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**CHALLENGES OF  
ASYLUM SEEKERS  
LIVING IN THE PLACE  
OF RESIDENCE OF  
THEIR CHOICE WHILE  
WAITING FOR  
DECISIONS ON ASYLUM**

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NOVEMBER 2023

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The Lithuanian Red Cross is a non-governmental organization that provides social, humanitarian and legal assistance to refugees, asylum seekers, stateless persons and other migrants regardless of their legal status.

Adhering to the fundamental principles of the Red Cross and Red Crescent Movement, the Lithuanian Red Cross strives to protect life and health and to ensure respect for the human being, to relieve the suffering of individuals, being guided solely by their needs and without discrimination as to nationality, race, religious beliefs, class or political opinions, and does not engage in controversies of a political, racial, religious or ideological nature.

The study report is based on the information related to the situation of asylum seekers living in the place of residence of their choice, which was gathered from various sources.

When evaluating the collected data, the monitors and lawyers of the Lithuanian Red Cross rely on their professional expertise and long-term experience in the field of migration and asylum, as well as the case-law of international courts, legal and scientific literature. We are grateful to partners and colleagues for additional insights.

This thematic study report is for information purposes only and does not create/entail in itself rights or legal obligations in dealing with individual cases.

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## Study by the Lithuanian Red Cross

**Survey conducted:** 27 March - 28 April 2023

**Respondent pool:** 50 respondents from 5 countries of origin

**Methodology.** Asylum seekers living in the place of residence of their choice were contacted in person, by phone, as well as via digital correspondence. Some of the respondents provided their answers by filling out the online questionnaire on their own. All respondents were given the same questionnaire, which consists of closed-ended and open-ended questions (see *Annex No. 1*).

During the study, publicly available statistical information was collected, as well as questions were submitted to the state institutions responsible for examining applications for asylum and ensuring the conditions for the accommodation of asylum seekers (see *Annexes No. 2, 3, 4*).

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# I. SITUATION AND CONTEXT

The Law On the Legal Status of Foreigners of the Republic of Lithuania (hereinafter - LLSF) provides that asylum seekers are accommodated in accommodation places designated by the institutions of the Republic of Lithuania, such as the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter - the SBGS) in the Foreigners' Registration Center (hereinafter - the FRC), in the Refugee Reception Center of the Ministry of Social Security and Labor of the Republic of Lithuania (hereinafter - RRC) or other places of collective accommodation provided by the state and maintained at the expense of the state [1]. Asylum seekers who, for various reasons, would not like to live in the accommodation centers designated by the institutions and have the opportunity to live independently, the law provides opportunity to live in the place of residence of their choice, upon obtaining the permission of the Migration Department under the Ministry of Interior of the Republic of Lithuania (hereinafter - the MD) [2].

Some of these asylum seekers lived in Lithuania on other grounds even before submitting the application for asylum and have rented or even owned housing and for understandable reasons would like to stay in their usual environment. Some asylum seekers have enough savings, which allows them to find and rent housing, often a room in a dormitory together with other compatriots. Different considerations lead to such a decision: some, especially those who escaped from repressions of law enforcement, for example, are depressed by the FRC environment (fences, cameras, access control, uniformed security personnel, strict internal rules of procedure), some simply try in every possible way to demonstrate that they did not come to Lithuania to become dependents of the state, where they seek international protection, etc. The rest of asylum seekers living independently, who have neither savings nor income, stay with relatives, acquaintances, in the premises of organizations that help them, etc.

Like other asylum seekers, people who have settled in the place of residence of their choice have certain legal guarantees, such as the right to free information, state-guaranteed legal aid (hereinafter - SGLA), translation and interpretation services, as far as their applications for asylum are concerned, also have access to necessary medical assistance and essential health care services [3]. Minors seeking asylum also gain additional guarantees, such as the right to study under programmes of pre-school, pre-primary school, general education, or formal vocational training in accordance with the procedure established by the Minister of Education, Science, and Sports. An asylum seeker who started studying as a minor has the right to complete the general education programme(s), even if he/she has become of age while studying.

However, it should be mentioned that asylum seekers who have settled in the place of residence of their choice do not have the 'right to use the material conditions of accommodation', which are intended exclusively for asylum seekers living in accommodation places designated by the institutions of the Republic of Lithuania. The law defines 'material conditions of accommodation' as the provision of housing, food and clothing, and/or the provision of social benefits for these needs, as well as monetary allowance.

In this context, it should be mentioned that asylum seekers living in the place of residence of their choice were faced with the obstacles in obtaining the monthly allowance for asylum seekers (in the amount of 10 percent of state-supported income, which currently amounts to 15 euros 70 cents) even when they still had the right to receive such an allowance. Traditionally, the aforementioned monthly

allowance was paid at accommodation centers and, accordingly, in essence was available only to residents of these centers. In order to solve this problem, the Ministry of the Interior (hereinafter – Mol) approved the ‘Description of the procedure for the implementation of the asylum seeker’s right to receive a monthly monetary allowance’ in 2016, but even after the approval of the said procedure, the appointment of the authority that would be responsible for paying the allowance to independently living asylum seekers, was delayed for more than 3 years. Finally, asylum seekers, living in the place of residence of their choice in 2021, were deprived of the right to receive a monthly cash allowance, on the grounds that the asylum seeker’s use of material accommodation conditions when he/she lives in the place of residence of his/her choice is an abuse of the asylum procedure and an inefficient use of state funds [4]. Neither data on how much money the state saves when an asylum seeker lives in a place of their choice, instead of an accommodation center, nor a reference to the conducted studies, the purpose of which would be to assess the actual, rather than the supposed, financial situation of such asylum seekers living on their own, were added to the aforementioned declarative claim.

This way, asylum seekers living in the place of their choice must independently take care of housing, food, clothing and other ‘material conditions of accommodation’. However, this task is complicated by the fact that during the examination of the application for asylum, asylum seekers do not have the right to work, only if the MD does not make a decision on such an application within the prescribed 6 months [5], only then the asylum seeker acquires the right to work [6]. Unlike in the case of ensuring the material accommodation conditions, asylum seekers living in the place of their choice are not granted an exception related to the right to work, i.e. they have to take care of everything themselves, even though they cannot work. The exception is only those rare cases where an asylum seeker who applied for asylum while already living and working in Lithuania and, for example, having a valid permit for residence issued on the appropriate basis. In this case, the asylum seeker does not lose the rights he/she already has, just because he/she has applied for asylum, and can continue to work as long as the document that gives him such a right is valid.

It should be noted that since August 2023, such asylum seekers have lost the opportunity to change their permit for residence, even if they have grounds for it and meet all the requirements, simply because they have submitted an application for asylum [7]. Accordingly, foreigners who did not have a permit for residence until then, also lost the opportunity to apply for a permit for residence, e.g. on the basis of work or family reunification, if such a person is found to have submitted an application for asylum. Publicly available documents do not reveal the reasons behind the decision to introduce this restriction. One of the possible explanations is the general rule that MD should not carry out several different administrative procedures in parallel with regard to the same person. However, it should be noted that this new restriction does not apply to, for example, foreigners who have initiated citizenship-related procedures at the same time, so this restriction specifically targets asylum seekers. It cannot be ruled out that in situations of this kind, as in the case of ensuring material conditions of the accommodation for people living independently, the responsible authorities also see ‘abuse of the asylum procedure’, because a foreigner, having obtained a permit for residence in a much easier way, often stops the asylum procedure that has started and it remains unfinished (and this, in turn, may presuppose an unwarranted conclusion that he applied for asylum without any need or basis for it). However, returning to the “efficient use of public funds”, it can be noted that when a person chooses the approach of the so called ‘regular migration’ and no longer claiming asylum, the state only saves money, since funds would not be spent to support the integration of such a person after granting him

asylum. In summary, asylum seekers living in the place of their choice must independently take care of all 'material conditions of reception', but do not have the right to work and no longer have the opportunity to acquire such a right through other methods of 'regular migration'.

As for the rights of asylum seekers living in a place of their choice, in practice such people often face additional difficulties compared to asylum seekers living in accommodation places designated by the authorities. For example, the right of asylum seekers to receive necessary medical assistance and essential health care services is at least partially ensured in accommodation centers which have medical facilities or even a family doctor's office. In the event of a need to receive medical services at municipal or state health care facilities, center employees often accompany individuals to the facility, mediate in obtaining services, etc., not to mention the fact that health care facilities located in the vicinity of accommodation centers regularly deal with asylum seekers and their status does not raise additional questions. Asylum seekers living in the place of their choice, in turn, apply to health care facilities themselves based on the place of residence, where there are often issues with identifying a person as having the right to receive state-guaranteed health care. The absolute majority of asylum seekers do not have a personal code issued in Lithuania - a common identifier used in the information systems of health care institutions. Another possible identifier - DIK (lit. "Draudžiamojo Identifikavimo Kodas" - Insured's Identification Code), which is issued to asylum seekers by the National Health Insurance Fund under the Ministry of Health of the Republic of Lithuania (hereinafter - the NHIF), is usually unknown to individuals, as it is not specified in the documents they receive. The ILTU code (lit. "Interesų Lietuvoje Turinčio Užsieniečio kodas" - code of a Foreigner With Interests in Lithuania) specified in the foreigner's registration certificate (hereinafter - URP (lit. "Užsieniečio Registracijos Pažymėjimas")) is not integrated into the majority of information systems used by health care institutions and does not allow for quick identification of the person. As a result, access to services is often difficult and requires additional efforts, such as contacting NHIF and finding out your DIK.

In the context of this thematic study, the Lithuanian Red Cross (hereinafter - the LRC) interviewed 50 asylum seekers living in the place of their choice from 5 different countries of origin, 80 percent of which are citizens of Belarus. It should be noted that for a long time the annual numbers of asylum seekers from this neighboring country in Lithuania did not even reach a few dozen [8], except in 2017, when 35 citizens of Belarus applied for asylum, which was possibly related to the protests that took place in the country that year [9]. The situation changed drastically in autumn 2020, after the beginning of mass protests in Belarus, when 81 Belarusian citizens applied for asylum in Lithuania (the second largest group of asylum seekers in 2020 after Russian citizens (88), a total of 321 persons applied for asylum in Lithuania in 2020). As the persecution of protest participants continued in 2021, 260 citizens of Belarus applied for asylum (the third largest group of asylum seekers in 2021 after citizens of Iraq (2,480) and Afghanistan (297), a total of 4,259 persons applied for asylum in Lithuania in 2021). As repressions continued in Belarus in 2022, 416 Belarusian citizens applied for asylum in Lithuania, becoming the largest group of asylum seekers, making up over 40 percent of all applicants (a total of 1,051 persons applied for asylum in Lithuania in 2022). This trend remains relevant in 2023 as well, as 249 Belarusian citizens - 50 percent of all applicants - applied for asylum in Lithuania in the period of January-October (494 persons applied for asylum in the mentioned period). This way, for the second year, Belarusian citizens make up for about half of all asylum seekers. In addition, most of them receive asylum in Lithuania, just from January to October of this year alone asylum was granted to 290 citizens of Belarus, which is almost 77 percent of all persons who were granted asylum during that



period (377 persons) [10]. Thus, it is Belarusian citizens who form the largest group of both asylum seekers and asylum receivers, which partly explains their dominance in the survey conducted by the LRC.

According to official statistics, over the year from the protests that started in Belarus in 2020 (August 2020 - July 2021), 226 citizens of Belarus applied for asylum in Lithuania [11]. Although the exact data on the accommodation of asylum seekers is not publicly available, based on the data collected by the LRC [12], only about 15 percent of the aforementioned several hundred persons lived in accommodation centers for a longer period of time, most of them settled in a place of residence of their choice. This trend continues to this day, with Belarusian citizens making up the majority of asylum seekers living in places of their choice, which further explains the distribution of respondents to the LRC survey by country of origin. In the assessment of the LRC, such a situation is to a large extent determined by the support of Belarusian organizations and the community provided to the newly arrived. Asylum seekers from other countries, who do not have this kind of support system in Lithuania, usually settle on their own after assessing the possibility of supporting themselves. Meanwhile, a significant number of Belarusian citizens, with the help of their compatriots, can choose such an option even if they do not have enough funds for housing, food, clothes, and other basic needs.

The aforementioned statistical data, which allow us to single out asylum seekers from Belarus, do not affect this study by the LRC and the findings presented, but they provide additional context to the phenomenon under consideration and justify the assumption that the majority of asylum seekers who have settled in the place of their choice in Lithuania, whose situation has been purposefully worsened in the last few years, by introducing more and more legal restrictions, are Belarusian citizens, most of whom eventually receive asylum in Lithuania, which again opens the door to a future discussion of whether their situation can in fact reasonably be seen as having signs of an 'abuse of the procedure for asylum'.

In any case, as mentioned, asylum seekers living in the place of their choice must support themselves fully, but they have neither the right to work nor the possibility of obtaining such a right in other ways, unless the MD fails to pass a decision on the application for asylum within the statutory 6-month period. In itself, 6 months of waiting, without support from the state and without the possibility of earning a living, is a pretty long time. However, the situation keeps complicating when such asylum seekers are forced to wait even longer for the decision of the MD, in some cases for more than a year. Despite the fact that the law sets a maximum period of 6 months for processing of an application for asylum, according to the information published by the MD, which is intended exclusively for Belarusian citizens [13], the 'actual' processing may take longer, i.e. deviation from the legal imperative became the official norm. And although in this case the asylum seekers acquire the right to work, it does not eliminate all the problems while waiting for the decision of the MD, because in addition to the difficulty in getting a job with only the URP and an uncertain 'temporary' status and obstacles in opening a bank account, which LRC has already published about before [14], a prolonged wait in the insecure, uncertain future, and prolonged separation from the family [15] inevitably depress people psychologically, and limited access to health care services prevents them from properly taking care of their physical and mental health.

## II. WORKLOAD OF THE MIGRATION DEPARTMENT

During the study, the statistics of received and examined asylum applications published by the MD (2022 [16] and January-October 2023 [17]) were analyzed.

A total of 1,051 asylum applications were submitted in Lithuania in 2022 (for comparison, 4,259 applications were registered in 2021, i.e. 4 times more than in 2022). During the same period, the MD passed 1,671 decisions on applications for asylum, 885 of them after examining the asylum application as to substance (316 persons were granted refugee status, 21 - subsidiary protection, 548 persons were refused asylum). The rest consists of decisions that do not require the examination of the application as to substance, i.e. to terminate the examination of the application, not to examine the application, or to transfer the person to another country in accordance with the Dublin III Regulation.

As for January- October 2023, 494 requests for asylum were registered in Lithuania. During the same period, the MD examined 510 applications as to substance, 375 persons were granted refugee status, 2 - subsidiary protection, 126 persons were refused asylum, 7 were issued permits for temporary residence for humanitarian reasons. In addition, examination of 214 applications for asylum was terminated.

The Mol confirmed that the MD, which is under its authority, passed 1,671 decisions on submitted applications for asylum in 2022, but, as indicated in the response of the Mol, it is not possible to provide specific figures on how many decisions were passed within the deadline set by the law, and how many were passed after this deadline was exceeded. According to the Mol, based on the information previously provided by the MD, 45 percent of decisions were made within the set deadline in 2022 [18]. However, a more detailed methodology for calculating this percentage expression was not provided, so it remains unclear whether, for example, only decisions to grant or refuse to grant asylum were included in these statistics, i.e. decisions passed after the examination of the application as to substance, or other decisions, for example, on termination of the examination of the application, non-examination, transfer of the asylum seeker to another state, or even intermediate procedural decisions, for example, on determining the procedure for examination or accommodation of asylum seekers, as well. In this context, it should also be mentioned that the practice of the MD, introduced in 2021, when the absolute majority of asylum requests submitted by persons who illegally crossed the state border were formally referred to examination as to substance as a matter of urgency, when the deadline set by the law is extremely short - 10 working days, but, according to the observations of the LRC, this deadline was rarely observed, continued in 2022. Bearing this in mind, the indicated fairly high (45%) rate of asylum decisions passed within the set deadline raises some doubts, but the LRC does not have accurate empirical data that would allow to verify or refute this information.

At the time of the submission of the response of the Mol to the request of the LRC (20 June 2023), the general procedure lasted longer than 6 months in general. 152 applications for asylum were pending at the MD. Accordingly, after the final decision of the court to return application for asylum to be re-examined to the MD 31 applications for asylum were being processed for longer than 3 months. 86 applications for asylum were being processed by the MD for longer than 1 year, of those 8 were returned for re-examination after decisions of courts. The Mol in their explanation of the reasons why applications for asylum are processed for longer than 6 months or 1 year respectively, cited the heavy workload of the MD due to the (quote) unprecedented influx of migrants from Belarus and the war in Ukraine.

In addition, the Mol stated that it is not able to provide information on what the average duration of the processing of applications for asylum was in 2022 and what was the average period during which the MD conducted the interview of the asylum seeker(s) from the moment the registration of the application in 2022.

At the beginning of 2023, a group of asylum seekers officially wrote to the MD with a request to state the reason(s) for the delay in decisions on their applications for asylum. Foreigners interviewed by the LRC shared the MD's response, which indicated that this situation arose due to an increase in workload for two reasons: (1) influx of migrants and (2) registration of persons arriving from Ukraine and decision-making with respect to them. In his response, the MD indicates that during the first months of 2022, this institution received as many requests for permits for temporary residence from people who arrived from Ukraine as it received from all foreigners in the whole of 2021. Additionally, it is indicated that during the first quarter of 2023, the MD received and examined over 30,000 applications to replace the permit for temporary residence on the basis of temporary protection.

Two respondents interviewed by LRC monitors testified that in a live meeting of the group of asylum seekers with the MD representatives, they were informally suggested to consider waiving the asylum procedure and instead obtaining so-called humanitarian visas. According to the interviewees, they categorically refused such an offer on the grounds that their applications for asylum are sufficiently substantiated, and that the possession of a humanitarian visa does not provide social guarantees and security in the current situation in which foreigners, who are waiting for a long time for decisions of the MD, find themselves.

Public protests expressing dissatisfaction with the protracted process were also recorded in spring 2023, such as a hunger strike in front of the MD headquarters [19]. Another asylum seeker told the LRC monitor that he applied to the Department of State Security of the Republic of Lithuania independently (hereinafter - the SSD) with a request to explain why the ongoing process with respect to him was prolonged and what are the reasons for that. Assuming that foreigners may be checked due to a threat to national security or similar reasons, the interviewed person said that he offered the SSD to undergo all the necessary actions for checking, which, according to him, would allow (quoted) to *'dispel doubts, if the authorities responsible have them'* [20].

# III. INTERVIEWS WITH ASYLUM SEEKERS

The LRC interviewed **50 asylum seekers** living in place of residence of their choice (20 of them females (40 percent of all respondents), 30 males (60 percent)) **from 5 countries of origin** (Belarus, Mali, Mongolia, Russian Federation, Tajikistan) during interviews with asylum seekers living in the place of residence of their choice conducted from 27 March 2023 to 28 April 2023. As already mentioned, 80 percent the respondents were citizens of Belarus.

It should be noted that the majority of those interviewed have received/are receiving certain services from the LRC or other non-governmental organizations (hereinafter - NGOs), therefore their access to relevant information, understanding it and real opportunities to use the available information may have influenced their certain assessment, provided by them, especially when compared to other asylum seekers living in the location of their choice, who do not use the services provided by NGOs or are unaware of the possibility of contacting NGOs in general. It is likely that asylum seekers from certain countries of origin or belonging to relevant ethnic groups may find themselves in an information vacuum compared, for example, to Belarusian citizens, who make up the largest share of respondents, whose interests are represented in Lithuania by sufficiently strong organizations supporting the Belarusian diaspora.

More than half of the respondents (30) applied for asylum in the first half of 2022. 9 of them applied in March 2022, 6 in February, and 6 in May. The oldest indicated application submission period is 2019, and there are also cases where applications for asylum are submitted in November and December 2021, the latest indicated application is of January 2023.

Based on approximate data, considering only information collected exclusively within the scope of this thematic study, **the average waiting time for MD decisions for asylum is estimated to be 11 months** [21].

## 1. Means of livelihood and access to services

**Marital status.** 23 respondents (about 46 percent of all respondents) stated that they live alone, 17 (34 percent) - live with other family members (including minors), 10 (20 percent) - live with other family members (adults only).

**Vulnerability.** 15 respondents (30 percent of respondents) stated that they have vulnerabilities/special needs (chronic diseases, disability, pregnancy, single parents, etc.). Those who indicated that they have vulnerabilities were additionally asked whether they receive any state support on that basis. None of the aforementioned 15 respondents indicated receiving state support on the basis of vulnerability.

**The right to work.** 41 respondents (82 percent of the respondents) stated that they have the right to work. 9 (18 percent) stated that they do not have the right to work, i.e. 6 months have not yet passed since their applications for asylum were submitted. Regardless of the positive or negative answer to the question about the right to work, all respondents were additionally asked whether they were working, including those working unofficially. 21 of them (42 percent of all respondents) stated that

they were not currently employed, 14 (28 percent) stated that they work in Lithuania officially, 12 (24 percent) stated that they work in Lithuania unofficially, 3 (6 percent) indicated that they work remotely outside of Lithuania.

Those who indicated that they were not currently working were additionally asked about their sources of livelihood (more than one answer could be selected). A bit more than 32 percent of the unemployed stated that they had accumulated personal savings, about 29 percent stated that they are supported by other working family members, the same percentage stated that they receive financial transfers from relatives living abroad, about 10 percent stated that they live with friends or relatives. Another 35 percent of the unemployed mentioned additional sources of livelihood, such as (1) irregular freelance activities (translations, English lessons), (2) receiving of a pension from the country they left, (3) receiving of a scholarship/internship, (4) living with acquaintances (quoted) 'accruing debt', etc. Below are some examples of responses.

*1st e.g. I received a pension from Belarus until March of this year. There was no pension yet in March. I am still trying to figure out why I did not receive it and what to do next. I also get some from fixing of clothes. (27-03-2023, female);*

*2nd e.g. We are forced to borrow from friends and relatives. (18-04-2023, female);*

*3rd e.g. I live in Lithuania at a friend's place. He adds living expenses as a debt until I get a job and be able to pay. (27-03-2023, male);*

*4th e.g. From time to time I do translations or give private English lessons. Of course, I do all of this unofficially. (27-03-2023, female);*

*5th e.g. Somehow I survive. Looking for any casual or one off jobs. (28-03-2023, male);*

*6th e.g. I would very much like to start my own business, but I had difficulties in dealing with the tax inspectorate. Some paragraph did not match, then I had to stand in line to get everything done. I am still waiting, even though I have taken the equipment, premises, etc. needed for the business in advance. (19-04-2023, male);*

*7th e.g. I received a card with a green stripe [22] after 6 months of waiting, but with this card, no one wants to hire me and requires me to provide a personal code. But I don't have one... I have been waiting for 9 months, I cannot work legally. (28-03-2023, female).*

**Monthly income per household.** 21 respondents (42 percent of all respondents) indicated that their monthly income (living alone) or monthly income of their household is more than EUR 633 [23], 17 (34 percent) – less than EUR 633, 12 (24 percent) – more than EUR 1,000.

**NGO support.** Only 7 respondents (14 percent of respondents) indicated that they are currently receiving humanitarian aid provided by NGOs. Financial support and support with things/products provided by the LRC and Lithuanian Caritas were mentioned, as well as the support provided by the

Belarusian diaspora unifying organizations 'Our Home' ('Наш Дом'), the Belarusian House of Human Rights of Barys Zvozkav ('Беларускі дом правоў чалавека імя Барыса Звозскава') support. One of the respondents stated that he received one-time monetary support from the Belarusian House of Human Rights, and that he receives products from the organization 'Our Home' once every two months. Another respondent stated that she receives support with food products from 'Our Home' once a month, and also stated that she received support of 20 euros for food and 10 euros for hygiene products from Lithuanian Caritas once a month. She and several other respondents drew attention to the fact that the funding of the LRC and Lithuanian Caritas support program has ended or will end in the near future [24].

It should be noted that some of the respondents did not necessarily correctly identify how NGOs differ from state institutions. For example, one respondent indicated that her family receives compensation for housing from Trakai District Municipality and identified it as 'support from NGO'.

**Access to health care services.** 40 respondents (80 percent of all respondents) answered that they have access to health care services and receive the necessary medical assistance provided by law for asylum seekers.

Those who answered negatively were additionally asked what reasons led to them not having access or, according to them, not being provided services properly. Below are some examples of responses about experiences in medical facilities.

*1st e.g. The reception refused to make a doctor's appointment and provide free treatment because I did not have a permit for residence and medical insurance provided on the basis of official employment. (30-03-2023, male);*

*2nd e.g. In theory, I should receive the necessary treatment under the current law because I am an officially registered asylum seeker. However, last week I went to the clinic and the doctor said that I do not have insurance, so I will have to pay for the tests and examination. I left without receiving services. (27-03-2023, female);*

*3rd e.g. The polyclinic did not accept a green card, so it remains unclear to me why the SODRA tax is paid for. (27-03-2023, male);*

*4th e.g. They could not find me in the database according to the refugee card when I was making the appointment. Even if I wanted to pay for the services, I could not get to see the doctor. (28-03-2023, male);*

*5th e.g. The polyclinic does not see my insurance, but the Health Insurance Fund says that the insurance coverage is available. I am tired of running in circles. I have already been to the polyclinic and the health insurance fund more than three times. (30-03-2023, male);*

*6th e.g. The polyclinic refused to provide services due to missing documents. (31-03-2023, male).*

All respondents were additionally asked how much they or their household spends on health care on



average per month (including certain paid services, medication, etc.). The costs indicated in the answers range from 10 euros to 200 euros per month. On average, about 85 euros are spent per month (the average is calculated from the respondents who indicated at least minimal expenses incurred).

**The possibility of living in accommodation places designated by the institutions.** Respondents were asked whether they had considered the possibility of living in accommodation places for asylum seekers designated by the institutions. 10 respondents (20 percent of respondents) answered that they had considered/were considering such a possibility. Those who answered in affirmative were additionally asked whether they had taken any action on this matter. Here are some examples of responses:

*1st e.g. If I had known what I would have to face in Lithuania, I would have chosen this country only as a last resort. And if I had known that the state where I submitted my application for asylum would not honor the guarantees of processing the application within 6 months, I would have agreed to the condition of choosing the alternative of accommodation in the state center. (04-04-2023, male);*

*2nd e.g. I would avoid Pabradė center because I had to live there alone when this center was overcrowded, there was very little space. Such an environment would be stressful for the family. It is better in the center of Rukla, but it is more difficult to find work there, so living in Vilnius is more convenient and there are still more opportunities here than living in centers far from a big city. (19-04-2023, male);*

*3rd e.g. I do not have enough funds to live on, so I am starting to think about this possibility. (31-03-2023, male);*

*4th e.g. There was a period when I was waiting for refugee status and I had absolutely no money to live on, but I did not go to the center. (31-03-2023, male);*

*5th e.g. State centers are far from the city. (05-04-2023, female).*

**Access to legal and other information.** Slightly more than half of the respondents (26 or 52 percent of respondents) said they know where to look for legal and other relevant information.

Those who answered positively were additionally asked where they search for relevant information or would search for it as needed (it was possible to indicate several sources of information). 13 respondents mentioned the LRC, 5 - the organization 'Dapamoga' ('Данамора'), 2 - Lithuanian Caritas, 2 - the MD, another 2 - NGOs in general, i.e. did not elaborate on specific organizations. 5 respondents indicated that they were looking for information or would look for it independently and through acquaintances living in Lithuania.

Those who answered negatively, i.e. who do not have access to relevant information and/or do not know where to look for it, were asked relevant questions. Below are some examples of responses:

*1st e.g. I drafted an appeal to the Ministry of Health with a request to clarify whether I can receive treatment, but I have not received a response. (30-03-2023, male);*

2nd e.g. *It is very difficult to find information. Despite the fact that there is really a lot and all kinds of information, and I speak English well, it is still not easy and there are not many places, for example, complete digital version of the webpage in English. (27-03-2023, female);*

3rd e.g. *I have not found any information on the grounds on which the Migration Department has the right to delay the examination for more than 6 months, although all employees of the department say that they can examine an application for asylum for up to a year. It is also unclear how to use a card with a green stripe and what rights it grants. (27-03-2023, male);*

4th e.g. *I am tired of bureaucracy. (30-03-2023, male);*

5th e.g. *It is difficult to translate from Lithuanian with a digital 'translator' (Google translator - ed.), the meaning of the text is distorted. (30-03-2023, female);*

6th e.g. *I tried to look for relevant information in the Belarusian diaspora, but either they did not like me or they did not have the legal expertise to advise me. (28-03-2023, male).*

**Bank accounts.** 30 respondents (60 percent of all respondents) stated that they have bank accounts in banks operating in Lithuania.

The remaining 20 people who answered negatively were asked what were the reasons. Here are examples of responses:

1st e.g. *They refused to open the account on the grounds that the account cannot be opened using the foreigner registration certificate issued to me. It is advised to apply to the bank after obtaining a permit for residence, i.e. not considering the asylum seeker's registration certificate as a sufficient for opening an account. (27-03-2023, female);*

2nd e.g. *The bank refuses because, according to them not all documents are provided. I do not have a passport. (30-03-2023, male);*

3rd e.g. *The bank account is held by my husband, who works, has status and a permit for residence. Therefore, I do not need an account at the moment. (18-04-2023, female);*

4th e.g. *Accounts are not opened without a permit for residence. I have a Paysera card, but it is not the same as a bank. (27-03-2023, male);*

5th e.g. *There is no way to open a bank account with only a card with a green stripe and my passport is expired. (27-03-2023, male);*

6th e.g. *It is hard to do that lately. Banks require personal code or visa. (28-03-2023, male);*

7th e.g. *My passport is at the Migration Department, and they do not open accounts without a passport. (30-03-2023, male);*

8th e.g. My passport is at the Migration Department, it is impossible to open an account without it. And the foreigner registration certificate, which is given to you for the period of waiting for the granting of asylum, is not an equal document to verify your identity. (30-03-2023, female);

9th e.g. The bank refused to perform any procedures. (30-03-2023, male);

10th e.g. The documents issued to the asylum seeker are not enough to formalise everything and open a bank account. (05-04-2023, female);

11th e.g. I was not working yet, so I did not need it. Wife works and has the account. (19-04-2023, male);

12th e.g. I use the bank accounts of my husband and son. (27-03-2023, female);

13th e.g. Paysera does not issue a card upon presentation of an asylum seeker's registration document with a green stripe. (28-03-2023, male);

14th e.g. I do not have a personal code. (28-03-2023, female);

15th e.g. Paysera blocked me because the passport expired. I cannot change my passport. (30-03-2023, male);

16th e.g. I had a Paysera account, but my passport expires in April. The representative of Paysera explained that I must take care of a document proving my right to be in Lithuania. Banks consider the registration certificate issued by the Migration Department as a secondary document and refuse to provide services. I know from other people that it is impossible to open an account in other banks using the refugee card issued by the Migration Department. (05-04-2023, male);

17th e.g. The bank refused to perform such a procedure, so I receive the salary in cash and put it 'under the mattress', which is not safe. (28-04-2023, male).

## 2. Migration issues

19 asylum seekers living in the place of their choice who were interviewed (38 percent of all respondents) said that they had not been contacted by specialists of the MD since they submitted their application for asylum.

31 (62 percent) of the respondents who answered that they were contacted by the MD specialists, were additionally asked about what issue(s) they were contacted about (one or more answers were possible). 11 respondents indicated that the MD specialists contacted them regarding the planned interview, 10 - regarding the submission of additional/missing documents, or evidence. 4 respondents indicated that they were contacted about the deadlines for the planned procedures. Another 12 respondents indicated other reasons, such as the Dublin Regulation applicable to the asylum seeker and his/her spouse, as well as being asked to fill out a special questionnaire to identify person's political views and assessment of the situation in Ukraine [25].

**MD interview.** 28 respondents (56 percent of all respondents) indicated that the interview with the MD specialist after the submission of the application for asylum had not yet been conducted. Those whose interview had already been conducted (22 / 44 percent), were additionally asked whether the preliminary deadlines for the passing of the decision on the granting of asylum were indicated. The absolute majority of all those who have already been interviewed by the MD stated that they were not given this type of information and the deadlines were not defined. It should be noted that 3 respondents indicated that the MD interview was carried out (quoted) at the 'border station', possibly confusing the MD interview with the initial interview of the asylum seeker by officers of the SBGS. The responses of the aforementioned respondents are not included in the derived data below after this potential inaccuracy was considered.

**The average waiting time for an interview by the MD specialist after the submission of an application for asylum, when the interview has not yet been conducted, is about 9.5 months.** (The average is derived from the data provided by 28 respondents who indicated that they had not yet been interviewed by the MD. The calculated period from the submission of the application for asylum to the questioning conducted by the LRC. The current month is not included when calculating the average duration - *ed.*).

**Considering the cases when the interview had already been carried out, the average waiting time for the interview with the MD specialist after the submission of the application for asylum was slightly more than 4 months.** (The average is derived from the data provided by 19 respondents. The calculated period from the submission of the application for asylum to the interview conducted by the MD. The current month is not included when calculating the average duration - *ed.*).

**Independent attempts to contact the MD.** Respondents were asked whether they themselves tried to contact the MD on their own initiative. 47 respondents (94 percent of the respondents) said that they tried to contact themselves.

The respondents positively indicated additional circumstances for which reasons they tried to contact/contacted. Some respondents indicated one or more reasons for contacting: due to failure to observe the deadlines and/or processing of the application for asylum (mentioned by 22 respondents), submission of additional evidence and/or documents (8), renewed issuance of the URP, including cases where confirmation of the acquired right to work was requested (8), provision of contacts of the MD specialist supervising the examination of the application (5), completion of procedures provided for by the Dublin Regulation (2), return of documents held by the MD (passport, driver's license, etc.) (2), decision appeal procedure and SGLA (1), vulnerability and special needs (1).

Those who tried to contact on their own were additionally asked whether they managed to get specific answers to their requests. Only 6 respondents (about 14 percent) answered positively. Meanwhile, 26 (54 percent of) respondents answered in the negative, another 15 (31 percent) stated that their queries were answered in part. These individuals have been asked to provide more detailed information. Here are some examples of responses:

*1st e.g. About two months after I emailed them, I received a reply that my case is being examined. It was my initiative, because all the scheduled deadlines have long since expired. He also wrote to me on 24 March*

2023 and asked me to fill out a form and provide information about my relatives. I had already provided this information during my first interview, but I had to repeat it again. (27-03-2023, female);

2nd e.g. I wrote a request, they called me and informed me that they received my request and will try to review it in the next 2 weeks. It has been over 2 weeks now, but no response. (30-03-2023, female);

3rd e.g. He replied that he had a lot of work and that I needed to wait. No specific deadlines were given. (27-03-2023, male);

4th e.g. Sometimes they confirm that they received the request, sometimes they do not. (30-03-2023, male).

5th e.g. The answer was that they did not know when. (05-04-2023, female);

6th e.g. I got the first reply on 16 September, it said 'we inform you that we have received your letter and forwarded it to the specialist responsible who will contact you'. This was a reply to the second letter I sent. In reply to this letter, I asked more questions. I got another reply soon, it said 'we inform you that we have received your letter and forwarded it to the specialist responsible who will contact you'. (27-03-2023, female);

7th e.g. Reply said that no more detailed information could be provided, and that I have to wait. (27-03-2023, female);

8th e.g. The only reason given for the delay was the influx of refugees from Ukraine. (27-03-2023, male);

9th e.g. When I asked if he had received the package that I put in the physical mailbox, the answer was yes, but later it turned out that it was not directed to a specific specialist, so I had to contact again and clarify. (28-03-2023, female);

10th e.g. Some questions have not been answered in full. (27-03-2023, male).

**Identification of responsible specialist(s) of the MD.** Respondents were asked if they knew which MD specialist(s) was/were responsible for processing of their application for asylum. More than half (28 / 56 percent) of respondents answered positively. Those who answered positively were additionally asked if they have the contacts of the MD specialist responsible and can contact him/her. The majority (24) of them indicated that they knew how to contact the MD specialist(s) responsible for processing of their applications for asylum.

Respondents also commented positively on their relationship with the MD specialist(s) responsible.

1st e.g. After my email to the inbox of the management of the Migration Department the specialist replied that he is examining my case. Since then - silence, no feedback, no response to my emails. After a collective complaint, another of their specialists contacted me and sent me a questionnaire. It has been over a month, no change. (30-03-2023, female);

2nd e.g. I received template responses to my inquiries about unexpected delays in case processing due to the workload of the asylum department. I have asked several times to be informed of who is specifically responsible for my case, but so far I have not received a response. (27-03-2023, female);

*3rd e.g. I contacted the Migration Department in December 2022 and expressed my concern about the violation of the deadlines for the processing of the application for asylum. I received an email indicating the inspector who should look into my case. I exchanged emails with him and since then I have been waiting again. (04-04-2023, male);*

*4th e.g. After 7 months of waiting, I wrote several letters with a request to provide the contact details of the employee who supervises my case. (27-03-2023, female);*

*5th e.g. There is always a lack of clarity when communicating with a specialist. For example, the specialist claims that there is insufficient evidence that I was politically active in my country of origin. I ask him what else could I provide. (19-04-2023, male).*

**Difficulties experienced while waiting for decisions on asylum from the MD.** Respondents were asked if they face/have faced specific difficulties potentially caused by the long wait for MD's decisions on the asylum. The majority (46 respondents or 92 percent of all respondents) answered that they experienced/are experiencing difficulties related to this.

The respondents were asked to specify what challenges and difficulties they experience while waiting for MD's decisions.

*1st e.g. My Belarusian passport has expired. The Tax Inspectorate refused to register an individual activity on the grounds that it considers the temporary migration certificate as insufficient. (27-03-2023, male);*

*2nd e.g. Limited opportunities to work and live normally, to move, to meet relatives. (27-03-2023, female);*

*3rd e.g. I need a medical examination, which cannot be performed in Lithuania, but only in Poland or Germany. (27-03-2023, female);*

*4th e.g. My husband and I have been denied the right to work due to the Dublin regulations, we are forced to save, absolutely for everything. We are also unable to enter into a long-term lease that would significantly reduce our costs and provide savings. When we are unable to pay with cash, we are forced to find someone who can do it for us and then settle with that person in cash. (27-03-2023, female);*

*5th e.g. I have a completely normal desire to work in my field. I am a teacher. A card with a green stripe does not allow me to do this. Let us say I get the documents at the end of spring, but schools are closed during summer. (27-03-2023, male);*

*6th e.g. I am worried, I am nervous. It is very difficult to live for so long in a state of uncertainty and without receiving information on such an important issue. My sleep is disturbed, I often suffer from insomnia. (27-03-2023, female);*

*7th e.g. The main problems are related to work, treatment, and opening a bank account. (28-03-2023, male);*

*8th e.g. Most employers do not want to hire someone with a card with green stripe. I cannot open a bank*

account, rent an apartment, get a permit for residence, or go to a medical facility in the normal way. (28-03-2023, male);

9th e.g. Without a personal code, it is not possible to get many services, as well as to get a normal job, open a bank account, actively participate in political activities and attend meetings in neighboring countries. (28-03-2023, female);

10th e.g. I cannot open a bank account, I cannot get the necessary treatment, I cannot get an official job. (30-03-2023, male);

11th e.g. My bank account is blocked, I cannot get a job, take out a loan, or go on vacation with my family outside of Lithuania. (30-03-2023, male);

12th e.g. The biggest headache is the possibility of reuniting with the family left in Belarus. The family has all the necessary documents in order, valid, but time passes, they may expire, and a lot of money has been spent on it. Possibilities of family arrival may also change. We are ready to begin the integration, but waiting for a decision is delaying these plans. (04-04-2023, male);

13th e.g. We faced financial difficulties in the family, not all of us could work. In addition, depression, anxiety, and uncertainty have started. (18-04-2023, female);

14th e.g. I cannot open a bank account. Many institutions do not understand what kind of document I am presenting to them. Also, for example, I cannot change my driver's license. (27-03-2023, male);

15th e.g. I cannot leave Lithuania for personal and work reasons, and the possibility of employment is also limited. (27-03-2023, male);

16th e.g. There were problems with the health insurance of the newborn. We live in the unknown, we face financial problems. (27-03-2023, male);

17th e.g. It was not explained to me that I was insured and entitled to medical care, so I was forced to pay the money and then get it back through the Red Cross lawyers. The MD employee knew I was sick but never said a word about me being insured. I was also forced to close one of my bank accounts because I have no documents. (27-03-2023, male);

18th e.g. My driver's license expired in January of this year. I could not renew it because my case has not been decided yet. So now, despite the 20 years of driving experience, if I wanted to get a driver's license, I would have to attend a driving school, pay EUR 500 for it, become a 'rookie' driver and follow certain restrictions for two years. I cannot do freelance work either. There are always problems with insurance when visiting medical facilities, even though I know and try to prove on the spot what I am entitled to. (27-03-2023, female);

19th e.g. I cannot use digital services. In addition, many government institutions somehow do not know what a card with a green stripe is and how to provide services to its holders. I am not even talking about opening a bank account. (27-03-2023, male);

20th e.g. *I cannot get a job and rent an apartment without normal documents. (28-03-2023, female);*

21st e.g. *In the process, it turned out that when registering the applications, 2 children were not included next to me and my husband, so some institutions did not see them in the system, they asked for proof that they are our children. It was necessary to carry out notarial procedures separately. It later turned out to be an initial registration error of the MD. (28-03-2023, female);*

22nd e.g. *I would like to work officially and be able to register the car in my name. (30-03-2023, female);*

23rd e.g. *A card with a green stripe does not really help. I cannot get a job, get a driver's license, and drive a car. I cannot, for example, go to Poland to buy children's things, which are cheaper there than in Lithuania. (30-03-2023, male);*

24th e.g. *I cannot leave the country on a business trip. (30-03-2023, male);*

25th e.g. *I cannot do many things: get a job, have a digital signature, obtain a driver's license, declare the place of residence. And all because I do not have a permit for residence. I had problems both with the Employment Service and with children's medical insurance. We did not know that you need to write an application in order to extend it. You only really encounter such things when you find yourself in one situation or another. (30-03-2023, female);*

26th e.g. *Problems because I cannot 'transfer' my son from elementary school to secondary school in the database. (30-03-2023, female);*

27th e.g. *It is impossible to open a bank account, get a job, leave the country for training. (30-03-2023, female);*

28th e.g. *The biggest impact is psychological from the process lasting several years, and there were also difficulties with work, in order to start a business, etc. (19-04-2023, male).*

Some of the respondents in the conversations with the LRC monitor additionally mentioned that they experienced unethical, humiliating behavior from employers, for example, non-compliance with contractual obligations, working overtime, etc. (all the mentioned cases are related to work in the private sector).

Those experiencing challenges were additionally asked whether they tried to inform the MD about the difficulties they were experiencing. 25 respondents answered positively. Respondents who answered positively provided additional details on the MD's reaction to their request. 8 indicated that their queries were not answered, 6 received standard responses about MD's overload without a specific deadline, and another 4 received responses of a standard nature with a tentative waiting period such as 3 months, 20 days, etc.

During the evaluation of the collected data, it was additionally assessed whether there are cases in practice where decision-making times of the MD differ, for example, in relation to members of the same household. No significant differences in decision-making/waiting times for asylum seekers belonging to the same household were identified during the study.



# IV. POSITION OF STATE INSTITUTIONS

The LRC received responses from the three state institutions responsible to which it applied for information - the MoI, the Ministry of Social Security and Labor of the Republic of Lithuania (hereinafter - the MSSL), and the NHIF.

## 1. Position of the MoI

In the response to the LRC, it is noted that the MoI is only responsible for the provision of social services to asylum seekers living in centers administered by institutions under the Ministry of Interior. It also specifies that the rights of asylum seekers, including social and other services specified in the LLSF [26], apply to all asylum seekers without exception, regardless of their place of residence in Lithuania. The MoI draws attention to the fact that the provision of social services to asylum seekers is provided for in the Law on Social Services of the Republic of Lithuania [27], and support for students is provided for in the Law on Social Support for Students of the Republic of Lithuania [28]. Asylum seekers with sufficient length of service also acquire rights according to the Law on State Social Insurance of the Republic of Lithuania [29].

In response to the question where asylum seekers, living in place of residence of their choice, can apply to get information about their social guarantees, the MoI indicates that information about the contacts of relevant institutions and organizations and the services provided is published on the website of the MD at [www.migracija.lt](http://www.migracija.lt) [30] in Lithuanian and in English.

The MoI replied that it has no information about previously implemented, currently implemented or planned financial support measures focused on ensuring the reception conditions of asylum seekers living in their chosen location.

In response to the question of whether the current legislation provides for additional social guarantees for asylum seekers living in the place of their choice, taking into account individual circumstances due to their vulnerability, the MoI indicates that the Draft Law on the amendment of Articles 2, 3, 4, 5, 11, 28, 32, 44, 58, 62, 67, 71, 79, 85, 94, 99, 100, 101, 102, 103/1, 104, 105/2, 105/3, 105/4, 106/1, 108, 113, 114, 115, 115/1, 118, 123, 125, 140/8, 140/18, 140/19, 140/21, 140/28, and Annex and repealing Article 140/16 of the LLSF [31] provides for the possibility of receiving a food allowance in the amount of 60 percent of the state-supported income and a monetary allowance in the amount of 10 percent of the state-supported income. However, it is emphasized again that the legislation does not provide for any exceptional or additional guarantees for asylum seekers living in their chosen place.

The response of the MoI also states that the MD takes into account the special needs of asylum seekers when organizing their interview (for example, if the asylum seeker(s) wishes, the gender of the translator(s) or MD employee(s) conducting the interview is selected; if necessary, sign language interpreters are invited, etc.). At the same time, it is emphasized that the MD does not perform a complex vulnerability assessment of asylum seekers, and the institutions and bodies responsible for preparing the conclusion of such an assessment are specified in the Description of the procedure for granting and terminating asylum in the Republic of Lithuania, approved by Order No. 1V-131 the Minister of the Interior of the Republic of Lithuania 'On approval of the description of the procedure for granting and terminating the Asylum in the Republic of Lithuania' of 24 February 2016 [32].

According to the above-mentioned description [33], consideration of applications for asylum submitted by unaccompanied minor asylum seekers is given priority over other pending applications for asylum. The asylum applications of other foreigners are processed by the MD in order of priority, with the oldest applications being considered first.

Figures for late decisions on applications for asylum were presented above (see *II. Workload on the Migration Department*). According to the MoI, the MD has a predetermined action algorithm for cases where decision-making is delayed. It is noted that, as the deadline of 6 months from the date of submission of the application for asylum approaches, and if the application has not yet been examined, the MD informs the asylum seeker at his/her specified E-mail address of the reasons for the delay in passing a decision, the preliminary deadline for passing a decision, and also indicates the E-mail address of the MD employee(s) examining the application.

According to the information provided by the MoI, all asylum seekers are informed about the MD staff examining their applications. Upon receipt of the asylum seeker's request, the information is provided within the deadlines set by the legislation. The asylum seeker(s) is/are provided with the E-mail address of the MD employee(s) examining the application, and the MD employees responsible for examining the application for asylum communicate with the asylum seeker through the contacts indicated by the latter, i.e. by E-mail, telephone or residential address when correspondence is sent by regular mail.

In cases where asylum seekers indicate to the MD about problems they may face due to delayed decisions, according to the MoI, the situation of each asylum seeker(s) is assessed individually. Depending on the problems faced by the asylum seekers, solutions are proposed or relevant information is provided (for example, upon the asylum seeker's request, he/she can be issued with his/her passport stored by the MD for a period not exceeding 5 working days, when the possession of the original of such a document is necessary for the asylum seeker to exercise the rights granted to him/her by legal acts).

## 2. Position of the MSSL

MSSL indicates in the response to the request of the LRC, that it is the institution responsible for the implementation of the measures of the Asylum, Migration, and Integration Fund (hereinafter - the AMIF). MSSL emphasizes that, when planning funds for the national program of AMIF for 2014-2020, the needs of the target group of this study - asylum seekers living in the place of residence of their choice - were taken into account. After revising the description of project funding conditions in 2020, asylum seekers could be included in project activities, thus ensuring their right to receive social and psychological services, as well as legal, medical, and humanitarian aid in the foreigner integration centers (in the cities of Vilnius, Kaunas, Klaipėda, and Pabradė) [34]. These projects were implemented by the LRC and Lithuanian Caritas.

The MSSL indicated that information about services provided to asylum seekers was/is provided through NGOs. The MSSL points out that under its authority, the RRC Naujininkai branch (Vilnius city) provides mediation and counselling services to asylum seekers, as well as provides information to institutions.

According to the response provided by MSSL, in the new period of the AMIF national program for 2021-2027, AMIF investments are also planned to help ensure accommodation conditions for asylum seekers. It is noted that the Seimas will consider a draft of the amendment to the LLSF in the near future, the purpose of which is to create legal prerequisites for consolidating the functions of ensuring the accommodation conditions of asylum seekers in one institution [35]. This draft proposal also initiated a change that gives asylum seekers living in a place of their choice the right to receive financial support.

### 3. Position of the NHIF

In its response to the LRC, NHIF notes that compulsory health insurance (hereinafter referred to as PSD (lit. "Privalomasis Sveikatos Draudimas")) covers persons specified in the Law on Health Insurance of the Republic of Lithuania (hereinafter - the LHI) [36]. This means that asylum seekers are not insured with PSD, except when the asylum seeker is an unaccompanied minor. In accordance with LHI [37], necessary medical assistance and other necessary personal health care services provided to asylum seekers, without which the patient's health condition could deteriorate to the extent that he/she needs emergency medical assistance services, are paid for from state budget funds intended for the payment for health care services for asylum seekers, except for cases where these services are provided in health care facilities under the jurisdiction of the Minister of Justice, the Minister of National Defense, or the Minister of Interior.

Since asylum seekers are not covered by PSD, foreigners with such a legal status do not pay PSD contributions and do not fall into the groups of persons covered by state funds specified in LHI [38]. Necessary personal health care services for asylum seekers are paid for from the Compulsory Health Insurance Fund (hereinafter - CHIF) from the state budget only in cases where such services are not provided by centers of their reception (accommodation).

In response to the question of whether information is published, where and in what ways asylum seekers can apply for a unique DIK, the NHIF informed that asylum seekers are registered in the Register of Persons Insured with PSD of the Republic of Lithuania (hereinafter - the Register of Insured Persons) in accordance with the procedure established by law. After an asylum seeker is registered in the Register of Insured Persons for the first time, an DIK is automatically assigned, which is randomly generated from 11 digits.

Asylum seekers are registered in the Register of Prohibited Persons according to the validity dates of the document confirming the status of the asylum seeker. URP issued by the MD is considered as such a document. Data on URP issued to asylum seekers to the Register of Prohibited Persons are provided from the Register of Foreigners through interaction in accordance with the data provision agreement. Upon receipt of the above-mentioned data, the asylum seeker is registered in the Register of Prohibited Persons and is automatically granted a DIK. Therefore, as indicated by the NHIF, the asylum seeker does not need to personally apply to the territorial units of the NHIF for the granting of the DIK, the data on the URP issued to him is obtained according to the data provision agreement, the DIK is granted automatically.

As indicated in the response provided by the NHIF, no applications for DIK have been received from asylum seekers in 2022 and 2023. The LRC contacted the NHIF, as well as SBGS FRC and RRC, digitally or by letters with requests to provide information about the DIK. 422 such applications were received in 2022, and 105 - in 2023 [39]. The NHIF emphasizes that, even without the DIK, asylum seekers can be identified in the country's medical facilities according to the presented URP, i.e. according to the specified personal names and date of birth of the asylum seeker.

To the question in which ways are asylum seekers informed about what health care services are available to them, NHIF answered that, considering the fact that asylum seekers are not prohibited by the PSD and would have the opportunity to receive necessary services under the management of the Minister of Justice, Minister of National Defense or Minister of the Interior in health care institutions in the area, initial information about the services provided to asylum seekers should be provided in their reception (accommodation) centers. In this way, it remains unclear who is responsible for providing this type of information to asylum seekers living in their chosen location outside the centers.

As for healthcare services for asylum seekers who do not have a personal code, the NHIF indicates that all asylum seekers are provided with the necessary assistance, the extent of which is determined by the doctor seeing them (treating them). In cases where the necessary medical assistance cannot be provided at the place of accommodation (SBGS FRC, RRC, or other designated place), according to LHI [40], it is provided in other facilities of the country's national health system, which submit bills to the NHIF for the healthcare provided to asylum seekers. At the same time, it is noted that the scope of health care services does not change for asylum seekers who have obtained the right to work and are employed, who do not have a permit for residence in Lithuania and a personal code. Only after formalizing a permit for residence in Lithuania, a foreigner, when he gets a job and starts paying PSD contributions, is insured with PSD, i.e. becomes insured and acquires the right to all health care services reimbursed by CHIF budget funds, the scope of which is determined by the LHI.

The NHIF was also asked about the scope of services related to mental health. The response states that the extent and procedure of provision of essential health care services is determined by the order of the Minister of Health [41], according to which essential personal health care services are defined as services, without which the patient's health condition could deteriorate to the point that he/she would need emergency medical assistance services, the indications of which are set out in the description of the procedure for provision and extent of emergency medical assistance, approved by Order of the Minister of Health [42].

NHIF indicates that for essential services, the patient must contact a personal healthcare facility providing primary health care services (polyclinic or health center), where a family doctor or a psychiatrist assesses whether there is a need for the provision of essential services and, if so determined, provides essential services. If the doctor providing primary level services identifies indications of secondary or tertiary level necessary services, then the patient is sent to a facility providing secondary or tertiary level personal health care services. This means that for the necessary services, specifically mental health care, a person should go to a facility providing primary mental health care services that has a contract with the territorial health insurance fund.

# CONCLUSIONS AND RECOMMENDATIONS

The data collected during the study show that the responsible state institutions do not always or fully assess the actual circumstances and there are not enough safeguards, which puts a certain part of the asylum seekers at risk of being socially marginalized. Not all asylum seekers in Lithuania end up in accommodation centers designated by the institutions during the asylum procedure. A significant number of them, for different reasons, make the decision to settle in a place of residence of their choice, which usually appeals to a conscious desire to start an independent life in the country where the person requests and asylum. However, precisely because of unforeseen circumstances and/or incompletely structured processes and restrictive and inflexible legal regulations, the challenges while waiting for final decisions on the granting of asylum become complex and affect practically all essential areas of human life - work, livelihoods, access to services, movement, communication, orientation in a country, the opportunity to reunite with family members, etc.

Taking into account the problematic aspects identified during the conducted study, the LRC would suggest paying attention to **(1) the insufficient access of asylum seekers, living in the place of their choice, to the vulnerability assessment procedure; (2) insufficient provision of information during the process of the examination of application for asylum; (3) the need for prior assessment and prioritization of applications for asylum; (4) insufficient provision of social guarantees; (5) limited opportunities to open a bank account and perform banking operations; (6) complicated employment opportunities; (7) threats to mental health.**

Although most of the above-mentioned problematic aspects are likely to be relevant for all asylum seekers, it is those who have settled in residences of their choice who find themselves outside the general system and established algorithms and therefore become the most vulnerable.

### **Access to the vulnerability assessment procedure**

We recommend ensuring that asylum seekers living in the places of their choice, as well as those living in accommodation centers designated by the authorities, have the opportunity to benefit from the comprehensive vulnerability assessment procedure and the resulting guarantees provided for vulnerable asylum seekers with special needs. In this respect, we welcome the initiative to consolidate the functions of ensuring the accommodation conditions of asylum seekers in a single institution, which would be responsible for assessing the vulnerability of all asylum seekers.

### **Quality provision of information**

We recommend taking into account the comments made by asylum seekers regarding the lack of information and ensuring that (1) communication is of high-quality, clear and regular during the process of examination of the application for asylum; (2) asylum seekers would have the opportunity to communicate directly with specialists responsible for processing their applications for asylum on their own initiative; (3) clear and individualized information about the delay in passing relevant decisions, the reasons for it, expected deadlines, etc. would be provided in a timely manner.

## Pre-assessment and prioritization of applications for asylum

International recommendations and good practices applied in other countries show that, in case of a load on the asylum system, preliminary assessment of applications for asylum and determination of processing priority can be carried out according to certain applicable criteria [43]. Instead of 'linear' processing of asylum applications in order of order, it is suggested to group such applications according to, for example, the country of origin and the profile of asylum seekers, after assessing the "degree of recognition" in Lithuania and Europe. The identification and separation of such groups of requests, especially in the case of "obviously justified requests", would allow for the optimization of resources allocated to the examination of asylum requests, faster decision-making and more efficient handling of the system load, while not deviating from the requirement to assess requests individually. Fear of persecution assessment model, used in the field of asylum, clearly defines the relationship between 'individual circumstances' and information from the country of origin. For example, based on relevant information from the country of origin, certain institutions of the asylum seeker's country of origin systematically apply measures that can be qualified as persecution towards persons of a certain profile. The information about the country of origin allows both to determine the fact of the application of such measures and its systematicity, as well as to qualify these measures as persecution for 'conventional' reasons (e.g. due to political opinions), and to define the circle of persons against whom such measures are implemented. In this way, the totality of relevant information from the country of origin confirms that persons of the relevant profile face a real threat of persecution. 'Individual circumstances' are relevant in this case to the extent that they allow to classify (or not classify) a specific asylum seeker as a person with such a profile. If the asylum seeker is identified as belonging to the persons of the relevant profile ('individual circumstances'), and persons of this profile are persecuted in his/her country of origin (information on the country of origin), then his/her fear of facing persecution can be considered fully justified. In principle, the standard of proof applicable to the examination of asylum applications does not require either greater certainty of conclusions or deeper individualization of risk.

An effective pre-assessment and prioritization model (using the same criteria – country of origin, asylum seeker profile, 'recognition degree') would similarly allow more effective handling of "manifestly unfounded applications" by directing them to accelerated and simplified procedures. However, it is important to mention that in order for this kind of model to work efficiently and have the necessary impact, the determination of priority must be based on criteria directly related to the validity of the application for asylum, but not on peripheral aspects that do not have a direct impact on the need for protection (e.g. the method of entry or availability/lack of documents).

Finally, in addition to the grouping and prioritization of asylum applications according to their validity and viability, it is recommended to apply a pre-assessment and prioritization model for examining asylum applications of vulnerable persons. Although the identification and prioritization of such cases is not necessarily relevant to reducing the burden on the asylum system per se, it would make it possible to prioritize asylum seekers with special needs or with exceptional needs for protection, and to ensure that the needs of such persons are quickly identified and addressed, and they themselves would not stay in an unfavorable environment.



## Strengthening of social guarantees

In order to ensure the right of asylum seekers and the practical possibility to live in the place of their choice, we would call for the initiation of changes to the legal framework related to the strengthening of social guarantees, so that asylum seekers living in the place of residence of their choice would have proportionally greater or at least no less guarantees of material accommodation conditions than persons living in accommodation centers designated by the institutions, in particular, to receive monthly allowances and other material support provided for by the legislation.

In this context, it is also worth mentioning the initiative to consolidate the functions of ensuring the reception conditions of asylum seekers in one institution and the process of creating such a 'institution ensuring accommodation'. When modelling the future system, we suggest that several regional 'service centers' operating within such an institution provide reception services to asylum seekers living in their chosen location (the procedure applied in Finland), but depending on logistical possibilities, similar services could also be provided to this group of persons network of temporary accommodation.

It would also be worth assessing the need to continue additional material NGO support for asylum seekers, financed from European Union structural funds, such as the aforementioned AMIF administered by the European Social Fund Agency, etc.

## Social vulnerability

Although the LLSF stipulates that wages and other employment-related benefits can be paid to asylum seekers, who have obtained the right to work, in cash for objective reasons without having a bank account, in this situation asylum seekers are directly dependent on employers, who are not necessarily aware of the applicable exceptions to pay salary in cash or are not interested in doing so at all. Access to banking services is often associated with a person's 'financial identity', which can be considered an integral part of every person's right to be recognized as a subject of legal relations and is particularly relevant in the context of migration. In today's world, having a bank account has become an integral part of many aspects of everyday life. The need to have a bank account is increasingly associated not only with the possibility of receiving a salary, but also with the possibility of paying for goods and services. The development of digital services leads to a situation where certain goods and services, including services provided by state and local government institutions, can only be obtained digitally, which often requires the user to have access to digital banking. For foreigners coming to Lithuania, access to a payment account and basic payment services is an extremely important and integral step towards joining the labor market and successful integration. According to Part 2 of Article 16 of Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features, Member States must *'ensure that users legally residing in the Union, including users without a permanent address and **asylum seekers**, and users who have not been granted a residence permit, but whose deportation is impossible for legal or factual reasons, would have the right to open a payment account with the necessary features in credit institutions located in their territory and use it. Such right applies regardless of the user's place of residence'*. After evaluating this current legal regulation, we call on the responsible authorities to initiate appropriate changes to the legislation, which would

ensure the asylum seekers right to open and use a payment account with the necessary features. Additionally, we draw attention to the fact that the LRC has already provided recommendations on this topic based on the good practice of some countries [44].

## Employment opportunities

The data collected during the research and the testimonies of asylum seekers show that the difficulties in getting a job without having documents that are usually recognized by employers are only one side of the coin. No less relevant is the deadline itself, which asylum seekers must wait in order to obtain the right to work.

The LRC takes the position that every asylum seeker, whose freedom of movement is not restricted, should acquire the right to work as soon as possible, thus not burdening the state itself with the costs of maintaining the alien. In order to promote the autonomy of asylum seekers and facilitate early integration, as well as after assessing the practice of the Republic of Latvia, shortening the equivalent 6-month deadline to 3 months in 2021 [45], we propose to shorten the currently specified 6-month deadline by determining that asylum seekers acquire the right to work, for example, after 3 months. If there are reasonable doubts about such a proposal, we suggest evaluating the possibility of introducing additional requirements and providing, for example, that after the above-mentioned 3 months only those asylum seekers whose identity has been verified by documents acquire the right to work (the procedure used in Finland), or to grant the right to work immediately for those asylum seekers whose identity is confirmed and whose applications are processed on merits (the procedure in Sweden) as an alternative to the first proposal.

## Effects on mental health

It is likely that the long waiting time for asylum decisions also affects the mental health of asylum seekers, leading to their desperation and such emotion-based actions as, for example, the foreigner's appeal to the SSD described in the report, public hunger strikes, etc. LRC psychologists working with asylum seekers also notice the prevalence of suicidal thoughts among asylum seekers, especially young people, often associating it precisely with a prolonged life in the dark, unfulfilled expectations and the risk of being socially marginalized. We urge you to pay attention to the fact that timely psychosocial support is a critically important factor for a large number of foreigners who have decided to leave their country of origin, separated from their relatives and start a new phase of life in an unfamiliar country. The provision of this type of support should become an integral part of the asylum reception system, ensuring that it is available to all asylum seekers, including those living in their chosen residence.

# ENDNOTES

[1] See Part 2 of Article 79 of the Law On the Legal Status of Foreigners of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.232378/asr>

[2] See Ibid.

[3] Under Part 1 and 2 of Article 47 of Law on Health Insurance of the Republic of Lithuania, necessary medical assistance and other necessary personal health care services are assistance and services, without which the patient's health condition could deteriorate to the extent that he or she would need services of the emergency medical assistance: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5905/asr>

[4] See Explanatory letter regarding the Draft Law to Amend the Law On the Legal Status of Foreigners No. IX-2206: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAK/7a8e24d0d7c011ea8f4ce1816a470b26>

[5] According to Part 1 of Article 81 of the Law On the Legal Status of Foreigners of the Republic of Lithuania the application for granting asylum must be examined on merits as soon as possible, but no later than within 6 months from the date of submission of the application for asylum, and if the court passes a decision to mandate the MD to re-examine the application for asylum, as soon as possible, but no later than within 3 months from the date this court decision enters into force.

[6] Article 71 of the Law On the Legal Status of Foreigners of the Republic of Lithuania provides that the asylum seeker acquires the right to work if the MD has not passed a decision on granting asylum through no fault of the asylum seeker within 6 months from the date of submission of the application for asylum.

[7] See Regarding Amendment of Order No. 1V-329 of the Minister of Interior of the Republic of Lithuania 'Regarding the Approval of the Description of the Procedure for Issuing Temporary Permits for Residence in the Republic of Lithuania to Foreigners' of 12 October 2005: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/15820b9036ec11eeb4b9a076396dcf81>

[8] See Migration Records, Migration Department under the Ministry of Interior of the Republic of Lithuania: <https://migracija.lrv.lt/lt/statistika/migracijos-metrasciai>

[9] See 2017 Belarusian protests, Wikipedia: [https://en.wikipedia.org/wiki/2017\\_Belarusian\\_protests](https://en.wikipedia.org/wiki/2017_Belarusian_protests)

[10] See Asylum statistics of 2023, Migration Department under the Ministry of Interior of the Republic of Lithuania: <https://migracija.lrv.lt/lt/statistika/prieglobscio-statistika>

[11] See Asylum statistics 2021, Migration Department under the Ministry of Interior of the Republic of Lithuania, archive copy <http://web.archive.org/web/20211105182051/https://migracija.lrv.lt/lt/statistika/prieglobscio-skyriaus-statistika/statistika-1/2021-metai>

[12] In the event that the unofficial data provided are not accurate, the LRC calls on the responsible institutions to submit their comments and suggest corrections.

[13] See Information for citizens of Belarus, Migration Department under the Ministry of Interior of the Republic of Lithuania, archive copy: <http://web.archive.org/web/20230905060701/https://www.migracija.lt/documents/20123/0/00-infoBY.pdf>

[14] See Lithuanian Red Cross. (February 2023). Access to payment services in Lithuania by foreigners without identity documents: challenges and opportunities: <https://redcross.lt/veiklos/prieglobscio-ir-migracijos-programa/advokacija/>

[15] According to Part 8 of Article 43 of the Law On the Legal Status of Foreigners of the Republic of Lithuania asylum seekers do not have the right to family reunification, i.e. such persons acquire the right to be reunited with their family abroad only after they have been granted asylum and issued a permit for residence. In this regard, it should also be mentioned that, for example, family members of refugees from Belarus no longer have the opportunity to apply for a visa (unless the Ministry of Foreign Affairs of the Republic of Lithuania mediates the submission of application for a visa), since the Law on the Determination of Restrictive Measures Due to Military Aggression against Ukraine of the Republic of Lithuania applies to them (<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/c8be0122e00f11eda305cb3bdf2af4d8>), also, there is no external service provider in Belarus through which family members of refugees from Belarus could apply for a permit for residence (list of external service providers: <https://www.migracija.lt/documents/20123/0/IPT-kontaktai.pdf/7f95e1c5-7654-e350-02a2-6f96a0241ba1?t=1670311793795>). This way, even after a person is granted asylum and issued a permit for residence in Lithuania, it is not uncommon for him or her to face further difficulties in reuniting with his family in the country of origin.

[16] See Migration Records, Migration Department under the Ministry of Interior of the Republic of Lithuania, Migration Records of 2022: [https://migracija.lrv.lt/uploads/migracija/documents/files/2022\\_Migracijos\\_metrastis.pdf](https://migracija.lrv.lt/uploads/migracija/documents/files/2022_Migracijos_metrastis.pdf)

[17] See Asylum statistics of 2023, Migration Department under the Ministry of Interior of the Republic of Lithuania: <https://migracija.lrv.lt/lt/statistika/prieglobscio-statistika>

[18] See Activity Report of the Ministry of Interior of the Republic of Lithuania for 2022, 01 March 2023, Fig. 28. 'The percentage of decisions of the Migration Department on the granting/refusing of asylum within the set deadlines, no less than' (page 80): [https://vrm.lrv.lt/uploads/vrm/documents/files/00000\\_VRM\\_2022%20m\\_veiklos\\_ataskaita\\_skelbti.pdf](https://vrm.lrv.lt/uploads/vrm/documents/files/00000_VRM_2022%20m_veiklos_ataskaita_skelbti.pdf)

[19] See The Belarusian who applied for asylum in Lithuania could not take it any more: took radical measures, Delfi.lt, 19 May 2023: <https://www.delfi.lt/news/daily/lithuania/prieglobscio-lietuvoje-pasiprases-baltarusis-neapsikente-emesi-radikaliu-priemoniu.d?id=93396617>

[20] The interview with the asylum seeker took place on 28-03-2023.

[21] The period is counted from the submission of the application for asylum (year and month) to the date of the questioning conducted by the LRC. The current month, when the request was submitted, is not counted, i.e. counting starts from the next month.

[22] Here and further reference is to the Foreigner Registration Certificate (URP) issued by the MD, which states that the foreigner has the right to work. In the quoted responses, foreigners refer to the URP that they have by various names.

[23] The reference point is the minimum wage in Lithuania in 2023, i.e. EUR 633 net ('after taxes').

[24] The joint project of the Republic of Lithuania and Lithuanian Caritas, within the framework of which support was provided to asylum seekers, ended on 30-06-2023.

[25] The procedure that entered into force at the end of 2022 stipulates that citizens of the Russian Federation and Belarus applying for a permit for residence in Lithuania or national visas will be required to fill out a special questionnaire. More - see Special questionnaire for foreigners wishing to settle in Lithuania, 05 December 2022, Migration Department under the Ministry of Interior of the Republic of Lithuania: <https://migracija.lrv.lt/lt/naujienos/apsigyventi-lietuvoje-pageidautiantiems-uzsienieciams-specialus-klausimynas>

[26] See Parts 1 and 2 of Article 71 of the Law On the Legal Status of Foreigners of the Republic of Lithuania

[27] See The Law on Social Services of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.270342/asr>

[28] See The Law on Social Support for Students of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.279123/asr>

[29] See The Law on State Social Insurance of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1327/asr>

[30] See I want to get asylum in the LR, MIGRIS (Electronic migration services): <https://www.migracija.lt/noriu-gauti-prieglobst%C4%AF-lr>

[31] Currently, the Seimas of the Republic of Lithuania is considering the Draft Law on the amendment of Articles 2, 3, 4, 5, 11, 28, 32, 44, 58, 62, 67, 71, 79, 85, 94, 99, 100, 101, 102, 103/1, 104, 105/2, 105/3, 105/4, 106/1, 108, 113, 114, 115, 115/1, 118, 123, 125, 140/8, 140/18, 140/19, 140/21, 140/28 and Annex, and repealing Article 140/16 of the Law on the Legal Status of Foreigners of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/fab555c0fb8a11edbc0bd16e3a4d3b97>

[32] See Paragraph 35 of the Description of procedure for granting and terminating of asylum in the Republic of Lithuania describes, which defines that the MD receives the conclusion of the vulnerability assessment from SBGS, RAC or 'another competent organization or institution': <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/0a918630dc0311e59019a599c5cbd673/asr>

[33] See Ibid, Paragraph 101.

[34] More details about the Description of Project Funding Conditions (hereinafter - DPFC), according to which foreigner integration centers in Vilnius, Kaunas, and Klaipėda were funded (PMIF- 2.1.2- K- 02): <https://www.e-tar.lt/portal/lt/legalAct/61193ac0b29711e98451fa7b5933515d> (see version of 04 March 2020) and also the DPFC, under which the aid to asylum seekers in Pabradė and Vilnius was financed (PMIF-1.1.4- K-02): <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/1b515f670d3b11e98a758703636ea610?jfwid=-1c2dtebbxm>

[35] Currently, the Seimas of the Republic of Lithuania is considering the Draft Law on the amendment of Articles 2, 3, 4, 5, 11, 28, 32, 44, 58, 62, 67, 71, 79, 85, 94, 99, 100, 101, 102, 103/1, 104, 105/2, 105/3, 105/4, 106/1, 108, 113, 114, 115, 115/1, 118, 123, 125, 140/8, 140/18, 140/19, 140/21, 140/28 and Annex, and repealing Article 140/16 of the Law on the Legal Status of Foreigners of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/fab555c0fb8a11edbc0bd16e3a4d3b97>

[36] See Part 1 and 2 of Article 6 of Law on Health Insurance of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.28356/asr>

[37] See Ibid, Part 5 of Article 6.

[38] See Ibid, Part 4 of Article 6.

[39] NHIF information provided on 26-05-2023.

[40] See Part 5 of Article 6 of Law on Health Insurance of the Republic of Lithuania.

[41] See Order No. V-976 of the Minister of Health of the Republic of Lithuania 'On the approval of the description of the procedure of the provision and extent of necessary personal health care services': <https://www.e-tar.lt/portal/lt/legalAct/60445630d5de11ec8d9390588bf2de65/asr>

[42] See Order No. V-208 of the Minister of Health of the Republic of Lithuania 'On approval of the description of the procedure of the provision and extent of emergency medical assistance': <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.230805/asr>

[43] See, for example, UNHCR Discussion Paper Fair and Fast – Accelerated and Simplified Procedures in the European Union, 25 July 2018: <https://www.refworld.org/docid/5b589eef4.html>

[44] See Lithuanian Red Cross. (February 2023). Access to payment services in Lithuania by foreigners without identity documents: challenges and opportunities: <https://redcross.lt/wp-content/uploads/2022/09/ASMENS-TAPATYBE-PATVIRTINANCIU-DOKUMENTU-NETURINCIU-UZSIENIECIU-PRIEIGA-PRIE-MOKEJIMO-PASLAUGU-LIETUVOJE-LT-2023.pdf>

[45] See Ministry of the Interior (18 February 2021). In the future, asylum seekers will be able to take up paid employment more quickly. <https://www.iem.gov.lv/lv/jaunums/turpmak-patveruma-mekletaji-vares-atrak-sakt-stradat-algotu-darbu>

# ANNEXES

## Annex No. 1. Questionnaire for asylum seekers living in the place of residence of their choice

### General information

1. What is your country of origin?
2. What is your gender?
  - a) Female;
  - b) Male;
  - c) Other;
  - d) I do not want to reveal.
3. What is your family situation?
  - a) I live alone;
  - b) I live with other family members (adults only);
  - c) I live with other family members (including minors).
4. Do you have vulnerabilities / special needs (chronic illness, disability, disability, pregnancy, etc.)? (YES/NO)
  - 4.1. If so, do you receive any government support on this basis? (specify)

### Livelihood and access to services

5. Do you have the right to work? (YES/NO)
  - 5.1. If not, please specify the reasons why?
  - 5.2. Are you currently working?
    - a) I work in Lithuania officially;
    - b) I work in Lithuania unofficially;
    - c) I work remotely outside of Lithuania;
    - d) I am not working at the moment.
  - 5.3. If you are not working, what do you live on? (multiple answers are allowed)
    - a) I live with relatives/acquaintances;
    - b) I have personal savings;
    - c) I receive remittances from relatives abroad;
    - d) I am supported by other working family members;
    - e) Other (specify).
6. What is your monthly household income?
  - a) Less than EUR 633;
  - b) More than EUR 633;
  - c) More than EUR 1,000.
7. Are you currently receiving any additional support from NGOs? (YES/NO)
  - 7.1. If yes, please specify what kind of support you are getting
8. Do you have access to health care services? (YES/NO)
  - 8.1. If not, please specify the reasons why? (open-ended question)
  - 8.2. What are your monthly health care expenses (services, medication, etc.)? (specify)
9. Have you considered living in a state-run migrant centre? (YES/NO)
  - 9.1. If yes, please tell us more about the circumstances (open-ended question)
10. Do you know where to find relevant legal and other information on asylum, registration, health care, education, social security and other issues? (YES/NO)



10.1.1. If yes, please elaborate on where you are looking or where you would look?

10.1.2. If not, please specify the reasons why?

11. Do you have a bank account at a bank operating in Lithuania?

11.1. If not, please specify the reasons.

### Migration issues

12. When did you apply for asylum in Lithuania? (year, month)

13. Have you been contacted by specialists from the Migration Department since you submitted your application for asylum? (YES/NO)

13.1. If so, on what issue? (multiple answers are allowed)

a) Regarding the planned interview;

b) Regarding the submission of missing documents/evidence;

c) Regarding other deadlines related to procedural actions (possible delay, etc.);

d) Other (specify).

14. Has a Migration Department specialist already completed your interview? (YES/NO)

14.1. If yes, when were you questioned? (year, month)

14.2. If yes, have you been given any further preliminary deadlines for passing of the decision on asylum? (YES/NO)

15. Have you tried to contact the Migration Department on your own initiative since the day you submitted your application for asylum? (YES/NO)

15.1. If so, on what issue? (open-ended question)

15.2. If yes, how did you contact/attempt to contact? (multiple answers are allowed)

a) Visit to the territorial branch of the Migration Department;

b) Via email;

c) By phone.

15.3. If so, were you given a clear and detailed answer?

a) Yes;

b) No;

c) In part (specify).

15.4. If yes, approximately how long did it take for them to respond (specify)

16. Do you know which specialist of the Migration Department is responsible for the processing of your application for asylum? (YES/NO)

16.1. If yes, do you have his/her contacts, a way to contact him/her? (YES/NO)

16.2. If yes, please specify whether there is any communication between you and the aforementioned specialist of the Migration Department? (open-ended question)

17. Are you experiencing any problems while waiting for the decision of the Migration Department on your asylum case? (YES/NO)

17.1. If yes, please specify what are those problems? (open-ended question)

17.2. If yes, have you informed the Migration Department? (YES/NO)

17.2.1. If yes, how did the Migration Department respond? (open-ended question)

**18. Additional question for those who indicated that they live with other family members:**

18.1. Is the waiting period for other members of your family similar or was the experience substantially different?

18.2. If different, specify the different deadlines, circumstances, etc. applied to other family members. (open-ended question)

## Annex No. 2. Questionnaire for the Ministry of Interior of the Republic of Lithuania

1. What social guarantees, based on current legislation, are provided for asylum seekers living in the place of their choice, regardless of their age, vulnerability, and special needs?
  - 1.1. Where can asylum seekers living in the place of their choice go to get information about the social guarantees they are entitled to?
2. What financial/support measures at the disposal of the Ministry of Interior of the Republic of Lithuania and focused on ensuring the accommodation conditions of asylum seekers living in the place of their choice have been implemented in recent years (taking the reporting period up to 1 January 2023)?
  - 2.1. Please specify the scope and capacity of the measures implemented to respond to the relevant number of asylum seekers living in the location of their choice.
3. What financial/support measures at the disposal of the Ministry of Interior and focused on ensuring the accommodation conditions of asylum seekers living in the location of their choice are being implemented at the moment? If the measures are currently being implemented, please specify the expected duration of the implemented measures in terms of time.
  - 3.1. Please specify the scope and capacity of the measures that are being implemented to respond to the relevant number of asylum seekers living in the location of their choice.
4. What financial/support measures at the disposal of the Ministry of Interior and aimed at ensuring the accommodation conditions of asylum seekers living in place of their choice are planned to be implemented in the near future (for the period of 2023-2024)?
  - 4.1. Please specify the scope and capacity of the measures intended to respond to the relevant number of asylum seekers living in the location of their choice.
5. What additional social guarantees are available under existing legislation for asylum seekers living in the place of their choice, taking into account their individual circumstances regarding their vulnerability?
6. What measures does the MD take when there are indications that an asylum seeker has signs of vulnerability and/or special needs, including when the asylum seeker wishes to live in a place of his/her choice?
7. How is a complex vulnerability assessment of asylum seekers living in the place of their choice carried out and which institution is responsible for this procedure?
8. Describe how the mechanism for the distribution of applications for asylum works in order to ensure their processing as efficiently as possible? If priority is given to certain applications, please indicate the criteria according to which priority is given?
9. How many asylum applications were examined by the MD in accordance with the deadlines set in Article 81 of the Law on the Legal Status of Foreigners of the Republic of Lithuania in 2022 (distinguishing between applications processed in the urgent procedure and the general procedure)?
10. How many asylum applications were examined by the MD exceeding the deadlines set in Article 81 of the Law On the Legal Status of Foreigners of the Republic of Lithuania in 2022 (distinguishing between applications processed in the urgent procedure and the general procedure)?
11. How many applications for asylum are currently being processed for more than 6 months?
  - 11.1. What are the reasons for these applications for asylum being processed for more than 6 months?
12. How many applications for asylum are currently being processed for more than 3 months after being returned by the court for re-examination?

13. How many applications asylum are currently being processed for more than 1 year (specify cases returned by court instances separately)?
- 13.1. What are the reasons for these applications for asylum being processed for more than 1 year?
14. What was the average length of processing of applications for asylum is 2022?
15. What was the average period during which the MD conducted the interview of the asylum seeker(s) from the moment of the registration of the application in 2022?
16. Does the MD have a set algorithm for informing asylum seekers about delayed decisions on the granting of asylum?
- 16.1. If so, describe it (at what stage and at whose initiative is the information provided, are the reasons why the decision was not made on time in a particular case explained, is the expected time of the passing of the decision indicated, etc.).
- 16.2. If not, how can asylum seekers find out about delays in processing of their applications?
17. Are asylum seekers informed which MD specialist is responsible for examining their application?
- 17.1. At what stage of the procedure does this notification take place?
- 17.2. What contact and/or other information of the specialist(s) responsible is provided to asylum seekers?
- 17.3. In what ways do the MD specialists responsible for examining decisions on the granting of asylum maintain contact with the asylum seekers whose applications are examined, thus ensuring the duty to cooperate with the asylum seeker specified in Paragraph 89 of the Description of the Procedure for Granting and Terminating of the Asylum in the Republic of Lithuania?
18. Is the prioritization of processing of certain applications for asylum affected by the information received by the MD from asylum seekers that the asylum seeker faces relevant problems in solving work, movement, service reception, and other relevant issues, due to prolonged processing of the application?

### Annex No. 3. Questionnaire for the Ministry of Social Security and Labor of the Republic of Lithuania

1. What financial/support measures at the disposal of the Ministry of Social Security and Labor of the Republic of Lithuania (hereinafter - the MSSL) and focused on ensuring the accommodation conditions of asylum seekers living in the place of their choice have been implemented in recent years (taking the reporting period up to 1 January 2023)?

1.1. Please specify the scope and capacity of the measures implemented to respond to the relevant number of asylum seekers living in the location of their choice.

2. What financial/support measures at the disposal of the Ministry of Social Security and Labor and focused on ensuring the accommodation conditions of asylum seekers living in the location of their choice are being implemented at the moment? If the measures are currently being implemented, please specify the expected duration of the implemented measures in terms of time.

2.1. Please specify the scope and capacity of the measures that are being implemented to respond to the relevant number of asylum seekers living in the location of their choice.

3. What financial/support measures at the disposal of the MSSL and aimed at ensuring the accommodation conditions of asylum seekers living in place of their choice are planned to be implemented in the near future (for the period of 2023-2024)?

3.1. Please specify the scope and capacity of the measures intended to respond to the relevant number of asylum seekers living in the location of their choice.

4. What other/additional measures and/or social guarantees at the disposal of the MSSL intended to meet the needs of asylum seekers living in the place of their choice, are ensured?

5. Where can asylum seekers living in the place of their choice go to get information about the social guarantees they are entitled to?

5.1. Has the MSSL provided an algorithm to reach the asylum seekers living specifically in the place of their choice? If so, please specify.

## Annex No. 4. Questionnaire for the National Health Insurance Fund under the Ministry of Health of the Republic of Lithuania

1. Is information published (if so - where) on where and in what ways asylum seekers can apply for a unique Insured's Identification Code (hereinafter - the DIK)?
2. How many asylum seekers applied to the National Health Insurance Fund under the Ministry of Health of the Republic of Lithuania regarding the granting of DIK in 2022?
  - 2.1. In what ways did asylum seekers apply/are applying for the granting of the DIK in 2022?
  - 2.2. What proportion of asylum seekers' applications for the granting of the DIK in 2022 is comprised of referrals through the mediation of NGOs and/or other third parties?
3. How many asylum seekers applied to NHIF for granting the DIK in 2023?
  - 3.1. In what ways did asylum seekers apply/are applying for the granting of the DIK in 2023?
  - 3.2. What proportion of asylum seekers' applications for the granting of the DIK in 2023 is comprised of referrals through the mediation of NGOs and/or other third parties?
4. In what ways are asylum seekers informed about what health care services are available to them?
5. What health care services are available to asylum seekers without a personal code?
  - 5.1. Does the scope of health care services differ between those who have obtained the right to work and those who are employed as asylum seekers who do not have a personal code? If so, please specify the differences.
6. Are mental health services for asylum seekers classified as services of essential medical care? If not, how are the mental health service needs of asylum seekers addressed.



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