**02-02-2023**

**Information provided by the Republic of Lithuania to the Special Rapporteur’s on the human rights of migrants questionnaire on “How to expand and diversify regularization mechanisms and programs to enhance the protection of the human rights of migrants”.**

1. The Republic of Lithuania agrees that regularization facilitates the enjoyment of human rights of migrants although in our opinion regularization processes should be used only in very exceptional situations after the evaluation of situation and only when the migrant is in irregular situation due to the circumstances beyond his/her control.
2. Pursuant to Article 132 of the Law on the Legal Status of Aliens, if an illegally staying in Lithuania migrant for 1 year cannot be returned (due to objective circumstances or if he needs necessary medical assistance or etc.) he/she is issued a temporary residence permit valid for 1 year and he/she has the right to work (in the case of a foreigner who arrived in Lithuania during a state of war, a state of emergency or an emergency situation due to a mass influx of foreigners, such a permit would be issued after 5 years (Article 14022  of the Law on the Legal Status of Aliens).
3. Lithuania has regularization mechanisms based on humanitarian grounds.

In Lithuania, the [Law on Legal Status of Foreigners](https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/ac2cfa50b06f11ecaf79c2120caf5094?jfwid=) creates grounds for authorities to grant foreigners a residence permit on humanitarian bases after evaluating individual migrant circumstances. Additionally, the Law establishes a mechanism that recognizes cases for tolerated stay. Therefore, when migrants, while not qualifying for refugee status, are unable to leave Lithuania through no fault of their own, authorities grant them a tolerated stay.

1. The Government of Lithuania wants to realize migration potential by attracting migrants that contribute to Lithuanian society. According to the Minister of Economy and Innovation, Lithuania [needs](https://eimin.lrv.lt/lt/naujienos/lietuva-kompensuos-trukstamu-aukstos-kvalifikacijos-darbuotoju-pritraukimo-islaidas) highly qualified talents. Therefore, in Lithuania, migration is linked to the growth of the country's economy and new investment opportunities. As a result, the government actively searches for avenues to allow migrants to find work in the Lithuanian economy.

The statistics also paint a picture of migrants finding employment in Lithuania. In 2021, 39,094 foreigners with a temporary residence permit or national visa [were living](https://migracija.lrv.lt/uploads/migracija/documents/files/2021%20m_%20migracijos%20metra%C5%A1tis_skelbimui%283%29.pdf) in Lithuania on employment grounds - this was a 20 % increase from 2020. More specifically, in 2021, Belarus nationals especially stand out because of their contribution to Lithuanian society. Due to the political repressions of the Alexander Lukashenko regime, a significant portion of highly qualified Belarusians in the past years came to Lithuania. For instance, in 2021, Migration Department [recorded](https://migracija.lrv.lt/lt/naujienos/tarptautine-migrantu-diena-esame-kartu-su-lietuvoje-gyvenanciais-baltarusiais) an increase of about 900 specialists who came to Lithuania along with Belarusian companies that relocated their business. During that year, these companies [paid](https://www.eesc.lt/wp-content/uploads/2022/10/EESC-tyrimas-Migracija-is%CC%8C-Baltarusijos-ir-imigrantu%CC%A8-ekonomine%CC%87-socialine%CC%87-ir-politine%CC%87-integracija-Lietuvoje.pdf) approx. 20 million EUR in employment-related taxes. Preliminary estimates put the equivalent employment-related taxes at around 70 million EUR in 2022. Similarly, according to public surveys, about 70 percent of Belarusian nationals living in Lithuania [have](https://www.eesc.lt/wp-content/uploads/2022/10/EESC-tyrimas-Migracija-is%CC%8C-Baltarusijos-ir-imigrantu%CC%A8-ekonomine%CC%87-socialine%CC%87-ir-politine%CC%87-integracija-Lietuvoje.pdf) a permanent source of income. These facts allow to conclude that nationals from the Belarus Republic contribute to Lithuanian economy.

In the context of the war in Ukraine, as almost 73,000 Ukrainian nationals found refuge in Lithuania based on data from 9 January 2023, the economic contribution aspect resurfaced again. In December 2022, the Ministry of Social Security and Labour [reported](https://socmin.lrv.lt/lt/naujienos/lietuvoje-dirbantys-ukrainieciai-per-menesi-sumoka-apie-5-mln-euru-mokesciu) that approx. 21,000 Ukrainians are employed, with most of them – 75 % - working in jobs requiring medium/high qualifications. Authorities [estimated](https://socmin.lrv.lt/lt/naujienos/lietuvoje-dirbantys-ukrainieciai-per-menesi-sumoka-apie-5-mln-euru-mokesciu) that employed Ukrainians contribute to the Lithuanian economy by paying about 5 million EUR per month in taxes.

As Ukrainian and Belarusian nationals continue to create added value in Lithuania, the Government searches for effective measures to allow them to enter the Lithuanian labour market. The current success of Lithuanian initiatives is [highlighted](https://socmin.lrv.lt/lt/naujienos/europos-komisija-lietuvai-geriausiai-es-sekasi-idarbinti-ukrainiecius) by the European Commission, which named Lithuania as one of the leading Member States in terms of integrating Ukrainian nationals into the labour market. Therefore, Lithuania sees migration as a process that benefits all, while authorities attempt to reap migration upside by providing migrants, especially those from Eastern Europe, with conditions allowing to integrate into Lithuanian labour market.

1. No information available.
2. Taking into account the quarantine regime declared in Lithuania due to the COVID-19 pandemic, foreigners whose period of legal stay in Lithuania expired when Lithuania introduced quarantine (from 16 March 2020 to 16 August 2020) and who were unable to leave Lithuania on time through no fault of their own, as well as those in respect of whom a return decision had been taken, but the period of voluntary departure expired during quarantine, were granted a tolerance period of 2 months, counting from the end of quarantine. During the period of tolerance, no return decisions were taken and no administrative liability for illegal stay was imposed in respect of the said foreigners who were unable to leave Lithuania on time through no fault of their own
3. No information available.