

MIGRATION AND LABOUR MARKET INTEGRATION OF THIRD-COUNTRY NATIONALS: THE CASE OF LITHUANIA

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Migration processes are increasingly influencing the economic and social development of countries around the world. As many EU countries are facing the shortage of skilled labour force, non-EU nationals, also known as third-country nationals (TCNs), are increasingly coming to EU countries to live and work. This poses new challenges to EU Member States and their economic and social systems. For many decades Lithuania received almost no immigration and it did not have any immigration policy, however, the stabilisation of the country's economy after the crisis of 2008–2009 encouraged immigration growth in Lithuania from 2011, in particular on account of TCN migrants. Today, Lithuania is one of the European countries with steadily growing flows of immigrants from third countries. The article analyses the labour migration policy from the third countries in Lithuania as well as challenges related to employment and social protection of TCNs in Lithuania. The analysis has shown that TCN migrants have been gaining more and more influence in the Lithuanian labour market since 2015, although their relative weight still remains very low. The growing number of TCN migrants in the Lithuanian labour market brought an urgency to pay more attention to the protection of their rights and guarantees as well as to opportunities for the integration of migrants into Lithuanian society. On the other hand, there are still a number of abuses by employers: migrants are applied lower pay rates for work, are offered to work longer hours than regulated by the Labour Code, and there is deficiency in immigrants' working conditions. However, the number of such incidents is declining in Lithuania.

Introduction

International migration has been constantly receiving much attention at a policy level over the past decades in the European Union (EU) and other countries. This was determined by increasing international migration flows and aspiration to better un-

derstand the direct and indirect causes and mechanisms of international migration. As many EU countries are facing the shortage of skilled labour force, non-EU nationals, also known as third-country nationals (TCNs), are increasingly coming to EU countries to live and work. According to Eurostat, in 2017,

there were around 20 million non-EU nationals residing in the EU who made up around 4% of its total population¹. The population of legally residing TCNs varies greatly among the Member States. Figures show that in 2017, the number of TCNs holding a valid permit per 1000 inhabitants was as low as three in Romania and as high as 144 in Estonia and 161 in Latvia². Differences in the extent of migration of TCNs in EU countries are determined by different reasons (economic development of the country, geographical location, etc.). However, the migration policy implemented in the country is one of the main factors that determine the extent of migration of TCNs. Labour migration policy in individual EU member states is driven by different national goals. The EU countries have developed a multitude of approaches with different effects on inflows. Many member states impose education, occupation or salary requirements which can be barriers to recruitment, others rely on labour market tests or trust the market to regulate itself as long as conditions are respected³.

For many decades Lithuania received almost no immigration and it did not have any immigration policy. Today, Lithuania is one of the European countries with steadily growing flows of immigrants. According to the Migration Department (MD) under the Ministry of the Interior of the Republic of Lithuania, — in 2018 as compared to 2017, immigration flows to Lithuania increased by 21%. In 2018, 15 486 residence permits were issued to foreigners who came to work in Lithuania, 28 residence permits were issued to start-ups, 391 — to highly qualified employees, 686 — to engaged in other legal activities (businessmen, sportsmen, etc.), 2834 — to foreigners coming to study in Lithuania⁴. The experience with immigration processes in Lithuania is not long, and the immigration policies are still relatively new. Other Central and Eastern European countries are also facing increasing levels of TCNs migration and

their experience in this field is also limited. In this context, it is appropriate to share migration experience among the countries so that they can choose the most effective and appropriate solutions for managing migration flows.

The article aims to analyse the labour migration policy from third countries in Lithuania as well as challenges related to employment and social protection of TCNs in Lithuania.

The theoretical part of the article reviews the main migration and migration regulation theories. The empirical part reviews the migration trends of TCNs in Lithuania, examines the migration policy in Lithuania, discusses the legal aspects of employment of TCNs in Lithuania as well as the labour market situation of TCNs. Finally, the article addresses issues related to employment and social protection of TCNs in Lithuania.

The definition of TCNs is based on the definition of the European Commission, i.e. TCNs are defined as individuals who are not citizens of the European Union and who are not enjoying the European Union right to free movement.

The research methods used in the article included analysis of scientific literature, comparative analysis, graphical representation of data.

Main drivers behind the decision to migrate and migration policy: Theoretical aspect

There is a large variety of theories that explain the phenomenon of migration. These theories explain the main drivers behind the decision to migrate. According to the European Commission, migration theories can be classified based on the level at which their components operate, i.e. they can be macro, meso, micro, equilibrium and structural⁵. However, most of researchers classify the migration theories as micro and macro level. The macro approach, with its roots in

neo-classical economics, accounts for migration in terms of characteristics of the socio-economic and physical environments, such as wage rates, unemployment, and climate. On the other hand, the micro approach is more concerned with the decision-making process involved in how people choose between alternatives⁶. However, many authors point out that migration theories are intertwined and should be considered not as alternatives but rather as complementary ones⁷.

Some researchers, in explaining migration processes, distinguish not only economic but also social theories. For example, according to Žibās (2011)⁸, migration processes should be examined not only in the context of economic but also social theories, since international migration processes can be treated both as a result of macroeconomic indicators and as a complicated social process related to the behaviour of societies in the country of origin, the transit country and the country of destination.

One of the very first approaches to migration was focused on an individual decision-making. Before deciding to leave their place of residence, individuals examine the costs and benefits of migrating. This approach is often associated with the paper published in 1962 by Larry Sjaastad and referred to Sjaastad human capital theory⁹. Central to this theory, is the focus on a rational individual who aims to maximize benefits in the new destination¹⁰. This theory is closely associated with neoclassical economics theory that conceptualises migration as the movement of individuals for income maximisation, based on individual rational choices depending on their demographic and socio-economic characteristics¹¹.

Neoclassical economics theory also provides macro framework. As a macro theory, it conceptualises migration at the country level as movement of individuals due to difference between countries (e.g., low wages, labour-surplus in the country of origin) and

employment (high-wage or labour scarcity in the country of destination) conditions¹². According to this theory, wage differences between regions are the main reason for labour migration. Such wage differences are due to geographic differences in labour demand and labour supply, although other factors, e.g., labour productivity might play an important role as well¹³. According to Haas (2010)¹⁴ migrant networks are one of the important factors as well. According to the author, social capital needs to be recognised as one of the crucial factors determining people's motivation and ability to migrate.

Another commonly used theoretical concept in migration research is the so-called push-pull theory which explains the causes of migration. The push-pull model consists of a number of negative or push factors in the country of origin that cause people to emigrate, in combination with a number of positive or pull factors that attract migrants to a receiving country. According to the push-pull theory, combinations of push and pull factors determine the size and direction of flows¹⁵. Push-pull factors have a particularly significant impact on the population's decision to stay in the country of destination — this is shown by the trends of emigration from Lithuania. After joining the EU, especially after the crisis of 2008–2009, an increasing number of emigrants reported their plans not to return to Lithuania in the near future (in 5–10 years)¹⁶.

Dual or segmented labour market theory is also important, especially in the context of differences in the level of economic development of the countries. According to this theory, the need for cheap workers in modern societies is the main factor explaining migration. The theory argues that often labour markets have two sectors — the primary (with good working conditions, career perspectives and high wages) and the secondary (with precarious jobs, low pays and hazardous working conditions). The primary sector's jobs are

usually taken by the native-borns, while the secondary jobs are performed by immigrants with the intention to work for a limited period of time to increase the earnings¹⁷.

The most recent is a new economics theory that incorporates the societal dimension in the decision to migrate. According to its proponents, the decision to migrate is not an individual one, but rather one made by a group of people, such as families or households. The members of these groups act in common, not only to maximize their incomes, but also to minimize their risks¹⁸. In the context of Lithuania and other Eastern and Central European countries, it should be noted that immigration in this region is more characterised by a new economics theory, when the stay in a foreign country is temporary, without the aim of obtaining the permanent residence permit¹⁹. In this context, it is important to note that about 85% of TCNs come to Lithuania on a temporary basis for work or study purposes. Such emigration trends also dominated among the Lithuanian population before Lithuania's accession to the EU²⁰.

It should be noted that only a small number of the migration theories are mentioned above, as they vary depending on approach to origins and causes of migration. It could also be noticed that some authors criticise the existing theories of migration. According to Arango (2002)²¹ the theories can be faulted for focusing almost exclusively on the explanation of the causes of migration, to the detriment of other dimensions.

In addition to migration theories, it is not only the decision of individuals to emigrate that matters in terms of migration, but also the host country's attitude and tactics towards immigrants, in other words, immigration policy. Many researchers define migration policy as having two main components: immigration regulation and immigrant integration policies. Immigration regulation measures usually include rules for the selection and admission of immigrants, control of

illegal immigration, while integration policies cover living and working conditions for immigrants (employment, access to housing, education, etc.)²². There is a wide range of theoretical approaches accounting for immigration. According to Zogata-Kusz (2012)²³, theoretical approaches explain what determines states' decisions regarding three main matters, i.e. the number, type, and country of origin of immigrants who are accepted. One of the most common theoretical approaches to immigration policy is concerned with economic factors, i.e. economic interests and the state of the economy. According to this approach the migration policy is a result of the clash of various groups' economic interests²⁴. Another approach is focusing on matters related to national identity. This approach argues that state's immigration policy depends on its culture, history, traditions, and experience as a sending or receiving country²⁵. The proponents of globalisation approach claim that the states are not the only actors in international relations and their power to create immigration policy is limited by the pressure of international organisations, institutions or transnational communities. Another factor considered by some researchers to be the main determinant of the immigration policy is international relations. According to this approach the main determinant of a state's immigration policy is actual or potential conflicts among states and questions of security²⁶. It should be noted that, as in the case of migration theories, immigration policy is also often based on an integrated approach, which involves several theoretical approaches.

The trends of international migration in Lithuania

According to Statistics Lithuania (SL), in 2018, 28 900 people immigrated to Lithuania, which is 1.4 times (by 8500) more than in 2017 (*Table 1*). This is the highest number of immigrants recorded since the

Table 1. International migration in Lithuania in 2010–2018

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Immigrants	5 213	15 685	19 843	22 011	24 294	22 130	20 162	20 368	28 914
Emigrants	83 157	53 863	41 100	38 818	36 621	44 533	50 333	47 925	32 206
Net migration	-77 944	-38 178	-21 257	-16 807	-12 327	-22 403	-30 171	-27 557	-3 292

Source: Statistics Lithuania, <https://osp.stat.gov.lt/web/guest/pradinis>

Table 2. Immigrants by citizenship in Lithuania in 2018 (%)

Country	%
Lithuania	57.4
Ukraine	19.8
Belarus	11.3
Russia	2.7
US	0.3
Other countries	8.5
Without citizenship	0.1

Source: Statistics Lithuania, available at: <https://osp.stat.gov.lt/web/guest/pradinis>

Restoration of Lithuania's Independence. In 2019, this trend became even more pronounced — immigration outpaced emigration for as many as seven months out of eight. In 2018, more than a half (57.4%) of the immigrants were citizens of the Republic of Lithuania who returned to Lithuania, and around 42% (or 12 322 persons) were foreign nationals²⁷ (Table 2).

In 2018, the number of foreign immigrants was by 2100 (or by 20.7%) more than in 2017. The majority (85.3%) of foreigners who immigrated to Lithuania were males. Almost a half (5700, or 46.5%) of foreigners who immigrated to Lithuania in 2018 were the citizens of Ukraine, 3300 (26.4%) — of Belarus, 780 (6.3 %) — of the Russian Federation. Over the year, the number of citizens of Ukraine who immigrated to Lithuania grew by 32.1%, of Belarus — 20%, of the Russian Federation — 18.9%²⁸.

According to SL, in 2018, 32 200 residents emigrated from Lithuania. Compared

to 2017, the number of emigrants decreased 1.5 times, or by 15 700. In 2018, the number of emigrants exceeded that of immigrants by 3300. This is the lowest net international migration indicator since 1990²⁹.

It should be noted that for many years, the majority of immigrants to Lithuania were returning Lithuanian citizens (around 82% on average). Non-EU citizens constituted around 15% and EU citizens around 3% on average. However, this trend has changed since 2017: the proportion of returning Lithuanians fell to 50%, while the share of non-EU citizens increased to around 47%. The majority of foreign immigrants were citizens from Ukraine and Belarus (about 35% of all immigrants). The share of EU citizens remained stable³⁰.

Foreign nationals in Lithuania

According to SL, at the beginning of 2019, the population of Lithuania totalled 2 million 794 thousand; more than 58 000 foreigners lived in Lithuania at the beginning

of 2019. The majority of them were TCNs: there were 18 134 people who had obtained permanent residence permits (PRP) (which are issued for 5 years) (or 31% of the total number of foreigners), 33 252 people holding temporary residence permits (TRP) (which are commonly issued for 1–2 years) (57%). Citizens of the EU and their families amounted to 12% at the beginning of 2019. It should be noted that in Lithuania, the number of people holding TRP increases every year — in 2018, this number increased by 25.8 % as compared to 2017; in 2019, the increase was 33.4%³¹ (Table 3).

Year 2018 witnessed a sharp increase in the number of temporary residence permits in Lithuania issued to Ukrainian nationals (from 5979 in 2017 to 10 608 in 2018). Likewise, the number of temporary residence permits issued to Belarusians nearly doubled, showing a strong increase from 3413 in 2017 to 6311 in 2018³².

Drawing on the data available within the Register of Aliens, in 2018, a total of 36 586 national visas (D-type) were issued to foreign nationals on the basis of work. This accounted for some 80% of the total number of D-type visas issued in 2018 (46 127). In 2018, the highest number of the national visas were issued to Ukrainians (24 190), Belarusians (13 369), and Russians (1565)³³.

According to the data provided by the MD, in 2018, a total of 26 235 applications were received from foreign nation-

als to issue or replace TRP (14 326 and 8896, respectively). It should be noted that non-EU citizens can enter and stay in Lithuania only for purposes established by Law No. IX-2206 on the Legal Status of Aliens and other regulations. According to the data provided by MD, in 2018, around 59% (or 15 486) of residence permits were issued on the basis of work; 12% (or 3045) — on the basis of family reunification; 11% (or 2834) — to those indenting to study, access vocational training or improve their qualifications; 1.5% (or 391) — to aliens intending to access highly qualified employment, and 0.1% (28) — to start-ups.

According to the MD, there has recently been a sharp increase in the number of residence permits issued on the basis of work in Lithuania. This number stood at 15 486 in 2018 (showing a 49.2% change compared to 2017) (in 2017 — 10 382; in 2016 — 6423)³⁴.

Immigration policy of the third-country nationals in Lithuania

In times of great demographic deficit, job supplies began to increase in the country, accompanied by skilled and unskilled labour shortages. The number of work permits issued to foreigners was gradually growing with a marked increase in 2006–2008 and 2011–2019. Growing inward migration and not decreasing waves of outward migration gave rise to discussions not only on social and

Table 3. Foreigners living in Lithuania by their status

Status	2014	2015	2016	2017	2018	2019
Foreigners holding a permanent residence permit	18 572	18 261	18 072	18 048	18 216	18 134
Foreigners holding a temporary residence permit	12 892	16 707	16 708	19 811	24 919	33 252
EU citizens and their family members	4023	5012	5504	5745	6252	6635

Source: Statistics Lithuania, available at: <https://osp.stat.gov.lt/web/guest/pradinis>

economic consequences of outward migration, but also on immigration impacts on the social and economic development of the state and society. Employers and entrepreneurs initiated discussions about the need for labour immigration from the so-called third countries. Finally, not only the public discourse related to labour migration processes, but also the political response of the state to those issues, have changed. Until 2014, migration policy was based on the *ad hoc* principle. The period between 2014 and 2017 witnessed significant political changes, demonstrating a major step from the *ad hoc* principle toward strategies based on long-term objectives³⁵.

The Procedure for issuing work permits to aliens was approved in 2013 (Order No A1-133 of 27 March 2013). In 2014, the Government of the Republic of Lithuania passed Resolution No 79 (22 January 2014) approving the Lithuanian migration policy guidelines and the Ministry of Social Security and Labour drafted an Action pPlan 2015–2017 for the integration of foreigners (Order No. A1-683 of 31 December 2014). The List of Professions lacking in the Republic of Lithuania according to the type of economic activities was expanded at the end of 2016 (Order No. V-946 of 15 December 2016).

The procedure for start-up visas was legislated at the beginning of 2017 in pursuit of providing more flexible migration opportunities for high value-adding businesses. According to the Ministry of the Interior, in 2018, there were 17 start-ups from South Korea, Russia, Ukraine, China, Pakistan, Australia, etc. conducting business in Lithuania.

In 2017, the amendments to the Law on the Legal Status of Aliens have introduced facilitated entry procedures for aliens who are included on the shortage occupations list by economic activity (for example, drivers of international freight vehicles, welders, metal hull assemblers, etc.)³⁶.

The 2018–2030 strategy for demographic, migration and integration policy was

approved by Resolution No. XIII-1484 of the Seimas of the Republic of Lithuania of 20 September 2018. The Strategy, *inter alia*, provided for encouraging a balanced arrival of foreign nationals to satisfy national interests. With a view to promoting immigration, more attention should be paid to balanced immigration of EU and TCNs in accordance with the economic needs of the country. It is necessary to actively implement policy for the integration of long-term immigrants from other countries into Lithuanian society. In addition, on 20 December 2018, the Seimas of the Republic of Lithuania adopted amendments to the Law on the Legal Status of Aliens aimed at improving the regulation of the legal status of aliens by renouncing excessive procedures and requirements in order to reduce administrative burdens and simplify procedures.

On 3 January 2018, amendments to the visa issuance procedure came into force after being approved by an order of the Minister for the Interior and the Minister for Foreign Affairs (Order No. 1V-899/V-330 of 28 December 2017). The amendments regulate the drawing up of the List of Approved Establishments to simplify and facilitate immigration procedures for foreigners coming to work. When filing a visa application, TCNs pursuing employment with an undertaking which is on the List of Approved Establishments are required to provide fewer documents, i.e. they are not required to provide a work permit, a copy of the employment contract and proof of sufficient financial means.

On 10 April 2019, the Lithuania's government approved the amendments to the Law on the Legal Status of Aliens, according to which quotas would be set for foreign workers from third countries based on the list of occupations that are most needed for the labour market. The quotas would be set annually by the head of the Lithuanian Employment Services (LES) who also makes the list of the occupations most needed in Lithuania. TCNs recruited under the quotas will be ap-

plied simplified employment conditions without assessing their compliance with the labour market needs. Once the quotas have been exhausted, employers will be able to import TCNs who undergo labour market tests, i.e. obtain a work permit in Lithuania or a decision of the LES as to their compliance with the labour market needs. The quotas are expected not to apply to highly qualified employees. Such legislative amendments pursue the simplification and acceleration of migration procedures on the one hand and the reduction of opportunities for their abuse on the other hand, in response to the criticism increasingly put forward in the public space that the influx of immigrants and their lower financial expectations may slow down the growth of salaries of Lithuanian employees.

Legal aspects of the employment of third-country nationals in Lithuania

In Lithuania, employment relations of foreigners are regulated by Law No. IX-2206 on the Legal Status of Aliens, the procedure for issuing work permits to aliens, the procedure for issuing a decision on the compliance of an alien's job with the needs of the labour market of the Republic of Lithuania, and, Labour Code No. XII-2603, and other laws.

In general, TCNs can legally enter and be in legal employment in Lithuania on the following grounds and require the following documents:

- aliens entering Lithuania to seek a job which does not fall under the list of professions lacking in the Republic of Lithuania need a national D-type visa or a temporary residence permit and a work permit issued by the LES (the work permit should be applied for by the employer);
- aliens entering Lithuania to seek a job which is included in the list of professions lacking in the Republic of Lithuania need a national D-type visa or a temporary residence permit and a decision on complian-

ce with the labour market needs (but they do not need work permits);

- highly qualified aliens to be paid 1.5 or 3 times the average monthly salary are eligible to apply for a Blue Card (granting the right to both residence and work). They must also obtain a decision regarding the compliance of work requiring a high professional qualification (but they do not need work permits).

In other words, according to the Lithuanian law, a third-country national who wants to work in Lithuania must obtain one of the following documents:

- work permit;
- a decision on compliance with the labour market needs;
- a decision regarding the compliance of work requiring a high professional qualification with the needs of the labour market of the Republic of Lithuania.

Work permits and decisions are issued by the LES. Since work permits/decisions do not confer the right to reside in Lithuania, foreigners coming to work in Lithuania must also apply for a visa or residence permit.

A work permit for a foreigner may be issued if there is no specialist in Lithuania that meets the qualification requirements of the employer. According to Lithuanian law, prior to applying of an alien to the LES for a work permit or making a decision on conformity of the alien to the needs of the labour market by the LES, an announcement on the vacancy at the Lithuanian enterprise shall be published. If within the period of validity of the announcement (no less than five working days), no likely candidate is found in Lithuania, the foreigner can apply to the LES for the above-mentioned purpose.

Third-country nationals on the Lithuanian labour market

Before starting the analysis, it should be noted that in the analysis below the information is provided only on those foreigners who

received a work permit or decision on conformity but this does not encompass the whole volume of foreign workers who came to Lithuania in the referred period. Until 2017, foreign workers had to obtain a work permit or a decision on conformity. According to the LES, a total of 5237 work permits in the Republic of Lithuania were issued to foreigners in 2018. This is by 5% less compared to 2017 and even by 73% less compared to 2016 (Fig. 1). It is of note that the decrease in the number of work permits to foreigners was due to the fact that foreigners covered by the list of lacking professions and posted foreigners have been released from the obligation to obtain work permits as a result of regulatory changes introduced in 2017. In addition, the work permit requirement ceased to apply in respect of students holding a residence permit granted on the basis of studies and studying in the Republic of Lithuania.

In 2018, like in 2017, most of work permits were issued to Ukrainians and Belarusians (3669 and 726, respectively)

(as compared to 3350 and 1198, respectively, in 2017) (Fig. 2). The reasons encouraging Ukrainians to come to Lithuania to pursue employment include the visa waiver programme with the EU effective 11 June 2017 and higher salaries³⁷. In 2018, work permits in Lithuania were issued to nationals of 38 countries (40 in 2017 and 44 in 2016).

The data shows that TCNs in Lithuania are mainly employed in sectors in which workers of the national labour market cannot be found either due to specific experience required (shipbuilding), difficult working conditions (long distance drivers) or emigration (construction)³⁸. According to the LES, in 2018, the highest number of work permits was issued for construction workers (Table 4).

Labour migration to Lithuania is exclusively male. This can be explained by the fact that most shortage professions in Lithuania are male dominated. Therefore, women comprise only a very small percentage of all foreign workers (approx. 8%)³⁹.

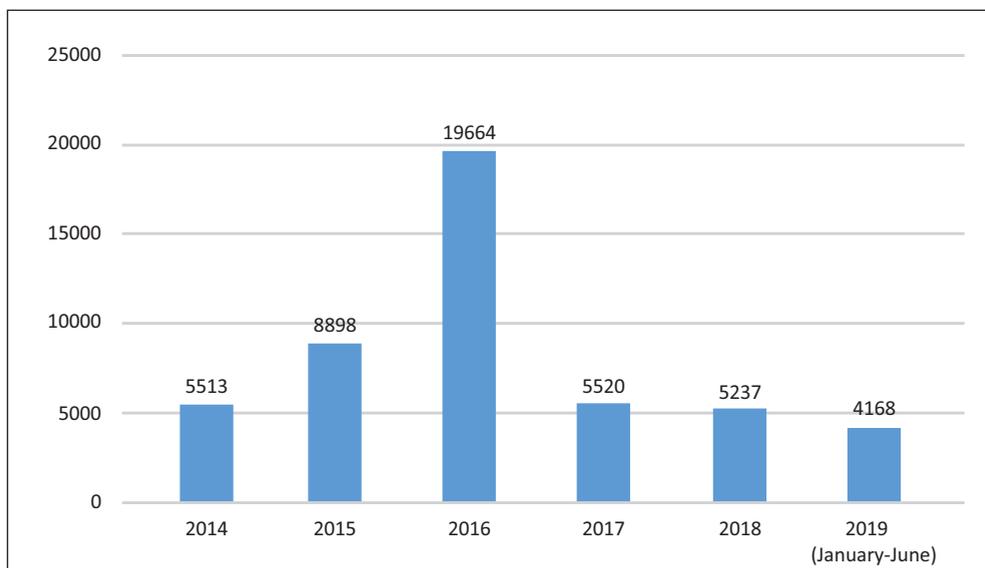


Fig. 1. The number of work permits issued to foreigners in Lithuania

Source: data provided by the LES on a special request

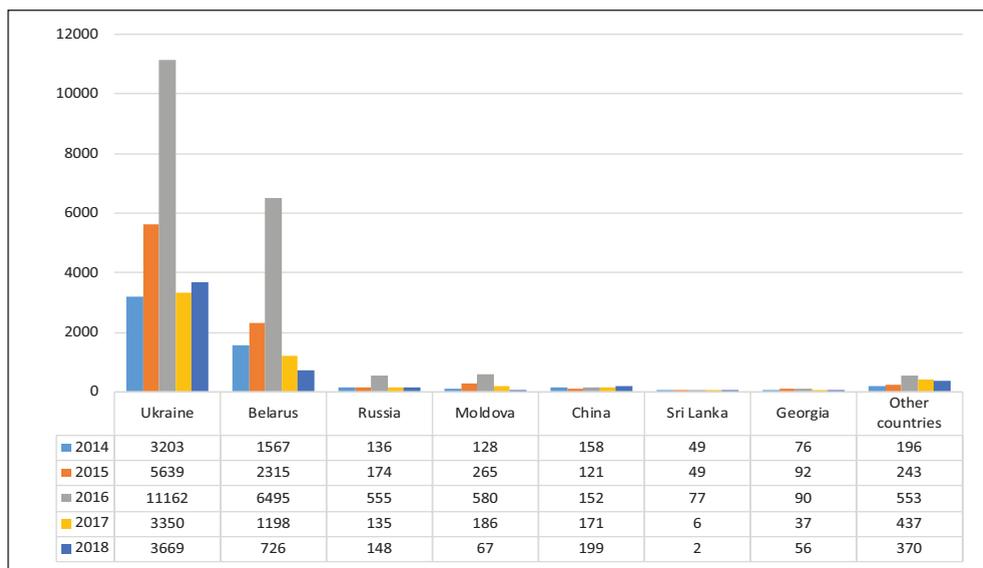


Fig. 2. The number of work permits issued in Lithuania to foreigners by citizenship in 2014–2018
Source: data provided by the LES on a special request

Table 4. Types of economic activities attracting the highest number of work permits to foreigners in Lithuania in 2018

Economic activities	2018
Construction	1571
Industry	978
Accommodation and food services	909
Transport services	411
Wholesale and retail trade	354
Administrative and support service activities	176
Agriculture, forestry and fisheries	166

Source: data provided by the LES on a special request

Challenges related to employment and social protection of third-country nationals in Lithuania

According to Lithuanian law, foreign citizens working in Lithuania enjoy the right to all necessary social guarantees. According to available research, however, Lithuania is

not well prepared to ensure labour rights of TCNs⁴⁰. Below we will look in more detail at work pay, social guarantees and problems for TCNs working in Lithuania.

Wage. According to the law, the wage of a foreigner cannot be less than the wage which is paid for a resident of Lithuania for the same

work at the same company. If there are no such employees, a foreigner's remuneration may not be lower than the national average annual gross monthly wage in a specific economic activity (as calculated by the SL). Non-EU nationals who intend to perform as highly qualified workers should be paid no less than 1.5 times the average gross monthly salary calculated by the Statistics Lithuania or at least three gross wages if the profession is not included in the short-list of professions needed in Lithuania.

However, with the rapid growth of TCNs in Lithuania, there are increasing cases of exploitation and failures to pay contractual wages by the employers. Many TCNs enter the country with no knowledge of their rights or the language, meaning they often live and work in poor conditions and are underpaid⁴¹. To deceive employees, the employers use a language barrier: employment contracts are signed only in Lithuanian; multilingual contracts have different wordings; there are frequent cases of verbal agreements of the amount of remuneration, not showing of official schedules and/or pay slips, inventing unlawful deductions and/or fines. As a result, nothing can be proved in labour dispute committees or courts. Furthermore, the EMN study (2017) showed that the number of complaints against employers for the illegal employment of foreign nationals is increasing in Lithuania — 26 such cases were registered in 2016 (11 — in 2014; 16 — in 2015)⁴².

Working conditions and safety at work.

TCNs' working conditions and safety surveys have shown that labour migrants work longer hours than local employees in Lithuania. In addition, they are slightly more often than Lithuanian nationals exposed to verbal abuse and physical violence at work. There are frequent abuses of the requirements of labour law by employers: they employ workers illegally, do not comply with the requirements of work safety, employ workers under very poor working conditions, and avoid pay-

ing for work⁴³. According to the SLI, there is a noticeable trend in Lithuania that Polish construction companies post workers from Ukraine to Lithuania. However, in most cases Ukrainian workers have not been to Poland and have no employment contracts with Polish companies. Ukrainian workers come directly to Lithuania with the help of intermediaries. Without knowing their rights and the language, they live and work in bad conditions and do not receive remuneration due to them for work⁴⁴.

Social integration. On 21 December 2018, Lithuania approved its Action Plan 2018–2020 for the integration of foreigners into society (Order No. A1-755 of 21 December 2018). The plan aims at improving the implementation of the integration of foreigners and ensuring their successful integration into society. Implementation of the plan is likely to lead to more successful TCNs integration. As demonstrated by the MIPEX Study⁴⁵ (2015), migrant integration policies implemented in the country in the areas of the labour market, mobility, education, political participation, acquisition of citizenship, family reunification, healthcare, issue of residence permits and anti-discrimination are seen as being more disadvantageous for immigrants living in and coming to the country. Lithuania ranked 34th out of the 38 participating EU and OECD Member States. A TCNs survey carried out in 2015 showed that the most desirable integration measures in Lithuania would be the organisation of children's education (supported by 76.6% of respondents) and Lithuanian language courses (74.3%)⁴⁶.

Access to the labour market. Research shows that Lithuanian policies make the labour market slightly unattractive to migrant workers who want to integrate on a long-term basis. Labour migrants have limited opportunities to stay in the country for a longer period of time, as they have to leave the country after termination of their employment contracts. Migrant workers are not allowed to

pursue employment independently during the period of unemployment. The possibility of obtaining a permanent residence permit for labour migrants is very limited even if the demand for specific skills in Lithuania is not temporary but permanent⁴⁷. Furthermore, non-EU newcomers, particularly temporary workers and high-skilled workers with university degrees, do not receive the general or targeted support and benefits they need to pursue the high quality job or education/training programme⁴⁸. According to the SL survey of immigrants and their direct descendants, 70.6% of foreign-born residents aged 20–64 were employed in 2014 (the national average of this age group was 71.6%). Nonetheless, 12.4% of foreign-born immigrants aged 15–64 claimed that their qualifications were too high for their current place of employment⁴⁹.

Social protection. In the field of social security, all employees are treated equally and enjoy equal social guarantees in Lithuania. These guarantees must also apply to TCNs legally working in Lithuania and paying social insurance contributions. However, cash social assistance (e.g., social benefits, unemployment benefits, compensations for heating costs, etc.) is only available to foreigners who have a permanent residence permit in Lithuania. As regards access to social guarantees for TCNs, foreigners holding temporary residence permits find themselves in a particularly vulnerable position. They can claim social guarantees based on contributions and linked to legal employment in Lithuania. Studies show that the actual stay of foreigners in the country can often be too short for them to pay the statutory benefits for the required period of time, and this can therefore become a barrier to access and benefit from state social guarantees.

Conclusions

Migration processes are increasingly influencing the economic and social develop-

ment of countries around the world. It is particularly the case within the EU where the general demographic situation appears to be more dependent on migration processes than on population changes. This also refers to Lithuania with its net migration occurring by 2–4 times above net natural population growth for individual years since 2000.

The stabilisation of the country's economy after the crisis of 2008–2009 encouraged immigration growth in Lithuania from 2011, in particular on account of TCN migrants. The number of migrants in Lithuania almost doubled from 15 685 in 2011 to 28 914 in 2018. By citizenship, migrants from Ukraine, Belarus and Russia account for the largest share (46.5%, 26.4% and 6.3%, respectively).

The analysis has showed that the main drivers of migration to Lithuania are of an economic nature. Incoming migration to Lithuania and the Central and Eastern European (CEE) region can be best characterised by the New Theory of Economic Migration, where entry abroad is temporary, without the purpose of getting permanently established in the local labour market and acquiring the right to permanent residence, while the decision to migrate is made not individually, but by the whole family in order to maximise their economic interests. In general, analysis of various theoretical paradigms suggests that migration flows (push-pull factors) in CEE countries are highly dependent on the ability of the population to adequately meet their economic needs.

In addition to the economic factor, the flows of TCN migrants to and their situation in Lithuania, like in other European countries, are determined by the immigration policy pursued in the country. Until 2015–2016, Lithuania's immigration policy was rather strict and restrictive towards employment opportunities for TCN migrants. Later, this policy was slightly liberalised in light of rapid economic growth and increasing labour shortages. It

can be said that TCN migrants have been gaining more and more influence in the Lithuanian labour market since 2015, although their relative weight still remains very low.

The analysis has shown that the overall situation of TCNs in the Lithuanian labour market is improving: the legal protection of migrants is improving, their average income is growing, and the integration of migrants in society is strengthening. On the other hand, there are still a number of abuses by employers: migrants are applied lower pay rates for work, are offered to work longer hours than regulated by the Labour Code, and there is deficiency in immigrants' working conditions. However, the number of such incidents is declining in Lithuania.

The growing number of TCN migrants in the Lithuanian labour market brought an urgency to pay more attention to the protection of their rights and guarantees as well as to opportunities for the integration of migrants into Lithuanian society. The 2018–2030 Strategy for Demography, Migration and Integration, as approved in Lithuania in 2018 (Resolution No. XIII-1484 of 20 September 2018) is aimed at increasing the opportunities for the integration of migrants in the country, allowing them to invite family members, establishing schools and providing housing. Local ethnic communities are also expected to play an important role in the process of migrant integration.

References

¹ *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Action Plan on the Integration of Third Country Nationals*. Strasbourg: European Commission, 2016; *Labour market integration of third-country nationals in EU Member States — Synthesis Report*. European Migration Network (EMN). Brussels: EMN, 2019.

² *Labour market ...*, op. cit.

³ *Recruiting Immigrant Workers: Europe 2016*. Paris: OECD Publishing, 2016. <http://dx.doi.org/10.1787/9789264257290-en>. Viewed on 19 August 2020.

⁴ *Migration Yearbook 2018*. Vilnius: Migration Department under the Ministry of Interior of the Republic of Lithuania, 2019.

⁵ *Why do people migrate? Theories of migration*. Brussels: European Commission, 2017. <https://ec.europa.eu/jrc/sites/jrcsh/files/theoriesofmigration2.pdf>. Viewed on 19 August 2020.

⁶ Cadwallader M. A Synthesis of Macro and Micro Approaches to explaining migration: Evidence from inter-state migration in the United States. *Series B, Human Geography*, 1989, 71 (2): 85–94; Massey D., Arango J., Hugo G., Kouaouci A., Pellegrino A., Taylor J. Theories of international migration: A review and appraisal. *Population and Development Review*, 1993, 19 (3): 431–466.

⁷ Naulickaitė I., Melnikas B. Emigracija ir globalizacijos procesai: iššūkiai, šiuolaikinės tendencijos, problemos, sprendimai. *Mokslas — Lietuvos ateitis. Verslas XXI amžiuje* 2016. 2016, 8 (2): 230–241; Piché V. Les théories migratoires contemporaines au prisme des textes fondateurs. *Population*, 2013, 68 (1): 141–164; Žibas K. Migracijos tyrimai socialinėse ir ekonominėse migracijos teorijose: analitinės prieigos konstravimas. Šiuolaikiniai migracijos procesai. *OIKOS: Lietuvių migracijos ir diasporos studijos*, 2011, (2): pp. 9–22.

⁸ Žibas, op. cit.

⁹ Piché, op. cit.

¹⁰ Ombaire Birundu W. Macroeconomic determinants of emigration from Kenya. MPRA Paper No. 77130. Nairobi: University of Nairobi, 2016. https://mpra.ub.uni-muenchen.de/77130/1/MPRA_paper_77130.pdf. Viewed on 19 August 2020.

- ¹¹ Renzaho A. M. N. *Globalisation, Migration and Health: Challenges and Opportunities*. 1st Edition. Imperial College Press, 2016, 608 pp.
- ¹² Ibid.
- ¹³ Porumbescu A. Defining the New Economics of Labor Migration Theory Boundaries: A Sociological-level Analysis of International Migration. *RSP*, 2015, (45): 55–64.
- ¹⁴ De Haas H. The Internal Dynamics of Migration Processes: A Theoretical Inquiry. *Journal of Ethnic and Migration Studies*, 2010, 36 (10): 1587–1617.
- ¹⁵ Gruževskis B. Labour Migration in Lithuania. In: *New Patterns of Labour Migration in Central and Eastern Europe*. Vol. 1. Cluj Napoca (Romania): CENPO, 2004, pp. 70–78; Push and pull factors of international migration: A comparative report. Luxembourg: European Commission, 2000. <https://www.nidi.nl/shared/content/output/2000/eurostat-2000-theme1-pushpull.pdf>. Viewed on 19 August 2020.
- ¹⁶ Ražanauskaitė J., Brazienė R. Grįžtamoji lietuvių emigracija: prielaidos, požūriai, kontekstas. *Philosophy. Sociology*, 2010, 21 (4): 285–297.
- ¹⁷ Žičkutė I., Kumpikaitė-Valiūnienė V. Theoretical insights on the migration process from economic behaviour's perspective. *Procedia — Social and Behavioral Sciences*, 2015, 213: 873–878.
- ¹⁸ Stark O. *The Migration of Labour*. Cambridge: Basic Blackwell, 1991; Porumbescu, op. cit.
- ¹⁹ Stark, op. cit.; Gorny A. *Tymczosowosc migracji. Transformacje*. Warsaw: SCHOLAR, 2016, pp. 126–134; Dustman C., Gorchach J.-S. The Economics of Temporary Migrations. *Journal of Economic Literature*, 2016, 54 (1): 98–136.
- ²⁰ Migration Yearbook ..., op. cit.
- ²¹ Arango J. Explaining Migration: A Critical View. *International Social Science Journal*, 2002, 52 (165): 283–296.
- ²² Leveckytė E., Junevičius A. Lietuvos migracijos politika trečiųjų šalių piliečių atžvilgiu: patirtis ir tendencijos. *Viešoji politika ir administravimas*, 2014, 13 (1): 149–162; Money J. Comparative Immigration Policy. California: University of California, 2009. http://www.isacomps.com/info/samples/comparativeimmigrationpolicy_sample.pdf. Viewed on 19 August 2020; Žibas K., Platačiūtė V. Lietuvos imigracijos politika ir trečiųjų šalių piliečių integracijos prielaidos. *Etniškumo studijos*, 2009 (2): 40–53.
- ²³ Zogata-Kusz A. Theoretical perspectives on immigration policy and politics. *Contemporary European Studies*, 2012 (1): 5–21.
- ²⁴ Ibid.
- ²⁵ Stalker P. *The Work of Strangers: A Survey of International Labour Migration*. Geneva: International Labour Office, 1994.
- ²⁶ Zogata-Kusz, op. cit.
- ²⁷ International migration of the Lithuanian population. Vilnius: Statistics Lithuania, 2019. <https://osp.stat.gov.lt/informaciniai-pranesimai?articleId=6153296>. Viewed on 19 August 2020.
- ²⁸ Ibid.
- ²⁹ Lithuanian population (2019 edition). International migration. Vilnius: Statistics Lithuania, 2019. <https://osp.stat.gov.lt/lietuvis-gyventojai/lietuvis-gyventojai-2019/gyventoju-migracija1/tarptautine-migracija>. Viewed on 19 August 2020.
- ³⁰ Ibid.
- ³¹ Lithuanian population (2019 edition). Population and its composition. Vilnius: Statistics Lithuania, 2019. <https://osp.stat.gov.lt/lietuvis-gyventojai/lietuvis-gyventojai-2019/salies-gyventojai/gyventoju-skaicius-ir-sudetis>. Viewed on 19 August 2020.
- ³² Migration Yearbook ..., op. cit.
- ³³ Ibid.
- ³⁴ Ibid.

- ³⁵ Žibas K., Lekavičiūtė E. Processes of labour migration in Lithuania. Labour market changes: Problems and Opportunities. In: *Social Development of Lithuania*. Vilnius: Lithuanian Social Research Centre, 2017.
- ³⁶ Sipavičienė A. *Recent developments in international migration and migration policy in Lithuania*. Report for Lithuania. Paris: OECD, 2018.
- ³⁷ According to the Statistics Service of Ukraine, the average monthly salary of freight vehicle drivers was EUR 205 in Ukraine in 2017.
- ³⁸ Sipavičienė, op. cit.
- ³⁹ Ibid.
- ⁴⁰ *Illegal employment of third-country nationals in Lithuania*. EMN focused study 2017/1. Vilnius: European Migration Network (EMN), 2017; Petrušauskaitė V., Žibas K., Platačiūtė V., Batuchina A., Blažytė G. *Darbo migrantų gyvenimo ir darbo sąlygų tyrimas Lietuvoje*. Vilnius: Lietuvos socialinių tyrimų centras, 2015; *Migration integration policy index in Lithuania*. Vilnius: MIPEX, 2015. <http://www.mipex.eu/lithuania>. Viewed on 19 August 2020.
- ⁴¹ *Illegal employment...*, op. cit.
- ⁴² Ibid.
- ⁴³ Petrušauskaitė et al 2015, op. cit.
- ⁴⁴ Darbo teisės bendroji informacija skelbiama ir ukrainietišškai. Vilnius: Valstybinė darbo inspekcija, 2018. https://www.vdi.lt/Forms/Tekstas1.aspx?Tekstai_ID=1574. Viewed on 19 August 2020.
- ⁴⁵ MIPEX, op. cit.
- ⁴⁶ Petrušauskaitė et al 2015, op. cit.
- ⁴⁷ Ibid.
- ⁴⁸ MIPEX, op. cit.
- ⁴⁹ Sipavičienė, op. cit.; Trečiųjų šalių piliečių integracijos strateginis dokumentas. Vilnius: Lietuvos socialinių tyrimų centras, 2019. <http://www.diversitygroup.lt/wp-content/uploads/2016/11/TCN-Integration.pdf>. Viewed on 19 August 2020.

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MIGRĀCIJA UN DARBA TIRGUS INTEGRĀCIJA TREŠO VALSTU PILSOŅIEM: LIETUVAS GADĪJUMS

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Atslēgvārdi: *imigrācija, trešo valstu pilsoņi, migrācijas politika, darba tirgus, Lietuva*

Migrācijas procesi arvien vairāk ietekmē valstu ekonomisko un sociālo attīstību visā pasaulē. Tā kā daudzās Eiropas Savienības (ES) valstīs vērojams prasmīga darbaspēka trūkums, ārpus ES pilsoņi, citiem vārdiem, trešo valstu pilsoņi (TVP) arvien vairāk ierodas ES valstīs, lai tur dzīvotu un strādātu. Tas izvirza jaunus izaicinājumus ES dalībvalstīm un to ekonomiskajām un sociālajām sistēmām. Daudzus gadu desmitus Lietuvā nav notikusi gandrīz nekāda imigrācija, un valstī nav izstrādāta imigrācijas politika, taču pēc valsts ekonomikas stabilizēšanās, beidzoties 2008.–2009. gada krīzei, imigrācija Lietuvā, sākot ar 2011. gadu, pieauga — sevišķi saistībā ar trešo valstu pilsoņu iecelšanu. Mūsdienās Lietuva ir viena no Eiropas valstīm ar vienmērīgi augošu imigrantu plūsmu no trešajām valstīm. Rakstā analizēta darba migrācijas politika no trešajām valstīm Lietuvā, kā arī izaicinājumi, kas saistīti ar nodarbinātību un TVP sociālo aizsardzību. Analīze ir parādījusi, ka TVP migranti kopš 2015. gada ieguvuši arvien lielāku nozīmību Lietuvas darba tirgū, lai gan viņu relatīvais īpatsvars joprojām ir ļoti zems. Augošais TVP migrantu skaits Lietuvas darba tirgū izraisījis nepieciešamību lielāku uzmanību pievērst viņu tiesību un garantiju aizsardzībai, kā arī migrantu integrācijas iespējām Lietuvas sabiedrībā. Joprojām notiek daudz pārkāpumu no darba devēju puses: migrantiem nosaka zemāku atalgojumu par darbu, viņiem piedāvā strādāt garākas darba stundas, nekā noteikts Darba kodeksā, un ir trūkumi imigrantu darba apstākļu nodrošināšanā. Tomēr šādu incidentu skaits Lietuvā samazinās.