

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# LITHUANIA: COURT'S DECISION ON CLASS ACTION ADMISSIBILITY MARKS A STEP TOWARDS JUSTICE FOR ASYLUM SEEKERS WHO WERE UNLAWFULLY DETAINED

Amnesty International welcomes the decision of the Supreme Administrative Court of Lithuania, of 12 March 2025, confirming a lower Court's ruling that declared admissible a class action filed by 24 asylum-seekers for their arbitrary detention in Lithuania in 2021/22. In applications of this legal procedure every asylum seeker in a similar situation is allowed to join the case.

In August 2024, a Lithuanian Regional Administrative Court had rejected the class action on account of the failure to produce detention orders. The claimants, through their legal representative Rytis Satkauskas appealed this decision, arguing that there were no detention orders because the Lithuanian authorities had failed to adopt detention orders or serve them to detainees in the first place. As such, rejecting the claim on this ground was unlawful and negated the applicants' rights to an effective judicial remedy. This decision has been overturned by the Supreme Administrative Court on 20 November 2024. By its final decision of 12 March, the court rejected the procedural appeals made by the state authorities.

Amnesty International documented and denounced the automatic detention of refugees and migrants entering Lithuania in 2021-2022, which was imposed as a result of the legislation in force in the country at the time. The arbitrary nature of such detention was also confirmed by the Court of Justice of the European Union.

The final Supreme Administrative Court's decision on admissibility of the group claim brings racialized asylum seekers who have been exposed to hostile migration policies and unlawful detention in Lithuania a step closer to justice and to the redress they are entitled to. The decision marks an important progress in the pursuit of accountability of Lithuania and other EU member states that have been progressively undermining the rights of refugees and migrants at their borders.

New applicants have until **10 June 2025** to join the class.

If you, or anyone you know suffered from automatic detention in Lithuania for at least 6 months between July 2021 and July 2022, after crossing from Belarus into Lithuania to seek asylum and are interested in joining this class action, please contact [detentiongroupclaim@amnesty.org](mailto:detentiongroupclaim@amnesty.org) as soon as possible. Late applications might not be reviewed on time.

Further information about the class action for potential applicants can be found in this [information sheet](#).

More information on the class action and on the Court's decision can also be found [here](#), on the website of the law firm representing the case.

## BACKGROUND

On 27 June 2024, with the support of Amnesty International, a group of 24 people filed a class action requesting compensation for their prolonged arbitrary detention in Lithuania in 2021/22, following the declaration of an 'emergency' prescribing the automatic detention of people irregularly crossing the border with Belarus.

In 2022, Amnesty International **denounced** the arbitrary detention of thousands of people in Lithuania. The Lithuanian government **arbitrarily detained** over four thousand people from Iraq, Syria, Sri Lanka, India, Cameroon, the Democratic Republic of Congo, Nigeria, and various other countries, many of them for a year or more. During the first six months of detention in 2021, they did not have any possibility to challenge their detention, in breach of international and EU law, as well as the Lithuanian Constitution.

Depriving detainees of legal safeguards against arbitrary detention, authorities described such detention as 'temporary accommodation' and an 'alternative to detention'. People were forced to live in squalid, prison-like centres for months on end, subjected to physical and psychological abuse while being denied access to fair asylum procedures.

Lithuania also adopted legislation to codify pushbacks, the unlawful practice of summary and often violent returns at the border, which breaches international and EU law. While the vast majority of people held in detention centres were eventually released, mostly in 2022, unlawful forced returns at the border continue.

In June 2023, the Lithuanian Constitutional Court ruled that the law imposing automatic detention of every single person seeking asylum during the initial six months period violated the right to liberty, as guaranteed by the Lithuanian Constitution. Based on the ruling, all those affected should be entitled to reparations for the months of suffering they were subjected to. However, the Lithuanian government has so far failed to set up a mechanism to provide them with redress. This class action seeks to close the accountability gap, opening an avenue for all people who suffered unlawful detention in Lithuania to seek justice and reparations.