Global Detention Project and HRMI submit report on progress on UN Committee's concluding observations

The Global Detention Project, together with its Lithuanian partner the Human Rights Monitoring Institute (HRMI), submitted an follow-up report to the UN Committee on Economic, Social and Cultural Rights (CESCR).

The submission examines Lithuania's implementation of recommendations set out in paragraphs 14 and 15 of the Committee's 2023 concluding observations, which relate to the treatment of asylum-seekers and undocumented migrants.

In its concluding observations, CESCR called on Lithuania to:

- Ensure, through legislative and other measures, including amendments to the Law on the Legal Status of Aliens, that all asylum-seekers - including those arriving irregularly and in situations of emergency - have access to information on asylum procedures and legal aid, and are able to apply for asylum and have their claims assessed individually without discrimination.
- Ensure that detention is used only as a measure of last resort for asylum-seekers and undocumented migrants, following an individual assessment of necessity, reasonableness, and proportionality, and after consideration of alternatives to detention.
- Guarantee that undocumented migrants and asylum-seekers in reception facilities have access to adequate food, clothing, essential non-food items, healthcare (including psychosocial services), and information on asylum procedures and legal aid in a language they understand.
- Take into account the recommendations issued by the Committee against Torture in 2021 in this regard.

Despite these recommendations, concerns have continued to be raised regarding practice. Reports from civil society and other observers have documented instances of pushbacks and refoulement. In 2025, 1,652 foreign nationals were denied entry at unauthorised locations. Lithuania's pushback policy, in place since 2021, was formalised in April 2023 through amendments to the Law on the State Border and its Protection. These amendments allow border officials, during a state-level emergency, to return migrants at the border without providing access to asylum procedures.

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Although Article 4(13) of the amended law provides for individualised refusal-of-entry decisions and excludes persons fleeing armed conflict, persecution as defined under the Refugee Convention, or those requiring humanitarian protection, concerns have been raised regarding its implementation. Civil society organisations have reported cases in which individuals seeking international protection, including children, were reportedly returned without adequate assessment.

Following a 2023 ruling of the Constitutional Court of Lithuania, amendments were also introduced to the Law on Aliens. These include revisions to Article 140-8 requiring that asylum seekers' age, health, family situation, and other individual circumstances be assessed prior to placement in "temporary accommodation", as well as the introduction of an alternative to detention measure. Nevertheless, concerns persist, including that existing safeguards may not sufficiently protect children from detention.

Ongoing concerns have also been raised regarding detention practices and conditions. As of January 2026, Lithuania operates one dedicated immigration detention facility, the Pabradė Foreigners Reception Centre (FRC), which also functions partially as a non-secure accommodation site, alongside holding facilities at Vilnius Airport Border Guard Station and various border units. According to the Lithuanian Red Cross (LRC), newly arrived migrants are often initially detained in border units housed in "container-type" structures. In 2024, the LRC reported that individuals commonly remained in these facilities for three to five days, exceeding the 48-hour limit established under domestic law. Reported conditions included limited access to washing facilities and restrictions on communication with family members, prior to transfer to Pabradė FRC.

Conditions at Pabradė FRC are generally reported to be comparatively better, with access to sanitary facilities, hygiene products, and hot meals, and some improvements noted in recent years. However, concerns remain regarding limited access to interpreters, reliance on translation tools in medical settings, lack of culturally appropriate food, and restrictions on food storage in accommodation areas. Civil society actors have also raised concerns about quarantine areas for newly arrived individuals, including children, which are reportedly inaccessible to independent monitors and subject to unclear procedural safeguards against arbitrary or prolonged detention.

These findings have raised continued concerns regarding Lithuania's compliance with its international human rights obligations and highlight the need for further legislative and policy reforms in line with CESCR's recommendations.

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- Global Detention Project (14 January, 2026), [Lithuania: Follow-Up Report to the UN Committee on Economic, Social and Cultural Rights (CESCR)], https://www.globaldetentionproject.org/lithuania-follow-up-report-to-the-un-committee-on-economic-social-and-cultural-rights-cescr

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