploited for labour, criminal activities, or prostitution can also be covered by the definition of human trafficking, and these people may consequently be entitled

¹⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplemented the United Nations Convention against Transnational Organized Crime (United Nations, 2000)

to certain rights under the Council of Europe Convention on Action against Human Trafficking. These rights include a reflection period (or legalized stay for a minimum of 30 days) and rights to various forms of assistance.

From what we can gather from our discussions and observations in Lithuania, screening for and identifying potential victims of human trafficking is limited in all steps of the asylum system, throughout the integration process, and in managing irregular migration. It should be noted that this is something Lithuania has in common with several other countries. Nonetheless, in the past few years there has been an increasing awareness internationally that refugees are vulnerable to exploitation at several stages of their migration. Incorporating an awareness of human trafficking risk in migration management more broadly is therefore important, including screening for vulnerabilities.

Furthermore, in our discussions about screening for human trafficking, we were told of instances of exploitation of Ukrainian migrant workers that had been identified in the construction industry. The conditions reported were of a character that caused grave concern about the well-being of the workers, such as working upwards of 18 hours a day, not being paid, and 30 people sharing one small apartment. These are clear indications of human trafficking for labour, and should be investigated as such. Again, it should be noted that human trafficking for labour exploitation is underinvestigated and under-reported in many countries, and an increased effort to identify and assist victims and prosecute traffickers is a common European responsibility.

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Asylum, integration and irregular migration in Lithuania

Although geographically at the heart of Europe, Lithuania represents the outskirts of the Union with regards to migration. Even at the peak of asylum arrivals to Europe, very few people sought asylum in the country. Lithuania has relocated more than 300 asylum seekers from Italy and Greece in line with the EU relocation agreement of 2015 but, as with regular asylum arrivals, the majority leave the country after being granted refugee status or subsidiary protection. This situation provides the backdrop for this publication, which provides an overview of Lithuanian perspectives on three central policy fields related to migration: asylum policies, integration efforts and irregular migration. The report describes the systems, policies and practices in this field, and particularly focuses on issues perceived by the central implementing actors in Lithuania as challenges and barriers to this work.



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