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LITHUANIA: Tier 1

The Government of Lithuania fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, Lithuania remained on Tier 1. The government demonstrated serious and sustained efforts by greatly increasing funding to NGOs for victim assistance programs, thereby providing support to more victims and at-risk individuals. The government established an interagency commission to coordinate national and local efforts and approved its 2017-2019 national action plan against trafficking. The government also appointed a national trafficking rapporteur to collect information and report on human trafficking. Although the government meets the minimum standards, a lack of victim protection during the investigation and trial process and a lack of knowledge within relevant agencies in recognizing indicators of child trafficking remained. The government provided training to law enforcement officials in collaboration with NGOs, but some police officers did not recognize sex trafficking among women coerced into prostitution and child trafficking. Children in state-run orphanages were vulnerable to human trafficking and some investigations were ongoing. The government continued to phase out these institutions in favor of the foster care system.

RECOMMENDATIONS FOR LITHUANIA

Increase proactive identification of child trafficking victims, and adults particularly in forced prostitution, through increased training for police officers on victim identification integrated into basic training and for child protective services officials; prevent the sex trafficking of children in state-run orphanages by investigating and prosecuting complicit or negligent orphanage authorities and ensuring ongoing reforms to the orphanage system to improve protection of vulnerable children; protect victims from threats and re-victimization during the investigation and trial of trafficking cases; provide specialized services to child victims in foster homes and mixed-use shelters; further improve training of investigators and prosecutors on building trafficking cases, including developing evidence beyond victim testimony; equip courtrooms with the capacity to allow victims to provide testimony outside the presence of their alleged traffickers; and conduct awareness campaigns targeting low-income and socially at-risk communities.

PROSECUTION

The government increased law enforcement efforts. Articles 147 and 157 of the criminal code prohibit all forms of trafficking and prescribe penalties ranging from two to 12 years imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. In June 2016, the government passed amendments to articles 147 and 157 to include forced and sham marriages as a form of human trafficking; although sham marriages were not a form of human trafficking under international law. Authorities initiated investigations of 29 trafficking cases in 2016, compared with 25 in 2015. The government initiated prosecutions of 64 suspected traffickers (27 in 2015 and 40 in 2014) and convicted 23 traffickers under articles 147 and 157 (17 in 2015). All 23 traffickers received prison sentences, with terms ranging from two to nine years. The government collaborated with foreign counterparts in 18 international trafficking investigations, compared with 17 in 2015 and two in 2014. The general prosecutor's office received no requests for extradition, but issued six European arrest orders in human trafficking cases. In March 2015, prosecutors announced an investigation into allegations that the director of an orphanage sexually exploited boys and operated a sex trafficking ring inside the institution, offering young boys to pedophiles. The investigation remained ongoing during the reporting period. In January 2015, prosecutors announced the investigation of a state-run residential institution for children with special needs; teenage residents allegedly had been subjecting girl residents to sex trafficking. The orphanage's director defended her institution by saying such activity is common at all Lithuanian orphanages. In March 2017, the court sentenced four men to two to four and a half years in jail for sex with juvenile residents of this orphanage and imposed one to three years probation sentences to four girls for facilitating prostitution. Prosecutors will appeal the decision asking the higher instance court to sentence the criminals for human trafficking.

The government demonstrated its commitment to train personnel throughout the reporting period. Although the basic training for police cadets includes only one hour on trafficking, the national police organized two two-day anti-trafficking training sessions for 32 police officers on victim identification and assistance. In March and April 2016, the national court administration held training for 84 judges and their assistants on communication during court procedures with victims, including children, and in May organized training for 43 judges and their assistants on psychological support to victims and witnesses during court process. In December, the prison department coordinated anti-trafficking training for 29 representatives of detention facilities and probation services, the state border guard service organized a two-day training for 29 state border officials, and the general prosecutor's office organized training for 166 prosecutors and their staff. Prosecutors reported collecting adequate evidence continued to be a problem in proving trafficking cases. Observers reported prosecutors relied on victims' testimony to prove trafficking cases.

PROTECTION

The government increased efforts to assist victims, including almost doubling funding for services. Law enforcement identified 41 victims in 2016, compared with 79 in 2015. Authorities identified fewer child victims: from 18 in 2015 to four in 2016. Government-funded NGOs provided support to 179 trafficking victims and at-risk individuals, including 88 male victims of labor trafficking and trafficking for criminal activities; NGOs assisted 139 victims in 2015. The central government allocated NGOs approximately €81,000 (\$85,353) for victim assistance programs, compared to approximately €43,000 (\$45,311) in 2015. NGOs noted additional funding was necessary to address all needs, such as securing staff salaries and implementing prevention work. The Ministry of Foreign Affairs assisted 11 trafficking victims in obtaining legal documents and providing consultations, and spent €1,360 (\$1,433) in repatriation. Six publicly funded men's crisis centers

had the capacity to provide assistance including finding shelter. Authorities placed child victims in foster homes and mixed-use shelters; although, these facilities were not dedicated exclusively to and may not have provided specialized care for child trafficking victims. In June, authorities established a national support center for sexually abused children in Vilnius. The government had a formal procedure to refer identified victims to care facilities for assistance, although it was underutilized in some parts of the country.

Law enforcement could offer foreign trafficking victims a 30-day reflection period to decide whether to cooperate with law enforcement. Foreign victims cooperating with law enforcement could receive temporary residency. Authorities identified one foreign victim in 2016 and one in 2015. The criminal code requires victims to testify. The law permits authorities to use video conferencing and other technologies in the courtroom, which could prevent re-traumatization of trafficking victims, but courts had limited technical capabilities and preferred traditional testimony to video. The government provided legal representation to victims; however, observers reported the attorneys had little experience with trafficking issues. NGOs often hired private attorneys for victims. Prosecutors noted victims continued to be reluctant to testify, specifically male trafficking victims who were also reluctant to receive NGO assistance. NGOs reported this often happened because traffickers threatened victims as they were entering or exiting the courtroom. Experts noted deficiencies in victim protection during the investigation and the trial process. In most cases in 2016, victims received compensation. Observers reported shortcomings in police identification of trafficking among individuals in prostitution; as a result, authorities subjected sex trafficking victims to administrative sanctions for prostitution and some police officers treated child victims trafficked for criminal activities as criminals rather than victims. Experts noted child protective services lacked knowledge in recognizing indicators of child trafficking.

PREVENTION

The government increased prevention efforts. In August, the government established an interagency commission for coordinating anti-trafficking efforts and approved a national action plan for 2017-2019 with approximately €183,000 (\$192,835) for implementation at national and local levels. The government appointed a national rapporteur for trafficking issues to collect information and report on the status of trafficking and anti-trafficking measures, and provide recommendations to the government for further progress by March 1 each year. A public research institute presented to government institutions, NGOs, and the diplomatic community its research on preventing sham marriages and its nexus to trafficking. The interior ministry continued to publish an annual report covering the government's anti-trafficking law efforts. Following concerns that large orphanages are unable to provide adequate care and prevent risks, including sex trafficking, the government worked to phase out large institutions and increase support for foster care. Public officials participated in NGO-organized prevention activities. Law enforcement authorities raised awareness in the media, and the police advertised and managed an email account that the public could use to report potential human trafficking situations and ask for advice. The government provided anti-trafficking training for its diplomatic personnel. The government continued to fine individuals who contributed to the demand for commercial sexual acts. Labor inspection published on its website information about forced labor and a list of organizations that provide support to labor trafficking victims.

TRAFFICKING PROFILE

Lithuania is a source, transit, and destination country for women and girls subjected to sex trafficking, as well as a source and destination country for men subjected to labor trafficking. Observers estimate 40 percent of identified Lithuanian trafficking victims are women and girls subjected to sex trafficking within the country. Lithuanian women are also subjected to sex trafficking in Western Europe and Scandinavia. Lithuanian children and adults are increasingly forced to engage in criminal activities, such as shoplifting and drug selling, in Nordic countries and Western Europe. Some Lithuanian men are subjected to forced labor, including in agriculture, in Ireland, the United Kingdom, and the United States. Men from neighboring countries, as well as China, may be subjected to labor trafficking in Lithuania. Vietnamese adults and children transiting through Lithuania may be trafficking victims. The approximately 4,000 boys and girls institutionalized in more than 95 orphanages are especially vulnerable to trafficking.