



PARLIAMENTARY
OMBUDSPERSONS
OF LITHUANIA

SEIMAS OMBUDSPERSONS' OFFICE'S RESPONSE TO THE SECURITIZATION OF MIGRATION IN LITHUANIA (summer 2021 – now)

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MANDATES OF SEIMAS OMBUDSPERSON'S OFFICE

1

Investigation of complaints from individuals about violations of right to good administration

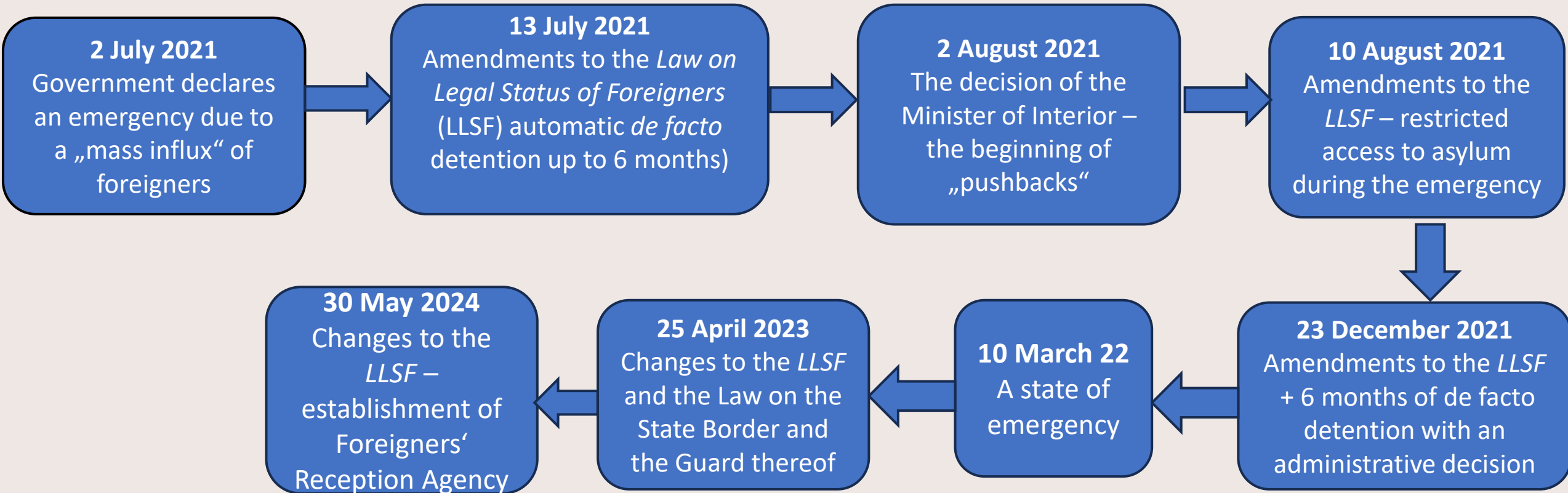
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National Human Rights Institution

3

National Preventive Mechanism

THE RESPONSE OF THE STATE TO THE SITUATION AT THE LITHUANIA-BELARUS BORDER



NPM visits to temporary detention facilities for irregular migrants

Visits to the places of temporary accommodation of foreigners, 2021

- 17 *ad hoc* camps where foreigners who irregularly crossed the Lithuanian-Belarusian border in the summer of 2021 were detained (until October, 2021);
- Degrading accommodation conditions; overcrowding; no hot meals; lack of information on their status, reasons for detention, etc.

Inspection at Kybartai center, 2021-2022

- Kybartai Centre was located in the premises of a former correctional facility where all previous prison infrastructure was in place;
- Shortcomings regarding accommodation conditions, information on their status and legal aid, lack of medical aid were detected;
- *De facto* detention.

Inspection at Medininkai center, 2022

- *De facto* detention;
- Non adequate material conditions;
- A decision was made to close the Medininkai relocating all foreigners residing there to other centres.

Increased number of complaints against the Migration Department and own initiatives

2022: investigation of complaints about the decisions of the Migration Department to refuse to accept the applicants' applications for asylum because they were not submitted without a delay to the authorities.

2023: examination of applications for asylum within time limits set by law; improper registration of asylum applications; not providing the clear information for the foreigners on the procedures.

2023: investigation regarding the „temporary accommodation“ of migrants during the emergency situation without adopting any administrative decision



OMBUDSPER SON'S POSITIONS TO THE LEGISLATOR

Position opposing the push-back practice as it is not compatible with EU and international obligations and deny the right to asylum.

Position regarding the amendments of law in order to implement *M. A. v Lithuania* (C-72/22 PPU) decision

Position regarding the establishment of institution ensuring the acceptance of asylum seekers

Position criticizing initiatives to remove possibility for asylum seekers to obtain legal aid in appellate proceedings in asylum cases

INTERVENTIONS BEFORE NATIONAL AND SUPRANATIONAL COURTS DEALING WITH MIGRATION CASES

Written opinion to the Constitutional Court regarding temporary „accommodation“ of migrants

Third party intervention in ECHR case *S.M.H. v. Lithuania* (Application no. 27915/22)

Another third party intervention in the case of *C.O.C.G. and others v. Lithuania* (Grand Chamber) is under consideration

OTHER INITIATIVES

Establishing contacts and avenues to exchange information with the UNHCR, Lithuanian Red Cross, organizations providing humanitarian aid to irregular migrants at the border.

Participating in interinstitutional meetings where questions relating to vulnerability assessment algorithm, prevention of sexual abuse in migrant detention facilities, lack of possibility to open a bank account etc. were discussed.

Participation in public discussions on the rights of asylum seekers and other migrants, initiating the discussions with the society in the framework of annual National Human Rights Forum “Lithuania’s openness to refugees: lessons (not) learned”.





**Thank you for your
attention!**