



Publication prepared by the Migration Information Center under the International Organization for Migration in cooperation with the Migration Department under the Ministry of the Interior



Publication funded by Dutch Ministry of Foreign Affairs

CONTENTS

Immigrating to the Lithuanian Republic	4
Useful information for people/migrants	
intending to visit Lithuania.....	4
Legal basis	4
How to enter the Lithuanian Republic	
and types of persons who can enter	5
Arrival and stay of nationals of European Union	
Member States and their family members	
in the Republic of Lithuania	5
Visa-free regime	10
Visa, types of visa, and issue procedures	10
Invitations for an alien to visit the Republic of Lithuania..	14
Extending a visa	21
Facilitated Transit Documents, the types	
of documents, issue procedures	23
Residence permits in the Republic of Lithuania,	
types and issue of residence permits	26
Rights and duties of Aliens	35
Advice to aliens entering the Republic of Lithuania.....	36
Useful addresses:	36

IMMIGRATING TO THE LITHUANIAN REPUBLIC

USEFUL INFORMATION FOR PEOPLE/MIGRANTS INTENDING TO VISIT LITHUANIA

Legal basis

The issues related to the entry exit, and stay of aliens – including the issue of visas and facilitated transit documents to aliens – as well as residence – including the issue of residence permits of the Republic of Lithuania to aliens and granting the right to reside in the Republic of Lithuania for nationals of European Union Member States, granting of asylum, integration and naturalization, the procedure for appealing decisions on the legal status of aliens and other issues relating to the legal status of aliens in the Republic of Lithuania are set forward in key legislation: the Law on The Legal Status of Foreign Nationals of the Republic of Lithuania (State Gazette, 2004, Nr. 73-2539) and the Law on Implementing the Law on The Legal Status of Foreign Nationals (State Gazette, 2004, Nr.73-2540), whose provisions entered into force on April 30, 2004. Also, regulations of the European Union Council in the area of migration, whose provisions are not implemented in the national legislation, but are applied directly, are in force in the Republic of Lithuania. The provisions of these laws and corresponding regulation can be found on the website of the Migration Department under the Ministry of the Interior of the Lithuanian Republic (<http://www.migracija.lt>) in the section “Legislation”.

HOW TO ENTER THE LITHUANIAN REPUBLIC AND TYPES OF PERSONS WHO CAN ENTER

Arrival and stay of nationals of European Union Member States and their family members in the Republic of Lithuania

A national of an European Union Member State has the right to enter the Republic of Lithuania and remain within the country without a visa for a period of up to 3 months, counting from the first day of entering the Republic of Lithuania, provided (s)he has a valid travel document recognized by the Republic of Lithuania. National's family members can enter the Republic of Lithuania together with the national of an European Union Member State or enter to visit him/her and, similarly, can remain in the Republic of Lithuania for up to 3 months.

Nationals of European Union Member States, who enter the Lithuanian Republic to reside for a period of longer than 3 months in a half a year and who fulfil at least one of the conditions stipulated in the Law on "Legal Status of Foreign National", are granted the right to reside within the Lithuanian Republic. A national of an European Union Member State has a right to live in the Lithuanian Republic if (s)he:

- ✓ is an employee or is self-employed;
- ✓ has enough funds to cover the subsistence costs of his/her own and his/her family members' – if they enter together or enter to visit him/her – stay in the Republic of Lithuania (officially used benchmark is a minimal wage, which on July 1, 2007 amounted to 700 Lt per month per person) and has a document providing an evidence of valid sickness insurance coverage;
- ✓ is a student, an intern, attends a school, in-service training or vocational training course, has enough funds to cover

subsistence costs of his/her own and his/her family members' – if they enter together or enter to visit him/her – stay in the Republic of Lithuania and has a document providing evidence of valid sickness insurance coverage;

- ✓ is a family member of a national from indicated states, who enters together with the national or to visit him/her.

Nationals of European Union Member States, who wish to reside within the Republic of Lithuania for a period of longer than 3 months, must apply to exercise the right to reside within the Republic of Lithuania to the Public Police Migration Service of the Territorial Police Unit (hereinafter – the Migration Service) and submit corresponding documents substantiating the national's right to reside in the Republic of Lithuania: for example, if (s)he arrived for work – employment contract, if the purpose of the stay is to study – a reference from educational establishment about his/her studies, if foreign national is a family member – documents indicating family ties.

Family members of a national of the Republic of Lithuania, who are not nationals of an European Union Member State, have the right to obtain residence permit of a family member of a national of an European Union Member State when they enter the Republic of Lithuania to reside with a national of the Republic of Lithuania, who exercised the right to freedom of movement throughout the European Union, or arrived to visit him/her from the territory of another European Union Member State.

At this moment, once a national of an European Union Member State is granted the right to reside in the Republic of Lithuania, (s)he is included within the Registry of residents of the Republic of Lithuania the moment (s)he declares his place of residence in the Republic of Lithuania. The residence permits, issued to nationals of European Communities Member States earlier, remain valid until the indicated date.

Family members of a national of an European Union Member State, who are not nationals of an European Union Member State, and enter the Republic of Lithuania to reside for a period longer than 3 months in half a year with a national of an European Union Member State or to visit him/her, must obtain the residence permit of a family member of a national of an European Union Member States. Such permit is issued in the Migration Service for a period of 5 years or for a period a national of an European Union Member State plans to reside within the Republic of Lithuania. A request to issue the residence permit is to be submitted to the Migration Service and it must be examined not later than within one month from the day of submission.

A national of an European Union Member State, who has been legally residing in the Republic of Lithuania for the past five years or whose right to the citizenship of the Republic of Lithuania was preserved as stipulated in Law on Citizenship of the Republic of Lithuania, or a person is of Lithuanian descent, or a person has entered the Republic of Lithuania to reside with a national of the Republic of Lithuania as a member of his/her family, is granted the right to reside permanently within the Republic of Lithuania. Family members of such nationals are also granted the right to reside permanently with the Republic of Lithuania, if they have been legally living within the country for the past five years with a national of an European Union Member State or their right to reside within the Republic of Lithuania is preserved in cases indicated in the Law on the Legal Status of Aliens. The minister of the Interior has the right to authorize exceptional cases, when the right to reside permanently in the Republic of Lithuania is granted to above-indicated nationals and members of their families, who have lived in the Republic of Lithuania shorter than 5 years. The period of residence of a national of an European Union

Member State in the Republic of Lithuania is established according to the data taken from the Registry of residents, which is accounted by declarations of the place of residence submitted by the aforementioned national.

To certify European Union Member State national's right to reside permanently within the Republic of Lithuania, (s)he is issued with a documentation approved by the Minister of the Interior. The residence permits, issued to nationals of European Communities Member States earlier, remain valid until the indicated date. Upon the expiry of this document, a national of an European Union Member State does not automatically lose the right to reside permanently within the Republic of Lithuania. To certify the right of a family member, who is not a national of an European Union Member State, to reside permanently within the Republic of Lithuania, (s)he is issued with residence permit for a family member of a national of an European Union Member State valid for 10 years and renewable upon the expiration of this term.

To obtain documents certifying his/her right to permanent residence within the Republic of Lithuania, a national of an European Union Member State submits to the Migration Service:

- ✓ a written application;
- ✓ a valid travel document;
- ✓ documents supporting European Union Member State national's right to obtain the documentation: for example, a certificate to preserve the right to citizenship of the Republic of Lithuania, documents indicating person's Lithuanian descent, certificate about the term of residence in Lithuania;
- ✓ Documents providing evidence of a valid sickness insurance coverage.

If an alien stays outside of the Republic of Lithuania for a period longer than 6 months per year, this can be interpreted as a

ground for refusing to grant the right of permanent residence in the Republic of Lithuania, except for the cases when absence from the Republic of Lithuania was justified on serious grounds – due to pregnancy, giving a birth, serious illness, studies, professional training or appointment to the third country or in other cases stipulated in the Law on the Legal Status of Aliens. The right to reside permanently within the Republic of Lithuania granted to an alien is revoked if an alien departs from the Republic of Lithuania for a period longer than 2 continuous years.

To obtain a permission to reside within the Republic of Lithuania, family members of a national of an European Union Member State must submit to the Migration Service:

- ✓ a written application;
- ✓ a valid travel document;
- ✓ documents supporting the right of an alien to obtain a permit to reside in the Republic of Lithuania for a family member of an European Union Member State national: for example, marriage certificate, birth certificate, certificate about the term of residence in the Republic of Lithuania;
- ✓ documents providing evidence of a valid sickness insurance coverage.

The right of a national of an European Union Member State and/or his/her family members' right to reside within the Republic of Lithuania can be revoked, if presence of this national and/ or his/her family members in the Republic of Lithuania would pose a threat to national security or public order.

If the right of permanent residence in the Republic of Lithuania of a national of European Union Member State is being revoked, his/her family members' rights are also revoked, except the cases, where there are other grounds, indicated in the Law on the Legal Status of Aliens, for their right to reside in the Republic of Lithuania.

The provisions of the freedom of movement are also applied in regards to nationals of European Free Trade Association States – Iceland, Lichtenstein, Norway, and Switzerland – and their family members.

Visa-free regime

As of January 1, 2007, the nationals of 61 foreign states can enter the Republic of Lithuania without a visa. Meanwhile, nationals of the Republic of Lithuania are granted such right when travelling to 72 foreign states. List of foreign states whose nationals can enter the Republic of Lithuania without visas as well as list of foreign states that do not require visas from the nationals of the Republic of Lithuania is available in “Visa” section of the Migration Department’s website (<http://www.migracija.lt>).

After September 15, 2006, when the decision of the Government of the Republic of Lithuania On Abolishing Visa Regime for Schoolchildren from Third Countries Legally Residing within the European Union” (State Gazette, 2006, Nr. 97-3768) entered into force, schoolchildren who are nationals of third countries and who reside within an European Union Member State, can enter the territory of the Republic of Lithuania and remain therein during a school trip (for up to 3 months per half a year) as well as cross the country by transit without a visa of the Republic of Lithuania, if a pupil submits a standard list and fulfils other conditions set forward in the decision of the Government of the Republic of Lithuania.

Visa, types of visa, and issue procedures

Aliens, who intend to visit the Republic of Lithuania, must obtain a visa of the Republic of Lithuania in advance abroad – at the diplomatic missions or consular posts of the Republic of Lithuania. An alien who does not have a visa is not allowed to enter the Republic of Lithuania and is returned to the country of de-

parture. This provision is not applied in regards to aliens, who enjoy visa-free entry to the Republic of Lithuania.

There are these types of visa:

- ✓ airport transit visa (A);
- ✓ transit visa (B);
- ✓ short-stay visa (C);
- ✓ long-stay visa (D).

Authorities issue single-entry, double-entry and multiple entry visas.

An alien, who wishes to obtain a visa, must submit to an institution issuing visas – the diplomatic mission or consular post, border control post, the Migration Department of the Republic of Lithuania, hereinafter – Visa Service) – the following documents:

- ✓ filled out standard application. Application to obtain a visa should be lodged not earlier than 3 months before the date of the first planned visit to the Republic of Lithuania;
- ✓ a valid travel document;
- ✓ a document providing evidence of sickness insurance coverage valid in the Republic of Lithuania, if not provided otherwise in international treaties, of the Republic of Lithuania, legislation of the European Union or the Republic of Lithuania;
- ✓ one, size 35 x 45 mm color photo, corresponding to the age of an alien;
- ✓ notarized or similarly validated authorization, when visa application is lodged in the name of an alien by an authorized representative;
- ✓ documents that confirm the payment of a consular fee or a fee waiver.

Airport transit visa (A) is intended for passing through the transit zone of international airport of the Republic of Lithuania; it may be single-entry or double-entry (one way or both ways).

An alien, who wants to obtain single-entry or double-entry airport transit visa (A), must additionally submit to the visa service visa or residence permit or other documents substantiating his/her right to travel to a foreign country of final destination, to which (s)he travels in transit via the international airport of the Republic of Lithuania. The visa service has the right to request an alien to submit documents substantiating alien's right to travel through other countries, whose territory (s)he must cross to reach the country of his/her destination. Aliens must obtain visas of this kind before arriving in the Republic of Lithuania. The list of states – whose nationals or persons, who are not nationals of these states but possess travel documents issued by competent authorities of said states – falling under the airport transit visa regime is approved by the Minister of the Interior together with the Minister of Foreign Affairs. The list is available in “Visa” section of the Migration Department's website (<http://www.migracija.lt>).

Transit visa (B) is intended for passing in transit through the territory of the Republic of Lithuania may be single-entry, dual-entry or multiple-entry. A multiple-entry transit visa entitles an alien to several transits through the territory of the Republic of Lithuania while visa is valid. An alien in possession of a transit visa can stay in the Republic of Lithuania each time for a period not exceeding 5 days. Visas of this kind are issued to aliens in diplomatic missions and consular posts of the Republic of Lithuania, in exceptional cases – at border control posts.

An alien, who wishes to obtain single-entry transit visa (B), must submit to the visa service the following documents:

- ✓ visa or residence permit or other documents substantiating his/her right to enter the country of destination, to which (s)he travels in transit through the territory of the Republic of Lithuania. The visa service has the right to request an alien to submit documents substantiating his/her right to travel through other states, whose territory (s)he must cross to reach the country of final destination;
- ✓ documents substantiating alien's right to return to the country, from where he arrived, or to the country, whose national or permanent resident (s)he is, or the right to travel to a third country;
- ✓ when needed, documents substantiating the purpose and the conditions of the planned visit, the available means of subsistence for the period of travel through the territory of the Republic of Lithuania to another country or a lawful source of acquiring such means.

To obtain double-entry and multiple-entry transit visas, an alien additionally submits to the visa service documents substantiating the need to obtain such visa.

Short-stay visa (C) entitles an alien to enter the Republic of Lithuania for an intended stay for a period whose total duration does not exceed three months in any six-month period calculated from the date of entry into the Republic of Lithuania. Short-stay visa may be single-entry and multiple-entry. Single-entry short-stay visa may be issued to an alien for a single visit while visa is valid. A multiple-entry short-stay visa may be issued to an alien for the period of one-year or, by way of exception, upon agreement of the issue with the Minister of Foreign Affairs of the Republic of Lithuania, for a period exceeding one year but for not longer than five years. A short-stay visa shall be issued when the alien enters the Republic of Lithuania for the purpose of tourism,

family or other personal visits, professional interests or any other short stay.

An alien, who wishes to obtain single-entry short-stay visa (C), must submit to the visa service the following documents:

- ✓ authorized invitation, except for the cases, when such invitation is not required or when an alien submits an alternative document corresponding to an invitation;
- ✓ documents substantiating alien's right to return to the country, from where he arrived, or to the country, whose national or permanent resident (s)he is, or the right to travel to a third country;
- ✓ when needed, other documents substantiating the purpose and the conditions of the planned visit, the available means of subsistence for the period of travel through the territory of the Republic of Lithuania to another country or a lawful source of acquiring such means.

Invitations for an alien to visit the Republic of Lithuania

An invitation for an alien to visit the Republic of Lithuania can be approved at the Migration Service by both a physical person and a legal entity. Invitation by a physical person is an invitation of a standard form, invitation by a legal entity is a written letter of invitation. Invitation can be submitted for approval by a national of the Republic of Lithuania, who has declared a place of residence in the Republic of Lithuania as well as by a foreign national in possession of a valid residence permit of the Republic of Lithuania and who has declared a place of residence in the Republic of Lithuania. Invitation by a legal entity is approved if it is submitted by a legal entity registered within the Registry of Legal Entities.

Invitation is not approved if the inviting party:

- ✓ cannot provide an adequate accommodation for an alien;

- ✓ physical person has not declared the place of residence in the Republic of Lithuania, or a legal entity is not registered in the Registry of Legal Entities;
- ✓ requests to approve an invitation for an alien, who is forbidden from entering the Republic of Lithuania;
- ✓ is acting as an intermediary for other persons wishing to invite aliens for a temporary stay in the Republic of Lithuania;
- ✓ produces misrepresented information.

An invitation is approved within 7 working days, and in the case of expedited consideration not later than 2 working days after the date of lodging an application and submitting the necessary supporting documents.

To obtain multiple-entry short-stay visa, an alien additionally submits to the Visa Service documents substantiating the need for obtaining this type of visa or documents substantiating the circumstance that qualify him/her to obtain multiple-entry short-term visa. If an alien submits an invitation of a legal entity to obtain a multiple-entry short-stay visa, (s)he is requested to provide additional documents substantiating his ties with a legal entity.

Long-stay visa (D) entitles an alien to enter the Republic of Lithuania for a stay exceeding 3 months. A long-stay visa may be single-entry or multiple-entry. A single-entry long-stay visa is issued to an alien who has been granted a permit of temporary or permanent residence in the Republic of Lithuania. A multiple-entry long-stay visa is issued to an alien who enters the Republic of Lithuania for an intended stay in the Republic of Lithuania for a long period. Aliens, who regularly enter the Republic of Lithuania to work or undertake other lawful activities but whose main place of residence is in a foreign country, are issued with multiple-entry long-stay visa.

An alien, who wishes to obtain a single-entry long-stay visa (D), additionally must submit to the Visa Service the notification of the Migration Department about the approved decision to issue a temporary residence permit or a permit of a long-term resident of the Republic of Lithuania to live within the European Community.

To obtain multiple-entry long-stay, an alien additionally submits to the visa service documents substantiating the need to obtain such type of visa or documents substantiating the conditions qualifying him to be issued with a multiple-entry long-stay visa.

If an alien is a professional, whose profession is in short supply of labor in the Republic of Lithuania and who has submitted the documents to obtain a temporary permit for residing in the Republic of Lithuania, (s)he can be issued with a multiple-entry long-stay visa (D) of the Republic of Lithuania for a period while his application for a residence permit of the Republic of Lithuania is being considered (up to 6 months from the date of lodging an application for temporary permit for residing in the Republic of Lithuania). The list of professions in short supply of labor in the Republic of Lithuania is produced according to the types of economic activity every six months. The decree of the Minister of Social Security and Labor, dated July 4, 2007, No. A1-187 (State Gazette, 2007, No. 76-3033) lays down such list for the second half of 2007, it is available in “Visa” section of the Migration Department’s website (<http://www.migracija.lt>). An alien in possession of this type of visa may enter the Republic of Lithuania and undertake employment on the basis of issued work permit of the Republic of Lithuania. In this case, to obtain multiple-entry long-stay (D) visa, an alien additionally submits to the visa service:

- ✓ an application of inviting company of the Republic of Lithuania to issue multiple-entry long-term (D) visa. The application is to be addressed to a diplomatic mission or a

consular post of the republic of Lithuania, where an alien will lodge his application for issuing a visa;

- ✓ a copy of a permit to work in the Republic of Lithuania issued by Lithuanian Labor Exchange under the Ministry of Social Security and Labor of the Republic of Lithuania.

Group visas (single-entry or double-entry airport transit visas, single-entry or double-entry transit visas or short-stay visas valid for up to 30 days) are issued to a group of 5 to 50 aliens, if a group has an appointed head, members of a group pursue the same goal, route of a visit as well as share the time and place of arrival, stay and departure. Groups of aliens may not be issued with multiple-entry visas.

To obtain a single-entry and double-entry airport transit (A), single-entry and double-entry transit (B) and single-entry short-stay (C) visa for a group of aliens, aliens must submit to the Visa Service:

- ✓ a group passport;
- ✓ documents of every member of the group needed to issue a visa. To obtain a short-stay visa, the group must submit invitation of a legal entity for a group of aliens to visit te Republic of Lithuania;
- ✓ a list of members of the group indicating who is appointed to be the head of the group.

Visas are issued in diplomatic missions and consular posts of the republic of Lithuania. The list of Visa Services abroad is available in “Visa” section the Migration Department’s website (<http://www.migracija.lt>). If there is no diplomatic mission or consular post of the Republic of Lithuania in the country whose residence permit an alien possesses or whose national (s)he is, (s)he should lodge an application with the closest diplomatic mission or consular post of the Republic of Lithuania or with the one, which is the easiest to reach.

To obtain multiple-entry long-term visa, it is necessary to apply only to the diplomatic mission or consular post of the Republic of Lithuania, which service a consular district where an alien resides (is a national of that state or has its residence permit, except for some cases: a state is not included within any consular district or there is a written permission from the Consular Department of the Ministry of Foreign Affairs.

In exceptional cases, at some international border control posts, an alien can be issued with a single-entry short-stay visa, valid for up to 15 days, and single-entry transit visa, valid for up to 5 days. These visas are issued by officials authorized by the State Border Guard Service under the Ministry of the Interior. The list of Visa Services abroad is available in “Visa” section of the Migration Department’s website (<http://www.migracija.lt>).

A group of seamen can be issued a single-entry group transit visa in accordance with the provisions of February 27, 2003 Regulation of the Council (EC), No. 415/2003 on the issue of visas at the border, including the issue of such visas to seamen in transit.

Visa may be issued at a border control post if an alien:

- ✓ could not lodge a visa application at the Visa Service abroad in advance due to objective reasons: for example, national holiday, there is no diplomatic mission or consular post of the Republic of Lithuania in a foreign country;
- ✓ submits documents substantiating clear and compelling reasons for entering the Republic of Lithuania: for example, submits a notification about the death of a close relative, when travelling to a funeral;
- ✓ fulfils conditions for entering the Republic of Lithuania set forward in the Law on the Legal Status of Aliens.

An alien requesting a visa to be issued at a border control post must additionally submit documents substantiating unforeseen and

compelling reasons to enter the Republic of Lithuania. A visa can be issued at a border control post, if the State Border Control Guard receives a written request from the Ministry of Foreign Affairs of the Republic of Lithuania: for example, an official delegation from a foreign state arrives on a short notice.

Group visas are issued only at diplomatic missions and consular posts of the Republic of Lithuania abroad.

A visa is issued to an alien holding a valid travel document if the period of validity thereof exceeds by 3 months the period of validity of the visa the issue whereof is applied for. Visa does not entitle an alien to study, attend school, intern, participate in in-service training, work or engage in other income-generating activities in the Republic of Lithuania, except the cases laid down by the Minister of the Interior and the Minister of Foreign Affairs, when these provisions can be waived: for example, an alien is a professional in a field, where there is shortage of labor in the Republic of Lithuania and has received a work permit from Lithuanian Labor Exchange under the Ministry of Social Security and Labor.

Grounds for refusing the issue of visa to an alien:

- ✓ the alien fails to produce, when requested, documents substantiating the purpose and the conditions of the entry and stay in the Republic of Lithuania, is not in a position to acquire such means, has no available resources for return to the alien's country of origin or for transit via the territory of the Republic of Lithuania to another state, the list of visits and stays in foreign states;
- ✓ when applying for a visa, the alien misrepresented his personal information;
- ✓ when applying for a visa, the alien presented documents with elements of counterfeiting;

- ✓ there are grounds to believe that the alien may engage in the Republic of Lithuania in unlawful activities which will make him liable under the laws of the Republic of Lithuania;
- ✓ he is on the list of aliens for whom an alert has been issued for the purpose of refusing entry into the Republic of Lithuania;
- ✓ the alien's stay in the Republic of Lithuania poses a threat to public security, public policy or public health;
- ✓ there are serious grounds to believe that he has committed a crime against humanity or a war crime or committed genocide within the meaning defined in the laws of the Republic of Lithuania, international treaties and other sources of international law;
- ✓ the submitted application does not fulfil set requirements and the alien refuses to correct the shortcomings of the application.

After alien's application is considered and decision is taken to refuse the issue a visa, the consular fee is not refunded.

For an alien whose visa expired, the period of stay in the Republic of Lithuania in possession of a visa may be extended for any of the following reasons which emerged after the issue of the visa:

- ✓ acute illness, any other health disorder or condition of organism precluding the alien's departure from the Republic of Lithuania;
- ✓ professional activities;
- ✓ personal reason which the alien could not have foreseen and could not avoid its emergence during his stay in the Republic of Lithuania being in possession of a visa;
- ✓ *force majeure*.

Extending a visa

To apply for the extension of the period of stay while being in possession of a visa, an alien must lodge an application to the Migration section of the Senior Police Precinct Public Police Board of Vilnius, Kaunas or Klaipėda city not later than one working day before the day of visa expiry. Alien's stay in the Republic of Lithuania in possession of visa whose validity was extended cannot exceed 3 months per half a year, counting from the first day of entry into the Republic of Lithuania. The period of stay in the Republic of Lithuania in possession of visa can be extended only once.

On the basis of July 14, 2006 European Parliament and Council Decision No. 895/2006/EC, introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories, transit visa (B), short-stay visa (C), long-stay visa (D) and all kinds of residence permits of the Republic of Lithuania are recognized as equivalent to national transit visas of Czech Republic, Cyprus, Latvia, Hungary, Malta, Poland, Slovenia, Slovakia, if a national of third country travels in transit via the territory of these states for no longer than 5 days. The mentioned visas are valid for a period of transit travel.

On the other hand, the Republic of Lithuania, similarly to the Republic of Estonia, at this time does not recognize visas and all kinds of residence permits issued by other European Union Member States as equivalent to transit visa of the Republic of Lithuania. For this reason, until the Republic of Lithuania will become a full-fledged party to the Schengen Agreement, nationals of third countries in possession of visas or residence permits, issued by

other European Union Member States, must possess visas of the Republic of Lithuania when entering the Republic of Lithuania.

Key legislation specifying the procedure of the issue of visas of the Republic of Lithuania are the following:

- January 19, 2004 Decree of the Minister of Foreign Affairs and the Minister of the Interior of the Republic of Lithuania No. 9/1V-16 On the Procedure of Recognizing Travel Documents Valid for Travel to the Republic of Lithuania and Approving the List of these Documents (State Gazette., 2004, No. 15-467);
- January 19, 2004 Decree of the Minister of the Interior, No. 9/1V-16 On Laying Down a Uniform Format for Visas of the European Union (State Gazette, 2004, No. 26-830);
- September 2, 2004 Decree of the Minister of Foreign Affairs of the Republic of Lithuania, No. 1V-280/V-109 On Approving the Rules of Submitting Documents to Obtain a Visa, the Issue of Visa, also the Issue of Visa at Border Control Posts, Extension of the Stay Period in the Republic of Lithuania, Revoking a Visa" (with later amendments).(State Gazette, 2004, No. 136-4961);
- September 2, 2004 Decree of the Minister of the Interior and the Minister of Foreign Affairs of the Republic of Lithuania, No. 1V-278/V-110 On Approval of the List of States whose Nationals or Persons, who are not Nationals of Said States, but are in Possession of Travel Documents issued by Competent Authorities of Said States, Falling under the Airport Transit Visa Regime (Žin., 2004, Nr. 136-4960);
- 14 September, 2004, Decree of the Minister of the Interior of the Republic of Lithuania, No. 1V-292 On Approval of the List of State Institutions and Agencies of the Republic of Lithuania Issuing Aliens with Visas (with later amendments) (State Gazette, 2004, No. 140-5130);
- 1 March, 2005 Decision No. 230 of the Republic of Lithuania On Description of the Procedure of Obtaining Sickness Insurance Coverage for Aliens (State Gazette, 2005, No. 31-993).

The provisions of these legal acts are available in "Legislation" section of the Migration Department's website (<http://www.migracija.lt>).

FACILITATED TRANSIT DOCUMENTS, THE TYPES OF DOCUMENTS, ISSUE PROCEDURES

Introduction of the Facilitated Transit Scheme for national of the Russian Federation is linked to the implementation of provisions of [November 11, 2002 Joint Statement by the European Union and the Russian Federation on Transit between the Kaliningrad Region and the Rest of the Russian Federation. In accordance with the Special Kaliningrad Transit Programme for 2003–2004 (before Accession to the European Union), approved by the decision of the Government of the Republic of Lithuania on 25 April, 2003, the Government of the Republic of Lithuania has decided starting from July 1, 2003, to introduce a Facilitated Travel Document and Facilitated Railway Transit Document for nationals of the Russian Federation travelling from the territory of the Russian Federation to Kaliningrad region of the Russian Federation and back in transit via the territory of the Republic of Lithuania.

A national of the Russian Federation, travelling from the territory of the Russian Federation to Kaliningrad region of the Russian Federation and back and crossing the territory of the Republic of Lithuania on the ground, may use two types of special and direct transit documents:

- ✓ Facilitated Transit Document (hereinafter – FTD) – a special permit facilitating a transit is issued to aliens to travel in transit multiple times on all types of ground transportation;
- ✓ Facilitated Railway Transit Document (hereinafter – FRTD) – a special permit facilitating transit is issued to travel by railway two times (forth and back).

FTD and FRTD are issued by the diplomatic missions and consular posts of the Republic of Lithuania in the Russian Federa-

tion. These documents are not issued on border control posts of the Republic of Lithuania. An application to issue FTD is lodged with the diplomatic missions and consular posts in the Russian Federation. An application to issue FTD is considered and decision to issue FTD is taken within 7 days from the day of lodging documents with the diplomatic mission or consular posts in the Russian Federation. An application to issue FRTD may also be submitted to the diplomatic mission or consular post of the Republic of Lithuania in the Russian Federation through electronic means of communication through other institutions, when an alien wishing to make use of facilitated transit scheme wants to purchase a travel ticket. The application may be submitted by a ticket office employee of the Railway Transport of the Russian Federation. The application should include the main data about the applicant. Upon receiving the main data about the traveler via electronic means of communication, the diplomatic mission or consular post of the Republic of Lithuania takes decision on the issue of FRTD not later than within 24 hours. Nationals of the Russian Federation travelling by railways receive FRTD from consular officials of the Republic of Lithuania on the train. Under the exceptional circumstances, these officials can also issue FRTD on the train. The diplomatic mission or consular post of the Republic of Lithuania in the Russian Federation may refuse to issue FTD or FRTD or an official of the Republic of Lithuania can cancel already issued FTD or FTRD, if an applicant submits a travel document that is not valid within the Republic of Lithuania, is on the list of aliens for whom an alert has been issued for the purpose of refusing entry into the Republic of Lithuania, if an applicant shows disrespect to the Republic of Lithuania by his/her words or actions, and due to other reasons.

Documents for verifying identity and citizenship of nationals of the Russian Federation, valid for travel with FTD and FTRD:

- ✓ a diplomatic passport;
- ✓ an official passport;
- ✓ passport of the Russian Federation (only foreign passports);
- ✓ seaman's passport (provided there is a record in the list of vessel crew or appropriately authorized notification from such list);
- ✓ certificate of return (to return to the Russian Federation once).

FTD is valid for a period of no longer than 3 years. FTD enables multiple-entry transit across the territory of the Republic of Lithuania, but each time it cannot exceed 24 hours limit. FTRD is valid for a period no longer than 3 months. FTRD enables to cross the territory of the Republic of Lithuania in transit twice (forth and back) and each time the travel should not exceed 6 hours.

The main legislation detailing the introduction and issue of facilitated travel documents are:

June 20, 2003, Agreement of the Government of the Republic of Lithuania and the Government of the Russian Federation On the Procedure of Issuing Facilitated Railway Transit Documents (State Gazette, 2003, No.61-2774);

June 23, 2003, Decision of the Government of the Republic of Lithuania No. 796 On the Approval of Introduction and Issue Procedure of Facilitated Transit Documents and Facilitated Railway Travel Documents (State Gazette, 2003, No.60-2728);

December 20, 2002, Decree of the Minister of the Interior and the Minister of Foreign Affairs of the Republic of Lithuania No. 589/172 On Approval of Temporary Procedure of Introducing Control of Nationals of the Russian Federation Travelling by Transit Railways in Transit through the Territory of the Republic of Lithuania (State Gazette, 2002, No. 124-5670);

January 26, 2004 Decree of the Minister of Foreign Affairs of the Republic of Lithuania No. 11 On Approval of Rules of Issuing Facilitated Railways Transit Documents (State Gazette, 2004, No.15-468).

RESIDENCE PERMITS IN THE REPUBLIC OF LITHUANIA, TYPES AND ISSUE OF RESIDENCE PERMITS

Aliens are issued with the following residence permits in the Republic of Lithuania:

- ✓ a temporary residence permit;
- ✓ a permanent residence permit (beginning with December 16, 2006, a European Communities residence permit for long-term resident of the Republic of Lithuania).

A temporary residence permit of the Republic of Lithuania (hereinafter temporary residence permit) is a document granting an alien the right to reside in the Republic of Lithuania for an indicated period of time. A permanent residence permit is a document granting an alien the right to reside within the Republic of Lithuania and recognizing alien's status as a permanent resident. An alien has the right to choose and change the place of residence in the Republic of Lithuania, exit from the Republic of Lithuania and return to the country while residence permit of the Republic of Lithuania is valid. An alien is obliged to notify his/her borough about the change of place of residence and remember that the Law on Declaration of the Place of Residence requires persons, who leave the Republic of Lithuania for a period of longer than 6 months, must declare their departure. Aliens declare their place of residence with the borough council servicing the part of municipality, where the alien lives. If municipality has not established boroughs or a territory is not administered by a borough council, the declaration should be submitted to the other municipality unit, entrusted with the function of a declaration institution.

An alien in possession of a residence permit, for whom a child is born during the period of his /her residence in the Republic of Lithuania, must within 3 months from the date of the birth of the

child, apply to the Migration Service for the issue of a residence permit to a child. A child born during the period of the alien's residence in the Republic of Lithuania is issued a residence permit of the type held by both or one of its parents. The permit shall be valid for the period of validity of one of the child's parents.

A temporary residence permit of the Republic of Lithuania is issued to an alien who is not a national of an European Union Member State. As a rule, it is issued for a period of one year, but it can also be issued for a shorter period of time. A temporary residence permit is issued for 5 years to persons of Lithuanian descent and aliens who have retained the right to citizenship of the Republic of Lithuania.

The Law on the Legal Status of Aliens that regulates the legal status of aliens, lays down the grounds for the issue of temporary residence permits for aliens. A temporary residence permit may be issued to an alien if:

- ✓ the alien has retained the right to citizenship of the Republic of Lithuania;
- ✓ is a person of Lithuanian descent;
- ✓ in case of family reunification; for example, alien's parents, who are citizens of the Republic of Lithuania, reside in Lithuania, or his/her child, who is a citizen of the Republic of Lithuania, or a spouse, who is a citizen of the Republic of Lithuania, or an alien, who has a residence permit of the Republic of Lithuania;
- ✓ the alien intends to take up employment in the Republic of Lithuania; in this case it is necessary to possess a work permit, unless an alien enjoys a waiver from the duty to obtain a work permit, laid down in the legislation;
- ✓ the alien intends to engage in lawful activities in the Republic of Lithuania; for example, an alien establishes a

company in the Republic of Lithuania and registers it in the Registry of Legal Entities ; an alien is appointed as a head or an authorized representative of a company registered in the Republic of Lithuania; an alien arrives to undertake preacher's work in a religious community registered in the Republic of Lithuania;

- ✓ the alien intends to get education, to study at an educational establishment, to participate in an internship programme, to undergo an in-service training, to take part in vocational training; an alien submits documents from an educational establishment certifying his/her enrolment for study or his/her study; an alien submits a confirmation from an institution that (s)he was admitted for in-service training;
- ✓ the alien has been put under guardianship/curatorship or he has been appointed guardian/curator; alien may be put under guardianship (curatorship) of a person who is the national of the Republic of Lithuania or an alien has been appointed guardian (curator) of a person who is the national of the Republic of Lithuania;

A temporary residence permit may be also issued to an alien if (s)he has been granted temporary or subsidiary protection, the alien is unable to leave because of the dangerous physical condition and he is in need of immediate medical aid. Also, if an alien cannot be expelled from the Republic of Lithuania, (s)he is or was a victim of human trafficking, cooperates with the pretrial investigation agency or court in fighting human trafficking or crimes related to human trafficking.

An alien must lodge an application to issue the first temporary residence permit and other documents to a diplomatic mission or consular post of the Republic of Lithuania abroad. If an alien lawfully resides within the territory of the Republic of Lithuania, the

application should be lodged with the Migration Service within whose service territory an alien plans to reside. However, lodging such application does not grant an alien the right to reside within the Republic of Lithuania until his/her application to issue residence permit will be considered and the decision taken. An alien must submit an application to replace a temporary residence permit (to issue a new one) to the Migration Service.

The decision to issue an alien a temporary residence permit is taken by the Migration Department. Once the Migration Department takes the decision to issue a temporary residence permit, an alien receives the notification of the decision and must approach a local Migration Service branch to register the permit. This decision does not grant an alien the right to be within the Republic of Lithuania without a visa or exceed the period of visa-free stay. When submitting documents to register a temporary residence permit, alien's stay in the Republic of Lithuania must be lawful. Alien's application to issue the first temporary residence permit must be considered not later than within 6 months from the day of lodging the application with a corresponding institution, and in case of aliens, who possess residence permit of long-term resident issued by an European Union Member State, within 4 months from the day of lodging the application with the corresponding institution. An alien's application to change (i.e. issue a new) temporary residence permit is considered not longer than within 2 months from the day of lodging the application. An alien should lodge such application not later than two months before the expiry date of the current temporary residence permit, but not earlier than 4 months before the expiry date of the current temporary residence permit. The decision to issue (replace) alien's temporary residence permit of the Republic of Lithuania is annulled if an

alien does not exercise the permit within 3 months from the date the decision was taken.

An alien who wishes to be issued or replace a temporary residence permit must submit:

- ✓ standard application form;
- ✓ a valid travel document;
- ✓ documents substantiating alien's right to be issued a temporary residence permit.

If an alien wishes to obtain a temporary permit on the grounds of family reunion, in addition to documents certifying these circumstances, the applicant must submit a standard invitation for an alien to visit the Republic of Lithuania written by the family member, with whom the applicant plans to stay. This invitation is filled out at a local branch of the Migration Service of the inviting person;

- ✓ documents substantiating that an alien will have enough of funds for subsistence within the Republic of Lithuania; the size of monthly funds needed to cover the subsistence of an alien in the Republic of Lithuania is laid down by the Minister of Social Security and Labor ;
- ✓ document substantiating that the alien is in possession of living premises in the Republic of Lithuania or leases living premises or uses them on beneficial grounds, if the contract is concluded for a period not shorter than the duration of a temporary residence permit and is registered in the way prescribed by the legal acts, or submit a guarantee signed by a physical or a legal persons to present an alien with living premises for a period of duration of residence permit;
- ✓ a document providing evidence of sickness insurance coverage valid during the stay in the Republic of Lithuania;

- ✓ Documents certifying the payment of state fees or a fee waiver.

An alien may be refused the issue or replacement of a temporary residence permit or a decision taken to revoke this permit, if authorities identify reasons indicated in the Law on the Legal Status of Aliens.

A permanent residence permit can be issued to an alien, if he fulfils one of the these grounds:

- ✓ the alien has retained the right to citizenship of the Republic of Lithuania according to the procedure established by the Republic of Lithuania Law on Citizenship;
- ✓ the alien is a person of Lithuanian descent;
- ✓ the alien has entered into the Republic of Lithuania for residence accompanying a citizen of the Republic of Lithuania as the family member;
- ✓ the alien has lost citizenship of the Republic of Lithuania but is living in the Republic of Lithuania;
- ✓ the alien is a child under the age of 18 years, was born in the Republic of Lithuania and his parents or one of them holds a permanent residence permit;
- ✓ the alien has been granted refugee status in the Republic of Lithuania;
- ✓ the alien has been living in the Republic of Lithuania for a continuous period of the last 5 years holding a temporary residence permit; an alien must pass the exams of state language and foundations of the Constitution of the Republic of Lithuania;
- ✓ submits the court decision validating the legal fact of his/her residence in the Republic of Lithuania before July 1, 1993 and an alien currently resides in the Republic of Lithuania.

A permanent residence permit can be replaced at the alien's request if:

- ✓ the alien has changed his/her personal data; for example, her surname;
- ✓ the permanent residence permit has become unsuitable for use;
- ✓ the validity of the permanent residence permit has expired;
- ✓ there are inaccurate entries in the permanent residence permit;
- ✓ the permanent residence permit is lost.

An alien may be issued with a permanent residence permit if the following conditions are fulfilled:

- ✓ an alien has a valid travel document ;
- ✓ an alien has a valid visa of the Republic of Lithuania, unless provided otherwise by international treaties of the Republic of Lithuania, legislation of the European Union or decisions of the Government of the Republic of Lithuania, or (s)he has a valid temporary residence permit of the Republic of Lithuania;
- ✓ an alien is not on the list of aliens for whom an alert has been issued for the purpose of refusing entry into the Republic of Lithuania;
- ✓ the stay of an alien in the Republic of Lithuania does not pose a threat to the national security, public order or health or persons;
- ✓ an alien is in possession of a document providing evidence of a valid sickness insurance coverage, when (s)he is not insured by compulsory health insurance in cases set forward by the legislation of the Republic of Lithuania, or, in cases laid down by the Government of the Republic of Lithuania. According to the official procedure, has an au-

thorized letter of guarantee to cover the cost of health services rendered for him/her during the stay in the Republic of Lithuania, issued by a national or an alien residing in the Republic of Lithuania;

- ✓ an alien has enough of funds and (or) receives regular income, which is adequate to cover the subsistence costs in the Republic of Lithuania.

The above-mentioned conditions are not applied in regards of aliens replacing their permanent residence permit. To replace a permanent residence permit, an alien should approach the Migration Service at his/her place of residence.

To obtain a permanent residence permit, an alien must submit to the migration service, which services his place of residence, the following documents:

- ✓ a written application;
- ✓ a valid travel document;
- ✓ documents providing evidence of a valid sickness insurance coverage ;
- ✓ documents substantiating his/her right to obtain a permanent residence permit;
- ✓ documents proving that (s)he has enough of funds and (or) receives a regular income that adequately covers the subsistence costs in the Republic of Lithuania.

Alien's application for a permanent residence permit must be considered not later than within 6 months from the date of lodging the application with the migration service, within whose service district an alien has declared his place of residence or intends to declare a place of residence. Alien's permanent residence permit is replaced not later than within 1 month from the date of lodging an application with the Migration Service, within whose service district an alien has declared his place of residence or intends to de-

clare his/her place of residence. The decision to issue an alien with a permanent residence permit is valid for 6 months since the date when the decision was taken. During this period, an alien may apply to register a permanent residence permit. In the case of sickness, or if there are other serious grounds independent of alien's control, the validity of the decision to issue a permanent residence permit can be extended, but for a period not longer than 3 months, provided that the alien informs the Migration Department about the existence of such grounds in a written form. An alien is issued with a permanent residence permit for a period of 5 years. Upon the expiry of this period, the document is replaced.

Alien's permanent residence permit may be revoked if:

- ✓ the permit has been obtained by fraud;
- ✓ the alien's residence in the Republic of Lithuania may constitute a threat to national security or public order;
- ✓ an alien resides outside of an European Union Member State for a period longer than 12 continuous months.

If alien's permanent residence permit is revoked, permanent residence permits of his/her family members are also revoked, except the cases where they have the right to reside within the Republic of Lithuania on other grounds set forward in the Law on the Legal Status of Aliens.

An alien in possession of a residence permit must inform the Migration Service not later than within 7 days about the change of personal identification or citizenship documents, marital status, the place of residence.

The key legislation detailing the procedure of issuing residence permits of the Republic of Lithuania to aliens are the following:

October 12, 2005, Decree of the Minister of the Interior of the Republic of Lithuania No. 1V-329 On Approval of Rules for the Issue of Temporary Residence Permits of the Republic of Lithuania to Aliens and Assessing the Marriage of Convenience (State Gazette, 2005, No. 126-4509, with later amendments);

December 21, 2005, Decree of the Minister of interior of the Republic of Lithuania No. 1V-445 On Approval of Rules for the Issue of Permanent Residence Permits of the Republic of Lithuania for Aliens and Assessing the Marriage of Convenience (State Gazette., 2006, No.5-157);

August 25, 2004, Decree of the Minister of Social Security and Labor No. A1-203 On Laying Down the Amount of Funds Considered to be Adequate to Cover Subsistence Costs of an Alien Applying for A Residence Permit of the Republic of Lithuania (State Gazette, 2004, No. 133-4817).

The provisions of these legal acts are available in "Legislation" section of the Migration Department's website (<http://www.migracija.lt>).

RIGHTS AND DUTIES OF ALIENS

In the Republic of Lithuania, aliens enjoy the rights and freedoms provided by the Constitution of the Republic of Lithuania, international agreements, laws of the Republic of Lithuania and legal acts of the European Union. In the Republic of Lithuania, they are equal before the law without distinction as to sex, race, nationality, language, religion, origin, social status, religion, convictions or views. Aliens in the Republic of Lithuania must observe the Constitution of the Republic of Lithuania, laws and other legal acts of the Republic of Lithuania. At the request of police or other law enforcement institution officers, aliens must produce documents confirming their identity (travel document, residence permit or any other document) as well as other documents specifying the purpose and conditions of their presence in the state and attesting to the lawfulness of the alien's stay in the Republic of Lithuania.

ADVICE TO ALIENS ENTERING THE REPUBLIC OF LITHUANIA

1. To study carefully the list of states, which do not require visas for travelling aliens, if visas are needed to enter the Republic of Lithuania, to obtain visas at diplomatic missions or consular posts of the Republic of Lithuania.

2. Observe the fact that all aliens entering the Republic of Lithuania, regardless of their age, must be in possession of a valid travel document.

3. Make sure that they are in possession of all necessary documents valid for foreign travel (passport or other personal identification documents valid for travel), travel tickets, insurance policies, and so on. To make sure that the validity of a travel document, visa of the Republic of Lithuania, and other documents has not expired.

4. To take out sickness and life insurance coverage for the period of travel.

5. For the period of stay in the Republic of Lithuania, always be in a possession of personal identification documents and travel tickets.

6. Respect and observe the laws of the Republic of Lithuania.

USEFUL ADDRESSES:

The Migration Department under the Ministry of the Interior of the Republic of Lithuania:

Šventaragio str. 2, Vilnius,
phone. (8 5) 2717112 (inquiries and information), fax (8 5) 2718210,
e-mail: mdinfo@vrm.lt; website: www.migracija.lt

Vilnius city Senior Police Precinct Public Police Board Migration Section:

Verkių str. 3, Vilnius,
phone. (8 5) 2717746, fax (8 5) 2717750,
e-mail: vilnius.vpk.mt@vrm.lt

**Kaunas city Senior Police Precinct Public Police Board Migration
Section:**

Chemijos str. 4b, Kaunas,
phone. (8 37) 303247, 303246, fax (8 37) 303254,
e-mail: regina.eimantiene@policija.lt

**Klaipėda city Senior Police Precinct Public Police Board Migration
Section:**

Taikos ave. 63, Klaipėda,
phone. (8 46) 354630, fax (8 46) 354627,
e-mail: diana.zlibiniene@vrm.lt

**Šiauliai city Senior Police Precinct Public Police Board Migration
Section:**

Aušros alley 19, Šiauliai,
phone. (8 41) 397494, 397452, 397465, fax (8 41) 397537,
e-mail: siauliu BPK.migracija@policija.lt

**Panevėžio m. Senior Police Precinct Public Police Board Migration
Section:**

K. Binkis str. 14, Panevėžys,
phone. (8 45) 503027, 503134, fax (8 45) 52305,
e-mail panevezys.vpk.pp@vrm.lt