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LABOUR EXPLOITATION OF MIGRANT WORKERS: REFLECTION ON THE EMPIRICAL RESEARCH OF LITHUANIAN MIGRANTS

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Based on empirical sociological research of Lithuanian migrant workers, this article analyses the problem of labour exploitation of Lithuanian nationals working in other countries of the European Union (EU). The article investigates the legal regulations of labour exploitation, forced labour, and trafficking for forced labour. It looks at the extent of labour exploitation of Lithuanian nationals abroad, and analyses actual negative experiences of labour exploitation. The article argues that migration is a key factor contributing to labour exploitation. In this article, labour exploitation is understood as a continuum ranging from less severe to more severe forms of exploitation. According to the data of the research, the common practices of labour exploitation of Lithuanian migrant workers abroad most often include unsevere forms of labour exploitation: incomplete payment of agreed wages; probational work, for which the salary is not paid or is very small; lack of employment contract; lack of overtime pay; etc. The extreme cases of severe exploitation are rare, and include physical and psychological coercion; fraud; depth bondage; restriction of movement; no payment at all; humiliating and unhuman work and living conditions; social isolation; and lack of food and sleep.

Key words: labour exploitation; forced labour; trafficking for forced labour; Lithuanian migrant workers; European Union.

В статье на основе эмпирического исследования литовских трудовых мигрантов анализируется проблема трудовой эксплуатации граждан Литвы, работающих в других странах Европейского Союза (ЕС). Подчеркивается, что эксплуатация труда является чрезвычайно ограниченным явлением в Европейском Союзе, и феномен трудовой эксплуатации европейских граждан, работающих в других странах ЕС. Автором исследуются правовые нормы эксплуатации труда, принудительного труда и торговли людьми в целях принудительного труда. Рассматриваются конкретные ситуации эксплуатации труда литовских трудящихся-мигрантов, зафиксированные в ходе исследования. Доказывается, что миграция является ключевым фактором для трудовой эксплуатации, а мигранты – наиболее уязвимой социальной группой. При этом эксплуатация труда понимается автором как континуум, который включает в себя разные формы эксплуатации, в частности «легкие» и «тяжелые». По данным исследования, проведенного автором, практики трудовой эксплуатации литовских трудящихся-мигрантов за рубежом чаще всего включают так называемые «легкие» формы эксплуатации: неполную выплату согласованной зарплаты; отсутствие платы за сверхурочную работу; испытательный срок, за который зарплата не выплачивается, или выплачивается лишь небольшая часть; не заключается договор, и работник работает нелегально, без социальных гарантий и т.д. В крайних случаях «жесткой» эксплуатации, которые случаются редко, эксплуатация труда включает в себя физическое и психическое принуждение; мошенничество и обман; ограничение передвижения; принудительный труд без оплаты; унижительные и нечеловеческие условия жизни и работы; социальную изоляцию; отсутствие пищи и сна.

Ключевые слова: эксплуатация труда; принудительный труд; торговля людьми в целях принудительного труда; литовские мигранты; Европейский Союз.

У статті на основі емпіричного дослідження литовських трудових мігрантів аналізується проблема трудової експлуатації громадян Литви, які працюють в інших країнах Європейського Союзу (ЄС). Підкреслюється, що експлуатація праці є надзвичайно обмеженим явищем в Європейському Союзі, і феномен трудової експлуатації європейських громадян, що працюють в інших країнах ЄС. Автором досліджуються правові норми експлуатації праці, примусової праці та торгівлі людьми з метою примусової праці. Розглядаються конкретні ситуації експлуатації праці литовських трудящих-мігрантів, що зафіксовані в ході дослідження. Доводиться, що міграція є ключовим фактором для трудової експлуатації, а мігранти – найбільш вразливою соціальною групою. При цьому експлуатація праці розуміється автором як континуум, який включає в себе різні форми експлуатації, зокрема «легкі» та «важкі». За даними дослідження, проведеного

автором, практики трудової експлуатації литовських трудящих-мігрантів за кордоном найчастіше включають так звані «легкі» форми експлуатації: неповну виплату узгодженої зарплати; відсутність плати за понаднормову роботу; випробувальний термін, за якої заробітна плата не виплачується, або виплачується лише невелика частина; не укладається договір, і працівник працює нелегально, без соціальних гарантій тощо. У крайніх випадках «жорстокої» експлуатації, які трапляються рідко, експлуатація праці включає в себе фізичний і психічний примус; шахрайство і обман; обмеження пересування; примусову працю без оплати; принизливі і нелюдські умови життя і роботи; соціальну ізоляцію; відсутність їжі і сну.

Ключові слова: експлуатація праці; примусова праця; торгівля людьми з метою примусової праці; литовські мігранти; Європейський Союз.

Introduction

While labour exploitation is a very limited phenomenon in the European Union (EU), migration is considered to be on the significant sources of labour exploitation and forced labour, in particular, where they occur. At the same time, international migration of labour force is a widespread social phenomenon nowadays, and cases of labour exploitation of foreign nationals become more frequent.

This article focuses on the situation of labour exploitation of foreign nationals in the EU and presents some of the finding of an empirical research on Lithuanian labour migrants.

The contemporary European Union is an epicentre of global migration. Speaking purely about labour migration in the EU and leaving apart the recent refugee crisis, it is possible to distinguish two trends of migration:

1. Free movement of EU citizens within the territory of the EU for the purpose of work.
2. Immigration of third countries (non-EU members) nationals to the EU for the purpose of work.

Migration within the EU when citizens of one EU country move to another EU country is considered as free movement, and it is a fundamental right of citizens of the EU. Citizens of the EU have a right to “look for a job in another EU country, work there without needing a work permit, reside there for that purpose, stay there even after employment has finished, [and] enjoy equal treatment with nationals in access to employment, working conditions and all other social and tax advantages” [1]. This type of migration within the EU is common, and according to Eurostat data, “there were 14.3 million persons living in one of the EU Member States on 1 January 2014 with the citizenship of another EU Member State” [2].

Nevertheless, the second trend of migration, that embraces immigration from the third countries, is even more numerous. According to Eurostat data, “the number of people residing in an EU Member State with citizenship of a non-member country on 1 January 2014 was 19.6 million, representing 3.9 % of the EU-28 population” [3]. In comparison to 14.3 million of EU citizens living in another EU country, 19.6 million of non-EU citizens residing in the EU is a huge number. It is important to note, that citizens of Ukraine make the largest group of foreign nationals in the Czech Republic (30% of all foreigners living in that country in 2011) as well as in Poland (28.6%), while Poles themselves make the largest group of foreign nationals in Iceland (27.4% of all foreigners) and in Norway¹ (10%). Lithuanian migrants, that are a case study of this article, make the third largest group of foreign nationals in Ireland (5.5% of all foreigners) preceded by citizens of the United Kingdom (38.9%) and Poland (13.4%) [4].

While largely positive in terms of economic development, high levels of labour migration carry some negative outcomes, among which labour exploitation of foreign nationals abroad is a crucial one. According to the International Labour Organisation (ILO), the indicators of labour exploitation are excessive working days or hours, bad living conditions, hazardous work, low or no salary, no access to education, no respect of labour laws or contract signed, very bad working conditions, and wage manipulation [5, p.6]. In extreme cases, foreign nationals may experience forced labour and human trafficking for forced labour. The ILO estimates that 20.9 million people are victims of forced labour globally [6]. According to data of the United Nations Office on Drugs and Crime, in 2010 globally 18% of all detected cases of human trafficking were connected to forced labour. In 2012, the proportion of human trafficking for forced labour grew to 36% of all detected cases of human trafficking [7]. As for the situation in the EU, its Agency for Fundamental Rights reported 217 cases² of

¹ Iceland and Norway are not members of the EU, but they are included in the Eurostat statistics on migration.

² One of these cases involved Lithuanian migrant workers. As the report states, “a number of Lithuanian citizens worked on farms as pickers in the Lincolnshire area of the United Kingdom, a region well known for its agriculture. They were subjected to very poor

severe labour exploitation of foreign workers in the countries of the EU in 2015. These cases were identified as part of the Agency's project on severe labour exploitation of workers moving within or into the EU in 2015 [8].

Labour exploitation of migrant workers in all its forms attract wide attention of international organisations, non-governmental organisations, politicians, and social scientists. Many scientific investigations were undertaken (Skrivánková 2006 [9], Andrees 2008 [10], Geddes, Craig, Scott 2013 [11], Clark 2013 [12], Ollus, Jokinen, Joutsen 2013[13]) that show that migration is a major source of vulnerability for becoming a victim of exploitation, that labour exploitation most often occurs in an environment where labour regulations are weak, that exploited migrants occupy niches in the economy that local workers would not choose as employment, and, among other things, that there exist certain areas of economy where labour exploitation most often occurs: domestic service, construction, agriculture, hospitality, cleaning, food manufacturing/processing, and textiles and clothing.

Thus, taking into consideration these global trends, this article aims at analysing how serious and how specific is the problem of labour exploitation in all of its forms in the case of Lithuanian nationals working in other EU countries. The article investigates the legal regulations, the extent of the problem, and actual negative experiences of Lithuanian nationals working in other European countries.

The article is structured into three sections. Following this introduction, the first section presents the methodological approach of empirical research of Lithuanian migrants. The second section analyses the concept and legal regulation of labour exploitation, forced labour, and human trafficking for forced labour. The third section examines the scope of the problem of labour exploitation of Lithuanian nationals abroad and presents some examples of actual negative experiences of Lithuanian nationals working abroad. The article ends with concluding remarks.

Methodological Notes

The materials presented in this article is based on the data collected by the author while participating in the international project ADSTRINGO (Addressing Trafficking for Labour Exploitation through Improved Partnerships, Enhanced Diagnostics and Intensified Organisational Approaches) in 2013. This article uses data that was presented in the ADSTRINGO project report³ as well as data which was not included in the report text. Empirical data was collected using three sociological methods of research:

1. Documentary analysis.
2. Qualitative interviews.
3. Observations.

In this research, documentary analysis involved the investigation of relevant official and other documents. The following documents were analysed: documents of international organisations; declarations and other documents related to human trafficking and trafficking in human beings for forced labour; national and international legal documents that regulate trafficking in human beings and labour abroad; research reports and statistical data of international and national organisations on trafficking in human beings and labour exploitation; information of official internet sites of Lithuanian state institutions, public agencies and non-governmental organisations; public statements of leaders of non-governmental organisations; and on-line advertisements offering jobs abroad.

Several types of interview techniques were employed in the research. These were semi-structured and unstructured in-depth expert interviews and semi-structured interviews with migrant workers. For the purpose of interview, two questionnaires were prepared: one was designed for people who worked abroad or were seeking jobs abroad, and the second was for the experts, who, due to their professional activities, could provide interesting and valuable research information. In some cases, when the professional experience of the respondents was very specific and narrow, unstructured interview technique was applied. The experts were asked about their experience working with victims of human trafficking and labour exploitation, as well as the general trends of labour migration. While ordinary people were asked about the ways of seeking jobs abroad and their experiences working abroad. In total, nine experts and seven informants were interviewed.

living and working conditions by a Latvian gangmaster, including living in 'sheds' with limited access to hygiene facilities and limited contact with the outside world. The victims came from severely impoverished backgrounds".

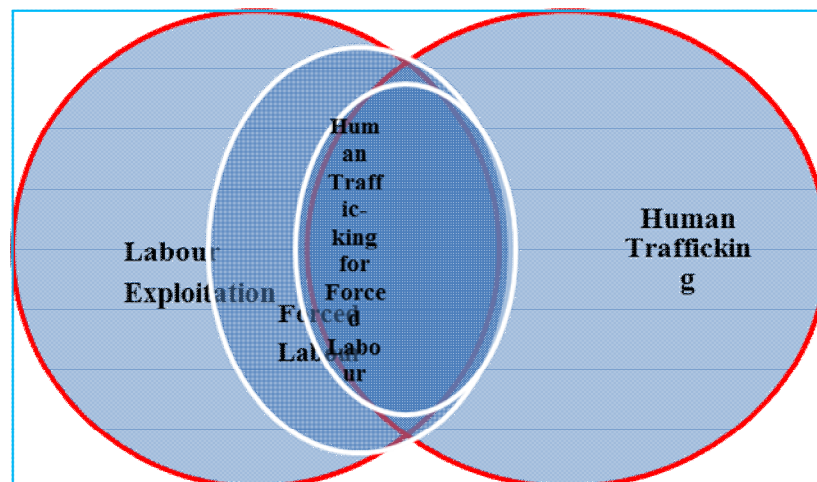
³ See: Janušauskienė, D. "Lithuanian Migrants as Victims of Human Trafficking for Forced Labour and Labour Exploitation Abroad" in Ollus, N., Jokinen, A. and Joutsen, M. (eds.) *Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking*. Report Series No.75. – Helsinki: HEUNI. – 2013. – p.305-359.

In addition, observations on budget airlines flights between Vilnius - London – Vilnius were carried out. During the four observations, five unstructured interviews were taken with people working abroad for a long time, and four general observations of the passengers were taken. The direction to London and back was chosen due to the fact that the United Kingdom is one of the most popular destinations for Lithuanian nationals seeking jobs abroad. In addition, as the data of representative poll of 2012 shows, in Lithuania the majority of all respondents that experienced labour exploitation, restriction of free movement, received no salary or “worked under the inhuman conditions”, experienced it in the UK.⁴

Conceptualisation of Labour Exploitation, Forced Labour and Human Trafficking for Forced Labour

In this article, three major concepts are used: labour exploitation, forced labour, and human trafficking for forced labour. Labour exploitation is understood as a continuum ranging from less severe to more severe forms of exploitation. In this continuum, forced labour represents the most severe form of exploitation. Severe labour exploitation, according to the EU Agency for Fundamental Rights means “work situations that deviate significantly from standard working conditions as defined by legislation or other binding legal regulations, concerning in particular remuneration, working hours, leave entitlements, health and safety standards and decent treatment. The term ‘severe’ refers to forms of exploitation of workers which are criminal under the legislation of the EU Member State where the exploitation occurs. Hence, severe labour exploitation includes coercive forms of exploitation, such as slavery, servitude, forced or compulsory labour and trafficking, as well as severe exploitation within the framework of an employment relationship” [14].

Forced labour, though, does not necessarily entail human trafficking, and not all trafficking is for the purpose of forced labour. Human trafficking for forced labour takes place in a situation where two phenomena – forced labour, as the most severe form of labour exploitation, on the one hand, and human trafficking, on the other hand – co-exist and overlap. Movement is the key criterion in distinguishing between trafficking for the purpose of forced labour and other forms of forced labour (see Scheme 1).



Scheme 1. The conceptualisation of labour exploitation, forced labour, and human trafficking for forced labour.

The concept of “forced labour” was first defined in 1930 by the ILO in the Convention No.29 “Convention Concerning Forced or Compulsory Labour”. Article 2 of this Convention states that “the term *forced or compulsory labour* shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” [15]. According to the ILO, the key indicators of forced labour include physical or sexual violence or the threat of such violence, restriction of movement of the worker, debt bondage or bonded labour, withholding wages or refusing to pay the worker at all, retention of passports and identity documents, and the threat of denunciation to the authorities [16, p.14].

⁴ The representative public opinion poll was ordered by the Ministry of Interior and conducted from August 9 – October 8, 2012. The poll was conducted by “Baltijos tyrimai”. In total, 3,022 respondents aged 15-74 were researched using individual interviews in their homes in all counties of Lithuania.

As regards human trafficking, the legal regulation of human trafficking started in the 19th century, but for a long time, it was associated only with women and girls trafficking for sexual exploitation. This concept often prevails nowadays too. In Lithuania, according to experts who participated in the research, this perception is especially common and is widespread among lawyers. Such a narrow understanding of human trafficking hampers the identification of trafficking for forced labour victims and proper treatment of cases of trafficking in court.

The contemporary concept of human trafficking is gender neutral. Thus, it includes both men and women. The second important feature of the modern treatment is that it highlights the exploitative purposes of trafficking, without reducing them to certain activities [17]. It is important to note that modern human trafficking is closely linked to other criminal activities such as illegal border crossing, human smuggling, child labour, slavery, etc. Therefore, human trafficking must be understood holistically, applying various areas of international law.

The most widely used modern definition of human trafficking was formulated in 2000 by the United Nations in the "Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children." Article 3 (a) of this protocol defines human trafficking in the following way:

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs." [18]

According to the ILO, human trafficking can be analysed through looking at whether forms of deception or coercion were used during recruitment or transportation, whether the recruitment took place by abusing the person's vulnerability, whether exploitative conditions prevailed at work, and whether coercion or abuse of the vulnerability of the migrant worker occurred at destination [19, p.14]. Even though human trafficking for forced labour exists within countries as well, more often it is an international phenomenon. The United Nations states that at least in 2012, 136 different nationalities were trafficked and detected in 118 different countries [20, p.14]. The process of human trafficking for forced labour abroad may include:

- Recruitment (people tempted with promises of lucrative jobs, they are persuaded to go to work abroad, or, in extreme cases, are taken using coercion (or drugged) to work);
- Transportation (in a classical way of human trafficking, traffickers organise transportation of victims, while victims have to work up for travel cost and in such a way a debt chain starts to form, which only grows over time. Yet some other cases are possible too, when potential victims are forced to come to the point of destination themselves using their own money);
- Receipt of persons and exploitation (freedom of movement may be restricted in various ways from physical restraint or taking away documents to intimidation and physical and psychological coercion, restricting freedom by deception).

Most often victims are lured into the trap of human trafficking by fraud, and a desire to make money turns into a tragedy of human trafficking.

It is important to note that modern human trafficking for forced labour within the EU often may not bear all the characteristics of human trafficking, therefore it becomes hard to distinguish at what point it is possible to speak of a situation of human trafficking for forced labour. Situations where the stage of victim transportation is absent are common, and victims are persuaded to travel to an agreed point of destination themselves. Victims may be exposed only to psychological and not necessarily physical coercion. As the results of the empirical research on Lithuanian migrants presented in this article shows, the majority of the studied cases lacked the stage of organised transportation and involved psychological rather than physical coercion.

As for the legal regulation of forced labour and human trafficking, Lithuania has transposed the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA [OJ L 101 of 15.4.2011]. This Directive "defines the minimum common rules for identifying and sanctioning offences of trafficking in human beings." [21]

In the contemporary Criminal Code of Lithuania, as well as in the criminal codes of many countries worldwide, human trafficking is a criminal offence. In Lithuania, human trafficking was criminalised by introducing a corresponding article in the Criminal Code on the 2nd of July, 1998. Later several changes to the Criminal Code were made and after the recent changes in 2012, human trafficking is regulated in the

Lithuanian Criminal Code in accordance with the standards of the EU and the UN. Article 147 Human Trafficking, Article 147⁽¹⁾ Exploitation for Forced Labour or Services and Article 147⁽²⁾ Usage of Person's Forced Labour or Services of the Criminal Code of the Republic of Lithuania clearly define all forms of human trafficking and set strict penalties. In these three articles the following deeds of human trafficking are criminalised: human trafficking for prostitution; human trafficking for forced labour; human trafficking forcing people to beg and commit crimes; human trafficking for taking human organs or cells; and sell or purchase of a child. The Criminal Code also foresees punishment for inhuman and degrading treatment, and foresees strict penalties for deception.

Summing up, it can be argued that, by changing the corresponding articles of the Criminal Code, the legal framework corresponds to international standards regulating human trafficking and related crimes. This is confirmed by data collected during interviews with the experts.

The Extent and Practices of Labour Exploitation of Lithuanian Nationals Abroad

Lithuania's accession to the EU in 2004 opened the possibilities for Lithuanian nationals to enjoy the freedom to move and work in the EU. Due to lower incomes, many Lithuanians decide to leave the country and work in wealthier parts of the EU. Thus, as a rule, Lithuania is "a country of origin" of labour force. According to the data of the last national census conducted in 2011, "around 769 thousand people or one fifth of the population has left the country since independence in 1990." [22] It could be presumed that the real numbers could be even higher since many migrants do not declare that they have left. The major destinations of migration are the United Kingdom, Ireland, Norway, Germany, Spain, the United States of America, Sweden, and Denmark.

It is clear that some of migrants experience various forms of labour exploitation abroad, yet it is very difficult to estimate how big the problem is. As a rule, only cases of severe exploitation are reported, yet statistically they are not visible. For example, Eurostat data points that there is 0 cases of identified and presumed victims of human trafficking for forced labour in Lithuania in the period of 2010-2012 [23, p.90]. The absence of the official indicative number of victims in Lithuania does not mean that the problem does not exist or that it is of a small scale. It is important to note that Lithuania provides data for the Eurostat only about identified victims in criminal proceedings. Thus, even when victims were identified but there were no criminal proceedings, the official statistics show 0 cases. On the other hand, according to the data of this research, there is a set of other conditions that complicate the identification of victims. Victims often do not apply for help, do not consider themselves to be victims (as a rule, male victims), do not know where to complain, and do not believe that they can be helped, etc. Expertise and competence in this area of the police, judges, staff of embassies and consulates can be limited. NGO experts working with victims maintain that the precise calculation of the number of victims is impossible because, first of all, many cases remain unknown as victims do not seek assistance or do not report, and, secondly, some cases are registered abroad but are not accounted for in the Lithuanian statistics. Importantly, many victims are identified only when they request help from NGOs on completely different issues than labour exploitation, and it turns out, as if by accident, that they were victims of trafficking for forced labour. NGOs that help victims say that the number of victims of forced labour should be counted at least in tenths per year.

It is clear that the problem of labour exploitation of Lithuanian nationals abroad exists, yet, due to many reasons it is not possible to say precisely how widespread it is. If one compares official statistical data provided by other countries, it is clear that from a comparative point of view, severe forms of labour exploitation do not happen often among Lithuanian migrants, yet everyday less severe labour exploitation is common. According to the data of this research, the common practices of labour exploitation of Lithuanian migrant workers include incomplete payment of agreed wages; temporary work; hourly work; probational work, for which the salary is not paid or is very small; poor housing conditions and gaining profit by the employers from the lease; lack of social security; lack of employment contract; lack of overtime pay; heavy and harmful work conditions. In some cases people were cheated by employment agencies (local Lithuanian companies as well as the ones in the destination country) that took a significant part of the worker's salary for themselves. In extreme cases of severe exploitation, migrant workers faced physical and psychological coercion, fraud, depth bondage, restriction of movement, no payment at all, humiliating and unhuman work and living conditions, social isolation, lack of food and sleep, etc. [24].

Table 1 sums up the most common practices of less severe labour exploitation experienced by the researched Lithuanian migrants.

Table 1.

Examples of less severe forms of labour exploitation abroad (based on interview data)

Category	Interview quotes
Only a part time, hourly, or temporary work is provided	“[They] are sent to another country, accommodated and not provided with working hours: there is only one hour a day or even one hour a week. <...> And there are no ways out in these cases, since in England this hourly payment is common”. “[In the United Kingdom] they worked in the fields only a couple of hours a day”. “It happens that they transport people, give a little to eat, and either you have a work, or you don’t for a week, and you have to pay for accommodation, and it comes that you go into minus”. “After 10 days [in Germany] I ask – so far there is nothing [no job], they say, may be you will have to wait two more weeks <...> I worked three days and then I found a note on the doors that your services are not needed any more <...> I come to the office and it turns out that this was a temporary job. They got an urgent work, called the agency and gave then an urgent order. Say, call on Monday (it was Friday then). I call and they say that there is no job.”
“Probationary period“ is applied – people are low paid or not paid at all	“They were paying me exactly 15 euros a day <...> And I understood in 4 days that they have simply cheated me and I will not earn money here”.
Poor living conditions and gaining profit from the lease	“They lived in those caravans, and, very poor conditions, they were very unsatisfied both because of work and living conditions”. “We come to the dormitory [in Germany], to the owner of the dormitory; I need to pay for one month plus in addition if you run away. When that guy leaves [the one who picked me up at the bus station] only then I go to see my room, where I have to live. I come in and I am bewildered <...> The room <...> there were 6 windows, I counted. There is no light, no heating, and it is the end of November. Two beds are there, no bedding. They say: here is the shop, go and buy <...> It appears this used to be a factory territory, ex office building and when guys understood that there will come people from Eastern Europe and the market opens – let’s make business <...> 200 euros per month <...> If I rent a room or 1 room flat at Germans, it would cost 250 euros per month <...> Then I think I will go to the kitchen. I came, saw and understood – yes, there were only trash there. Then on my way out I pushed this trash with my legs, there were plenty of dirty dishes, etc. And then I understood there were Czechs, Slovaks and Poles builders, mainly 18 - 29 years old, boys who work in the construction <...> They leave, work the whole day, and then come back at 7 and till 1 or 2 at night there is a party. <...> Guys bring beer in boxes, bring girls various – this is a version of a ‘good’ Soviet dormitory. After that, I think, I will see the shower. It was not cleaned since the time it was built.”
Not the whole agreed salary is paid	“One salary was said, and then they paid a smaller salary <...> He [my husband] had one hundred or two hundred pounds per half a year saved for himself. Only this.”
Part of the salary is taken by mediators, recruitment agencies	“My clients gave me cash. It was five pounds fifty an hour. And there for the [cleaning] agency they paid the rest. In total, for one hour they paid, I think, eight pounds or so. Thus, I received five fifty, and they have the rest”.
Contracts are not signed, people work illegally	“No, I had no contract. They wrote something down there. My address, they took my name and second name, yet I had no contract, during those ten years I never had a contract. But it was an English agency, normal, it functioned for a long time. It still functions”.
People work extra hours, yet they are not paid for that	“At the beginning they wrote less hours <...> yet they worked more”. “Worked a lot of hours, really <...> No payment for extra hours”.
Hard work, under conditions harmful for health	“In a factory a shift lasts for 12 hours, it is forbidden to sit, you should stand all the time”. “[In bread warehouse] there is a fridge. I stand at the door of this fridge. There [outside] plus 12 degrees, well, but you sit in this drought. You will get ill and will sit in that barrack. Who will pull you from there?”.

The data collected during the research shows that the less severe forms of labour exploitation are experienced by various social groups of migrants, yet most often these are people of the lower social status, the less qualified and less educated.

The data confirms that the groups most frequently suffering from severe forms of labour exploitation are socially vulnerable persons, and, if not counting prostitution, the victims are more often men than women, often very young or older men. Yet, as the research data of this study shows there are cases when victims are university students or people from the lower middle classes that in general do not belong to the groups of socially vulnerable people.

Table 2 presents the examples of severe forms of labour exploitation experienced by Lithuanian nationals abroad.

Table 2.

Examples of severe labour exploitation abroad (based on interview data)

Country	Case description
Ireland	Individuals were promised a job in a factory in Ireland, were locked in a room, beaten, and then managed to run away to a police station.
Czech Republic (case 1)	For three years individuals were transported to the Czech Republic to work in various sectors and were exploited by criminal groups of Ukrainian citizens, people were not paid at all.
Czech Republic (case 2)	Individuals went to the Czech Republic to work via a labour exchange ad, their freedom of movement was restricted, they had to work overtime, their living conditions were terrible.
Finland	Workers were sent by an individual labour provider to Finland to gather berries. There was no job, people were not paid and had no money to return home. They were left in the middle of the forest.
Germany (case 1)	Three male university students found an ad about a summer job in Germany – to scrub boats and paint them. There they were not paid, had no money to buy food (they were provided just lunch), had neither contract, nor insurance. One student ended in a hospital. Parents came to collect them.
Germany (case 2)	A man worked in Germany for two months, he was not paid at all. He ended up in a hostel for the poor. He did not know what city he is in. He asked a passing by lady to make a phone call home, and this is how he was found by the family and returned to Lithuania
Norway	Skilled carpenters go to Norway to assemble wooden houses, they are not paid, their freedom of movement is restricted, living conditions are poor, they live in the middle of woods, the nearest city is reachable only by car.
UK (case 1)	Young individuals worked in the UK, they received no salary, were beaten and forced to steal, they ran away and went to the Lithuanian embassy.
UK (case 2)	Individuals worked in the UK, were moved from place to place, they did not know where they were, their documents were taken. They were brought to the UK by direct recruitment in their villages – someone with a bus came to their villages and persuaded them to go to work in the UK.
UK (case 3)	A young couple found an ad about work in a post office in the UK, they came by plane, were locked in a flat for a couple of days then moved to an unknown area. They worked 12 hours and more a day, were paid just a few pounds that was not enough to buy food, living conditions were terrible. A girl lost 25 kg in weight. After half a year she arranged a seat on a bus going to Lithuania and her parents paid the driver when he arrived in Lithuania. A boy stayed and hoped to receive money, but on the way back the whole small amount of money was stolen from him when he got asleep.
Sweden	A Lithuanian man used to invite his acquaintances to come to work in Sweden and exploited them, did not pay them anything.
Netherlands (case 1)	A boy aged 16 found an ad about a job in the Netherlands. He went there, worked in a car washing industry, and was not paid at all.
Netherlands (case 2)	Men were promised a job in a farm in the Netherlands and were cheated. They were not paid at all, the owner of the farm told them that they should work for food and shelter and can not expect anything else because he always takes somebody for summer under these conditions. Yet, these men thought that this was a real job, and they had been promised it.

These examples clearly show that all forms of labour exploitation – ranging from less severe to most severe forms – exist and the problem is deep.

Concluding remarks

This article argues that migration is one of the key factors in labour exploitation, and forced labour, in particular. The data presented in this article shows that some Lithuanian nationals working abroad are subject to

labour exploitation which varies from less severe to most severe forms, such as forced labour. Very often such cases are not perceived as exploitation by victims and are not reported to the police. Even if the legal basis in the EU, and Lithuania, in particular, provides the necessary means to combat the problem, in reality, the situation of labour exploitation persists due to many reasons, both individual as well as structural. As long as significant differences in wages between the EU member states exist, there will always be people eager to go to work abroad despite the existing facts and risk of labour exploitation. On a positive side, there is growing awareness of the people and authorities and increasing international cooperation in order to prevent and combat labour exploitation of migrants.

References:

1. Official site of the European Commission. – Available at : <http://ec.europa.eu/social/main.jsp?catId=457> [accessed on 2015-11-01].
2. Eurostat http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics [accessed on 2015-11-02].
3. Eurostat http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics [accessed on 2015-11-02].
4. Eurostat <http://ec.europa.eu/eurostat/documents/3433488/5584984/KS-SF-12-031-EN.PDF/be48f08f-41c1-4748-a8a5-5d92ebe848f2> [accessed on 2015-11-04].
5. International Labour Organization (ILO). Operational Indicators of Trafficking in Human Beings. Results from a Delphi Survey Implemented by the ILO and the European Commission. – September, 2009. Available at: http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_105023.pdf [accessed on 2015-10-10].
6. International Labour Office (ILO), Special Action Programme to Combat Forced Labour (SAP-FL)). ILO Global Estimate of Forced Labour. Results and Methodology. – 2012. – Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_182004.pdf [accessed on 2015-10-28].
7. The Globalization of Crime. A Transnational Organized Crime Threat Assessment. United Nations Office on Drugs and Crime. – 2010. – Available at: http://www.unodc.org/documents/dataandanalysis/tocta/TOCTA_Report_2010_low_res.pdf [accessed 2015-10-15].
8. European Union Agency for Fundamental Rights. Annual Report. Severe labour exploitation: workers moving within or into the European Union – States' obligations and victims' rights. – 2015. . – Available at : <http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union> [accessed on 2015-11-05].
9. Skrivánková K. Trafficking for forced labour: UK country report / Skrivánková K. – London: ASI. – 2006. – 47p. – Available at : <http://www.kalayaan.org.uk/wp-content/uploads/2014/09/Trafficking-Report.pdf> [accessed on 2015-10-01].
10. Andrees B. Forced Labour and Trafficking in Europe: How people are trapped in, live through and come out / Andrees B. : Working Paper. Special Action Programme to Combat Forced Labour. – Geneva: ILO. – 2008. – 60p. . – Available at : http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_090548.pdf [accessed on 2015-10-08].
11. Geddes A. The Scope of Forced Labour in the UK: Final Report / Geddes A., Craig G. and Scott, S. – York: Joseph Rowntree Foundation. – 2013.
12. Clark N. Detecting and Tackling Forced Labour in Europe / Clark N. – York: Joseph Rowntree Foundation. – 2013. – 75p. – Available at: [file:///C:/Users/Diana/Downloads/forced-labour-europe-full%20\(1\).pdf](file:///C:/Users/Diana/Downloads/forced-labour-europe-full%20(1).pdf) [accessed on 2015-10-15].
13. Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking Report Series / [Ollus N., Jokinen A. and Joutsen M. (eds.)]. – No.75. – Helsinki: HEUNI. – 2013. – 363p.
14. European Union Agency for Fundamental Rights. Annual Report 2015. Severe labour exploitation: workers moving within or into the European Union – States' obligations and victims' rights. – 2015. – Available at: <http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union> [accessed on 2015-11-05].
15. ILO Convention No. 29: Convention Concerning Forced or Compulsory Labour (1930) in Refugee Protection and Human Trafficking Selected Legal Reference Materials. First Edition. – Protection Policy and Legal Advice Section (PPLAS), Division of International Protection Services (DIPS), UNHCR. – December 2008. Available at : <http://www.unhcr.org/4986fd6b2.html> [accessed on 2015-09-20].
16. Jokinen, A. and Ollus, N. "Recruitment, Exploitation of Migrant Workers and Labour Trafficking In Finland, Sweden, Estonia And Lithuania: Introduction and Research Findings" in Ollus, Natalia, Jokinen, Anniina and Joutsen, Matti (eds.) Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking. Report Series No.75. – Helsinki: HEUNI. – 2013. – p. 9-30.

17. "ILO Convention No. 29: Convention Concerning Forced or Compulsory Labour (1930)" in Refugee Protection and Human Trafficking Selected Legal Reference Materials. First Edition, Protection Policy and Legal Advice Section (PPLAS), Division of International Protection Services (DIPS), UNHCR. – 1 December 2008. – Available at : <http://www.unhcr.org/4986fd6b2.html> [accessed on 2015-05-20].
18. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime. - Article 3 – Available at : http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf [accessed on 2015-05-15].
19. Jokinen, A. and Ollus, N. "Recruitment, Exploitation of Migrant Workers and Labour Trafficking In Finland, Sweden, Estonia And Lithuania: Introduction and Research Findings" in Ollus, Natalia, Jokinen, Anniina and Joutsen, Matti (eds.) Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking. Report Series No.75. – Helsinki: HEUNI. – 2013. – p. 9-30.
20. Jokinen, A. and Ollus, N. "Recruitment, Exploitation of Migrant Workers and Labour Trafficking In Finland, Sweden, Estonia And Lithuania: Introduction and Research Findings" in Ollus, Natalia, Jokinen, Anniina and Joutsen, Matti (eds.) Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking. Report Series No.75. – Helsinki: HEUNI. – 2013. – p. 9-30.
21. http://europa.eu/legislation_summaries/justice_freedom_security/fight_against_trafficking_in_human_beings/jl0058_en.htm (accessed on 2015-05-21).
22. International Organisation for Migration - Lithuania, Migration in Numbers – <http://123.emn.lt/en/general-trends/migration-10-years-overview> [accessed on 2015-10-02].
23. Eurostat. Statistical working papers. Trafficking in Human Beings. – 2015. – 142p. – https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf [accessed on 2015-11-05].
24. Janušauskienė, D. "Lithuanian Migrants as Victims of Human Trafficking for Forced Labour and Labour Exploitation Abroad" in Ollus, Natalia, Jokinen, Anniina and Joutsen, Matti (eds.) Exploitation of Migrant Workers in Finland, Sweden, Estonia and Lithuania: Uncovering the Links between Recruitment, Irregular Employment Practices and Labour Trafficking. Report Series No.75. – Helsinki: HEUNI. – 2013. – p.305-359.