

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiche – Lithuania
July 2022

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1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹ and Council Implementing Decision (EU) 2022/382²

Two acts transpose the TPD into Lithuanian legal order:

- ▶ [Amendments of the Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners” \(amendments of articles 32, 64, 68 and 108 and addition a fourth section to Chapter X²\)](#), adopted on 17 March 2022 and in force from 23 March 2022 (except for amendment to Article 108, which applies from 1 April 2022) (*Lietuvos Respublikos įstatymo „Dėl užsieniečių teisinės padėties“ Nr. IX-2206 32, 64, 68 ir 108 straipsnių pakeitimo bei įstatymo X² skyriaus papildymo ketvirtuoju skirsniu įstatymas Nr. XIV-946*);
- ▶ [The Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners”](#) (*Lietuvos Respublikos įstatymas „Dėl užsieniečių teisinės padėties“ Nr. IX-2206*), adopted on 29 April 2004 and in force from 30 April 2004.

The Council Implementing Decision was transposed through the [Decision No. 224 of the Government of the Republic of Lithuania of 16 March 2022 “On Granting Temporary Protection to Foreigners in the Republic of Lithuania”](#) (*Lietuvos Respublikos Vyriausybės 2022 m. kovo 16 dienos nutarimas Nr. 224 “Dėl laikinosios apsaugos Lietuvos Respublikoje užsieniečiams suteikimo”*), published on 16 March 2022 and in force from 17 March 2022.

Based on the [amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine”](#) (*Lietuvos Respublikos vidaus reikalų ministro 2022 m. kovo 20 d. įsakymas Nr. 1V-216 “Dėl Lietuvos Respublikos vidaus reikalų ministro 2022 m. vasario 28 d. įsakymo Nr. 1V-145 „Dėl užsieniečiams, pasitraukusiems iš Ukrainos dėl Rusijos Federacijos karinių veiksmų Ukrainoje, taikomų reikalavimų, sąlygų ir paslaugų teikimo“ pakeitimo*), adopted on 20 March 2022 and in force from 21 March 2022, foreigners (who are granted temporary protection or who are registered with the Migration Department) are entitled to work or pursue a self-employed activity without a work permit.

[The amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centres and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine”](#) (*Lietuvos Respublikos vidaus reikalų ministro 2022 m. kovo 21 d. įsakymas Nr. 1V-217 “Dėl Lietuvos Respublikos vidaus reikalų ministro 2022 m. vasario 26 d. įsakymo Nr. 1V-143 „Dėl užsieniečių, pasitraukusių iš Ukrainos dėl Rusijos Federacijos karinių veiksmų Ukrainoje, Registracijos centrų veiklos ir šių užsieniečių apgyvendinimo“ pakeitimo*), adopted on 21 March 2022

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

² Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

and in force from 22 March 2022, introduced a financial compensation mechanism for Lithuanian residents who provide temporarily accommodation for displaced persons from Ukraine.

In 2001, Lithuania and Ukraine also signed an agreement on the social protection - [Agreement between Lithuania and Ukraine on the social protection](#) (2001 m. balandžio 23 d. Lietuvos Respublikos ir Ukrainos sutartis dėl socialinės apsaugos), published on 7 of November 2001, in force from 8 February 2022, regulating calculation of pensions.

II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

In March 2022 several legal acts have been amended in order to provide displaced persons access to (self-)employment and social security and welfare, including:

- ▶ [Regarding the amendment of the Decision No. V-401/EV-281/V-395 of 27 September 2019 “On Submission of Information on Foreigners Working in Lithuania” of the Director of the Board of the State Social Insurance Fund under the Ministry of Social Security and Labour, the Chief State Labour Inspector of the Republic of Lithuania and the Director of the Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania](#) (*Dėl Valstybinio socialinio draudimo fondo valdybos prie Socialinės apsaugos ir darbo ministerijos direktoriaus, Lietuvos Respublikos vyriausiojo valstybinio darbo inspektorius ir Užimtumo tarnybos prie Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos direktoriaus 2019 m. rugsėjo 27 d. įsakymo Nr. V-401/EV-281/V-395 „Dėl Informacijos apie Lietuvoje dirbančius užsieniečius pateikimo“ pakeitimo*), adopted on 14 March 2022 and in force from 15 March 2022;
- ▶ [Amendments of the Law No I-621 of the Republic of Lithuania „On Child Benefits” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos išmokų vaikams įstatymo Nr. I-621 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-947*), adopted on 17 March 2022 and in force from 23 March 2022, regulating child benefits;
- ▶ [Amendments of the Law No I-348 of the Republic of Lithuania „On the Support in the Event of Death” \(amendments of article 5 and the Annex\)](#) (*Lietuvos Respublikos paramos mirties atveju įstatymo Nr. I-348 5 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-948*), adopted on 17 March 2022 and in force from 23 March 2022, which regulates funeral allowance;
- ▶ [Amendments of the Law No. XII-1215 of the Republic of Lithuania „On Support for the Acquisition or Lease of Housing” \(amendments of article 1 and addition of the Annex\)](#) (*Lietuvos Respublikos paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 1 straipsnio pakeitimo ir įstatymo papildymo priedu įstatymas Nr. XIV-949*), adopted on 17 March 2022 and in force from 23 March 2022;
- ▶ [Amendments to the Law No. XII-2507 of the Republic of Lithuania „On Targeted Compensations” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos tikslinių kompensacijų įstatymo Nr. XII-2507 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-950*), adopted on 17 March 2022 and in force from 23 March 2022, regarding compensation for lease;
- ▶ [Amendments of the Law No I-675 of the Republic of Lithuania „On Social Pensions” \(amendments of articles 1, 15 and 224 and the Annex\)](#) (*Lietuvos Respublikos šalpos pensijų įstatymo Nr. I-675 1, 15 ir 22⁴ straipsnių bei įstatymo priedo pakeitimo įstatymas Nr. XIV-951*), adopted on 17 March 2022 and published 22 March 2022, regulating pensions;

- ▶ [Amendments of the Law No. X-493 of the Republic of Lithuania „On Social Services” \(amendments of articles 2, 23, 24 and 34\)](#) (*Lietuvos Respublikos socialinių paslaugų įstatymo Nr. X-493 2, 23, 24 ir 34 straipsnių pakeitimo įstatymas Nr. XIV-952*), adopted on 17 March 2022 and published on 22 March 2022, regulating social services;
- ▶ [Amendments of the Law No I-2044 of the Republic of Lithuania „On Social Integration of the Disabled” \(amendments of article 1 and the Annex\)](#) (*Lietuvos Respublikos neįgaliųjų socialinės integracijos įstatymo Nr. I-2044 1 straipsnio ir įstatymo priedo pakeitimo įstatymas Nr. XIV-953*), adopted on 17 March 2022 and in force from 23 March 2022;
- ▶ [Amendment of the article 3.242 of the Civil Code](#) (*Lietuvos Respublikos civilinio kodekso 3.242 straipsnio pakeitimo įstatymas Nr. XIV-965*), adopted on 22 March 2022 and in force from 30 March 2022, regulating children rights;
- ▶ [Decision No. 227 of the Government of the Republic of Lithuania of 16 March 2022 "On the Amendment to the Resolution No. 1688 of the Government of the Republic of Lithuania of 24 December 2003 "On the Approval of the Description of the Procedure for Determining the Proficiency Categories of the State Language and Their Application "](#) (*Lietuvos Respublikos Vyriausybės 2022 m. kovo 16 d. nutarimas Nr. 227 "Dėl Lietuvos Respublikos Vyriausybės 2003 m. gruodžio 24 d. nutarimo Nr. 1688 "Dėl valstybinės kalbos mokėjimo kategorijų nustatymo ir jų taikymo tvarkos aprašo patvirtinimo pakeitimo"*), adopted on 16 March 2022 and in force from 18 March 2022.
- ▶ The Law No IX-2206 of the Republic of Lithuania “On the Legal Status of Foreigners”, adopted on 29 April 2004, published: Official Registry, 30 April 2004, No. 73-2539, regulating rights of unaccompanied minor;
- ▶ The amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centres and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine”, adopted on 21 March 2022, regulating accommodation.

Apart from these amendments, the following acts of general application are also applicable to displaced persons from Ukraine:

- ▶ Employment: the Labour Code, the Law on the Recognition of regulated Professional Qualifications, and the Law on Education;
- ▶ Social security/welfare: the Labour Code, the Law on Pensions of Social Insurance, the Law on Social Insurance of Illness and Maternity, the Law on Social Insurance of Accidents in Workplace and Professional Diseases, the Law on Social Insurance of Unemployment, the Law on Monetary Cash Social Assistance to Deprived Persons, the Law on the social support for pupils, the Law on the financial incentives for young families, the Law on Health System and Health Insurance as well as others.

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals	Yes

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<ul style="list-style-type: none"> ▶ Residing in Ukraine ▶ displaced from 24 February 2022 	<p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.1. Citizens of Ukraine until 2022 February 24 with residence in Ukraine, or</p>
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.1. Citizens of Ukraine until 2022 February 24 with residence in Ukraine, or</p> <p>1.1.2. stateless persons and third-country nationals who are not citizens of Ukraine and who by 2022 February 24 Ukraine had international protection or equivalent national protection, or</p> <p>1.1.3. family members of the persons referred to in paragraphs above (1.1.1 and 1.1.2) of this Decision, as defined in Article 2 (4) of Decision (EU) 2022/382, or</p> <p>Acts implementing the Temporary Protection Directive and/or the Council Decision do not include a definition of family member. However, several other acts provide relevant definitions, such as:</p> <p>Civil Code of Lithuania (article 6.588):</p> <p>The members of the tenant's family are his/her spouse living together (cohabiting without marriage), their minor children, parents of the tenant and his/her spouse.</p> <p>Penal Procedures Code (article 38):</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>The family members of the person are: parents (adoptive parents), children (adopted children), brothers, sisters and their spouses, a person's spouse or a person with whom a person lives together without registration of marriage, or a person with whom that person lives together agreed to enter into a marriage in accordance with the established procedure, as well as the parents, dependents or ex-spouses.</p> <p>In the social field, Article 2 of the Law on Monetary Cash Social Assistance to Deprived Persons (1 July 2003, No. IX-1675) indicates:</p> <p>Part 1. Close relatives - as this term is defined in the Civil Code of the Republic of Lithuania.</p> <p>Part 2. Persons living together:</p> <ul style="list-style-type: none"> ▶ spouses and their children (adopted) under 18 years of age; ▶ a married person with whom their minor children (adopted children) or one of his or her children (adopted children) under the age of 18 have survived the separation of the spouses; ▶ unmarried adults and minor minors and their children (adopted) under the age of 18. ▶ employed persons (including self-employed persons), if their monthly income is less than 1 state-subsidized income or unmarried unemployed persons (including not working as self-employed) if they are up to the age of 24 and not raising their children (adopted) who are studying in a general education program or in a formal vocational training program or are studying in a higher education institution (students). <p>There is no special definition of „family members” in the social security legislation.</p>
Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.2. stateless persons and third-country nationals who are not citizens of Ukraine and who by 2022 February 24 Ukraine had international protection or equivalent national protection, or</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p> <p>Article 1.1.4. of the Decision of the Government No. 224 of 16 March 2022:</p> <p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.1. Who on 2022 February 24 or later have subsequently left (relocated) from Ukraine due to Russian military aggression and who are:</p> <p>1.1.4. Stateless persons or third-country nationals who are not citizens of Ukraine and who by 2022 February 24 have resided legally in Ukraine with a valid permanent residence permit and cannot be returned to the country of origin or another host country for safe and long-term residence;</p>
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>No</p>
<p>Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)</p>	<p>Yes</p> <p>Article 1.2. of the Decision of the Government No. 224 of 16 March 2022:</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
	<p>1. To provide temporary protection in the Republic of Lithuania from March 4, 2022 until March 4, 2023 for persons:</p> <p>1.2. who have temporarily left Ukraine and have been legally present in the territory of the European Union or another third country not earlier than 24 January 2022, when they meet the conditions specified in sub-paragraphs 1.1.1–1.1.4 of this Decision and entered the Republic of Lithuania by 1 May 2022.</p>

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	Department of the Migration under the Ministry of Interior of the Republic of Lithuania	Migracijos departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos	https://migracija.lrv.lt/lt/
Employment rights	Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania	Užimtumo tarnyba prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://uzt.lt/
	Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania	Valstybinė darbo inspekcija prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://www.vdi.lt/
	State Tax Inspectorate under the Ministry of Finances of the Republic of Lithuania	Valstybinė mokesčių inspekcija prie Lietuvos Respublikos Finansų ministerijos	https://www.vmi.lt/evmi/en/home
	Centre for quality assessment in higher education	Studijų kokybės ir vertinimo centras	https://www.skvc.lt/default/en/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
Social welfare and social security rights	Ministry of Social Security and Labour of the Republic of Lithuania	Lietuvos Respublikos Socialinės apsaugos ir darbo ministerija	https://socmin.lrv.lt/
	State Social Insurance Fund Board under the Ministry of Social Security and Labour of the Republic of Lithuania	Valstybinio socialinio draudimo fondo valdyba prie Lietuvos Respublikos Socialinės apsaugos ir darbo ministerijos	https://www.sodra.lt/ru/
	Ministry of Education, Science and Sports of the Republic of Lithuania	Lietuvos Respublikos Švietimo, Mokslo ir Sporto ministerija	https://smsm.lrv.lt/lt/informacija-del-karo-pabegeliu-is-ukrainos

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

Ministry of social security and labour coordinates activities of the social integration, housing, activities with municipalities, employment, education etc.

Internal coordination processes between institutions are elaborated and responsible persons are nominated in each relevant institution. Weekly meetings are organized with relevant ministries (Health; Education, Science and Sports; Interior), public institutions and non-governmental sector in order to identify problems, define needs for the coordination, propose necessary amendments to legislation etc. In case of necessary legislative amendments, the ministries / public institutions are responsible for their corresponding area of competence.

Article 2.2 of the Decision No. 224 of the Government of the Republic of Lithuania of 16 March 2022 “On Granting Temporary Protection to Foreigners in the Republic of Lithuania” states that the Ministry of Social Security and Labour of the Republic of Lithuania administers the list of accommodation places and coordinates the accommodation of persons granted temporary protection in the Republic of Lithuania. According to the amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania “On the activities of accommodation centers and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine”, the Ministry of Social Security and Labour of the Republic of Lithuania coordinates the activities of non-governmental organizations providing humanitarian assistance in registration centers and other support and the accommodation of foreigners who have been granted temporary protection in the Republic of Lithuania.

On 25 May 2022, the Minister of Social Security and Labour of Lithuania together with the Minister of Social Policy of Ukraine signed a [joint statement](#) condemning Russia's draft amendments authorising the simplified adoption in Russia of Ukrainian children transferred from the Donbass and Luhansk regions of Ukraine. This statement has already been signed by representatives of Poland, Estonia, Latvia, the Czech Republic and Slovakia as well.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

The Law on the Legal Status of Foreigners No. IX-2206 of 29 April 2004 (The Law of Foreigners) stipulates that a foreigner:

- ▶ may enter Lithuania with visa (Schengen or national) or under a visa-free regime (Article 11 of the Law of Foreigners);
- ▶ may stay in Lithuania with a permanent/temporary residence permit (Article 24 of the Law of Foreigners) or apply for the temporary or permanent residence;
- ▶ can enter as an asylum seeker (Article 65 of the Law of Foreigners);
- ▶ can be granted a temporary protection regime (Article 92 of the Law of Foreigners); and
- ▶ that the right to remain in the territory of Lithuania is acquired by foreigners who have entered the Republic of Lithuania and are: 1) unaccompanied minor foreigners; 2) asylum seekers (Article 22-1 of the Law of Foreigners).

In the case of displaced persons from Ukraine, three options of temporary protection exist:

- ▶ persons covered by temporary protection in Lithuania from 4 March 2022 (collective protection);
- ▶ persons holding a registration certificate (for temporary protection) issued by the Migration Department (registration at the Migration Department);
- ▶ persons who have been issued a residence permit in Lithuania (temporary protection).

Lithuanian legislation does not provide for an option of adequate protection.

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

Displaced persons from Ukraine are granted the possibility to work immediately upon arrival and the employment is not related to the residence status. Such persons enjoy the right to work and use the active labour market measures as Lithuanian nationals. Only once such persons receive a residence permit, they are entitled to the full volume of social rights. There is no special conditions or documentation needed.

In case of losing the temporary protection, the Migration department adopts a relevant decision and such persons shall obtain a work permit (Article 96(1) of the Law of Foreigners). No further national rules on changing

³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

the status from temporary protection to other employment-based residence could be found. It seems that such persons need to apply for employment-based status in the same way as first-time applicants.

Please note that Article 58 of the Law on Foreigners indicates 17 exemptions when a foreigner can work in Lithuania without a work permit (for example, having temporary or permanent residence permit; having high professional qualification, according to the exchange of youth etc.).

- c) Relevant national legislation on changing the status (including the procedure to be followed).

N/A

- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

Ministry of Interior Affairs cooperates with other Member States/EEA-EFTA countries according to the Law on Foreigners (Articles 92 to 106-1). There is no publicly available information on cooperation procedures, nor is there any procedure in place for the exchange of information in domestic legislation.

At the moment it is not possible to obtain data on the registration of displaced persons in more than one Member State/EEA-EFTA country and there are no exchanges at EU level regarding social assistance benefits.

However, based on Article 96(1) of Law on Foreigners temporary protection is terminated if the foreigner moves to live to another EU Member State.

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

When temporary protection is granted, equal treatment is ensured in case of employment (see Article 58 of the Law of Foreigners and Article 1 of the Law on the Employment). According to the amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine" foreigners (who are granted temporary protection or who are registered with the Migration Department) are entitled to work or pursue a self-employed activity without a work permit.

Employers can decide whether professional duties of the job post can be performed without or with limited command of the Lithuanian language. The Decision No. 227 of the Government of the Republic of Lithuania of March 16, 2022 "On the Amendment to the Resolution No. 1688 of the Government of the Republic of Lithuania of 24 December 2003 "On the Approval of the Description of the Procedure for Determining the Proficiency Categories of the State Language and Their Application" indicates that the categories of proficiency in the state language shall not be applied to the employment of foreigners who have or have been granted temporary protection in the Republic of Lithuania for two years.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

Persons enjoying temporary protection from Ukraine do not require a work permit or other forms of authorisation (such as decision of the Employment Service on the compliance of a foreigner's work with the labour market needs of the Republic of Lithuania) or a residence status to have the right to work.

The amendment of the Order No. 1V-145 of 28 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the requirements, conditions and provision of services to foreigners who have left Ukraine due to the military activities of the Russian Federation in Ukraine" indicates that foreigners (who are granted temporary protection or who are registered with the Migration Department):

- ▶ are entitled to work or pursue a self-employed activity without work permit if they entered to Lithuania on visa-free regime; or have a valid Schengen visa; or have a national visa; or have applied for a temporary residence permit in the Republic of Lithuania or have the right to work or pursue a self-employed activity; or have submitted an application for asylum in the Republic of Lithuania.
- ▶ shall be released from the obligation to declare the place of residence if this is not possible due to objective reasons if they the temporary residence permit;
- ▶ can work under a temporary employment contract as defined in the Labour Code of the Republic of Lithuania.

This means that after arriving and receiving the temporary protection, displaced persons from Ukraine can immediately start working in the same way as Lithuanian citizens. There are no requirements for any additional documents. The temporary residence permit for Ukrainians is normally granted within one month.

Persons enjoying temporary protection from Ukraine, like residents of Lithuania, can engage in both individual activities and activities under a business license. When working under an employment contract or working independently, the same taxes and social insurance contributions are applied as for Lithuanian citizens.

After obtaining temporary protection, displaced persons from Ukraine may register as **self-employed** and receive a self-employment certificate form the State Tax Inspectorate (<https://www.vmi.lt/evmi/en/home>). Individuals who are self-employed for one year after starting their first activity are exempted from social security contributions. This rule is applicable also for persons enjoying temporary (or adequate) protection from Ukraine.

On 1 April 2022, the Procedure for Submission of Information on Foreigners Working in Lithuania entered into force on. It has been established that when submitting "1-SD" notification form to an employer, a new field „UK" (which stands for Ukraine) has been introduced in the notification form, which indicates the granted code of the foreigner (ILTU code).

In order to release employees who are citizens of Ukraine to perform their civic duty to Ukraine due to the military actions of the Russian Federation, but at the same time allowing the employees to return to their workplaces in Lithuania, the employers can exempt employees from the obligation to work while preserving their workplace (Article 137 of the Labour Code of the Republic of Lithuania). Also, at the employee's request and with the employer's consent, the employee may be granted unpaid leave pursuant to Article 137 of the Labour Code on a fixed basis (the term is unlimited). It should be noted that if a citizen of Ukraine is granted unpaid leave due to the military actions of the Russian Federation in Ukraine, the employer must select reason 05 ("absence with the permission of the administration") when providing information to the State Social Fund

Board (Sodra) when filling out the [12-SD report](#). After submitting the 12-SD report to a Ukrainian citizen in the above-mentioned manner, health insurance contributions will not be calculated for the relevant period.

II. Recognition of qualifications/diplomas

Those who want to practice a regulated profession (there are 44 regulated professions in Lithuania) have to obtain the recognition of professional qualification (list of professions and institutions is available at: [List of regulated professions - Versli Lietuva \(enterpriselithuania.com\)](#)).

Procedure for persons enjoying temporary (or adequate) protection from Ukraine is simplified based on the Law on the Recognition of regulated Professional Qualifications. For the recognition of the qualifications, the employer shall apply to the Centre for quality assessment in higher education (<https://www.skvc.lt/default/en/>). The whole process normally takes up to one month. There is a more flexible procedure, keeping formalities to a minimum: only the most necessary documents need to be provided, the authenticity of these documents can be certified by the applicant (without asking for a notary or the relevant authority). Only the translation of the most necessary documents (diploma or other document experiencing the professional qualification of an architect, civil engineer) into Lithuanian need to be submitted. However, each Ministry is responsible for the procedures (for example, the Ministry of the Environment for architects, civil engineers etc.).

Based on the data from the Ministry of Education, Science and Sports and the Ministry of Health, most common professions where recognition is needed include medical staff and teachers. So far, a large number of applications with very incomplete documents (e.g. no translations) has been filled. For instance, on 27 April 2022, 109 applications have been submitted for the recognition of qualifications (mostly for medical staff – approx. 20 dentists, 50 doctors, 30 nurses and a few for other professions). Main obstacle to acquire recognition is that a large proportion of nurses does not have education and thus cannot be automatically recognized. Only a small proportion of applications is granted. For instance, on 21 April, 2022 the following professional qualifications have been recognized: medical doctor – 5; dermatologist – 1; doctor obstetrician – 2; anaesthesiologist resuscitator – 1; cardiologist – 1; radiologist – 2; rheumatologist – 1; otorhinolaryngologist – 1; ophthalmologist – 1; family doctor – 2; paediatrician and paediatric endocrinologist – 1; dentist – 3. Moreover, on 30 April 2022, 154 applications have been submitted for recognition of qualifications of teachers out of which 54 qualifications have been recognised. A total number of teachers coming from Ukraine and registered at the Employment Service is 1730, out of them pre-school teachers (338), English teachers (253), pre-school education specialists (126), history teachers (98), special teachers (91) etc.

III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

Persons enjoying temporary protection from Ukraine enjoy the same conditions as nationals. All active labour market measures provided by the Employment Service are available since the registration needs to take place at the Employment Service.

Nothing specific has been set up for persons enjoying temporary protection and the general services available to all Ukrainians and national jobseekers.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Persons enjoying temporary protection from Ukraine are eligible to obtain vocational training on the same grounds as Lithuanians. This is because foreigners having temporary residence permit in Lithuania have access to education on equal basis with nationals (Article 25 of the Law on Education).

The study at a vocational school can only be granted when the residence permit obtained.

Nothing specific has been set up for persons enjoying temporary protection.

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

No exceptions exist. Persons enjoying temporary (or adequate) protection from Ukraine enjoy the same conditions as nationals, including the possibility not to pay social security contributions for self-employed for one year after starting their first activity.

Article 62(3) of Law on Foreigners even indicates that the remuneration of the foreigner cannot be less than of the national employee.

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

As explained above, three options of temporary protection exist:

- 1) persons covered by temporary protection in Lithuania from 4 March 2022 (collective protection);
- 2) persons holding a registration certificate (for temporary protection) issued by the Migration Department (registration at the Migration Department);
- 3) persons who have been issued a residence permit in Lithuania (temporary protection).

This distinction is important as social rights depend on the manner of protection (collective protection, registration at the Migration Department, temporary protection).

In the first and second cases the following social protection applies: work without a permit, temporary employment, self-employment, access to labour market and employment support measures (Employment Service), social assistance for pupils (free meals, support for the purchase of school supplies, monthly compensation for child education), social insurance benefits (having social insurance record). The local governments also have the discretion to allocate social benefits in cash individually (to provide a lump sum, targeted, periodic, conditional benefit, etc.) from unused funds for social protection budget (Law on Monetary Cash Social Assistance to Deprived Persons). Food packages and food cards, hygiene packages are provided only after the first 72 hours of arrival in Lithuania. All types of social assistance benefits are applicable in third

case once a person has obtained a residence permit (see Article 62(2) of the Law on Foreigners). **The general principle is that social security and welfare is ensured for Ukrainians as for nationals, without discrimination (in size of benefits, scope of services).**

Social security

Persons enjoying temporary protection, who hold a residence permit, are automatically entitled to the same social security benefits as Lithuanian nationals based on the **Law on Monetary Cash Social Assistance to Deprived Persons**, such as:

- ▶ Compensation for heating, drinking water and hot water costs;
- ▶ Social benefit: EUR 107,40 (average amount of social benefit per person).

The social benefit is granted on the basis of the income received: if the average monthly income per person does not exceed EUR 141,90.

Moreover, those who are employed are automatically entitled to the same social security benefits as Lithuanian nationals based on the **laws on social insurances**. Unemployment insurance and other social insurance benefits can be obtained only if a person from has requested a social insurance record (same as nationals).

Additionally, persons enjoying temporary protection are also entitled to the following social security benefits:

1) **Child benefits** — upon obtaining a residence permits on grounds of temporary protection, the following benefits are granted:

- ▶ Lump sum allowance for the birth of a child: EUR 462;
- ▶ Child benefit: universal child allowance — EUR 73,50 plus additional allowance of EUR 43,26 for children from multiple families and all children with disabilities;
- ▶ Lump sum payment for a pregnant woman if mother has no entitlement for social insurance maternity benefit: EUR 270,06.

Support is granted to all children regardless of the income received by foreigners.

2) **Pensioners** who live in Lithuania and who have received pensions from Ukraine also receive assistance (social assistance pension of 150 EUR per month for pensioners, disabled and orphans). Currently, due to the war, Ukraine is not be able to pay them pensions. Therefore, they are able to apply for the social assistance pension, until the situation stabilizes, and Ukraine can pay pensions again.

3) **Funeral allowance** (EUR 336 one-time).

Social welfare

1. Social services

General services: information and counselling; mediation and representation; catering arrangements; provision of clothing and footwear; transport organization; socio-cultural services; personal organization of hygiene and care services.

Special needs (social care): home help; development, maintenance and rehabilitation of social skills; accommodation in a home for independent living; psychosocial assistance; children's day social care; accommodation in a sheltered accommodation; temporary shelter; in-cash support.

Special needs (social custody): daily social care; short-term social care; long-term social care; temporary shelter.

Disabled: support for the technical equipment, personal assistant, accommodation for the disabled, sign language interpreter, targeted compensation, disability assessment.

In addition, where the institution intends to provide institutional social care only to unaccompanied foreigner minor, a license to provide institutional social care may be issued without applying the provisions of the Law on Social Services (regarding the conditions for obtaining licenses).

2. Children rights

There are exceptions to the Civil Code on child custody. In order to ensure the immediate protection of the rights of the child (in connection with the introduction of a specific legal regime in a state due to war, emergency) and in case of possible inter-institutional disruption, the proper representation of a child must be ensured in the shortest possible time and in the best interests of the child.

At present, it is possible to appoint a representative (an individual) as guardian (caregiver) for unaccompanied foreign minor. The readiness to become the child's guardian (caregiver) shall be verified a priori and shall not be in contrary to the child's interests.

3. Compensation for part of the lease

An average of EUR 46 per month is granted (depending on the municipality where the accommodation is rented). The compensation for part of the lease is granted on the basis of the assessment of the available income.

4. Allowance for school-age children

This allowance is meant for the purchase of essential materials for the pupil — lump sum of EUR 63.

5. Foreigners having temporary residence permit in Lithuania, thus also displaced persons from Ukraine, have access to **education on equal basis** with Lithuanian nationals (Article 25 of the Law on Education).

6. According to Articles 32 and 79 of the Law of the status of foreigners, **unaccompanied minors** seeking asylum are from the first moment accommodated in the Refugee Reception Center, which acts as an institutional guardian. Article 22-1 of this Law also indicates that unaccompanied minor foreigners have the right to remain in the territory of Lithuania.

7. Accommodation

In case of the necessity, municipalities organize the transportation of refugees to the accommodation sites (Territorial Units of Migration department and Refugees Reception centres). The Ministry of Social Security and Labour of the Republic of Lithuania coordinates the accommodation of foreigners who have been granted temporary protection in the Republic of Lithuania. "

8. Medical assistance

Medical assistance is limited only to emergency cases (Article 49 of the Law on Health System) unless the foreigner works or belongs to vulnerable group (children under 18, single parents with children, pregnant women, persons with dangerous diseases, and persons at the age retirement) and has a right to a complete medical assistance (Article 6 of the Law on Health Insurance). In case of the employment, persons enjoying

temporary protection have the full medical insurance (including minor). Covid vaccination is available for all displaced persons from Ukraine.

9. Hot-line

In response to the flows of the war refugees from Ukraine and in order to provide displaced persons from Ukraine coming to Lithuania with the information about social and health care, registration centres, returning home, and other important issues, Hot Line 1808 operating 24/7 was launched on 20 June 2022. The operators consult the war refugees in Ukrainian, English and Russian languages.

10. Support in municipalities

Almost half of the country's municipalities provide support to war refugees from Ukraine at own discretion. The amount of support provided to an individual ranges from EUR 150 to EUR 193,50, and for other family members from EUR 50 to EUR 64,50. Some municipalities provide equal support to everyone.

II. Eligibility conditions

Some social security benefits are the same for Lithuanian nationals as well as for persons enjoying temporary protection from Ukraine, while some others have been put in place especially for persons enjoying temporary protection.

However, displaced persons from Ukraine are eligible to full social security benefits only from the moment of granting of residence permit. Moreover, in case of unemployment social insurance benefit, a person from Ukraine needs to first acquire a social insurance record (12 months during 30 last months). This condition also exists for Lithuanian nationals.

The amounts of the general social welfare benefits are the same for Lithuanian nationals and for persons enjoying temporary protection. Full set of benefits is however only applicable with resident permit.

III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

There are no exceptions to the general rules.

Special provisions apply, however, for pensions. According to the Agreement between Lithuania and Ukraine on the social protection (signed in 2001), the length of service is summed up, and citizens of both countries, who move to live in Lithuania or Ukraine, are paid pensions from that state.

As Ukraine does not pay pensions to its citizens due to the war, Lithuania has made special commitments. Therefore, social assistance pensions are granted to elderly, disabled and orphans, who have arrived in Lithuania based on the Amendments of the Law No I-675 of the Republic of Lithuania „On Social Pensions”. Moreover, if it cannot be verified if a person residing in Lithuania is actually receiving pension granted in Ukraine, such a person is also granted and paid social assistance pension and small pension supplements in Lithuania.

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

Persons registered in the Migration department and with permission of the temporary residence also receive the following support:

- ▶ compensation for the expenses for the translation and legalization of the documents;
- ▶ transfer of wellbeing of persons (when the transfer of wellbeing of the person is not possible, the compensation shall be paid);
- ▶ compensation of relocation costs;
- ▶ support for the integration (until 24 months) and financial support (18 months);
- ▶ proposal for housing (free of charge).

Moreover, through the amendment of the Order No. 1V-143 of 26 February 2022 of the Minister of the Interior of the Republic of Lithuania "On the activities of accommodation centres and accommodation of foreigners leaving Ukraine because of the Russian Federation's military actions in Ukraine" Lithuania has introduced a financial compensation mechanism for Lithuanian residents/business who provide temporarily accommodation for displaced persons from Ukraine. Lithuanian residents and businesses who accommodate displaced persons from Ukraine who fled the war receive compensation. In June 2022 more than 1.1 million EUR has been distributed, while in May nearly EUR 300.000 was paid. The period for receiving of such compensations is six months (initially it was three month and in June it was extended to six months).

By the end of May 2022, the Ministry of Social Security and Labour allocated to the non-governmental organizations (the aid service of the Order of Malta, the Lithuanian Red Cross, and the Lithuanian Caritas) EUR 880.000 of state funds for hygiene products and medicines needed by displaced persons from Ukraine. From the end of March, the distribution of EUR 115 value shopping center cards - "[Maisto bankas](#)" cards " began. So far, almost 46.000 "[Maisto bankas](#)" cards have been distributed to displaced persons from Ukraine, with which they can independently purchase goods.

Information on social rights of displaced persons from Ukraine are available on various websites of the public institution in Ukrainian language:

- ▶ [website](#) of the Ministry of Social Security and Labour,
- ▶ [this](#) and [this](#) website of the Migration department,
- ▶ [website](#) of the Ministry of Education, Science and Sports of Lithuania,
- ▶ [website](#) of the Employment Service,
- ▶ [website](#) of the State Social Insurance Fund Board,
- ▶ [website](#) of the Labour Inspectorate,
- ▶ [website](#) of the Lithuanian Government,
- ▶ [website](#) of the Bank of Lithuania,

- ▶ [website](#) of the Vilnius City Social Services Center,
- ▶ [website](#) of the State Tax Inspectorate,
- ▶ Special dedicated [website](#).

Several hot-line have also been established like those from [Lithuanian Caritas](#), on [accommodation](#), on [migration service](#) and several NGOs offer additional [information](#) (e.g. [Lithuanian Red Cross](#)).

Displaced persons from Ukraine are also offered psychological support (examples include [this](#) and [this website](#)).