

LITHUANIA (2017)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR
Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	YES.	
	Involvement of Employers' and Workers' organizations in the reporting process	No.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	No.	
	Workers' organizations	No.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Lithuania has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	2017 AR: According to the Government, the Protocol is likely to be ratified as there are no basic impediments to it. Inter-institutional negotiations are ongoing on how to best implement the Protocol.
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2017 AR: The Government indicated that there are national policies and plans of action aimed at suppressing all forms of forced or compulsory labour as well as setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	Measures taken or envisaged for systematic and coordinated action	<p>2017 AR: The Government reported that since 2015, the State Labour Inspectorate under the Ministry of Social Security of the Republic of Lithuania has paid particular attention to human trafficking for forced labour and takes appropriate measures. The Anti-Trafficking Action Plan for 2017-2019 (hereinafter – Action Plan) has been prepared for the implementation of State Security Development for 2015-2025 Programme's, adopted on 7 May 2015 by the Order of the Minister of Internal Affairs, task "Developing and effective fight against human trafficking". The Action Plan has been designed to strengthen the inter-agency and inter-sectoral cooperation and action for anti-trafficking coordination. The Action Plan sets out the objectives and the measures, actions of its implementation, responsible executives, evaluation of the implementation criteria and its pursued values and appropriations. The assessment of the implementation of goals and objectives of the Action Plan will be carried out in 2019. Implementation of the Action Plan is funded by the State Budget and allocations from other sources. The Action Plan is coordinated by the Ministry of Interior. The main goals of the Action Plan are: strengthening the coordination of anti-trafficking, improving the prevention of human trafficking and pre-trial investigation, strengthening the system of assistance to victims and persons that are at a high risk of becoming a victims of human trafficking, improving competences and skills of public authorities and other bodies, which can communicate with the victims of human trafficking.</p> <p>The Ministry of Social Security and Labour, through the implementation of the governmental programmes, since 2002 provides financial support to the non-governmental organisations' projects for the social assistance to victims of human trafficking and</p>	

		<p>for their integration into society and the labor market. In 2017, with a view to continuing provision of social assistance to victims and potential victims of trafficking in human beings, financing from the state budget has been extended for 5 NGO projects selected by tender in 2016 and implemented by the Support Centre for Families of Missing People, Klaipėda Social and Psychological Assistance Centre, Caritas of Lithuania, Caritas of Vilnius Archdiocese, and the Association "Men's Crisis Centre".</p> <p>In 2016, project implementers provided social assistance to 179 persons, of whom 92 persons were recognised as victims by law enforcement institutions. According to the data of project implementers, the number of men has increased among all people addressing (or referred to) for help (34 per cent in 2015; 49 per cent in 2016), and the number of victims or potential victims outside the territory of Lithuania has also increased (50 per cent in 2015; 58 per cent in 2016). As compared with the previous years, distribution of persons who received assistance by their indicated form of exploitation has changed: in 2016, there were fewer victims of sexual exploitation (54 per cent in 2013; 33 per cent in 2016), but more victims of forced labour (19.5 per cent in 2014; 33 per cent in 2016), and more persons, including a large share of minors, are taken abroad to commit crimes (29 per cent of all persons who received assistance in 2016).</p> <p>During the period of 2013-2016, the measures provided in the Inter-institutional Action Plan for the Implementation of the National Crime Prevention and Control Programme have been carried out. During this period trainings for the specialists of the Youth Job Centres of the Territorial Labour Exchanges have been held, where problems of the victims of human trafficking integration into labour market and possible solutions have been considered. The task to develop sufficient fight against human trafficking was incorporated into the State Security Development for 2015–2025 Programme and into the Inter-institutional Action Plan implementing the Programme approved by the Resolution of the Government on 13 April 2016.</p> <p>To expand the spectrum of activities against human trafficking, the Ministry of Interior, in cooperation, with other agencies drafted a separate comprehensive action plan for the fight against trafficking in human beings. The plan was approved by the Minister of the Interior on 29 August 2016. The plan incorporates activities and actions related to the main areas of the fight against trafficking and exploitation including prevention, prosecution, protection and assistance, training, coordination, data management and monitoring.</p>
	<p>Measures taken or envisaged to prevent all forms of forced labour</p>	<p>2017 AR: The Government reported that labour inspectors organize trainings and seminars for young people as well as newly established employers every year. In these educational events labour inspectors stress importance of legal forms of labour relationships. Young employees are warned about risks of becoming victims of forced labour in the field of undeclared work. Labour inspectors of all territorial divisions were trained in the field of identifying victims of human trafficking. During the seminars, labour inspectors were instructed to separate criteria and symptoms of human trafficking and actions assisting potential victims.</p>
	<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2017 AR: The Government reported that there are measures provided under the Action Plan as well as the various relevant Laws, including the Criminal Code of Lithuania that aimed at fighting against human trafficking including exploitation for forced labour or services, use of forced labour or services, and purchase or sale of a child. Some of the measures envisaged or taken cover: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims; d) Medical and psychological assistance for victims; e) Measures for the rehabilitation and social and professional reintegration of victims; f) Protection of privacy and identity; g) Appropriate</p>

		accommodation; h) Specific measures for children; and i) Specific measures for migrants.	
	Measures taken or envisaged to facilitate access to remedies	2017 AR: According to the Government: the measures taken or envisaged are: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Development of forced labour indicators; e) Access to remedies and compensation; f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges; g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit; and h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.	
	Non-prosecution of victims for unlawful acts that they would have been forced to carry out		
	Cooperation with other Member States, international / regional organizations or NGOs	<p>2017 AR: The Government stated that it cooperates with other member States, and international, regional and non-governmental organisations in exchange of information, joint investigation teams and mirror investigations, assistance in gathering evidence under legal requests, assistance and support to victims, projects, training courses, task forces, working groups, and etc.</p> <p>The State Labour Inspectorate (SLI) of the Republic of Lithuania together with the Police participated in "Joint action day on labour exploitation" organized by UK Gangmaster's Authority and Dutch Inspectorate SZW in 2016. During this action labour inspectors and police inspected most of Lithuanian temporary employment agencies recruiting employees to EU member states. The SLI and the Police also participated in the "Joint action day on labour exploitation" organized by EUROPOL in 2017. The authorities organized joint inspections of construction sector for undeclared work of Ukrainian citizens, who are likely to be victims of forced labour as their working and living conditions do not comply the minimum standards, they do not receive a minimum salary. 68 objects were checked and 11 persons were identified working undeclared, also 16 administrative violations were detected.</p> <p>The SLI handed over to the Police 2 materials about possible exploitation of employees for forced labour in 2017. One of the cases was when Lithuanian citizens were exploited for work by Lithuanian farmer. The SLI and the Ministry of Social security and Labour, the Ministry of Interior, the Police, the General Prosecutor's Office and NGO's prepared recommendations on identifying victims of human trafficking and mutual cooperation in combating human trafficking.</p>	
	Promotional activities		
	Special initiatives/Progress		
CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Employers' organizations	
		Workers' organizations	
	According to the Government	2017 AR: The Government identified a) lack of awareness; b) shortcomings in the legislative framework; and c) lack of resources in the institutional framework as major obstacles.	
TECHNICAL COOPERATION NEEDS	Request	2017 AR: The Government indicated that it requires ILO technical cooperation in the following areas: a) Collection and analysis of data and information; b) Strengthening the legal framework; c) Capacity	

		<p>building for the competent authorities; d) Inter-institutional coordination; e) Promotion of fair migration policies; f) Assessment, in cooperation with the ILO, of the obstacles identified and their impact on the realization of the principle; g) Awareness-raising and mobilization activities; h) Guidance on the development of the national policy and plan of action; i) Promotion of fair recruitment and placement practices; j) Vocational training, job-creation and income-generation programmes for at-risk populations; k) Basic social security guarantees; l) Guidance on supporting due diligence; m) Capacity building for employers' and workers' organizations; n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; and o) Exchange of experiences between countries or regions; international cooperation.</p>
	<p>Offer</p>	<p>NIL.</p>