



LITHUANIA: CONCERNING ISSUES RELATED TO IMMIGRATION DETENTION

**JOINT SUBMISSION TO THE
UNIVERSAL PERIODIC REVIEW**

*54TH SESSION OF THE UPR WORKING
GROUP (JANUARY 2027)*

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ABOUT THE GLOBAL DETENTION PROJECT (GDP)

The Global Detention Project (GDP) is committed to ending arbitrary and harmful migration-related detention practices around the world, and to ensuring respect for the fundamental human rights of all migrants, refugees, and asylum seekers. To achieve this, we seek to:

- Increase public knowledge and awareness of immigration detention policies.
- Expand coverage of immigration detention by human rights monitoring bodies and other international agencies.
- Expand partnerships with local and international civil society organisations working to end arbitrary and harmful immigration detention practices.
- Strategically target research and advocacy so that it effectively challenges arbitrary and harmful detention laws and policies.

ABOUT THE HUMAN RIGHTS MONITORING INSTITUTE (HRMI)

HRMI is a Lithuania-based non-governmental, not-for-profit human rights organization. Since its establishment in 2003, HRMI has been advocating for full compliance of national laws and policies with international human rights obligations and working to ensure that rights are effective in practice. HRMI conducts research, monitoring, evidence-based advocacy and awareness raising in various human rights areas, including the rights of migrants and asylum seekers.

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1. INTRODUCTION

- 1.1 This submission for the fourth cycle of the Universal Periodic Review (UPR) of Lithuania has been prepared by the Global Detention Project (GDP) and the Human Rights Monitoring Institute (HRMI).
- 1.2 The [Global Detention Project](#) is a non-profit organisation based in Geneva that promotes the human rights of people who have been detained for reasons related to their non-citizen status. The [Human Rights Monitoring Institute](#) is a Lithuania-based NGO which advocates for full compliance of national laws and policies with international human rights obligations and works to ensure that rights are effective in practice.
- 1.3 This submission focuses on human rights concerns with respect to the treatment of migrants, refugees, and asylum seekers—in particular, the country's immigration detention and deportation practices.

2. RECOMMENDATIONS FROM THE THIRD CYCLE

- 2.1 During the third cycle of the Universal Periodic Review in 2022, Lithuania supported several recommendations relevant to the detention and deportation of migrants, refugees, and asylum seekers.

139.79 Reconsider the period of detention of immigrants, which reaches 18 months, taking into account the use of alternatives to detention (Jordan) –

- **Not implemented. The Law on the Legal Status of Aliens continues to provide for up to 18 months of detention (six months, extendable by an additional 12 months).**

138.80 Strengthen coordination with international organizations to cease arbitrary detentions of migrants at the border and improve the reception of foreigners in accordance with treaty law and the Convention relating to the Status of Refugees (Mexico)

- **Partially implemented. Although authorities amended national legislation to ensure that there is an individual assessment of each asylum seeker's potential vulnerabilities (age, health condition, family situation, amongst other individual circumstances), people who are deemed non-vulnerable are placed in "temporary accommodation" for up to five months in situations that amount to de facto detention.**

138.83 Ensure that the rights of migrants and asylum seekers are respected, so that there are no pushbacks at the border and that applications are processed properly (Argentina)

- **Not implemented. Since the last cycle, the GDP and HRMI have continued to document cases of pushbacks, with migrants, refugees, and asylum seekers forced back across the border after irregular crossing. In 2023, the practice of pushbacks during times of State-level emergency was legalised following the adoption of legislative amendments.**

138.85 Improve asylum and refugee reception procedures, to ensure an effective humanitarian response in dealing with migrants and asylum seekers (Iraq)

- **Not implemented. Access to asylum remains restricted.**

3. RELEVANT LEGISLATIVE FRAMEWORK

3.1 Law on the State Border and its Protection

3.1a On 25 April 2023, the Seimas passed amendments to the **Law on the State Border and its Protection**.ⁱ Amongst various changes, Article 4(13) permits border officials to push back migrants at the border during times of State-level emergency, without giving them the possibility of claiming asylum.

3.1b A State-level emergency was declared in 2021 due to the mass influx of foreigners from Belarus, and this essentially remains in effect as of June 2026.

3.1c This same article foresees that decisions on refusal of entry are to be made individually, and that it is not to apply to persons who are fleeing armed conflicts (a list of which is to be established by the government), persecution within the meaning of the Refugees Convention, or for humanitarian reasons. However, the GDP and HRMI share concerns regarding the adequacy of these safeguards, given that cases of third country nationals seeking international protection, amongst them children, have been pushed irregularly across the border.

Recommendation:

- Amend the Law on the State Border and its Protection, particularly Article 4(13), to ensure that provisions authorising refusal of entry and pushbacks are removed, and to ensure that any border control measures are compatible with the principle of non-*refoulement* and the right to seek asylum, regardless of mode of entry.

3.2 Law on the Legal Status of Aliens

3.2a Lithuania's Law on the Legal Status of Aliens is the core legal framework governing the entry, stay, residence, asylum, detention, and removal of non-nationals.

3.2b Regarding immigration detention, Article 114 6) of the law provides for six months detention, extendable by a further 12 months (if the non-national does not cooperate in the return procedure, or if the necessary documents for their return are not received). Even though the Committee on the Rights of the Child has

determined that immigration-related detention is never in a child's best interests, the law continues to permit the detention of children "as a last resort" (Article 114(3)) and also permits the detention of asylum seekers for up to 12 months (Article 114(5)).

3.2c While Article 114 of the law requires a court order for detaining foreigners in the Aliens Registration Centre after an initial 48-hour period, HRMI has noted that there is very little publicly available information about the extent of application of the 48-hour court order requirement, raising concerns about the practical effectiveness and impact of this safeguard.

3.2d Importantly, in 2023 the Constitutional Court of Lithuania (Case No. KT53-A-N6/2023) found that provisions in the Law (that provided for the automatic detention of all persons who irregularly entered the country during times of State-level emergency for up to six months) were unconstitutional. In particular, it found that these provisions contradicted Article 20 of the Constitution which protects against arbitrary detention and arrest, and against unlawful restrictions on freedom of movement. The court held:

"[T]he human right to liberty may be restricted if necessary; according to the Constitution, inter alia Article 20 thereof, personal liberty, in accordance with the conditions for restricting personal rights and freedoms arising from the Constitution, may be restricted inter alia in order to protect the constitutional order of the state, as well as for the purposes of ensuring public order, defence and security of the state; however, personal liberty guaranteed by Article 20 of the Constitution, in order to achieve the aforementioned purposes, may not be restricted or restricted on general grounds (such as on the sole basis that a state of emergency has been declared due to a threat to the constitutional order of the state or public order), without assessing the real threat posed by the person to the values protected by the Constitution, which would require restricting the person's liberty."

3.2e In the wake of the ruling, Lithuania's parliament adopted various amendments, amongst which have been changes to Article 140-8, which now provides for assessments of an asylum seeker's age, health condition, family situation, and other individual circumstances.

3.2f However, Article 140-8 nevertheless provides that asylum seekers who submit applications for protection at a border control point, in a transit zone, or after irregularly entering the country and who are not deemed vulnerable are to be "temporarily accommodated" for up to five months. While authorities continue to use the term "temporary accommodation," observers including the Seimas Ombudsmanⁱⁱ have previously argued that in reality it amounts to detention.

Recommendations:

- Amend the Law on the Legal Status of Aliens to explicitly prohibit the detention of children, in-line with Lithuania's international legal obligations as well as guidance provided by international experts, including the Committee on the Rights of the Child and the Working Group on Arbitrary Detention.

4. CONCERNS REGARDING THE TREATMENT OF MIGRANTS, REFUGEES AND ASYLUM-SEEKERS

4.1 Immigration Detention Conditions

- 4.1a As of June 2026, Lithuania operates one dedicated immigration detention centre—[Pabradė Foreigners Reception Centre \(FRC\)](#) (which partially functions as a non-secure accommodation facility)—as well as two rooms at Vilnius Airport (the Vilnius Airport Border Guard Station) and rooms in numerous border units.
- 4.2b Irregular arrivals are typically initially detained in border units where they are accommodated in “container-type houses.” In 2024, the Lithuanian Red Cross found that most foreigners spent three to five days in these units (exceeding the 48-hour limit foreseen by the Law on Aliens), and some reported that conditions were poor, with no opportunity to wash and detainees prevented from using phones or contacting relatives. All were subsequently transferred to Pabradė FRC.
- 4.3 While conditions at Pabradė are reported to be better than at border posts, and appear to have improved in recent years, observers have nevertheless continued to document concerns. These have included a lack of regular access to interpreters, with medical staff relying on Google Translate; lack of culturally appropriate food; and a ban on detainees taking food to their rooms. Of note, the Lithuanian Red Cross (LRC) has expressed concerns regarding the practice of placing new arrivals in quarantine buildings, including children, which the organisation was not allowed to visit and where no legal safeguards are in place to prevent arbitrary or indefinite detention. As the LRC notes:

“It was noted that the practice of prolonged quarantine was applied to all foreigners arriving in Lithuania via Latvia who ended up in the FRC (while arrangements for their readmission were pending), which in essence allowed the restriction of freedom of movement without applying to the court for a detention order.”ⁱⁱⁱ

Recommendations:

- Ensure an end to the practice of prolonged quarantine without legal safeguards or court oversight, given the risks of arbitrary and indefinite detention.
- Ensure full transparency by permitting full independent monitoring of all areas of the Pabradė FRC, including its quarantine building.
- Ensure that conditions inside all detention facilities meet human rights standards, including adequate provision of culturally-appropriate food and hygiene products, access to sanitary facilities, and access to interpreters.

4.2 Access to Asylum and Pushbacks

- 4.2a Through legal and operational measures, Lithuania has continued to restrict access to asylum at its borders—particularly within the context of irregular crossings from Belarus. These have included the refusal of admission at non-designated border crossing points, not allowing people to approach checkpoints on foot or bicycle, and the legalisation of summary return practices (“pushbacks”) at

the border (see 3.1 Law on the State Border and its Protection: Legalisation of Pushbacks, above).

- 4.2b Since the last UPR cycle, Lithuania has continued to push-back refugees and asylum seekers at Lithuania's borders. The State Border Guard Service (SBGS) provides daily statistics on the number of foreigners denied entry from Belarus who attempted to enter Lithuania irregularly. According to these statistics, in 2025 border guards prevented the arrival of 1,652 foreigners in unauthorised locations, compared to 1,002 in 2024.^{iv} (There is no data available regarding the ages and nationalities behind these figures, nor how many of these were unique individuals and how many were instances of repeat attempts by the same individuals.) By way of contrast, in 2025 330 people lodged asylum applications in Lithuania, and 295 in 2024.^v
- 4.2c The conduct of push-backs is often violent and physically abusive. HRMI has documented numerous cases where individuals have been pushed back repeatedly, with asylum seekers stranded in limbo between Lithuania and Belarus—where they have been exposed to extreme weather and frostbite. While mistreatment complaints spurred a pre-trial investigation “on the grounds of danger to life and serious injury to health” in 2024, the Lithuanian Special Investigation Service terminated the investigation on the grounds that the officials’ “actions were in compliance with the applicable legal regulations.”^{vi}
- 4.2d These practices continue to encourage migrants and asylum seekers to take dangerous routes through forests and natural obstacles in an attempt to reach Lithuania, exposing them to serious risk of life. In April 2025, the decomposed remains of three individuals were found in the Katra River at the Lithuania-Belarus border, in a remote and difficult to access part of the “Green Border” (stretches of Lithuania's land border that are outside official border crossing points) with at least one body found on the Lithuanian side.^{vii}
- 4.2e On 30 December 2025, Lithuania's Supreme Administrative Court (LVAT) issued a landmark ruling in which it found that SBGS officers had acted unlawfully and violated the right of a Sri Lankan national to apply for asylum when they pushed him back into Belarus. The man was forcibly removed from Lithuania on 23 October 2023 without being given the opportunity to lodge a protection request. This is the first time that an administrative court of the highest instance explicitly ruled on pushbacks at the “Green Border.”^{viii}

Recommendations:

- Ensure access to territory for people seeking international protection, including by immediately ceasing pushback practices, and guaranteeing that border management measures do not expose migrants and asylum seekers to life-threatening risks.
- Ensure independent monitoring of border practices by national human rights institutions, civil society, and international organisations.
- In response to the 30 December 2025 ruling of the Supreme Administrative Court, recommend that Lithuania take legislative and administrative measures to ensure that the Court's ruling is implemented systematically, and is not limited to individual cases. Effective remedies and compensation should also be afforded for individuals who have been unlawfully pushed back.

5. CONCERNS REGARDING THE TREATMENT OF CHILDREN

- 5.1 As noted above, Lithuanian legislation (the Law on the Legal Status of Aliens) does not protect children against detention. Article 114(3) of the Law on Aliens states that “An Alien who has not reached the age of 18 ***may be detained only as a last resort, taking into account his or her best interests.***”
- 5.2 Immigration detention is never in a child’s best interests, and thus represents a child rights violation in every instance, with no exception, as affirmed by the Committee on the Rights of the Child and the Committee on Migrant Workers’ 2017 Joint General Comment (No.23/No.4)–“Any kind of child immigration detention should be forbidden by law and such prohibition should be fully implemented in practice.”^{ix} In 2024, the UN Committee on the Rights of the Child called on Lithuania to end the detention of asylum-seeking and migrant children.^x

Recommendation:

- As immigration detention is never in a child’s best interests and represents a child rights violation in every instance, Lithuania must be encouraged to amend its legislation to prevent the detention of any child for reasons related to their or their parents’ migration status.
