

The Relationship Between Recruitment Practices and Trafficking in Human Beings for Forced Labour, Exploitation for Forced Labour, and Other Exploitative Labour Situations of Lithuanians Abroad

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I would like to dedicate this research to migrant workers who were so strong, so motivated and took up the challenge to share their stories to throw light on the problem and warn others, as well as to everybody who did their best to help Lithuanians in dramatic situations abroad and cooperated in this research

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Executive summary

This research is part of the project “*Competence building, Assistance provision and Prosecution of labour exploitation cases in the Baltic Sea Region (CAPE)*” implemented in the Baltic Sea Region from 2 September 2019 to 31 August 2021 and coordinated by the Task Force against Trafficking in Human Beings of the Council of the Baltic Sea States. It is funded by the Swedish Gender Equality Agency. The project was initiated to support relevant national and local authorities in the Baltic Sea Region in combatting and prosecuting cases of forced labour and labour exploitation, as well as assisting victims of this form of human trafficking.

The report aims at providing a better understanding of the relationship between the recruitment practices and trafficking in human beings for forced labour, exploitation for forced labour, and other exploitative labour situations of Lithuanians abroad and what could be done to prevent the recruitment practices that facilitate such exploitative labour situations. This report gives an overview of the national context related to the fight against trafficking in human beings in Lithuania and discusses peculiarities of the recruitment of Lithuanians for jobs abroad, their travel, receipt, and exploitation in the country of destination, as well as challenges in the prevention of the recruitment practices that facilitate exploitation. The report also presents conclusions on the established relationship between recruitment practices and exploitative labour situations of Lithuanians abroad and a set of recommendations for the prevention of the recruitment practices.

Recruitment practices and exploitative labour situations

The data of this research suggest that job seekers from Lithuania use employment services provided by public agency, the Employment Services under the Ministry of Social Security and Labour of the Republic of Lithuania and by private employment agencies¹.

There is a low risk that employment services provided by public agencies will lead to exploitative labour situations abroad. However, the risk level increases for job seekers who use employment services offered by private agencies. The highest risk has been identified for Lithuanians who seek employment abroad via middlemen. Lithuanians who experience exploitative labour situations abroad are often recruited by Lithuanian private agencies

¹ Private employment agencies mean both legal (agencies) and natural (middlemen) persons.

registered in Lithuania. In the country of destination, they are received by representatives of temporary-work agencies or businesses run by managers who often originate from post-Soviet states including Lithuania. The private agencies in Lithuania and the temporary-work agencies and businesses in the destination country are interrelated. On the one hand, it enables the agencies to control workers through their recruitment and exploitation. On the other hand, it makes it difficult for migrant workers to file complaints and for law enforcement to disclose and investigate the cases. The employment services provided in this scheme facilitate the shadow economy and the exploitation of Lithuanian migrant workers abroad.

It is common for Lithuanian men in the age group 18 to 60-year-old to end up in exploitative labour situations abroad. Until 2020, mainly adults were identified as victims of human trafficking for labour exploitation in criminal investigations in Lithuania. The majority of Lithuanians trapped into exploitative labour situations abroad are single, divorced, or widowed and often originate from small towns. Victims have a very different educational and occupational background ranging from primary education to higher education. Lithuanians ending up in exploitation look for jobs abroad mainly because of economic reasons.

Based on this research data, there are still cases of job seekers having to pay recruitment fees to private employment agencies in Lithuania or having their fees collected by the employer upon arrival at the destination. Usually the recruitment fee does not exceed 100 euro. If land transportation to the country of destination is arranged, the recruitment fee amounts to several hundred euros. Recruitment fees in the country of destination can amount to and over 1000 euro and they are typically deducted from the first salary.

The travel to the country of destination is either organised by private employment agencies, or by the person her/himself. The expenses are paid by private employment agencies or by employers, however, occasionally job seekers bear these expenses themselves. If private employment agencies see that job seekers can pay for their travel, they encourage them to do so. There are instances in which employment agencies promise job seekers compensation for the travel costs, however, the compensation is rarely paid out. Lithuanians mainly use land transport to travel to the country of destination.

Lithuanian migrant workers appear under exploitative conditions at work, including excessive working days or hours, low or no salaries and salary

manipulation, no contracts and social security, and poor living conditions. Temporary-work agencies and businesses in the countries of destination still apply coercive measures to control migrant workers around the clock. Usually the coercive measures relate to confiscation of documents, debt bondage and withholding of salaries, isolation and surveillance, threats and violence, and forcing into illicit activities and tasks. The coercion measures increase the vulnerability of migrant workers and their dependency on the employer and in the end migrant workers have no other option than to obey the rules and remain under the influence of the exploitative employer.

Based on this research, Lithuanian migrant workers terminate their exploitative labour situations under several circumstances, and they experience inevitable consequences after that. In the majority of cases, workers escape exploitative labour situations, or their employment is terminated after a decision of an employer. In some cases, family members and the police interfere. As regards consequences after terminating exploitative labour situations, migrant workers may end up with debts and health problems, or sometimes with a damaged reputation. Usually, recruiters or exploiters do not search the exploited workers unless criminal investigations are started, and a victim cooperates with the police.

Lithuanian migrant workers rarely seek assistance and report exploitation to the police in the country of destination. Usually migrant workers do not believe that they are entitled to any assistance. If migrant workers have money, they try to manage on their own. If not, they usually ask their family members and diplomatic missions or consulates of the Republic of Lithuania for help. Sometimes non-governmental organisations in the country of destination or Lithuania pay for the return ticket. Also, Lithuanian communities in other countries, including churches, assist Lithuanian migrant workers in vulnerable situations. They consult and accompany them to relevant agencies and organisations, including diplomatic missions or consulates of the Republic of Lithuania, for further assistance. The Lithuanian community in the United Kingdom is particularly active in this field.

Challenges in prevention

The challenges in preventing harmful practices of recruitment of Lithuanians that facilitate their exploitation in other countries relate to data and knowledge, cooperation and coordination, preventive messages and speaking with one voice. There is a lack of knowledge about private employment agencies and their services, about employment procedures

and labour rights, exploitation at work, prevention of exploitative labour situations and where to seek assistance. The problem of human trafficking for forced labour and labour exploitation is not visible enough. Publicly available information about threats related to employment abroad and the crimes related to exploitation at work is insufficient.

Another challenge is a lack of interdisciplinary and inter-sectoral cooperation and coordination on the national, regional, and international level. Moreover, preventive activities are sporadic. There is a need for evidence-based continuous prevention activities. There is no national strategy with the purpose to prevent the exploitation of Lithuanians abroad.

The third challenge relates to preventive messages and how these are communicated. The content of the messages and the means to communicate them are not adapted to the target groups. Innovative ways and tools to disseminate the messages need to be elaborated.

And the fourth fundamental challenge is speaking with one voice. The practitioners lack a unified understanding of what constitutes exploitative labour situations, including trafficking in human beings for forced labour and labour exploitation. They need to strengthen their knowledge to be able to speak with one voice. The personnel of employment agencies need to join the efforts of the practitioners in preventing exploitative labour situations under the coordination of the public employment agency. The principle of speaking with one voice must be underlined in policies and practical responses addressing the problem as an issue of labour rights and criminal justice, while also taking into consideration that the exploitation of people is a problem not only for the individual but also for the state.

1. Introduction

The population of Lithuania has been decreasing since 1992. According to the latest data, there were 2 794 090 residents in Lithuania at the beginning of 2020¹. It is around one million less than in 1992 when there were 3 706 300 residents in Lithuania². The decrease in the number of residents to a large degree related to their emigration. The emigration especially boomed after the economic crisis in 2010 when 83 151 emigrants were registered. Every year around 50 per cent of the emigrants moved to the United Kingdom and other popular destination countries as Germany and Norway.³ A significant part of the emigrants were men, and the biggest age group among the emigrants were Lithuanians of the cohort of 20–29-year-olds. Thus, the emigration also was changing the gender and the age composition in the remaining society and resulted in the decrease of the total of men and the population of the working-age of 20–29. The unemployment rate in Lithuania had been constantly decreasing from 13.1 per cent in 2011 to 8.4 per cent in 2019⁴.

Even though not only economic push factors influence migration, low wage is a continuing concern for Lithuanian workers, and a major driver of emigration. according to the Organisation for Economic Cooperation and Development (OECD) report⁵. A survey of emigrants (918 respondents) in the most popular destination countries (the United Kingdom, Germany, and Norway) in the autumn of 2015 confirmed that the main economic push factors to emigrate for Lithuanians had been too low wages in Lithuania (61.5 per cent of the Lithuanians in the United Kingdom, 63.8 per cent in Norway, and 63.3 per cent in Germany) and wage difference and income inequality (37.4 per cent of the Lithuanians in the United Kingdom, 38.4 per cent in Norway, and 39.2 per cent in Germany). The personal life conditions were indicated as the most important non-economic push factor by 39.0 per cent of the Lithuanians in the United Kingdom, 37.8 per cent in Norway, and 37.3 per cent in Germany.⁶ Another survey initiated by the Ministry of Foreign Affairs of the Republic of Lithuania was conducted in 2018 among Lithuanians in different countries (a total of 1 851 respondents). The survey revealed that 20 per cent of the Lithuanians emigrated because their income in Lithuania was too low, however, only 4 per cent of them indicated that they had left because they could not find a job in Lithuania⁷. The survey conducted among 1 874 respondents under the initiative of the Ministry of Foreign Affairs of the Republic of Lithuania in 2019 had similar findings. This survey also found that

5.9 per cent of the emigrants left the country because they could not find a job.⁸

Emigration in its essence is not a negative phenomenon. It is clearly related to the social, economic, political, and cultural context, which is being influenced by differences in socio-economic development around the world, globalisation and free movement of people. Labour exploitation is driven by a whole complex of reasons and various processes in the society. Sometimes the line between violation of labour laws and the commission of crimes defined in the criminal law is very thin. People in a vulnerable situation are more inclined to risk and to trust, to obey and to accept exploitative labour conditions. The vulnerability is misused by individuals or groups of individuals who serve their needs through infringement of the rights and freedoms of other people.⁹ The discussions on various exploitative labour situations from milder to the most severe exploitation have been ongoing and many researchers have argued about the continuum of labour exploitation¹⁰. The debates have pressured governments to assume a broader understanding and definition of exploitative labour situations. However, so far there are no accurate data on labour exploitation. Practitioners usually refer to the hidden nature of trafficking in human beings, unclear and different definitions, and lack of resources to manage and compare the data¹¹.

In Lithuania, an increasing interest towards tackling trafficking in human beings for forced labour, exploitation for forced labour, and other exploitative labour situations can be noticed, with increased reporting of such cases in mass media and with the implementation of the regional project “Adstringo: Addressing Trafficking in Human Beings for Labour Exploitation through Improved Partnerships, Enhanced Diagnostics and Intensified Organizational Approaches”¹² in 2012–2014. Within the scope of the Adstringo project, research about recruitment practices and the roles of recruitment agencies and employers in the exploitation of migrant labour, which facilitates trafficking in human beings, was conducted in Lithuania, Estonia, Sweden, and Finland.

The research of the Adstringo project concluded that trafficking in human beings for forced labour and exploitation of migrant workers had remained a topical problem in the Lithuanian society and a difficult task requiring complex solutions. In most cases victims of trafficking in human beings for forced labour had been very young or elderly men, asocial persons and those socially at risk, mostly rural residents. The freedom of victims of trafficking in human beings for forced labour had been restrained by using the means of fraud, by not paying wages and forming artificial debts, degrading human

dignity and using the threats of physical and psychological violence, however, the victims did not seek help and used to deny the trafficking and exploitation fact. The majority of the victims had worked in agriculture, construction, and in factories.¹³

Within the framework of the Adstringo project, also Guidelines to Prevent Abusive Recruitment, Exploitative Employment and Trafficking of Migrant Workers in the Baltic Sea Region for states, businesses, trade unions, and civil society in order to prevent abusive and exploitative recruitment and employment practices and to protect the rights of migrant workers were elaborated.¹⁴ The research analysed in this report is the second research on related issues in Lithuania.

Aim of the report

This research report is part of the international project “*Competence building, Assistance provision and Prosecution of labour exploitation cases in the Baltic Sea Region (CAPE)*” implemented in the Baltic Sea Region in 2019 -2021 by the Task Force against Trafficking in Human Beings of the Council of the Baltic Sea States and funded by the Swedish Gender Equality Agency. The project was initiated to support relevant national and local authorities in the Baltic Sea region in combating and prosecuting cases of trafficking in human beings for forced labour and other labour exploitation, as well as assisting victims of these crimes. Furthermore, research on the related issues was conducted in two more project countries: Poland and Sweden.

This research report aims at developing knowledge on the relationship between recruitment practices and trafficking in human beings for forced labour, exploitation for forced labour, and other exploitative labour situations of Lithuanians abroad and on the challenges in the prevention of the recruitment practices that facilitate exploitative labour situations of Lithuanians abroad, as well as at providing recommendations on prevention of such recruitment practices. The knowledge of the recruitment practices related to exploitative labour situations is essential to structure effective preventive activities.

In this research, the exploitation of Lithuanians' work abroad was analysed in a broader context from milder to the most severe exploitative situations and trafficking in human beings for forced labour based on the indicators of the

International Labour Organisations (ILO)¹⁵, from violations of labour law, or administrative violation law, to committing crimes under the criminal law. Empirical findings are supplemented by other sources of information such as related research, reports, and documents.

In this study, the terms “exploitative labour situations”, “trafficking in human beings for forced labour” and “exploitation for forced labour” are used to describe a continuum of exploitation, ranging from less serious forms of exploitation to human trafficking for forced labour as the most severe form of exploitation.

Respectively, “migrant workers under exploitative labour situations” refer to Lithuanian migrant workers who have appeared under various exploitation forms, from milder to the most severe forms of exploitation abroad, unless it is specified differently, e. g. victims of trafficking in human beings for forced labour or victims of exploitation for forced labour. The term “storyteller” used in the report refers to an interviewed person describing the exploitative experiences on behalf of a victim. This report analyses the exploitative labour situations experienced by Lithuanian migrant workers abroad but does not suggest that these experiences are shared by all Lithuanian migrant workers. The terms “trafficking in human beings for forced labour” and “trafficking in human beings for forced labour or services”, as well as “exploitation for forced labour” and “exploitation for forced labour or services” are equal and mean the same. The terms “trafficking in human beings for forced labour or services” and “exploitation for forced labour or services”, as in the Penal Code of the Republic of Lithuania, are used to overview the Lithuanian context and to refer to the criminal investigations and other initiatives carried out by Lithuanian authorities, as well as in the conclusions and recommendations. The term “trafficking in human beings” refers to trafficking in adults and in children, unless it is specified otherwise. The agencies and legal acts in this report refer to the agencies and legal acts of the Republic of Lithuania, unless it is specified otherwise.

The report is divided into seven chapters. The first chapter gives an overview of the Lithuanian context in the fight against trafficking in human beings for forced labour or services and other exploitative labour situations including the legal framework and definitions, statistical data and trends, and institutional framework and initiatives. The second chapter describes the collection and analysis of the data related to recruitment practices and exploitative labour situations. The third chapter discusses practices of recruitment of Lithuanians, characteristics of Lithuanians trapped into

exploitative labour situations abroad, exploitative factors to trap Lithuanians into exploitative labour situations, recruitment-related fees, and features of transportation and transfer. The fourth chapter analyses receipt and exploitation of Lithuanian migrant workers, as well as circumstances and consequences at the end of exploitation and access to justice and assistance to the exploited migrant workers. The fifth chapter then explores challenges in the prevention of the recruitment practices that facilitate the exploitation of Lithuanian migrant workers. The closing chapter contains conclusions and recommendations.

2. The fight against trafficking in human beings in Lithuania: national context

Lithuania is a source, transit, and destination country for trafficking in human beings. So far, trafficking in human beings for sexual exploitation, pornography, forced labour or services, begging, forced criminal activities, forced marriages, illegal adoption, as well as exploitation for forced labour or services, and use of a person's forced labour or services have been investigated in Lithuania. Based on the data of criminal investigations, a bigger number of the disclosed cases have dealt with exploitation of Lithuanians abroad. Lithuania has introduced relevant legal and institutional instruments and has undertaken numerous initiatives to prevent, disclose, and investigate trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services crimes, as well as to assist, protect and reintegrate victims of these crimes.

2.1. Legal framework and definitions

The Lithuanian legislation related to trafficking in human beings corresponds to the main requirements of relevant international and European Union legal documents on trafficking in human beings. In Lithuania, the definition of the crime of human trafficking was first introduced and criminal liability for such crimes was established with the introduction of Article 131³ Trafficking in Human Beings in the Penal Code in 1998¹⁶. A new definition of trafficking in human beings (Article 147) and a special norm on purchase or sale of a child (Article 157) were introduced in the Penal Code in 2000¹⁷.

Based on the trends and the requirements of the main relevant international and European Union legal documents², the definitions of trafficking in human beings and purchase or sale of a child were amended in 2005¹⁸, 2012¹⁹, and 2016²⁰. In addition, new Article 147¹ on exploitation for forced labour was introduced in the Penal Code in 2005 (amended to exploitation for forced labour or services in 2012) and new Article 147² on use of a person's forced labour or services was introduced in the Penal Code in 2012. All these articles incorporate corporate liability to legal persons. Articles 147 and 157 establish that a person is recognised as a victim of trafficking in human beings irrespective to his consent if the main elements described in the articles have been identified (Paragraph 1), define aggravating circumstances with higher penalties (Paragraph 2), and incorporate the non-punishment principle (Paragraph 3).

Furthermore, the trafficking in human beings and purchase or sale of a child crimes are prosecuted irrespective of the location where the crimes are committed (in Lithuania or abroad), irrespective of the fact whether they are prosecuted under the criminal laws of the country where the crimes have been committed, irrespective of the fact whether they are of international nature and whether the crimes are committed by an organized group or not (Articles 7, 25, 147 and 157 of the Penal Code).

In addition, Lithuanian practitioners also have a nationally approved list of indicators of trafficking in human beings, purchase or sale of a child, exploitation for forced labour or services, and use of a person's forced labour or services with explanations of the terms used in the definitions of these crimes (see Chapter 2.1.5).

2.1.1. Trafficking in Human Beings

The recent definition of trafficking in human beings is incorporated in Article 147 Trafficking in Human Beings under Chapter XX Crimes against Human Liberty of the Penal Code. The trafficking in human beings' crimes are

² Council Framework Decision of 19 July 2002 on combating trafficking in human beings (2002/629/JHA); Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime of 15 November 2000 (entered into force for the Republic of Lithuania on 25 December 2003); Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA; Council of Europe Convention on Action against Trafficking in Human Beings of 16 May 2005 (entered into force for the Republic of Lithuania on 1 February 2008); Forced Labour Convention, 1930 (No. 29) (entered into force for the Republic of Lithuania on 26 September 1994); and others.

classified as serious and very serious crimes. Even though Article 147 incorporates a non-exhaustive list of exploitative purposes, it distinguishes several exploitative purposes, among them exploitation under the conditions of slavery or under the conditions similar to slavery and forced labour or services, including begging.

The definition of trafficking in human beings under Article 147 contains a combination of three main elements (criminal acts, means, and exploitative purposes):

Article 147. Trafficking in Human Beings

1. A person who sells, buys or otherwise transfers or acquires, recruits, transports or holds a person captive by physical violence or threats, or by otherwise depriving him of the possibility to resist or by using the victim's dependence or vulnerability, or by using deceit, or by taking or paying money, or by receiving or providing other benefits to a person who actually controls the victim, provided that the offender was aware or sought that the victim, whether he agreed or not, would be exploited under the conditions of slavery or under the conditions similar to slavery, for prostitution, pornography or other forms of sexual exploitation, forced marriage or marriage of convenience, forced labour or services, including begging, commission of a criminal act or for other exploitation purposes,

shall be punished by a custodial sentence for a term of two up to ten years.

2. A person who commits the act provided for in Paragraph 1 of this Article in respect of two or more victims or by endangering the victim's life, or by participating in an organised group, or by being aware of or seeking the acquisition of the victim's organ, tissue or cells, or while acting in his capacity as a civil servant or a person fulfilling public administration functions and performing his duties,

shall be punished by imprisonment for a term from four to twelve years.

3. The victim of the criminal offence provided for in this Article may be released from criminal liability for the criminal offence which he has been directly forced to commit because of the criminal offence provided for in this Article committed against him.

4. A legal entity shall also be held liable for the acts provided for in Paragraphs 1 and 2 of this Article.

The penalties for trafficking in human beings crimes range from two to twelve years of imprisonment.

Several crimes in the Penal Code correspond to the elements of the definition of trafficking in human beings, among them Severe Health Impairment (Article 135, excluding paragraph 2), Severe Health Impairment Caused in a State of Passion (Article 136), Severe Health Impairment Caused Through Negligence (Article 137), Non-Severe Health Impairment (Article 138), Non-Severe Health Impairment Through Negligence (Article 139), Causing Physical Pain or a Negligible Health Impairment (Article 140), Threatening to Murder or Cause a Severe Health Impairment to a Person or Terrorisation of a Person (Article 145), Deprivation of Liberty (Article 146), Restriction of Freedom of a Person's Actions (Article 148), and Involvement in Prostitution (Article 308).

2.1.2. Purchase or Sale of a Child

A special norm on purchase or sale of a child for different forms of exploitation in Article 157 under Chapter XXIII Crimes and Misdemeanours against a Child and a Family of the Penal Code also establishes a non-exhaustive list of exploitative purposes and distinguishes exploitation under the conditions of slavery or under the conditions similar to slavery and forced labour or services, including begging. Article 157 contains a combination of two main elements (criminal acts and exploitative purposes):

Article 157. Purchase or Sale of a Child

1. A person who proposes to purchase or otherwise acquire, sells, purchases, otherwise transfers, acquires, recruits, transports or holds captive a child while being aware or seeking that, regardless of the child's consent, he would be unlawfully adopted, exploited under the conditions of slavery or under the conditions similar to slavery, for prostitution, pornography, other forms of sexual exploitation, forced marriage or marriage of convenience, forced labour or services, including begging, commission of a criminal act or for other exploitation purposes

shall be punished by a custodial sentence for a term of three up to twelve years.

2. A person who commits the act provided for in paragraph 1 of this Article against two or more children or a young child or by endangering the victim's life, or by participating in an organised group, or being aware or seeking that the victim's organ, tissue or cells would be taken, or being a civil servant or a person performing the functions of public administration and exercising his mandate,

shall be punished by a custodial sentence for a term of five up to fifteen years.

3. The victim of the act provided for in this Article may be released from criminal liability for the criminal act which he was directly forced to commit as a result of the act provided for in this Article and committed against him.

4. A legal entity shall also be held liable for an act provided for in paragraphs 1 and 2 of this Article.

The penalties for purchase or sale of a child crimes range from three to fifteen years of imprisonment.

2.1.3. Exploitation for Forced Labour or Services

The criminal liability for exploitation for forced labour or services is established by separate Article 147¹ under Chapter XX Crimes against Human Liberty of the Penal Code. Unlawful force by physical violence, threats, deception, or other alternative means indicated in Paragraph 1 of Article 147 of the Penal Code used against the victim seeking that the victim performs certain work or provides certain services, including begging, is related to restriction of the freedom of the victim to choose the work or services. It is important to evaluate whether the victim had a possibility to leave the employer without any restriction or this choice was restricted by alternative means listed in Paragraph 1 of Article 147

of the Penal Code²¹. Forcing the victim to perform work or to provide services under the conditions of slavery or under other inhuman conditions is treated as aggravating circumstances of the crime and higher penalties are determined.

Article 147. Exploitation for Forced Labour or Services

1. A person who, through the use of physical violence, threats, deception or other means listed in Article 147 of this Code, unlawfully forces another person to perform certain work or to provide certain services, including begging,

shall be punished by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to three years.

2. A person who commits the act indicated in paragraph 1 of this Article by forcing another person to perform work or to provide services under the conditions of slavery or under other inhuman conditions,

shall be punished by arrest or by a custodial sentence for a term of up to eight years.

3. A legal entity shall also be held liable for the acts provided for in this Article.

The penalties for the exploitation of forced labour or services crimes vary from a fine, restriction of liberty, or arrest to imprisonment for up to eight years.

2.1.4. Use of a Person's Forced Labour or Services

The criminal liability for knowingly or likely knowingly use of work or services of the victim of trafficking in human beings when physical violence, threats, deception, or other alternative means indicated in Paragraph 1 of Article 147 of the Penal Code are used against the victim is defined by Article 147² Use of a Person's Forced Labour or Services under Chapter XX Crimes against Human Liberty of the Penal Code. According to the definition, the user of forced labour or services must be aware or likely be aware, based on factual circumstances, that the person whose work or services he uses is a victim of trafficking in human beings. The subject of the crime is the client who buys the forced labour or services of the victim of trafficking in human beings²² and using this labour or services contributes to the exploitation of the victim. However, Paragraph 2 of Article 147² establishes the possibility to release the client from criminal liability if he informs the law enforcement of the crime before being declared as a suspect and actively cooperates in criminal investigation.

Article 147². Use of a Person's Forced Labour or Services

1. A person who uses another person's work or services, including prostitution, while being aware or being obliged and likely to be aware that the person performs this work or provides these services as a result of using against him, for exploitation purposes, physical violence, threats, deception or other means listed in Article 147 of the Code,

shall be punished by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to two years.

2. A person who commits an act provided for in this Article shall be released from criminal liability if he, prior to his declaration as the suspect, voluntarily notifies thereof a law enforcement institution and actively cooperates in identifying the victim of trafficking in human beings (Article 147) or purchase or sale of a child (Article 157) and detecting any of these criminal acts.

3. A legal entity shall also be held liable for the acts provided for in this Article.

The penalties for the exploitation of a person's forced labour or services crimes vary from a fine, restriction of liberty, or arrest to imprisonment for up to two years.

2.1.5. Identification

A number of the terms used in the definitions of the crimes under Articles 147, 147¹, 147², and 157 of the Penal Code have been explained, based on relevant international and European Union legislation, as well as the court practice, in the Recommendations regarding Identification of Victims of Trafficking, Criminal Investigations, and Interagency Cooperation approved by Prosecutor General, Minister of the Interior and Minister of Social Security and Labour on 17 December 2015²³ (the Recommendations), among them deception, exploitation,

inhuman working conditions, dependence and using the person's dependence, vulnerability, forced labour, forced begging, recruitment, slavery, and a victim of trafficking in human beings. The Recommendations have established the unified criteria for identification of victims of the crimes defined under Articles 147, 147¹, 147², and 157 of the Penal Code, the victim identification process, and the mechanism of cooperation of relevant actors in the referral of the victims, including non-governmental organisations and Vilnius office of the International Organisation for Migration.

The Human Trafficking Victim Identification Card enclosed in the Recommendations lists the unified sets of alternative legal and risk indicators of victims adults of the crimes under Articles 147, 147¹, and 147² of the Penal Code and of alternative legal and risk indicators of victims children of the crimes under Articles 157 and 147² of the Penal Code. The practitioner assesses each relevant alternative legal and risk indicator for each potential victim and crosses a box of the applicable indicator. After assessing a combination of the marked indicators, the practitioner makes a decision. If the practitioner cannot assess the legal indicators (e. g. he has no relevant competence), he assesses and marks only alternative risk indicators. In such a case the assessment is finished and the decision based on the combination of the marked indicators is made by responsible investigator or prosecutor.

The National referral mechanism (the NRM) defined in the Recommendations involves all responsible specialists, which might have the first contact with victims of the crimes defined under Articles 147, 147¹, 147², and 157 of the Penal

Code and shall refer them for assistance and support including special non-governmental organisations and Vilnius Office of the International Organisation for Migration. The Recommendations contain the description of the role of police, border guards, prosecutors, labour inspectors, consuls, municipality specialists including child rights specialists, and specialists of non-governmental organisations and Vilnius Office of the International Organisation for Migration in the NRM. The practitioners act within their competences. The Recommendations were distributed and explained to responsible practitioners during their training. Since the approval of the Recommendations, any training related to identification and referral of the victims also shall refer to the application of the Recommendations.

2.2. Statistical data and trends

The Lithuanian society was introduced to the problem of trafficking in human beings in 1995 when the Interpol National Bureau of Lithuania started receiving first pieces of information about Lithuanian women exploited for prostitution in other countries.

In Lithuania, the first criminal investigation for trafficking in human beings related to prostitution and was initiated in 1999²⁴ (next year when the criminal liability for trafficking in human beings was incorporated in the Penal Code). The first criminal investigation for trafficking in human beings for forced labour (Article 147) was initiated in 2007, the first criminal case for exploitation for forced labour (Article 147¹) was registered in 2008, and the first criminal investigation related to use of a person's forced labour or services (Article 147²) was initiated in 2014.²⁵

Estimating the data of criminal investigations, it might be possible to distinguish four stages of the development of the crimes related to trafficking in human beings in Lithuania: 1) trafficking in human beings for sexual exploitation (1999–2006), 2) trafficking in human beings for sexual exploitation and forced labour and exploitation for forced labour (2007–2012), 3) an increasing number of cases of trafficking in human beings for various forms of exploitation (for forced criminal activities, forced labour or services, begging, illegal adoption, forced marriages, prostitution, and pornography) with the domination of non-sexual exploitative purposes, as well as exploitation for forced labour or services and use of a person's forced labour

or services (2013–2017), 4) a decreasing number of trafficking in human beings cases with limited spectrum of forms of exploitation (mainly for forced criminal activities, forced labour or services, begging, and prostitution) and exploitation for forced labour or services, as well as the first prosecution of legal person for trafficking in human beings (exploitation under the conditions similar to slavery) (2018–2019). Chapters 2.2.1–2.2.4 are based on the data from criminal investigations in Lithuania in the last decade (2010–2019)²⁶.

2.2.1. Criminal cases

In the last decade, 217 criminal cases for trafficking in human beings (here and further Articles 147 and 157 of the Penal Code), exploitation for forced labour or services (Article 147¹ of the Penal Code), and use of a person's forced labour or services (Article 147² of the Penal Code) were registered in Lithuania. From 217 criminal cases 30 were initiated for trafficking in human beings for forced labour or services and 15 criminal cases related to exploitation for forced labour or services (9 of them were initiated only for this crime). There were no criminal cases initiated only for use of a person's forced labour or services, however, this crime was investigated in one case initiated for trafficking in human beings for sexual exploitation and in one case initiated for trafficking in human beings for pornography. Of the 30 criminal cases, 5 relating to trafficking in human beings for forced labour or services also dealt with trafficking in human beings for forced criminal activities.

Table 1 indicates the number of criminal investigations related to trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of a person's forced labour or services by year in the last decade. The criminal investigations contained from one to several criminal acts (crimes).

Table 1

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
A total of initiated criminal cases	7	21	11	23 ³	24	27 ⁴	29	35	14	16
Out of them:										
No. of cases when trafficking for forced labour or services was investigated	-	-	-	3	3 ⁵	2	5 ⁶	10 ⁷	4 ⁸	3 ⁹
No. of cases when exploitation for forced labour or services was investigated	-	-	2	1	-	-	1	2	2	1

In the last decade, the highest number of criminal cases related to trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services was registered in 2017 (35 criminal cases). In the same year, also the highest number of criminal cases of trafficking in human beings for forced labour or services was initiated (10 criminal cases). Since 2018, the number of the registered criminal cases of trafficking in human beings for forced labour or services has been decreasing.

2.2.2. Victims

In Lithuania, victims of trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services are officially identified by police, border guards and prosecutors during the criminal investigation or by judges during the trial. In the last decade, 402 victims of

³ Including one criminal case for trafficking in human beings for pornography (Article 147), exploitation for forced labour (Article 147¹), and use of a person's forced labour or services (Article 147²) (the case was initiated in 2013, the crimes were registered in 2014).

⁴ Including one criminal case for trafficking in human beings for sexual exploitation (Article 147), exploitation for forced labour or services (Article 147¹), and use of a person's forced labour or services (Article 147²).

⁵ Including one criminal case also investigated for trafficking in human beings for forced criminal activities and for exploitation for forced labour or services (Article 147¹).

⁶ Including one criminal case also investigated for trafficking in human beings for forced criminal activities and for exploitation for forced labour or services (Article 147¹).

⁷ Including one criminal case for begging, three criminal cases also investigated for trafficking in human beings for forced criminal activities, and one criminal case also investigated for exploitation for forced labour or services (Article 147¹).

⁸ Including one criminal case for begging.

⁹ Including one criminal case for begging, one criminal case also investigated for trafficking in human beings for forced criminal activities, and one criminal case also investigated for exploitation for forced labour or services (Article 147¹).

trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services were identified. 72 out of those 402 people were victims of trafficking in human beings for forced labour or services. In addition, 17 victims of exploitation for forced labour or services and 16 victims of trafficking in human beings for different forms of exploitation and of exploitation for forced labour or services were registered. Furthermore, 6 women were identified as victims of use of a person's forced labour or services and of trafficking in human beings for pornography and sexual exploitation.

Table 2 indicates the number of victims of trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services recognised in criminal investigations (by police, border guards, and prosecutors) by year in the last decade.

Table 2

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
A total	15	22	14	47	47 ¹⁰	62 ¹¹	52 ¹²	60	44	39
Of them victims of trafficking for forced labour or services	-	-	-	4	6	5	12	35	4 ¹³	6 ¹⁴
Of them victims for exploitation for forced labour or services	-	-	4	-	-	-	7	2	1	3 ¹⁵

In 2012–2019, every year female and male victims of trafficking in human beings for forced labour or services and exploitation for forced labour or services were identified. In 2012, 1 woman and 3 men (including 1 boy), in 2013, 2 women (including 1 girl) and 2 men (including 1 boy), in 2014, 1 woman and 5 men, in 2015, 1 woman and 4 men, in 2016, 3 women and 9 men, in 2017, 12 women and 25 men, in 2018, 1 woman and 4 men, and in 2019, 1 woman and 8

¹⁰ Including five women recognised as victims of trafficking in human beings for pornography (Article 147), exploitation for forced labour or services (Article 147¹), and use of a person's forced labour or services (Article 147²).

¹¹ Including one woman recognised as victim of trafficking in human beings for sexual exploitation (Article 147), exploitation for forced labour or services (Article 147¹), and use of a person's forced labour or services (Article 147²).

¹² Seven of them became victims of exploitation for forced labour or services (Article 147¹).

¹³ Including one man for begging.

¹⁴ Including three people also recognised as victims of use of a person's forced labour or services (Article 147²).

¹⁵ Including two of them for begging (a man and a boy).

men (including 1 boy). The highest number of victims of human trafficking for forced labour or services and of exploitation for forced labour or services were identified in 2017 (37 victims).

Based on the data from criminal investigations, the victims of trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of a person's forced labour or services mostly were recruited through direct contacts in public places or on the phone, and, in several occasions, through Internet (online ads) usually misusing their vulnerability and using deceit. The main target countries were the United Kingdom and Lithuania.

2.2.3. Prosecutions

In the last decade, 408 people were prosecuted for trafficking in human beings for different forms of exploitation (sexual (prostitution), pornography, forced criminal activities, forced labour or services, forced marriages, illegal adoption, etc.), exploitation for forced labour or services, and use of person's forced labour or services. Out of the 408 people 44 were prosecuted for trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of a person's forced labour or services crimes including 31 trafficker prosecuted for trafficking in human beings for forced labour or services (22 traffickers were prosecuted for trafficking in human beings for forced labour or services, 4 traffickers were prosecuted for trafficking in human beings for forced labour or services and forced criminal activities, 3 traffickers were prosecuted for trafficking in human beings for forced labour or services and exploitation for forced labour or services, and 2 traffickers were prosecuted for trafficking in human beings for forced begging), 12 criminals prosecuted for exploitation for forced labour or services, and 1 criminal prosecuted for use of a person's forced labour or services. The majority of them were Lithuanian men.

Table 3 indicates the number of prosecutions for trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of a person's forced labour or services by year in the last decade.

Table 3

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
A total	20	37	25	68	40 ¹⁶	53 ¹⁷	67 ¹⁸	56	8	34
Of them prosecuted of trafficking for forced labour or services	-	-	-	5	-	-	7 ¹⁹	9 ²⁰	-	10 ²¹
Of them prosecuted for exploitation for forced for forced labour or services	-	-	5	1	1	-	-	2	-	3
Of them prosecuted for use of a person's forced labour or services	-	-	-	-	-	-	-	-	-	1

The highest numbers of prosecutions were registered in 2013 and in 2016 (74 prosecutions each year). In 2019, there were 14 prosecutions. In 2010, 2011, 2015, and 2018, no prosecutions were registered for trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of person's forced labour or services.

2.2.4. Convictions

In the last decade, 110 criminal cases related to trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services were received and 93 such criminal cases were solved at the first instance courts in Lithuania. A total of 179 people were convicted for trafficking

¹⁶ Including two men prosecuted for trafficking in human beings for pornography (Article 147), exploitation for forced labour or services (Article 147¹), and use of a person's forced labour or services (Article 147²) and two men prosecuted for purchase or sale of a child for forced criminal activities (Article 157) and exploitation for forced labour or services (Article 147¹).

¹⁷ Including one man prosecuted for trafficking in human beings for sexual exploitation (Article 147), exploitation for forced labour or services (Article 147¹), and use of a person's forced labour or services (Article 147²) and two men prosecuted for trafficking in human beings for sexual exploitation (Article 147) and use of a person's forced labour or services (Article 147²).

¹⁸ Including two men prosecuted for trafficking in human beings for forced criminal activities and for exploitation for forced labour or services (Article 147¹).

¹⁹ Including four people also prosecuted for trafficking in human beings for forced criminal activities and one of them also prosecuted for exploitation for forced labour or services (Article 147¹).

²⁰ Including two people also prosecuted for exploitation for forced labour or services (Article 147¹).

²¹ Including two people prosecuted for trafficking in human beings for begging.

in human beings, exploitation for forced labour or services, and use of a person's forced labour or services. Convictions for trafficking in human beings for forced labour or services were registered only in 2018 when 4 traffickers were convicted (one man for five years, two men for four years, and one man for 3 years and 6 months of imprisonment). Furthermore, 6 men (2 men in 2014 and 4 men in 2018 (in the combination with trafficking in human beings' crimes for other than labour exploitation)) were convicted for exploitation for forced labour or services. In addition, 3 men (1 man in 2018 and 2 men in 2017) were convicted for use of a person's forced labour or services in the criminal cases related to trafficking in human beings for pornography and exploitation for forced labour or services and to trafficking in human beings for sexual exploitation and exploitation for forced labour or services.

Table 4 indicates the numbers of criminal cases related to trafficking in human beings, exploitation for forced labour or services, and use of a person's forced labour or services received and solved, as well as the convicted at the first instance courts by year in the last decade.

Table 4

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
A total of the received cases	7	8	9	7	16	10	18	20	10	5
A total of the solved cases	7	3	3	5	14	7	11	18	19	6
A total of the convicted	9	17	7	11	18	16	23	20	48	10
Of them convicted for trafficking for forced labour or services, exploitation for forced labour or services and use of a person's forced labour or services	-	-	-	-	2	-	-	2	9	-

The absolute majority of the convicted traffickers were Lithuanians. The convicted men (149) constituted 83.24 % of the total. They were convicted for trafficking in human beings for sexual exploitation (prostitution), forced labour or services, forced criminal activities, pornography, illegal adoption, fraud,

and forced marriages, as well as for exploitation for forced labour or services, and use of a person's forced labour or services. The female perpetrators were mainly convicted for trafficking in human beings for sexual exploitation (prostitution), pornography, illegal adoption, forced marriages, and forced criminal activities. In the last decade, only Lithuanian men were convicted for trafficking in human beings for forced labour or services, exploitation for forced labour or services, and use of a person's forced labour or services. The combined²² penalties of imprisonment for trafficking in human beings were ranging from 15 years to 1 year. The men convicted only for exploitation for forced labour or services or for use of a person's forced labour or services got very low penalties²³. According to National Rapporteur of the Republic of Lithuania for Trafficking in Human Beings Issues, there were no criminal cases related to use of a person's forced labour or services received or solved in the first instance courts in 2019 because of possible lack of agreement in the identification of this crime among law enforcement institutions²⁷.

It should be noted that there was a considerable decrease in Lithuania in 2019 not only in the number of initiated criminal investigations related to trafficking in human beings but also in the number of prosecuted traffickers.

2.3. Institutional framework and initiatives

The fight against trafficking in human beings has been a priority for the Government since a long time. The first initiatives related to policy documents date back to 1999²⁸. Lithuania has implemented national programmes and action plans, set up a network of responsible bodies on national and local levels, mechanisms for coordination of their efforts in the fight against trafficking in human beings (including exploitation for forced labour or services and use of a person's forced labour or services), and set up the NRM. The situation and the efforts are being monitored by the National Rapporteur of the Republic of Lithuania for Trafficking in Human Beings Issues.

2.3.1. National programmes and action plans

In 2002–2012, Lithuania had specific programmes for the fight against trafficking in human beings adopted by the Government: the Programme for

²² The traffickers were convicted for two or more different crimes including trafficking in human beings.

²³ The two men convicted in 2014 only for the crime under 147¹ got fines of EUR 1 694 and EUR 3 768 and the man convicted only for the crime under Article 147² in 2018 got the penalty of restricted liberty for one year and unpaid work for 160 hours.

the Control and Prevention of Trafficking in Human Beings and Prostitution for 2002–2004²⁹, the Programme for the Prevention and Control of Trafficking in Human Beings for 2005–2008³⁰, and the Programme for the Prevention and Control of Trafficking in Human Beings for 2009–2012³¹.

Since 2013, the actions for the fight against trafficking in human beings have been listed in action plans related to the implementation of the National Crime Prevention and Control Programme³² (in 2013–2016³³) and the State Security Development for 2015–2025 Programme³⁴ (since 2016³⁵ repealing the previous plan). After the most recent amendment by the Government³⁶, the Interinstitutional Action Plan for the Implementation of the Public Security Development Programme for 2015–2025 contains 3 actions for the fight against trafficking in human beings in 2020, 2021, and 2022: to organise training for officers (EUR 600 every year, Police Department under the Ministry of the Interior), to render social assistance for victims and potential victims of trafficking in human beings (EUR 245 000 every year, Ministry of Social Security and Labour), and to organise and implement activities strengthening prevention, prosecution, protection, and assistance for victims of trafficking in human beings (EUR 44 000 every year, Ministry of the Interior).

Moreover, in 2017–2019, Lithuania had a specific plan for the fight against trafficking in human beings³⁷, which supplemented the Interinstitutional Action Plan for the Implementation of the Public Security Development Programme for 2015–2025 with a wide spectrum of activities and actions against trafficking in human beings by responsible state agencies in cooperation with municipalities and non-governmental organisations on national and local levels. Furthermore, some municipalities and non-governmental organisations also have had their own actions plans against trafficking in human beings. Information on the plans and the activities is available online (in Lithuanian)³⁸.

2.3.2. Responsible actors

In the course of changing economic, political, cultural, and social conditions influencing the development of the crime and in the evolution of trafficking in human beings crimes under these conditions, it is especially important to unite competent actors capable to undertake timely measures to prevent such crimes³⁹. Through years, the state key implementers of the actions against trafficking in human beings have been the Ministries of the Interior, Social Security and Labour, Foreign Affairs, and Education and Science

(Education, Science, and Sport since 2018), the Police Department and the State Border Guard Service under the Ministry of the Interior, the Prosecutor General's Office, and the Employment Agency and the State Labour Inspectorate under the Ministry of Social Security and Labour. A number of the actions have been implemented in cooperation with municipalities and non-governmental organisations.

The concord and effectiveness of the action of all responsible authorities, bodies, and organisations implementing activities of prevention, prosecution, and assistance for victims of trafficking in human beings and their protection shall be ensured by coordination of their activities at all levels and all sectors⁴⁰. In Lithuania, the actors implementing counter-trafficking activities also have had their representatives at task forces set up for coordination of the implementation of national programmes and action plans for the fight against trafficking in human beings. So far, the Ministry of the Interior has been the state agency with the longest list of implemented activities and the main coordinator of the implementation of the actions against trafficking in human beings together with multidisciplinary task forces.

The recent coordinating body, the Commission of Coordination of the Fight against Trafficking in Human Beings (the Commission of Coordination), was set up by Resolution of the Government on 11 August 2016⁴¹. This resolution established that all state and municipal institutions and bodies represented in the Commission of Coordination should plan, within their competence, counter-trafficking activities and actions, which should be included into the national action plan against trafficking in human beings approved by Minister of the Interior. The Commission of Coordination consists of 24 members including representatives of state and municipality institutions and bodies, the Lithuanian community in the United Kingdom, the Lithuanian Bishops' Conference, non-governmental organisations, International Organisation for Migration, and Chancellor of the Government who chairs the Commission of Coordination. The personal composition of the Commission of Coordination has been approved by Minister of the Interior. In addition, several municipalities also have their own task forces for coordination of the fight against trafficking in human beings in their territory.

2.3.3. Assistance to victims of trafficking in human beings

Law on Social Services⁴² establishes the principles for the provision of social services: a person receives such social services, which meet personal and family's interests and identified needs, and those services are coordinated to other assistance and support measures. It does not distinguish one type of services and does not limit assistance because of gender.

Lithuanian citizens, who were trafficked abroad, are entitled to assistance for their repatriation back to Lithuania. Upon establishing that a Lithuanian national is a potential victim of trafficking in human beings, diplomatic missions and consulates in that country provide the victim with return assistance to Lithuania upon his/her consent. The expenses are covered by the Ministry of Foreign Affairs. In 2017–2019, consular assistance was provided to 46 potential victims of trafficking in human beings in diplomatic missions and consulates. The majority of them were men who experienced forced labour and slavery conditions at work.²⁴

Since 2002, the specific assistance to formally identified and potential victims of trafficking in human beings (nationals and foreigners, men, women, and children) is provided on project basis and funded from the State budget in pursuant to regulations approved by the Minister of Social Security and Labour. In 2019, projects of five non-governmental organisations were funded from the State budget: The Missing Persons' Families Support Centre, Klaipeda Social and Psychological Support Centre, the Association Men's Crisis Centre, Vilnius Archdiocese Caritas, and the Centre against Human Trafficking and Exploitation⁴³. Non-governmental organisations organize and provide victims with necessary assistance based on the victims needs and interests. The necessary assistance is organized and provided to all victims regardless of their cooperation with law enforcement.

Based on the latest Regulations on the Organisation of the Competition of the Projects for the Provision of Social Assistance for Victims and Potential Victims of Trafficking for 2020–2021⁴⁴, the project of the National Association against Human Trafficking was granted EUR 240 060 in 2020⁴⁵. The National Association against Human Trafficking was set up in 2019 with the main purpose to ensure the availability and quality of the coordinated assistance to victims of trafficking in human beings and to implement preventive

²⁴ Information was provided by Expert of the Ministry of Foreign Affairs after the expert interview.

initiatives. The Missing Persons' Families Support Centre, Klaipeda Social and Psychological Support Centre, the Association Men's Crisis Centre, the Centre against Human Trafficking and Exploitation, and Alytus City Women Crisis Centre have become members of this association.

In addition, municipalities organize and coordinate necessary assistance for victims of trafficking in human beings (men, women, and children) residing in their territory (for a limited period of time assistance might be rendered for victims from other municipalities). Some of them also allocate funds to non-governmental organisations. Victims of trafficking in human beings are eligible to additional support in the labour market and may receive additional assistance for employment⁴⁶. Furthermore, there is a possibility for victims of trafficking in human beings to receive legal aid funded from the State budget⁴⁷ and compensation for damages of violent crimes from the Fund for Victims of Crimes⁴⁸.

2.3.4. Monitoring mechanism

The mechanism of monitoring of the situation related to the fight against trafficking in human beings in Lithuania is defined by the Government and coordinated by the National Rapporteur of the Republic of Lithuania for Trafficking in Human Beings Issues (National Rapporteur).

The legal grounds for the appointment of the National Rapporteur were built by the Government Resolution on 23 November 2016⁴⁹. Based on the resolution, the National Rapporteur collects statistical data and other relevant information on trafficking in human beings and counter-trafficking activities and actions, conducts their analysis and evaluates trends of trafficking in human beings and the results of counter-trafficking activities and actions, as well as issues recommendations for further progress of the fight against trafficking in human beings and presents them to the Minister of the Interior, the Commission of Coordination and the public. The Minister of the Interior is delegated to brief the Government on the information and recommendations of the National Rapporteur every year before 30 April⁵⁰.

The National Rapporteur is a staff member of the Ministry of the Interior and is appointed by the Minister of the Interior. The procedures on collection and publishing of statistical data and other information regarding trafficking in human beings, as well as activities and actions of the fight against trafficking in human beings also were approved by the Minister of the Interior on 31 March 2017⁵¹. They established a comprehensive and coherent system on

collection of data and other information on trafficking in human beings, activities and actions to fight against this crime, as well as their results (reliable statistical data and other information allow disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.) and measuring of the results from public actors, municipalities, non-governmental organisations, Vilnius Office of the International Organisation for Migration and other actors who might receive relevant data through their activities). The content of the document was agreed with the State Data Protection Inspectorate and it respects the right to personal data protection.

The National Rapporteur conducts evaluation of the criminal situation and of the results of the implemented activities and actions in the field of the fight against trafficking in human beings every year. The overviews of the National Rapporteur are available in the website of the Ministry of the Interior⁵². In addition, every year the activities and actions of national programmes and plans are evaluated in pursuant to the methodology for strategic planning approved by the Government⁵³. However, the National Rapporteur is the main actor to formulate recommendations for further progress of the fight against trafficking in human beings and to advise responsible actors in Lithuania.

3. Data and methods

The primary objective of this research report is to expand knowledge on the recruitment practices that facilitate exploitative labour situations of Lithuanians abroad. The secondary objective is to highlight the challenges in and to recommend measures for the prevention of such recruitment practices. Based on the extent of the research, this report does not aim to produce a comprehensive overview of all recruitment practices that facilitate exploitative labour situations of Lithuanian migrants.

The main research questions are the following:

- What recruitment practices do facilitate exploitative labour situations of Lithuanians abroad?
- Who are the victims (typology)? Why do they appear under labour exploitation abroad?
- How do Lithuanians reach exploitative labour locations?

- In what exploitative labour situations abroad do Lithuanians appear? Do they receive necessary assistance?
- What are the challenges and what can be done to prevent the recruitment practices of Lithuanians ending up in exploitative labour situations abroad?

The information was collected through the following qualitative methods:

- Semi-structured interviews with experts in Lithuania, migrant workers, and migrant workers' storytellers (a person who told the story on behalf of a migrant worker);
- Mass media materials.

The collected qualitative data were analysed through content analysis. The transcribed interview texts were thoroughly read to obtain the sense of the whole texts. Then the texts were broken down into categories and analysed based on the research questions. The information which could not be categorized was excluded.

The empirical chapters were written based on the information from the interviews. The findings from the interviews were supplemented by statistical and other information from responsible institutions and relevant research, reports, and documents. The content analysis of the collected online media materials did not reveal new information to be able to supplement the interview information. However, it was very useful to confirm the facts revealed during the interviews.

3.1. Interviews

During the research, 29 interviews were conducted with a variety of respondents. The interviews were classified into three interview groups: 1) expert interviews, 2) migrant worker interviews, and 3) migrant worker's storyteller interviews. Each interview group was asked about recruitment practices, travel to the country of destination, receipt and exploitation, assistance, and about prevention of the recruitment practices ending up with exploitative labour situations abroad. The interviews were based on thematic interview templates with semi-structured questions for each interview group leaving space for free narrative related to the questions of the research and

modifying it based on the experience of the interviewee (a general points overview is available in Annex). The interviewees were provided with the information about the research and the interview in advance and it was also discussed at the beginning of each interview.

The interviews were conducted in the Lithuanian language in March – May 2020. The interviews were audio recorded (except one) with the consent of the interviewees and with appropriate data protection measures in place. The quotes from the interviews have been kept as authentic as possible when translating them from Lithuanian into English. Keeping in mind the sensitiveness of the data presented at the interviews and the effect in the future life of the respondents and migrant workers whose stories were told if their identities are disclosed, the confidentiality has been strictly respected and the references related to names and exact locations have been skipped. In the report, all the interviewees have been given an equal voice.

3.1.1. Expert interviews

Ten experts from different agencies in five major cities (Vilnius, Kaunas, Klaipėda, Šiauliai, and Panevėžys) of Lithuania were interviewed. The interviewed experts represented ministries, the police, prosecutor's offices, labour inspectorates, employment services, and municipality administration. The experts were selected based on their expertise related to the fight against trafficking in human beings for forced labour or services in the fields of policy formation and monitoring, prevention, investigations and prosecutions, employment services, labour inspection, and assistance to victims. The interviewed experts had between three months to ten years of experience within the field. The majority of the interviewed experts were experienced in working with exploited Lithuanian migrant workers as a part of their daily work. The interviews lasted between 21 minute and 1 hour, the average being approximately 38 minutes.

A few experts preferred to remain anonymous, some of them preferred to give interview with their name, and the remaining experts chose to give the interview on behalf of their organisation. Based on different preferences and to be able to protect the identities of the experts who asked to remain anonymous, and taking into account the sensitive information they had shared on criminal cases and the challenges in prevention of recruitment practices related to exploitative labour situation abroad, it was decided not

to indicate either the names of the respondents, or their exact professional titles but to group them into three categories by their agencies:

- 1) ministry and municipality administration's representative (four interviewees),
- 2) law enforcement representative (three interviewees),
- 3) employment services and labour inspection authority's representative (three interviewees).

In the report, interviewees are referred to by these categories: "ministry and municipality administration's representative", "law enforcement representative", and "employment services and labour inspection authority's representative".

3.1.2 Migrant worker' interviews

During the research, twelve Lithuanian migrant workers who experienced from less severe to really severe exploitative labour situations in different countries of destination were interviewed. All of them defined their work experiences as exploitative. Four of the interviewed migrant workers resided in Lithuania and eight of them still were in the country of destination. The age of the interviewees ranged from 21 to 52 years old. They were exploited from two weeks to three years in logistics, construction, confectionery industry, babysitting, and nursing care of elderly people. The interviewees were identified based on recommendations by experts and the Lithuanian communities abroad.

All the interviewed migrant workers asked to remain anonymous. Some of them even refused to disclose their full personal data. Following the requests, the migrant workers were divided into two categories based on their age during the exploitation: 1) migrant worker, age group 18–30 years (7 interviewees) and 2) migrant worker, age group 31–52 years (5 interviewees). In the report, the interviewed migrant workers are referred to using these two categories as "migrant worker, age group 18–30 years" and "migrant worker, age group 31–52 years". The interviews lasted from 10 to 50 minutes, the average being 23 minutes.

3.1.3. Migrant worker's storyteller interviews

In addition to expert and migrant worker interviews, seven migrant worker's storyteller interviews were conducted. They could tell the stories because they assisted migrant workers or met them under other circumstances. One of the migrant worker's storyteller resided in Lithuania and the others lived abroad. The migrant workers about whom information was provided were exploited in agriculture, car repairs and car wash, massage services, and restaurant industry.

The majority of the respondents preferred to be anonymous. The interviewees were grouped into two categories by the reason how they got to know about the story they agreed to tell: 1) migrant worker's storyteller who helped the migrant worker (4 interviewees) and 2) migrant worker's storyteller who was told the story by the migrant worker (3 interviewees). In the report, they are referred using these two categories: "migrant worker's storyteller who helped the migrant worker" and "migrant worker's storyteller who was told the story by the migrant worker". The interviews lasted from 22 to 48 minutes, the average being approximately 37 minutes.

3.2. Online media materials

In addition to interviews, online media materials were collected using several keywords related to trafficking in human beings for forced labour or services and other exploitative labour situations of Lithuanians abroad:

- ✓ trafficking in human beings + forced labour
- ✓ forced labour
- ✓ labour exploitation
- ✓ exploitative labour
- ✓ slavery
- ✓ irregular recruitment
- ✓ exploitation of Lithuanians + abroad
- ✓ fraud + labour
- ✓ deceitful recruitment
- ✓ employment agency + exploitation

Based on the key words, the web archives of major Lithuanian newspaper "Lietuvos rytas" (lrytas.lt) and two largest online news portals "delfi.lt" and "15min.lt" dated 2015–2019 were analysed with the purpose to supplement the

information provided by the interviewed experts, migrants, and migrant workers' storytellers.

4. Recruitment and travel

This chapter outlines the primary outcome of the research related to recruitment and travel peculiarities of Lithuanians seeking a job abroad. Often already in the recruitment stage, Lithuanians are deceived about their work conditions abroad to trick them into exploitative labour situations. The recruitment practices, the characteristics of Lithuanians trapped into exploitative labour situations abroad, the exploited factors to trap Lithuanians into exploitation, the recruitment related fees, and the transportation and transfer aspects are analysed in this chapter.

4.1. Recruitment practices

Lithuanians look for jobs abroad because of the economic situation in Lithuania, long-term unemployment, better opportunities, or other reasons. It is especially attractive to seek employment in countries with high living standards. If Lithuanians themselves cannot find a job abroad, they use employment services. Employment services are provided by legal (public and private agencies) and natural (middlemen) persons. Based on international and European Union (EU) law, employment services for job seekers have to be provided free of charge.

In Lithuania, employment services shall be provided to job seekers free of charge by: 1) the Employment Services under the Ministry of Social Security and Labour (the Employment Services), 2) a legal person established in the Republic of Lithuania or branches thereof the purpose of which, as stated in the constitutional documents, is the provision of the employment services; 3) a legal person or another agency established in another EU Member State, or its branches established in the Republic of Lithuania or another EU Member State that are entitled to provide such services under the laws of that Member State; 4) a citizen of the Republic of Lithuania or another EU Member State, or another natural person who exercises the right of free movement in the EU Member States and is engaged in such activity. The legal and natural persons referred to groups under items 2, 3, and 4 shall submit information about their status, activities and the employment services provided to natural persons to the Employment Services.⁵⁴

4.1.1. Employment services by public employment agencies

The Employment Services with its branch offices is the only public agency which provides employment services including provision with information and consultation, evaluation of the potential of the job seeker and planning of professional career in Lithuania. A Lithuanian seeking a job abroad can apply to the European Employment Service (EURES) consultants employed in branch offices of the Employment Services or in another country (EU Member State and Norway, Iceland, Liechtenstein, and Switzerland). Based on the EURES Lietuva portal, the consultants organise recruitment and placement (job-matching) services for the benefit of workers and employers, as well as any citizen wishing to benefit from the principle of free movement of persons including matching of job vacancies and arranging a curriculum vitae on the EURES portal, information and guidance and other support services, access to information on living and working conditions in the EU Member States (taxation, pensions, health insurance and social security, etc.), specific support services in cross-border regions and to specific groups, and information on the access to post-recruitment assistance, such as language training and support with integration in the destination country.⁵⁵ According to one of the interviewed experts, the EURES specialists provide job seekers with useful information and support.

We consult, encourage, give contacts. <...> We publish job ads in the EURES website. There are criteria what ads we can publish. In addition, the EURES office assists, consults, and advises where to apply [for a job], what is the employment system in the foreign country, where to apply in emergency situations. (Employment services and labour inspection authority's representative)

It is important that the consultations of the EURES specialists are provided to anyone. It is not necessary to be registered as unemployed. Job seekers can get familiar with the services and pieces of advice in the website of the agency, as well as they are well detailed in the guide for job seekers available online in several languages including Lithuanian and English⁵⁶.

Furthermore, job seekers can find job ads in the EURES websites. In the Lithuanian EURES job proposals website⁵⁷, there was a number of job ads for various positions from auxiliary worker to manager in different economy sectors in Bulgaria, Belgium, Estonia, Denmark, Germany, Iceland, Ireland, the

Netherlands, Norway, Poland, Portugal, Sweden, and the United Kingdom at the time of the research. The interviewed Employment services and labour inspection authority's representative also commented on a variety of job possibilities published in this website.

The research has not disclosed any exploitative labour situations of Lithuanians after being employed via the Lithuanian EURES consultants. This fact also was confirmed by one of the experts.

Interviewer: Have you ever heard of the job seekers who found a job abroad through an EURES office and were not happy with the work conditions?

Interviewee: Well, I have not heard about this. Certainly, they [the job seekers] are always encouraged to clear out as much as possible [about the job], to get the contract that meets their expectations before travelling. There were no cases that someone had been cheated or had worked illegally. (Employment services and labour inspection authority's representative)

Based on the data of the research, the Employment Services, the only public agency rendering employment services in Lithuania, is well-developed and well organised. It is a secure channel to be used to find a job at least in the EU Member States, Norway, Iceland, Liechtenstein, or Switzerland. These employment services should be advertised more widely through different communication channels.

4.1.2. Employment services by private employment agencies

For Lithuanians, another option to find a job abroad is to use services provided by private employment agencies. The private employment agencies including temporary-work agencies are both legal (agencies) and natural (middlemen) persons rendering employment services²⁵, based on the ILO

²⁵ Based on the ILO Convention, a private employment agency is „any natural or legal person, independent of the public authorities, which provides one or more of the following labour market services: a) services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom; (b) services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to as a "user enterprise") which assigns their tasks and supervises the execution of these tasks; (c) other services relating to job seeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.

Based on Article 3 of the Directive, a temporary-work agency as “any natural or legal person who, in compliance with national law, concludes contracts of employment or employment relationships with temporary agency

Private Employment Agencies Convention⁵⁸, one of the most important international legal document on private employment agencies, which came into force in Lithuania on 19 March 2005⁵⁹, and on Directive 2008/104/EC on temporary agency work⁶⁰. According to Articles 73–74 of the Labour Code⁶¹, a temporary-work agency employment contract must agree on the form and procedure for assigning and recalling the temporary worker to work, the size and procedure for payment of remuneration for work done and remuneration that may be paid for the periods between assignments to work, and standard working hours, as well as before the commencement of work a temporary worker must be given the content and scope of the job function, the beginning and end of work, working-time arrangements, the procedure for accessing the workplace, and the contact person who is to provide all information about the work. Administrative liability for violation of procedures of the provision of employment services is defined in Article 133 of the Administrative Violations Code⁶².

A number of people who find a job assisted by private employment agencies illustrate that these services are quite popular. Based on the latest information from the Employment Services, in 2019, they found jobs for a total of 10 133 of people²⁶ including 5 447 (54 %) of them below 29 years old and 3 593 (35 %) under the cohort of 30–49 years old. 3 662 (36 %) out of 10 133 job seekers were offered jobs abroad. Even 72 % (2 629) of the employed abroad were men and 47 % (1 733) were the people below 29 years old. Only 455 (13 %) of the population of 50 years old or older succeeded in finding a job abroad. The majority of the job seekers were employed in the Netherlands (1 354, or 37%), Germany (878, or 24 %), and Norway (565, or 15 %).⁶³ The data show that the most attractive employees in the labour market in Lithuania and abroad are the people below 29 and it is difficult to find a job for the people of 50 years old or older. To compare, the unemployment rate of the population of 50 years old or older amounted to 11.1% and the rate of the population under 29 years old was only 5.5% in 2019⁶⁴. To compare with the data in 2018²⁷, there

workers in order to assign them to user undertakings to work there temporarily under their supervision and direction”, a temporary agency worker as “a worker with a contract of employment or an employment relationship with a temporary-work agency with a view to being assigned to a user undertaking to work temporarily under its supervision and direction”, and a user undertaking as “any natural or legal person for whom and under the supervision and direction of whom a temporary agency worker works temporarily”.

²⁶ 6 345 (63 %) men and 3 788 (37 %) women.

²⁷ In 2018, private employment agencies employed a total of 6296 people, among them 3141 (50 %) were employed abroad, the majority of the employed abroad were men and the population of up to 49 years old. In 2018, also the Netherlands, Germany, and Norway were the top countries where Lithuanians were employed by private employment agencies and even almost half of the people (48 %) were employed in the Netherlands and less people found jobs in Germany (16 % of a total), and Norway (12 % of a total).

was an increase in the number of the employed Lithuanians via private employment agencies in 2019.⁶⁵

4.1.2.1. Employment services by legal persons (agencies)

According to the research, Lithuanians experiencing exploitative labour situations abroad use the described employment services provided by three types of private Lithuanian agencies:

- 1) Recruitment agencies, which consult and conduct selection of staff in Lithuania for Lithuanian temporary-work agencies in other countries.
- 2) Temporary-work agencies, which employ and offer temporary workers to businesses in the country of the destination. Usually they are registered in the country of destination.
- 3) Recruitment agencies, which also operate as temporary-work agencies in Lithuania and offer temporary workers for businesses abroad.

Based on the research, the services of temporary-work agencies are popular among businesses in the country of destination because of flexibility in the management of human resources and work processes, as well as time and cost-saving. The companies are provided with the personnel they need, and for the required period. The temporary workers are selected based on the needs of the businesses, and the temporary-work agency administers the labour relations. The temporary-work agency also manages the risks related to the changing needs in the number of workers in those businesses. It shall be a more secure possibility for job seekers. However, the research data outline that job seekers can not trust these agencies. Often the recruitment agencies in Lithuania and the temporary-work agencies in the country of destination are interconnected. They are established by the same or related people. Among them, there are even previously convicted people. One migrant worker was very clear about the situation.

The recruitment agency in Lithuania and this company [temporary-work agency] in Germany are interconnected. A job seeker is sent to

Germany and is employed in the agency which does not have any warehouse, any single workplace. It is only a temporary-work agency. The only workplaces are a cleaner, his [owner's] sister and a house keeper, a man who was released from prison. <...> The owner also was in prison in Lithuania, he was one of the main crime bosses. He tries to hide this but it is not so easy. A father and his son work together. (Migrant worker, age group 18–30 years)

Knowing about the criminal background of the owners of the agencies and their relations, migrant workers who appear under exploitative labour situations in the country of destination usually do not complain or ask for assistance from the recruitment agency as they do not expect any help. Several migrant workers shared this.

Interviewer: Have you tried to write [to the recruitment agency] and to make a claim about exploitative work conditions?

Interviewee: I would not call anywhere. They all are conspired, work together. It goes in one ear and out the other. Or, in the end of the day I will be guilty. (Migrant worker, age group 18–30 years)

The interviewed also noted about their suspicion in the quality and legality of the documents and their management at these agencies. Some of the agencies are active for a certain period of time and disappear leaving no chance to trace their activities.

The interviewed people said that they were employed by the employment agency, but they did not find either official documents about this agency or their contracts. (Law enforcement representative)

Based on the data, agencies providing employment services use various channels to spread information on available jobs abroad and it is very popular to publish job ads on the Internet. These agencies are mostly found by job seekers looking for jobs abroad on the Internet. Interviewed experts and migrant workers confirmed it.

Interviewer: How did people find this job?

Interviewee: On the Internet.

Interviewer: Who did answer the calls?

Interviewee: The boss of the [temporary-work] agency published job ads through an intermediary, a private employment agency. (Law enforcement representative)

Interviewer: How did you find this company?

Interviewee: I found it on the Internet, sent a message, went to Tauragė, and filled in some documents. They called me in about one month and told me that I should leave on the weekend. (Migrant worker, age group 18–30 years)

According to the respondents, often these job ads contain inaccurate information on work conditions abroad. As one respondent commented, “I worked there. I know their policies. I see the job ads and I want to laugh. It is far from the reality what they write and what you find.” (Migrant worker, age group 18–30 years) Furthermore, at the recruitment stage the job seekers do not receive or receive little information about the work conditions and the legal status of the employer at the destination. Sometimes job seekers are just told to go to the destination where they will find out everything and will get the work contract (Law enforcement representative). Based on the interviews, there are cases when employment agencies do not even know about the real work conditions at the destination and do not care where they send job seekers. Job seekers expect to get a job at a company registered in the country of destination, however, they are employed at temporary-work agencies. They are told that their contracts are permanent, and they can work for long period of times, sometimes even for ten years, but it is a lie. (Migrant worker, age group 18–30 years) Moreover, even owners of temporary-work agencies contacted directly lie about work conditions to attract workers. Several migrant workers noted that before accepting the job offer they contacted the owners (Lithuanians) of temporary-work agencies abroad who confirmed that the living conditions and salary would be good and that all social guarantees would be ensured but the conditions were different when they started working.

However, the agencies take care of their reputation and put effort into hiding negative comments and to prevent information on real work conditions from being spread. The respondents stated that they could not leave comments on the false job ads.

Interviewer: You should comment [on deceitful job ads].

Interviewee: Yes, we comment but they delete negative comments.

Interviewer: Is it possible to delete?

Interviewee: Yes, there is a Facebook group set up by them, the administrator is their acquaintance, he deletes the negative comments. (Migrant worker, age group 18–30 years)

I often comment on job ads. I wrote a comment that they primarily should pay salaries for their employees which had been thrown to the street before looking for new staff. My message was immediately blocked that it could not be seen by other people. (Migrant worker, age group 18–30 years)

The main sectors in which Lithuanian migrant workers appear under exploitation are agriculture and warehouse logistics (warehouse order picking). The main countries of destination are the United Kingdom and Germany. Based on this research, agencies are not always a secure channel to find a job abroad.

4.1.2.2. Employment services by natural persons (middlemen)

This research suggests that the Lithuanians who trust middlemen offering employment services also appear under exploitative labour situations abroad and even more frequent than when using services of private agencies.

Based on the collected data, two types of Lithuanian middlemen send Lithuanians to exploitative labour situations abroad:

- 1) Middlemen who offer employment at temporary-work agencies (both legal and natural persons) in the country of destination. The temporary-work agencies are mostly run by Lithuanians who reside in the country of destination for a number of years and speak the local language. The temporary-work agencies offer temporary workers for local businesses usually led by managers originating from the country of destination or from Pakistan, or India.
- 2) Middlemen who offer employment at local businesses in the country of the destination. The local businesses are mostly led by managers originating from the former Soviet Republics including Lithuanians. Some of these middlemen work for the businesses themselves.

There is no obligation in Lithuania for middlemen offering employment services either to register their activity at the publicly available register, or to publish the information on the official website, or to meet requirements to get a licence to render such services. Thus, job seekers usually do not know whether middlemen operate legally. Quite often, middlemen do not even introduce themselves and do not show their identities to job seekers. On the other hand, job seekers do not ask them about this. Furthermore, some of the interviewed respondents even did not know whether they had worked legally in the country of destination after being offered jobs by middlemen, and they did not know how to check it. Potentially, it is a grey zone which requires further research.

Based on the research, middlemen mainly look for workers through direct contacts. Some of them even have a set of accomplices who spread information on jobs abroad among as many Lithuanians as possible by word-of-mouth presuming that there will be job seekers in their families, among their relatives or friends. "Acquaintances, a friend offered the job is a standard phrase". (Ministry and municipality administration's representative) When a job seeker gets information about the job through his family members or relatives, or friends, he treats this information more seriously and will likely not think that it is a trap.

My friend used to travel abroad; he knew those people. My friend offered me the job. He was searching for people to go there. <...> I knew him from my studies about half a year. <...> I understood that someone was the organiser [who offered employment services] and someone looked for people. They simply ask their acquaintances to look for people who want to travel to work abroad or who can find someone looking for a job abroad. So I was found. <...> My friend did not go. As I understood, they asked him to look for people. My friend asked me and I agreed. (Migrant worker, age group 18–30 years)

I found the [temporary-work] agency through my friend. He was in Germany and offered me a job there. (Migrant worker, age group 18–30 years)

Based on the data of criminal investigations related to trafficking in human beings for forced labour or services and exploitation for forced labour or services, the victims of these crimes are also recruited by middlemen who

offer employment services through direct contacts (Ministry and municipality administration's representative).

Another channel to reach potential job seekers used by middlemen is publishing job ads. Based on the collected information, their job ads contain attractive information and seem to be really convincing.

He found such a job ad on the Internet. A legal job in car maintenance in London, England. Mechanics <...> are required to work with new and used cars. Good work conditions, salary paid regularly every week, 500–900 pounds per week, all social guarantees, employment with documents, the average of 40 working hours per week, possibilities to work longer hours, age 20–55 years, no experience needed. It is important that the person is hard-working, honest, responsible, and motivated. We will train. The English language would be an advantage. (Migrant worker's storyteller who helped the migrant worker)

I told him to look for a job. He found a job ad on the Internet in the candy factory. <...> Paid travel, free accommodation, and some pocket money upon arrival were promised in the job ad. A very seductive text was written. (Migrant worker, age group 18–30 years)

Her job search was reading job ads in newspapers. While reading those ads she convinced herself to go to Switzerland. A big salary and attractive conditions were promised. (Migrant worker's storyteller who helped the migrant worker)

The third channel where information on jobs abroad by middlemen is available are social networks, especially Facebook. Even special accounts are created to advertise jobs as it was noted during the interviews.

He was on Facebook. Later his Facebook account disappeared. The Facebook account was named "Legal work in the car repair garage in London". It was also written that he could assist in finding a job in construction, somewhere else. <...> The owner of the garage was some "babay" [a man of Pakistani or Indian origin]. (Migrant worker's storyteller who helped the migrant worker)

Interviewer: Did this job ad contain a Lithuanian telephone number? Did you call the middleman who offered employment services or directly the company?

Interviewee: Yes, my acquaintance was the middleman. He published the job ad on Facebook. (Migrant worker, age group 31–52 years)

Usually younger men and women look for job ads online or on Facebook. Older people are more often offered a job face-to-face, they meet someone somewhere, they are offered a job and agree to go (Ministry and municipality administration's representative).

The research also suggests that middlemen with their set of accomplices who spread information on potential jobs and the temporary-work agencies and businesses in the country of destination that receive Lithuanians workers operate as an organised group. The recruiters in Lithuania look for people, arrange their travel, inform about the time and place of the arrival of the recruited workers and the representatives of the agencies and businesses, mostly Lithuanians, meet the recruited workers at the destination and involve them into exploitative labour situations. It was reflected in the interviews by migrant workers.

Interviewee: Who met you there?

Interviewee: People who lived there met me at the bus terminal.

Interviewer: Did you see that those Lithuanians abroad and the organiser in Lithuania were interconnected? Were one group?

Interviewee: Yes, yes, I noticed this after some time. The organiser was in Lithuania and the people worked abroad. The organiser did not go abroad. He was only sending people, someone was meeting the people and organising their work there. (Migrant worker, age group 18–30 years)

According to the research, the Lithuanians employed abroad by middlemen experience exploitative labour situations mainly in construction and decoration (especially in the United Kingdom), car maintenance and repair, car washing, babysitting, housekeeping, distribution of flyers and charity bags (especially in the United Kingdom), cultivation of drugs (especially in Spain), agriculture (especially in Spain and in the United Kingdom), and transportation (drivers). One woman appeared in exploitative labour situations even twice and in the same job sector, in the distribution of charity

bags, only was employed by different middlemen (Ministry and municipality administration's representative). To conclude, the biggest risk of Lithuanian labour migrants to end up in exploitative situation is to use employment offered by middlemen.

4.1.2.3. Challenges

The procedures established by the Director of the Employment Services⁶⁶ determines that private employment agencies²⁸ have to inform the Employment Services yearly about their activity and the employment services provided to job seekers during the previous year. In 2020, the Employment Services received information from only 67 private employment agencies (both agencies and middlemen) on their activities and services in 2019. According to this information, 58 agencies and two middlemen were offering employment services, and seven of them did not employ any single individual in 2019.⁶⁷ However, according to the data of the Statistical Department, there were as many as 359 private agencies⁶⁸ and five sole proprietorships⁶⁹ offering employment services in Lithuania at the beginning of 2020. Furthermore, the Employment Services compile statistical data reports based on the received information and publish the reports on its website. The activity and the services offered to job seekers by other private agencies and middlemen that do not provide the Employment Services with the required information remain the grey area. It was emphasized during the interviews that it would be useful to find updated information on services and misconduct of every agency and middleman involved in employment on one website. Currently, job seekers do not have this possibility. As it has been noted, it is especially important to publish information on middlemen and their activity and services as quite a number of Lithuanians experience exploitative labour situations abroad after using employment services provided by them.

Another challenge is the lack of requirements for agencies and middlemen to be met to provide employment services. At present, they do not need to meet special standards to obtain the right to provide or market such services or to obtain a licence. Furthermore, there are no special procedures in place to ensure services free from exploitation. The agencies and middlemen which do not ensure so called *zero exploitation* services shall bear responsibility and

²⁸ Both legal (agencies) and natural (middlemen) persons.

the information on their misconduct has to be made available to potential job seekers, agencies, and middlemen for preventive purposes.

The requirements and procedures will not be effective without a sufficient control and monitoring mechanism. The numbers of the job seekers assisted by the Employment Services (for example, in 2019, there were 179 000 job seekers assisted by this agency⁷⁰) are several times higher than the numbers of the job seekers assisted by private agencies and middlemen. However, the research has not revealed any cases of Lithuanian job seekers being subjected to labour exploitation after using the services provided by the public agency. However, quite a number of exploitation cases have been disclosed among private agencies and especially among middlemen. The control and monitoring mechanism shall also ensure that agencies and middlemen bear responsibility for knowingly or not sending Lithuanians to exploitative labour situations abroad. To achieve this, law enforcement and tax authorities need to play an important role. A special attention has to be given to the employment services related to the sectors and the countries mentioned earlier in this chapter. This research confirms one of the outcomes of the research conducted in the Adstringo project, that finding a job via employment agencies does not eliminate the risk of exploitation or forced labour, since all responsibility is attributed to the person looking for a job, and employment agencies assume almost no responsibility.⁷¹

Another challenge is related to the fact that Lithuanian migrant workers do not file official complaints to responsible authorities. The State Consumer Rights Protection Authority received 2 complaints for possible law violations related to employment services (the work conditions differed from the promised ones and for the negligence to fulfil the obligations as in the contract) and the Police Department under the Ministry of the Interior investigated three administrative violations related to employment services in January – October 2019. However, no violations could be established during the investigations and the cases were closed.⁷² The State Labour Inspectorate under the Ministry of Social Security and Labour conducts inspections at private employment agencies, however, recently there have not been any violations related to employment of Lithuanians abroad detected at these agencies (Employment services and labour inspection authority's representative). As people are reluctant to issue complaints and report misconduct to responsible authorities, other measures have to be applied to disclose the violations.

Furthermore, Lithuanians are not familiar with employment procedures and labour rights as they often do not exercise the right of requiring agencies and middlemen to provide them with all relevant information on the offered job abroad including the work contract and the conditions before leaving to the country of destination. It is necessary to raise public awareness on the procedures and the rights related to employment and relevant law violations.

4.2. Common factors of Lithuanians trapped into exploitative labour situations abroad

The research revealed several characteristics of Lithuanians trapped into exploitative labour situations abroad. The characteristics have been classified by gender and age, family situation and place of residence, and education and occupation.

4.2.1. Gender and age

Lithuanian men and women from 18 to 60 years old are trapped into exploitative labour situations abroad. Until 2020, mostly adult men were identified as victims of human for labour exploitation in Lithuania. (Ministry and municipality administration's representative) In the last years, younger Lithuanians had been identified as victims of human trafficking for labour exploitation. For example, in 2018, the biggest group of victims belonged to the age group of 20–40 years old. In 2019, the biggest group of the victims were between 18–30 years old. In the United Kingdom, about 90 % of the exploited Lithuanians are men, mainly young men right after school and men close to their retirement age. (Ministry and municipality administration's representative)

4.2.2. Family situation and place of residence

According to the collected data, most of the Lithuanians trapped into exploitative labour situations abroad are single or divorced, or widowed. Some of them have children. Sometimes they are from dysfunctional families or big families but mostly one-parent families. (Ministry and municipality administration's representative) Usually victims come from small towns, villages where they do not have any job opportunities. It was outlined in several interviews.

A woman who previously was trapped into labour exploitation by deceit abroad was accommodated in our facility. She was single, no children, <...> before she lived with her mother. (Migrant worker's storyteller who helped the migrant worker)

My husband died and I wanted to change the environment (Migrant worker, age group 31–52 years)

I had a 2-year old son. I left him with my mom. I arranged documents that she could take care of him. I was sending money to her for my son. (Migrant worker, age group 18–30 years)

Based on the interviews, houses or apartments owned by victims are in poor condition and need renovation, and some victims have no home at all. The research data also revealed that there were Lithuanians trapped into exploitative labour situations abroad that previously had had permanent jobs in Lithuania and could afford decent living conditions but for some reasons decided to look for an employment abroad (see more about the reasons in Chapter 4.3).

4.2.3. Education and occupation

As regards education, a more significant part of the Lithuanians trapped into exploitative labour situations abroad have a low education level, have no profession or have a profession that is no longer demanded in the labour market (Employment services and labour inspection authority's representative) The absolute majority of the formally identified victims of trafficking in human beings for forced labour have no education or have a secondary education at best. (Law enforcement representative) It is more common that young people leaving for jobs abroad have no secondary education. Sometimes the Lithuanians who experience exploitative labour situations abroad even have poor knowledge of their mother tongue and they do not have, or have minimal skills, in foreign languages (usually English).

At that time, I did not do anything, I was jobless at home, I dropped out of school early. (Migrant worker, age group 18–30 years)

I asked my mother to interpret to me on phone. (Migrant worker, age group 18–30 years)

Usually the Lithuanians trapped into exploitative labour situations abroad are unemployed or have a temporary job in Lithuania before travelling to the country of destination. However, a part of the Lithuanians trapped in such situations are educated people. (Migrant worker's storyteller who helped the migrant worker) The research data reveal the cases when educated people with foreign language skills, permanent jobs, as well as work experience abroad are tricked into exploitative labour situations in other countries. To conclude, Lithuanians of very different educational and occupational background are exploited abroad.

4.3. Reasons for searching jobs abroad and accepting the offered job proposals

According to the collected data, there are two main reason why Lithuanians search unemployment abroad is the economic reasons.

4.3.1. Economic reasons

Most Lithuanians look for jobs abroad because of economic reasons. Three groups of such people are distinguished based on the research.

One group of the Lithuanians who look for jobs abroad for economic reasons are unemployed people who cannot find a permanent job in Lithuania because of their age, lack of education and (or) profession, their profession is not demanded in the labour market, they obtain a profession at the Employment services but do not exercise it or because of disability or addictions (mostly alcohol). Sometimes a person is not able to find a job because of a combination of various reasons. Some people have a temporary job, e. g. in a farm. Some people do not have neither a job and income.

Another group are the Lithuanians who have permanent jobs and seek better salaries abroad for the same or similar jobs they have in Lithuania (mostly

unskilled jobs, drivers, and building finishers). As one expert commented, in the situation of free movement of persons, people emigrate for bigger salaries. (Ministry and municipality administration's representative) Based on the interviews, mostly these Lithuanians are disappointed by unclear salary situation at job and (or) by too little salaries for their families.

I looked only for such a type of job because I had some experience. [I looked] in Germany because I spoke German and thought it would be beneficial. (Migrant worker, age group 18–30 years)

He had a family. His wife died, and he had to leave for abroad because he could not support his children. (Ministry and municipality administration's representative)

My situation was uncertain. I was offered to go [abroad]. <...> I thought I would later regret if I did not try. I said I would go. I thought if I did not like it, I could always return. I went. (Migrant worker, age group 31–52 years)

Lithuanians look for the possibilities to earn extra money in a shorter period. The economic reasons are often exploited. Both push and pull factors play a role in the labour exploitation of Lithuanians abroad.

The third group of the Lithuanians are the ones who have permanent jobs in Lithuania. They look for temporary jobs abroad under a fixed-term contract to earn extra money for a specific purpose and then to return. One migrant worker commented on his situation.

I needed this job. I knew that it would be temporary, during the summer holiday, to earn extra money. I had a permanent position, so I was looking for a temporary income because of my family situation. I had to support my family. (Migrant worker, age group 31–52 years)

Lithuanians look for the possibilities to earn extra money in a shorter period.

4.3.2. Mental health conditions

Quite big number of the Lithuanians trapped into exploitative labour situations abroad have mental problems what prevents them from realising

what is behind the offered job proposal. It has been noted by experts and migrant workers' storytellers.

It was visible that he could not assess the situation adequately. And it seemed he did not realise his capabilities. (Migrant worker's storyteller who was told the story by the migrant worker)

For some victims it takes three days to find the way from Victoria station to the embassy even though it is around 15 minutes on foot. This tells much about their mental state. (Ministry and municipality administration's representative)

The collected data demonstrate that mental health conditions prevent Lithuanians from understanding their capabilities and whether they can really perform the tasks at the offered job. Furthermore, they experience difficulties in identifying risky job proposals and the true intentions of the recruiter.

4.3.3. Loneliness

Several respondents outlined the loneliness and being closed off as another quite frequent reason for why a person ends up in exploitative labour situation. A lack of social network can prevent a person from getting a piece of advice on a job proposal and whether to accept it or not.

I did not have any acquaintances, anyone with whom I could discuss this [the job proposal]. The job ad seemed to be very attractive, so I called and went. (Migrant worker, age group 18–30 years)

She did not have relatives or anyone with whom she could talk about this. She did not have friends. She was a closed person. (Migrant worker's storyteller who helped the migrant worker)

They were afraid of public institutions; they were afraid of asking and telling about their situation. They had a hostile attitude towards public institutions. They thought that they would not get assistance, that nobody would take care of them. They felt a barrier. <...> They were timid, did not know where to apply. If they screwed up their courage, they would share their experience and even would ask questions. (Employment services and labour inspection authority's representative)

It was outlined in one interview that people come to the Employment Services and ask whether the published ads can be trusted. However, in general people are reluctant to speak about their jobs. (Employment services and labour inspection authority's representative) This example illustrates that even though Lithuanians have a possibility to ask for advice, they are reluctant to talk about their concerns.

4.3.4. Naivety, honesty, and trust in people

The naivety, honesty, and trust in people were mentioned by a few interviewees as the third reason why some Lithuanians end up in exploitative labour situations abroad. These Lithuanians usually do not have previous bad work experiences so they cannot realise that something wrong can happen with them. They do not look for risks in job proposals. (Law enforcement representative) They believe in what is being said to them by the recruiter.

I was a very trusting person. <...> Before I worked in France. Everything was fine, I was paid even cents. I knew that people had not been paid but could not imagine that this would happen with me. (Migrant worker, age group 31–52 years)

He said I myself lived an honest life so I even could not think that such things might happen to me there. (Migrant worker's storyteller who helped the migrant worker)

Sometimes it is the case with young people leaving orphanages. One expert shared information on potential victims of trafficking in human beings among the children leaving their orphanages.

In Lithuania, orphanages accommodate children until they are 18 years old. If they do not continue their studies, they must leave the orphanage and move to live anywhere they find. Before leaving the orphanage, young people receive the settlement benefit from the State budget in the amount of about EUR 3000. The criminals know it. They set up alleged friendships with children of around 17 years old who are about to leave their orphanages. They are attentive, buy clothes, food, phones, or cigarettes and later swindle out of their received money. Even though the money is transferred when the invoice is presented to local municipality, the criminals manage this. Later the criminals ask the

young men to set up contacts with other children of around 17 years old. <...> When the young people run out of money, the criminals offer them a good life abroad. So, they appear under exploitation and all the money is taken by the criminals. <...> The naivety, trust, lack of social skills and the post-orphanage behaviour syndrome when these children follow anyone who shows attention are misused. (Law enforcement representative)

4.3.5. Convincing arguments of family members, friends, and other acquaintances

One more reason why Lithuanians accept the offered job proposals are convincing arguments of their family members, friends, and other acquaintances. It has a big influence on the people as they decide to go to work abroad even though they have not had such plans before. It was mentioned by a few respondents.

I had a regular job in Lithuania. Simply my sister called me that there was a possibility to go to work in England, a good salary was offered. Of course, I was tempted, called that person. We met and talked. Later he asked to meet again to sign some papers. I did not know that person, he was a friend of my sister's friends. (Migrant worker, age group 31–52 years)

Most frequently people think that it is possible to earn abroad, some friend lures with promises that look I work there, earn, you also can earn such money. (Ministry and municipality administration's representative)

I had a neighbour who found a job ad. He invited me to go together. The hourly salary was EUR 4 instead of EUR 2 in Lithuania. And we were tempted to go. <...> We left without thinking. (Migrant worker, age group 18–30 years)

The convincing arguments of family members, friends, and other acquaintances are important in making the decision regarding job proposals. This reason is well exploited by middlemen offering employment services (see Chapter 4.1.2.2).

4.3.6. Convincing communication of recruiters

Also, convincing communication of recruiters as one of the reasons why Lithuanians accept the offered job proposals was mentioned by a few interviewed migrant workers.

The speech of the man whom I called in Lithuania was very well constructed psychologically, well prepared, he had convincing and very ensured explanations on everything, with every detail. I was really convinced. He was a very good psychologist. (Migrant worker, age group 31–52 years)

Based on the interviews, the convincing communication of recruiters really influences the decisions of Lithuanian job seekers. If the recruiter succeeds to build trust with the job seeker, it is very likely that the job seeker makes a positive decision.

4.3.7. Lack of education and awareness

Exploited labour migrants often lack education and awareness about employment rules and labour rights. The collected data illustrate that Lithuanian job seekers usually do not check the identity of the recruiter and the employer, the information about the company, the nature of work, work conditions, etc. They do not examine the provided information. Furthermore, they even do not check the information upon arrival. According to one of the interviewed experts, Lithuanians lack common understanding about a work contract, how it looks like, what kind of information it should contain, and what labour rights a person has. The public education on these issues so far has been limited. (Law enforcement representatives) Another expert commented that public education is needed about what a job seeker has to do before leaving for a job abroad, including signing a work contract and clearing out all the conditions before a travel. (Employment services and labour inspection authority's representative) One migrant worker noted that he would have needed some reliable public website where he could find information on legal jobs and companies which could help him with employment abroad. (Migrant worker, age group 18–30 years)

I was shocked when I understood that only about 30 % of people I met knew the name and the surname of the employer. <...> Probably they

were too shy to ask. And they [the employers] call each other only by first names. (Ministry and municipality administration's representative)

Interviewer: Did you know what you would do in your job?

Interviewee: I knew that I would need to do something bad, but I did not know that I would need to work with thieves. Primarily they said that I would need to transport people from point A to point B, from one city to another city. (Migrant worker, age group 18–30 years)

Interviewer: Did you ask of the name of the company before going? Was the name of the company in the job ad?

Interviewee: The name of the company was in the job ad. I was not sure whether it was the right name.

Interviewer: Didn't you check?

Interviewee: No, the company in Lithuania seemed to be active. I did not know about the company in Germany. I did not have any work contract. It was a question to me. (Migrant worker, age group 18–30 years)

The research data suggest that the majority of the exploited workers do not have sufficient knowledge on employment procedures and labour rights, or on what they need to do to prevent themselves from ending up in exploitative labour situations. Another important requirement is to make the information on legal employment and on the agencies that trap Lithuanians into exploitative labour situations easily accessible to prevent people from making the same mistakes. One migrant worker even mentioned that he asked journalists to inform everybody about his exploitative labour situation and about the exploiter. Another interviewed migrant worker mentioned that she was also planning to share her story in mass media to warn others.

On the other hand, as it was commented at one interview, people are not able to choose between lies and the truth. (Migrant worker, age group 18–30 years) Based on the research, there are cases when Lithuanians check information and get in contact with the future employer before the travel, however, this does not prevent them from appearing under exploitative labour situations. Safe employment much depends on the agency and the middleman rendering employment services. The best solution would be to look for jobs at well-known agencies, preferably the public employment agencies. People shall be encouraged to use the public Employment Services through education and awareness raising campaigns.

4.4. Recruitment related fees

The international, EU, and Lithuanian legislation prohibits taking recruitment fees from job seekers. However, the research reveals that it is not always the case. The collected information on recruitment related fees is not very detailed, however, some trends have been determined.

Based on the data, different possibilities are used to take recruitment fees from job seekers. In some cases, recruitment fees are collected by agencies in Lithuania. In other cases, they are deducted by the employer from the first salary, upon arrival.

When Lithuanians are charged the recruitment fee by agencies in Lithuania, they have to pay it before getting the job proposal. The recruitment fee amounts up to EUR 100. One of the experts commented on the paid recruitment fee revealed while investigating the case related to international trafficking in human beings for forced labour or services.

There were cases when the agencies asked the job seekers to pay the recruitment fee. It was EUR 50 or EUR 100. (Law enforcement representative)

The recruitment fee increases if other services are also provided.

He found some employment agency, paid several hundred euros for his employment. This amount also covered the costs of the travel by minibus to the United Kingdom. (Migrant worker's storyteller who was told the story by the migrant worker)

In the country of destination, the recruitment fee is deducted immediately when the first salary is calculated. The amount of the recruitment fee varies depending on the country, e. g. from GBP 250 to over GBP 1000 in the United Kingdom or EUR 300 in Germany. In these cases, the agencies and middlemen in Lithuania get a payment for the recruitment services from the employer in the country of destination.

I asked about recruitment fees in all cases. The fees were different. As far as I remember, always the amount of over GBP 1000 was deducted

[from the salary]. The workers were told so. The fees were deducted in the first month. (Law enforcement representative)

The employer himself was taking the recruitment fee. He was deducting from GBP 250 to GBP 300 from the salary. (Law enforcement representative)

I was not asked to pay the recruitment fee. The manager told me that I did not need to pay it because I had been recommended by her son. However, other people pay the recruitment fee of EUR 300 to be employed in this temporary-work agency. (Migrant worker, age group 31–52 years)

Based on the research data, the recruitment fee is requested mostly from Lithuanians employed in the agriculture and construction sectors in the United Kingdom and in the nursing care of elderly people sector in Germany.

One expert also outlined that accomplices of middlemen receive EUR 30–40 for each recruited Lithuanian. (Law enforcement representative) In other cases the employed Lithuanians either are not requested to pay the recruitment fee, or they are not told about it but get deducted salaries (or get no salaries at all) (see Chapter 5).

4.5. Transportation and Transfer

The transportation of Lithuanian job seekers to the country of destination is organised either by private agencies and middlemen that render employment services or by job seekers themselves. Sometimes the expenses are paid by private agencies or by employers, sometimes job seekers themselves have to bear these expenses. (Ministry and municipality administration's representative) Usually, Lithuanians reach their destination by land transport.

Collected data suggest that in many cases private agencies organise the transportation for job seekers from Lithuania to the country of destination and pay for it. It is common for the job seekers who appear in particularly severe exploitative labour situations in the country of destination. In all investigated cases the victims were transported either by cars or buses, or minibuses. The

travel was always organised and paid for them. (Law enforcement representative)

As it has been mentioned in the previous chapter, some agencies ask to pay the recruitment fee which also includes the costs of the land transportation to the country of destination. One migrant worker shared that sometimes the travel costs are covered by future clients whom the job seeker is going to assist in his new employment. These cases relate to the nursing care of elderly people sector.

My travel was paid by the elderly people. I succeeded to convince them that they would pay for the transportation. (Migrant worker, age group 31–52 years)

Another migrant worker shared that he was transported to the country of destination by minibus driven by the middleman and did not need to pay for the travel.

Interviewer: How did you go there?

Interviewee: One of them [of the recruiters] came by minibus to pick us up. The minibus was full. He transported us himself and handed over to the employer. We had to wait for a while until he arrived (Migrant worker, age group 18–30 years)

In some cases, job seekers are asked to buy a travel ticket with the promise that it will be reimbursed upon their arrival. However, it is never reimbursed.

When job seekers must pay for the travel themselves and no compensation is offered, they mostly travel by minibuses or by cars on their own or together with other job seekers.

In rare cases job seekers travel by plane. They pay for the ticket themselves or get the ticket paid by the employer.

I travelled by plane. I bought the ticket myself. They were asking whether I would be really travelling. I had to send a copy of the ticket. (Migrant worker, age group 31–52 years)

The air tickets to him and to a few more men were bought by the company in Norway. The man who handed over the tickets in Lithuania

accompanied them to the airport and even paid for the lunch there. (Employment services and labour inspection authority's representative)

As regards the transfer, usually Lithuanian job seekers travel on their own to the country of destination and only upon arrival are met by representatives of temporary-work agency or local business. Only one case was revealed during the research when the recruited Lithuanians were transported and transferred by the middleman.

The research confirms that agencies and middlemen rendering employment services and businesses are flexible. If they realise that job seekers can pay for their travel, they encourage them to do this. If job seekers have no money, they arrange the travel and pay for it or transport the job seekers themselves. This flexibility is also supported by the fact that the agencies and middlemen in Lithuania and in the country of destination, as well as businesses in the country of destination are interrelated.

5. Receipt and exploitation

It has been already noted that Lithuanians who experience exploitative labour situations abroad are usually recruited by Lithuanian agencies and middlemen in Lithuania and are received at the destination by representatives of temporary-work agencies or businesses run by managers who originate from post-Soviet countries including Lithuania, or they are directly employed by Lithuanian temporary-work agencies registered in the country of destination. Most of the managers and of the supervisors at the destination are Lithuanians. The agencies and middlemen in Lithuania and the agencies and businesses at the destination country are interrelated what enables them to hide their illegal activities and to control workers through their recruitment and exploitation. Furthermore, the collected data suggest that in some cases the employment activities appear in the grey area. Workers are not employed officially at the destination and the agencies and middlemen that recruit the workers do not respond to their complaints motivating that the agency or the business at the destination is responsible for the situation in which the workers have appeared. Because of lack of foreign languages skills and local legislation, the workers are prevented from applying to professional unions, labour inspectorates, or local law enforcement. Actually, the employment in such a chain facilitate the shadow economy and exploitation of Lithuanian migrant workers abroad. The chapter

provides an overview of the specifics of exploitative labour situations in which Lithuanian migrant workers appear in foreign countries including exploitative conditions at work, coercion at the destination, and end of exploitation.

5.1. Exploitative conditions at work

The exploitative conditions at work related to excessive working days or hours, low or no salaries and salary manipulation, contracts and social protection, and bad working and living conditions are being analysed in this chapter. ILO defines excessive working days or hours as a strong indication of exploitative conditions at work. The other analysed conditions are classified by ILO as medium indicators of exploitative conditions at work⁷³.

5.1.1. Excessive working days or hours

Based on the research, Lithuanian migrant workers in exploitative labour situations often have excessive working days or hours. As it has been noted, most of the Lithuanians who appear under exploitative labour conditions work at Lithuanian temporary-work agencies registered in the country of destination without signing a work contract. If these agencies get an urgent order on the need of temporary staff, they react immediately not to lose the client and do not pay attention to any labour law regulations and interests of the workers. The workers experience threats, if they try to refuse working long hours without being paid. The respondents commented a lot on such situations. The first comment relates to trafficking in human beings for forced labour case.

The owner of the farm calls [the temporary-work agency registered in England] and informs of the need for a certain number of employees in some location. These Englishmen [owners of the temporary-work agency] call the Lithuanian who rapidly collects a necessary number of people. He does not warn the people in advance, just arrives, piles them into the minibus, and transports to another end of England. In addition to the travel of 4–5 hours, they work for 5–6 hours. After work, they are piled to the minibus and are transported back for the same number of hours. (Law enforcement representative)

Father told that they had repaired many cars in these months as they were working more than 8–9 hours in working days and on weekends

to be able to do what had been told that day. (Migrant worker's storyteller who helped the migrant worker)

The workload that had to be done per day was cosmic. We worked minimum 10 hours per day without any breaks and no lunch. There were cases when we had to work 12–13 hours per day. (Migrant worker, age group 31–52 years)

Also, Lithuanians experience excessive working days or hours in the businesses registered in the country of destination. Again, neither any employment agreement, nor work contract is concluded in these cases and the workers are required to work when the supervisor requires. One migrant worker was very explicit.

We were packing chocolate. <...> In the beginning about one or two weeks we were working 8 hours. The workload was big but they were calming us down that we would learn to pack fast and we would make the day's norm of 168 packages in 8 hours. We gathered a group of Lithuanians as it was not possible to make the day's norm with employees of other nationalities. The Muslims had to pray every three hours and we had to continue working and to do their job. We were in quarrels. We were seven people in the Lithuanian team. We started working so fast that we could make the day's norm in five hours. And the supervisors started saying that they needed the second norm. <...> Later we worked for 16 hours and they started calling us at 11 p. m. or at midnight and insisting on working even more. And we were going as they were threatening us to fire. In the end we said that they could fire us as we were not able to continue working such long hours. (Migrant worker, age group 18–30 years)

There are cases when Lithuanians who are employed at temporary-work agencies registered in the country of destination and have a signed work contract are threatened to remain working excessive days or hours at local businesses where they are sent by their temporary-work agency. Their work contracts contain part-time working hours or the number of working hours as in the labour law of the country of the destination, but the workers are controlled to work as long as supervisors of local businesses require without extra payment. The temporary-work agency does not defend the rights of the workers. The example below is from the sector of nursing care of elderly people.

According to my work contract, I have to work 27 hours per week, however, I work over 12 hours per day from 8 a. m. to 10 p. m. with one-hour break. They had to tell me about such working hours before. I work without days off because they say that there is no staff. I called my [temporary-work] agency. They said that I should work without being paid for the overtime. But it is stated in my work contract that overtime is paid or compensated with days off. (Migrant worker, age group 31–52 years)

A similar practice has been identified in the sector of transportation at local businesses in the country of destination excluding the fact that the work contracts of truck drivers outline that the working hours are to be defined by the employer (Migrant worker's storyteller who helped the migrant worker). The loose provision regarding work time in the work contract opens the door for exploitation. The workers work when the supervisor requires as they are threatened to be fired. The situation was described by interviewed migrant workers.

I had to work extra time every second Saturday, they scheduled so and I had to go to work not to lose my job. (Migrant worker, age group 31–52 years)

I have worked my hours and already prepare to sleep when he [the supervisor] reminds me that I have to drive for 4 hours more. Then I ask him whether he is able to calculate the hours. <...> Or, they ask me when my next assignment is. I tell that it is as scheduled. They say ok but on the last day of my shift they order me to pick up the cargo in about 1000 kilometres away that I cannot return on time when my shift ends. They schedule the route in such a way that you have excessive hours or even days. They ask to transport cargo from somewhere and I cannot finish my shift on Friday but only on Tuesday or even Wednesday. If you tolerate this, you will have the job. (Migrant worker, age group 31–52 years)

The research suggests that Lithuanians in the countries of destination often have to work excessive days or hours without being paid or compensated with extra days off. The temporary-work agencies or local businesses arrange the work conditions in such a way that workers do not have another solution but to work the required extra time as they are threatened to be fired if they

do not obey. It does not matter whether the workers are officially employed and have signed a work contract or not. Often migrant workers know nothing about the work conditions agreed between their temporary-work agency and the local business they are sent to work for. (Migrant worker, age group 18–30 years)

5.1.2. Low or no salaries and salary manipulation

The research suggests that the promises related to salaries at the recruitment stage often do not correspond to the reality confronted by Lithuanian workers in the country of destination.

At the recruitment stage, Lithuanians are promised a standard salary based on the sector of work and the country, e. g. they are offered around GBP 300 per week in the agriculture sector in the United Kingdom, in the construction sector in the United Kingdom they are told to be paid around GBP 500 per week, or around EUR 1200–1800 in the logistics sector in Germany.

Recruiters fail to explain that in some instances salaries consist of the basic part, which is small, and the extra part, which is paid as different allowances, and that the declared salaries before taxes are smaller than the workers actually get. (Migrant worker, age group 18–30 years) There are cases when workers are paid per diems but they never travel anywhere, some get family allowances even though they do not have families (Migrant worker, age group 18–30 years) The workers learn about extra payments when they get their first salary. And it is the way for temporary-work agencies to avoid paying taxes. Especially it is applicable in the logistics sector.

Often migrant workers experience salary gradation at work based on their country of origin (locals are paid more) or relationships with the owners (supervisors) of the company, or some other reasons. There are workers who always get bigger salaries for the same work, as it was noted at the interviews.

Workers get a different salary. The difference in salaries can be more than EUR 1000. There are really distinguished workers there. They get more. If you are not among them, you cannot get such an amount. (Migrant worker, age group 18–30 years)

They promised EUR 1200–1700. There were only a few people who usually got it. (Migrant worker, age group 18–30 years)

Lithuanian migrant workers do not get promised salaries when middlemen register them at temporary-work agencies in the country of destination and indicate their own bank accounts. The middlemen receive the salaries and either does not pay the workers anything or pays an amount he decides to. When workers leave, new people are recruited, and the situation repeats. Once the work is being done, the temporary-work agency does not care whether the workers are really paid and why there is such a huge turnover. The situation was well described by one of the experts.

Lithuanian workers are registered at temporary-work agencies by middlemen. For example, a middleman brings a Lithuanian to the country of destination. The Lithuanian neither knows the employment system there, nor speaks the foreign language so the middleman asks him to give the passport which is necessary for registration at the temporary-work agency. The middleman registers the worker and gives his own bank details motivating that the worker does not have a bank account. Temporary-work agencies need workers and their accounts where to transfer the payments. They do not check who really gets the money. The middleman receives the worker's salary to his account and decides how much he wants to give to the worker. He can leave for himself about 40 per cent of the salary. So, he recruits 5–6 people. The workers are left with very little, less than the minimum wage. (Ministry and municipality administration's representative)

In other cases Lithuanians are employed at temporary-work agencies and have their own accounts, however, they do not get the promised salaries because businesses which hire temporary workers transfer the salaries to the accounts of their temporary-work agencies that falsify the done norms and pay less to the workers. It was pointed out by migrant workers during the interviews.

The workers have to compile a defined rate of picks, e. g. 110 picks per hour. If they compile more, they get bonuses. Each week a work report is placed on the board. A worker himself calculates that he has compiled 160 picks per hour but on the board he sees a different number, e. g. 115 picks per hour. He tells the supervisor that there is a

mistake. But the numbers are not corrected, and the worker does not get the promised salary. (Migrant worker, age group 18–30 years)

Sometimes workers are paid with cheques and they need to convert the cheques to cash. This operation costs some part of their earning and the actual salary becomes smaller.

The job proposals when migrant workers are offered a good salary and all expenses to be covered including their travel, accommodation, and meals, might lead to remaining without any payment, as it was commented by one interviewee.

Interviewer: Were you told before the travel that you would need to pay for accommodation and meals yourself?

Interviewee: No, they said that everything would be there: they would rent an apartment and would provide with meals. I would only need to transport people.

Interviewer: Did it mean that you could save the salary as everything would be provided?

Interviewee: Yes, but I was not paid anything. (Migrant worker, age group 18–30 years)

One of the most common deductions from salaries of migrant workers is the fee for accommodation. Even in the cases when they are promised free accommodation, they experience this deduction. There are cases when the promised accommodation fee increases upon arrival. The amounts deducted from the salaries for accommodation with public utilities vary and amount even up to EUR 500 per month. It is applicable to temporary-work agencies and local businesses that offer accommodation in the country of destination. It was noted by the majority of the respondents.

There were different accommodation fees. Several people lived together and they each had to pay EUR 300–500 per month. It was a big amount based on the conditions they had. In all cases the conditions were rather poor and too many people had to live together. (Law enforcement representative)

I was told I would live in a dormitory and in one month I would be transferred to the apartment where conditions would be better. I paid EUR 145 per month for the accommodation. It could not cost so much based on what I had there. Initially they said I would pay EUR 100 but deducted EUR 145 from my salary. (Migrant worker, age group 18–30 years)

Every month they deducted EUR 140 for the accommodation even though it was promised that the accommodation would be free of charge. (Migrant worker, age group 18–30 years)

Another reason to pay deducted salaries are imitated payments for various taxes. The taxes are never being paid by the employer. One of the interviewees told about his experiences.

They asked whether I had the insurance number. I told that I did not. There was no reaction. After I noticed in the pay slip sent by email that the payment of GBP 50 for insurance was deducted. GBP 50 every week. There was no insurance number, but the money was deducted. I did not know who was receiving this money. I only later got to know that I had to apply for the insurance number myself, but nobody explained this to me. I thought that everything had been arranged and I worked in pursuant to local laws. As I understood, I was not the only worker in such a situation. (Migrant worker, age group 31–52 years)

Migrant workers also get smaller salaries because of fine deductions. One type of fines relates to private life of migrant workers. They are fined for disorder in their accommodation. The representatives of the temporary-work agencies that provide migrant workers with the accommodation have the keys of the accommodation and can enter the premises at any time. Based on the interviews, it is quite frequent when the accommodation is visited by them and the fines for presumed disorder are imposed.

The boss went too far when he started visiting us on weekends. For example, he found empty beer bottles on the floor and told he would deduct EUR 200 for this disorder. We could not say anything even though there was not any written agreement between the employer and the worker on such fines. (Migrant worker, age group 18–30 years)

One left a tidy accommodation, took pictures and sent them to the supervisor. However, he forgot a package of sausages in the fridge. The sausages went off and obtained a weird smell. So, he was deducted a fine of EUR 400 for the left package of sausages. (Migrant worker, age group 18–30 years)

At work employers deduct even several types of fines. First of all, migrant workers are charged fines for using phones at work. Sometimes they are charged a fine just for keeping a phone at their workplace. As one migrant worker commented, a worker takes out a phone and he gets a fine of EUR 200. (Migrant worker, age group 18–30 years)

Another type of fines are vacation fines. If migrant workers take a vacation leave, they are deducted more than a half of their salaries. As one migrant told, I took vacations and only later I got to know that they would pay me only 40 per cent of the salary I usually got. (Migrant worker, age group 18–30 years) On the other hand, it was also mentioned that sometimes migrant workers are forced to take vacations to pay them less.

If migrant workers decide to leave or they are fired, in both these cases they are imposed work termination fines and they do not get the last salary or part of it, or the deposit.

I had to leave [the temporary-work agency]. They told me that I should not dream about my salary because they had paid a lot when I started working in the project. I did not understand what expenses they had had. I did not have training or something. I started working on the first day I came. I did not understand what they had to pay for. (Migrant worker, age group 18–30 years)

They did not pay me the deposit in the amount of over of GBP 500 when they fired me without any reason. (Migrant worker, age group 31–52 years)

The “local work contract” is at least for 3 months because otherwise it is not beneficial for them. If the workers terminate the work contract earlier, a fine is deducted from their salary. (Migrant worker’s storyteller who helped the migrant worker)

There are cases when migrant workers are deducted quality fines complaining that their work quality has worsened.

They paid the agreed salary for the first week. For the second week they paid half of the salary complaining about the work quality even though we were working as the first week. The work quality was not worse or different. And they had not been paying since the third week at all. (Migrant worker, age group 31–52 years)

In some cases, Lithuanian migrant workers are imposed a bunch of fines for several reasons. The salaries are being deducted automatically. During the interviews, good examples were given.

There is a fixed fee for the caught chicken. They write on a sheet of paper the quantity of the caught chickens and hand it over to the supervisor. He is not Lithuanian, another man who transports workers to the farms. In the end of the week the salary is calculated based on the quantity of the caught chickens. However, for example, a worker has to get GBP 200, but he gets GBP 50. He asks where the remaining money is. He gets the answer that he worked too little, he did not wash dishes, and he used alcohol after work, so he was deducted a total of GBP 150. (Law enforcement representative)

When I told I would leave, they started applying various deductions out of thin air, as for rent, for utilities, etc. even though they were not mentioned in my work contract. (Migrant worker's storyteller who helped the migrant worker).

Furthermore, sometimes workers get smaller salaries without being explained the reasons. The interviewed migrant workers told that their salaries had been deducted for up to EUR 200 without saying anything.

Interviewee: The salary was smaller.

Interviewer: What was the difference?

Interviewee: EUR 200. He said if I did not want, I could go home. And I did not have my job anymore. <...> This job was my rescue. (Migrant worker, age group 31–52 years)

Interviewer: Did you use to get a full salary?

Interviewee: No, always we used to lack at least EUR 50, 100, or 20, differently. Also, holiday pay was not paid. (Migrant worker, age group 18–30 years)

Another respondent told that migrant workers are required to work for two weeks free of charge before the work termination if they want to get the earned money (Migrant worker's storyteller who helped the migrant worker). Actually, the employers in the destination countries find many reasons how to benefit from deducted salaries of migrant workers. Sometimes they even do not bother to tell the reasons. In the end, the promised salaries do not reach the workers.

5.1.3. Contracts and social security

The research data suggest that quite often migrant workers are told that they will be provided with detailed information and work contracts in the country of destination, unless it is a temporary-work agency in Lithuania when workers sign work contracts and fall under the social insurance system in Lithuania. And job seekers go hoping that everything will be arranged and that they will not be deceived. (Law enforcement representative) On the other hand, if they are given a work contract, they usually sign it without reading and understanding what they sign.

In Lithuania I met a man, we talked, then he asked me to meet again and to sign some contract. <...> I am very trustful. These were some papers. I do not think these papers were really legal documents. (Migrant worker, age group 31–52 years)

Sometimes Lithuanian workers are given and sign work contracts immediately upon arrival and sometimes they get them to sign if they continuously insist on it. However, it does not mean that these workers are officially employed.

They signed the given work contracts and returned them. They did not see the work contracts afterwards and did not think of them. They were much in their work. <...> While being in hospital, the employer called the father and invited to return to work after hospital promising to pay the earned money. In the end of the conversation he requested the father not to tell the police about his work as it was not legal. (Migrant worker's storyteller who helped the migrant worker)

When workers started complaining, the temporary-work agency started “employing” them. The workers did not speak English, so they did not know what they were signing. They told they were signing some documents. We did not find any work contracts during the search. So, it was not clear what these workers had signed. (Law enforcement representative)

However, there are many cases when Lithuanian migrants work without work contracts. Their work contracts are not provided even though they ask the employer about them.

Neither we signed any work contracts, nor they asked for my documents. Only in the construction site I was asked to sign a document on occupational safety. We were deceived. (Migrant worker, age group 31–52 years)

Interviewer: Did you sign a work contract there?

Interviewee: No, and it was my first suspicion. I asked about the work contract. The first week they told that they would arrange everything in one week. I knew the bureaucratic German system, so I was not surprised. The second week it was the same. And when I also was not paid that week, I understood that it was not for good. (Migrant worker, age group 31–52 years)

As regards the content of work contracts, usually the signed work contracts are basic and the work conditions are roughly formulated referring to the employer who makes the decisions on the conditions, for example, in some instances it is written that the employer decides on working hours. The employer does not explain these provisions. If the work contract is in the language which the worker does not speak, he does not understand what he signs. Later the employer can do what he wants. (Migrant worker, age group 18–30 years) Furthermore, the conditions of the work contract are not obeyed by the employer, especially as regards temporary-work agencies, for example, it is written in the work contract that the worker is employed as a part-timer but he is ordered to work long hours, or it is written that overtime is compensated but the worker is not compensated, or the worker is not granted a paid holiday leave, and etc. On the other hand, migrant workers experience problems when they want to terminate their work contracts. They are not responded and explained of the procedures.

Furthermore, even though a worker has a work contract, it does not necessarily mean that he is insured. Usually it is left for migrant workers themselves to register in the social security system and to get the social security number, however, they are not explained about this. Some of them clarify the situation with other workers and register, some of them work without the social insurance number. As one migrant worker commented, I know workers who have worked here for 8 months but they still have not got insurance cards. Some of them even have not been registered in the social insurance system. And are not registered anywhere at all. (Migrant worker, age group 18–30 years)

One of the experts told that there are cases when only one migrant worker out of the whole group of workers is registered in the social security system and all the workers have the same social security number.

The same social security number was indicated on their cheques, e. g. 50 people are issued cheques with the same social security number and they [the employer] avoid of paying taxes. (Law enforcement representative)

Work contracts and social insurance are interconnected. However, if workers have signed a work contract, it does not necessarily mean that they have social insurance. Sometimes insurance has to be obtained through the initiative of workers themselves.

5.1.4. Poor living conditions

It is common that employers provide migrant workers with accommodation of really poor conditions (Ministry and municipality administration's representative). Mostly the rented accommodation is in proximity from the workplace and usually migrant workers are transported by the employer or are shown the way and travel on their own by car of one of workers.

Even though the payment for the accommodation is deducted from the salary, migrant workers cannot choose the accommodation and the living conditions. They are brought to the rented accommodation upon their arrival and realise that the living conditions are different from what was promised. Several respondents noted about the accommodation of poor and very basic condition.

Interviewer: What did you find upon your arrival?

Interviewee: Actually, the accommodation was very different what we were promised. Instead of the rented apartment, we were transported to some dormitory-type accommodation with a shared bathroom. I was not very demanding; however, the conditions were much worse than promised. (Migrant worker, age group 31–52 years)

The door had a broken lock, the showers were terrible, the accommodation was in a mess. I called my boss and told that I would not live here as it was not possible. And he asked me to stay at least for two weeks. (Migrant worker, age group 18–30 years)

Another problem is a big number of inhabited workers in the accommodation. Based on the research, there have been up to twelve people accommodated in one room. Because of lack of beds in the accommodation, people sleep on mattresses brought from the street or in folding-beds. The situation was explicitly described by law enforcement representative.

They were accommodated in the attached house with three bedrooms. Ten to twelve people were sharing a room. Who came first, got to sleep in bed. Others brought mattresses from the street. People were shocked. They thought it would be temporary. <...> In a few days there was a mess in the house. Many people, no wardrobes, clothes were used instead of pillows. Ceilings were black because of bugs. (Law enforcement representative)

A big number of inhabitants in one room causes inconveniences not only because of lack of space and lack of furniture but also because of disagreements and disputes. It is problematic not only for the accommodated migrant workers but also for the owners of the rented apartments or houses. The example below given by migrant worker is a good illustration of the situation.

It was a catastrophe. When we arrived, we were piled into one three-room apartment. In each room 2–3 people, some of them were sleeping on the floor as dogs. Later I was saying that I could not live in such conditions and that I did not have peace, our characters were different. There were also Muslims. We were cooking pork; they were

shouting that it was foul-smelling. And we were explaining them that their chicken was ill-smelling. We were having such disputes that even the boss was coming to calm us down, almost windows were falling down. Next time we were seven in a two-room apartment. We were two in one room and five Muslims in the other room. They brought folding-beds and placed them as in hospital. The company offered the accommodation. They were renting the accommodation and deceiving the landlords. When we lived in that two-room apartment, a man came once, we did not open as we had been told not to open the door to anyone, next evening he came again, we did not open, he came the third evening and started unlocking the door. Then we understood that he was somehow related to the rented apartment. He said "hello" in Russian and asked how many of us had been living there. We told that we were seven people living here. He was so shocked that his glasses almost fell off. We and the landlord were both deceived. He was told that two people would live in the apartment. (Migrant worker, age group 18–30 years)

The illegally rented accommodation causes another illegal activity – the place of residence of migrant workers cannot be declared officially. Furthermore, it might be even dangerous under certain circumstances. One migrant worker complained that she had felt in danger when she being a 21 year old woman was the only woman accommodated among older man.

They accommodated me with 30–40 years old men. They were using alcohol and then fighting. All men were using alcohol. I was crying and complaining to the boss that I could not stay there. It was terrible. (Migrant worker, age group 18–30 years)

It was also mentioned during the interviews that sometimes migrant workers cannot use the facilities in the provided accommodation, e. g. there are many inhabitants in one apartment or house and there is only one shower so not everyone is able to use it in the morning or in the evening, or there are cases when bosses require to turn off the heating in the accommodation in winter time so workers are freezing in their rooms. On one hand, the provided accommodation is beneficial, on the other hand, the workers are forced to stay in poor living conditions.

5.2. Coercion at the destination

According to the data of the research, coercion at the destination is still spread among Lithuanian migrant workers employed at temporary-work agencies and local businesses in the country of destination. There are different forms of coercion experienced by Lithuanian workers at the destination country, such as confiscation of documents, the debt bondage and withholding of salaries, the isolation and surveillance, threats and violence, and forcing into illicit activities and tasks.

5.2.1. Confiscation of documents

The research does not contain much information on the confiscation of documents. There are instances when identity documents are confiscated from migrant workers. As the interviewed prosecutor commented, the employers at the destination take identity documents of migrant workers, put down their personal data, and seize the identity documents of the majority of them (Law enforcement representative). In other cases, mostly migrant workers provide the employer with a copy of their identity document or give the original document and it is returned in a few days. However, a different situation has been described as regards the insurance cards and the qualification certificates. Based on the interviews, these documents usually remain at the employer in the country of destination.

A worker is registered in the social security system and is issued the insurance number. Usually the official letter confirming that the worker is insured with the insurance number is received in several working days. In about one month the worker has to get a letter with the insurance card. However, the worker does not get anything as his supervisor seizes it. The worker even does not know how this card looks like. A similar situation is with qualification certificates. Sometimes migrant workers undergo training at their working place to obtain special skills and are granted certificates. However, often the certificates remain at the employer to make it complicated for them to find a job somewhere else without the certificates. The employer is doing everything to prevent workers from finding a job in another company. (Migrant worker, age group 18–30 years)

According to the interviewed, the confiscation of documents is a problem for exploited migrant workers when they find a job at another employer who asks for insurance number and for qualification certificates before the employment. And especially it is complicated for migrant workers who do not speak the foreign language and do not know where to apply to get the insurance number, or to get issued another qualification certificate.

5.2.2. Debt bondage and withholding of salaries

The debt can arise from salary advances or loans to cover recruitment or transport costs or from daily living or emergency expenses, such as medical costs. Debts can be compounded as a result of salary retention, manipulation of accounts and/or excessively high interest rates, especially when workers are innumerate. In most cases of debt bondage, the initial debt grows at a rate that cannot be met, and the individual (sometimes together with family members) is unable to leave the work as the debt mounts and cannot be paid with the wages received.⁷⁴

Based on the research, there are two types of cases when Lithuanian migrant workers are told that they are in debt with the employer. In one case migrant workers appear under debt when they realise being exploited and try to escape their exploitative labour situation. They are required out of the blue to pay for their accommodation or immediately calculated fictitious damage, as it was shared by the respondents.

Already the third week the men understood that something had been wrong. The boss did not talk to them friendly as the men were not polite anymore. The men told the employer that they would return home. The boss began to shout that he had paid for their accommodation for 6 months. If the men left, they would not get the earned money as they would leave unfinished work, even though they had not promised to do anything more only what was told that concrete day. <...> And then the boss brought a sheet of paper where it was written that the both men damaged the wheel while taking it off, something else and they calculated the damage of over GBP 2000 and it was their debt. But it was not true. Moreover, the boss told the men that they had not earned anything but were in debt for the damage and for the accommodation. So, the men had to work two more weeks to compensate the debt. The men worked for two more weeks because they were afraid. (Migrant worker's storyteller who helped the migrant worker)

In other cases, Lithuanian migrant workers appear in debts with the employer when they do not get the promised salaries. They cannot compensate the costs of their travel and pay for their daily living. They expect to be paid and continue working. The debts are increasing, and they are never paid.

Another indicator of coercion at the destination is withholding of salaries. The research suggests that there are cases when migrant workers are deliberately withheld of their salaries to keep them working under exploitation at least for some time. In such cases the employer is continuously giving promises to pay later because of one or another reason.

The first employer did not pay anything. He was promising that we would be paid when we finished the objects. He would get the payment and would pay us. We had never finished any of the objects. We were starting and leaving unfinished objects as we were transported to another object. It was a vicious circle. Someone started and was transferred to another object, then someone else was brought, did something and left for another object. In the end someone finished the objects. When the workers lost hope to get their salaries, they left (Migrant worker, age group 31–52 years)

They did not pay any salary for the first month. Then they were promising to pay for the second month and that they would pay for the both months at once. They had been delaying the payments by deceit. (Migrant worker's storyteller who helped the migrant worker)

Another way to withhold salaries of Lithuanian migrant workers is to tell them that "local" accounts have been opened on their names and the salaries are being transferred to these accounts. The migrant workers are explained that they will get accumulated salaries when the work contract expires. If migrant workers request, they are shown some printouts imitating the transfers to these accounts. Even though migrant workers understand that they are exploited, the feeling that the amount of the earned money is increasing in the account and the wish to get it later prevents them from escaping the exploitative labour situation. There is hope that in the end they will be paid (Migrant worker, age group 31–52 years). However, in most cases migrant workers leave without being paid.

The collected data also demonstrate that Lithuanian temporary-work agencies that exploit migrant workers in the country of destination might assist each other in getting rid of migrant workers when they start demanding the withheld money. For example, when migrant workers start asking for money, a manager or supervisor of another temporary-work agency appears unexpectedly and offers the same type of work and a good salary for the workers. Mostly it is applicable in the construction and car repairs sectors. Workers go to the other employer as they are not paid here anyway. The situation was well described by one of the interviewed migrants.

We continued working without salaries for one month. Suddenly a Lithuanian man approached us on the street with the proposal to move to work for him. <...> The situation in the new workplace was similar: the objects were started and not finished. We worked for two months until we realised that we would not get paid. We asked our acquaintances in Lithuania to send us money. <...> I think it was one organised group of exploiters. How did the man appear? When we started asking the first employer for our money, this man came and invited us to work for him. (Migrant worker, age group 31–52 years)

The debt bondage and withholding of salaries are still experienced coercive measures by Lithuanian migrant workers in other countries. These measures keep migrant workers working under exploitative labour situations as they expect to be paid in the end.

5.2.3. Isolation and surveillance

The research suggests that Lithuanian migrant workers are prohibited by employers at the country of destination to leave the provided accommodation. The employers can keep the workers under isolation and surveillance practically around the clock if they provide them with accommodation and transportation to work and from it.

The migrant workers were told that they could not leave the house, it was prohibited. They were threatened that they would be beaten or something else would happen to them if they left. It was not allowed to move out, or to communicate with other workers, or to visit them. Physical and financial punishments were applied. (Law enforcement representative)

To ensure the surveillance, unexpected visits to their accommodation are being arranged.

Besides the accommodation, also the correspondence of migrant workers is being controlled and seized by their supervisors.

The boss was checking the mailboxes. Only the boss had the keys of these mailboxes. He was taking our letters. (Migrant worker, age group 18–30 years)

Lithuanian migrant workers mostly are kept under isolation and surveillance around the clock by threats and control of bosses or their trusted supervisors. Technical equipment is not broadly used for the surveillance of Lithuanian migrant workers.

5.2.4. Threats and violence

Lithuanian migrant workers experience threats and violence at work and after work. There are instances when they are not allowed to rest, to shower, and to go to toilet. They do not have lunch breaks. Threats and violence, as well as drugs offered by supervisors keep the workers obedient. Many such situations were reflected during the interviews.

Nobody gives them food or allows to shower. If they want to go to toilet, nobody stops the vehicle. They have to do it in the bottle. There are cases when workers are transported back and immediately, they are told that there is another order. Again, they have to go to another side of England. (Law enforcement representative)

Furthermore, migrant workers are not given access to health care and treatment. They are threatened to be fired if they take a sick leave. The threats are real because migrant workers who need a longer treatment are really fired. Such situations are common among Lithuanian migrant workers, based on the interviews.

I was in the gym and injured my eye. I took a sick leave for one day and I was told by the supervisor that sick workers were not needed. If I get sick again, I would be fired because work was not a hospital. (Migrant worker, age group 18–30 years)

After working three years I started having back pains. However, the boss threatened that he would fire me if I did not appear at work. I was telling him that I could not get up from my bed. I got a sick leave for one week. <...> However, after he left me without work for two more weeks saying that there was no work. It was his revenge. (Migrant worker, age group 18–30 years)

I had been working for 7 weeks when I faced health problems. Probably it was the reason why I was dismissed. They deceived me. They told that there would be a flight from Stansted to Lithuania, but I was not told about my dismissal. I took only my backpack; I left my belongings there. <...> I felt really bad. I appeared in hospital in London. (Migrant worker, age group 31–52 years)

Furthermore, Lithuanian migrant workers experience psychological violence when they are constantly urged to work more and faster under the threats of being fired. They also experience threats of violence related to psychological coercion in the form of insulting and undermining them. Usually it happens if they ask their supervisors about the salary or have some other question. Migrant workers of temporary-work agencies are fired from work for any little reason to prevent others from complaints. Migrant workers are treated by employers as goods, not as human beings (Migrant worker, age group 18–30 years). A number of migrant workers mentioned this.

If you ask the boss for something, he starts shouting, humiliates and disregards you. <...> Workers are thrown out for nothing. He behaves with them as with animals. They are called “victims” and “pederasts”. The workers are kept in a prison like conditions. He [the boss] acts as a criminal gang boss. The workers are approached: you are a pawn, go to work. (Migrant worker, age group 18–30 years)

They were slandering us and saying that we would ruin our lives without him [the employer]. Now we understand what fools we were. (Migrant worker, age group 18–30 years)

In case migrant workers are employed at temporary-work agencies which do not get orders from local businesses, they are forced to take holidays. This means they get 40 per cent of their salary. If the workers do not obey, they are fired. However, if the worker whom the employer does not want to lose tries to escape, he appears under psychological violence.

Of course, the situation was tensed. If I acted against their will [if I escaped], nobody knew what would have happened. They were insisting to stay but it was already at the edge of threats. One wrong word and the situation would have changed. <...> I felt if I said what I wanted to say, the outcome would not be good for me. (Migrant worker, age group 18–30 years)

According to the interviews, if migrant workers try to defend their right to privacy, they also experience threats.

Interviewer: Did they control your private life?

Interviewee: Yes, they told that we would not have any love stories. We had come to work so we should not have any partners. My boyfriend once visited me. They got angry, we received threats that they would let down the tyres of his car and that my boyfriend would regret if he came again. I would not say the words they had used. It was very terrible. It was a long weekend. We thought to spend it together as I was feeling lonely. However, they came and made a racket. (Migrant worker, age group 18–30 years)

In the end, as it has been mentioned, migrant workers are threatened to be beaten if they leave the rented accommodation without permission. If workers do not obey, they experience physical and financial penalties. (Law enforcement representative) Based on the research, Lithuanian migrant workers experience threats and violence for various reasons elaborated by their employers.

5.2.5. Forcing into illicit activities and tasks

The collected data reveal that Lithuanian migrant workers are forced into illicit activities and tasks by their employers in the country of destination. Usually this requirement appears in the course of working and it is not extra paid, as it was commented by one interviewee.

In the beginning everything was normal. After some time, they started forcing me to make “black kilometres”. This means I finish my shift, but I still have to work illegally. So, I could make additional 1000 kilometres. I risk and I am not paid anything. (Migrant worker, age group 31–52 years)

Based on the interviews, there is another group of migrant workers which is forced to commit illicit activities since the beginning, they understand being involved into criminal activities, however, they continue working being afraid of losing their jobs and experience violence.

In the evening I was driving them to the city and in the morning, I was picking them up. In a few days I understood that they were stealing at night. <...> I saw that they were returning with many stolen things, with bags. I wanted to go home because I thought we would be taken one day. I did not want to be related to thefts. But we lived in one room. They were insisting on staying with them. <...> One morning the door opened, and the police came in. And my work ended. (Migrant worker, age group 18–30 years)

He understood that it was not good with those cars because also stolen cars could be brought. They had to be dismantled to spare parts in a hurry. That's why workers had to work at night. (Migrant worker's storyteller who helped the migrant worker)

Lithuanian migrant workers appear under the strong influence of their employers in the country of destination. The employer uses coercive measures to control workers around the clock. Such a situation increases the vulnerability of migrant workers and their dependency on the employer. These measures create the situation in which migrant workers have no other option than to obey the rules of the employer if they want to continue working. So, they remain in an exploitative situation. The reasons making migrant workers vulnerable and dependent on the employer in the country of destination shall be taken into account and prevented at the recruitment stage.

5.3. End of exploitation

The research suggests that Lithuanian migrant workers terminate their exploitative labour situations under several circumstances, and they experience certain consequences after that.

5.3.1. Circumstances

First of all, migrant workers escape from their jobs because they realise, they are being exploited and decide to find another job in Lithuania or abroad. Understanding that they never get paid, they escape. Usually this group of workers are not employed officially.

The end of exploitation for some migrant workers can simply mean a dismissal by their employers. Usually this comes as a surprise to them. Sometimes they are told about the reasons but in all cases the employer avoids paying the remaining salary and allowances. These migrant workers mostly are usually employed officially. The duration of their exploitation averages three months. The interviewed experts informed that the reason for the dismissal of migrant workers can be just a question about the salary or just because the employer changes his working area. The problem is that such employers do not bear responsibility for these acts.

If they [the workers] complained and asked where their money was, the supervisor would bring them somewhere and would leave. They used to live under bridges for 2–3 months. (Law enforcement representative)

Sometimes migrant workers are fired when they experience health problems. Again, the employer does not pay the remaining salary and allowances. Mostly in these cases migrant workers are not employed officially and they do not have any insurance. The duration of exploitation in such cases is not long and lasts up to two months. The research revealed one case when the worker was invited back by the employer after being admitted to a hospital with the intention to prevent the worker from reporting anything to law enforcement.

Based on the research, mostly exploitative labour situations are terminated upon the decision of workers themselves (they escape) and upon the decision of their employers. Sometimes the interference of family members and the police actions lead to termination of exploitation of Lithuanian migrant workers in the countries of destination.

5.3.2. Consequences

The research suggests that usually migrant workers are not searched and threatened by recruiters or exploiters after escaping from exploitative labour

situations. Sometimes they are called and reminded of their debts even though they do not have any debts. When migrant workers do not react or tell their recruiters or exploiters that they will inform the police if they are contacted again, they are not disturbed any more. However, if there is a criminal investigation initiated and the exploited migrant workers cooperate with the police, often they are approached by their recruiters or exploiters regarding their evidence. It was shared by one of the interviewed experts.

When the criminals learned that criminal investigation had been initiated, they were trying to contact some of the victims who had cooperated with the police. They were looking for the victims not because they had run away but to ask them to change their evidence. Otherwise usually they did not look for victims. (Law enforcement representative)

In some instances, migrant workers remain with health problems after exploitative labour situations. The ones who do not have health problems before the travel, they experience them during or after the exploitation. If they have some light form of a disease before travelling, they return with heavier symptoms of the disease after the exploitation. The stress at the exploitative labour conditions result in the exacerbation of the existing health problems. Based on the interviews, migrant workers experience various health problems.

Now we with my partner suffer from heavy back pain. We have left the job. Visit doctors. <...> I did not think at that time that I would damage my health. (Migrant worker, age group 18–30 years)

I do not expect anything. My health has become worse. The severity of diabetes has increased. Before travelling I used only pills. Now I need injections of insulin. I experienced huge stress. (Migrant worker, age group 31–52 years)

She experienced heavier symptoms of depression. <...> She was admitted to a psychiatric hospital in that country. She could not remember in which hospital she was and how it happened. (Migrant worker's storyteller who helped the migrant worker)

There are cases when migrant workers are included into criminal records. Furthermore, their reputation is being damaged during the exploitation. It

complicates their situation in finding another job, as it was outlined during one of the interviews.

When I told that I would leave, they started rumouring about me that I was a drunkard. I found another company and agreed to work there. I did not know how they got to know about this. When I was about to start at the new job, the company called me and said that they would not employ me. (Migrant worker, age group 31–52 years)

After escaping from exploitative labour situations, mostly migrant workers remain with debts and health problems. Some of them return to Lithuania and look for a job here and some remain in the same country of destination or move to another country.

5.3.3. Access to justice and assistance

Migrant workers who experience exploitative labour situations sometimes have addictions, behavioural disorders, lack social skills or are disabled. (Law enforcement representative) In some cases it can initially even be difficult to understand that migrant workers have in fact experienced exploitative labour situations as they are not inclined to go into the details of their exploitation. (Employment services and labour inspection authority's representative) Victims are not aware that they can complain about their situation. (Ministry and municipality administration's representative)

In rare cases exploited Lithuanian migrant workers apply to the police or shelters for help in the country of destination. Migrant workers do not think they will get some assistance. Quite often, the police do not identify them as victims of crime and direct them to other agencies. However, if migrant workers insist on getting assistance, they are provided with it.

If migrant workers have money for their travel back home, they try to manage on their own. If migrant workers do not have money, often they ask their family members for help. Young people usually ask their parents to purchase tickets to Lithuania. These tickets are for buses or minibuses. Sometimes it is urgent and family members look for buses or minibuses in the country of destination. They pay the driver only when they meet the returning workers in Lithuania. There has been a case when an exploited worker asked his brother for help, and the brother informed a social worker in Lithuania. The social worker

arranged the assistance and shared the information with the police. (Law enforcement representative)

Also, Lithuanians apply for help to diplomatic missions and consulates in the country of destination. Younger Lithuanians find the way themselves, the older ones are accompanied or showed by someone. Lithuanian consular officials must be trained how to recognise potential victims of trafficking in human beings and exploitation for forced labour or services. The potential victims of these crimes get necessary assistance including travel to Lithuania paid from the State budget via the Ministry of Foreign Affairs. If the person is not recognised as a potential victim of trafficking in human beings or of exploitation for forced labour or services and material assistance is not provided, the consular official helps him to contact family members or relatives for assistance to return to Lithuania. Sometimes necessary assistance is rendered and the return ticket is bought by non-governmental organisations in the country of destination or in Lithuania. The highest number of the Lithuanian migrant workers who applied for assistance to diplomatic missions and consulates has been in the countries with large Lithuanian communities, among them the United Kingdom, Ireland, Spain, and Norway. (Ministry and municipality administration's representative)

Lithuanian communities, including churches, help migrant workers in vulnerable situations. They consult them and accompany to relevant agencies and organisations, diplomatic missions or consulates for assistance. Especially the Lithuanian community in the United Kingdom is active in this field. The research suggests that Lithuanian communities abroad might play a crucial role in the prevention of exploitation of Lithuanians abroad and in their assistance. For this task, they would need volunteers or part-time staff paid by Lithuania or the country of destination at least in the countries where there are large Lithuanian communities and high numbers of exploited Lithuanians. The Lithuanian assistance centre with a lawyer and a psychologist who could help Lithuanians in vulnerable situations in the native language would be instrumental.

According to the interviewed experts, the migrant workers who experience exploitative labour situations are reluctant to speak about their experiences. They seek help only in extreme situations, for example, when they need a new identity document or have no money to return to Lithuania. They do not trust authorities, so they are not eager to cooperate with law enforcement, as they say, to waste their time. It takes time and efforts for social workers and police

investigators until they gain trust and the exploited people start speaking and telling the stories. If specialised non-governmental organisations provide psychological and other assistance to such people, communication develops faster. (Law enforcement representative) During the interviews, the exploited migrant workers, especially men, expressed shame about their exploitative experiences. They were worried about what other people will think and speak about them and that they were not cool guys anymore. (Law enforcement representative)

Many exploited migrant workers refuse to cooperate with law enforcement and accept assistance. They skip reintegration possibilities and are revictimized, sometimes they are exploited even in the same country and even in the same sector. (Ministry and municipality administration's representative) On the other hand, the exploited migrant workers need to talk to someone. Usually they are lonely in the country of destination. As the interviewed migrant workers noted, they feel a sense of relief after they have told the story to the interviewer of this research and even did not feel so angry with the exploiter anymore.

6. Conclusions and recommendations

Based on the research, a few conclusions and a set of recommendations on the relationship between recruitment practices and various degrees of labour exploitation of Lithuanians abroad are presented in this chapter.

6.1. Conclusions

- Lithuanians often end up in exploitative labour situations abroad when recruited by private employment agencies, and especially by middlemen²⁹. These private agencies are often run by nationals from post-Soviet countries such as Lithuania, Russia and Kazakhstan. The findings show that the businesses Lithuanians end up working in are often run by the same nationals as the ones running the private, often temporary, employment agency. The agencies and businesses are closely interconnected and some of the persons behind these agencies have a record of previous convictions. The agencies and

²⁹ Private employment agencies mean both legal (agencies) and natural (middlemen) persons.

companies running these schemes with the purpose to exploit Lithuanian workers abroad are often in a grey-zone between what can be defined as a legal or an illegal activity. Some of the agencies are active for a certain period of time and disappear shortly after, which makes it difficult for authorities to trace their activities. The middlemen marketing employment services and job opportunities use informal networks to spread the message among potential workers. A vacant job position abroad is often considered more serious if the information about it is passed on by family members or friends.

- The deceptive recruitment is broadly used by private employment agencies to trap Lithuanians into exploitative labour situations abroad. Lithuanians are deceived about their work conditions, they are given false information about the employer at the destination and receive inaccurate or very little information on work contracts, salaries and their deductions. At the recruitment, they are promised decent living conditions, free accommodation and even paid travel.
- These private employment agencies abuse the vulnerability of job seekers. Mostly it applies to middlemen who recruit people through informal networks with the purpose to identify potential workers in vulnerable situations that will likely accept job proposals with attractive work conditions, without checking the information in advance. Furthermore, it is in the interest of the recruiters to create the illusion that everybody who travels abroad will earn money.
- Job ads offering attractive working conditions for low skilled workers abroad is the primary tool used to recruit workers. The ads are usually published on various portals online and on social networks, especially on Facebook. Often the job ads contain false or misleading information on working conditions, especially as regards to the legality of work, the contract, and the salary. The ads also lack information on the recruiter or the employer, and this is particularly evident when intermediaries publish the job ads on behalf of employment services and their accomplices. There is no legal act preventing job ads from posting false information.

Moreover, the administrators of employment portals and social networks are neither obliged to control the information in the published job ads. There is also no monitoring mechanism ensuring the reliability of the individuals or companies behind the job ads. Measures are

needed to prevent deceptive job ads with inaccurate information and that only contain a phone number as contact information.

- There are no procedures in place for private employment agencies to ensure employment free of exploitation, and there are no requirements for them to provide job seekers with the information on the employer, work conditions, and the work contract in Lithuanian or in the language they understand. Private employment agencies do not sufficiently filter the information on available jobs provided by temporary-work agencies and businesses abroad to minimise the risks of Lithuanians to appear under exploitative labour situations. On the recruitment stage, Lithuanians usually get limited information on the employer in the destination country, and they are not offered any contracts in advance. Very often work agreements are provided at the destination and are written in a language which they do not understand.
- Several employment services are not licenced in Lithuania. The mechanisms proposed to supervise the activities and services of private employment agencies are not firm enough to prevent exploitation and undeclared economic activity, as well as to minimise the abuse of Lithuanian job seekers abroad. Furthermore, private employment agencies do not bear any practical or legal responsibility if a Lithuanian using their services end up exploited in the country of destination. So far, there have been a few complaints to responsible authorities. The middlemen involved in the recruitment process disappear when deceived workers try to contact them. They are not obliged to register anywhere or provide job seekers with information concerning their companies and services. Furthermore, not all private employment agencies provide Employment Services under the Ministry of Social Security and Labour with sufficient information.
- There is a lack of research and knowledge regarding private employment agencies, their activities and services. There is currently no one responsible authority or monitoring mechanism assessing the situation, trends, and gaps in the field of employment services and their role in labour exploitation of Lithuanian nationals abroad. Lithuanian institutions and organisations organise preventive activities on an ad-hoc basis, and their understanding is based on fragmented data. No national strategy or evaluation is looking into the prevention of the recruitment practices facilitating exploitative labour situations,

including trafficking in human beings for forced labour and labour exploitation.

- Coordination between responsible institutions and activities need to be developed to ensure a comprehensive overview of the situation. There is no leading institution mandated to coordinate measures to prevent the private employment agencies from trapping Lithuanians into exploitative labour situations abroad. There is also a lack of cooperation and coordination between public authorities and private agencies related to the employment of Lithuanians abroad. Non-governmental organisations, diplomatic missions and consulates, and the Lithuanian communities abroad should all be involved in developing a joint message to launch preventive activities nationally, regionally, and internationally. Furthermore, there is a lack of visibility of the problem related to the exploitation of Lithuanian workers abroad, as well as available assistance.
- Preventive campaigns and information do not reach the most vulnerable population. It is necessary to identify the most vulnerable target groups and to organise targeted preventive activities. The channels and the tools utilised to spread the preventive messages have to be adapted to each target group depending on how different target groups receive information and what sources of information they use.
- Practitioners from responsible public authorities, specialised non-governmental organisations and private employment agencies need to share the same understanding about labour exploitation, including trafficking in human beings for forced labour, and they need to speak with one voice. Criminals must bear responsibility for the committed crimes, and adequate penalties should be applied. It is vital to raise awareness not solely among law enforcement authorities such as police investigators, prosecutors, and judges but also among other practitioners such as teachers and school personnel, orphanages, and vocational training centres, specialists rendering social services for people from vulnerable groups, child rights specialists, and employment specialists. A broad range of practitioners must be provided with multidisciplinary training on human trafficking for forced labour and labour exploitation to be able to speak with one voice.

- There is a lack of prevention measures in after-school activities, and there are differences among municipalities in their experience and knowledge relating to the phenomenon of exploitation. Furthermore, the personnel of public and private employment agencies need to join their efforts in the prevention of exploitative employment under the coordination of the public employment agency. Consequently, the principle of speaking with one voice needs to be respected in policies and practices and there needs to be a shared understanding that human trafficking for forced labour and labour exploitation is harmful to both the individual and the state.

6.2. Recommendations

The recommendations relate to policies and action plans, situational assessment, regulatory and control barriers, awareness raising and training, and international cooperation and coordination.

Policies and action plans

- To address human trafficking for forced labour and labour exploitation and the exploitation of Lithuanian nationals abroad in policies and activities as a continuum of labour exploitation from less severe to the most severe forms of exploitation, as an issue of both human (labour) rights and criminal justice and as a problem for the individual and the state.
- To develop a national strategy on regular prevention of exploitation of Lithuanians abroad defining the roles of every responsible actor based on its competence and to outline the procedure to comply with non-stop prevention within the field. For example, every year, responsible institutions shall agree on the package of preventive activities to be implemented within the agreed timeframe.
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- To integrate evidence-based specific actions into the national and municipal strategies against trafficking in human beings for forced labour and labour exploitation, to prevent Lithuanians from being trapped into exploitative labour situations abroad.

- To involve private employment agencies in the development of relevant national strategies and action plans.

Situational assessment

- A monitoring mechanism should be developed together with researchers to ensure continuous monitoring of employment services, especially those provided by private employment agencies. Recommendations on further actions, especially preventive policies and activities, shall be elaborated based on the assessment. The audit of the national policies, activities, and procedures shall be conducted periodically.
- To publish and periodically update information on all private employment agencies on one public website with the possibility to leave comments under each agency and middleman, and continuously advertise this possibility for the public. It is especially essential to publish information on the middlemen providing employment services as quite a number of Lithuanians experience exploitation abroad after using employment services provided by the middlemen.
- To involve private employment agencies in analysing the competences of the job seekers, especially those of older age, and the needs of potential employers to support the integration of older people into the labour market, as well as in elaborating the policies and activities related to zero exploitation employment.

Regulatory barriers and control

- To approve legally binding guidelines for private employment agencies offering employment services, including provisions on required relevant information for job seekers on their employment abroad such as work conditions and information regarding the employer, work contracts in a language they understand and on the obligation to ensure that job seekers sign their work contracts before travelling to the country of destination. Furthermore, the guidelines shall include the provisions related to exploitation risk mapping and the consequences

if the guidelines are not respected and if the workers appear under exploitative labour situations in the country of destination. A code of employment services ethics shall be developed to define the main principles and standards of employment services and to promote fair employment abroad.

- To approve legally binding requirements for the contents of job ads including the requirement to publish information on recruiters and employers and for administrators of online portals and social networks to ensure monitoring of the received job ads and to post only the job ads complying with the requirements for the content.
- To establish that all private employment agencies offering employment abroad pledge themselves in a written form, for example, by signing a zero-exploitation statement.
- To prepare a webinar on zero exploitation employment for private employment agencies and to establish that the staff of private employment agencies must pass the test.
- To appoint one responsible institution with clear competences or to set up a responsible body, for example, a multidisciplinary specialist group mandated to implement inspections on a regular basis. It should be ensured that private employment agencies bear responsibility for the exploitation of Lithuanians abroad. Furthermore, the responsible institution or body shall also be the advisory body for the agencies offering employment services for Lithuanians abroad.

Awareness raising and training

- To develop and promote the employment services offered by the Employment Services under the Ministry of Social Security and Labour.
- To arrange awareness-raising campaigns for the public on employment procedures, labour rights, risks related to labour exploitation, the actions to prevent it, and available assistance. The message shall be transmitted continuously through various channels.

- To identify the most vulnerable groups of Lithuanians as well as their main channels of communication for targeted awareness-raising. Priority target groups should be students at schools, orphanages, and vocational training centres, homeless persons, families with low income, low skilled job seekers and people with addiction problems and mental disabilities. The preventive messages shall be adapted to the to each target group. The preventive messages shall at least contain information on employment and labour rights, various exploitative labour situations and guide Lithuanians if they would end up in exploitation.
- To look for innovative ways and tools to spread preventive messages among the public and specific target groups, for example, the electronic student attendance and reports books shall be used to reach pupils, their teachers, and parents, or the possibility to use the barcode technology to reach the population in the public places, especially where many people pass, for example, at the airports, bus and train terminals, or nearby responsible institutions, for example, the Employment Services under the Ministry of Social Security and Labour, or on travel tickets shall be used. Moreover, the messages might be transmitted in games, puzzles, or in the form of announcements on the websites where people buy travel tickets.
- To empower employment agencies to instruct all job seekers before travelling abroad on labour rights and available assistance with relevant contacts in the country of destination.
- To elaborate guidelines with a checklist for job seekers on employment abroad and a memo on assistance abroad, as well as to distribute them among employment agencies to hand over to job seekers and to publish online on websites where Lithuanians usually look for jobs.
- To arrange, on a yearly basis, at least one joint training session for police officers, prosecutors and judges on identification, investigation, and evidence of trafficking in human beings for forced labour and labour exploitation.
- To arrange, regularly, training sessions for teachers and other school personnel, orphanages, and vocational training centres and specialists

offering social services for people from vulnerable groups on employment procedures, labour rights, identification and handling of victims of trafficking in human beings for forced labour and labour exploitation. The training programmes shall include discussions on the guidelines elaborated for every specialist group on prevention of labour exploitation and referral for assistance. The training programmes shall be made available online.

- To organise joint training on employment-related issues regularly for the personnel of public and private employment agencies. Also, a webinar on zero exploitation employment shall be available for private employment agencies.

International cooperation and coordination

- To appoint police and labour attachés in common countries of destination, in which Lithuanians often experience exploitative labour situations. Labour attachés shall be the first contact persons for Lithuanians for advice regarding the labour market, work conditions, responsible authorities, possibilities to get assistance in the country of destination and victim assistance. Police attachés shall be the first contact persons for Lithuanians when reporting exploitative labour situations. The Police attachées should ensure effective cooperation among law enforcement agencies between Lithuania and the country of destination.
- To develop communication and cooperation with Lithuanian communities in other countries by involving and financially supporting to prevent exploitation of Lithuanians abroad and ensure their assistance.
- To compile a directory of contacts of responsible practitioners from Lithuania and the main countries of destination and to make it publicly available to facilitate the communication and cooperation of responsible practitioners in Lithuania and in the main countries of destination as regards prevention and investigation of exploitation of Lithuanians and their assistance in those countries.

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³⁹ Sirgedienė, R. 2012. Nacionaliniai kovos su prekyba žmonėmis koordinavimo modeliai ir galimybės stiprinti nukentėjusiųjų nuo prekybos žmonėmis asmenų teisių apsauga [National

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⁴¹ Lietuvos Respublikos Vyriausybės 2016 m. rugpjūčio 11 d. nutarimas Nr. 785 “Dėl kovos su prekyba žmonėmis koordinavimo” [Government of the Republic of Lithuania Resolution on Coordination of the Fight against Trafficking in Human Beings]. TAR [Register of Legal Acts]. 16/08/2016, No. 22334.

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⁴⁴ Lietuvos Respublikos socialinės apsaugos ir darbo ministro 2019 m. lapkričio 11 d. įsakymas Nr. A1-686 „Dėl Projektų, skirtų socialinei pagalbai asmenims, nukentėjusiems ir galėjusiems nukentėti nuo prekybos žmonėmis, teikti, atrankos konkurso organizavimo 2020–2021 metais nuostatų patvirtinimo” [Republic of Lithuania Minister of Social Security and Labour Ruling on Approval of the Regulations on the organisation of the competition of the projects for the provision of social assistance for victims and potential victims of trafficking in human beings for 2020–2021]. TAR [Register of Legal Acts], 12/11/2019, No. 18072.

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