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2023 Trafficking in Persons Report: Lithuania

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, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Lithuania remained on Tier 1. These efforts included investigating more trafficking cases; organizing a series of trainings for child protection specialists on topics including trafficking risks and sexual exploitation; and enacting labor law amendments enabling the State Labor Inspection (SLI) to better regulate the activities and mitigate illegal practices, such as labor trafficking, of temporary employment agencies. Additionally, SLI created 10 new inspector positions, trained inspectors on labor trafficking among foreign workers, established a specialized group of inspectors in Kaunas to coordinate with police and NGOs on trafficking issues, and conducted 83 inspections in agriculture, construction, and other at-risk sectors. In response to the influx of refugees fleeing Russia's full-scale invasion of Ukraine and arriving in Lithuania, the police formed an anti-trafficking working group, appointed coordinators in registration centers, employed and trained 14 Ukrainians to register incoming refugees, and compiled a list of most vulnerable refugees for authorities to reference. Although the government meets the minimum standards, courts convicted fewer traffickers. In addition, authorities identified fewer victims, lacked the skills to proactively identify and screen for trafficking indicators among vulnerable populations, such as children and migrants, and inconsistently implemented victim identification and referral mechanisms throughout the country, especially in rural areas. Moreover, victim identification data did not provide a comprehensive picture of the trafficking situation.

PRIORITIZED RECOMMENDATIONS:

- Increase efforts to prosecute and convict traffickers under the trafficking statute.
- Enhance efforts to proactively identify victims, particularly among vulnerable groups, such as children, individuals in commercial sex, migrants, and refugees.
- Develop specific guidelines for identifying and screening among vulnerable populations and conduct joint trainings for relevant authorities, such as law enforcement and labor inspectors, on implementation.
- Implement formal victim identification and referral mechanisms for victim assistance throughout the country, especially in rural areas.
- Improve the data collection system across all government agencies to capture more accurately comprehensive information, including the number of identified victims.
- Strengthen procedures on how to protect victims from threats and re-victimization during investigations and prosecutions.
- Develop, adopt, and implement a new NAP.
- Train investigators and prosecutors on a victim-centered approach and building cases, including collecting evidence to substantiate charges.
- Provide knowledgeable legal counsel for victims assisting prosecutions.
- Appoint a national rapporteur, who is independent from the Ministry of Interior, to monitor and assess the government's actions and lead anti-trafficking efforts.

PROSECUTION

The government maintained law enforcement efforts. Articles 147 and 157 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties ranging from two to 12 years' imprisonment, which were sufficiently stringent and, with regard to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. In 2022, authorities investigated 12 trafficking cases (four sex trafficking, three labor trafficking, and five unspecified), an increase from seven in 2021. Authorities prosecuted two traffickers, compared with one in 2021. Courts convicted 16 traffickers, a significant decrease from 30 in 2021 but similar to prior years (16 in 2020, 12 in 2019). Courts issued the vast majority of convicted traffickers sentences with prison terms ranging from one to 10 years; courts issued one trafficker only a fine. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking crimes. Lithuanian authorities cooperated with their foreign counterparts

on 20 international investigations and one extradition. The government reported prosecuting criminal acts, including trafficking, that occurred outside Lithuania and obtaining evidence from abroad involved a lengthy and complicated process. A police officer served as a special attaché for international cooperation in the Lithuanian embassy in the United Kingdom (UK) to assist in international criminal investigations, including by ensuring cooperation in preventing, investigating, and solving trafficking crimes involving Lithuanian citizens in Great Britain and Northern Ireland.

The Lithuanian Criminal Police Bureau and the General Prosecutor's Office were responsible for investigating and prosecuting trafficking crimes. Neither the police nor the prosecutor's office had specialized trafficking units. However, the prosecutor's office had 10 specialized prosecutors who worked throughout Lithuania investigating trafficking crimes, among others. Government officials reported collecting adequate evidence remained a problem in prosecuting trafficking cases, particularly since trafficking activity recently shifted online to methods that did not include physical coercion. According to NGOs, police often started but eventually terminated investigations, especially in rural areas, because they lacked the skills or experience to substantiate charges against some suspects. Observers noted, in general, police lacked a sensitive, victim-oriented approach to trafficking cases. In 2022, the government provided a range of trafficking-related trainings for police, border guards, and judges on various topics, including understanding the psycho-social and psychological aspects of trafficking and working on trafficking cases. The MOI and the General Prosecutor's Office maintained an anti-trafficking online training platform, including topics on identifying indicators and victims, understanding risk factors, conducting investigations, collecting evidence, assisting and protecting victims, and compensation, for police, judges, and medical and social workers.

PROTECTION

The government decreased protection efforts. Authorities identified 16 trafficking victims (eight sex trafficking, five labor trafficking, three unspecified), a decrease from 26 in 2021 and 24 in 2020 and marking the fewest number of identified victims in a decade. Authorities noted one ongoing investigation involving several victims identified in 2021 led to the notable decrease in victim identification numbers over the past two reporting periods. Of the 16 identified victims, notably, three were children, and one was a person with disabilities. By comparison, NGOs identified 183 potential victims – 42 sex trafficking, 78 labor trafficking, and 63 unspecified. NGO statistics included individuals with any presumed element of trafficking before police determined the circumstances of the crime. Unspecified statistics included victims of forced marriage or other crimes classified as trafficking under Lithuanian law. As in previous years, experts expressed concern the data collected

across government agencies was inconsistent, due to a lack of coordination among various institutions, and did not provide a comprehensive picture of the trafficking situation. Authorities applied formal written recommendations for victim identification. According to NGOs, the recommendations did not always work effectively in practice and lacked best practices for how to interview victims, especially children. Furthermore, observers reported authorities in rural regions underutilized the recommendations and had less experience identifying victims. Additionally, the recommendations did not include guidelines on identifying vulnerable migrants and refugees. Therefore, the State Border Guard Service followed its written procedures to identify vulnerabilities among foreign nationals and migrants. Similar to previous years, NGOs noted authorities lacked the skills and experience required to conduct screening for trafficking among migrants and other vulnerable groups, including individuals in commercial sex.

The government maintained a formal referral mechanism between the police and NGOs to refer victims to NGO care facilities. Care facilities provided short or long-term assistance, such as health care, psychological and social counseling, and shelter, to trafficking victims. Lithuanian law entitled all victims of all crimes, including trafficking, to receive assistance before, during, and, if necessary, after criminal proceedings. Lithuanian law also entitled all crime victims, including trafficking victims, access to assistance, including counseling, regardless of whether victims sought assistance from or reported the crime to law enforcement. The government allocated €300,000 (\$320,510) to NGOs for victim assistance, the same as in 2021. Government-funded NGOs supported 183 trafficking victims, compared with 247 in 2021. This number included “at risk” individuals and identified victims from previous years who continued to receive assistance. Authorities placed Lithuanian female trafficking victims in municipal and NGO-facilitated shelters for domestic violence victims and had the option to place foreign victims at a refugee reception center in Rukla. Five crisis centers provided specialized assistance to male victims, including finding accommodations. Authorities could place child victims in foster care homes or mixed-use shelters, as there were no shelters specifically for child trafficking victims. Child sexual abuse victims, including trafficking victims, could seek assistance in the government-operated national support center in Vilnius. According to observers, child protective services struggled to identify child victims and refer them to care, especially in rural areas. In 2022, child protective services (CPS) organized a series of trainings for child rights protection specialists, case managers, representatives from childcare homes, police, and district court psychologists on recognizing trafficking and providing assistance. Additionally, CPS organized training for child protection specialists on providing care to migrant children, including the risks of trafficking and sexual exploitation. In 2022, as part of an EU project with the National Education Agency, a book for educational institutions on preventing trafficking was published with information on identifying

students among vulnerable groups and responding to cases. The government continued to slowly convert large childcare institutions into community homes to increase quality of care and decrease vulnerability. In 2022, 1,350 children remained in state childcare institutions. Foreign trafficking victims had the same access to care as Lithuanian victims. Legislation allowed foreign victims a 30-day reflection period to decide whether to cooperate with law enforcement; foreign victims cooperating with law enforcement could receive temporary residency.

The absence of clear policy on how victims would be adequately protected and law enforcement's shortcomings in this area contributed to victims' reluctance to assist in cases. NGOs noted traffickers sometimes threatened victims to intimidate them into not cooperating with the authorities. According to NGOs, police still did not utilize a victim-centered approach, contributing to a lack of trust on the part of victims toward officers. To address some deficiencies, courts frequently allowed victims to testify remotely and appoint individuals to serve as their representatives so their rights were defended without having to participate directly in court proceedings. In 2022, all 16 identified victims cooperated with law enforcement. Although the government provided legal representation to victims, observers reported attorneys had little experience with trafficking issues; as a result, NGOs often hired private attorneys for victims. Lithuanian law entitled trafficking victims to apply for financial compensation from their traffickers. In most cases, courts ordered restitution, and it was awarded. In 2022, courts paid approximately €56,000 (\$59,830) for non-material damages to victims.

PREVENTION

The government increased prevention efforts. The Anti-Trafficking Coordination Commission, the lead coordinating body for anti-trafficking efforts, provided government institutions and NGOs with anti-trafficking guidance and training. Experts noted not all institutions were active in anti-trafficking activities and the commission was ineffective in developing and streamlining cooperation between agencies and other stakeholders. Observers noted the need for an independent advocate, such as a national rapporteur, for trafficking victims to actively monitor and assess the government's actions to combat trafficking and assist in coordinating the drafting and implementation of the NAP. In 2022, the government continued to implement the NAP, until it expired at the end of the year, and allocated approximately €400,000 (\$427,350) toward its implementation, including €300,000 (\$320,510) for victim assistance. The MOI began developing a new NAP in consultation with local agencies and NGOs. The government participated in a range of awareness-raising activities, including a program on labor trafficking for the Lithuanian community in the UK. The program included training on recognizing indicators and reporting suspected cases. Additionally, the MOI published

guidance on its website for journalists on how to report trafficking cases and avoid stereotypes, such as including sexually explicit images and photographs reinforcing misperceptions and myths about trafficking. The government funded an NGO-led, 24-hour national hotline to assist trafficking victims; in 2022, the hotline received 70 trafficking-related calls, one of which led to an investigation. The government did not make efforts to reduce the demand for commercial sex acts.

In 2022, approximately 300 temporary employment agencies operated in Lithuania, which, according to experts, was significantly too many for the country. To enable the SLI to better supervise the activities of these agencies and mitigate illegal practices, such as exploitation including labor trafficking, the government entered into force amendments to the labor law requiring temporary employment agencies to provide monthly employment information to the SLI, including the number of temporary workers, and employ temporary workers for at least three consecutive months. Lithuanian law also prohibited worker-paid recruitment fees. However, experts noted, in practice, some employers required employees, especially third country nationals, to pay recruitment fees. Labor inspectors investigated the use of such fees when conducting workplace inspections. In 2022, SLI created 10 new inspector positions with the plan to establish 30 more in 2023 and, in conjunction with police, conducted 83 inspections in agriculture, construction, and other at-risk sectors. SLI, the Migration Department, and the Employment Service trained inspectors on labor trafficking risks among foreign workers. Additionally, SLI maintained a specialized group of inspectors in Vilnius to analyze labor trafficking cases, collect information, and forward evidence to police and, in 2022, established an equivalent group of inspectors in Kaunas to coordinate with police and NGOs on trafficking issues. To further prevent labor trafficking among foreign nationals, SLI provided information in four languages on identifying illegal work and trafficking through its website.

In recent years, Lithuanian asylum and reception systems had been overwhelmed with an influx of asylum seekers and refugees fleeing Belarus and Ukraine. In response to the surge of refugees fleeing Russia's war against Ukraine, the government immediately mobilized efforts to help refugees and raise awareness about the trafficking risks. In 2022, SLI cooperated with the Ukrainian State Labor Service to prepare and publish information on employment opportunities, defending worker rights, and preventing labor trafficking. In addition, SLI carried out monitoring of Ukrainian refugees working in Lithuania and checked for cases of labor trafficking. The General Commissioner of the Lithuanian police formed an anti-trafficking working group. Police appointed coordinators in registration centers and employed and trained 14 Ukrainians to register incoming refugees and raise awareness about trafficking. Additionally, police developed a questionnaire in four languages for refugees at risk of trafficking and compiled a list of refugees most vulnerable for authorities

to reference. Lithuania also experienced a surge in irregular migration flows, which the Lukashenka regime facilitated, across the border with Belarus. As of August, the government continued to hold in detention centers approximately 1,500 of the more than 4,500 migrants smuggled into the country from Belarus with the intention of disrupting Lithuanian-EU relations. International institutions criticized the detention practices and treatment of migrants and, in 2022, an international organization published a report alleging poor conditions in migration centers and documenting human rights violations, including violent pushbacks at the border with Belarus, a practice that potentially increased a person's vulnerability to trafficking, exacerbated distrust of foreign officials, and disallowed for the reporting of any exploitation experienced. To raise awareness on trafficking risks, the State Border Guard Service (SBGS) circulated recommendations to its units to help identify victims among migrants and provide information on available resources to assist them. The Ministry of Social Security and Labor conducted vulnerability assessments of migrants, and SBGS worked with NGOs to identify potential vulnerable persons. SBGS did not identify victims among this group in 2022.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic and foreign victims in Lithuania, and traffickers exploit victims from Lithuania abroad. In recent years, traffickers have shifted recruitment methods from in-person to online settings, mainly through social media, hindering authorities' ability to locate victims and identify traffickers. Traffickers exploit Lithuanian men and boys in criminal activities, such as shoplifting, and Lithuanian women and children in commercial sex in Scandinavia and Western Europe. NGOs note traffickers continue to exploit women and girls in sex trafficking within the country. Law enforcement and NGOs report the majority of trafficking cases involve Lithuanian victims and occur within Lithuania. Experts expressed concern that individuals with intellectual disabilities, psychological conditions, and/or alcohol or drug addiction are particularly vulnerable to trafficking. Many adult and teenage victims are survivors of sexual abuse and/or violence or grow up in orphanages, placing them at greater risk for trafficking. Traffickers also target the unemployed or individuals from low-income and at-risk families. Authorities report women are recruited for brokered marriages abroad; these women are vulnerable to sex trafficking, domestic servitude, and forced labor. Reports indicate the exploitation of foreign workers from Ukraine, Russia, and Belarus. Foreign workers are at risk of labor trafficking in the transport, service, manufacturing, hospitality, agriculture, and construction sectors. The 1,350 children institutionalized in childcare institutions are vulnerable to trafficking. As a result of the Lukashenka regime facilitating irregular migration flows across the Lithuania-Belarus border, thousands of migrants from Africa, Asia, and the Middle East

remain detained near the border and vulnerable to trafficking. Separately, foreign nationals and Ukrainian refugees, predominantly women and children, who are fleeing Russia's full-scale invasion of Ukraine and seeking sanctuary in Lithuania, are highly vulnerable to trafficking.

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