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PMIF
Prieglobsčio, migracijos
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MONITORING REPORT 2022

DECEMBER 2022

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.

This report summarizes the information collected in 2022 by the monitoring team of the Lithuanian Red Cross in the framework of two projects, funded by the Asylum, Migration and Integration Fund and the United Nations Refugee Agency.

When evaluating the collected data, the monitors of the Lithuanian Red Cross rely on their professional expertise and long-term experience in the field of migration and asylum. We are grateful to partners and colleagues for additional insights.

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Monitoring Report

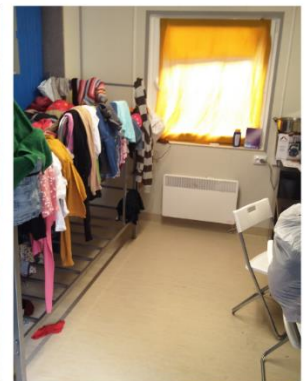
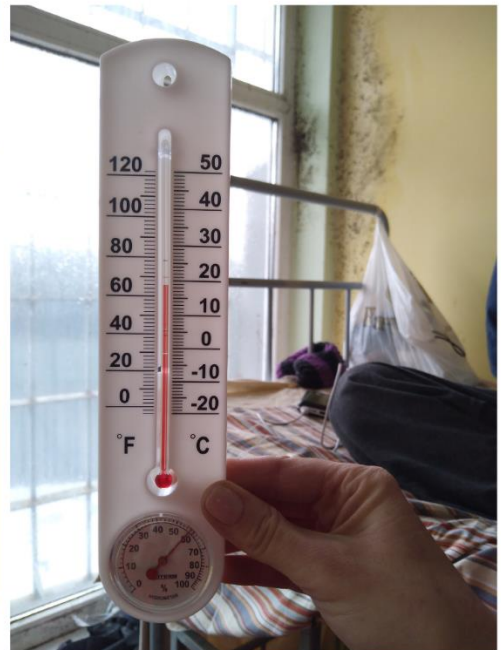
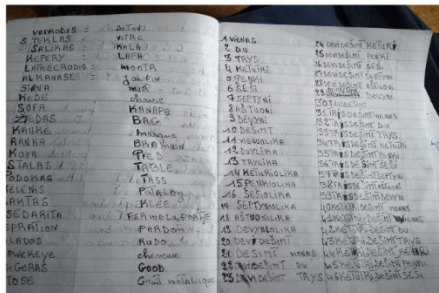


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LIST OF ABBREVIATIONS

EU – European Union
EUAA – European Union Agency for Asylum
EHSCI – Electronic Health Services and Collaboration Infrastructure
CJEU – Court of Justice of the European Union
EUROSTAT – Statistical Office of the European Union
ECHR – European Court of Human Rights
FRONTEX – European Border and Coast Guard Agency
EMS – emergency medical services
ICRC – International Committee of the Red Cross
ILTU – code of the foreigner with interests in Lithuania
UN – United Nations
RL – Republic of Lithuania
LRC – Lithuanian Red Cross
MD – Migration Department under the Ministry of the Interior of the Republic of Lithuania
MIGRIS – Lithuanian Migration Information System
NGO – non-governmental organisation(s)
BCP – border crossing point
AMIF – Asylum, Migration and Integration Fund
RRC – Refugee Reception Centre
FSC – Family Support Centre
FD – frontier district
FS – frontier station
RFL – Restoring Family Links
RVUH – Republican Vilnius University Hospital
MSSL – Ministry of Social Security and Labour of the Republic of Lithuania
DS – Department of Statistics
DWD – detained women dormitory
DFD – detained foreigners’ dormitory
FRB – foreigners’ reception building
FRC – Foreigners’ Registration Centre
MFA – Ministry of Foreign Affairs of the Republic of Lithuania
URP – foreigner’s registration certificate
UNHCR – United Nations High Commissioner for Refugees
ES – Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania
LLSF – Republic of Lithuania Law on the Legal Status of Foreigners
SGLA – state-guaranteed legal aid
MoI – Ministry of the Interior of the Republic of Lithuania
SBGS – State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania

INTRODUCTION

In 2022, the influx of asylum seekers that shook the Lithuanian migration system in the summer of 2021 remained the main determining factor of the entire migration policy of the country, including the reception conditions and access to the asylum procedure. The influx of refugees from Ukraine in the spring did not have a direct impact on the asylum system, as qualitatively new solutions were used to ensure reception conditions, and a temporary protection mechanism for the mass influx of persons was adapted to their legal situation, which aims to provide collective protection to displaced persons and persons unable to return to their country of origin without burdening the system with separate asylum applications.

At the beginning of this year, foreigners who entered irregularly across the border with Belarus in the summer of 2021, were still de facto detained in overcrowded centres without the right to leave their territories. Some of them were not considered to be asylum seekers and their asylum applications were refused registration on the grounds that they did not apply for asylum “immediately”. After several court rulings on this matter, the asylum applications of these persons were nevertheless registered. At the same time, more and more foreigners received the decisions of the Migration Department (hereinafter – the MD) on their asylum applications (mostly negative), and later, in the appeal process, the final decisions of the courts (mostly confirming the decisions taken by the MD). Due to prolonged detention and uncertainty about the future, the psychological climate in the foreigners’ centres has been steadily deteriorating.

The situation in the centres was assessed by independent observers and non-governmental organisations (hereinafter – NGOs): The Seimas Ombudsmen’s Office of the Republic of Lithuania¹, the Office of the Equal Opportunities Ombudsperson², Amnesty International³, the organisation Doctors without Borders⁴ and others, who provided comments and recommendations to improve the current situation. Regular monitoring was also carried out by monitors of the Lithuanian Red Cross (hereinafter – LRC), who present the insights recorded during the year in the present report.

The situation began to change in the middle of the year, when most of the migrants who were until then de facto detained in the centres were gradually granted the right to temporarily (for a period of 24 hours or 72 hours) leave the territory of the centres. Taking advantage of this opportunity, people, most of whom lived in de facto detention conditions for almost a year and received decisions on refusal to grant asylum and deportation from Lithuania, left and did not return, probably leaving Lithuania for other countries, which led to a sharp decrease in the population of the centres and an automatic increase in centres’ opportunities to ensure better living conditions

¹ See, Report No NKP-2021/1-4 of 24 January 2022 of the Seimas Ombudsmen’s Office of the Republic of Lithuania “On ensuring the human rights and freedoms of foreigners at the Kybartai Foreigners’ Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania”: https://www.lrski.lt/wp-content/uploads/2022/01/Final_Ataskaita_Kybartai_2021.pdf and Report No NKP-2022/1-1 of 7 July 2022 “On ensuring the human rights and freedoms of foreigners at the Medininkai Foreigners’ Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania”: https://www.lrski.lt/wp-content/uploads/2022/07/Ataskaita_MURC_2022_FINAL.pdf

² See, Equal Opportunities Ombudsperson Independent Review Report of 2022 December 30: Ensuring equal opportunities in places of detention for persons who have crossed the border between Belarus and Lithuania: https://lygybe.lt/data/public/uploads/2022/12/na_2022-12-12_nepriklausomos-stebesenos-ataskaita.pdf?fbclid=IwAR0hNq1-z5mtd8ILUFE5qLFirksBVkH9yTmB7kU8gxNkMP213HX2cjNwfJs

³ See, Amnesty International, Lithuania: Forced out or Locked up: Refugees and Migrants Abused and Abandoned: <https://www.amnesty.org/en/documents/eur53/5735/2022/en/>

⁴ See, Medecins Sans Frontieres, (1) People detained in Lithuania are experiencing abuse, violence and mental health distress: <https://www.msf.org/prolonged-detention-over-2500-migrants-lithuania-must-end-now> and (2) A “hierarchy of suffering” exacerbates asylum seekers’ mental health in Lithuania: <https://www.msf.org/discriminatory-and-cruel-migration-practices-compound-suffering-lithuania>

for the remaining migrants. Out of more than 4,000 migrants who arrived in 2021, only a few hundred remained in the centres at the end of in 2022.

With a tenfold decrease in the number of residents, the centre network itself was optimised: MD contract with Jieznas Family Support Centre (hereinafter – the FSC) was not extended, the Medininkai Foreigners’ Registration Centre (hereinafter – the FRC) of the State Border Guard Service (hereinafter – the SBGS) was closed, and, in the course of the year, modular homes at the Rukla Refugee Reception Centre (hereinafter – the RRC) managed by the Ministry of Social Security and Labour (hereinafter – MSSL) and SBGS Pabradė FRC were dismantled. It is expected that in the first quarter of 2023, the SBGS Kybartai FRC will also be closed, where, in 2022, major infrastructural changes were implemented, which improved the living conditions of migrants. In 2022, the Naujininkai (Vilnius) RRC also made significant investments into infrastructure. The services and their accessibility have also been gradually improved. Certain services were provided through municipal educational and medical institutions, as well as external partners (mostly NGOs), which provided leisure and employment services.

The so-called “pushback” policy introduced as of 3 August 2021, when the asylum applications of irregularly entering foreigners are not registered, the foreigners are not admitted to the territory of Lithuania and are “pushed-back” to the territory of the country from which they came, remained in force this year as well. A trend was observed that the aforementioned policy was not applied only to irregularly entering citizens of Belarus and Russia. In rare cases, which were determined by temporary protection measures applied by the European Court of Human Rights (hereinafter – the ECHR) or the critical state of health of individuals, the asylum applications of individual citizens of other countries, such as Afghanistan, Cuba, Iraq, Syria, Egypt and Sri Lanka, who crossed the border irregularly, were also registered. The majority of the asylum seekers arriving through the SBGS international border checkpoints (hereinafter – the BCP) in 2022 were citizens of Belarus and Russia, as well as citizens of Tajikistan.

In the course of the year, the countries of origin of the newly arriving foreigners and the state policy towards them changed once again. This was greatly influenced by Russia's military invasion of Ukraine launched on 24 February. The war prompted not only a wave of refugees from Ukraine, but also further changes in Lithuania's migration policy. On 19 September, the decision to no longer issue visas to citizens of the Russian Federation, and to limit entry to Lithuania for those who already have Schengen visas (with certain exceptions), had entered into force. Following the announcement of partial mobilisation in Russia and the increase in the number of people fleeing the country, the access of Russian citizens to the asylum procedure at the border was further restricted. For these reasons, the number of newly arrived asylum seekers has fallen sharply compared to the first half of the year, and even more so compared to last year. In the second half of the year, most of the reports on newly registered asylum seekers reached the LRC monitors from the centres, where subsequent asylum applications were registered.

Taking into account the dynamics of the described changes, in 2022, the LRC monitors paid a lot of attention not only to the reception conditions, but also to ensuring minimum protection approach, i.e., to access of migrants to asylum procedures, restoring family links (hereinafter – RFL), adequate information, physical security, etc.

The data presented in this report are presented at different levels. Priority is given to fixed information of LRC monitors, which is supplemented by official data of responsible institutions: SBGS, MD, Department of Statistics (hereinafter – the DS), etc. The report contains summarised

information collected in the framework of two projects implemented by the LRC funded the by the Asylum, Migration and Integration Fund (hereinafter – the AMIF) and the United Nations High Commissioner for Refugees (hereinafter – the UNHCR).

The annual monitoring report is divided by topic into three parts: (1) border monitoring, (2) monitoring of foreigners' centres, and (3) thematic monitoring, which is focused on a specific area of analysis. The summarised data are aimed at revealing the trends observed in 2022 and systematically recurring aspects, which are intended to be focused on in 2023 as well in the LRC monitoring activities and in the activities of the Asylum and Migration Programme in general.

I. GENERAL INFORMATION OF 2022: FACTS AND FIGURES

In 2022, monitoring was carried out by two LRC monitors. Access to foreigners was ensured based on the SBGS, UNHCR and LRC agreement of 2 June 2010 and the RRC and LRC agreement of 27 February 2020.

The objectives of the monitoring: **to monitor** (to have access to legally defined places of filing requests, to documents, asylum seekers, etc.); **to collect and assess** (to objectively record how procedures are carried out, whether reception and protection conditions comply with the standards in force, as well as to analyse the available material); **to inform** (to provide information and cooperate with the state authorities which are required to ensure appropriate reception and protection conditions); and to seek changes ensuring the fundamental rights of asylum seekers.

1. MONITORING STATISTICS

In 2022, the LRC monitors conducted a total of 62 visits (32 in the AMIF project and 30 in the UNHCR project), 58 of which were conducted live, 4 were conducted remotely (all 4 were initial interview monitoring where remote access links were provided). Due to the scope of monitoring, 16 visits were conducted by both monitors. Also, on part of the visits, the LRC monitors went with partners from the UNHCR and the International Committee of the Red Cross (hereinafter – ICRC). For details, *see Figure 1*

In 2022, 52 reports were prepared (24 – AMIF, 28 – UNHCR), 4 of them are larger thematic monitoring reports (2 – AMIF, 2 – UNHCR), when more than one visit was organised during data collection. For this reason, the number of visits and reports varies. In addition, one of the thematic monitoring reports (access to asylum procedures at the SBGS BCP and diplomatic missions of the Republic of Lithuania abroad) was prepared based not on information collected during specific visits, but on the basis of live interviews, phone calls, collected in social media networks, by e-mail, as well as by processing publicly available and otherwise obtained data.

For comparison, in 2021, when Lithuania faced the border crisis with Belarus, almost twice as many (116) monitoring visits were conducted (92 of them in person, 24 remotely) and almost twice as many reports (92) were prepared (52 – in the AMIF project, 40 – in the UNHCR project).

As in 2021, the LRC monitors recorded **feedback this year, i.e., comments of institutions after submitting the report, additions to the reports, etc.** In 2022, 8 reports (15% of all reports) received feedback (compared to 31 reports (or almost a third of all reports) in 2021).

Figure 1. LRC monitoring visits: mode of access, purpose and project covered by the visit.

LRC monitoring visits in 2022					
No	Date	Place of visit	Access	Monitoring purpose	Project
1	26/01/2022	Rukla RRC	In person	Reception / protection conditions	AMIF
2	28/01/2022	Naujininkai RRC	In person	Reception / protection conditions	UNHCR
3	03/02/2022	Kybartai FRC	In person	Reception / protection conditions	AMIF
4	07/02/2022	Pabradė FRC	In person	Reception / protection conditions	UNHCR
5	18/02/2022	Jieznas FSC	In person	Reception / protection conditions	AMIF
6	21/02/2022	Lavoriškės BCP	In person	Reception / protection conditions	AMIF

7	22/02/2022	Medininkai FRC	In person	Reception / protection conditions	UNHCR
8	23/02/2022	Adutiškis FS	In person	Reception / protection conditions	AMIF
9	02/03/2022	Pabradė FRC	In person	Reception / protection conditions	UNHCR
10	07/03/2022	Naujininkai RRC	In person	Thematic monitoring	AMIF
11	09/03/2022	Rukla RRC	In person	Thematic monitoring	AMIF
12	16/03/2022	Kybartai FRC	In person	Thematic monitoring	AMIF
13	18/03/2022	Medininkai FRC	In person	Thematic monitoring	AMIF
14	23/03/2022	Pabradė FRC	In person	Thematic monitoring	AMIF
15	14/03/2022	Pabradė FRC	Remotely	Initial interview	UNHCR
16	15/03/2022	Medininkai FRC	In person	Case analysis (protection)	UNHCR
17	28/03/2022	Kybartai FRC	In person	Initial interview	UNHCR
18	28/03/2022	Kybartai FRC	In person	Initial interview	UNHCR
19	28/03/2022	Kybartai BCP	In person	Reception / protection conditions	UNHCR
20	01/04/2022	Pabradė FRC	In person	Case analysis (protection)	UNHCR
21	11/04/2022	Medininkai BCP	In person	Reception / protection conditions	AMIF
22	19/04/2022	Medininkai FRC	In person	Reception / protection conditions	AMIF
23	27/04/2022	Medininkai FRC	Remotely	Initial interview	UNHCR
24	16/05/2022	Tverečius FS	In person	Reception / protection conditions	AMIF
25	17/05/2022	Kybartai FRC	In person	Reception / protection conditions	AMIF
26	15/06/2022	Rukla RRC	In person	Thematic monitoring	UNHCR
27	20/06/2022	Medininkai IRC	In person	Thematic monitoring	UNHCR
28	22/06/2022	Pabradė FRC	In person	Thematic monitoring	UNHCR
29	11/07/2022	Tverečius FS	In person	Reception / protection conditions	UNHCR
30	15/07/2022	Naujininkai RRC	In person	Reception / protection conditions	UNHCR
31	22/07/2022	Pabradė FRC	Remotely	Initial interview	UNHCR
32	27/07/2022	Rukla RRC	In person	Reception / protection conditions	AMIF
33	01/08/2022	Bardinai FS	In person	Reception / protection conditions	UNHCR
34	03/08/2022	Pabradė FRC	In person	Reception / protection conditions	AMIF
35	08/08/2022	Vilnius Airport FS	In person	Reception / protection conditions	UNHCR
36	10/08/2022	Medininkai BCP	In person	Reception / protection conditions	AMIF
37	23/08/2022	Pūškos BP	In person	Reception / protection conditions	UNHCR
38	29/08/2022	Adutiškis FS	In person	Reception / protection conditions	AMIF
39	29/08/2022	Kabeliai BP	In person	Reception / protection conditions	UNHCR
40	02/09/2022	Švenčionys BP	In person	Reception / protection conditions	AMIF
41	07/09/2022	Pabradė FRC	Remotely	Initial interview	UNHCR
42	14/09/2022	Naujininkai RRC	In person	Thematic monitoring	AMIF
43	19/09/2022	Pabradė FRC	In person	Initial interview	UNHCR
44	21/09/2022	Rukla RRC	In person	Thematic monitoring	AMIF
45	27/09/2022	Baleliai (Ukmergė District)	In person	Reception conditions	AMIF
46	27/09/2022	Alanta AVTC ⁵ (Molėtai Dis.)	In person	Reception conditions	AMIF
47	07/10/2022	Kybartai FRC	In person	Thematic monitoring	AMIF
48	10/10/2022	Pabradė FRC	In person	Reception / protection conditions	UNHCR
49	14/10/2022	Pabradė FRC	In person	Thematic monitoring	AMIF
50	21/10/2022	Druskininkai BP	In person	Reception / protection conditions	UNHCR
51	24/10/2022	Kybartai FRC	In person	Reception / protection conditions	AMIF
52	27/10/2022	Vilnius (RVUH ⁶)	In person	Reception / protection conditions	UNHCR

⁵ AVTC – Aukštaitija Vocational Training Centre

⁶ RVUH – Republican Vilnius University Hospital

53	07/11/2022	Varėna Hospital	In person	Reception / protection conditions	AMIF
54	08/11/2022	Vilnius (RVUH)	In person	Reception / protection conditions	UNHCR
55	09/11/2022	Kapčiamiestis FS	In person	Reception / protection conditions	AMIF
56	16/11/2022	Pabradė FRC	In person	Reception / protection conditions	UNHCR
57	16/11/2022	Rukla RRC	In person	Reception / protection conditions	AMIF
58	21/11/2022	Varėna Hospital	In person	Reception / protection conditions	UNHCR
59	05/12/2022	Švenčionys Hospital	In person	Reception / protection conditions	AMIF
60	20/12/2022	Lavoriškės BCP	In person	Reception / protection conditions	UNHCR
61	20/12/2022	Vilnius (RVUH)	In person	Reception / protection conditions	AMIF
62	28/12/2022	Lavoriškės BCP	In person	Reception / protection conditions	AMIF
Total		62 visits	58 – in person 4 – remotely		AMIF – 32 UNHCR – 30

Detailing the visits and their nature, 37 visits were carried out in foreigners' centres, 17 – at the SBGS frontier stations (hereinafter – the FS) and BCP, 6 – at medical institutions to which asylum seekers were brought due to a critical health condition, 2 – at accommodation places provided by the country's municipalities for refugees arriving from Ukraine⁷.

Among all centres, Pabradė FRC was monitored the most times (13), Kybartai FRC (7), Medininkai FRC and Rukla RRC (6 each), Naujininkai RRC (4), Jieznas FSC were also visited (during 1 visit, information was collected for two reports: about reception conditions and thematic monitoring).

Reception and protection conditions at the centres were monitored in 17 cases, in 13 cases – visits were made to gather information within the framework of thematic monitoring, and 7 initial interviews of asylum seekers were also monitored.

As for visits to SBGS border units, **in 2022, all three SBGS frontier districts (hereinafter – the FD) were visited:** Vilnius FD (12 visits), Varėna FD (3 visits) and Pagėgiai FD (2 visits). Lavoriškės BCP was visited 3 times, Adutiškis FS, Tverečius FS and Medininkai BCP were visited twice each. Kybartai BCP, Bardinai FS, Vilnius Airport BCP, Pūškos FS, Kabeliai FS, Švenčionys FS, Druskininkai FS and Kapčiamiestis FS were visited once each. In all cases, the conditions of reception and protection of asylum seekers were evaluated at the SBGS border units.

2. GENERAL ASYLUM STATISTICS

2.1. National statistics

According to publicly available MD and DS data⁸, **in 2022, 1,022 asylum applications were accepted in Lithuania**, including applications submitted for the first time, subsequent applications and applications of asylum seekers returned in accordance with the Dublin III Regulation from other European Union (hereinafter – the EU) countries⁹.

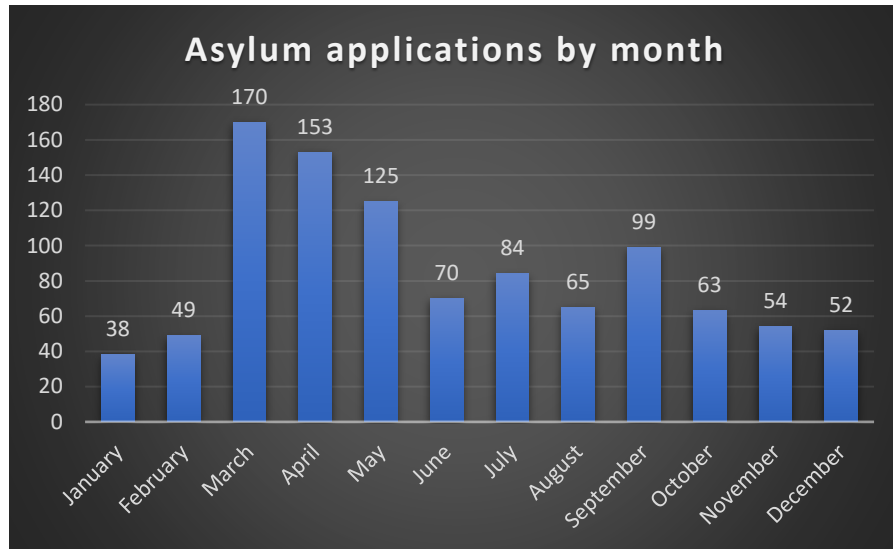
⁷ Data from these two visits are not analysed in the annual report.

⁸ Data for January-October 2022 were obtained from the Department of Statistics, for November-December – from the Migration Department. See, the Department of Statistics, Official Statistics Portal, Asylum Seekers, accessed on – 5 January 2023: <https://osp.stat.gov.lt/statistiniu-rodikliu-analize?indicator=S3R854#/> and see also Migration Department under the Ministry of Internal Affairs of the Republic of Lithuania, Asylum Statistics, accessed on – 5 January 2023: <https://migracija.lrv.lt/lt/statistika/prieglobscio-statistika>

⁹ Data on first-time and subsequent applications are available in the statistics provided by the DS until 01/11/2022 (817 and 99, respectively). Meanwhile, in statistics for November and December provided by MD, these categories of applications are not distinguished.

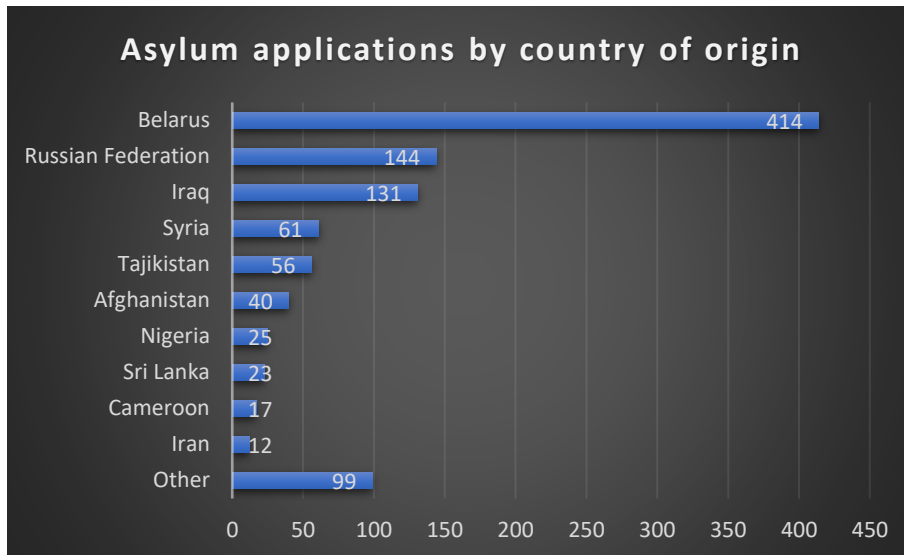
The highest number of applications were received in March (170), April (153) and May (125), accounting for almost half (44%) of all submitted applications. For details – see Figure 2.

Figure 2. Asylum applications by month.



Asylum applications were submitted by citizens of 40 countries and one stateless person. Three countries of origin stand out (Belarus – 414 applications, Russian Federation – 144 and Iraq – 131), whose citizens made up more than 67 per cent of all asylum seekers. Other countries of origin include Syria (61 applications), Tajikistan (56), Afghanistan (40), Nigeria (25) and Sri Lanka (23). The number of citizens of any other country was below 20. For details – see Figure 3.

Figure 3. Asylum applications by country of origin.



2.2. SBGS statistics

The LRC monitors receive the SBGS data summary every month, which presents and disaggregates SBGS asylum statistics and general national asylum statistics, including asylum applications registered in the MD territorial divisions. Asylum statistics are divided by SBGS into:

(1) applications registered at the BCP; (2) applications registered at the FS (after irregular entry) and inside the country. The second category includes, among other things, foreigners transferred from other EU countries in accordance with the Dublin III Regulation, foreigners accommodated or detained at the SBGS FRC¹⁰, displaced persons, etc.

According to the SBGS data, in 2022 1,018 asylum applications were registered in the country. These numbers, with a minor deviation, do not match the above MD and DS figures, based on which there were 1,022 asylum applications registered in 2022.

The statistics of the first four months of this year were not broken down in detail. Available data show that 116 asylum applications were submitted at the SBGS BCPs, at least 162 – at SBGS FS, i.e., after irregular arrival, at least 116 applications were registered at the SBGS FRCs, at least 179 more were registered at the SBGS, but not assigned to a specific category, at least 336 applications were registered at the MD territorial units, 20 persons were transferred, 14 returned according to the Dublin III Regulation (initial registration of asylum seekers in these cases is also carried out by the SBGS). For details – see *Figure 4*.

Figure 4. Asylum statistics provided by the SBGS¹¹

2022	Applications at the SBGS BCP	Applications at the border (irregular entry) and inside the country				
		SBGS FS	SBGS FRC	MD divisions	Transferred	Dublin III
January	0	8		29	0	0
February	1	45				
March	10	81		59	20	0
April	19	98		33	0	3
May	14	41	31	39	0	0
June	7	18	20	21	0	3
July	3	22	13	46	0	0
August	14	13	5	28	0	5
September	24	20	25	28	0	2
October	4	9	7	42	0	1
December	8	15	7	22	0	0
TOTAL	116	901				

2.3. Lithuania in the EU context

As for Lithuania in the context of the EU, in 2022, our country was far from the ones registering the highest number of asylum applications. According to the EU statistical service EUROSTAT, during the first eight months of this year, the total number of asylum seekers registered for the first time in the EU reached 510,135 (data from 27 countries). The top five countries with the highest number of applications were Germany (133,390 applications), France (94,960), Spain (75,220),

¹⁰ Part of asylum applications of foreigners who irregularly arrived in the summer of 2021 were registered only in the first half of 2022, after they were prevented from entering the territory of Lithuania for more than 6 months and considered de facto detained at the SBGS FRCs.

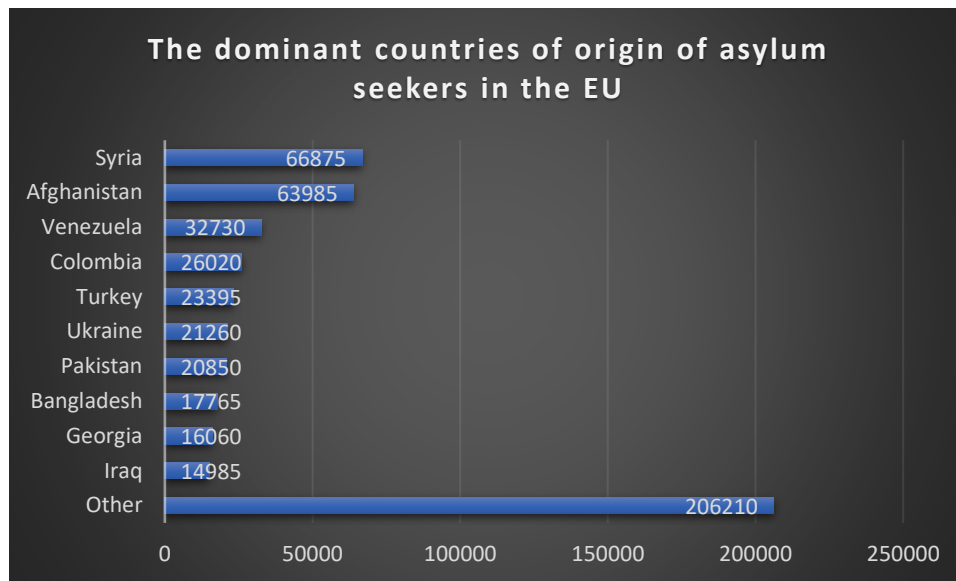
¹¹ The table does not include one asylum applicant from Russian Federation accepted at the Embassy of the Republic of Lithuania in Minsk, Belarus.

Austria (54,625) and Italy (48,935). These countries registered almost 80 per cent of all asylum applications submitted in the EU states¹².

Meanwhile, Lithuania, together with Liechtenstein, Hungary, Estonia, Latvia, Slovakia and Malta ranked among the EU countries with the least number of registered asylum applications. More asylum applications than Lithuania in the first eight months of this year were registered in Estonia, which, even in a regional context, usually registers far fewer asylum applications (1,185).

In the first eight months of this year, the list of citizens of the top five countries of origin which most often submit asylum applications in the EU was comprised of citizens of Syria (66,875 applications / 13% of all applications), Afghanistan (63,985 / 12%), Venezuela (32,730 / 6%), Colombia (26,020 / 5%) and Turkey (23,395 / 4.5%)¹³. For details – see Figure 5.

Figure 5. The dominant countries of origin of asylum seekers in the EU until 01/09/2022.



As can be seen, in Lithuania in 2022, and in recent years in general, the dominant countries of origin of asylum seekers (Belarus, Russian Federation and Tajikistan) do not occupy leading positions in the EU. Among the top five countries of origin in Lithuania, Syria (66,875 applications / 1st place in the EU) and Iraq (14,985 applications / 10th place in the EU) made up a significant part in the EU context. Meanwhile, the number of asylum applications by citizens of the Russian Federation (6,345 applications), Belarus (3,405 applications) or even more so Tajikistan (885 applications) did not differ in the general EU context¹⁴.

¹² See, Eurostat, Data Browser, Asylum and first time asylum applicants – monthly data 2022, accessed online on – 13/12/2022: <https://ec.europa.eu/eurostat/databrowser/view/tps00189/default/table?lang=en>

¹³ See, Eurostat, Asylum applicants by type of applicant, citizenship, age and sex – monthly data 2022, accessed on – 13/12/2022: https://ec.europa.eu/eurostat/databrowser/view/MIGR_ASYAPPCTZM_custom_4149876/default/table?lang=en

¹⁴ See *ibid*



BORDER MONITORING

II. BORDER MONITORING

1. GENERAL STATISTICS

1.1. SBGS notifications on asylum seekers

In 2022, the LRC monitors recorded 294 cases where individuals or groups of individual applied for asylum at the SBGS units, a total of 485 persons (of which 351 – men, 134 – women, of which 61 – minors (36 – male , 25 – female), of which 2 – unaccompanied minors) from 29 countries of origin (Afghanistan, Azerbaijan, Belarus, Bangladesh, Central African Republic, Ivory Coast, Egypt, Gambia, Georgia, Ghana, Guinea, Iraq, Iran, Yemen, Cameroon, Kyrgyzstan, Congo, Democratic Republic of Congo, Cuba, Lebanon, Mali, Nigeria, Pakistan, Russian Federation, Senegal, Syria, Sri Lanka, Tajikistan, Ukraine). These statistics also include cases about which LRC monitors did not receive an official notification from the SBGS, and the statistics were adjusted in the process, after receiving the summarised monthly data (in 2022, 25 non-notification cases were recorded, a total of concerning 45 persons).

The LRC monitors record data from the SBGS border units (FSs and BCPs) as well as from the FRCs (there were 3 in operation until autumn 2022), so the statistics include information on subsequent asylum applications as well as those returned under Dublin III Regulation.¹⁵ The LRC does not have exact data on what part of the FRC notifications includes information about subsequent applications. Meanwhile, in 2022, the LRC monitors recorded 333 (201 notifications) of newly arrived asylum seekers (via SBGS BCPs and irregularly). For details – see *Figure 6*.

Figure 6. Data collected by the LRC on newly arrived asylum seekers.

SBGS initial reports on asylum seekers and their countries of origin				
Arriving irregularly	Arriving regularly			
	External border with Belarus	External border with Russia	International airports	Returned under Dublin III Regulation
BLR – 145	RUS – 55	BLR – 24	GEO – 1	RUS – 2
RUS – 17	TJK – 21	RUS – 14	PAK – 1	AFG – 1
TJK – 6	BLR – 6	UKR – 2		AZE – 1
IRQ – 6	UKR – 5			KGZ – 1
EGY – 8	AZE – 3			
SYR – 5				
CUB – 4				
LKA – 2				
AFG – 2				
195	90	40	2	5
	Total via external border – 130		Total via airports – 7	
TOTAL: 332¹⁶				

Three-letter codes from the ISO 3166 standard of the International Organization for Standardization (ISO 3166-1 alpha-3) are used to represent country names in the table: AFG -

¹⁵ As mentioned above, part of the applications of foreigners who arrived in the summer of 2021 were registered only in the first half of 2022. During the first six months of 2022, information on at least 86 more asylum applications of foreigners who arrived in 2021 has been received from the SBGS FRC. It is likely that the number of asylum applications submitted to the SBGS FRC for the first time was somewhat higher.

¹⁶ One report from the SBGS Pagėgiai FD Šiauliai FS regarding a registered asylum application is not included in these statistics, because the report does not fall within the categories presented in the table.

Afghanistan, AZE - Azerbaijan, BLR - Belarus, CUB - Cuba, EGY - Egypt, GEO - Georgia, IRQ - Iraq, KGZ - Kyrgyzstan, LKA - Sri Lanka, RUS - Russian Federation, SYR - Syria, TJK - Tajikistan, UKR - Ukraine.

As for SBGS border units (FS and BCP), in 2022, the most reports (or recorded cases when correcting the statistics) were received from: Kabeliai FS (30 reports/cases, 45 asylum seekers); Tverečius FS and BCP (23 reports/cases, 36 asylum seekers); Druskininkai FS (including Raigardas BCP, from which, in 2022, asylum seekers were directed to Druskininkai FS for temporary accommodation) (21 reports/cases, 36 asylum seekers); Adutiškis FS (22 reports/cases, 34 asylum seekers); Kybartai FS and BCP (road and railway) (17 reports/cases, 25 asylum seekers); Lavoriškės FS and BCP (10 reports/cases, 27 asylum seekers); Padvarionys FS/Medininkai BCP (9 reports/cases, 21 asylum seekers); Kapčiamiestis FS (9 reports/cases, 20 asylum seekers); Bardinai FS (including Panemunė BCP, as, in 2022, asylum seekers were directed to Bardinai FS for temporary accommodation) (9 reports/cases, 19 asylum seekers).

The LRC monitors received the fewest number of notifications on asylum seekers at the beginning of the year (January (10) and February (13), and the most – in April (87), March (70), September (64) and May (59)).

2. RECEPTION AND PROTECTION OF ASYLUM SEEKERS

This part of the report presents the observations recorded during the border monitoring, related to the shortcomings in ensuring reception conditions. Attention is focused on discussing trends observed at the SBGS FSs and BCPs: access to asylum procedures, reception conditions, availability of information, meals, restoring family links, preparation of officials to work with asylum seekers, etc.

2.1. Access to asylum procedures

In response to the influx of migrants that started in the summer 2021, in August of last year in Lithuania, the so-called “pushback” policy¹⁷ was introduced, which provides that foreigners who enter Lithuania irregularly through the so-called “green border” and apply for asylum will not be admitted to the country's territory and their asylum applications will not be registered, explaining that such applications can be submitted in the international BCP or at the diplomatic mission of the Republic of Lithuania. The SBGS officers were empowered to use deterrent actions and other special measures. According to the constantly updated data¹⁸ of the SBGS, this year alone there were more than 11 thousand such “pushed back” persons¹⁹ (mid-December data). As can be seen from the statistics presented in the previous sections, the result of this policy applied by the country is a sharp decrease in the number of asylum seekers. In 2021, 4,259 persons²⁰ applied for asylum in Lithuania, or four times more than in 2022.

¹⁷ See, Decision of the Minister of the Interior of the Republic of Lithuania - Head of State Level Emergency Operations “On the Management of the Mass Influx of Foreigners in the Border Territories of the State Border of the Republic of Lithuania with the Republic of Belarus and the Reinforcement of the Border Protection”: https://vrm.lrv.lt/uploads/vrm/documents/files/LT_versija/Sprendimas_Nr._%2010V-20.pdf

¹⁸ State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania, Statistics of Illegal Migrants Denied Entry, last viewed on 2 January 2022: <https://www.pasienis.lt/lit/Neileistu-neteisetu-migrantu-statistika>

¹⁹ There are no available data on whether some of the same individuals could have been “pushed back” on different dates.

²⁰ See, Migration Department under the Ministry of the Interior of the Republic of Lithuania, Migration Yearbooks, internet access – 13/12/2022: [https://migracija.lrv.lt/uploads/migracija/documents/files/2021%20m_%20migracijos%20metra%C5%A1tis_skelbimui\(3\).pdf](https://migracija.lrv.lt/uploads/migracija/documents/files/2021%20m_%20migracijos%20metra%C5%A1tis_skelbimui(3).pdf)

In 2022, asylum applications of citizens of Belarus, the Russian Federation, Ukraine, Azerbaijan, Georgia and Tajikistan were registered at the BCP. It should be noted that asylum applications from citizens of Belarus or the Russian Federation were also accepted in cases where they entered the territory of Lithuania irregularly. Meanwhile, citizens of Middle Eastern, Asian or African countries who crossed the border irregularly were turned back to the territory of Belarus, apart from isolated cases when asylum applications of foreigners were accepted due to a critical health condition or after the application of temporary protection measures by the ECHR. To justify the refusal to register the asylum applications of such foreigners, the following arguments were used: *they can all apply for asylum at border checkpoints or at the embassy in Minsk without violating the entry procedure; they do not need asylum because they are "economic migrants"; Belarus is a safe country for them and they should seek asylum there*²¹, etc.

In 2022, only 9 cases were recorded when the asylum applications of irregularly arrived citizens of Afghanistan, Syria, Iraq, Sri Lanka, Egypt and Cuba were accepted in FSs. Exceptions for 4 Syrians, 1 Iraqi and 4 Cubans were applied due to protection measures applied by the ECHR. Meanwhile, the asylum applications of 2 Sri Lankans, 5 Iraqis, 8 Egyptians, 2 Afghans and 1 Syrian were accepted because they were in a critical medical condition and required urgent medical attention. At least four of them underwent partial amputation of their lower limbs. Others also required urgent medical intervention because the foreigners were exhausted, dehydrated, unconscious, etc.

During the visits to the border and to medical facilities, the LRC monitors had the opportunity to record specific cases where the asylum applications of foreigners were not accepted immediately or the foreigners used this opportunity later, while already at the medical facilities:

- Visit of 19/04/2022 at Medininkai FRC (4 Cuban citizens);
- Visit of 02/09/2022 at Švenčionys FS (4 Syrian and 1 Iraqi citizen);
- Visit of 27/10/2022 at the Republican Vilnius University Hospital (1 Sri Lankan citizen);
- Visit of 07/11/2011 at Varėna Hospital (1 Iraqi citizen);
- Visit of 08/11/2022 at the Republican Vilnius University Hospital (1 Sri Lankan citizen);
- Visit of 09/11/2022 at Kapčiamiestis FS (4 Iraqi citizens);
- Visit of 21/11/2022 at Varėna Hospital (1 Egyptian and 1 Syrian citizen);
- Visit of 05/12/2022 at Švenčionys Hospital (2 Egyptian citizens);
- Visit of 20/12/2022 at Lavoriškės BCP (1 Afghan citizen);
- Visit of 20/12/2022 at the Republican Vilnius University Hospital (1 Afghan citizen).

Below are examples of several cases:

1. In the first two cases (Cubans, Syrians and Iraqi), asylum applications were accepted only after the ECHR ruling to apply temporary protection measures. According to the Cubans interviewed on 19/04/2022, they tried to enter from the Belarusian side more than once in a period of almost two weeks between 30 March and until 13 April (when they were admitted to the territory). The Cuban citizens could not say exactly how many times they tried to cross the border or how many times they had entered the territory of Lithuania, but according to them, during the mentioned period, they tried to enter Lithuania in different places practically every day but were

²¹ See, LRC monitoring reports, Foreigners' access to asylum procedure at the SBGS BCP and diplomatic missions of the Republic of Lithuania abroad: <https://redcross.lt/veiklos/prieglobscio-ir-migracijos-programa/stebesena-2/>

turned away and their asylum applications were ignored. Asylum seekers indicated that some of the officers who pushed them back treated them with respect, others acted rudely, used psychological violence, and threatened with an electroshock weapon. Asylum seekers stated that when they were interviewed, it was not explained in a language they understand where they can apply for asylum when they are not allowed to enter the country irregularly and do not have the necessary travel documents.

2. The Syrian citizens and the Iraqi citizen who came with them interviewed on 02/09/2022 stated that they also tried to enter the territory of Lithuania for almost 2 weeks. They could not say exactly how many times they were pushed back to Belarus, but said it happened at least 5 times. Asylum seekers stated that during the pushbacks, the Lithuanian officers did not explain about the possible ways of applying for asylum. Some of the officers acted kindly and give people food packages. It should be noted that this group of asylum seekers included 2 minor children; the family had to spend few nights in the forest.

3. A Sri Lankan citizen visited on 27/10/2022 stated that he spent 5 days in the Lithuanian forests. SBGS informed that the Sri Lankan citizen expressed his desire to apply for asylum verbally only on 24/10/2022, i.e., already after he was brought from the border to a treatment facility in Vilnius. The asylum application was registered on 25/10/2022, although the personal file in the Lithuanian Migration Information System (hereinafter – the MIGRIS) was created the day before. It is likely that in this case the person and his asylum application were registered only because it was the only way for him to obtain a personal ID of the Electronic Health Services and Cooperation Infrastructure (hereinafter – the EHSCI) Information System and ensure his access to medical services, i.e., in order to resolve internal organisational issues.

4. During the visit at Kapčiamiestis FS on 09/11/2022, there were 4 Iraqi citizens living at the frontier station: an adult male, his 2 sons (aged 6 and 9 years) and his daughter (age 3 years). During the visit, wife and mother of the children of the said man was hospitalised at the Varėna Hospital, where she ended up on 04/11/2022, when, according to the man, she lost consciousness in the forest. On the same day, the man and his children were accommodated at Kabeliai FS, but none of the family members were treated as asylum seekers. According to the interviewed man, while living at the FS, he verbally requested asylum every day, however, until 08/11/2022, when they were transferred to Kapčiamiestis FS, no one paid attention to the requests (after sending the visit monitoring report to the SBGS on 14/11/2022, a request was made to supplement the LRC report by indicating that, according to the officials, the aforementioned asylum seekers did not apply for asylum in Lithuania before and stated that they wanted to go to Germany). The man and his wife, who was visited at the hospital on 07/11/2022, also said that once after an irregular border crossing, the whole family was physically pushed back to the territory of Belarus. The interviewees indicated that they applied for asylum before being pushed back, but Lithuanian officers replied that they cannot accept applications. According to the asylum seeker, it was not explained where and how to apply for asylum (at least in a language they understand). They were arrested and taken to the FS (the wife was brought to the hospital) after they arrived in the territory of Lithuania for the second time.

5. During a visit to the Varėna Hospital on 21/11/2022, one of the two interviewed foreigners (a citizen of Syria) stated that he had experienced at least 5 pushbacks (including an attempt to enter Poland): He was stopped 3 times at the border with Poland and 2 times at the border with

Lithuania. The man said that he experienced rude behaviour from officers of all three countries (Belarus, Poland and Lithuania). When asked to specify what actions specifically he experienced, he stated that he was hit with rubber sticks. According to him, Polish officers were the rudest. According to him, Lithuanian officers also did not respond to the asylum application, did not issue humanitarian packages, even though the man was gesturing that he was thirsty. The only thing the officers said was (quote) “go, go”. Later, when he ended up in Lithuania again and was confronted by the officers, this time the latter reacted to his health condition and called the emergency medical services (hereinafter – the EMS).

6. The Afghan citizens interviewed during the visits to the RVUH and Lavoriškės BCP on 20/12/2020, stated that they had experienced pushbacks virtually every day for a period of 7 or more days. According to them, Lithuanian officers delivered humanitarian packages, including food, but did not accept their asylum applications or explain where they could apply for asylum. Meanwhile, finding themselves once again on the Belarusian side, the officers of this country used violence against foreigners, took away their food and forced them to cross the Lithuanian border again. When they crossed the border for the last time (travelling in a group of four), the Lithuanian officials who detained them noticed their poor state of health and called the EMS. One of the Afghan citizens was hospitalised, the other was accommodated at the BCP and receives regular medical care. The LRC monitors have no information about the fate of the other 2 persons. It is likely that in the absence of the need for medical care they were pushed back.

Recommendations provided by the LRC:

- In the implementation of the decision of the Minister of the Interior of the Republic of Lithuania not to allow foreigners arriving through the “green border”, to responsibly take care of the survival needs of the pushed back people (provide drinking water, food packages, as well as warmer clothes, footwear and blankets), as well as to explain clearly, in a language that foreigners can understand, the possibility of entering in other ways, i.e., direct to the nearest SBGS BCP;
- Taking into account the fact that in certain cases, especially during the cold season, and taking into consideration the reports stating that Belarusian officers do not allow migrants stuck at the border to leave the buffer zone, the border checkpoint may be practically inaccessible to a person, i.e., entering by other means is not possible, to be guided by humanitarian considerations and apply relevant exceptions that allow such persons not to be pushed back;
- As part of the 'pushback' policy, to ensure that children or other vulnerable persons are not forced to sleep in the forest. According to the United Nations Convention on the Rights of the Child, the best interests of the child must be taken into account in all actions related to children²². Pushback of children without due process of law, without giving them the opportunity to apply for asylum or without child protection authorities conducting an individual assessment of the child's needs is a violation of the child's rights and a disregard for his or her best interests²³.

²² See, Article 3 of the United Nations Convention on the Rights of the Child: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

²³ Report of the UNICEF "Pushback Practices and their Impact on the Human Rights of Migrants": <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/pushback/UNICEFSubmission.pdf>

Despite the comments and recommendations provided by the LRC monitors, no real changes have been observed in the application of the pushback policy. Although the existing procedure allows the SBGS to make an exception based on the "foreigner's vulnerability or other individual circumstances", in practice such exceptions are generally made only for critical medical conditions requiring hospitalisation, and presumably only because this is the only option for the individual to obtain a personal ID in the EHSCI information system and ensure access to medical services. Meanwhile, both the fact that individuals have no real possibility of applying for asylum in other ways, and the fact that, if the individuals are pushed back, their state of health is likely to reach a critical level very quickly due to prolonged stay in an environment unfavourable to health, were not considered "individual circumstances" justifying application of an exception. None of the persons interviewed by the monitors, who were previously pushed back, indicated that during the pushback they were clearly explained where and how they could apply for asylum. On the other hand, a significant number of interviewed persons, especially at the end of the year, mentioned that when they were pushed back, Lithuanian officers provided them with "humanitarian packages", including food and clothing/shoes better adapted to the weather conditions. Several cases have been reported where exceptions were made for groups of foreigners with minor children. However, the available data do not support the assumption that this was done after assessing children's vulnerability. In September, an exception was applied for a group of Syrian citizens, including 2 children, but only after their story was widely reported in the media and the ECHR applied protection measures to them. In November, an exception was applied for a family of Iraqi citizens with 3 children, but only after the children's mother was hospitalised and her asylum application was registered.

2.2. Ensuring reception conditions

When assessing the reception conditions ensured by the SBGS FS and the BCP, the LRC monitors were guided by the standards specified in the European Union Asylum Agency's (hereinafter – EUAA) Guidance on Reception Conditions²⁴. According to the EUAA Guidance, the place of accommodation for asylum seekers must have a window (natural light and the possibility of to ventilate the room), heating, personal hygiene facilities (toilet, sink, shower), furniture (a separate bed for each asylum seeker, a table, a chair, a wardrobe), basic hygiene products (toothbrush, toothpaste, shampoo, soap, toilet paper, sanitary pads for women, diapers for babies, etc.) and clean bed linen must be issued.

After conducting 17 visits to FSs and BCPs, 11 reports stated certain inconsistencies of reception conditions with EUAA standards. Inconsistencies to the standards were recorded in Kybartai BCP, Medininkai BCP, Tverečius FS, Vilnius Airport FS, Pūškos FS, Adutiškis FS, Kabeliai FS and Švenčionys FS:

1. During the visit to Kybartai BCP on 28/03/2022, it was recorded that there are no windows in the room for accommodation of asylum seekers, no natural daylight enters the room, and there is no possibility to properly ventilate the room.

²⁴ EUAA guidance on reception conditions: operational standards and indicators: <https://euaa.europa.eu/news-events/easo-guidance-reception-conditions-operational-standards-and-indicators>

2. During the visit to Medininkai BCP on 11/04/2022, it was recorded that the asylum seekers were not provided with clean bed linen, covers, towels and hygiene products. The asylum seeker indicated that upon arrival at the accommodation, the personal hygiene facility was not clean, the asylum seeker herself cleaned it with the detergents she found in the facility.

3. During the visits to Tverečius FS on 16/05/2022 and 11/07/2022, it was recorded that there is no toilet lid in the sanitary facility (this remark was recorded for the first time on 16 May, after the visit on 11 July, the toilet had not yet been repaired). The visit report of 11 July also states that there are no chairs in the room for asylum seekers.

4. On 08/08/2022, during the visit to the Vilnius Airport FS, it was recorded that the citizen of Georgia had not received sufficient personal hygiene products.

5. On 23/08/2022, during the visit to Pūškos FS, it was recorded that there was not enough furniture pieces in the room (the asylum seeker slept on a mattress placed on the floor), the asylum seeker was not provided with the opportunity to use a shower, and the necessary hygiene products were not provided. There is a window in the room, but during the visit it was not possible to shut out the natural light.

6. On 29/08/2022, during the visit to Adučiškis FS, it was recorded that the woman who spent the whole weekend at the station was not provided the necessary hygiene products (only soap), was not given the opportunity to use a shower, and was not provided the necessary change of clothes. There was also a lack of furniture: no table, chairs or wardrobe.

7. On 29/08/2022, during the visit of Kabeliai FS, it was recorded that there were no chairs in the room of the asylum seeker, and it was not possible to cover the window in the room.

8. On 02/09/2022, during the visit to Švenčionys FS, it was recorded that the family did not receive the necessary hygiene products, five persons were given one toothbrush and soap. A family of five lived in a room with four beds, the young child had to sleep with his mother, he was not given a separate set of bed linens.

9. On 21/10/2022, during the visit to Druskininkai FS, it was recorded that the necessary hygiene products were not issued to the asylum seekers.

Recommendations provided by the LRC:

- When the BCP or FS fundamentally do not meet the reception conditions, for example, the room does not have a window or the necessary furniture (especially a bed necessary for proper rest), we recommend that asylum seekers be directed to other nearest FSs where premises meet the standards.
- Ensure that every arriving asylum seeker (regardless of age and gender) is issued a package of basic hygiene products, as well as a clean set of bed linen.
- Ensure that the accommodation room for asylum seekers has all the necessary furniture: a bed (for each asylum seeker – a separate bed, regardless of his/her age), a table, a chair and a small locker. Make sure that the light coming from the window can be shut out during rest time and ensure access of asylum seekers to the full hygiene infrastructure.

It was noted that the staff of Pūškos FS took into account the recommendations and the asylum seekers were later referred to the neighbouring Tverečius FS. It was also noted that

Medininkai BCP took into account the remarks made regarding missing bed linen. On the other hand, it was noted that individuals were not given enough hygiene products, although FS and BCP representatives told the LRC monitors that they have stocks of hygiene products and there is no shortage. The lack of curtains or blinds in the bedrooms remains a problem.

2.3. Access to information

When assessing whether asylum seekers accommodated at the SBGS FS and the BCP were provided with all necessary information, the assessment was based on the EUAA Guidance, as well as the provisions of the EU Directive on common procedures for granting and withdrawing international protection defining asylum procedures²⁵. Accordingly, general information on asylum procedures, contacts of responsible organisations for legal advice and other assistance provided by NGOs should be available in each FS and BCP. All the listed information must be provided in a language understandable to asylum seekers.

In 2022, shortcomings in providing relevant information were recorded in 6 BCPs and FSs:

1. During the visit to Lavoriškės BCP on 21/02/2022, Adučiškis FS – on 23/02/2022 and Medininkai BCP – on 11/04/2022, it was recorded that leaflets with obsolete information were left for asylum seekers (after the announcement of the emergency situation due to the influx of foreigners, the respective procedures changed), which were potentially misleading.

2. During the visit to Tverečius FS on 16/05/2022, Adučiškis FS on 29/08/2022 and Švenčionys FS on 02/09/2022 and Kapčiamiestis FS on 09/11/2022, it was recorded that SBGS officers did not explain to asylum seekers their rights and duties, relevant information was not provided or was provided later, during the initial interviews, which, for example, took place after a weekend or a similar period. It should be noted that in the room of the asylum seekers accommodated at Švenčionys FS, there were no informative NGO brochures or other relevant information, but a biased poster of a threatening nature was left, indicating that the asylum seekers allegedly want to enter Western European countries, but they have no chance of reaching their goal, therefore, they should return to their countries of origin using a free travel ticket and a 300 euro allowance.

3. During the visit to Lavoriškės BCP on 20/12/2022, it was recorded that there were relevant leaflets about the asylum procedure in the room of asylum seekers, but none of the languages in which the information was presented was understandable to the asylum seeker (in this case Dari).

Recommendations provided by the LRC:

- Regularly check the relevance of available handout material and update it in accordance with amended laws. Remove outdated material so that it does not mislead asylum seekers.
- Immediately after accommodation, inform asylum seekers of their rights and responsibilities, provide them with handouts on asylum procedures, assistance provided by NGOs and remove any unethical information.

During the repeat visits to Lavoriškės BCP and Medininkai BCP, it was recorded that the previously provided recommendations were taken into account and relevant information

²⁵ See, Article 8 (Information and counselling in detention facilities and at border crossing points) of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection and Article 12 (Guarantees for applicants): <https://eur-lex.europa.eu/legal-content/LT/TXT/HTML/?uri=CELEX:32013L0032&from=LT>

about asylum procedures is now available to asylum seekers. However, this information is not always available in a language that the individual understands, although the LRC has provided the SBGS with handouts for printing in 13 different languages.

2.4. Catering

The issue of food is also assessed based on the standards specified in the EUAA Guidance, which distinguish the following main aspects:

- At least 3 meals are served per day for adults and 5 for minors, of which at least one is cooked and served warm;
- Food peculiarities and dietary restrictions of specific groups (persons belonging to specific religious and/or cultural groups, vegetarians, vegans) are taken into account;
- Specific arrangements are in place for applicants with special dietary needs (pregnant and breastfeeding women and persons with certain illnesses and food allergies).

When evaluating the compliance of food supplied by SBGS FS and BCP with the standards, it is important to mention that in 2022, the LRC monitors did not visit any BCP or FS where warm cooked food was served. Many of the places visited had a kettle, some also had a microwave, which can help warm up food, but no warm food was provided. At all the BCP and FS, asylum seekers received one ration of food per day. Usually, the ration included the following (in some cases, the composition of the food ration varied slightly²⁶): instant noodles, canned meat, canned beans, canned corn, nuts, cookies, bread sticks, instant coffee, tea, sugar and honey. The food is conditionally adapted to the needs of asylum seekers, for example, Muslims are not given products containing pork. However, a case was recorded when, for example, on 29/08/2022, a vegetarian asylum seeker was given canned meat in Adučiškis FS. The woman did not complain, she said that the rest of the food products she received were enough, but she stated that no one asked about her specific dietary needs and she was issued a standard food package. In addition, in 2022, there were no recorded cases of children receiving specially adapted food packages.

Taking into account EUAA recommendations regarding special dietary needs, during the visit to Tverečius FS on 11/07/2022, it was established that the pregnant woman accommodated there experienced a lack of vitamins and wished to purchase additional fresh vegetables and fruits. The asylum seeker had only US dollars available to her, so she had to do with the standard dry food ration.

On 11/04/2022, during the monitoring carried out at Medininkai BCP, a female asylum seeker and her minor daughter spent an unusually long time at the BCP in the context of this year – from 09/04/2022 to 13/04/2022. According to the woman, she could eat the standard food ration on the first day, but later felt the need for hot meals. The young girl did not eat the food from the packages she received either.

During reception monitoring visits, 2 cases of expired food products being issued to asylum seekers were recorded:

²⁶ For example, on 29/08/2022, during the monitoring carried out at Kabeliai FS, it was found that a food ration marked with a civil safety mark (in Spanish) was issued alongside the normal package, where means for heating up food in any conditions are provided on the basis of the normal military food ration.

1. *The first case was recorded on 23/02/2022 at Adutiškis FS, when asylum seekers were given expired cookies.*

2. *The second case was registered on 02/09/2022 at Švenčionys FS, when the family was given expired canned meat. At Švenčionys FS, it was also recorded that the child was not provided with a food ration specially adapted for children. The SBGS representatives also confirmed that they do not have separate rations for children. Asylum seekers expressed concern that the young child was not eating the food provided, and some of the food was no longer fit for consumption because it had expired, so people reported to have experienced food insufficiency.*

Good practice was also recorded at the SBGS FS and BCP, when the officers offered asylum seekers to do their shopping or to accompany them to the nearest store. However, some of the asylum seekers did not have personal funds with which to buy the necessary products, so shopping in a store can only be used as an additional opportunity to purchase the desired products, and not an alternative to food supply. The BCP and FS must in any case ensure that asylum seekers are supplied with the necessary amount of food of adequate quality.

Recommendations provided by the LRC:

- Regularly check the expiration date of the food issued and provide asylum seekers with only those products that have not expired.
- Inquire whether asylum seekers eat certain food products (for example, whether they eat meat, whether they have allergies to certain products, etc.) and adjust the content of the food ration provided accordingly, proactively contact NGO partners, etc.
- If possible, set up separate food packages for children, which would include milk and milk-based products, as well as fruits, and for babies – baby milk powder and puréed food.

During the second visit in 2022 at Adutiškis FS, expired products were not recorded in the food packages issued. However, according to monitoring data, warm food is still not available at the FS, as are separate food packages adapted for children and/or infants.

2.5. Protection conditions

The main aspects of protection conditions that ensure the well-being of asylum seekers and are related to the readiness of officials to receive asylum seekers, identified in the EUAA Guidance on reception conditions, are the ability to contact relatives and lawyers and the identification of asylum seekers' special needs. The third no less important aspect should also be mentioned – the professional conduct of the officers.

The EUAA Guidance states that it is important to ensure communication between asylum seekers during reception. The term "communication" includes both communication related to the applicant's procedural status and personal communication, such as with family members. Adequate response to the need for communication contributes to the good emotional health of asylum seekers, prevents fear, anxiety about other family members and friends remaining in the country of origin or in transit zones, as well as ensures a person's access to organisations providing legal aid or other services, etc. The EUAA Guidance also emphasises that when dealing with asylum seekers, officers should be aware of special needs and be able to make a preliminary assessment of them. Existing indicators and needs should be recorded as soon as possible, i.e., as soon as they are identified, and this information should be communicated to the relevant authorities in order to

provide the necessary guarantees and support to asylum seekers. It is recommended that special needs are first identified at reception sites (within 1-3 days).

In order to ensure the possibility of asylum seekers to contact their relatives, LRC regularly delivers SIM cards to the SBGS FS and BCP. During the visit to FS and BCP, the SBGS representatives repeatedly stated that they do not have phones in which they could insert the said SIM cards (asylum seekers' personal phones are temporarily taken away for investigation purposes), so they remain unused, and people's needs are not met. Taking this into account, in October of this year, the LRC delivered a smartphone for common use to each SBGS units that receive the most asylum seekers. Varėna FD phones were delivered to Kabeliai FS and Druskininkai FS, Vilnius FD – to Adutiškis FS, Tverėčius FS and Švenčionys FS, Pagėgiai FD – to Kybartai FS.

In 2022, during ad hoc monitoring visits to the SBGS FS and BCP, 5 cases were recorded when officials did not provide opportunities for asylum seekers to contact their relatives or the opportunity for contact was provided later, for example, after a weekend, when the initial asylum interview was conducted:

1. On 23/02/2022, during the visit to Adutiškis FS, it was recorded that personal mobile phones of the family staying there were taken away for investigation purposes from 20/02/2022, and they were not guaranteed the opportunity to contact their relatives.

2. On 16/05/2022, during the visit to Tverėčius FS, it was recorded that the phones of two asylum seekers were taken away for investigation purposes, but one of them, having only arrived in Lithuania, managed to communicate to his sister about his situation, and the other one, at the time of the visit, still had no contact with his relatives. The asylum seekers stated that when they asked the officers about the possibility of communicating with their relatives, they answered that there was no such possibility.

3. On 01/08/2022, it was recorded during the visit to Bardinai FS that during the weekend that the asylum seeker spent at the station, he was not guaranteed the opportunity to briefly use his phone or the officers' phone to contact his relatives. The asylum seeker's phone was taken away for the investigation purposes and returned during the visit of the monitors, after they indicated that the asylum seeker should be given the opportunity to contact his relatives.

4. On 23/08/2022, during the visit to Pūškos FS, it was recorded that the asylum seeker's personal phone was taken away for investigation purposes. The man said that just before contact with the Lithuanian officers, as soon as he crossed the border, he called his mother from his phone with a SIM card of a Belarusian mobile operator. Later, he did not have the opportunity to contact his relatives.

5. On 11/09/2022, during the visit to the Kapčiamiestis FS, it was recorded that the asylum seekers held there were not given the opportunity in any of the FSs (since 04/11/2022 they were at Kabeliai FS, and on 08/11/2022 they were transferred to Kapčiamiestis FS) to contact their mother/wife and other relatives hospitalised at the Varėna Hospital. It should be noted that there was a phone with a SIM card delivered by the LRC at Kabeliai FS, but the asylum seekers were not given the opportunity to use it.

During 2022, 2 cases were recorded at the SBGS FS and BCP where asylum seekers had special needs, but officers did not identify them:

1. On 29/08/2022, during the visit to the Adutiškis FS, it was recorded that the woman temporarily accommodated there claimed to have health problems and needing to take her prescribed medication regularly. The asylum seeker stated that no one asked about her health needs at the FS, but she had the necessary medicines herself during the visit.

2. on 02/09/2022, during the visit to Švenčionys FS, it was recorded that the teenage girl temporarily accommodated at the station (the minor was there with her mother and other family members) had asthma and needed an inhaler. Asylum seekers indicated that officers did not inquire about their special needs. At the time of the visit, the teenager had one working inhaler, but indicated that it could run out quickly.

Examples of good practice should also be noted. On 23/02/2022, a family of asylum seekers was temporarily accommodated to Adutiškis FS. The father of the family sustained injuries to his hands while crossing the border. The man was given first aid and EMS was urgently called, and during the monitor's visit he was transported from Švenčionys Regional Hospital where his wounds were dressed. According to the asylum seeker, the officers professionally provided first aid and constantly asked how he and other family members were feeling. On 11/07/2022, during the visit to Tverečius FS, the expectant woman indicated that both after she was brought to the FS and later, the officers inquired about her state of health and offered to call the EMS, but the woman refused because there was no need.

In 2022, 2 cases were recorded where the SBGS officers treated asylum seekers in an unprofessional manner:

1. On 11/04/2022, during the visit to Medininkai BCP, the asylum seeker stated that when she was submitting the asylum application, the officers communicated rudely, reacted reluctantly to the woman's desire to apply for asylum, suggested to (quoted) "think carefully about your decision".

2. On 29/08/2022, during the visit to Adutiškis FS, the asylum seeker stated that the officers who detained her behaved rudely, used humiliating and threatening language. The asylum seeker stated that after being detained she was taken to the Lithuanian-Belarusian border and was asked to show where she crossed the border. During this trip to the border, the officers told her that Lithuania does not need "beggars" and she should be sent back to Belarus. The woman also stated that one of the officers during the trip sarcastically asked her whether there was "everything ok with her head". The asylum seeker said that later, when she was at Adutiškis FS, the officers acted professionally.

Recommendations provided by the LRC:

- If possible, before taking away the asylum seekers' phone, ensure the possibility for them to call relatives, NGOs, lawyers, etc. (if necessary, they give the person a SIM card delivered by LRC) or provide the opportunity to do it using a phone at the FS or the BCP. If necessary, the call and its duration can be controlled, as the main purpose of the call/message is to inform the relatives that the asylum seeker is in a safe place and not in any danger.
- Ensure that the special needs of each asylum seeker are identified promptly. It is recommended that the officers at least verbally inquire whether the asylum seekers need some special assistance, medicine, etc.

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- Ensure that officials act professionally when communicating with asylum seekers, do not apply psychological pressure or make inappropriate remarks, etc.

It was noticed that at the end of the year, not all FS (for example, Druskininkai FS) duty shifts were aware of the phones for general use and/or SIM cards delivered by LRC. It cannot be ruled out that in some cases the restoration of family links was not ensured due to deficiencies in internal communication.

2.6. Hospitalised asylum seekers

As the temperature outside dropped and Lithuania continued its pushback policy, foreigners crossing the border irregularly found themselves in an extremely dangerous situation. Since the second half of October, the LRC has periodically received information about foreigners hospitalised in the country's medical facilities, who were brought from the border area. The most common reason for this was frostbites of the limbs and other body parts.

Until the end of this year, the LRC recorded information about 14 victims: 2 Sri Lankan nationals with frostbitten limbs that required amputation, 1 emaciated Iraqi national, 2 Afghan nationals with frostbites of the limbs, 1 Syrian and 8 Egyptian nationals, at least two of whom underwent limb amputation:

1. On 25/10/2022, the SBGS received a notification that on 22/10/2022, a Sri Lankan citizen who crossed the border irregularly was arrested in the territory of operation of Švenčionys FS, who was not accommodated at the FS but was immediately hospitalised due to an open leg fracture. The patient was diagnosed with impaired circulation in both legs. This was caused by frostbite and long exposure of the legs to a humid environment. The person's asylum application was accepted two days after being detained, and on 25/10/2022 an asylum application in the prescribed form was filed. The LRC monitors did not have the opportunity to participate in the initial interview. On 27/10/2022, the monitor visited the asylum seeker in the hospital. The asylum seeker stated that he spent 5 days in a wooded and wet area between Belarus and Lithuania. When he was in Lithuania, he had no shoes, and he injured his leg while running in the forest. During the visit to the hospital, it was recorded that the asylum seeker's right leg was amputated, and the condition of the other leg was being monitored (later the other limb was also amputated).

2. On 07/11/2022, the SBGS received a notification regarding the submission of another asylum application by a Sri Lankan citizen. It was indicated that the foreigner was detained at the Vilnius Airport on 31/10/2022 and brought to the hospital due to a critical health condition. It was stated that the right leg amputation was planned. It was also stated that the initial interview of the asylum seeker is planned for 12 o'clock on the same day (e-mail was received 20 minutes before the start of the interview). The LRC monitor inquired about the possibility of participating in the survey remotely. The reply was received that the translation services will be provided by telephone, therefore connection via video conference platforms was not possible. On 08/11/2022, the LRC monitor visited the asylum seeker. The asylum seeker could not comment on how he got frostbite or injured his legs, he stated that he had been in the woods for some time and that he was pushed back at least once before entering Lithuania. He said that he spent a total of 5-6 days in Lithuania while waiting for the flight from Vilnius.

3. On 07/11/2022, the LRC monitors received information about an Iraqi citizen being treated at the Varėna Hospital, who was brought by SBGS officers from the border area. The woman was exhausted and unconscious. Her husband and 3 minor children were temporarily accommodated at the SBGS Kabeliai FS. The woman said she did not remember when and under what circumstances she ended up in the hospital. She stated that she remembered walking in the forests of Belarus and Lithuania together with her family and other foreigners, constantly feeling the cold and thirsty, sat down to rest and, probably, lost consciousness. The main reason for a woman's hospitalization was hypothermia. As it turned out later, she was brought to the hospital on 04/11/2022. During the visit, the woman first asked through an interpreter where her children and husband were and why she ended up in the hospital. This information had not yet been provided to her prior to the LRC visit.

4. On 21/11/2022, the LRC visited the Varėna Hospital, where 2 foreigners (a Syrian and an Egyptian) were hospitalised. On 19/11/2022, they were brought to the hospital due to frostbite. The Egyptian citizen was unconscious when he was brought to the hospital. The foreigner said he did not remember anything, and he did not know how much time he spent in the woods. He did not indicate that he was on any occasion pushed back to Belarus. He did not apply for asylum at the border because he had no contact with the officers, he filled out the asylum application at the hospital. The Syrian citizen did not lose consciousness; when he felt sick in the woods, he contacted his relatives, who contacted the NGO, who in turn passed on the information to the officers, who later called the EMS. The man claimed to have experienced a total of at least 5 pushbacks to Belarus (3 times at the Polish border and 2 at the Lithuanian border). On 22/11/2022, both foreigners were registered as asylum seekers and transferred to Kybartai FRC.

5. On 12/05/2022, the LRC monitor visited Švenčionys Regional Hospital, where 2 Egyptian citizens were hospitalised after being brought from Pabradė FRC. One of them was at risk of limb amputation, the condition of another asylum seeker's limbs was being monitored (later, after the monitoring visit, both of them had a partial amputation of limbs). From 20/11/2022, these asylum seekers, together with 3 other Egyptian citizens, were held at Druskininkai FS for about a week. The foreigners were not hospitalised but were regularly taken to the hospital for a change of dressing. On 28/11/2022, their asylum applications were registered, and they were brought to Pabradė FRC. A local nurse soon found that legs of several Egyptians were in a critical condition and they required immediate hospitalisation.

Taking into account that the "pushback" policy is still in place, the present conclusions and recommendations from the LRC aim to at least somewhat reduce the risks associated with the health condition of individuals:

- In the monitored cases, the state of health of foreigners and other circumstances led to their hospitalisation at medical facilities and requiring urgent medical intervention. In all recorded cases, the health problems were probably caused by an extended stay in a forested area on the border in unfavourable weather conditions. Considering the fact that in such situations, the officials are guided by Article 140¹²(2) of the Republic of Lithuania Law on the Legal Status of Foreigners (hereinafter – the LLSF), on the basis of which asylum applications submitted after crossing the border irregularly are not accepted, it is recommended that even in such cases the aforementioned provision obliges to explain the procedure for submitting an application for asylum to these individuals, i.e., foreigners must be explained where and how they can apply for asylum. If in a specific case, after

considering all significant circumstances, it is obvious that persons do not have a real opportunity to submit an asylum application in the prescribed manner (for example, where due to their health condition or having young children, they cannot walk through the woods to the BCP, which is located several dozens of kilometres away, or they are being detained outside the border, deep in the territory, such as at an airport), the exception prescribed in the same Article 140¹²(2) must be applied, which allows to deviate from the general rule and accept the asylum application, taking into account the vulnerability of the foreigner or other individual circumstances.

- In all cases, it is recommended to (1) inform the LRC about the planned interview of the asylum seeker in advance; (2) if necessary, make it possible to participate in the interview remotely through video conferencing platforms.
- Testimonies of foreigners substantiate the conclusion that vulnerability assessment of detained persons at the border and humanitarian assistance provided do not work in all cases or the effect of these measures is insufficient to protect the health of foreigners in the event of unusual weather conditions. In addition, on the border between Belarus and Lithuania there are not only adults, but also families with young children. The totality of such circumstances as the per se vulnerability of minor children, the unfavourable weather conditions and the lack of infrastructure on the other side of the border determine that the aforementioned legal exception should be applied. Without application of the exception, officers should in all cases take care of the survival needs of the people being pushed back (provide drinking water, food packages and, if needed, especially in cold weather, clothes/blankets).
- To take care of the high-quality and regular provision of translation services in order to properly translate all information related to the asylum procedures and health condition of the person.
- To ensure the possibility of hospitalised foreigners to contact their relatives.

After the first cases that ended in frostbite and amputation of limbs, the SBGS officers encountering foreigners crossing the border irregularly began to call EMS more often, people were hospitalised, their health condition was monitored (the LRC does not have complete information about the situation at the border, so it relies only on the available data on the cases known to the LRC). However, foreigners are not always hospitalised (for example, the case of Druskininkai FS), instead, they are admitted to the FS premises. In order to prevent deterioration of the health condition (especially in cases of frostbite), it is necessary to ensure continuous and qualified monitoring and supervision of the health condition of persons in the care of the SBGS.



MONITORING OF FOREIGNERS' CENTRES

III. MONITORING OF FOREIGNERS' CENTRES

In 2022, in the course of the year, the number of foreigners living in the centres fell sharply, which was caused both by the departure of foreigners from the centres (due to the abolition of restrictions on freedom of movement and general distrust in the asylum system), and a drastic decrease in newly arriving residents (due to the ongoing "pushback" policy). At the end of 2022, SBGS Kybartai and Pabradė FRCs, as well as Naujininkai and Rukla RRCs were still operating, however, due to the decrease in the number of residents, during the course of the year, and Jieznas FSC, the only one that did not apply measures of restriction of freedom stopped providing accommodation services to families and people with special needs, the SBGS Medininkai FRC was also closed. Considering the above, Jieznas FSC and Medininkai FRC were visited only in the first half of the year (reception conditions were monitored 1 time in each facility, in other cases, the visit was for thematic monitoring or specific cases related to protection), therefore, this section will reflect only the information from the aforementioned two centres for the first half of 2022. In 2022, regular monitoring of the centres was carried out 12 times (Kybartai FRC, Pabradė FRC and Rukla RRC – 3 times each, Naujininkai RRC – 2 times, Medininkai FRC and Jieznas FSC – 1 time each). In addition, a visit was made to the Medininkai FRC due to the protest of migrants that took place there, as well as a visit to the Pabradė FRC to visit the women transferred from the Medininkai FRC after the protest (for more information – *see, 2.1. Protest at Medininkai FRC*), 1 visit was made while visiting families with minor children placed in de facto detention at Pabradė FRC and 1 visit to Pabradė FRC when visiting one family whose members applied for asylum at different times at SBGS BCP (monitoring for access to asylum procedure).

This part of the report describes the observations recorded during the monitoring of reception and protection conditions of foreigners and registration of asylum applications at the centres, as well as discusses several other identified problematic situations.

1. RECEPTION AND PROTECTION OF ASYLUM SEEKERS AND MIGRANTS²⁷

1.1. Ensuring reception conditions

This section presents the main problems that foreigners faced due to insufficient availability of medical and psychologist services, employment and education, as well as accommodation conditions and food arrangements. **In all foreigners' centres, with the exception of Jieznas FSC, the lack of availability of certain services, challenges regarding meal services, accommodation facilities, etc., were recorded.**

1.1.1. Access to psychologist services

In the course of the year, one of the biggest problems was the poor psychological health of migrants, which could be affected by disproportionate restrictions on freedom, lack of privacy, uncertainty about the outcome of asylum procedures or received decisions denying asylum. People felt tension, anxiety and stress about their future. At the beginning of the year, it was noted that there is a lack of specialists providing psychological support at the camps. No shortages were

²⁷ In the first half of 2022, the LRC monitors had access not only to asylum seekers at the centres, but also to residents with other legal status. This was due to the fact that, in most cases, all the residents of the centres, regardless of their legal status, lived together and their reception conditions did not differ substantially.

recorded only at Jieznas FSC and Naujininkai RRC. Subsequently, it was recommended to strengthen the availability of not only medical but also psychological services. An improvement in the availability of psychologist services was observed in the course of the year. For example, during monitoring conducted in July, it was recorded that 2 full-time and 2-3 hired, regularly visiting psychologists worked at Rukla RRC. During the visit at Rukla RRC in November, one psychologist worked at the facility every day. When visiting Kybartai FRC in October, it was recorded that a psychologist comes to this centre twice a week; the people interviewed did not complain about this issue.

In the first half of 2022, 5 monitoring reports recorded a lack of psychologist services (in 4 centres):

1. On 26/01/2022, during the visit to Rukla RRC, when communicating with residents, psychological fatigue, irritability, and anxiety, turning into anger due to uncertainty about future prospects was observed. The need to improve the availability of psychologist services was recorded.

2. On 03/02/2022, during the visit to Kybartai FRC, it was recorded that, although an improvement in access to medical services was observed during the previous monitoring, the psychological condition of the residents had obviously deteriorated, therefore, additional psychologists and staff able to provide psychosocial services were needed. Residents felt tension, anxiety, stress, lack of privacy, etc.

3. On 22/02/2022, during the visit to Medininkai FRC, when communicating with residents, psychological fatigue, irritability, and anxiety, turning into anger due to uncertainty about future prospects was observed. The need to strengthen the availability of psychologist services to a larger number of residents was recorded.

4. On 02/03/2022, during the visit to Pabradė FRC, the mood of the people living in the detained foreigners' dormitory (hereinafter – the DFD) was depressing, some had lost all hope and were apathetic. Telephone numbers of psychologists were indicated on the bulletin boards of individual sectors.

5. On 17/05/2022, during the visit to Kybartai FRC, the significant lacks of psychologist services at the centre were observed. Both the centre's administration and the mobile LRC team working at the FRC made efforts to find psychologists, but it was not possible to do so. In general, no great tension or anxiety was recorded during the visit, the atmosphere was rather calm. According to the residents, the emotional state is unstable, people react to the received decisions, news from other camps, etc.

1.1.2. Access to medical services

At the beginning of the year, inconsistencies in access to medical services were recorded in Kybartai and Pabradė FRCs, and in Naujininkai and Rukla RRCs. No complaints were registered only in Jieznas FSC. Residents of Medininkai FRC had complaints about the waiting periods for seeing doctors and prescribed medicines, which, according to them, were only intended for pain relief and not for treatment. On the other hand, at the beginning of the year, it was recorded in Medininkai FRC that access to medical services had improved due to the updated procedure for the provision of medical services, the reorganisation of the work of doctors, the newly provided medical equipment arranged by the LRC, which allows for important tests to be carried out inside

the FRC, as well as the data of the residents was started to be entered into the e-health system. The improvement was also recorded in November during a visit to Rukla RRC. Despite the drastic decrease in the number of residents, there was a doctor or nurse present at Rukla RRC every day. All the people interviewed stated that the procedure for registering with a doctor is clear, and only one complaint was recorded about the medical staff possibly providing too little information. In other places of accommodation, lack of awareness (people did not know where to go to register with a doctor) and long waiting lists were identified as the main problems with access to medical services. Also, during the course of the year, it was noted that the ability of foreigners to obtain secondary and tertiary level services is becoming an increasing problem. There have been cases where people were tested for a disease, but no further treatment was continued. Moreover, foreigners particularly emphasised the lack of availability of dentist services. There were cases recorded where people with toothache waited up to 2 months for a visit to the dentist. Residents of Naujininkai RRC also expressed concern about the long waiting lists to see doctors, but they are provided with medical services at the city polyclinics, so they wait in queues as long as other residents of Vilnius.

Problems with access to medical services were recorded in 5 reports (in 3 centres):

1. On 07/02/2022, during the visit to Pabradė FRC, residents of the container village said that access to medical services and their quality are not sufficient. People write requests, wait in line, complain about long waits (e.g., 7 days, 10 days, etc.) or do not receive a response at all. When the monitors contacted the doctors by phone, they could not answer how long it would take for the people on the list to see the doctor. According to the administration, the main problem related to access to medical services is the lack of personnel who can accompany residents to medical facilities.

2. On 02/03/2022, during the visit to Pabradė FRC, people who lived in the detention centre stated that they have to wait up to two weeks for a visit from the centre's doctors, and up to two months for a visit to specialists. According to the administration, the main problem is the same as in the container village.

3. On 17/05/2022, during the visit to Kybartai FRC, the main complaint about medical services was not visits to a doctor, but access to medical specialists and further treatment after diagnosis of a disease or illness, i.e., secondary and tertiary services.

4. On 27/07/2022, during the visit to Rukla RRC, 5 people stated that they have not been able to receive dental services for a long time (up to 2 months), even though they have toothaches, they do not know if they have been registered with a doctor and when they will have their visit. Residents indicated that they often receive only painkillers. One person complained that he was given Ketanov tablets for a toothache, and continued use of these tablet caused stomach problems.

5. On 03/08/2022, during the visit to Pabradė FRC, most of the interviewed residents (both in the container village and in the buildings) indicated that they did not know who to contact in case of medical emergency, and that the existing application system was not working. Residents usually contact NGO workers to pass on information about their health needs to the administration, however, this method of provision of information is not effective. In addition, people are misled by the instructions left in common areas to register with doctors by signing up on a posted list, although this system is no longer in use. At least 3 people reported that they had blood tests or were scheduled for a follow-up visit, but that treatment was not continued after the initial visit.

Also, the new people brought from Medininkai FRC were not informed whether the treatment they started will be continued in the new place of accommodation. The administration stated that it does not have information on the health status and needs of the newly relocated people.

1.1.3. Access to educational services

In 2022, compared to the second half of 2021, access of minors to education greatly improved. At the beginning of the year, school-age children living in all centres had the opportunity to attend classes (some of them on the territory of the centres). During the visit to Rukla RRC in January, it was recorded that education was available to children not only inside the centre, but also outside it, which is considered a good practice. In January, the secondary school at Naujininkai RRC held daily classes for children of various ages (three 45-minute sessions). Children studied in different groups, depending on their age (age groups of 6-8 years, 9-13 years and 14-17 years), the Lithuanian language lessons were adapted to the children's age. 10 residents of Jieznas FSC visited in February attended the local school. Some children attended a remedial class designed to acquire the basics of the Lithuanian language; others were studying in common classes with local schoolchildren. Jieznas FSC provided conditions for attending school also, for example, for young Afghans who were recognised as young adults. During a visit at Pabradė FRC, it was recorded that all children living in the dormitories for families and vulnerable persons attended the Pabradė school. Most of the children were in the remedial class, i.e., studied the Lithuanian language so that they could later join general education classes. The change in children's access to education was monitored after the start of the COVID-19 quarantine, but there were no recorded cases of migrant accommodation providing remote education for minors. In March, at Pabradė FRC, it was recorded that there were daily activities for preschool children in the centre (previously, when the quarantine was introduced in the centre in February, these activities were limited and continued after the quarantine was lifted). The number of children living in Medininkai FRC was greatly reduced; during the visit in February only 20 minors lived there, education activities were still taking place, and later these minors were transferred to Naujininkai or Rukla RRC.

At the beginning of the year, the Rukla and Naujininkai RRCs, as well as Pabradė FRC, did not organise preschool education (access to kindergartens). During the visits to Rukla and Naujininkai RRC in the summer, the situation had already changed, children were taken to kindergartens in the area, which are also attended by local children. In Pabradė FRC, this topic was not relevant for some time, because in the summer, families with minor children no longer lived in the centre. They were all transferred to Rukla and Naujininkai RRCs. This practice changed once again at the beginning of autumn, when there was a recorded trend that families with children who had newly arrived in Lithuania and applied for asylum were directed to Pabradė FRC for accommodation. In view of these changes, on 10/10/2022, the LRC monitor visited the families accommodated in Pabradė FRC. During the visit, it was recorded that all school-aged children had the opportunity to attend classes on the territory of the FRC. Education was carried out according to a special programme intended for foreigners, which is ensured by Pabradė gymnasium pedagogues who came on weekdays to teach the Lithuanian language, history and nature study lessons. All the interviewed families confirmed that the children attend classes, were satisfied with the teachers and eager to learn. It should be noted that an adult young man from a Syrian family was also allowed to attend classes. Activities were also organised for children of various ages and their parents (if the child was unable to attend independently).

During the summer monitoring visits, minors' access to education services was not assessed, as it was not relevant at that time due to the summer holidays. However, in July, at Naujininkai RRC, it was recorded that during holidays, independent older children, regardless of their legal status, are periodically taken to various types of excursions, events, swimming pool and other entertainment activities outside the RRC. On 27/07/2022, during the visit to Rukla RRC, children were also taken, for example, to pottery classes.

During the monitoring visits, 4 cases were recorded (in 3 centres) where the education/activities for minors was not organised or was organised improperly:

1. On 26/01/2022, during the visit to Rukla RRC, it was recorded that kindergarten for preschool children was not organised (in the course of the year, children started attending a kindergarten).

2. On 28/01/2022, during the visit to Naujininkai RRC, it was recorded that kindergarten for preschool children was not organised (in the course of the year, children started attending kindergartens).

3. On 02/03/2022, during the visit to Pabradė FRC, residents indicated that after the quarantine was introduced in the centre on 7 February, minors could no longer go to school. Distance learning opportunities were not provided at the camp.

4. On 27/07/2022, during the visit to Rukla RRC, the residents indicated that their children are discriminated against in the local kindergarten – they are placed in a separate room from Lithuanian children.

1.1.4. Access to adult activity services

At the beginning of 2022, a substantial improvement in the provision of activities for adults was recorded. (1) Various activities for adults were organised at Jieznas FSC, people were introduced to local traditions and handicrafts. Attempts were also made to integrate foreigners into the local community, such as volunteer community work events. (2) Naujininkai RRC was provided with conditions for playing with a ball in the yard, dance and yoga classes, knitting and handicraft clubs, and sports classes were held regularly. (3) Sports domes with fitness equipment were operating in the sectors of the Pabradė FRC container village. (4) Kybartai FRC also facilitated conditions for outdoor sports, competitions were held, the possibility to practice religion, to have access to literature in an understandable language and recreation room spaces were provided. (5) In February, Medininkai FRC organised sports, handicrafts, make-up and language learning classes, which were conducted by the migrants themselves or by the NGO partners. (6) Fitness equipment and a children's playground were installed in the territory of the Rukla RRC container village. Despite the improved employment infrastructure, the residents said (this was largely confirmed by the centre's administration and NGO staff working in the centres) that the organisation of leisure activities during the summer had fallen sharply. Leisure activities were no longer organised due to extremely low attendance, which was influenced both by the sharp decrease in the number of residents of the centres and general apathy. People's apathy was most related to receiving negative asylum decisions and uncertainty about the future. During the summer, people focused more on their asylum cases and waited for the easing of movement restrictions, looked for work opportunities, and also, with the provided possibility of free movement, people chose activities outside the centres.

1.1.5. Accommodation

In 2022, compared to the second half of 2021, material conditions in the foreigners' centres have improved substantially, primarily because the drastic reduction in the number of residents has resulted in more free space and privacy. The biggest changes were recorded in Kybartai FRC, where, in 2022, renovation works were carried out, part of the infrastructure of the former detention facility was removed (part of the concertina wire on the fence, bars, etc.), recreation rooms were installed on all residential floors, personal hygiene facilities were renovated and adapted for representatives of various religions. In the autumn, the container villages were removed from Rukla RRC and Pabradė FRC, all people were accommodated in buildings. Moreover, as mentioned, Medininkai FRC was closed in August, where most of the residents previously lived in container houses (the other part lived in the premises of the SBGS Border Guard School). Before the end of the year, all foreigners were living in the buildings, which is a good practice.

Further in this section, cases where centres did not meet the accommodation standards set out in the EUAA Guidance on Reception Conditions are emphasised.

5 reports documented non-compliance with the standards of adequate space and privacy specified in the EUAA Guidance on Reception Conditions (in 4 centres):

1. On 26/01/2022, during the visit to Rukla RRC, a case was recorded when 2 families (women with children) lived in one house. According to EUAA Guidance maximum of one family is allocated per bedroom²⁸. There were 2 beds in the room, so the mothers slept together with the children. According to EUAA Guidance, each asylum seeker must have an individual bed²⁹. In another case, it was recorded that a family of 8 people lived in a 6-bed house (parents slept on mattresses placed on the ground).

2. On 22/02/2022, during the visit to Medininkai FRC, it was recorded that due to people being transferred or voluntarily leaving, there were vacant houses, which allowed for a more spacious accommodation of people. In addition to other sectors, during the visit, the monitors also visited the large container homes installed in the previously unvisited Sector E, where 12-16 women were accommodated. The living conditions in the Sector E premises did not comply with EUAA standards, which stipulate that a minimum space of 4 m² per person shall be provided for each applicant and a maximum of six single applicants can be accommodated in one bedroom³⁰.

3. On 17/05/2022, during the visit to Kybartai FRC, it was recorded that due to ongoing repair work, the living area was reduced, as a result of which at least 11 single applicants lived in one bedroom (previously 20 people lived in the room, later it was reduced to 8).

4. On 27/07/2022, during the visit to Rukla RRC, a case was recorded in the container village where a family of 5 people lived in a 4-person house, although there were empty 6-person houses in the centre.

5. On 03/08/2022, during the visit to Pabradė FRC, it was recorded that, despite the sharp decrease in the number of residents and the fact that there were half-empty buildings in the centre,

²⁸ See, Indicator 2.4 of Standard 2 of the EUAA guidance on reception conditions: operational standards and indicators: <https://euaa.europa.eu/news-events/easo-guidance-reception-conditions-operational-standards-and-indicators>

²⁹ See Ibid., Indicator 5.3 of Standard 5.

³⁰ See Ibid., Indicator 5.1 indicator of Standard 5 and Indicator 6.1 of Standard 6.

there were houses in the container village (especially in Sector D) where people lived in groups of 4, without ensuring the minimum area of 4 m² per person prescribed by the EUAA.

During 5 visits, it was recorded that 4 centres did not transfer vulnerable persons to accommodation that better meets their needs:

1. On 03/02/2022, during the visit to Kybartai FRC, it was recorded that referral of vulnerable people to specialised services did take place, but was not sufficient. Although the administration talked about possible manipulations and the desire to get better conditions, there were questions about whether there was a quality assessment of vulnerability in terms of medical and psychological needs, as well as in terms of people with social exceptions (for example, people belonging to the LGBTQ community), due to which they may experience discrimination in a large and ethnically and culturally diverse group of men.

2. On 22/02/2022, during the visit to Medininkai FRC, it was recorded that at least 10 persons with special needs lived in the container village.

3. On 07/03/2022, during the visit to Pabradė FRC, it was recorded that at least 4 vulnerable people with serious health problems lived in the container village.

4. On 27/07/2022, during the visit to Rukla RRC, it was recorded that a woman who was in her seventh month of pregnancy and, according to her, suffering from diabetes, lived with her husband in a container house, although there were free rooms in the dormitories. There was also at least one man with serious health problems living in the container village.

5. On 03/08/2022, during the visit to Pabradė FRC, it was recorded that at least 2 persons with special needs lived in the container village. FRC dormitories at that time had a number of vacant places (3 buildings were empty or minimally occupied), which were better adapted to the needs of people with health problems.

During 6 visits, insufficient access to personal hygiene facilities was recorded (in 4 centres):

1. On 26/01/2022, during the visit to Rukla RRC, it was recorded that the number of personal hygiene units installed in the container village did not meet the EUAA standards (at least one functioning toilet per 10 applicants is accessible 24/7 and sink, and at least one functioning shower or bath per eight applicants accessible for a minimum of 8 hours/day³¹).

2. On 28/01/2022, during the visit to Naujininkai RRC, it was recorded that the personal hygiene facility in the dormitory building did not meet the hygiene standards due to the high number of residents. The number of showers and toilets on separate floors was sufficient for 60 residents, while the building accommodated 247 people. Residents complained about the lack of hot water. Both in the dormitory and in the school building, the showers are not separated by partitions, but by curtains, i.e., privacy is not guaranteed.

3. On 03/02/2022, during the visit to Kybartai FRC, it was recorded that hot water was available to people living in Block A only once a week. Procurement procedure was underway to upgrade the hot water system, but they were experiencing delays.

³¹ See Ibid., Standard 8.

4. 02/03/2022, during the visit to Pabradė FRC, it was recorded that mould had formed in the shower rooms at the DFD due to poor ventilation.

5. On 17/05/2022, during the visit to Kybartai FRC, it was recorded that hot water in Block B was available with interruptions due to repair works. In Block A, hot water was not available at all due to the repair works, but it was possible to go to the so-called sauna premises more often (once every 2 days) and take a shower. The number of personal hygiene facilities has decreased significantly due to ongoing repair and renovation works. Although the number of residents has also decreased, people had to use the same facility(-ies). The lack of washing machines has also been documented, however, the infrastructure is being expanded.

6. On 15/07/2022, during the visit to Naujininkai RRC, it was recorded that the number of personal hygiene facilities in the dormitory building has not changed. The possibility of access due to the reduced number of people is better, but only on a theoretical level. The general situation of sanitary facilities has deteriorated, and the existing number did not meet the standard or met the standard only partially. A number of fixtures are broken or do not work, in some of them the water is cut off, etc., so it is difficult to tell how many of them are functioning.

7. On 24/10/2022, during the visit to Kybartai FRC, it was recorded that hot water was still available with interruptions due to ongoing repair works. People were not provided with a schedule for hot water supply, they did not know why water was not always available, or when it would be turned off.

1.1.6. Catering

Residents of Jieznas FSC, Rukla and Naujininkai RRCs could cook their own food. Meanwhile, the residents of SBGS Medininkai, Kybartai and Pabradė FRCs received ready-made food, which posed a number of challenges. Most of the time, residents indicated that the food they received was of questionable quality, tasteless, portions were too small, and not meet special needs, etc. During the monitoring visits, the residents of the mentioned centres constantly expressed their desire to cook themselves, so that they could prepare more culturally acceptable meals. However, it is important to mention that the food served in the centres is largely adapted according to cultural and religious beliefs, for example, no pork is served, and other meat alternatives are offered.

It should be noted that cooking a favourite meal could serve as a way to occupy their free time, as well as improve mental health. In the second half of the year, when more and more people gained freedom of movement and those with money could buy additional food in stores, the residents of the SBGS FRC also cooked own food whenever possible. For example, the kitchens of the FRC container village in Pabradė had induction stoves where certain dishes could be prepared. The buildings of Pabradė FRC, as well as Kybartai FRC, have kitchens equipped with all necessary cooking equipment. However, it should be noted that not all residents had the financial means to buy the food they wanted. Most of the problems with the food provided were recorded in Pabradė FRC, where the option to choose food according to special needs was not always provided. For example, residents of the container village indicated that there was no vegetarian food alternative, in contrast to Kybartai and Medininkai FRCs.

Below are a few examples where concerns have been raised about meal arrangements:

1. During the visit to Kybartai FRC on 03/02/2022, residents complained about the quality of food and the size of portions, and indicated that the centre does not have enough equipment for them to cook food themselves.

2. During the visit to Pabradė FRC on 02/07/2022, residents of the container village named the poor quality of food as one of the main problems. According to them, the food is often not fresh, not varied, the portions are small and it smells bad. The monitor was able to confirm that. The administration admitted that this problem existed; they changed the supplier, but the quality of the food did not improve.

3. On 22/02/2022, during the visit to Medininkai FRC, it was recorded that the food supplier was changed and the food quality was assessed by the Food and Veterinary Service. According to the residents, they did not notice any changes, the quality of the food remained poor and portions were too small.

4. During the visit to Pabradė FRC on 02/03/2022, the DFD residents complained that the quality of water from the tap was very poor. There was a bad smell, strange colour and taste. People were forced to drink it because they had no alternatives. They filtered the water with self-made filters.

5. On 03/08/2022, during a visit to Pabradė FRC, a case was recorded when a diabetic woman recently transferred from Medininkai FRC received the same food for breakfast as the rest of the residents: a few slices of white bread, semolina porridge, a packet of juice, instant coffee with sugar, tea and sugar (none of the above products are suitable for people with diabetes). According to the administration, special nutrition must be prescribed by a doctor, and information about the woman's health condition was not transferred from Medininkai FRC. During the visit, it was recorded that the situation regarding drinking water at Pabradė FRC has not changed. Although more and more residents have freedom of movement and can buy bottled water, it is not available to everyone. Some people stated that they have too little money to afford to buy water, so they are forced to drink tap water of unacceptable quality or wait for water to be delivered by NGOs.

1.2. Access to information

One of the main problems identified in 2022 was the lack of information. The majority of complaints were recorded due to the unavailability of information from the MD. According to foreigners, the MD did not respond to their requests and complaints. The lack of legal services was also emphasised at the beginning of the year. Lawyers from the LRC regularly visited all foreigners' centres, but according to residents and the administration, lawyers who were supposed to ensure the state-guaranteed legal aid (hereinafter – SGLA) were rarely present, and usually came without translators, so they did not always manage to communicate properly. An even worse situation regarding the availability of information from the MD was recorded during the summer monitoring, when Naujininkai and Rukla RRC administrations informed that they no longer had access to MIGRIS and could not inform people about their legal status. Despite the restriction of access to data, the MD did not provide this information and referred people to the RRC administration for all questions. Because of this, the residents' trust in the administration of the centres decreased.

When visiting the centres, the lack of information about the internal procedures of the centres was noticed. It was recorded that there was a lack of information regarding the procedure for registering

with doctors. For example, residents of Pabradė FRC did not know how to register for a doctor's visit, thus, they mainly did so by passing on information to NGO workers, who in turn passed on this information to the representatives of the administration. There was often a lack of information regarding the procedure for obtaining the cards issued by the centres granting the right of free movement. There were cases where migrants, who had freedom of movement, were transferred to another centre where their cards were no longer valid, but people were not informed when they would be allowed to leave the centre again. For people who had lived in detention for a year and had recently been granted freedom of movement, the repeated loss of freedom of movement (even for a short period, without specifying the length of that period) caused a lot of stress and anxiety.

In 8 reports, inadequate access to information on various topical issues was recorded (in 4 centres):

1. On 26/01/2022, during the visit to Rukla RRC, it was recorded that due to a lack of information there were misunderstandings regarding parcels sent to residents, as people did not know the rules regarding the possible contents of the parcels. Also, residents interpreted the issue of medicine reimbursement in their own way.

2. On 28/01/2022, during the visit to Naujininkai RRC, residents indicated that the MD does not respond to their requests, complaints and inquiries about the status, and the uncertainty causes people a lot of anxiety.

3. During the visit to Pabradė FRC on 07/02/2022, the residents indicated that the MD did not respond to their requests and complaints. Inadequate information about people's legal status was one of the reasons why there was a protest in Sectors B and D of the container village on the day of the visit.

4. During the visit to Pabradė FRC on 02/03/2022, the residents indicated that the MD does not respond to their requests and complaints. There was a high need for individual meetings with lawyers and group consultations when submitting requests and complaints. The FRC was regularly visited by LRC lawyers, but people complained that they were not adequately represented and informed about the procedures.

5. On 15/07/2022, during the visit to Naujininkai RRC, a fundamental problem was recorded – lack of information. For example, there was a recorded case where the detention period of the members of one family had already expired, but they had not received any official decision defining their further legal status and the modalities of accommodation at the RRC. The administration does not have access to MIGRIS and cannot inform residents about their legal status. It was recorded that the residents received answers from the MD that they should contact the RRC administration regarding the relevant issue, although the latter no longer had access to the system.

6. On 27/07/2022, during the visit to Rukla RRC, a fundamental problem was recorded – lack of information. The RRC administration expressed concern about the unavailability of information from the MD, especially after the RRC was disconnected from MIGRIS and it could no longer inform residents about their legal status. Residents also indicated that one of the main reasons why they felt anxious and stressed was uncertainty about their legal status. Two people indicated that they felt lost because their family members received a card with the specified freedom of movement and only one family member did not, but they were not given the reasons for this decision.

7. During the visit to Pabradė FRC on 03/08/2022, one of the most pressing problems identified by the majority of residents was the lack of information. The issue of access to information is extremely relevant when it comes to the procedure for issuing cards with specified right of movement to residents newly transferred from Medininkai FRC. People are scared because they were able to move freely when they lived at Medininkai FRC, but after the transfer they lost that opportunity (until a new card is produced), so they experienced stress and uncertainty about their status. Newly transferred people were not informed about the internal procedures of the centre, single Iraqi women were temporarily locked at the DFD without explanation, although some of them previously had freedom of movement.

8. On 24/10/2022, during the visit to Kybartai FRC, it was recorded that hot water was not always available due to the ongoing repair works, but the residents stated that they did not know the reasons why the water was disconnected or the supply schedule.

2. OTHER OBSERVATIONS

2.1. Protest at Medininkai FRC

In March, the LRC monitors received videos from the residents of Medininkai FRC showing naked women, handcuffed with soft handcuffs and possibly held in a detention-type room. They also received other videos from Medininkai FRC on 1-2 March with the images of the disturbances that took place: riots, arrests and inspections at the container village. Residents complained about the use of excessive force in Sectors D and B, where the said protest took place. The monitoring report recorded that, according to representatives of Medininkai FRC, the events began on 28 February, when women from sector D, concerned about the threats posed by the war in Ukraine and their situation, asked to speak with the centre's management. Women were worried about the start of the war, a possible military invasion of Lithuania by another country, i.e., fear concerning security as the camp was located near the border, as well as a sense of injustice, comparing the state's attitude towards people fleeing Ukraine and foreigners who arrived in the summer of 2021. The heads of the administration who met with the women answered their questions, but according to the representatives of the SBGS, the women were not satisfied with the information provided. The women gave the management an ultimatum to move the residents to another, safer place within 2 days. At night on 1 March, the women living in Sector D dismantled the internal partitions between Sectors D and C and C and B. Some men from Sector B also joined the protest. The administration strengthened the perimeter security, and additional forces were called in.

As it was documented in the monitoring report, after the situation calmed down, the official negotiator asked people to return to their places of residence and prepare their identification cards for inspection. It was believed that, taking advantage of the chaos, some residents might try to leave Medininkai FRC without authorisation. Part of the residents were placed in separate container homes until court decisions on their detention were received. Some were returned to the sectors, others were detained by court decision. A total of 12 people were detained: 6 men were taken to Kybartai FRC, 6 women – to Pabradė FRC. Some of them resisted detention, therefore, as indicated by the SBGS representatives, soft handcuffs and other special measures were used. According to the residents, some of the resisting men had their hands broken, people claimed that they were beaten and electroshock weapons were used. Authorities said some of the women took off their outer clothing while resisting arrest, prompting officers to wrap them in blankets. One of

the women who was arrested but later released said that the "police" who came to their room the morning after the night's riots did not give the women time to dress properly, they were handcuffed with soft handcuffs and taken to a holding container home covered in blankets. People were examined by doctors, no hospitalisation was required.

On 01/04/2022, the LRC monitor visited the women housed in Pabradė FRC. During the visit, the women indicated that they were not informed of the court decision and did not know how long they would spend in detention, what consequences were applied, etc. The detainees were accommodated in the foreigners' reception building of Pabradė FRC (hereinafter – the FRB), the purpose of which is the accommodation and quarantine of people newly transferred to the centre. The FRB residents are locked 24/7 in their rooms. The rooms are equipped with emergency buttons; an officer on duty can be called if necessary. Once a day you can go out for a walk in the inner courtyards for one hour. Closed courtyards have an area of about 16-20 m², surrounded by a brick fence, with no green area. According to the interviewed women, spending time in the courtyard causes even more depressing thoughts, so they refuse the possibility to walk in the fresh air and has been spending time only in her rooms for more than a month. Residents of these premises are not allowed to use personal telephones. The RFL service is provided by the LRC, but according to the women, every time they have to apply in writing for the opportunity to contact their relatives, and it sometimes takes a week or more to receive permission. There were no washing machines at the accommodation. In addition, the women indicated that some of their personal belongings were not handed over to them after being transferred to Pabradė FRC.

When comparing the detention of women in different buildings of FRC, the living conditions at the FRB are worse than at the FRC DFD. The LRC evaluated this case and, based on the ECHR rulings on accommodation and detention conditions, found that the detention of asylum seekers in such conditions could amount to behaviour degrading to human dignity. In order to improve living conditions, on 03/04/2022, following the request of the LRC and UNHCR, the women were transferred from the FRB to the building of the detained women dormitory (hereinafter – the DWD), where they could move freely in the territory, use the kitchen and washing machines.

After evaluating the described situation, the LRC made the following recommendations:

- Search for options on how and where to place asylum seekers detained by court decisions, so that the conditions of their detention meet the standards applicable to detention and do not cause long-term damage to people's physical and psychological well-being.
- Ensure that asylum seekers immediately receive information about their legal status in Lithuania, the procedures applied to them and the decisions made.
- Ensure the organisation of RFL services for detained asylum seekers.
- Follow the EUAA standards on ensuring adequate accommodation conditions for asylum seekers. In this case, it was recommended that Pabradė FRC FRB install laundry-type facilities or provide laundry services.

2.2. Registration and de facto detention of newborns

During the monitoring visit to Naujininkai RRC on 15/07/2022, the monitor identified 4 families with children born while they were in Lithuania who still did not have birth certificates, and interviewed three of them. There were families living at the RRC with children born, for example, as early as November or December 2021. These people only had a document proving the fact of

birth – an extract from the hospital where the child was born. In addition to the lack of proper documentation, another problem was observed – the de facto detention of these children without any legal basis. Only families whose detention period had expired could leave the territory with newborns. Meanwhile, the newborns of families whose freedom of movement was restricted also de facto remained in detention, although no official decisions (judicial or administrative) regarding the restriction of the freedom of movement of such children born in Lithuania were made (or presented to these people).

According to the administration, 21 children have been born to residents of Naujininkai RRC since the beginning of its operation. All parents received statements from the medical institutions where the children were born. The children were issued the code of the foreigner with interests in Lithuania (hereinafter – the ILTU codes), and the RRC entered them in its register. According to provisional data, it was possible to arrange birth certificates for only about a third of newborns, i.e., 7-8 children. According to representatives of the administration, the fact that this process was somewhat successful at first was due to several reasons. First, cooperation with the State Child Rights Protection and Adoption Service under the MSSL. Second, cooperation with the MD, especially in cases where the MD had the original documents of foreigners. However, cooperation with these institutions, especially with the MD, has fundamentally changed. The civil registry department's refusal to issue a birth certificate to a child was motivated by the fact that the parents' documents were missing, while copies (photographs) were not accepted. According to the administration, there were also cases when the residents themselves refused to cooperate, for example, not providing the name of a newborn child, etc.

Given the fact that the registration of a child is an essential guarantee of preventing the risk of becoming a stateless person, the LRC, referring to the United Nations Convention on the Rights of the Child³², recommended cooperation with the responsible institutions and taking measures to ensure that all children, regardless of their legal status, are registered.

The issue of children's registration in Lithuania was eventually resolved, but the problems observed in the summer had certain long-term consequences, for example, inquiries were received from other EU countries, to which a number of foreigners who left the centres arbitrarily went to and who did not have time to arrange the documents of their children born in Lithuania, as well as there are still difficulties in changing the registration data, when, for example, the name of a child's father needs to be entered alongside the name of the child's mother, or vice versa, if this was not done during registration.

2.3. Monitoring of initial interviews

In 2022, the LRC monitors received 90 reports from SBGS FRC about planned initial interviews with 149 foreigners and participated in 7 of them (in 3 different places): Pabradė FRC (4 observed interviews), Kybartai FRC (2), Medininkai FRC (1). 4 interviews were conducted and monitored remotely (some of them were mixed interviews, e.g., the asylum seeker, the officer and/or the monitor were together in the room, but the interpreter participated remotely, or vice versa). All initial interviews were monitored within the framework of the UNHCR project.

4 initial interviews were monitored in the first half of the year and 3 in the second half of the year. 2 of the interviews took place after the foreigners submitted a subsequent asylum application.

³² See, Article 7 of the United Nations Convention on the Rights of the Child: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.19848>

Interviews with asylum seekers from 5 different countries of origin (Afghanistan, Iraq, Syria, Sri Lanka and Nigeria) were monitored. 1 of the asylum seekers who participated in the interview was an unaccompanied minor. All others were adult men.

The monitoring of the initial interviews was carried out taking into account the EUAA's practical guide on the registration of asylum applications³³ and the EUAA's practical recommendations on conducting remote registration³⁴.

In the course of the year, a number of interviews were conducted only in autumn 2021 by the officers of the newly formed SBGS FRCs in Medininkai and Kybartai, who have less experience, especially in working with asylum seekers of different cultures. **During the monitored interviews, the most frequently recorded procedural inconsistencies were related to (1) insufficient information provided to the asylum seekers participating in the interview about the interview process, (2) failure to provide information about the purpose of the interview to the asylum seekers, and (3) failure to familiarise the asylum seekers with the content of the completed form at the end of the interview.**

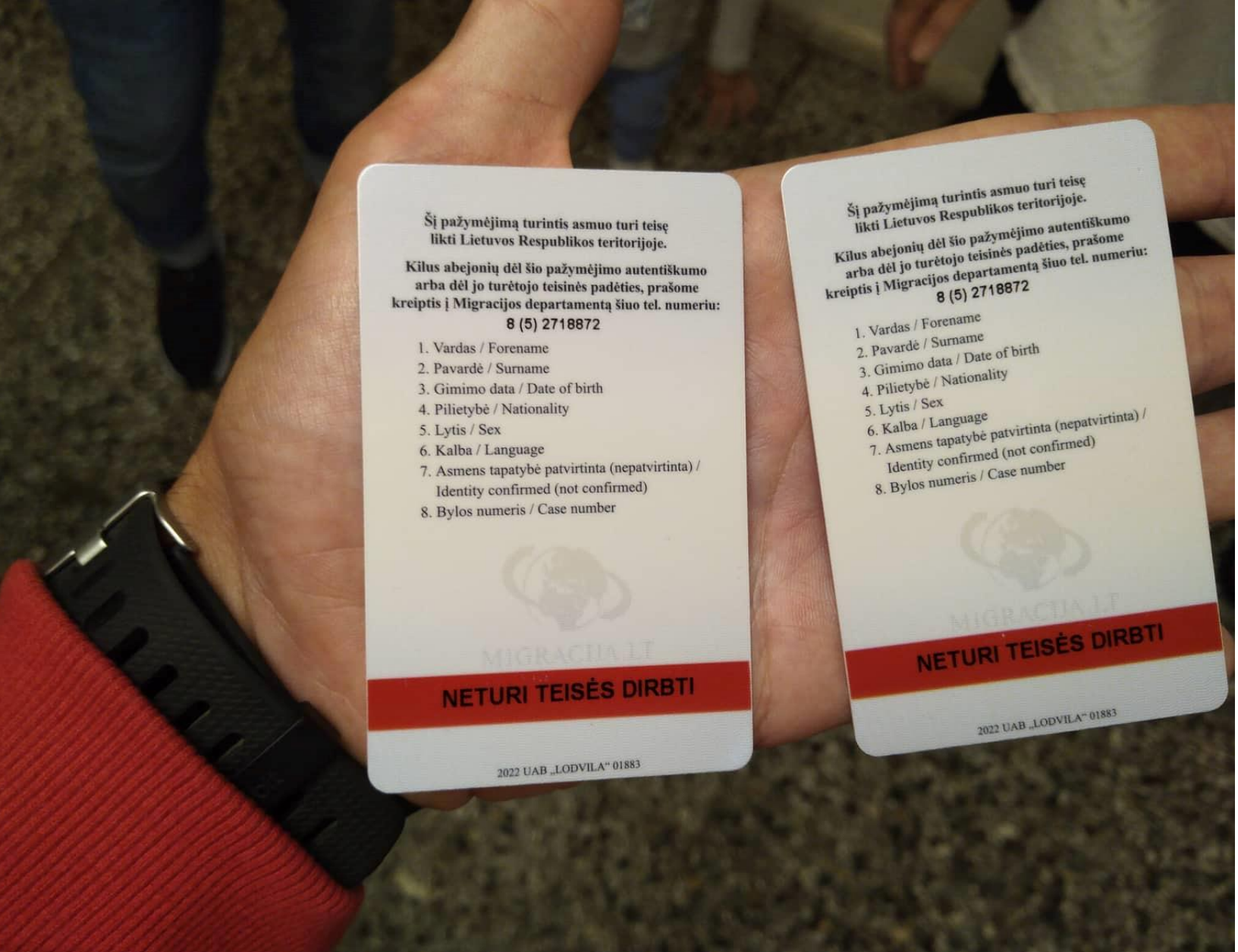
In addition to the mentioned aspects, it was noticed that during the initial interview, asylum seekers often want to tell all the details, which are usually analysed during subsequent interviews, when the MD specialists work individually with asylum seekers, but the SBGS officers at this stage are interested in concisely conveyed essential circumstances, rather than a detailed story. Therefore, it is very important for the officer conducting the initial interview at this point to explain what actions are expected next and to remind them that the initial interview is not the only one where the asylum seeker can express his or her reasons and arguments for applying for asylum. On the other hand, the MD specialists should also take into account the specifics of the content of the initial interview and the scope of recorded data and, when deciding on the reliability of the asylum seekers' story, not to rely on the fact that during the initial interview individuals do not indicate certain details (or they are not recorded), which are later mentioned by the MD during the survey.

It is also important that asylum seekers are informed in advance of the planned interview, which will give them time to prepare. For example, the asylum seeker informally told the monitor who participated in the interview at Medininkai FRC that he was informed about the interview a few minutes before it started, so he could not properly prepare, concentrate, etc.

In two of the remotely monitored interviews (initial interviews conducted on 14/03/2022 and 22/07/2022 in Pabradė FRC), technical disturbances were recorded – delay, poor internet connection, inability to see all interview participants, etc. **The LRC recommends conducting remote interview only in exceptional cases, i.e., for the prevention of communicable diseases, in the case of a general overload of the migration system, etc. The remote interview format complicates communication with interpreter (especially when more than one translator is involved); moreover, in the absence of additional video cameras, the monitors and/or other participants (interpreters, lawyers) cannot see all the participants, there are possible internet disturbances in the transmission of high-quality image and sound, etc.**

³³ See, EUAA Practical Guide on Registration. Lodging of applications for international protection, EUAA Practical Guide Series, 2021. Internet link: <https://euaa.europa.eu/sites/default/files/publications/Practical-guide-registration-lodging-applications.pdf>

³⁴ See, EUAA Practical recommendations on conducting remote/online registration (lodging), EUAA Practical Guide Series, 2021. Internet link: <https://euaa.europa.eu/sites/default/files/easo-practical-recommendations-conducting-remote-online-registration-lodging-EN.pdf>



THEMATIC MONITORING

IV. THEMATIC MONITORING

In 2022, the LRC monitors conducted 4 thematic monitorings (2 – in the AMIF project, 2 – in UNHCR project), which are reviewed in the following part of the report: (1) Foreigners' access to asylum procedures and state-guaranteed legal aid in foreigners' centres; (2) Ensuring and protecting the rights of vulnerable groups in reception and detention centres for foreigners; (3) Access of migrants living in foreigners' centres to the Lithuanian labour market and (4) Foreigners' access to asylum procedure at the SBGS BCP and diplomatic missions of the Republic of Lithuania abroad.

For the collection of data for each of the first three thematic monitorings, at least 3 centres were visited, depending on the analysed topic, target audience, etc. **In total, in 2022, 13 thematic monitoring visits were made to the centres:** Pabradė FRC and Rukla RRC – 3 each, Medininkai FRC, Kybartai FRC and Naujininkai RRC – 2 each, Jieznas FSC – 1. Meanwhile, for the fourth thematic monitoring on the foreigners' access to asylum procedure at the SBGS BCP and diplomatic missions of the Republic of Lithuania abroad, the data was collected in a mixed manner: live and remote interviews, e-mail correspondence, an analysis of legal documents and other sources of information.

1. FOREIGNERS' ACCESS TO ASYLUM PROCEDURES AND STATE-GUARANTEED LEGAL AID IN FOREIGNERS' CENTRES

Thematic monitoring was initiated in order to: (1) to identify differences and similarities in the procedures applied in individual centres and (2) to establish an overall picture of asylum access procedures and the SGLA.

Summarising the data analysed in the report, several problem areas have been identified:

1. Access to asylum procedures

Situations have been recorded where individuals apply for asylum, but their applications are not registered (in writing) or are ignored (in case of verbal application), which violates both the general right to asylum and the provisions governing the registration of asylum applications.

2. Information on applicable procedures

A number of cases have been recorded where foreigners did not have and did not receive sufficient information about the applicable procedures, including information about their legal status and the progress of examination of their application, as well as about the possibility of proactively participating in the asylum procedure.

3. Familiarising with the decisions adopted

It was recorded that the familiarisation with the decisions was not sufficient (foreigners were introduced to the entire text of the decision only in isolated cases, the absolute majority of foreigners stated that they did not understand the content of the decisions at all).

4. Provision of the SGLA

It was recorded that individuals were not informed about the satisfaction of their requests for the SGLA and did not know whether the decision taken against them was appealed. Only a small part of the respondents had contact with the lawyer providing SGLA, the majority saw the lawyer representing them for the first time during a remote court session. Foreigners did not receive copies of court decisions from the lawyers representing them, nor did they receive answers when they tried to contact the SGLA provider.

More about thematic monitoring and its results here – [the LRC monitoring reports](#).

Recommendations provided by the LRC:

1. Ensure that **all submitted asylum applications are accepted and registered**;
2. Ensure that **all asylum seekers receive the Statement of Acceptance of an Asylum Application**, which indicates the procedure for examining the application and the legal basis for the selection of the relevant procedure;
3. Ensure that **every asylum seeker has the opportunity to cooperate and communicate with the MD worker who is examining the asylum application**. This means that the asylum seeker (1) knows who is responsible for his/her case and (2) has the possibility to communicate with that person directly during the examination of the asylum application;
4. **Define the content of familiarisation with decisions as a procedural action and establish a standard of familiarisation**, which would allow the foreigner to understand not only the essence of the decision, but also the reasons.
5. To ensure that communication of foreigners with SGLA providers meets the standards applicable to lawyer-client communication, i.e., (1) foreigners know who provides the SGLA, have contacts of the SGLA providers, and the latter respond to foreigners' attempts to contact them; (2) the SGLA providers communicate with foreigners when preparing a petition to the court and (3) the SGLA providers fulfil their duties related to informing their representatives about court decisions.

In the middle of 2022, the major part of asylum applications of foreigners de facto detained in the centres were registered. Moreover, the MD concluded a new service provision agreement with another SGLA provider, stipulating the duty of the service provider to actively communicate with the represented foreigners and inform them about the progress of the process. On the other hand, the recommendations related to the administrative services provided by the MD have largely remained unimplemented – no standard has been established for familiarising the foreigners with the decisions; the legal ground on the basis of which a certain application is examined in an urgent manner is not indicated; the possibility for the asylum seeker to communicate directly with the MD specialist examining the application remains extremely limited.

2. ENSURING AND PROTECTING THE RIGHTS OF VULNERABLE GROUPS IN RECEPTION AND DETENTION CENTRES FOR FOREIGNERS³⁵

The **purpose of this monitoring initiated by the LRC** is to assess whether the rights of foreigners who belong to the target groups (**unaccompanied minors, single women and members of the LGBTQ community**) and who have signs of vulnerability are ensured in the reception and detention centres for foreigners, and whether adequate reception and protection conditions are created.

Summarising the data analysed in the report, several problem areas have been identified:

1. Individual vulnerability assessment and identification of special reception needs

The results of the monitoring revealed that individual identification of special reception needs was not necessarily carried out for every vulnerable person or person with signs of vulnerability. It is likely that even in this type of assessment, individuals were not fully and comprehensively informed about the purposes and consequences of the procedures in which they participated.

2. Ensuring identified individual special needs

The results of the monitoring justified the conclusion that the needs of vulnerable persons or persons with signs of vulnerability were met by applying a common model of work with asylum seekers established in the relevant centre designed for all residents or their groups, and not for a specific person with individual special needs. The centre's most emphasised guarantee provided to the monitored groups of vulnerable persons was their accommodation separately from other groups of persons. This solution can be evaluated as a model of accommodation, the main purpose of which is to ensure physical control, but not special needs.

It should be noted that when applying this type of model of accommodation, the actual reception conditions differed in terms of infrastructure. A part of the same target group had a certain set of conditions (for example, living space, its size, number of people living together, access to personal hygiene facilities, etc.), another part – had completely different conditions, which testified that this model was not aimed at ensuring the special needs of vulnerable people.

3. A sense of security due to ensured privacy, conduct of other residents and staff

The results of the monitoring showed that the residents of the centres did not feel completely safe, both due to the shortcomings of the infrastructure and the conduct of other residents and staff of the centres.

Insufficient privacy protection was also highlighted, and nearly a third of the respondents said they experienced a feeling of insecurity due to inappropriate conduct of the centre's staff (threats, harassment, violence, bullying, racist comments, etc.).

4. Access to medical, mental health, social care, education and recreational activities services

³⁵ Considering the fact that both in the second half of 2021, as well as in the first half of 2022, the foreigners accommodated in all the centres were de facto detained, and only a small part of them were not subject to movement restrictions, in the annual report, the centres applying such hybrid practices of movement restriction cannot be considered reception centres from a humanitarian perspective, therefore, they are abstractly called "centres". Meanwhile, in the thematic monitoring, the terms "reception" and "detention" are deliberately used to refer to different restrictions on the movement of monitored foreigners.

The monitoring results showed that about half of the respondents used the services of a psychologist, and even fewer indicated that they worked individually with a social worker.

Manifestations of apathy, indifference, frustration and depression were observed during conversations with foreigners. People said that they did not want to participate in the activities and felt that they were being ignored. The data collected substantiated the conclusion that more psychosocial support was required, while the existing resources were insufficient.

5. Additional support outside the centres

The data collected showed that vulnerable foreigners did not know who to turn to for additional help outside the centres, where a number of various specialised organisations operate. Only some dozen per cent of the respondents indicated that they had enough information at that time and would know where to apply for help.

More about thematic monitoring and its results here – [the LRC monitoring reports](#).

Recommendations provided by the LRC:

1. Ensure that absolutely all asylum seekers undergo an individual vulnerability assessment and identification of special reception needs.

2. Ensure that individual identified special needs are met not only through physical separation and/or perimeter protection, but also by responding to the individual needs of the person due to their gender, age, independence, physical and mental health, orientation, etc.

3. Ensure privacy where a person can lock themselves in their room at night, change clothes in private and leave valuable personal belongings safely. Similarly, the same applies to personal hygiene facilities, where the ability to lock from the inside must be guaranteed.

4. Strengthen mental health care, access to psychologist services and, if needed, a psychiatrist.

5. Ensure respectful behaviour of staff, organise training on the peculiarities of cultural differences, the importance of managing attitudes and stereotypes. This is most relevant when it comes to security personnel, with whom the residents of the centres come into contact on a daily basis.

6. Ensure sufficient awareness on several aspects:

6.1. About the **identification of vulnerability**, the order of this procedure, special needs, etc., so that the person understands what is being done, for what reasons it is being done and what is intended to be done further after receiving certain conclusions;

6.2. About **additional possible help from specialised organisations and institutions outside the centre**;

6.3. About the **procedure for assigning guardians and representation** (relevant for unaccompanied minors);

6.4. About the **algorithm for responding to emerging dangers (where to go and how to act when there is a threat to personal safety)**.

7. In the long-term perspective, consider the possibility of **adapting the foreigners' centres by focusing on target groups, when the composition of the population is not diverse, but more specialised and targeted.**

8. In cooperation with decision-making authorities, **consider the introduction of a single standard for vulnerability assessment and related reception/protection conditions**, where both the vulnerability assessment procedure and the provision of reception conditions (if it is determined that he/she has special needs) are unified, applicable everywhere uniformly and accessible to everyone in the same way, regardless of which centre a person enters.

The availability of vulnerability assessment and all services (medical, psychological, targeted occupation) in general improved significantly in the second half of the year. This was due to the decrease in the number of residents, newly employed or hired specialists, as well as the freedom of movement, which made it possible for foreigners to choose services independently. The goal remains a priority for the newly established reception agency to have an effective system for identifying vulnerabilities and ensuring special needs, as well as common, good practice standards that are applied systematically, regardless of the place of accommodation.

3. ACCESS OF MIGRANTS LIVING IN FOREIGNERS' CENTRES TO THE LITHUANIAN LABOUR MARKET

The LRC initiated thematic monitoring in order to: 1) record the level of awareness of migrants about employment processes; 2) find out whether migrants face difficulties in finding a job and, if so, identify them; and 3) suggest possible solutions to the challenges.

Summarising the data analysed in the report, several problem areas have been identified:

1. Lack of information about the employment process

It was recorded that the majority (83%) of the residents of the centres were informed about the right to work, but there was a lack of information on further actions. Only half of the respondents knew when they were registered in MIGRIS, which means that only half of them knew when they acquire the right to work. Some foreigners did not know that the foreigner's registration certificate (hereinafter – URP) alone with the indication of the right to work is not sufficient to get a job. People did not know what criteria they had to meet to obtain a work permit from the Employment Service (hereinafter – the ES). It has been observed that based on the issued URP alone it is not possible to identify whether the holder of this particular URP with the right to work specified therein requires an ES work permit.

2. Structural issues hindering employment

It was found that practically all migrants faced problems in finding a job. One of the biggest recorded issues is the refusal of employers to pay wages in cash and restrictions on the ability to open a bank account, linked to the general measures of prevention of laundering and terrorist financing. Migrants holding identity documents could in some cases open a bank account, but they face other problems, such as an incorrect entry in the URP that the identity is not confirmed, or overly complicated procedures for temporarily collecting the identity document from the MD.

3. Insufficient information about the peculiarities of the Lithuanian labour market

19% of respondents who tried to find a job reported that they had additional difficulties due to lack of information. The interviewees stated that they do not know how to look for a job (send CVs online, visiting companies and applying for a job in person), what is the usual salary, what is the procedure for concluding employment contracts, etc.

4. Employers' attitude – an additional barrier for finding a job

The success of the employment process was also influenced by the employers themselves and their attitude towards migrants. Respondents indicated that employers often refused to hire them because of their legal status, race, nationality, etc. A large part of them got to hear the employers' response that they are keeping the jobs for Ukrainians.

5. Feeling of despair about the general situation

Most of the migrants are frustrated by the fruitless efforts to find a job. Some people said that they visited the largest banks operating in Lithuania in order to find out the possibilities of opening an account without positive results. The attitude of the institutions towards migrants living in the centres is illustrated by the recorded case, when people who found work in Vilnius were transferred from Pabradė FRC to Kybartai FRC, so they were forced to leave their jobs.

More about thematic monitoring and its results here – [the LRC monitoring reports](#).

Recommendations provided by the LRC:

1. MoI and MSSL – **to assess the possibility of initiating amendments to the LLSA, supplementing paragraph 14 of Article 58 and establishing that not only those foreigners who have acquired the right to work in accordance with Article 71(1)(10) of the LLSF are exempted from the obligation to acquire a work permit, but also those who acquired this right according to Article 140¹³(1)(2) and (3)(2).**

2. MoI and MSSL – **to assess the possibility, taking a long-term view, of the institutions themselves providing asylum seekers with debit cards to which they could receive both the financial allowance they are entitled to and their salary after employment.** As an example, we would like to look at the Finnish experience, where a joint project³⁶ between the Finnish Immigration Service and the *fintech* company MONI was launched in 2015, and MONI cards were replaced³⁷ by new PSF cards³⁸ in 2019.

3. SBGS and MD – **when deciding on the transfer of foreigners from one centre to another, take into account the employment of the transferred persons, i.e., do not transfer the employed persons to centres far from their workplace.**

³⁶ See, Apolitical, A Finnish fintech partnership gets bank accounts for asylum seekers: <https://apolitical.co/solution-articles/en/finnish-fintech-partnership-gets-bank-accounts-asylum-seekers>

³⁷ See, Finnish Immigration Service, Moni payment cards used by asylum seekers to be replaced by PFS cards in April 2019 – Moni cards will stop working on 30 April: <https://migri.fi/en/-/turvapaikanhakijoiden-maksukortit-vaihtuvat-pfs-kortteihin-huhtikuussa-2019-moni-kortit-lakkaavat-%20toimimasta-30-4->

³⁸ PR Newswire, Prepaid Financial Services (PFS) - Selected to Roll Out a National Government Payment Card Programme for Asylum Seekers in Europe: <https://www.prnewswire.com/news-releases/prepaid-financial-services-pfs---selected-to-roll-out-a-national-government-payment-card-programme-for-asylum-seekers-in-europe-566518511.html>

4. MD – to check more carefully the information on the documentary proof of identity on the issued URP.

5. MD – to facilitate the exercise of the right to temporarily collect a document (passport) stored in the MD by establishing and communicating a clear procedure for the collection of the document, which is not burdened with additional requirements (not based on legal acts).

6. MD – to clearly distinguish between the URPs, which indicate the right to work acquired according to Article 71(1)(10) of the LLSF from the URP, in which indicate the right to work acquired in accordance with Article 140¹³ of the LLSF. For this purpose, the relevant article may be indicated in the document (for example, “YOU HAVE THE RIGHT TO WORK / 71.1.10” or “YOU HAVE THE RIGHT TO WORK / 140¹³.1.2”), and another colour code may also be used (for the right to work acquired according to Article 71(1)(10) of the LLSF – a green stripe, in other cases, for example, a blue stripe). In this way, it would be clearly communicated to foreigners and employers what rights the holder of the relevant URP has. During the transition period, we recommend issuing a leaflet together with the URP, indicating the legal basis for the right to work indicated in the URP with the relevant number, as well as basic information, at least whether the holder of the URP needs a work permit and how it can be obtained.

7. ES – to develop and communicate basic information to businesses on the procedures for employing migrants who have acquired the right to work, including the possibility of paying salaries in cash.

8. Administrations of the foreigners’ centres – to provide more information to the residents on the employment process (conditions and procedures for acquiring the right to work and obtaining a work permit, how and where to look for a job, etc.).

At the end of the year, the number of employed migrants increased. According to the data available to LRC, in mid-December, at Kybartai FRC – at least 41 people had jobs, and approximately 20 people at Pabradė FRC. The fact that from November of this year, the LRC mobile teams have started working as case managers to help migrants find jobs, could have influenced faster employment of foreigners. On the other hand, the main structural problems (the issue of opening bank accounts, the procedure for obtaining work permits, etc.) remain unresolved.

4. FOREIGNERS’ ACCESS TO ASYLUM PROCEDURE AT THE SBGS BCP AND DIPLOMATIC MISSIONS OF THE REPUBLIC OF LITHUANIA ABROAD

The LRC conducted a study, the purpose of which is to assess whether the methods of submitting asylum requests to the SBGS BCP or diplomatic missions of the Republic of Lithuania are available to everyone and provide effective protection to individuals against refoulement without assessing the need for protection.

Summarising the data analysed in the report, several problem areas have been identified:

1. Access to the asylum procedure at diplomatic missions of the Republic of Lithuania

The “embassy procedure” does not ensure the protection of a person against refoulement, and in itself cannot be considered as an opportunity arising from EU law for individuals to effectively,

easily and quickly use the procedure for granting international protection. Only those foreigners who have a valid travel document and a document confirming their legal stay in Belarus can submit an asylum application at the Embassy of the Republic of Lithuania in Minsk. In addition, the further procedure for examining these applications is not properly regulated, and people who have submitted application wait in uncertainty and face the risk of deportation to their country of origin without receiving a decision from the MD.

2. Access to asylum procedure at the SBGS BCP

Due to limited physical access and the practice of not registering asylum applications, the declared possibility of submitting an asylum application at the SBGS BCP is not available to all who wish to submit an application. Only those foreigners who were allowed entry by the Belarusian authorities after document verification could submit an asylum application to the SBGS BCP. Moreover, even in cases where foreigners managed to reach the SBGS officers, their asylum applications were not necessarily registered, and the persons were returned to the Belarusian side.

More about thematic monitoring and its results here – [the LRC monitoring reports](#).

Recommendations provided by the LRC:

1. Abolish and do not expand measures restricting the right to apply for asylum and ensure that the opportunity to submit an application is available to all foreigners, which would lead to effective, easy and quick access to the international protection mechanism, as provided for in the EU asylum acquis;
2. Provide an opportunity for foreigners who have submitted asylum applications at the Embassy of the Republic of Lithuania in Minsk, which have been accepted for examination, to come to the territory of Lithuania and use the conditions of reception, as provided by the EU asylum acquis;
3. Regulate the examination procedure of asylum applications submitted at the Embassy of the Republic of Lithuania in Minsk, compatible with the EU asylum acquis;
4. Ensure that all asylum applications submitted at the SBGS BCP are registered and processed in accordance with the EU asylum acquis

CONCLUSIONS AND SUMMARY

The year 2022 was characterised by a comprehensive attempt to balance quantity and quality from the perspective of all interested parties. The lack of uniform and clear standards led to the dissatisfaction of interested parties and the situation in terms of quality began to change when the number of migrants in the centres began to decrease. Therefore, the greatest lesson learned should be the necessity and ability to maintain the quality defined by international standards when experiencing an unplanned quantitative increase and a jump in needs. Undoubtedly, both the state institutions and the NGO partners have been learned how to respond appropriately by the crises that happened one after the other – the 2021 influx of migrants at the border with Belarus and the 2022 wave of refugees from Ukraine that reached Lithuania in the spring.

The rapidly improved material reception conditions for asylum seekers and foreigners with a different legal status made it possible to pay more attention to other, no less important, aspects. **In 2022, another problem emerged – the importance and, in most cases, the inadequacy of protection as an integral element of the reception conditions.** In the context of humanitarian activities, protection is the right of a person in a vulnerable situation to have contact with the outside world, to know their rights and responsibilities, to be informed about their status and expected actions, to feel physically and mentally safe, to have access to essential services that ensure dignity and independence.

In 2022, several aspects related to the protection of migrants have become particularly evident, which continue to require special attention: **vulnerability assessment, restoring of family link, access to psychosocial support and psychologist services**, as well as **adequate information**.

Vulnerability assessment (or rather lack of assessment capacity) after the crises that arose in the summer 2021, led the fact that, until now, proper referral of foreigners to specialised services, response to special needs, case management and other aspects are stumbling or not fully effective.

Limiting the right to have and use personal telephones in conditions of detention, and in some cases not being able to contact relatives while still in border facilities, puts the **activities of restoring family links and ensuring adequate means of communication as one of the most important priorities**.

Due to the negative decisions received, poor relations with other residents and/or staff of the centres, as well as the difficulties experienced in finding employment, the **state of mental health remains a sensitive issue**, to address which there is an extreme lack of resources, despite the efforts made by institutions and NGO partners. Capacity building for mental health promotion should become one of the priorities of the newly established reception agency.

Despite efforts made to improve reception conditions, food quality, organise education, training, access to medical services, etc., insufficient information often turned all efforts into nothing, as foreigners did not properly understand the content presented to them. **Appropriate information submission algorithms should become the basis of every institution receiving foreigners.**

Although in the course of 2022, the restrictions on freedom of movement were loosened, in the second half of the year, the actions of the responsible institutions in particular with regard to newly arrived asylum seekers caused concern. First of all, this applies to restrictions on freedom of

movement, including for minors and vulnerable persons. **Therefore, de facto detention practices in immigration centres should continue to be the focus of attention.**

One of the thematic monitoring carried out in 2022 showed that the possibility to apply for asylum at the SBGS BCP or diplomatic missions of the Republic of Lithuania abroad is available only to a part of potential asylum seekers and does not protect the person from refoulement in all cases. **Persons in need of international protection must have quick, effective and simple access to an asylum procedure that meets international standards.**

The movement of migrants on the border with Belarus and the general geopolitical situation indicate the likely continuation of the "pushback" policy in 2023. Therefore, **within the framework of monitoring, the LRC plans to pay more attention to ad hoc visits to the border and assess the situation how the SBGS border units are prepared to receive asylum seekers arriving in harsh weather conditions.**

In adverse weather conditions, access to the asylum procedure is important but not a critical necessity for migrants stuck at the border. Although asylum applications are not accepted within the boundaries of the so-called "green border", as practice shows, in certain cases foreigners are temporarily accommodated at the border for humanitarian reasons. **In the recommendations provided in the monitoring reports 2022, the LRC has repeatedly expressed a position on the importance of NGOs having access to and contributing to ensuring the most essential elements of humanitarian response: restoring family link, psychosocial assistance, initial assessment of vulnerability, as well as assessment of other immediate humanitarian needs. Additional assistance and impartial assessment of the situation at the border with the help of NGOs is a necessary condition** before international organisations obtain proper access on the Belarusian side, from where migrants are still moving towards Lithuania.

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