UNHCR
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: *Fourth Cycle, 54th Session*

Lithuania

I. BACKGROUND INFORMATION

Lithuania is a State Party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* (hereinafter referred to jointly as the *1951 Convention*) since 1997. Lithuania also became a Party to the *1954 Convention relating to the Status of Stateless Persons* (hereinafter referred to as the *1954 Convention*) and the *1961 Convention on the Reduction of Statelessness* (hereinafter referred to as the *1961 Convention*) in 2000 and 2013, respectively. Lithuania is also a Party to key international human rights conventions, including the European Convention on Human Rights and Fundamental Freedoms.

Lithuania's Law on the Legal Status of Foreigners (hereinafter referred to as the Law on Foreigners)[1] provides for two types of legal status afforded to beneficiaries of international protection – refugee status and subsidiary protection. The latter is *inter alia* granted to persons who may face indiscriminate violence in situations of armed conflict occurring in their country of origin. The Law also includes provisions on temporary protection based on the EU Temporary Protection Directive.[2] The Ministry of the Interior (MOI) and the Ministry of Social Security and Labor (MSSL) are responsible for developing and implementing asylum policies. The Migration Department at the MOI is the central asylum authority responsible for the determination of asylum claims. Lithuania is currently reviewing its legal framework and administrative provisions with a view to implementing the EU Pact on Migration and Asylum (EU Pact).

As of 1 January 2026, Lithuania had registered 56,685 forcibly displaced and stateless persons, including more than 54,000 refugees, 162 asylum-seekers and 2,143 stateless persons. The majority of refugees are people who fled Ukraine and received temporary protection in Lithuania – over 51,000. Most refugees from Ukraine are women and children.

Lithuania previously received a relatively low number of asylum-seekers.[3] The situation drastically changed in 2021 when 4,259 persons applied for asylum in Lithuania in one year, of which some 28% were women and girls. In 2022, the number of asylum applications decreased to 1,051 persons. This trend continued into 2023 and 2024 when respectively 575 and 362 asylum applications were registered by Lithuanian authorities. In 2025, 381 asylum applications were lodged in the country.[4]

[1] The consolidated version in Lithuanian is available at: https://e-tar.lt/portal/lt/legalAct/TAR.42837E5A79DD/asr.
[2] European Union: Council of the European Union, *Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting a Balance of Efforts Between Member States in Receiving such Persons and Bearing the Consequences Thereof*, OJ L.212/12-212/23; 7.8.2001, 2001/55/EC, 7 August 2001, https://www.refworld.org/legal/reglegislation/council/2001/17729.
[3] A total of 423 persons applied for asylum in 2018, 646 in 2019, and 331 in 2020 - Migration Department under the Ministry of the Interior of the Republic of Lithuania ("Migration Department"), *Migration Yearbook 2022*, https://bit.ly/3JH7NyN.
[4] Migration Department, *Migration Yearbook 2025*, https://migracija.lrv.lt/lt/statistika/migracijos-metrasciai/.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

Linked to 3rd cycle UPR Recommendations

- ***No. 137.137:*** *"Continue progressing in strengthening the framework for the protection of migrants and refugees and improving the infrastructure and services related to their reception, accommodation and integration (Tunisia)";*
- ***No. 137.138:*** *"Continue its excellent efforts in developing the reception system for asylum seekers to ensure that accommodation capacity, support and services are sufficient to respond effectively to large numbers of unexpected arrivals, in particular with regard to the registration, referral to the competent authorities and prompt processing of applications for international protection (Luxembourg)"; and*
- ***No. 138.85:*** *"Improve asylum and refugee reception procedures, to ensure an effective humanitarian response in dealing with migrants and asylum seekers (Iraq)".*

Since 2023, Lithuania has undertaken systematic efforts to reform its reception system to enhance the quality of reception conditions and services for asylum-seekers and to expand its accommodation capacity. The Government has created the Reception and Integration Agency with specific competence and responsibility in reception matters. It currently manages three reception facilities, conducts vulnerability assessments, and provides material support and services to asylum-seekers and refugees, including those staying in host communities. The Reception and Integration Agency has been tasked with contingency planning to respond effectively to increased arrivals. It will also play an essential role in implementing the EU Pact, notably by conducting vulnerability checks and providing initial reception support upon arrival and ensuring reception conditions for asylum-seekers, including those with specific needs throughout the procedures. UNHCR has welcomed the reform[5] and supported the agency with protection monitoring, advice, and competence development activities.

The Government should be commended for the efforts undertaken to ensure the protection and assistance of Ukrainian refugees following Russia's full-scale invasion in February 2022. Most refugees from Ukraine have been granted temporary protection, issued residence permits, included in the labour market and provided access to the mainstream social support and education systems on an equal footing with nationals.

III. KEY RECOMMENDATIONS FOR FURTHER IMPROVEMENT

Issue 1: <u>Access to territory and asylum</u>

UNHCR notes that the emergency declared by the Lithuanian Government on 2 July 2021[6] in response to an increase in irregular arrivals via Belarus is still in force. Emergency provisions, introduced through a series of legislative amendments and administrative instructions, continue to prevent most asylum-seekers who arrive irregularly from entering the territory and lodging their asylum applications. The Law on the State Border[7] authorizes the denial of admission to those crossing the border irregularly in the event of a declared emergency. The legislative provisions require such measures to be applied on an individual basis and to grant exceptions for applicants in need of humanitarian admission. However, these exceptions have

[5] UN High Commissioner for Refugees (UNHCR), *UNHCR observations on the draft Amendments to the Law of the Republic of Lithuania on Legal Status of Foreigners (XIVP-2797)*, 6 September 2023, page 2, https://www.refworld.org/legal/natlegcomments/unhcr/2023/124341.

[6] Government of the Republic of Lithuania, *Resolution No 517 of the Government of the Republic of Lithuania of 2 July 2021 On the Declaration of the Extraordinary Situation and the Appointment of the Head of State-Level Emergency Operations*, 2 July 2021, TAR, 30/07/2021, No15235, available at: https://bit.ly/3taBHCL.

[7] Seimas of the Republic of Lithuania, *Law amending Articles 1, 2, 4, 10, 11, 14, 15, 16, 18, 23, 26 of Law No VIII-1666 on the State Border and the Guard thereof and supplementing the Law with Article 23-1 and Section IX, No. XIV-1891*, 25 April 2023, https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/ff701250e35a11eda305cb3bdf2af4d8?jfwid=anhhay229.

been applied in a limited number of cases only, if compared to the total number of persons denied entry. According to official data, 25,348 instances of non-admission have been recorded since 3 August 2021 (8,106 instances in 2021, 11,211 in 2022, 2,643 in 2023, 1,002 in 2024, 1,652 in 2025 and 724 in 2026 (as of 21 May)).[8] During the same period, less than 650 persons have been provided entry on a humanitarian basis.[9] Most of them (495 persons) were admitted in 2021 and 2022, while in recent years humanitarian admissions have been allowed only exceptionally.

While acknowledging the challenges faced by Lithuania and recalling that the instrumentalization of migrants and refugees has been condemned by UNHCR, UNHCR has expressed concerns that the emergency legislation may lead to individuals not being granted access to territory and the right to seek asylum.[10] Several UN Treaty Bodies have also expressed concerns about practices of non-admission of asylum-seekers, highlighting the need for compliance with international standards.[11] When assessing the Lithuanian emergency legislation in light of EU law, the Court of Justice of the European Union underlined that any third-country national or stateless person has the right to make an application for international protection on the territory, including at the borders, irrespective of the mode of arrival.[12]

Implementing the EU Pact presents an opportunity for Lithuania to develop border management practices which can respond effectively to existing and new challenges, while upholding key refugee protection safeguards, including access to the territory and asylum. For this reason, the emergency legislation needs to be revised, bringing it in full compliance with applicable international and EU standards.

Recommendation:

UNHCR recommends that the Government of Lithuania:

- Revise legislation governing border controls to ensure that all asylum-seekers, irrespective of their mode of entry, have effective access to asylum procedures and the right to remain on the territory pending the final decision on their asylum application; and to put in place mechanisms for addressing situations of pressure at the borders that uphold the right to seek asylum, in line with the international and European law.

Issue 2: <u>Effective family reunification arrangements</u>

[8] State Border Guard Service, *Statistics on illegal migrants refused entry*, 21 May 2026: https://vsat.lrv.lt/lt/naujienos/neileistu-neteisetu-migrantu-statistika/. https://vsat.lrv.lt/lt/naujienos/neileistu-neteisetu-migrantu-statistika/

[9] Official Statistics Portal Lithuania, *Monitoring of illegal migration:* https://osp.stat.gov.lt/neteiseta-migracija-dashboard.

[10] UNHCR, *Acknowledging the extraordinary situation in Lithuania, UNHCR raises concerns about legislative response and accommodation conditions,* 11 October 2021: https://www.unhcr.org/nordic-and-baltic/news/acknowledging-extraordinary-situation-lithuania-unhcr-raises-concerns-about; UNHCR, *Statement on Amendments of State Border Law of Lithuania*, 28 April 2023: https://www.unhcr.org/nordic-and-baltic/news/unhcr-statement-amendments-state-border-law-lithuania.

[11] The UN Committee Against Torture, *Concluding observations on the 4th periodic report of Lithuania*, 21 December 2021, paras 11(f) and 12(g): https://digitallibrary.un.org/record/3954251?v=pdf; UN Committee on the Rights of the Child, *Concluding observations on the combined fifth and sixth periodic reports of Lithuania*, CRC/C/LTU/CO/5-6, 7 March 2024, paras 43(b) and 44(b): https://docs.un.org/en/CRC/C/LTU/CO/5-6; the UN Committee on Economic, Social and Cultural Rights, *Concluding observations on the 3rd periodic report of Lithuania, 30 March 2023*, para. 14(a): https://digitallibrary.un.org/record/4007675.

[12] Court of Justice of the European Union, First Chamber, C-72/22 PPU, 30 June 2022, para. 58: EUR-Lex - 62022CJ0072 - EN - EUR-Lex.

When people flee persecution and other serious harm, they are often separated from their family members. Being reunited with those who have remained behind or have been otherwise separated is one of the most pressing concerns of refugees.[13]

UNHCR has observed improvements in the family reunification procedures in Lithuania. In line with Lithuania's pledges at the Global Refugee Forum, the Law on Foreigners has been amended to extend the deadline to apply for family reunification in cases involving refugees and beneficiaries of subsidiary protection.[14] Based on the revised legislation, where the application is submitted within the time-limit of six months following the grant of international protection, families are exempted from the general requirements to provide evidence of accommodation, medical insurance and stable resources. Moreover, the possibility to submit an application for a family reunification-related residence permit with an external service provider abroad alongside financial support to cover some family reunification-related costs has facilitated family reunification.

Notwithstanding these positive developments, UNHCR considers that additional efforts may be required to address remaining legal and practical obstacles. In particular, the definition of family, as set out in the Law on Foreigners, continues to be limited to the nuclear family narrowing possibilities for other close family members to reunite. In UNHCR's view, it is important that there is scope to grant family reunification to other close family members beyond the nuclear family based on material, physical, health-related, emotional or economic ties or other dependency factors.[15]

Moreover, while it is an international legal standard that beneficiaries of international protection should benefit from a more favorable family reunification regime than other foreigners[16], in Lithuania, refugees and beneficiaries of subsidiary protection are not exempted from the general requirement to provide official documentary evidence of the family relationship. This may make access to family reunification excessively difficult or even impossible for refugees who may not obtain official documentation for objective reasons.

UNHCR invites Lithuania to apply the timeline for submitting family reunification applications, as outlined above, in a flexible manner, accounting for practical obstacles. In UNHCR's view, no strict time limits should be applied to refugees to exempt them from the general requirements for family reunification.[17]

Recommendations:

UNHCR recommends that the Government of Lithuania:

- Extend the right to family reunification to include additional family members beyond the nuclear family, who are dependent on each other;
- Exempt refugees from the general requirement to provide official documentary evidence of the family relationship, where refugees and beneficiaries of subsidiary protection may not obtain official documentation for objective reasons; and

[13] UN High Commissioner for Refugees (UNHCR), *UNHCR Guidelines on international legal standards relating to family reunification for refugees and other beneficiaries of international protection*, December 2024, paras 1 and 2, https://www.refworld.org/policy/legalguidance/unhcr/2024/149243.
[14] At the Global Refugee Forum, the Government of Lithuania has pledged to extend the deadline for submitting an application for family reunification, https://globalcompactrefugees.org/pledges-contributions.
[15] Supra note 15, para. 17https://www.refworld.org/policy/legalguidance/unhcr/2024/149243.
[16] Supra note 15, para. 15. See also European Union: Council of the European Union, *Council Directive 2003/86/EC of 22 September 2003 on the Right to Family Reunification*, OJ L. 251/12-251/18; 3.10.2003, 2003/86/EC, 3 October 2003, recital 8, https://www.refworld.org/legal/reglegislation/council/2003/3656.
[17] Supra note 14, para. 28.

- Refrain from applying strict time-limits for submitting family reunification applications linked to the exemption from the general requirements to provide evidence of accommodation, medical insurance and stable and regular resources.

Issue 3: <u>Prevention of statelessness and stateless persons' access to rights</u>

As observed by UNHCR in its submission in the third UPR cycle, Lithuania has implemented several initiatives aimed at reducing statelessness in line with its pledges at the High-Level Segment on statelessness[18], including a campaign to provide individual counselling on access to citizenship procedures.[19] As a result, the number of documented stateless persons staying in the country has steadily been decreasing. Based on the official data, 2,143 stateless persons resided in Lithuania on 1 January 2026.[20]

Despite this positive trend, UNHCR's previous recommendations remain relevant. In particular, the current legislative framework on automatic access to citizenship does not cover children born to parents who are unable to transmit their nationality, including due to conflicts of nationality laws. While such children may still apply for Lithuanian citizenship after five years of continuous lawful residence, the procedure remains discretionary in nature and subject to conditions broader than those permitted under Article 1 (2) of the *1961 Convention*.

Considering that the risk of leaving certain children stateless remains, UNHCR recommends strengthening safeguards in the Law on Citizenship by providing for the automatic acquisition of Lithuanian nationality at birth for children born in Lithuania who would otherwise be stateless[21] and by removing the lawful residence requirement. These measures would ensure fuller compliance with the *1961 Convention* and the *Convention on the Rights of the Child*.

Furthermore, with a view to ensuring access to the rights guaranteed to stateless persons under the *1954 Convention*, UNHCR recommends establishing a dedicated statelessness determination procedure. A dedicated determination procedure would allow competent authorities to identify stateless persons, leading to a legal status that permits residence, enjoyment of human rights and facilitated naturalization. Such efforts could be further supported by Lithuania's implementation of the EU Pact, in particular the requirement for Member States to conduct preliminary vulnerability checks during the screening process for new arrivals, including with a view to identifying indications of statelessness.[22]

UNHCR welcomes the existing provision in Lithuanian law granting stateless persons born in Lithuania access to a reduced residency requirement for naturalization, which constitutes an important safeguard against statelessness and promotes their integration. Building on this positive approach, UNHCR recalls its earlier recommendation to Lithuania to consider reducing the required 10 years of residence as a precondition for naturalization, as a shorter period would facilitate naturalization of stateless persons in line with Article 32 of the *1954 Convention.*

---

[18] UNHCR, *High-Level Segment on Statelessness: Results and Highlights*, May 2020, page 63, available at: https://www.refworld.org/docid/5ec3e91b4.html.
[19] UNHCR, *Campaign Update*, January 2021–March 2021, 15 April 2021, page 7: https://www.refworld.org/docid/607852747.html.
[20] Migration department, Migration yearbook 2025, page 8: https://migracija.lrv.lt/lt/statistika/migracijos-metrasciai/.
[21] UN High Commissioner for Refugees (UNHCR), UNHCR Observations on the proposal for a Draft Law amending the Law of the Republic of Lithuania on Citizenship (Reg. No 20-6597), May 2020, paras 9-32, https://www.refworld.org/legal/natlegcomments/unhcr/2020/123591. See also UNHCR, *Mapping Statelessness in Lithuania*, May 2016, page 88, https://www.refworld.org/reference/countryrep/unhcr/2016/113205.
[22] Regulation (EU) 2024/1356 of the European Parliament and of the Council of 14 May 2024 introducing the screening of third-country nationals at the external borders and amending Regulations (EC) No 767/2008, (EU) 2017/2226, (EU) 2018/1240 and (EU) 2019/817, Article 12(3): https://eur-lex.europa.eu/eli/reg/2024/1356/oj/eng.

Recommendations:

UNHCR recommends that the Government of Lithuania:

- Consider providing for the automatic grant of Lithuanian citizenship at birth to all children born in the territory who would otherwise be stateless;
- Establish a statelessness determination procedure, including the grant of a formal status for those determined to be stateless who are unable to return to their country of previous habitual residence; and
- Facilitate naturalization by reducing the required number of years of residence for all stateless persons.

UNHCR
July 2026