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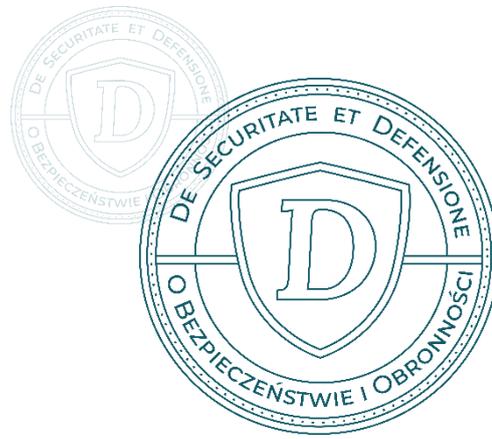
THE INSTRUMENTALIZATION OF MIGRATION
AS A CHALLENGE TO EUROPEAN UNION BORDER SECURITY:
THE CASE OF LITHUANIA

ABSTRACT: In 2021, the instrumentalization of migration became a significant security challenge for three European Union (EU) member states, namely Lithuania, Poland, and Latvia. This phenomenon gained particular importance when it was recognized as a hybrid threat aimed at destabilizing the eastern border of NATO and the EU. Instrumentalization of population movements, understood as the de facto direction of migrants toward the territories of selected states, became a form of political pressure. It compels member states to take urgent measures to protect their borders and coordinate their humanitarian and security responses. The aim of this article is to present the issue of migration instrumentalization as a tool of political pressure and to examine its impact on the security of the EU's external borders, with particular emphasis on the case of Lithuania. This analysis highlights the use of migration in an international context and its consequences for EU member states. The paper examines the Lithuanian-Belarusian border and analyses the measures implemented by Lithuania to safeguard the border and ensure the security of its citizens. It also assesses the effectiveness of Lithuania's actions in the context of compliance with international law and humanitarian standards. The research process employed a descriptive-explanatory approach, allowing for both the description and explanation of the phenomenon. To enhance the credibility and reliability of the study's results, the research employed methodological triangulation, combining the dogmatic-legal method, the comparative method, and desk research. The data used in the analysis came from numerous analytical canters specializing in Central and Eastern Europe, including the Centre for Eastern Studies (OSW), the Institute of Central Europe (IEŚW), and the Polish Institute of International Affairs (PISM). The analysis resulted in a current diagnosis of the situation related to the actions of EU member states, using the example of Lithuania, in combating the instrumentalization of migration, as well as supplementing existing research findings.

KEYWORDS: instrumentalization of migration, migration, Lithuania, Belarus, European Union

INSTRUMENTALIZACJA MIGRACJI JAKO WYZWANIE DLA BEZPIE-
CZEŃSTWA GRANIC UNII EUROPEJSKIEJ – PRZYPADEK LITWY

ABSTRAKT: W 2021 roku instrumentalizacja migracji stała się jednym z istotnych wyzwań bezpieczeństwa dla trzech państw członkowskich Unii Europejskiej (UE), czyli Litwy, Polski oraz Łotwy. Zjawisko to zyskało szczególne znaczenie, w momencie gdy zostało uznane za zagrożenie hybrydowe mające na celu destabilizację wschodniej granicy NATO i UE. Instrumentalizacja przepływów ludności, rozumiana jako kierowanie ruchów migracyjnych na terytorium wybranych państw, stała się formą presji politycznej, zmuszając państwa członkowskie do pilnych działań w zakresie ochrony granic oraz koordynacji odpowiedzi na wyzwania humanitarne i bezpieczeństwa. Celem niniejszego artykułu jest przedstawienie problematyki instrumentalizacji migracji jako narzędzia wywierania presji politycznej, a także wpływu tego zjawiska na bezpieczeństwo granic Unii Europejskiej, ze szczególnym uwzględnieniem przypadku Litwy. Niniejsza analiza koncentruje się na wykorzystaniu migracji w kontekście międzynarodowym oraz na konsekwencjach tego zjawiska dla państw członkowskich UE. W ramach badań przeanalizowano sytuację na granicy litewsko-białoruskiej oraz środki podjęte

przez Litwę w celu ochrony granicy i zapewnienia bezpieczeństwa własnym obywatelom. Dalsza część pracy poświęcona została ocenie skuteczności działań tego państwa w świetle przestrzegania prawa międzynarodowego oraz standardów humanitarnych. W badaniu zastosowano triangulację metodologiczną polegającą na połączeniu metody dogmatyczno-prawnej, metody porównawczej oraz desk research. Dane wykorzystane w analizie pochodziły z licznych ośrodków analitycznych specjalizujących się w tematyce Europy Środkowo-Wschodniej, w tym z Ośrodka Studiów Wschodnich (OSW), Instytutu Europy Środkowej (IEŚW) oraz Polskiego Instytutu Spraw Międzynarodowych (PISM). Analiza przykładu Litwy umożliwiła aktualną diagnozę sytuacji związanej z działaniami państw członkowskich UE w zakresie zwalczania instrumentalizacji migracji, a także uzupełnieniem dotychczasowych wyników badań.

SŁOWA KLUCZOWE: instrumentalizacja migracji, migracje, Litwa, Białoruś, Unia Europejska

INTRODUCTION

Before 2021, Belarus, which borders three European Union (EU) member states, served as a key transit route for migrants heading to Central and Western Europe. However, cooperation in this area remained limited. From the EU's perspective, Belarus lagged behind other Eastern Partnership states, given its adaptation of EU norms and standards. Its situation was further complicated by its entanglement in dynamic relations with the Russian Federation. This was evidenced by the establishment of the Union State of Russia and Belarus in 1999 and participation in integration structures such as the Customs Union and later the Eurasian Economic Union. As a result, Belarus remained largely politically isolated from Western structures, and the state's authorities treated migration policy as an element of internal sovereignty, rejecting any interference from the EU[1].

However, after lengthy negotiations during the eighth meeting of the EU-Belarus Coordination Group, held in Brussels on 17-18 December 2019, it was agreed to conclude visa facilitation and readmission agreements between the European Union and Belarus on 8 January 2020. After their entry into force in June of the same year, it became possible to achieve the main objective: establishing procedures for the safe and orderly return of persons residing illegally on the territory of either party, while fully respecting their rights under international law[2]. However, this situation did not last long, as, amid deteriorating bilateral relations, on 28 June 2021, the Belarusian Ministry of Foreign Affairs suspended the implementation of the readmission agreement with the EU. Migrants from countries such as Iraq and Afghanistan became entangled in the foreign policy of the Lukashenko regime, which aimed to weaponize migration and use it as a tool of pressure on the EU and its member states[3]. In Lithuania, Latvia, and Poland, the problem has been widely described as a security threat, the instrumentalization of

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[1] M. Koinova, *Power and informality in the polycentric governing of transit and irregular migration on EU's eastern border with Belarus*, "Journal of Ethnic and Migration Studies" 2024, p. 4.
[2] gov.pl, *Podpisanie umów między UE a Białorusią w sprawie ułatwień wizowych i readmisji*, February 2020, https://www.gov.pl/web/europejska-siec-migracyjna/podpisanie-umow-miedzy-ue-a-bialorusia-w-sprawie-ulatwien-wizowych-i-readmisji (10.11.2025).
[3] M. Koinova, op. cit., p. 1-2.

migrants, or a hybrid attack organized by the Belarusian regime after the imposition of EU sanctions on Minsk in 2021[4].

The aim of this article is to present the issue of the instrumentalization of migration as a tool for exerting political pressure, as well as its impact on the security of the European Union's borders, with particular emphasis on the case of Lithuania. This analysis highlights the use of migration in an international context and its consequences for EU member states. The paper examines the Lithuanian-Belarusian border and analyses the measures implemented by Lithuania to safeguard the border and ensure the security of its citizens. The article also assesses the effectiveness of Lithuania's actions in the context of compliance with international law and humanitarian standards. The research hypothesis is that the instrumentalization of migration by third-party actors creates tension between national security, legal obligations at the international level, and the protection of migrants' rights, limiting the effectiveness of state actions. The research process employed a descriptive-explanatory approach, allowing for both the description and explanation of the phenomenon. To enhance the credibility and reliability of the study's results, the research employed methodological triangulation, combining the dogmatic-legal method, the comparative method, and desk research. The dogmatic-legal method allows for the examination of legal acts and their interpretation. The comparative method, in turn, was used to analyze and compare relevant legal and institutional solutions. The study was supported by desk research through a review of the scientific literature and studies from several research canters. The data used in the analysis came from numerous analytical centres specializing in Central and Eastern Europe, including the Centre for Eastern Studies (OSW), the Institute of Central and Eastern Europe (IEŚW), and the Polish Institute of International Relations (PISM). The author compiled, cross-checked, compared, and then processed the data. The analysis resulted in a current diagnosis of the situation related to the actions of EU member states, using the example of Lithuania, in combating the instrumentalization of migration, as well as supplementing existing research findings.

CONCEPTUALIZING THE INSTRUMENTALIZATION OF MIGRATION

In recent years, the perception of migration as a threat to national security has significantly increased. This is a result of both the growing presence of security concepts in various areas of state public policy and the dynamic growth in the number of international migrants. Consequently, migration is increasingly being analyzed not only as a socioeconomic process, but also as a matter of state security[5]. Analysis of numerous case studies indicates that the security and stability framework in international migration studies focuses on states' policies

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[4] A. Ancite-Jepifánova, *Beyond the "Hybrid Attack" Paradigm: EU-Belarus Border Crisis and the Erosion of Asylum Seeker Rights in Latvia, Lithuania and Poland*, re:constitution 2024, https://www.reconstitution.eu/fileadmin/bilder/re_constitution/WP_35-2024_Ancite-Jepif%C3%A1nova_final_.pdf (10.11.2025).
[5] K. Koser, *When is Migration a Security Issue?*, Brookings 2011, https://www.brookings.edu/articles/when-is-migration-a-security-issue/ (30.01.2026).

towards emigration (outflow) and immigration (inflow), taking into account concerns about domestic stability and international security. A significant factor shaping international population flows is political change within states. Consequently, migration flows can function both as a consequence of political decisions and as an instrument of those decision[6].

Myron Weiner distinguishes three distinct types of forced and induced emigration in the contemporary world. First, governments may force emigration as a means of achieving cultural homogeneity or asserting the dominance of one ethnic community over another. Second, state authorities enforce emigration as a means of dealing with political dissidents and class enemies, including by expelling significant portions of the population hostile to the regime. The third situation mentioned by Weiner refers to forced emigration, which he defines as an element of a strategy to achieve foreign policy goals. In this way, the rulers of a given country, although officially denying such intentions, can force emigration, seeing it as a way to exert pressure on neighboring states. However, the receiving country may perceive that accepting migrants will not limit further inflows unless it is accompanied by concessions to the demands formulated by the migrants' country of origin[7].

This approach to forced migration has also been analyzed in the literature by Kelly Greenhill. According to this researcher, it refers to "those cross-border population movements that are deliberately created or manipulated in order to induce political, military and/or economic concessions from a target state or states"[8]. Migration in this approach is treated by states and non-state actors as a "weapon" and a tool that can be used "to attack, defend, or deter in order to pursue [their] own political, economic, and military objectives". Such "weaponized" migration therefore refers to situations in which specific state or non-state actors consciously manipulate population flows[9].

The use of migration as a political instrument was evident in EU discussions and policy practices even before the escalation of the crisis on the Schengen Area border with Belarus in 2021. One such action was Turkey's actions. In 2020, demanding additional EU funding, Turkey unilaterally suspended the EU-Turkey declarations in force since March 2016 and sent approximately 20,000 migrants to the Greek border[10]. EU member states themselves also instrumentalized migration issues as a tool for political influence, both against entities on the periphery of Europe and beyond[11]. The problem of using migration for their own political purposes also affects disputes between member states themselves. In 2011, following the Arab Spring,

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[6] M. Weiner, *Security, Stability, and International Migration*, Center for International Studies 1990, https://www.files.ethz.ch/isn/19789/Security_Stability_Migration.pdf (30.01.2026), p. 1.

[7] Ibidem, p. 7-9.

[8] K.W. Greenhill, *Weapons of Mass Migration: Forced Displacement as an Instrument of Coercion*, "Strategic Insights" 2010, 9(1), p. 116.

[9] A. Burtin, *Kelly Greenhill: 'The weaponisation of migration has in recent years become much more visible than it used to be'*, Voxeurop 2024, https://voxeurop.eu/en/kelly-greenhill-weaponisation-migration/ (30.01.2026).

[10] L. Rasche, *The instrumentalisation of migration – how should the EU respond?*, Jacques Delors Centre/Hertie School 2022, https://www.delorscentre.eu/fileadmin/2_Research/1_About_our_research/2_Research_centres/6_Jacques_Delors_Centre/Publications/20221216_Rasche_InstrumentalizationMigration.pdf (30.01.2026).

[11] A. Burtin, op. cit.

an incident occurred between France and Italy over refugees from the MENA region. Unable to cope with the increased migration flows, Italy granted approximately 20,000 Tunisians temporary residence permits, which allowed them to travel freely within Europe. Most of them went to France, which led to accusations against Italy of abusing the Schengen Agreement. Both countries pointed out that in the future the agreement should take into account "exceptional" situations, such as mass influxes of migrants[12].

As the above examples and numerous analyses demonstrate, states have long been instrumentalizing the movement of people to advance geopolitical interests. Nevertheless, the crisis initiated by Belarus in 2021 in response to European sanctions has become part of the broader phenomenon of the instrumentalization of migration in international relations. In this case, the European Union and its institutions have clearly raised the profile of this problem, placing it on the political agenda at the EU level. The problem has been defined, among other things, as a "cruel form of hybrid threat"[13] and "a political tool to destabilize European societies"[14]. Regulation (EU) 2024/1359 of the European Parliament and of the Council of 14 May 2024 on responding to crisis situations and situations of force majeure in the field of migration and asylum, in turn, defines "instrumentalization of migrants by a third country or hostile non-state actor" as situations "in which the aim is to destabilize a Member State or the Union"[15]. A situation of instrumentalization can occur when a third country encourages or facilitates the movement of non-EU migrants to its external borders or to a Member State. Such actions by a third country can be considered an attempt to destabilize the Union or a Member State, especially when they pose a risk to key state functions, such as maintaining law and order or protecting national security[16].

In a situation of instrumentalization, migrants from third countries have the opportunity to apply for international protection at the external border or in the transit zone of a Member State. However, such a situation can lead to an unexpectedly significant increase in the number of applications for international protection at the external borders. Nevertheless, in this situation, effective and effective access to the procedure for applying for international protection must be ensured in accordance with Article 18 of the Charter and the Geneva Convention[17]. A theoretical approach to the instrumentalization of migrants thus demonstrates that Member States, including Lithuania, face the challenge of reconciling border security with compliance with EU law, international law, and migrants' rights. All of this requires the development of sustainable mechanisms for managing migration crises.

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[12] Al Jazeera, *Italy and France urge border-treaty reform*, 2011, https://www.aljazeera.com/news/2011/4/26/italy-and-france-urge-border-treaty-reform (30.01.2026).

[13] L. Rasche, op. cit.

[14] money.pl, *Pieniądze z UE dla Białorusi. Łukaszenka zagarnął je na wojnę propagandową*, 2021, https://www.money.pl/gospodarka/pieniadze-z-ue-dla-bialorusi-lukaszenka-zagarnal-je-na-wojne-propagan-dowa-6709938287696480a.html (30.01.2026).

[15] Parlament Europejski i Rada Unii Europejskiej, *Rozporządzenie (UE) 2024/1359 z 14 maja 2024 r. w sprawie reagowania na sytuacje kryzysowe i działania siły wyższej w dziedzinie migracji i azylu* (Dz.Urz. UE L 2024/1359, 22.5.2024), EUR-Lex, https://eur-lex.europa.eu/legal-content/PL/TXT/HTML/?uri=OJ:L_202401359 (30.01.2026), point 4.

[16] Ibidem, point 14.

[17] Ibidem, point 18.

CONTEXT AND DYNAMICS OF LITHUANIAN-BELARUSIAN RELATIONS DURING THE EMERGENCE OF THE 2021 INSTRUMENTALIZED MIGRATION CRISIS

Lithuania and Belarus are neighbouring states with complex bilateral relations shaped by historical ties, geographic proximity, and the current political situation in both states[18]. From Lithuania's perspective, the territory of independent Belarus serves as a buffer zone, separating it from potential direct aggression from the Russian Federation[19]. Therefore, for years, the increasingly strong institutional, military, political, and economic ties between the Belarusian and Russian authorities have become a serious challenge, often having a real impact on Lithuania's situation. One manifestation of this influence is the construction of Ostrovets nuclear power plant[20]. Although formally intended to be a Belarusian investment, in reality it remains under Russian control as the contractor, technology supplier, and lender of the project[21]. For Lithuania, Russia's growing involvement in the energy sector of Central and Eastern Europe (CEE) posed a threat to energy stability and security. Especially in the context of its efforts to become less dependent on raw material supplies from the Russian Federation[22]. Concerned about the safety of its citizens and the environment, Lithuania repeatedly sent protest notes to the Belarusian authorities, objecting to the facility's location near its border. In practice, these notes did not elicit any constructive response from Belarus[23].

However, security issues are not the only source of tension in Lithuania-Belarus relations. Although the Lithuanian economy is closely linked to Belarus through cooperation with contractual partners, the two states differ significantly in terms of their internal political organization and approach to human rights. This situation has presented Lithuanian politicians with the challenge of finding the right balance between maintaining economic ties and supporting democratization processes in the neighbouring state[24]. Even before the presidential elections on 9 August 2020, numerous attempts were made to improve relations with Belarus, including

[18] B. Livdanska, K. Bukovskis, *Status Seeking by Small States: The Case of Lithuania and the EU's Policy on Belarus*, "Romanian Journal of European Affairs" 2024, 24(2), p. 61.

[19] J. Kostecki, *Geostrategiczna sytuacja Białorusi w kontekście polityki zagranicznej Federacji Rosyjskiej*, "Studia Wschodnioeuropejskie" 2023, 19(2), p. 149.

[20] W. Łysek, *Małe państwo a kryzys: postawa Litwy, Łotwy i Estonii wobec protestów na Białorusi w sierpniu 2020 r.*, „Sprawy Międzynarodowe" 2021, nr 74 (2), s. 206.

[21] J. Hyndle-Hussein, S. Kardaś, K. Kłysiński, *Kłopotliwa inwestycja. Białoruska Elektrownia Jądrowa w Ostrowcu*, Ośrodek Studiów Wschodnich 2018, https://www.osw.waw.pl/sites/default/files/prace_ostrowiec_srodek_net.pdf (20.11.2025), p. 5.

[22] P. Wójcik, *Białoruska droga do niezależności energetycznej*, Instytut Nowej Europy 2021, https://ine.org.pl/bialoruska-droga-do-niezaleznosci-energetycznej/ (10.11.2025).

[23] J. Hyndle-Hussein, *Białoruska elektrownia jądrowa problemem dla Litwy*, Ośrodek Studiów Wschodnich 2016, https://www.osw.waw.pl/pl/publikacje/analizy/2016-05-18/bialoruska-elektrownia-jadrowa-problemem-dla-litwy (10.11.2025).

[24] P. Slunkin, A. Shraibman, H. Hubarava, *Belarus and the Baltic States: Repercussions of the Lingering Political Crisis*, FES 2021, https://library.fes.de/pdf-files/bueros/ukraine/18025-20210623.pdf (10.11.2025), p. 7.

through the development of economic and infrastructure cooperation[25], high-level political dialogue, and activities within the Eastern Partnership[26].

However, the events of August 2020 and the regime's massive repression of the Belarusian opposition disrupted all discussions and initiatives aimed at establishing dialogue[27]. The Lithuanian authorities also refused to recognize the legitimacy of A. Lukashenko's election as President of the Republic of Belarus[28], and thus the pragmatism that characterized Lithuania's policy towards Belarus transformed into more active engagement[29]. Lithuania, recognizing the threat posed by the escalation of violence against protesting Belarusians, became one of the most active supporters of the Belarusian opposition and, at the same time, a representative of its interests on the international stage[30]. Support for the regime's opponents was expressed by providing shelter to opposition presidential candidate Sviatlana Tsikhanouskaya[31]. On 18 August 2020, the Lithuanian Parliament adopted a resolution rejecting the legitimacy of A. Lukashenko's election and calling for 'new, transparent, democratic presidential and parliamentary elections,' in which Lithuanian representatives could serve as mediators[32]. At the same time, the European Union was urged to impose targeted sanctions on those involved in numerous cases of human rights violations and election fraud. EU members also called for solidarity with Belarus and the establishment of a fund to assist victims of repression in the state[33].

In a subsequent resolution dated 10 September 2020, entitled 'On the Illegal Union Imposed by Russia on Belarus,' Lithuanian MPs declared that the Russian Federation has no right to curtail Belarus' sovereignty or interfere in its domestic and foreign policy[34]. At the same time, they called on the international community to support Tsikhanouskaya and the Coordination Council, the representative body of the Belarusian opposition, in their efforts to rerun the presidential elections. The Belarusian authorities deemed this act as interference in the state's internal affairs. The Presidium of the Council of the Republic, the upper house of the Belarusian parliament, stated that "The resolution of the Seimas of the Republic of Lithuania dated 10

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[25]J. Hyndle-Hussein, *Litwa konsekwentnie zacieśnia współpracę z Białorusią*, Ośrodek Studiów Wschodnich 2010, https://www.osw.waw.pl/pl/publikacje/analizy/2010-10-27/litwa-konsekwentnie-zaciesnia-wspolprace-z-bialorusia (10.11.2025).

[26] J. Siedlecka-Siwuda, *Stosunki między Litwą i Białorusią w okresie Partnerstwa Wschodniego 2008-2010*, Portal Spraw Zagranicznych 2011, https://psz.pl/120-unia-europejska/stosunki-miedzy-litwa-i-bialorusia-w-okresie-partnerstwa-wschodniego-2008-2010 (10.11.2025).

[27] W. Łysek, op. cit., p. 206.

[28] J. Hyndle-Hussein, *Wilno skreśla Łukaszenkę. Litewska polityka wobec kryzysu na Białorusi*, Ośrodek Studiów Wschodnich 2020, https://www.osw.waw.pl/pl/publikacje/komentarze-osw/2020-09-18/wilno-skresla-luka-szenke-litewska-polityka-wobec-kryzysu-na (10.11.2025).

[29] K. Dudzińska, *Koniec ostrożnej przyjaźni Litwy z Białorusią*, PISM 2020, https://www.pism.pl/publikacje/Koniec_ostroznej_przyjazni_Litwy_z_Bialorusia (10.11.2025).

[30] J. Hyndle-Hussein, *Wilno skreśla…*, op. cit.

[31] K. Dudzińska, op. cit.

[32] Kurier Wileński, *Sejm Litwy nie uznaje wyborów na Białorusi*, 18 August 2020, https://kurierwilen-ski.lt/2020/08/18/sejm-litwy-nie-uznaje-wyborow-na-bialorusi/ (10.11.2025).

[33] A. Kuczyńska-Zonik, op. cit.

[34] Kurier Wileński, *Kiedy Sejm głosował nad rezolucją ws. Białorusi, AWPL-ZChR urządziła bal*, 11 September 2020, https://kurierwilenski.lt/2020/09/11/kiedy-sejm-glosowal-nad-rezolucja-ws-bialorusi-awpl-zchr-urzadzila-bal/ (10.11.2025).

September 2020, is not consistent with the spirit of good neighbourliness between (…) states, nor with the universal principles of parliamentarism", and furthermore demonstrated "a blatant disrespect for the sovereign right of Belarusians to independently choose their leaders and determine the direction of their state's development"[35].

From the very beginning of the mass protests, the rhetoric of the Belarusian authorities became increasingly anti-Western, accusing the West of organizing a coup and planning to occupy parts of Belarusian territory[36]. As Victor Shadurski notes, "the sense of external support from the Kremlin and other 'friendly' states gave the [Belarusian] regime the confidence not only to intensify internal repression but also to organize serious provocations against its democratic neighbours"[37]. In the case of Lithuania, identified as one of the main enemies, Belarus temporarily increased its military presence in border regions, conducted unscheduled tactical exercises, and organized joint military exercises with Russia[38]. Thus, Lithuanian-Belarusian relations, which had been "frosty"[39] ultimately escalated to the point of downgrading mutual diplomatic relations[40] and the decision to recall the ambassadors of both states for consultations.

A significant moment that escalated tensions and led to a significant deterioration in bilateral relations between Lithuania and Belarus was the forced emergency landing of a Ryanair flight from Athens to Vilnius by Belarusian authorities on 23 May 2021. Minutes before its scheduled landing in the Lithuanian capital, the pilots were notified of an alleged bomb on board[41]. The plane turned around and landed at Minsk Airport, where it was escorted by Belarusian Air Force fighter jets. After landing, it was discovered that opposition blogger Roman Protasiewicz and his partner, Sofia Sapieha, were on board. The entire incident thus became a pretext for the activist's arrest and charges of activities "aimed at inciting hatred, organizing riots, and organizing activities that seriously violate public order"[42].

The day after the incident, the European Council called for a ban on overflights of Belarusian airlines over EU airspace and for further economic sanctions to be imposed on the regime. In response, in May 2021, Lukashenko publicly threatened to weaken border cooperation, and in the weeks following the diplomatic crisis, neighbouring states Lithuania, Poland, and Latvia saw an unprecedented increase in illegal border crossings from Belarus[43]. In the first

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[35] zw.lt, *Białoruscy parlamentarzyści krytykują rezolucję litewskiego Sejmu*, 15 September 2020, https://zw.lt/litwa/bialoruscy-parlamentarzysci-krytykuja-rezolucje-litewskiego-sejmu/ (10.11.2025).

[36] P. Slunkin, A. Shraibman, H. Hubarava, op. cit., p. 7.

[37] V. Shadurski, *Międzynarodowa działalność Demokratycznej Białorusi w czasie kryzysu legitymizacji reżimu autorytarnego (2020–2023)*, „Wschodnioznawstwo" 2023, vol. 17, p. 122.

[38] P. Slunkin, A. Shraibman, H. Hubarava, op. cit., p. 7.

[39] J. Hyndle-Hussein, *Wilno skreśla...*, op. cit.

[40] J. Karčiauskas, *Lithuania political briefing: Tensions along the Belarus-Lithuania Border*, China-CEE Institute, September 2023, https://china-cee.eu/wp-content/uploads/2023/09/2023p09_Lithuania.pdf (10.11.2025).

[41] V. Shadurski, op. cit., p. 122.

[42] B. Fraszka, *Sytuacja na granicy polsko-białoruskiej: przyczyny, aspekt geopolityczny, narracje*, Warsaw Institute, 23 December 2021, https://warsawinstitute.org/wp-content/uploads/2021/12/RS_12-2021_PL-1.pdf (10.11.2025), p. 4.

[43] A. Yeliseyeu, *Belarus's Coercive Engineered Migration Case of 2021–2022: Categorisation of State Media Narratives*, "Studia Migracyjne – Przegląd Polonijny" 2024, nr 3 (189), p. 80.

weeks, the overwhelming number of migrants was directed towards Lithuania. The Lithuanian Ministry of Interior reported that by August 2021, the number of confirmed illegal border crossings between Belarus and Russia had reached 4,115, representing a 55-fold increase compared to 2020 (74 people) and a 110-fold increase compared to 2019 (37 people[44]). This problem began to become an increasingly serious challenge for the Lithuanian authorities responsible, among other things, for making decisions regarding the future fate of migrants[45].

LITHUANIA AND THE IMPLEMENTATION OF MEASURES TO COUNTER THE INSTRUMENTALIZATION OF MIGRATION

Lithuania responded very quickly to the increased influx of illegal migrants from Belarus. In May 2021, Belarusian authorities decided to close the border with Lithuania, citing a sharp increase in illegal crossings. Following this decision, Lithuanian authorities intensified its border protection, ensuring continuous monitoring of border areas and adopting measures to their specific characteristics. A wide range of technologies was deployed, including foot patrols, vehicles, and aircraft. Vessels were used to secure water areas, and land sections were reinforced with observation towers equipped with thermal imaging cameras, mobile surveillance systems, portable perimeter sensors, and night vision devices. In some areas, arable land was restored to its original state to enable the rapid detection of traces left by individuals attempting to cross the border[46].

In addition to the Border Guard, the military and police were also deployed to the border. Furthermore, Frontex (European Border and Coast Guard Agency[47]) provided significant support to Lithuania, assisting with border control and surveillance, beginning with the deployment of a dozen officers and patrol vehicles, followed by units of its standing corps. Frontex also deployed experts to Lithuania to support national authorities in collecting information on cases of illegal border crossings and in sharing operational data[48]. The European Asylum Support Office (EASO) also provided specialist support to Lithuania, primarily in the processing of asylum applications, managing the reception of applications, and providing interpretation services. Furthermore, due to the emergency situation characterized by a sudden influx of third-country nationals exploited by Belarus for political purposes, in July 2021 the European Commission decided to provide Lithuania with emergency financial assistance amounting to EUR 36 million. Additionally, thanks to the EU Civil Protection Mechanism launched on 15 July 2021, the state

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[44] D. Boćkowski, *Migration Crisis on the Eastern Border of Poland, 2015–2022/24, as Part of a Multi-level Influence Operation of the Russian Federation*, "Dzieje Najnowsze" 2024, nr 56(4), p. 219.
[45] J. Hyndle-Hussein, *Kryzys migracyjny na Litwie*, Ośrodek Studiów Wschodnich 2021, https://www.osw.waw.pl/pl/publikacje/analizy/2021-07-23/kryzys-migracyjny-na-litwie (10.11.2025).
[46] L. Elak, M. Oskierko, S. Żurawski, *Ochrona granicy polsko-białoruskiej w obliczu wojny hybrydowej*, "De Securitate et Defensione. O Bezpieczeństwie i Obronności" 2024, nr 10(1), p. 82-83.
[47] J. Hyndle-Hussein, *Kryzys migracyjny…*, op. cit.
[48] Wydział Prewencji Zagrożeń CAT ABW, *Aktywność Frontexu na Litwie*, https://tpcoe.gov.pl/cpt/aktualnosci/1870,Aktywnosc-Frontexu-na-Litwie.html (10.11.2025).

received assistance from 19 other EU members. They provided resources such as tents, beds, and heaters necessary to meet the needs of migrants arriving from the territory of Belarus[49].

In July 2021, the public was informed about the commencement of construction of a barbed-wire fence on the Lithuanian side of the border with Belarus[50]. Ultimately, within a year and a half, 529 km of four-meter-high fencing was erected, and razor wire was laid along a 356 km section. In the first half of 2023, the installation of electronic monitoring systems was also completed on approximately 100 km of the section where the fence was not built, as the border runs along watercourses. According to information provided by the Lithuanian Ministry of Internal Affairs, an advanced surveillance and monitoring system was installed throughout the entire border zone with Belarus during this period[51]. Although it was reported as late as August 2022 that "Belarusian border guards acquired (…) a new 'weapon' [in the form of] metal-cutting scissors used to destroy the fence installed on the Lithuanian side"[52], a few months later the barrier was assessed as an effective way to curb illegal migration[53].

Lithuanian authorities, responding to the escalation of illegal border crossings from Belarus, have also adopted a significant measure in the form of a deterrent strategy against potential migrants. To this end, an awareness campaign was launched on social media in the migrants' countries of origin[54], aimed at demonstrating that Lithuania is not a route to Western Europe. Migrants attempting to enter the EU through the Lithuanian-Belarusian border were also informed that they would face poor living conditions and a high probability of having their asylum applications rejected[55].

THE RIGHTS AND FREEDOMS OF IMMIGRANTS AND REFUGEES IN THE CONTEXT OF LITHUANIA'S FIGHT AGAINST THE INSTRUMENTALIZATION OF MIGRATION

Due to the increase in the number of illegal border crossings between Belarus and Lithuania observed since 2021, the regulations concerning the rights of migrants and asylum seekers

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[49] Komisja Europejska, Wniosek: Decyzja Rady w sprawie tymczasowych środków nadzwyczajnych na rzecz Łotwy, Litwy i Polski", COM(2021) 752 final, 1.12.2021, 2021/0401 (CNS), https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:52021PC0752 (10.11.2025).

[50] Human Rights Monitoring Institute, *Lithuania's Response to the Migrant Crisis: Milling About in Confusion, Curtailing Human Rights, and Building a Wall*, 12 August 2021, https://www.liberties.eu/en/stories/lithuania-migrant-crisis/43723 (10.11.2025).

[51] B. Chmielewski, J. Tarociński, *Bariery różnych prędkości: państwa bałtyckie i Finlandia odgradzają się od Rosji i Białorusi*, "Komentarz OSW" 2023, nr 539, https://www.osw.waw.pl/sites/default/files/komenta-rze_539_1.pdf (10.11.2025), p. 1-2.

[52] Onet Wiadomości, *Litwa wybudowała ogrodzenie. Pogranicznicy z Białorusi nabyli nową "broń"*, 30 August 2022, https://wiadomosci.onet.pl/swiat/litwa-wybudowala-ogrodzenie-pogranicznicy-z-bialorusi-nabyli-nowa-bron/nndjxtm (10.11.2025).

[53] DW, *Nielegalna migracja przez Białoruś. Skuteczne ogrodzenie*, 7 December 2022, https://www.dw.com/pl/litwa-ogrodzenie-skutecznie-chroni-przed-nielegaln%C4%85-migracj%C4%85/a-64007544 (10.11.2025).

[54] U.M. Andrijauskaitė, et al., *Analytical Study: The Situation of Migrants and Asylum Seekers in Lithuania*, HRMI 2023, https://hrmi.lt/wp-content/uploads/2024/01/Analytical-Study.-The-Situation-of-Migrants-and-Asylum-Seekers-in-Lithuania.pdf (10.11.2025), p. 10.

[55] J. Hyndle-Hussein, *Kryzys migracyjny…*, op. cit.

in Lithuania have been significantly amended. First, on 2 July 2021, the Lithuanian government declared a state of emergency, which allowed the release of the Government Reserve Fund. This provision also facilitated the legislative process, accelerated procedures, coordinated actions, mobilized potential, and facilitated cooperation with municipalities and other relevant authorities[56]. The next step was the adoption of an amendment to the Act on the Legal Status of Foreigners (the "Act on Foreigners"), introducing significant changes to the asylum system[57]. Amendments passed by the Seimas during an extraordinary session on 13 July 2021, restrict certain rights of asylum seekers in situations where the state is unable to guarantee them due to a state of war, a declared state of emergency, or a situation resulting from a mass influx of foreigners. It also allows for the detention of asylum seekers or restrictions on their freedom to leave their designated place of residence if they travel to Lithuania and cross the border in unauthorized places[58]. These provisions have been criticized by both the Court of Justice of the EU and the United Nations, and in 2023, the Lithuanian Constitutional Court found some of them inconsistent with the 1992 Constitution of the Republic of Lithuania.

Due to the continuing difficult situation on the border with Belarus, a state of emergency was introduced in Lithuania by resolution of the Lithuanian Parliament from 10 November to 10 December 2021. This state of emergency covered the area along the Lithuanian-Belarusian border, including the foreigners' accommodations in Kybartai, Medininkai, New Town (Naujininki), Rukla, and Pabradė, as well as four municipalities bordering the Vilnius district: Lavaryškis, Kovalchuk, Medininkai, and Buivyči. According to the Lithuanian authorities, this decision allowed for the closure and protection of the state border, as well as the more rapid deployment of military forces. However, this decision limited rights related to communication, including the right to correspondence and telephone calls, except for contacting state and public institutions[59].

From the outset, non-governmental organizations and human rights defenders opposed the measures taken by the authorities of Belarus's neighbouring states, including Lithuania, deeming them contrary to the principle of non-refoulement[60]. According to this principle, persons granted international protection or seeking such protection cannot be turned away at the border. However, activists argued that the measures implemented at the border with Belarus enabled the use of push-back measures against migrants, which contradicted the principle of non-refoulement. In the case of Lithuania, by decision of the Minister of Internal Affairs of

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[56] Government of the Republic of Lithuania, *State of emergency declared as a result of growing migration from Belarus*, 7 July 2021, https://lrv.lt/en/news/state-of-emergency-declared-as-a-result-of-growing-migration-from-belarus/ (10.11.2025).

[57] European Council on Refugees and Exiles, *Extraordinary Responses: Legislative Changes in Lithuania, 2021*, ECRE 2021, https://ecre.org/wp-content/uploads/2021/09/Legal-Note-11.pdf, p. 2.

[58] U.M. Andrijauskaitė, et al., op. cit., p. 10.

[59] Samorząd Rejonu Wileńskiego, *Ważna wiadomość! Na granicy litewskiej wprowadzany jest stan wyjątkowy*, 11 November 2021, https://vrsa.lt/pl/mieszkancom/nowosci/154/wazna-wiadomosc-na-granicy-litewskiej-wprowadzany-jest-stan-wyjatkowy:1949 (10.11.2025).

[60] A. Kuczyńska-Zonik, *Kryzys migracyjny na Litwie: bezpieczeństwo państwa versus prawa człowieka*, Komentarze IEŚ no. 428/2021, https://ies.lublin.pl/komentarze/kryzys-migracyjny-na-litwie-bezpieczenstwo-panstwa-versus-prawa-czlowieka/ (10.11.2025).

2 August 2021, the Head of Crisis Operations at the State Level authorized border protection agencies to push back individuals attempting to cross the state border in places not designated for this purpose[61]. According to activists, further actions related to sealing the borders and justifying the implemented procedures de facto exposed the passivity of EU member states in the face of the violence of the authoritarian Belarusian regime. They failed to address issues related to the intimidation of migrants and their forcible diversion towards the EU. The lack of a humanitarian response from Lithuania and other affected EU states raised numerous doubts about the effective respect of international human rights obligations[62]. However, similar concerns were also expressed by representatives of some EU institutions. According to the opinion of the Advocate General of the Court of Justice of the European Union, expressed on 2 June 2022[63], the Lithuanian national law provision, according to which, with limited exceptions, third-country nationals cannot benefit from the procedure for applying for international protection in the event of irregular entry into Lithuania, was contrary to Articles 6 and 7 of Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection. These provisions impose an obligation on member states to ensure that a person wishing to apply for international protection has a genuine opportunity to do so as soon as possible. A provision allowing the detention of an applicant for international protection solely on the grounds of irregularly crossing the border of a Member State was also found to be incompatible with EU law. Article 7 of the Treaty on the Functioning of the European Union (TFEU) prohibits a member state from applying such a national provision in derogation from Directives 2013/32 and 2013/33 in the event of "exceptional circumstances" characterized by a "mass influx" of migrants at its border. In 2022, the European Court of Justice ruled that Lithuania's system of mass returns and automatic detention was contrary to EU law. However, it was noted that the new EU regulation on crisis and force majeure was developed in part in response to the situation on the Lithuanian-Belarusian border in 2021 and 2022 and what was described as "facilitating movement (…) with the aim of destabilizing the Union". Thus, in situations of "mass influx of third-country nationals", this regulation allows member states to delay registration and access to asylum, as well as the extension of border procedures[64].

In April 2023, Lithuania passed the so-called "pushback" law, which, in crisis situations related to the influx of migrants, allowed border guards to temporarily restrict or suspend border traffic, as well as certain border checkpoints. The new regulations also allowed for the detention of individuals crossing the border illegally and their deportation, without the possibility of appeal. Although the law provides for an exception for individuals seeking international

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[61] U.M. Andrijauskaitė, et al., op. cit., p. 10.
[62] Amnesty International, *Lithuania: Forced Out or Locked Up - Refugees and Migrants Abused and Abandoned*, 22 June 2022, https://www.amnesty.org/en/documents/eur53/5735/2022/en/ (10.11.2025).
[63] Court of Justice of the European Union, Judgment of the Fifth Chamber of 2 June 2022 (ECLI identifier: ECLI:EU:C:2022:426), https://interlex-portal.eu/FindLaw/Export/ExportMultiDocs?type=pdf&idsString=7009833 (10.11.2025).
[64] Ibidem.

protection, in practice, the operation of detention procedures significantly complicates the process of submitting an application. This approach to regulating the issue has once again raised concerns about compliance with the principle of non-refoulement and the right to international protection[65]. Nevertheless, the European Commission has never initiated infringement proceedings against Lithuania[66].

In early May 2025, the Lithuanian State Border Guard Service (Valstybės sienos apsaugos tarnyba) reported that 48 individuals attempting to cross the border illegally within 24 hours had been stopped. According to the Belarusian Border Guard, Lithuania has already deported 890 people from the beginning of 2025 to the end of June, and 1,002 in all of 2024[67]. Due to the escalating problem, the Lithuanian Armed Forces agreed to deploy additional troops along the border with Belarus, in the Oran region[68]. The Lithuanian Ministry of Defence also announced plans to spend EUR 1.1 billion over the next 10 years to strengthen defences along the borders with Russia and Belarus. A key point of the protection plan is the Suwałki Gap, a strategically important strip of land that connects Lithuania with Poland and forms a key section of NATO's eastern flank[69].

The rising costs of combating irregular border crossings with Belarus have prompted Lithuanian authorities to file a lawsuit against the state at the International Court of Justice (ICJ), demanding USD 227 million in compensation[70]. Lukashenko's regime has been accused of violating the Protocol against the Smuggling of Migrants by Land, Sea, and Air, which supplements the United Nations Convention against Transnational Organized Crime[71]. Lithuania claims that the Belarusian regime's actions undermine its sovereignty, security, and public order. At the same time, they demonstrate a disregard for migrants' rights[72]. According to the indictment, Belarus's instrumentalization of migration included authorizing travel agencies to issue visa invitations, simplifying the procedures for obtaining tourist visas for Iraqi citizens, and abolishing the requirement for a return ticket. Furthermore, two hotels were designated in Minsk to provide accommodation for migrants, and transportation to the border with Lithuania was arranged. Initially, the nature of support for crossing the Lithuanian border was described

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[65] J. Kaluta, *No Way Home: Poland and Lithuania's Asylum Violations in the Belarus Border Crisis*, "North Carolina Journal of International Law", 2025, 50(1), p. 164-165.

[66] G. Pilia, *Not just pushbacks: the controversial deforestation at the Lithuanian-Belarusian border*, 5 August 2025, https://neweasterneurope.eu/2025/08/05/not-just-pushbacks-the-controversial-deforestation-at-the-lithuanian-belarusian-border/ (10.11.2025).

[67] Ibidem.

[68] BNS, *Lithuania to deploy troops to Belarus border amid increase of migrants*, 9 May 2025, https://www.lrt.lt/en/news-in-english/19/2557926/lithuania-to-deploy-troops-to-belarus-border-amid-increase-of-migrants?srsltid=AfmBOorUt3zHM0hCiE-erH3BWyq9K1KFWKYMHIGdzEVqmisGtdYuGap5 (10.11.2025).

[69] TVP World, *Lithuania ramps up border security amid surge in illegal crossings*, 9 May 2025, https://tvpworld.com/86620623/lithuania-ramps-up-security-on-border-with-belarus (10.11.2025).

[70] G. Pilia, op. cit.

[71] D. Schmalz, *Migrant "Instrumentalisation" before the ICJ. The Case of Lithuania v. Belarus*, 06 June 2025, https://verfassungsblog.de/migrant-instrumentalisation-before-the-icj/ (10.11.2025).

[72] E. Giordano, *Lithuania takes Belarus to The Hague for weaponizing migration*, 20 May 2025, https://www.politico.eu/article/belarus-lithuania-the-hague-smuggling-migrants-borders/ (10.11.2025).

as more passive, but over time it has become more organized and proactive[73]. Belarus has rejected these accusations, citing the relatively small number of illegal migrants entering the EU through its territory compared to flows via the Balkan or Mediterranean routes[74].

CONCLUSIONS

In recent years, the rhetorical use of migration as a tool of pressure in international relations has become increasingly common. Threats and declarations of using migration as a "weapon" lead to political destabilization, escalating tensions between states, and exerting pressure on the political and humanitarian decisions of the recipients of such actions. Migration has become an instrument of foreign policy interests, which states can therefore use both cooperatively (e.g., through bilateral migration agreements) and as a means of coercion (e.g., through threats and the instrumentalization of refugee movements). As the example of the crisis on the border with Belarus demonstrates, effective instrumentalization will always involve two parties: first, the entity implementing the process of instrumentalizing migration, and second, the actor affected by the instrumentalization. This situation raises the question of the risks posed by migration threats, and whether the risks associated with countering this threat will be equally high in the context of security policy.

Although the European Union is cooperating with neighbouring states to limit the influx of migrants, including asylum seekers, member states remain under pressure from these countries, which in practice may lead to attempts to exploit migration as a tool. As the situation on the border with Belarus demonstrates, member states may therefore face a difficult choice between ensuring the safety of their own citizens and upholding the rights of migrants. Nevertheless, excessive use of force or restrictions on the rights of asylum seekers in response to migration crises raises legitimate concerns, especially when these measures are excessive in nature. Therefore, member states' actions in emergency situations should be consistent with established international law and norms, while also being proportionate to the threat and nature of the situation. In this context, EU regulations on the "instrumentalization of migration", developed jointly within the EU, may prove crucial, as they help prevent unilateral or overly harsh responses to migratory pressures.

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[73] D. Schmalz, op. cit.

[74] M. Khoruk, *Crossing the line: Will Lithuania's ICJ case against Belarus set a precedent for state accountability in human smuggling*, 18 June 2025, https://globalinitiative.net/analysis/crossing-the-line-will-lithuanias-icj-case-against-belarus-set-a-precedent-for-state-accountability-in-human-smuggling/ (10.11.2025).

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