

Legal assistance and representation -

Lithuania | DIP EUAA

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Overview

Relevant EU legislation

Lithuania is bound by the recast Asylum Procedures Directive, the recast Reception Conditions Directive and the Dublin III Regulation and has transposed their provisions through the [Law on the Legal Status of Foreigners](#).

National legislation

29/04/2004: Lithuania transposes the recast Reception Conditions Directive by the Law on the Legal Status of Foreigners No IX-2206 of 29 April 2004 | [ISTATYMAS DĖL UŽSIENIEČIŲ TEISINĖS PADĖTIES - 2004 m. balandžio 29, d. Nr. IX-2206](#) and its

amendments

29/04/2004: Lithuania transposes the recast Asylum Procedures Directive by the Law on the Legal Status of Foreigners No IX-2206 of 29 April 2004 | [ISTATYMAS DĖL UŽSIENIEČIŲ TEISINĖS PADĖTIES - 2004 m. balandžio 29, d. Nr. IX-2206](#) and its amendments

29/04/2004: Lithuania transposes the Dublin III Regulation by the Law on the Legal Status of Foreigners No IX-2206 of 29 April 2004 | [ISTATYMAS DĖL UŽSIENIEČIŲ TEISINĖS PADĖTIES - 2004 m. balandžio 29, d. Nr. IX-2206](#) and its amendments

[Description of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners](#), approved by the Minister of Social Security and Labour of the Republic of Lithuania, by Order No. A1-939 of 27 December 2024.

Competent authority and stakeholders

Area	National authority/stakeholder
Provision of legal and procedural information on the applicant's rights and obligations	State Border Guard Service Lithuanian Red Cross Lietuvos Raudonasis kryžius
Legal assistance at first instance determination	State funded lawyers/ (the Reception and Integration Agency under the Ministry of Social Security as of 1st January 2025) Lithuanian Red Cross Lietuvos Raudonasis kryžius IOM Lithuania Private lawyers

Area	National authority/stakeholder
Legal counselling provided by civil society organisations or other organisations	Lithuanian Red Cross Lietuvos Raudonasis kryžius Private lawyers
Legal assistance at second instance determination	State funded lawyers/ (the Reception and Integration Agency under the Ministry of Social Security as of 1st January 2025) Lithuanian Red Cross Lietuvos Raudonasis kryžius Private lawyers
Legal assistance for other related procedures	State funded lawyers/ (the Reception and Integration Agency under the Ministry of Social Security as of 1st January 2025) Lithuanian Red Cross Lietuvos Raudonasis kryžius Private lawyers

Access to legal assistance and representation

Provision of information on legal assistance and representation

According to Article 71(1)(2) of the Law on the Legal Status of Foreigners, asylum applicants should receive free of charge information in a language he or she understands about his or her rights and obligations during the examination of the application for asylum, as well as information related to the examination of the

application for asylum.

A detained asylum seeker is immediately informed in writing about the grounds for detention, the procedure for appealing the decision and the possibility of obtaining free legal aid in a language he or she understands (Article 114(3) of the Law on the Legal Status of Foreigners).

The Migration Department has information on their [website](#) on legal assistance and representation.

UNHCR Lithuania has information on their [website](#) on legal assistance and representation.

Order No. A1-2 of the Minister of Social Security and Labour of 3 January 2025. This order approved the Procedure for the Accommodation of Foreigners in Temporary Accommodation Facilities. Point 9 of the procedure obliges the responsible staff member of the Reception and Integration Agency to provide the foreigner, within 10 days of accommodation, with all necessary information in writing and/or orally in a language the foreigner understands. This information must include the foreigner's rights and obligations under Lithuanian law, available healthcare services, services provided at the temporary accommodation facility, and the contacts of institutions or organisations providing legal assistance to foreigners. It is also stated that such information must be continuously displayed in common areas so that foreigners may access it at any time. This ensures that foreigners accommodated in reception centres are aware of their right to receive legal aid and representation and know where to seek assistance.

Order No. A1-947 of the Minister of Social Security and Labour of 31 December 2024. This order approved the Procedure for the Identification of Vulnerable Foreigners, establishing how vulnerable persons should be identified and how their special needs should be considered. Point 26.6 of the procedure stipulates that a person who has experienced sexual or gender-based violence must be provided with legal assistance, as well as appropriate post-trauma therapy and psychosocial support. Point 27 adds that all information, legal assistance, and reception conditions for a vulnerable person must be provided using a method of communication and information delivery adapted to the individual's special needs.

Order No. A1-935/1V-783 of the Minister of Social Security and Labour and the Minister of the Interior of 27 December 2024.

This order approved the Procedure on Reception Conditions Guaranteed to Detained Foreigners by the Reception and Integration Agency. Point 4 of the procedure establishes that a detained foreigner must, within 2 working days of being brought to the detention facility, be provided in writing and orally with information in a language he or she understands about healthcare and other services provided by the Agency, as well as the names, telephone numbers, and email addresses of institutions and organisations that provide legal aid. This ensures that even while in detention, the foreigner is informed about where to seek legal assistance and representation.

Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024. This order approved the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners, which sets out how free legal assistance is to be organised and provided. Point 6 of the procedure outlines the functions of the Reception and Integration Agency. Sub-point 6.1 states that the Agency coordinates the provision of legal assistance to foreigners by identifying the needs of the foreigner or their legal representative and ensuring the provision of adequate and effective legal assistance. This includes ensuring that the foreigner receives the type of legal support they require, such as preparation of documents or representation before institutions. Sub-point 6.5 stipulates that the Agency ensures the provision of interpretation services, when necessary, to those providing legal assistance during communication with foreigners. This guarantees that language barriers do not hinder the foreigner's access to quality legal aid—if the legal professional does not speak the foreigner's language, an interpreter will be provided. Point 7 emphasises that state-guaranteed legal aid must be provided in the foreigner's native language or another language the person understands best; an interpreter is involved if needed. Additionally, if possible and requested by the foreigner, legal aid providers and interpreters should be of the gender preferred by the foreigner. These provisions ensure that legal aid is accessible and comprehensible for the foreigner, allowing lawyers to represent their interests properly.

The Agency has signed a cooperation agreement with the Red Cross Society, which also includes provisions for legal counselling on asylum and migration issues for

residents of the reception centres.

Access to premises

The [Order 1V-340 of the Ministry of Internal Affairs of the Republic of Lithuania](#) (4 October 2007) regarding the approval of the description of conditions and procedures for the temporary accommodation of foreigners in the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania provides under 17.3 that persons in detention have the right to state- guaranteed legal aid.

The detained asylum seeker is immediately informed in writing about the grounds for detention, the procedure for appealing the decision to detention and the possibility of obtaining free legal aid in a language he or she understands (Article 114(3) of the [Law on the Legal Status of Foreigners](#)).

The Lithuanian Red Cross provides legal advice to foreigners detained in Lithuania on migration issues, including asylum applicants held in detention. The Lithuanian Red Cross has appointed law specialists who provide legal assistance for asylum seekers that are detained in the State Border Guard Services Foreigners Registration Centre in the city of Pabrade.

Asylum applicants in detention are entitled to state-guaranteed legal aid to appeal decisions related to their detention. (source: [EUAA Dublin Factsheet](#), April 2023)

The Lithuanian Red Cross has access to places of accommodation for asylum seekers, where they communicate directly with asylum seekers and provide them with legal advice.

Asylum applicants in the Republic of Lithuania have the right access to state- guaranteed legal aid in accordance with the procedure established by the Minister of the Interior to the extent this is related to the examination of the application for asylum (Article 71(4) of the [Law on the Legal Status of Foreigners](#)).

Asylum applicants in the Republic of Lithuania have the right to contact and communicate with representatives of the Office of the United Nations High

Commissioner for Refugees and other organisations providing specialised legal assistance or counselling to asylum applicants, provided that the communication respects privacy. (Article 71(8) and Article 91 of the [Law on the Legal Status of Foreigners](#)).

Order No. A1-2 of the Minister of Social Security and Labour of 3 January 2025 This order approved the Procedure for the Accommodation of Foreigners in Temporary Accommodation Facilities. Point 32: Employees of institutions, agencies and organisations providing services to accommodated foreigners in accordance with their competence, and/or specialists engaged by them, shall be allowed access to the temporary accommodation facility or its territory only if they hold an identity card issued by the institution, agency or organisation or another document confirming their identity, and it has been established that the person has arrived for work purposes. The responsible employee of the temporary accommodation facility shall immediately inform the territorial unit of the Agency about the arrival of such persons. The responsible employee of the temporary accommodation facility must inform the territorial unit of the Agency about the arrival of other persons to the temporary accommodation facility or its territory and obtain permission to allow such persons to enter.

Order No. A1-935/1V-783 of the Minister of Social Security and Labour and the Minister of the Interior of 27 December 2024 This order approved the Procedure on Reception Conditions Provided to Detained Foreigners by the Reception and Integration Agency. Point 24: Employees of institutions, agencies and organisations providing services to detained foreigners in accordance with their competence, and/or specialists engaged by them, shall be allowed access to the detention facility or its territory only if they hold an identity card issued by the institution, agency or organisation or another document confirming their identity, and it has been established that the person has arrived for work purposes. The responsible employee of the detention facility shall immediately inform the territorial unit of the Agency about the arrival of such persons. The responsible employee of the detention facility must inform the territorial unit of the Agency about the arrival of other persons to the detention facility or its territory and obtain permission to allow such persons to enter.

Requirements: Means test and merits test

State funds of the Republic of Lithuania are used for the implementation of the right to use state-guaranteed legal aid to the extent that the asylum seeker cannot implement access to legal aid with his or her own funds, and to the extent that it cannot be implemented with the funds of international organisations, structural funds of the European Union, humanitarian aid funds established by individuals and legal entities of the Republic of Lithuania and non-governmental organisations. (source: [EUAA Factsheet Dublin transfers](#), April 2023)

Article 71 (6) of the [Law of the Republic of Lithuania on the legal status of foreigners](#) provides for the situation of changes in the financial resources of the applicant and impact on the rights specified in Article 71 (1-5), including state guaranteed legal aid.

When it is found that the applicant, who was granted state-guaranteed legal aid, had the funds to pay for legal services and/or had the funds and received the monetary allowance, as well as if it is found that the financial situation of the asylum seeker has significantly improved, or if he, in fulfilling the established obligation to declare available and received funds, provided misleading information or did not declare received funds, the asylum seeker must cover the costs incurred by the Migration Department in connection with the payment of the services of the legal service provider who provided state-guaranteed legal aid to the asylum seeker.

In such a case, the Migration Department provides the asylum seeker with a written instruction to cover the expenses incurred by the Migration Department, which specifies the legal services that were provided to the asylum seeker, their price and/or the total amount payable, calculated based on the added values provided by the state-guaranteed legal aid provider and paid by the Migration Department tax invoices, the settlement bank account of the Migration Department and other requisites necessary for making the payment, as well as other information if necessary.

The asylum seeker is obliged to cover the expenses incurred by the Migration Department and submit documents confirming the coverage of these expenses to the Migration Department within 5 working days of receiving the written instruction to cover the expenses incurred by the Migration Department. If the asylum seeker fails to comply with the Migration Department's order to cover costs, the amount due is recovered in accordance with the procedure established by the Code of Civil Procedure of the Republic of Lithuania, if the administrative costs related to the recovery do not exceed the amount to be recovered.

Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024 On the approval of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners Point 5: State-guaranteed legal aid shall not be provided when: 5.2. the foreigner or his/her legal representative has entered into an agreement for the provision of legal services with a chosen legal aid provider at his/her own expense to ensure the requested legal aid; 5.3. the foreigner has sufficient funds to pay for the legal aid requested to be provided free of charge; 5.4. other specific conditions for the provision of state-guaranteed legal aid services, as set out in points 10-13 of this Procedure, are not fulfilled. Point 29: If it becomes apparent that a foreigner who has used state-guaranteed legal aid free of charge could have paid for legal services from their own funds, or if it is found that the foreigner's financial situation has improved, or that the foreigner, while fulfilling the obligation established in Article 71(4)(5) of the Law on the Legal Status of Foreigners to declare income and assets, provided misleading information or failed to declare available funds, the foreigner must reimburse the expenses incurred by the Agency in connection with the provision of state-guaranteed legal aid.

In such cases, the Agency provides the foreigner with a written notice detailing the expenses to be reimbursed. This notice includes the type and amount of expenses, the Agency's bank account information, and any other necessary payment details, along with additional information if required.

The amount to be reimbursed for the free legal services received by the foreigner is calculated based on the invoices submitted by the legal aid provider and paid by the Agency.

The foreigner is required to reimburse these expenses and submit proof of payment to the Agency within 5 working days of receiving the written notice. If the foreigner fails to comply, the outstanding amount will be recovered following the procedure established by the Code of Civil Procedure of the Republic of Lithuania, provided that the administrative costs of recovery do not exceed the amount to be recovered.

Modalities to submit a request for legal aid

If during the interview the applicant states that he wants a lawyer, he will be granted this right, but not during that specific interview, since the interview is conducted by the Migration Department, and the state-guaranteed legal aid is provided by the Agency for Integration and Reception.

In such a case, the interview will be postponed. In order to ensure that the applicant informs about the wish to receive a free lawyer as early as possible, the applicant is sent an invitation before the interview, which indicates that the alien can inform about the need for a lawyer to participate in the interview 48 hours before the interview itself. He must do this in one of 3 ways:

1. Informing the employee of the Migration Department by e-mail, who sent the invitation to come to the interview;
2. By informing the employees of the Foreigners Registration Center about the need for a lawyer for the interview;
3. By informing the employees of the Reception and Integration Agency about the need for a lawyer for the interview.

For appeals, the applicant must indicate to an official that they would like to receive assistance from a lawyer paid by the state in appealing against the decision) (MIGRIS, (2022), [What can I do if I disagree with the Migrant Department's decision regarding not to grant asylum?](#)).

1. If the applicant would like to appeal a decision rejecting their asylum application, they can request the assistance of a lawyer provided by the State free of charge. There are three ways to do that:

2. The applicant can tell the officer of the Migration Department, who will inform the applicant about the negative decision.
3. The applicant can send an e-mail to teisines.paslaugos@migracija.gov.lt (indicating their ILTU number).
4. The applicant can inform the responsible official at their asylum-seeker accommodation centre that they want a lawyer to appeal the negative decision.

Applicants can conclude a contract on the provision of legal services with a service provider of their own choice, at their own expense (MIGRIS, (2022), [What can I do if I disagree with the Migrant Department's decision regarding not to grant asylum?](#)).

The Lithuanian Red Cross also provides free legal aid to asylum seekers, including consultations and translation of documents.

Legal Services provided by the Reception and Integration Agency

If a person requires legal assistance, legal services are organised in accordance with the following procedure:

Submission of Requests:

Requests for legal services may be submitted by:

- The State Border Guard Service;
- The Migration Department;
- Employees of the Reception and Integration Agency.

Requests can be submitted through the following channels:

- By email: teisines.paslaugos@migracija.gov.lt;
- In urgent cases outside working hours, by phone: +37067941315.

Deadlines for Submission of Requests:

Requests must be submitted no later than 12 hours before the planned provision of the service. A separate procedure applies to urgent requests submitted less than 12 hours in advance.

Registration and Transmission of Requests:

Requests are received and registered by the designated Agency employee, according to the prescribed form. Before submitting a request, the foreigner's status and place of residence (specifically, whether they reside within the Reception and Integration Agency's facilities) are verified.

Implementation and Coordination of Requests:

The responsible employee communicates directly with the institution submitting the request and liaises with the service provider, transmitting the request, coordinating the time and date of service, and providing the client's relevant data.

By Order No. A1-939 of 27 December 2024, the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners was approved. Under point 6 of the Procedure, the Reception and Integration Agency coordinates the provision of state-guaranteed legal aid to foreigners. In particular, point 6.1 stipulates that the Agency identifies the legal aid needs of the foreigner or their legal representative, determines the type of legal aid to be provided, and ensures effective delivery of such aid, including avoiding duplication.

The application or any accompanying information must specify the type of legal aid requested, the foreigner's personal data (name, surname, date of birth), address of residence, foreigner's code (ILTU code), and contact details (telephone number and email) of the foreigner or their legal representative.

To ensure effective provision of legal aid, the lawyer or designated staff member at the Reception and Integration Agency informs the foreigner, in a language they understand (with an interpreter arranged if necessary), about their right to receive free legal aid. During this consultation, it is clarified whether the person already has legal representation, whether a legal representation agreement exists, and whether the person has the financial means to pay for legal services.

If it is determined that the person requires legal assistance, lacks private legal representation, and is eligible for free legal aid under the Procedure, the responsible Agency staff member (lawyer or coordinator) initiates a request for legal services. This request is submitted through established internal channels, including the

purpose of the request, client details, and the preferred date and time for the service. Prior to submission, the foreigner's legal status and place of residence (whether they reside within the Reception and Integration Agency) are verified.

Outcome of the request for legal aid

If the applicant has been granted state-guaranteed legal aid, they do not have to pay the lawyer representing them. The lawyer will do everything free of charge and may not ask the applicant for extra payments for their services. If state-guaranteed legal aid is granted, the applicant is not required to pay for the legal representation provided.

Legal assistance and representation at first instance determination

Service provider

State-funded legal aid for asylum seekers is organised by the Migration Department, which announces a public competition and hires a law firm to provide legal assistance to asylum seekers.

As of January 1st, 2025, state-guaranteed legal aid will be organized by the Ministry for Social Security and Labor or an accredited institution, in accordance with the [amendment](#) of Article 1(3) of the Law on State-Guaranteed Legal Aid.

Civil society organisations

[Lithuanian Red Cross](#) - dedicated project to offer legal aid to asylum seekers, including asylum applicants in detention.

Since January 2024, [IOM Lithuania](#), in cooperation with the Ministry of Social Security and Labor, extended its migration information center's services and strengthen with funds from AMIF, and include, amongst other activities, the provision of legal counselling services by a professional lawyer. The project duration is until 31

December 2025.

[IOM Lithuania](#) supports THB victims with assistance, including legal, medical, psychological, and social services, for return to their countries of origin

Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024 On the Approval of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners. Point 6: In organising and providing state-guaranteed legal aid, the Agency shall perform the following functions: point 6.3: In accordance with the Law on Public Procurement of the Republic of Lithuania, the Agency carries out public procurement procedures for the acquisition of legal services, concludes contracts for the provision of legal services with legal service providers, and monitors the implementation of these contracts. These contracts specify the scope and content of state-guaranteed legal aid, the procedures and conditions for its provision and payment, the requirements for legal aid providers, and the rights and obligations of the parties.

Scope of legal assistance

The state-guaranteed legal aid provider provides legal services after receiving an order from the Migration Department, to:

1. Participate in the interview of an unaccompanied minor asylum seeker.
2. Participate in the primary interview of the asylum seeker, when the Migration Department receives a notification from the institution that accepted the application for asylum on the necessity of an authorised representative's participation in the interview.
3. Participate in the interview of the asylum seeker, when the asylum expresses a need for state-guaranteed legal aid.
4. Represent the interests of a foreigner during the interview, in a process to revoke the protection status (refugee or subsidiary protection status) when the foreigner or his legal representative request so.
5. Prepare and submit procedural documents to the court or the Migration Department when the Migration Department receives a request from an asylum

seeker or his legal representative to provide state-guaranteed legal aid related to appeals to the court in the exercise of rights established by law;

5. Represent the interests of the asylum seeker in the Migration Department or in court, when the Migration Department sets a hearing or receives a court notice of a planned court hearing.
6. Prepare and submit procedural documents to the court, as well as represent the interests of a foreigner whose asylum is revoked in court, when the Migration Department receives a request from the foreigner or his legal representative to provide state-guaranteed legal aid.
7. Prepare and submit procedural documents to the court or represent the interests of an asylum seeker or a foreigner whose asylum is revoked in court, when a court order to perform these procedural actions is obtained.

The applicant can also contact the Lithuanian Red Cross, which may be able to provide legal counselling in the case. The Lithuanian Red Cross visits places of accommodation for asylum seekers, where they communicate directly with asylum seekers and provide them with legal advice. The main tasks of Lithuanian Red Cross lawyers includes:

- explaining to asylum seekers their legal position, procedures and answer their questions;
- prepares documents for state institutions and, in cooperation with lawyers who specialise in asylum cases, represents the interests of asylum seekers in courts and other state institutions. Lawyers of the Lithuanian Red Cross pay special attention to systematic violations of the rights of asylum seekers and, upon identifying such violations, initiate strategic litigation aimed at shaping and changing the practice of national courts, ensuring that the rights guaranteed by international and European Union legal acts are properly implemented in the Republic of Lithuania;
- provides legal advice to foreigners detained in Lithuania on migration issues.

[Order No. A1-939](#) of the Minister of Social Security and Labour of 27 December 2024
On the Approval of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners:

1. Primary legal aid for foreigners indicated in paragraph 3.1 includes:

- 10.1. Provision of legal information, as needed;
- 10.2. Legal consultation, as needed;
- 10.3. Preparation and submission of documents intended for state and municipal institutions, when the submission is necessary to ensure the foreigner's rights and cannot be done independently;
- 10.4. Participation and representation before institutions conducting procedural actions related to the foreigner.

2. For foreigners referred to in paragraph 3.2, primary legal aid includes:

- 11.1. Legal information on the issues referred to in Article 71(1)(2) of the UTPI (Law on the Legal Status of Foreigners), if not already provided;
- 11.2. Up to two legal consultations (max. one hour each) on detention or alternative measures to detention;
- 11.3. Preparation and submission of documents concerning detention or its alternatives, when necessary;
- 11.4. Participation and representation during the interview referred to in Article 82(1) of the UTPI and the initial asylum interview under subparagraph 25.5.3 of the Asylum Description.

3. For foreigners indicated in paragraph 3.3, primary legal aid includes:

- 12.1. Up to two legal consultations (max. one hour each) related to cases under Article 90(5) of the UTPI;
- 12.2. Preparation and submission of documents to the Migration Department on the same matters;
- 12.3. Representation in procedures regarding the revocation of asylum.

4. Secondary legal aid for foreigners listed in paragraph 3 includes:

- 15.1. Drafting and submission of procedural documents to the court regarding decisions listed in UTPI (Articles 5(31), 74(1), 77(1), 86(3), 87(3), 90(1-2), 116(1), 125-126, 133, 140(8)(3), 140(20)(1), and unaccompanied minors or when ordered by the court. Includes:
 - 15.1.1. Familiarisation with the case file;
 - 15.1.2. Individual discussion of document content with the foreigner;

- 15.1.3. Informing the foreigner about case progress;
- 15.1.4. Explanation of the court decision.

Representation in court proceedings includes:

- 15.2.1. Preparation for the hearing;
- 15.2.2. Submitting applications, explanations, and evidence;
- 15.2.3. Preparing the foreigner for the hearing;
- 15.2.4. Submitting appeals.

5. Typically, the same legal aid provider offers services throughout all court instances. A different provider may be assigned upon written request by the foreigner or provider if:

- The provider failed to provide the planned services through their fault;
- The provider is unreachable;
- The provider does not fulfil contractual obligations.

In such cases, the request must be submitted at least 24 hours before the service is to be provided and must include: reasons for the request, name, surname, date of birth, and if possible, address, phone number, and ILTU code.

6. Secondary state-guaranteed legal aid shall be provided by legal service providers with whom the Agency has concluded legal service contracts in accordance with the procedure established in point 6.3 of the Description.

Procedural aspects

During the asylum procedure, if an applicant needs an interpreter, the Migration Department should provide the applicant with an interpreter. The right to interpretation is provided also by Article 71 (1)(6) of the [Law of the Republic of Lithuania on the legal status of foreigners](#) - "*to use interpretation services free of charge as far as the examination of the application for asylum is concerned*". Foreigners applying for asylum in the Republic of Lithuania are provided with state guaranteed legal aid throughout the asylum procedure. The asylum seeker may

apply for guaranteed legal aid and appeal against all decisions within the time limits established by law.

Asylum applicants in the Republic of Lithuania have the right access to state-guaranteed legal aid in accordance with the procedure established by the Minister of the Interior to the extent this is related to the examination of the application for asylum (Article 71(4) of the [Law on the Legal Status of Foreigners](#)).

Asylum applicants in the Republic of Lithuania have the right to address representatives of the Office of the United Nations High Commissioner for Refugees and other organisations providing specialised legal assistance or counselling to asylum applicants and meet them in conditions that respect privacy (Article 71(8) of the [Law on the Legal Status of Foreigners](#)).

Provision of state-guaranteed legal aid in the cases specified by the Law of the Republic of Lithuania on the Legal Status of Foreigners shall be organised by the Ministry of the Interior of the Republic of Lithuania or an institution authorised by it (Article 1(3) of the Law on State-Guaranteed Legal Aid). However, the Law on State-Guaranteed Legal Aid has been [amended](#) on 30 May 2024 and as of 1st January 2025 state-guaranteed legal aid for foreigners will be organised by the Ministry of Social Security and Labor or an institution authorised by it, rather than the Migration Department.

From 1st January 2025, the newly established Reception and Integration Agency (RIA) is responsible for providing legal counselling at the accommodation facilities. The amount and content of the legal counseling, as well as whether the services will be outsourced or provided by the RIA staff, are yet unknown.

The [Order 1V-233 of the Ministry of Internal Affairs of Lithuania, of 29 May 2009 \(in force since 1st June 2009\)](#) provides on the organisation of state guaranteed legal aid, pursuant to Article 1, Part 3 of the Law on State-Guaranteed Legal Aid of the Republic of Lithuania and for the implementation of the Law of the Republic of Lithuania "On the Legal Status of Foreigners.

The order provides authorisation for the following authorities to organise the provision of state guaranteed legal aid:

1. the Police Department under the Ministry of the Interior of the Republic of Lithuania and the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania for the implementation of the following articles of the [Law of the Republic of Lithuania on the legal status of foreigners](#):
 - former Article 32 (2), Clause 5, currently Article 32 (4)(5) – state guaranteed legal aid for unaccompanied minors.
 - Article 116 (1) – right to state guaranteed legal aid with regard to detention measures.
2. the Migration Department under the Ministry of Internal Affairs of the Republic of Lithuania for the implementation of the [Law of the Republic of Lithuania on the legal status of foreigners](#):
 - former Article 71 (1) (3), currently Article 71 (1)(4) – state guaranteed legal aid for the asylum procedure.
 - Article 82 (1) – assistance by a representative providing legal services during the interview;
 - Former Article 90 (4), currently Article 90 (5) – right to state guaranteed legal aid for procedures related to revocation of refugee status.

The [Order 1V-361 of the Ministry of Internal Affairs of the Republic of Lithuania of 15 November 2004](#) provides for the detailed procedure for the examination, decision-making and execution of asylum requests of foreigners. With regard to state guaranteed legal aid, the order contains relevant provisions for access to information on legal aid throughout the asylum procedure.

According to Article 71(1)(4) the [Law on the Legal Status of Foreigners](#), applicants for international protection are entitled to state funded legal aid.

An applicant on their own initiative and at their own expense, may invite a legal aid lawyer hired by the applicant for the interview. If the applicant wants the lawyer to be present at the interview, they must inform the Migration Department in advance and submit a power of attorney document if it has not been submitted previously.

Social workers inform the foreigner about their rights and obligations in a language they understand (if the foreigner does not speak any language, an interpreter is

arranged). During the first meeting, the foreigner receives a leaflet listing the institutions providing services. The social worker asks whether the foreigner has a lawyer, and if not, the appointment of a lawyer to represent the foreigner and provide legal services is ensured.

Representation

Foreigners are represented by legal service providers contracted by the Agency.

This is established in Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024, which approved the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners.

According to Point 6 of the Procedure, the Agency is responsible for organising and providing state-guaranteed legal aid. Specifically, point 6.3 states that, in accordance with the Law on Public Procurement of the Republic of Lithuania, the Agency conducts public procurement procedures for acquiring legal services, enters into contracts with selected legal service providers, and oversees the implementation of these contracts.

These contracts define the scope and content of state-guaranteed legal aid, the procedures and conditions for its provision and reimbursement, the requirements for legal service providers, and the rights and obligations of the contracting parties.

Aspects related to special procedures

In June 2020, the State Border Guard Service (SBGS) and the Lithuanian Red Cross Society signed a cooperation agreement which authorised the Lithuanian Red Cross to expand its activities and deliver protection services at border crossing points. If needed by foreign nationals legal assistance will be provided to asylum seekers held in border control areas by the Lithuanian Red Cross.

Aspects related to applicants with special needs

Unaccompanied minors have access to state-guaranteed legal aid, unless the laws of the Republic of Lithuania provide otherwise (Article 32(5) of the Law on the Legal Status of Foreigners).

Lithuania has several practices aimed at preventing and reducing the demand for trafficking in human beings, particularly concerning third-country nationals.

Lithuanian authorities equipped registration centres and support institutions with tools to identify trafficking risks, particularly for refugees. This includes training staff in these centres to recognise the signs of exploitation, providing informative materials, and ensuring that foreign nationals have access to legal support and information about their rights in Lithuania.

The government has made progress in providing trafficking-related training for police officers, prosecutors, border guards, and lawyers. These trainings cover a wide range of topics, including anti-trafficking legislation, victim identification, evidence collection, and victim support during investigations. Lawyers who complete specialised anti-trafficking training in 2024 receive [double pay](#) for providing secondary legal aid (in appeals). This incentivises more legal professionals to acquire expertise in trafficking cases and to improve the quality of legal representation for victims. Lithuanian law ensures that victims have access to legal representation, and they can apply for financial compensation either from traffickers or from a state fund when traffickers are unable to pay.

The capacities of law enforcement agencies in Lithuania have been significantly enhanced through [specialised training programmes](#) for law enforcement officers, prosecutors, and border guards to improve their ability to identify and assist trafficking victims. The Ministry of Interior (MOI) and the General Prosecutor's Office have maintained an anti-trafficking online training platform, which includes comprehensive topics such as identifying indicators and victims, understanding risk factors, conducting investigations, collecting evidence, and assisting and protecting victims throughout criminal proceedings. These trainings have also addressed specific needs like how to interview victims and collect evidence without re-traumatising them, which has been crucial for improving the effectiveness of pre-trial investigations. Additionally, specialised training for lawyers who provide secondary legal aid has been introduced, with those who complete the training

being offered double pay, which has incentivised legal professionals to engage with trafficking cases and improve the quality of legal representation available to victims.

The [Vilnius Archdiocese](#) (*Vilniaus arkivyskupijos Caritas*) provides aid to vulnerable groups, including third-country nationals, by offering shelter, legal assistance, and psychological counselling.

IOM Lithuania also officially [launched](#) the [Migration Information Centre](#) (MICenter), which offers a broad range of services to migrants, including legal consultations, career guidance, and psychological counselling. The centre's legal experts, knowledgeable about trafficking and labour exploitation, provide consultations to refugees, especially those from Ukraine, helping them protect their rights and connect with relevant institutions when necessary

According to the Description of the Procedure for Providing State-Guaranteed Legal Aid to Foreigners, approved by Order No. A1-939 of the Minister of Social Security and Labour of the Republic of Lithuania of 27 December 2024: State-guaranteed legal aid provided under the procedure established in the Description includes legal services free of charge to the following foreigners:

- Point 3.1: unaccompanied minor foreigners (both primary and secondary legal aid is provided);
- Point 3.5: in other cases, where the court obliges the Migration Department under the Ministry of the Interior of the Republic of Lithuania or the State Border Guard Service to ensure the provision of state-guaranteed legal aid to the foreigners referred to in sub-points 3.2-3.4.

Legal assistance and representation in appeals

Service provider

State-funded legal aid is available for first instance appeal procedures in asylum cases in Lithuania. Asylum seekers who wish to receive assistance from a lawyer paid by the state for appealing against a decision must explicitly indicate this to an

official. (MIGRIS, (2022), [What can I do if I disagree with the Migrant Department's decision regarding not to grant asylum?](#))

As of 1st January 2025, asylum seekers are no longer entitled to free legal aid when appealing a first-instance court decision to the Supreme Administrative Court (the second instance court) in asylum cases. At that point, asylum seekers will have the option to hire a private lawyer at their own expense for appeals to the second instance court.

Foreigners applying for asylum in Lithuania are provided with state-guaranteed legal aid throughout the asylum application procedure. The asylum seeker may apply for guaranteed legal aid and appeal against all decisions within the time limits established by law - Article 71 (1)(4) of the [Law of the Republic of Lithuania on the legal status of foreigners](#).

Legal aid is primarily provided by lawyers as organised by the Agency. In addition, civil society organisations and international organisations, such as the Lithuanian Red Cross, can also provide legal aid in asylum cases.

Foreigners are represented by legal service providers contracted by the Agency.

This is established in Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024, which approved the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners.

According to Point 6 of the Procedure, the Agency is responsible for organising and providing state-guaranteed legal aid. Specifically, point 6.3 states that, in accordance with the Law on Public Procurement of the Republic of Lithuania, the Agency conducts public procurement procedures for acquiring legal services, enters into contracts with selected legal service providers, and oversees the implementation of these contracts.

These contracts define the scope and content of state-guaranteed legal aid, the procedures and conditions for its provision and reimbursement, the requirements for legal service providers, and the rights and obligations of the contracting parties.

Description of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners, approved by Order No. A1-939 of the Minister of Social Security and Labour of the Republic of Lithuania of 27 December 2024:

Point 15.1: State-guaranteed legal aid includes the drafting and submission of procedural documents to the court in relation to decisions specified in the Law on the Legal Status of Foreigners, including but not limited to Articles 5(31), 74(1), 77(1), 86(3), 87(3), 90(1-2), 116(1), 125-126, 133, 140(8)(3), and 140(20)(1), as well as in cases involving unaccompanied minors or when mandated by a court order.

Scope of legal assistance

During the preparation of an appeal and before the hearing, the legal adviser is responsible for collecting evidence, drafting appeal documents, and advising the client on the legal aspects of their case.

Description of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners, approved by Order No. A1-939 of the Minister of Social Security and Labour of the Republic of Lithuania of 27 December 2024:

- 15.1. Legal assistance encompasses the following actions:
 - 15.1.1. Familiarization with the case file;
 - 15.1.2. Individual consultation with the foreigner regarding the content of the documents;
 - 15.1.3. Informing the foreigner about the progress of the case;
 - 15.1.4. Explaining the court's decision to the foreigner.
- 15.2. Representation in court proceedings includes:
 - 15.2.1. Preparation for the court hearing;
 - 15.2.2. Submission of applications, explanations, and evidence;
 - 15.2.3. Preparing the foreigner for participation in the hearing;
 - 15.2.4. Submission of appeals, where applicable.

As a rule, the same legal aid provider continues to represent the foreigner throughout all court instances.

- 16. Secondary state-guaranteed legal aid is provided by legal service providers with whom the Agency has concluded contracts in accordance with the procedure set out in point 6.3 of the Description.

Procedural aspects

In Lithuania, when an asylum seeker wishes to appeal a decision rejecting their asylum application, they must indicate to an official that they would like to receive assistance from a state-funded lawyer. (MIGRIS, (2022), [What can I do if I disagree with the Migrant Department's decision regarding not to grant asylum?](#)).

There are three ways to do that:

- The applicant can inform the officer at the Migration Department when the negative decision is communicated to them.
- The applicant can send an e-mail to teisines.paslaugos@migracija.gov.lt (indicating their ILTU number).
- The applicant can notify the responsible official at their asylum-seeker accommodation centre that they wish to receive legal assistance to appeal the decision.

Applicants can conclude a contract on the provision of legal services with a service provider of their own choice, at their own expense

The Lithuanian Red Cross also provides free legal aid to asylum seekers, including consultations and translation of documents.

A foreigner may request state-guaranteed legal assistance through the Agency. Alternatively, they may choose to independently hire a lawyer of their own.

Type of appeal

State-guaranteed legal aid is available for first instance appeals.

Since 1st January 2025, asylum-seekers are not entitled to free legal aid appealing the first instance court decisions in the asylum cases to the Supreme Administrative Court (the second instance court).

Precisely, according to the Article 71 para. 1 (4) of the [Law of the Legal Status of Foreigners](#) [asylum seekers](#) will be able to get state-free legal aid only for appeals to the first instance appeal court (Regional administrative court), the state-free legal aid will not cover the complaint to the second instance (Supreme administrative court).

Representation

Foreigners are represented by service providers contracted by the Agency.

Aspects related to applicants with special needs

Legal assistance and representation is provided to applicants with special needs in the second instance with the same guarantees as in the first instance. More specifically:

Lithuania has several practices aimed at preventing and reducing the demand for trafficking in human beings, particularly concerning third-country nationals. Lithuanian authorities equipped registration centres and support institutions with tools to identify trafficking risks, particularly for refugees. This includes training staff in these centres to recognise the signs of exploitation, providing informative materials, and ensuring that foreign nationals have access to legal support and information about their rights in Lithuania.

The government has made progress in providing trafficking-related training for police officers, prosecutors, border guards, and lawyers. These trainings cover a wide range of topics, including anti-trafficking legislation, victim identification, evidence collection, and victim support during investigations. Lawyers who complete specialised anti-trafficking training in 2024 receive [double pay](#) for providing

secondary legal aid (in appeals). This incentivises more legal professionals to acquire expertise in trafficking cases and to improve the quality of legal representation for victims. Lithuanian law ensures that victims have access to legal representation, and they can apply for financial compensation either from traffickers or from a state fund when traffickers are unable to pay.

The capacities of law enforcement agencies in Lithuania have been significantly enhanced through [specialised training programmes](#) for law enforcement officers, prosecutors, and border guards to improve their ability to identify and assist trafficking victims. The Ministry of Interior (MOI) and the General Prosecutor's Office have maintained an anti-trafficking online training platform, which includes comprehensive topics such as identifying indicators and victims, understanding risk factors, conducting investigations, collecting evidence, and assisting and protecting victims throughout criminal proceedings. These trainings have also addressed specific needs like how to interview victims and collect evidence without re-traumatising them, which has been crucial for improving the effectiveness of pre-trial investigations. Additionally, specialised training for lawyers who provide secondary legal aid has been introduced, with those who complete the training being offered double pay, which has incentivised legal professionals to engage with trafficking cases and improve the quality of legal representation available to victims.

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(source: IOM and EMN Study: [The International Dimension of the EU Policy to Prevent and Combat Trafficking in Human Beings and Protect the Victims of this Crime. Lithuanian report](#), 2024)

Right to counselling in the Dublin procedure

The legal and procedural aspects of the Dublin procedure are generally handled in the same way as the regular asylum procedure.

The Migration Department provides free legal assistance and representation services upon the applicant's request during the appeal against a decision on a transfer under the Dublin procedure. Service providers, such as law firms or non-governmental organisations under contract with the Migration Department, may provide this counselling.

Access to legal aid while in detention

The [Order 1V-340 of the Ministry of Internal Affairs of the Republic of Lithuania \(4 October 2007\)](#) regarding the conditions and procedures for the temporary accommodation of foreigners in detention specifies that detained persons, including asylum applicants, have the right to state-guaranteed legal aid.

Asylum applicants in detention are informed immediately, in writing, about the grounds for their detention, the procedure for appealing the decision, and their right to access free legal aid, in a language they understand. (Article 114(3) of the [Law on the Legal Status of Foreigners](#)).

The Lithuanian Red Cross provides legal advice to foreigners detained in Lithuania on migration issues, including asylum applicants held in detention. The Lithuanian Red Cross has appointed law specialists who provide law specialists who deliver legal aid specifically to asylum seekers held in the State Border Guard Service's Foreigners Registration Centre in Pabrade.

Asylum applicants in detention have access to state guaranteed legal aid to appeal against all decisions related to their detention. (source: [EUAA Dublin Factsheet](#), April 2023)

Legal Assistance for Detained Foreigners

Pursuant to Order No. A1-935/1V-783 of 27 December 2024 of the Minister of Social Security and Labour and the Minister of the Interior of the Republic of Lithuania, which approved the Description of the Procedure for Reception Conditions Ensured by the Reception and Integration Agency for Detained Foreigners, the Agency must inform detained foreigners of their right to access legal assistance.

Point 4 of the Order stipulates that, within two working days of arrival at the place of detention, a detained foreigner shall be provided—by the Agency—with information, in a language they understand and in a format established by the Agency's Director (both written and oral), concerning:

- The health care and other services available;
- Financial allowances for asylum seekers, including the amount and payment procedures;
- Institutions, bodies, and organisations providing legal assistance (including the name, legal entity code, phone number, and email address); and
- Other services accessible to detained individuals.

Additionally, under Order No. A1-939 of the Minister of Social Security and Labour of 27 December 2024, which approves the Description of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners:

Point 11.2 provides that detained foreigners are entitled to legal consultations regarding matters related to detention or the imposition/extension of alternatives to detention. Each foreigner may receive up to two consultations on the same issue, with each session lasting no longer than one hour.

Point 11.3 allows for the preparation and submission of documents to state institutions in relation to detention or alternatives to detention. This service is available when such documentation is necessary for the foreigner to exercise their legal rights and the foreigner is unable to prepare or submit it independently.

Quality assurance

Selection, qualifications and training

Order No. A1-939 of the Minister of Social Security and Labour of the Republic of Lithuania dated 27 December 2024 “On the Approval of the Procedure for the Provision of State-Guaranteed Legal Aid to Foreigners”

Clause 6.2: In order to ensure that providers of state-guaranteed legal aid to foreigners possess adequate specialised knowledge and are capable of delivering high-quality and effective legal assistance, the Agency shall organise specialised training in the area of asylum law for such providers.

Providers of primary legal aid shall have successfully completed relevant specialised training—such as that conducted by accredited entities including, but not limited to, the Lithuanian Red Cross—possess a recognised legal education qualification, and engage in continuous professional development to maintain and enhance their competencies.

Mechanisms for quality assurance

When providing secondary legal aid, the legal service provider shall possess a valid lawyer's license and demonstrate relevant experience in dealing asylum-related cases.

Inter-institutional cooperation

In June 2020, the Lithuanian Red Cross signed an agreement with the State Border Guard Service to expand its activities and deliver protection services, as well as provide monitoring support for all migrants in detention, including those at border crossing points. A variety of professionals, including legal advisers, offer humanitarian assistance to vulnerable migrants, including legal consultations.

On 2 October 2023, a collaboration [agreement](#) was signed by the Lithuanian Red Cross and the law firm NOOR, whereby the parties commit to providing legal consultations and representation. The law firm will support projects run by the Lithuanian Red Cross.

The Agency has signed a cooperation agreement with the Red Cross Society, which also includes provisions for legal counselling on asylum and migration issues for residents of the reception centres.

Legal assistance and representation for related procedures

Reception conditions

Asylum applicants can benefit from legal aid regarding reception conditions at both the Foreigners Registration Centre and in refugee reception centres. The decision of the Refugees Reception Centres can be appealed and the applicants can obtain legal support for such appeal

Social workers inform the foreigner of their rights and obligations in a language they understand. If the foreigner does not speak any language, an interpreter is provided. During the initial meeting, the foreigner receives an information leaflet listing the institutions that offer relevant services. The social worker inquires whether the foreigner is represented by a lawyer; if not, the Agency ensures the appointment of legal representation, which may also be provided by NGOs.

Additionally, they may contact Agency personnel to obtain consultations and assistance with completing necessary documentation, should they be unable to do so independently. NGOs and service providers are permitted access to visit the reception centres.

Family reunification

Free legal assistance is accessible in family reunification cases if the applicant meets the criteria for state-provided legal aid. If an applicant is not eligible for free legal aid from the State, they can seek legal counselling from the Lithuanian Red Cross, which may be able to provide assistance in such cases.

The Lithuanian Red Cross offers legal assistance and counselling for family reunification cases.

Temporary protection procedure

Citizens of Ukraine who are currently in the Republic of Lithuania [can apply for legal advice](#) or legal assistance to the State Guaranteed Legal Assistance Service.

Beneficiaries of international protection

Legal assistance may be provided by non-governmental organisations (NGOs) and private lawyers.