



**European Migration Network (EMN)  
National contact point (NCP)  
Republic of Lithuania**

**CIRCULAR AND TEMPORARY  
MIGRATION**

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# **1. Introduction: purpose and methodology**

With expanding globalization, economic integration among countries is increasing; the means of transport allowing to reduce distances between various countries around the world are being used more intensively; thanks to advanced information technologies, more opportunities are arising for cross-border communication; societies are becoming more open. This also determines the transformation of international migration patterns. With the increasing mobility, migrants also tend to stay in another country for shorter periods due to various reasons, maintain their usual place of residence in their country of origin and periods of their stay in foreign countries are becoming shorter, with more returns to the country of origin. Due to that, the nature of temporary international migration is changing, and a new migration pattern, namely, circular migration, is being formed.

## **1.1. Purpose**

In a broad sense, this study is a response to a call for analysis of the phenomenon and potential of circular migration in the Member States, expressed in the Stockholm Programme *An open and secure Europe serving and protecting the citizens*. In a narrower sense, the study aims at presenting the concepts of temporary and circular migration, the effective legal regulation in Lithuania, an assessment of these forms of migrations as well as main statistical data. The period analyzed covers the years of 2004-2009. The structure of the study is in compliance with the specifications developed by the European Migration Network (EMN), at the same time taking into consideration the Lithuanian context. It is also important to note that circular migration is a relatively underresearched phenomenon in Lithuania, and therefore, this study will also aim at drawing attention of politicians to the phenomenon of circular migration as a useful form of legal migration based on further cooperation with third countries and initiate discussions on the issue.

## **1.2. Methodology**

Two main data collection methods have been used in preparing this study – the analysis of laws and other legal acts and interviews with officials of the Ministry of the Interior and the Migration

Department in charge of implementing and shaping the migration policy, as well as officials of the Lithuanian Labour Exchange in charge of issuing work permits to third-country nationals.

Statistical information, which could help reveal the phenomenon of circular migration, is not accumulated in Lithuania, therefore, only general statistical data will be presented in this study.

### **1.3. Definition**

#### **1.3.1. Definitions used in the EU**

The EMN *Asylum and Migration Glossary* distinguishes temporary, permanent and circular migration.

Temporary migration is defined as migration for a specific motivation or purpose (work, study, family reunification, etc.), followed by a return to the country of origin or onward movement to another country.

Permanent migration is migration with a view to permanently staying in the country of destination. The time parameter is what distinguishes permanent migration from temporary migration.

Circular migration, in a general sense, can be perceived as a migration cycle consisting of the departure of a migrant from his country of origin, his stay for a certain period of time in another country, the return to his country of origin and a repeated departure to a foreign country. A migrant does not aim at residing abroad for a longer period of time, he is going to another country with a specific purpose (work, engagement in business activity, studies, etc.) and upon attaining his purpose, he returns home, with a possibility of repeated departure to the country of destination.

The EMN Glossary identifies two main forms<sup>1</sup> of circular migration:

- Migration of third-country nationals legally resident in EU Member States. This form of migration gives a third-country national an opportunity to engage in an activity in his country of origin while retaining the EU resident status. This form of circular migration could involve business persons working in the EU Member State and wishing to start an activity in their country of origin or in another third country; professors or doctors supporting their country of origin by conducting part of their professional activity in a non-EU Member State. It is for them that conditions are created to retain the EU resident status by conducting part of their professional activity in another non-EU country.

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<sup>1</sup> COM (2007) 248 final.

- Circular migration of third-country nationals residing in non-EU Member States. Circular migration could provide for such persons an opportunity to come to the EU temporarily for work, studies or engagement in any other lawful activity on condition that, at the end of the period of their lawful stay in the EU Member State, they return to their country of origin. Circularity could be ensured, for example, by granting them certain privileges or exemptions to return to the EU Member States where they were formerly residing. This form of migration would involve third-country nationals arriving in the EU for temporary work, studies or to acquire certain professional experience, wishing to carry out a research project in the EU Member State or arriving to carry out voluntary service, etc.

Circular migration, as a process, can be both spontaneous and managed. Spontaneous circular migration may occur when mobility opportunities are granted to migrants under legal acts. On the other hand, managed circular migration may happen through specific projects or programmes implemented by the state. For instance, the European Union aims at encouraging circular migration of third-country nationals between EU Member States and third countries, by developing projects to that end.

There is no established universal definition of circular migration in either international law, including the law of the European Union, or the law of the Republic of Lithuania. Its concept is presented only in the Commission Communication of 2007 *on circular migration and mobility partnerships between the European Union and third countries*. The Communication offers a definition of circular migration as ‘a form of migration that is managed in a way allowing some degree of legal mobility back and forth between two countries’. Such a definition is quite wide in scope. It can include migrants who travel between countries under a visa-free regime or in possession of visas. However, the definition does not reveal the essence (purpose) of circular migration and degree (frequency) of circularity.

As it can be seen, circular migration aims at providing more opportunities to third-country nationals to move between EU Member States and third countries. The difference between temporary and circular migration lies in the fact that circular migration promotes cyclic movement of persons back and forth between the EU and third countries (arriving – departing – arriving – departing...), whereas temporary migration is of a single cycle: arriving – departing. It is necessary

to note that mobility or regular movement back and forth is not considered to be circular migration unless a person's place of residence changes (e.g., movement across borders).

### 1.3.2. Definitions used in Lithuania

The concept of 'circular migration' is mentioned in the Lithuanian Immigration Policy Guidelines but is not defined. There is no legal basis in Lithuania to promote circular migration of aliens, i.e. facilitating multiple entry of aliens to Lithuania. The term 'circular migration' itself was coined by Lithuanian translators who had to translate the English term in the course of translating EU documents.

Under the Lithuanian law<sup>2</sup>, migration can be divided into temporary and permanent, where temporary migration involves migration for a limited period of time with a certain purpose, whereas permanent migration – migration for good, with a purpose of permanent residence. The majority of schemes which apply to stay of aliens in Lithuania are related to the concept of temporary migration. Specifically, they focus on an alien entering Lithuania to stay or reside in the country for a period of time usually defined in advance, and afterwards, in the absence of possibilities to extend the stay or acquire long-term resident status, departing from Lithuania.

Temporary migration in Lithuania may occur in two forms – entry *to stay in Lithuania for a short period of time* or *temporary residence in Lithuania*. Essentially, *stay* is distinguished from *residence* in Lithuania by the kind of document held by aliens. If aliens are in possession of a Schengen visa or a multiple-entry national visa or when the alien is exempt of the visa requirement, they 'stay' in Lithuania. Generally, such a stay lasts for no longer than three months within half a year,<sup>3</sup> however, aliens who have been granted multiple-entry national visas can stay in Lithuania for a period of up to 12 months. These third-country nationals who only 'stay' in Lithuania are not considered to be residents of Lithuania and are not included in the accounting<sup>4</sup> of residents. Neither are such persons considered to be immigrants under the European Union law<sup>5</sup>, as the period of their stay does not exceed

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<sup>2</sup> The main law regulating the legal status of aliens in Lithuania is the Law on the Legal Status of Aliens (Official Gazette *Valstybės žinios*, No 73-2539, 2004).

<sup>3</sup> This is the maximum permitted period of validity of a Schengen visa or a visa-free stay in the Schengen area, where permitted.

<sup>4</sup> Pursuant to the Law on Declaration of the Place of Residence (Official Gazette, No 66-1910, 1998), the place of residence in Lithuania must be declared only by those aliens who are in possession of a residence permit in Lithuania and who reside in Lithuania for a period exceeding six months.

<sup>5</sup> Pursuant to Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection „immigration" means the action by which a person establishes his or her

12 months. An alien in possession of a national visa is entitled to move between Lithuania and another third country during the period of its validity. Temporary residence permits in Lithuania are issued to aliens wishing to reside in Lithuania for a period exceeding three months. Residence permits are issued for the period of an alien's activity in Lithuania, but usually for a period not exceeding one year, with a possibility of extension. Aliens in possession of temporary residence permits are already included in the accounting of residents of Lithuania, and therefore, can be referred to as the 'true' temporary migrants.

Temporary migration can be divided into:

- Migration within the EU. The free movement provisions<sup>6</sup> apply to persons within the EU, and they are not analysed in this study.
- Migration across the EU external border between Lithuania and third countries. This type of migration includes migration of citizens of the EU Member States (including Lithuania) and their family members who are third-country nationals<sup>7</sup>, as well as migration of third-country nationals<sup>8</sup>.

It has to be noted that in the context of the EU migration policy, the most attention is dedicated to circular migration of third-country nationals.

The concept of "*circular migration*" is mentioned in the Lithuanian Immigration Policy Guidelines approved by Resolution No 1317 of the Government of the Republic of Lithuania of 3 December 2008.<sup>9</sup> The Lithuanian Immigration Policy Guidelines specify that 'it is necessary to take advantage of the opportunities offered by circular migration with a view to ensuring that third-country nationals wishing to work in the Republic of Lithuania return to their country of origin. It is expedient to stipulate that third-country nationals involved in circular migration have no possibilities to remain residing in the Republic of Lithuania in case of a change in the situation in the labour market of the Republic of Lithuania.

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usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.

<sup>6</sup> Pursuant to the Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member-States and Council Regulation (EEC) No.1612/68 on the freedom of movement of workers within the Community.

<sup>7</sup> The same provisions of free movement of persons apply in respect of them when travelling to the country of origin, whereas when travelling to a third country – the national immigration rules of the respective country.

<sup>8</sup> National immigration rules of the Member States apply in respect of their travelling to the EU Member States. Where migrants are legally resident in the EU Member State and return to their country of origin, they should be allowed to enter that country without any formalities.

<sup>9</sup> Official Gazette, No 143-5706, 2008.

The definition of ‘circular migration’ used in the Lithuanian Immigration Policy Guidelines is interpreted rather as a single cycle of migration: temporary arrival of foreign workers to the Republic of Lithuania and return to their country of origin. Such a perception of circular migration is closer to the concept of ‘return migration’ which encompasses on migration cycle, arrival, stay and departure .

It would be important to establish the definition of circular migration where a country sought to manage the type of this migration. Having regard to the Lithuanian context, the definition of circular migration suggested by the European Commission could be further extended, supplemented with additional characteristics and defined as ‘a type of migration managed in a way to allow a certain level of legal mobility back and forth between two countries, where the purpose of travelling to another country does not involve residence there and the period of stay in that country does not exceed the time limits based on which the right of temporary or permanent residence is acquired, whereas the right to return for residence is retained in the country of departure.’

Circular migration differs from temporary migration in that in the case of circular migration a person constantly moves between two countries – the country of origin and the country of destination (e.g., for several consecutive years after the beginning of the season, a person goes to work in the fields, and after the end of the season, he returns back home). In the case of temporary migration, an alien does not re-enter the foreign country or does not plan to re-enter.

Circular migration can be distinguished from other forms of migration, temporary and permanent, also based on the purpose of travelling to another country. If a migrant moves from his country to another country seeking to reside there (for instance, for family reunification), or for any other purpose subsequently developing into residence (for instance, a migrant goes to study to another country under a student exchange programme, he then starts a family there and seeks to reside for that purpose), such a pattern of migration can be attributed to temporary migration. Temporary migration can develop into permanent migration when a migrant resides in a country other than his country of origin for a certain period of time and complies with other requirements which entitle him/her to permanently reside and subsequently to acquire the citizenship of that country. If a migrant moves to reside in another country due to his ethnic origin (e.g., a Lithuanian has the right to return to his ethnic country – Lithuania and reside in it), such a pattern of migration can also be attributed to permanent non-return migration.

The degree of integration of migrants into society may also be an important characteristic, pointing to the difference between circular and temporary or permanent migration. The integration of

an alien involved in circular migration into the life of the receiving country would be the least, whereas that of a permanent migrant – the most.

Migration forms can be distinguished also based on the legal status which they allow to attain. In circular migration, an alien remains a temporary migrant and does not acquire the right to a permanent resident status<sup>10</sup>. In the case of temporary migration, an alien who has resided in a foreign country for a respective period of time may become a permanent resident of that country. Permanent migration occurs when an alien gets an opportunity to become a citizen of the country in which he resides. Such migration is characterized by a higher degree of integration into local society and more evident weakening links with the country of origin.

When there is no purpose to manage circular migration in a country, it can easily transform into other forms of migration – temporary or permanent migration.

## **2. Approach to circular and temporary migration**

### ***2.1. National immigration policy***

Lithuania's approach to circular migration is presented in a single strategic migration policy document – the aforementioned Lithuanian Immigration Policy Guidelines. They emphasize that 'it is necessary to take advantage of the opportunities offered by circular migration with a view to ensuring that third-country nationals wishing to work in the Republic of Lithuania return to their country of origin. It is expedient to stipulate that third-country nationals involved in circular migration have no possibilities to remain residing in the Republic of Lithuania in case of a change in the situation in the labour market of the Republic of Lithuania.' The majority of other provisions of the Guidelines are intended for temporary migration, reflecting the effective legal framework and situation in the Lithuanian labour market, political and social life.

Thus, the Lithuanian migration policy concentrates on temporary migration,<sup>11</sup> whereas circular migration remains in the realm of theoretical discussion. However, conditions encouraging circular migration will have to be created in the course of implementation of new EU initiatives.<sup>12</sup>

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<sup>10</sup> In Lithuania, permanent resident status is usually granted to aliens residing in Lithuania for an uninterrupted period of five years.

<sup>11</sup> More information on the Lithuanian migration policy, its advantages and shortcomings, is provided in the study *Satisfying labour demand through migration (Immigration of foreign workers to Lithuania: the present and a look into the future)*

To summarise, it can be stated that in Lithuania immigration of aliens is viewed as an instrument, intended to serve the labour market needs, attract foreign investment and qualified professionals. The Government seeks to accommodate national labour market needs and provides possibilities to employ third country nationals if needed worker cannot be found in Lithuania and EU MS. However, attraction of foreign workers is left to employers. The main concern of the State is to ensure that the rules of legal entry, stay and residence are not violated. Temporary residence of aliens in Lithuania should terminate in either their departure upon completing the tasks assigned to them, or their deeper integration and change of status – from a temporary to permanent resident of Lithuania. Such an approach to migration has not changed in recent years, with only a gradual facilitation of immigration procedures taking into account the local market needs.

It has to be stressed that the Lithuanian Immigration Policy Guidelines were approved after the outbreak of the economic crisis in Lithuania. Essentially, the Guidelines have proved out in real life – aliens who have worked in Lithuania have returned to their country of origin, whereas the number of newly arrived aliens has decreased dramatically. Moreover, it is necessary to draw attention to the fact that in the face of the changing economic situation in Lithuania, no increase in the number of illegal migrants in the country has been registered. Therefore, a conclusion should be made that, with proper management of migratory flows and co-operation with third countries, negative effects of migration can be avoided.

In prospect, Lithuania should re-assess the benefits offered by circular migration, especially when forecasting the directions of economic development. The benefits of circular migration for Lithuania would increase significantly if the following principles were observed:

1. The policy in the area of circular migration has to be selective and fast-responding to changes in the tendencies of the country's economic development. Only those third-country nationals should be attracted to Lithuania whose contribution would really benefit the country;
2. Legal prerequisites for circular migration should be created, namely providing for relatively simple and clear rules, the shortest possible procedures and small administrative burden on

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(Vilnius, 2010) by the European Migration Network Lithuanian National Contact Point, the International Organization for Migration Vilnius Office and Lithuanian Social Research Centre.

<sup>12</sup> Council Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, which establishes a possibility of 'reverse' circular migration; also the latest proposal of the European Commission on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment (COM (2010) 379 final), following which countries should establish a facilitated re-entry procedure for seasonal workers.

state institutions. Circular migration could function as a certain ‘test’. Aliens who have repeatedly resided in Lithuania for work, study, business or other purposes and have familiarized themselves with the culture and language of the country could be subject to facilitated conditions to extend or renew their residence in Lithuania;

3. The pattern of circular migration could be applied in respect of a certain group of aliens, for instance students or representatives of occupations which are in constant shortage in Lithuania. Re-entry to Lithuania of such third-country nationals could be facilitated;
4. State institutions should aim at better co-operation or co-ordination of interests with employers, business representatives, educational establishments as well as other organizations, ensuring the needs of economic entities to employ additional workforce from third countries, to train professionals from third countries based on the need agreed with them, etc.;
5. It is necessary to promote openness towards legal circular migration and enhance the prevention of illegal immigration, ensure the efficient return of illegal immigrants to their country of origin.

## **2.2. National regulation of immigration**

Neither of the short-term migration schemes applied in practice in Lithuania can be linked with circular migration, because migration under these schemes does not have the key elements of circular migration:

1. *Requirement to return to the country of origin.* Neither immigration scheme requires to return to the country of origin. The only matter is taken into consideration: whether an alien has departed from Lithuania or not.<sup>13</sup>

The only derogations are a long-term national visa (D)<sup>14</sup> and local border traffic permits to be issued in the future.<sup>15</sup> A national visa (D) is issued to the aliens who periodically come to the Republic

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<sup>13</sup> In the case of long-term residents, when taking a decision on withdrawal of a permanent residence permit, account is also taken of whether an alien departed to other EU Member States, or to third countries (subparagraph 3 of paragraph 1 of Article 54 of the Law on the Legal Status of Aliens).

<sup>14</sup> Paragraph 5 of Article 17 of the Law on the Legal Status of Aliens: “An alien who periodically comes to the Republic of Lithuania to work or engage in any other lawful activity and whose main place of residence is in a foreign country shall be issued a multiple entry national visa”. The number of such visas issued annually is very small.

of Lithuania to work, study or engage in any other lawful activity, though their main place of residence is in a foreign country. Lithuania also issues multiple entry national visa (D) for aliens whose purpose of entry into the Republic of Lithuania is long term stay for the purpose of work, study and other lawful activities. These national visas are more like temporary residence permits and have no requirement for the back and forth movement. This visa entitles an alien to enter and stay in Lithuania during the period of its validity. A local border traffic permit will be issued to residence of the border area of Belarus and Kaliningrad Oblast (within the radius of 50 km). It will entitle them to enter defined territory of Lithuania and stay in it for a period of up to 3 months. Although a national visa and a local border traffic permit have certain elements of circularity, such movement of aliens across state border cannot be referred to as migration, because the aliens actually do not stay in Lithuania, their place of residence remains in a foreign country.

2. *Retention of the right to reside in an EU Member State while exercising activities in the country of origin.* As it has already been mentioned, according to Lithuania's immigration schemes it is not important for what purposes and to which countries aliens depart from Lithuania. It is solely the period which an alien spends outside Lithuania that is of relevance<sup>16</sup> - if exceeding the established time limits, aliens may forfeit the right to reside in Lithuania.

The Seimas of the Republic of Lithuania has received a draft law amending the Law on the Legal Status of Aliens providing for a single derogation: in implementing Article 16(5) of Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (Directive 2009/50/EC), the highly qualified third-country workers who can present evidence that they have departed to their country of origin to work, to exercise another lawful activity or to study would be allowed to stay in the country of origin for a period of up to 24 months<sup>17</sup> and not forfeit the right to permanently reside in Lithuania. That means that the Law will stipulate the possibility of 'reverse' circular migration of highly qualified workers: they will be able to move

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<sup>15</sup> This permit will be issued to residents of Kaliningrad Oblast and border residents of the Republic of Belarus after the entry into force of treaties of the Republic of Lithuania with the Russian Federation and the Republic of Belarus on the movement of persons across state border.

<sup>16</sup> According to subparagraph 13 of paragraph 1 of Article 50 of the Law on the Legal Status of Aliens, a temporary residence permit is withdrawn if an alien departs to reside or has been residing in a foreign country for a period longer than six months; according to subparagraph 3 of paragraph 1 of Article 54 of this Law, a permanent residence permit is withdrawn if an alien has been residing in a non-EU Member State for a period exceeding 12 consecutive months; according to subparagraph 8 of Article 56 of the Law, a permanent residence permit is withdrawn if an alien is issued a residence permit to reside in another EU Member State.

<sup>17</sup> i.e., permanent residence permits would be withdrawn after the lapse of 24, rather than 12, consecutive months following aliens' departure from Lithuania; see subparagraph 3 of paragraph 1 of Article 52 of the draft.

between Lithuania and the country of origin, if they do not stay in the country of origin for more than 24 successive months. This legislative amendment may be viewed as a certain element promoting circularity.

3. *Aliens move several times between the country of residence and the receiving country.* In Lithuania, each new entry is considered to be the first one (is not considered to be a re-entry). Although according to some immigration schemes<sup>18</sup> aliens are encouraged to arrive (simplified immigration procedures, shorter time limits for examination of applications), they do not contain any provisions on repetitive movement between a foreign country and Lithuania.

4. *Facilitated conditions of re-entry.* No facilitations have been provided for re-entry. If aliens apply for the replacement of a temporary residence permit prior to the expiry of validity of their initial temporary residence permit, it is replaced according to the simplified procedure (shorter time limits for examination of the application, simplified procedure of examination of the application). However, after the period of temporary residence permit terminates and an alien departs from the country, any subsequent arrival of the alien is viewed just as the first arrival – the alien's record of staying in Lithuania is checked solely with respect to commission in Lithuania of offences which would preclude his re-entry.

Therefore, the major flow of immigration to Lithuania takes place in the form of temporary migration, with the exception of the cases of spontaneously occurring circular migration. All temporary migrants are subject to uniform rules, except for certain procedural facilitations for separate groups of migrants (highly qualified workers and workers with professions in shortage in Lithuania); there exist no special programmes, rules or instruments which would be associated with promotion of return to the country of origin or re-entry, with the exception of the above-mentioned cases.

The main concern of state institutions is to ensure that the rules of legal entry, stay and residence in Lithuania will not be violated. Liability for violations of immigration rules most often falls on immigrants themselves (administrative penalties<sup>19</sup>, refusal of entry, imposition of the obligation to leave Lithuania or removal). The inviting persons are subject to liability much less frequently, when it is proved that it is these persons who have invited an alien to come to Lithuania, they may be required to cover the costs of removal of the alien from Lithuania<sup>20</sup>; also inviting person could be subject to

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<sup>18</sup> Third country nationals included in the Shortage Occupations List approved every 6 months by the Minister of Social security and labour.

<sup>19</sup> Article 206 of the Code of Administrative Offences of the Republic of Lithuania.

<sup>20</sup> Paragraph 1 of Article 131 of the Law on the Legal Status of Aliens.

administrative liability for provision of the aliens illegally staying in Lithuania with accommodation; the employer could be subject to administrative liability in case of recruitment of an alien without a work permit.<sup>21</sup> Upon transposition into national law of Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals, the costs of removal of aliens from Lithuania will have to be covered by the employers at whose invitation an alien comes to work.

### **2.3. Use of potential of circular migration in Lithuania**

With a view to developing and making use of the potential of circular migration in Lithuania, it is necessary to determine the need for such migration, identify the key instruments which could be employed to promote this form of migration, as well as initiate discussions on this topic. Account should be taken of the following key issues:

1. *Assessment of the need for circular migration.* It is important to identify the areas of migrations in which the pattern of circular migration could be applied. For instance, circular migration of the professionals who have been in shortage in Lithuania for more than the past two-three years and who previously worked in Lithuania, the foreign students who have graduated in Lithuania could be promoted as well as seasonal workers; conditions could be created for a re-entry according to the facilitated procedure. The experts of the Lithuanian Labour Exchange point out elements of circular migration among third-country workers requiring a work permit in Lithuania. According to the procedure currently in force, the maximum period of validity of the work permit is two years.<sup>22</sup> The validity of the work permit may be extended in cases of production necessity and only if it was issued for a period of less than two years. Upon the expiry of validity of the work permit, an alien must leave Lithuania, and may obtain a new permit after the lapse of at least one month<sup>23</sup>. This means that an alien must leave Lithuania and in case of return start the whole employment/arrival procedure from the very beginning after one month. Only highly qualified workers from third countries as well as workers who are included into the Shortage Occupation List are exempt from the requirement to leave Lithuania. Their work and residence permit can be extended while in Lithuania (to as maximum of 4 years). The

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<sup>21</sup> Articles 206<sup>2</sup> and 206<sup>3</sup> of the Code of Administrative Offences of the Republic of Lithuania.

<sup>22</sup> Work permit for interns and trainees is valid for one year.

<sup>23</sup> This time limit does not apply to highly qualified workers. The aliens posted for temporary work are subject to a time limit of three months.

experts of the Lithuanian Labour Exchange point out that the majority of the aliens previously working in Lithuania apply for the issuance of a new permit after the lapse of a month. This group of workers could benefit from circular migration and facilitated procedure to return if there is still a need. Representatives of employers note that facilitated procedures could be applied to the repeated employment of a professional previously working in Lithuania and especially extending the validity of a work permit for a worker staying in Lithuania. That would simplify the life of all interested parties - civil servants, business persons and workers themselves.

2. *Creation of a legal basis.* Taking into consideration the need, a legal basis for promotion of this form of migration should be laid down, which means that individual rules must be established for development of this form of migration in national law. It is important that these rules be clear, comprehensible and their implementation not be subject to creation of a complicated, time-consuming and resource-intensive mechanism. In creating the legal basis, it is necessary to determine the characteristics which would distinguish circular migration from other forms of migration, identify the legal instruments employed to manage it, also develop a facilitated entry procedure in the case of an alien's re-entry, decide whether a person involved in circular migration would be entitled to change his legal status while staying in Lithuania (e.g., shift from involvement in circular migration to involvement in temporary migration). One cycle of circular migration should be limited in time, e.g., the duration of stay in a foreign country should not exceed four years.<sup>24</sup>

Moreover, creation of a legal basis for circular migration could involve conclusion of treaties with third countries. In this respect, account should be taken of the existing links of Lithuania with a third country, and a general standpoint of the European Union on external relations with a specific third country. When selecting specific third countries with which to conclude treaties on the issues of circular migration, it would be expedient for Lithuania to consider conclusion of such treaties, if a decision on conclusion of such treaties was at all adopted, with the neighbouring countries in the region. On the other hand, a third country, too, may offer an EU Member State, including the Republic of Lithuania, to conclude such a treaty taking into account the advantages of existence of such a treaty.

Creation of a legal basis for development of circular migration would ensure favourable conditions for movement of third-country nationals to Lithuania and would prevent and reduce the volume of illegal immigration of third-country nationals.

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<sup>24</sup> Following five years of permanent residence in a country, aliens become permanent residents according to both Lithuanian and EU law.

3. *Dissemination of information on circular migration.* In aiming to attain the purposes of circular migration, it is important to actively disseminate information on the opportunities offered by circular migration in third countries, first and foremost through Lithuania's diplomatic missions and consular posts in the third countries. Lithuanian enterprises, agencies and organisations should also take part in preparing and disseminating such information. For example, presentation of information may be linked with acquisition of higher education at Lithuania's educational establishments, the possibilities and procedure of undertaking employment at the enterprises experiencing shortage of workforce and shortage in Lithuania of the invited workers with the relevant vocational training. In third countries, Lithuania could organize the so-called 'labour exchange', 'higher education and vocational training acquisition' days. During these days, representatives of Lithuania would present proposals concerning the possibility of undertaking employment or acquiring education in Lithuania, also the valid rules according to which third-country nationals could come to Lithuania for one or another purpose. Implementation of this measure would show Lithuania's interest in the coming of nationals of a specific third country to enterprises, agencies or organisations of Lithuania, rather than any other Member State, both to work and to acquire education.

4. *Ensuring of the obligation of third-country nationals to return to the country of origin.* Return of third-country nationals to their country of origin after taking advantage of the opportunities of circular migration is an important part of this type of migration. It is necessary to develop measure that would encourage third country nationals to return to their country of origin as well as measure that would deter from abusing the circular migration mechanism. Obligation to adhere to existing requirements may be undertaken in writing by a third-country national or stipulated also by a treaty between the Republic of Lithuania and a third country whose nationals would be subject to a circular migration scheme. The Republic of Lithuania currently implements the provisions of readmission with the Russian Federation and Ukraine. However, this issue has not been resolved with the Republic of Belarus. Negotiations are being conducted also with some third countries, though no significant progress with regards to conclusion of readmission agreements has been made (e.g., with Kazakhstan). In the absence of readmission treaties and if the number of illegal immigrants from a third country to Lithuania would increased, the possibilities of using the mechanism of circular migration for third-country nationals would become highly limited.

5. *Solution of the problem of brain drain.* Any country facing a more intensive departure of its citizens to other countries experiences the so-called problem of 'brain drain'. It is most frequently

manifested through departure of highly qualified professionals to the countries which are more advanced in terms of economic development in search of better-paid jobs. This phenomenon may be observed also when implementing a circular migration scheme with third countries. In order to mitigate this problem, circular migration should engage as few as possible workers holding an appropriate professional qualification who are in shortage in certain sectors of the economy of a third country. Even if such workers were involved, it must be ensured that they, while supported by the country of origin, would be given favourable opportunities to return.

Another lever which could halt the process of brain drain is the support provided by an EU Member State, and also Lithuania, for highly qualified specialists to remain working in a third country taking advantage of the opportunities opened up by circular migration (e.g., by implementing development co-operation programmes in the third country). In this case, a matter of importance is also the standpoint of the third country on obtaining appropriate support permitting to stabilise departure of highly qualified professionals from the country. In fact, a third country must identify the sectors of the economy which are facing an acute problem of the professionals and exchange this information with an EU Member State which offers or to which the third country offers to apply a circular migration scheme.

6. *Development of reintegration programmes in third countries.* The success of circular migration can, to a large extent, depend also on the development of so-called reintegration programmes in third countries. It is evident that if a third-country national fails to obtain proper assistance from his country of origin, he might alter his motivation concerning return and seek to remain in the Member State. Reintegration should essentially ensure the appropriate provision of information on the conditions of return to the country of origin, namely, undertaking employment, setting up of own business or its relocation from the Member State in which he was employed to the country of origin, opportunities of application of the acquired education, transfer of the income earned for work in the Member State to banks of the country of origin, transportation of the acquired property, etc. A person returning to his country of origin could also be provided with favourable conditions for settlement. For instance, transfer of monetary funds to banks of the country of origin should be subject to minimum charges, transportation of property – subject to minimum or zero customs tariffs. The country of origin could provide those returning from other Member States with incentives for the purchase of dwelling or of land for the purpose of dwelling construction, with credits for development of the business relocated to the country of origin. An EU Member State in which a third-country national was employed, was

engaged in business activities or acquired education can make a certain contribution to the reintegration programmes, which would help to strengthen economic links with the country of origin, improve the environment of circular migration and confidence in the persons involved in it as well as in non-use of this type of migration for the purposes of abuse in the future.

#### ***2.4. Advantages and shortcomings of temporary and circular migration***

Circular migration could provide benefits for all participants in the process, namely, both for the receiving country, the country of origin and the migrant himself. Firstly, third-country nationals temporarily arriving to work or engage in other labour activities in Lithuania transfer funds – money remittances – to the family members, relatives remaining in their country of origin. These money remittances can contribute to the growth of domestic consumption in that country and could be used as potential investment – promote an increase in production volumes, creation of jobs, in the sphere of social security and healthcare – improvement of the quality of services, in the sphere of education – an increase in the level of education. Unfortunately, no statistical data have been published in Lithuania with regards to money remittances to third countries. Therefore, it would be a complicated task to evaluate their volume and potential impact on the migrant's country of origin.

The receiving country benefits from the fact that, in shortage of workforce, this shortage may be eliminated by temporary return or circular migration, which allows to continue the successful development of production, commerce and other sectors of the economy in the receiving country.

Third-country nationals involved in temporary return or circular migration are 'exporters' of certain values from the countries where they are employed or are engaged in business, in-service training, are studying for a higher education diploma, etc. They help to transfer knowledge, innovations, contacts to the country of origin, together with investment, commercial relations, and advanced technologies. In such a manner, reciprocal benefit is achieved – both for the country in which the migrant is temporarily staying and for his country of origin, because the consequence may be strengthening of commercial and economic links between these countries. Investment, business relocation, strengthening of commercial links create new jobs, increase production volume, help to collect in the country a larger amount of taxes to be allocated to the areas of life which are of importance for society – education, social security and health care.

Enrichment also affects the migrant himself, who, in addition to a higher income than the one earned in the country of origin, acquires new knowledge, skills, learns a foreign language, and expands his social communication network.

In addition to positive features of circular and temporary migration, the negative ones need to be pointed out too. First and foremost, it is the loss of the human capital or ‘brain drain’. However, by properly managing the process of ‘brain drain’, the country of origin can benefit much more than restricting temporary departure of its citizens to other economically stronger countries. Another important negative feature of circular or temporary migration is potential abuse of the opportunities offered by migration, involvement in the networks of criminal organisations or criminals (e.g., the activities of illegal agencies in offering employment abroad to third-country nationals). In such a case, the co-operation of national law enforcement institutions must be enhanced, especially, in the field of exchange of information.

## **2.5. Co-operation with third countries**

Lithuania’s bilateral co-operation with third countries in the field of migration is not very intensive. Lithuania has concluded the majority of bilateral treaties on the issues of readmission of the aliens unlawfully staying in the country.<sup>25</sup> These treaties have the purpose of responding to the adverse consequences of migration – to return the aliens who unlawfully enter or unlawfully stay in Lithuania to their country of origin.

The Republic of Lithuania has so far concluded a single treaty, namely, the Agreement between the Government of Canada and the Government of the Republic of Lithuania Concerning Youth Exchanges,<sup>26</sup> which could be considered a treaty promoting temporary migration. In compliance with its provisions, the Republic of Lithuania will issue to Canadian citizens qualifying to benefit from the application of this Agreement and holding a national visa for multiple entries, without reference to the labour market situation, a temporary residence permit and a work permit for the duration of their authorized stay, provided that they meet all the requirements of immigration legislation of the Republic of Lithuania. Upon the entry into force of the Agreement, young citizens of the Republic of Lithuania also acquire the right to work and gain knowledge in Canada, whereas young Canadians respectively gain the right to visit the Republic of Lithuania. The Contracting Parties have agreed to develop

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<sup>25</sup> 7 treaties with Ukraine, Switzerland, Iceland, Croatia, Russia, Moldova, Armenia.

<sup>26</sup> Entered into force on 1 October 2010, Official Gazette, No 92-4864, 2010.

opportunities for their young (18-35 years of age) citizens to complement their university and higher education training, to acquire work experience and to improve their knowledge of the other country's language, culture and society, and thus to promote mutual understanding between the two countries. Although the migration taking place under this treaty has the characteristics of circular migration (each young citizen may benefit from it two times), it still could not be viewed as circular migration, because it does not contain any provisions facilitating the re-entry or imposing an obligation to return to the country of origin.

An Agreement between the Government of the Republic of Belarus and the Government of the Republic of Lithuania on the Procedure for the Mutual Travels of Border Area Residents between the Republic of Lithuania and the Republic of Belarus has been signed on the 20<sup>th</sup> of October, 2011, but has not come into force yet, and co-ordination of an identical agreement with the Russian Federation is being negotiated<sup>27</sup>. These agreements will enable border residents who receive permit valid from 1 to 5 years to enter the border territory of another country for economic, cultural, substantiated economic reasons or other purposes. Even though such a simplification of movement will not allow official employment, but some economist argue that the fact that it will be allowed to freely cross borders and stay up to 3 months in neighbouring state, can become a good start of economic activity in neighbouring territory if the occasion arises. One should also bear in mind that under this agreement border resident population on the Lithuanian side constitutes approx. 800.000 and on the Belorussian side approx. 600.000 persons. However, the EU data shows that in border regions labour immigration amounts to only 1.5 per cent of total immigrating labour power. Therefore a macro economical influence of immigration from border regions is not very substantial in evaluating general economic perspective.

The migration taking place under these agreements will have more characteristics of circular migration (cyclic nature, return to the country of origin), but it will lack a number of other features, that is, a local border traffic permit will be re-issued under the same terms as the original one, whereas the duration of each stay of border residents in a foreign country will not exceed 90 days (i.e., will not be included in the lists of Lithuania's residents). Such entries may not be viewed as migration, because the arriving aliens will not change their place of residence and status.

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<sup>27</sup> These agreements have been drawn up in compliance with Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention.

Lithuania also has two bilateral agreements with third countries in the field of employment or exchange of trainees: one signed between the Government of the Republic of Lithuania and the Government of Ukraine on the mutual employment of citizens in 1995 and the other signed between the Government of the Republic of Lithuania and the Government of the Russian Federation on the temporary employment of citizens. Neither of the agreement has a circularity component. Both agreements provide that employees, who come to Lithuania to work under contracts, must be highly-skilled. The agreement also provides for certain social safeguards, which would not apply to citizens of other countries. For example, there are provisions stating that if a company ceases its business activities or makes an employee redundant, compensation must be paid to the employee. Workers from the Russian Federation who are dismissed on the closure of a business or redundancy have the right to a contract with another employer. Employers are also obliged to organise the transportation of the remains of an employee who has died in the workplace.

It should be also noted that both of these agreements were considered at a time when labour migration regulations were not sufficiently flexible. Currently these bilateral agreements are applied to a very limited extent and agreements are used mainly as a basis for cooperation between the competent authorities.

The Republic of Lithuania has joined the EU mobility partnerships with Georgia and Moldova, but its action plan is currently limited to provision of information on the issues of employment and enhancement of administrative capacities of the employment agencies of Georgia and Moldova. Lithuania was prevented from implementation and further development of the action plan in the field of mobility partnerships by the outbreak of the economic crisis, which substantially reduced the possibilities of and the amount of resources allocated for participation in international projects. However, after the economic situation improves in the future, Lithuania, bearing in mind the importance of co-operation with third countries in the field of migration, does not decline to participate in mobility partnership projects, in particular together with the neighbouring countries in the region. Such co-operation is beneficial not only for the receiving country, but also for a third country in the area of migration and in related fields – employment, social security and healthcare, education. This would also help to ensure co-operation between national law enforcement institutions in combating illegal immigration and trafficking in human beings.

## **2.6. Other issues**

Lithuania does not carry out polls of immigrants nor any studies which would permit to determine the intentions of temporary migrants entering Lithuania. Therefore, it would be possible to determine where the migrants usually go when leaving Lithuania – whether they return to their country of origin or enter other EU Member States or third countries – solely from statistics, but it is also a complicated issue to obtain the statistics on this issue.

Under the Law on Declaration of the Place of Residence, when declaring the place of residence, persons must indicate their citizenship and the country from which they have arrived, and when leaving from Lithuania – the country which they intend to enter. If all migrants complied with this provision, it would be possible to collect reliable data on flows of migrants. Such available statistics have so far not been processed and published.

For the same reason, it is a complicated task to observe the temporary or circular migration of third-country nationals residing in Lithuania to other EU Member States. According to Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, countries must notify each other of the long-term residents arriving from another EU Member State, however exchange of information is impeded for various reasons<sup>28</sup> and does not reflect the actual extent of mobility of long-term residents between Lithuania and other EU Member States.

## **3. Data on circular and temporary migration**

For the reasons referred to in section 2.4 of this study, statistics of circular migration of third-country nationals are not prepared in Lithuania or are not presented in a manner so as to reveal the phenomenon and extent of circular migration. Therefore, the entire data presented by state institutions show exclusively temporary migration.

The statistics concerning temporary migration are presented and explained in detail in the annual reports on migration and asylum statistics drawn up by the European Migration Network (EMN) National Contact Point (NCP) for Lithuania as well as in the 2010 study *Satisfying labour demand through migration*. In this study, only several main figures will be presented.

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<sup>28</sup> This may be explained by two main reasons: 1) the migrants themselves fail to notify state institutions that they have acquired the status of a long-term resident in another EU Member State; 2) the institutions examining applications of the migrants themselves fail, for various reasons, to notify the institutions of other EU Member States of the arrival of the long-term residents of those EU Member States.

By taking advantage of the possibilities of mobility within the territory of the EU Member States, third-country nationals lawfully resident in the territory of these countries take part in circular migration. According to estimates of the Migration Department under the Ministry of the Interior, the number of third-country nationals coming to Lithuania in 2009 from other EU Member States and the European Free Trade Association States did not exceed 10 (the majority of them is believed to have come on the ground of family reunification, which would not be viewed as circular migration), and the number of those leaving the Republic of Lithuania – in the opposite direction – might amount to 50. More accurate data on this type of migration will be available in 2011, because certain amendments and supplements were done to the Register of Aliens as late as in September 2009 thus permitting collection of more accurate data on the migration of aliens (according to the issued national visas, residence permits).

More data are available on the coming of third-country nationals to the Republic of Lithuania from third countries and departure from the Republic of Lithuania to the mentioned countries. According to data of the Migration Department under the Ministry of the Interior, third-country nationals arrived in 2005-2009 to Lithuania and were issued residence permits on the following grounds (see table No. 1).

**Table No 1: Issued/extended temporary residence permits in Lithuania according to reasons for arrival, 2005-2009:**

<i>Reason</i>	<i>2005</i>		<i>2006</i>		<i>2007</i>		<i>2008</i>		<i>2009</i>	
	<b>Issued</b>	<b>Extended</b>								
<b>Family reunification</b>	477	1907	2917	3800	752	3726	774	3711		
<b>Work</b>	525	735	1723	2708	3140	1984	1257	2686		
<b>Engagement in lawful activity</b>	119	380	548	663	252	593	429	764		
<b>Studies</b>	225	488	853	999	174	1267	433	1029		
<b>Other</b>	219	793	1055	649	120	384	93	593		
<b>Total</b>	<b>1565</b>	<b>4303</b>	<b>7096</b>	<b>8819</b>	<b>4438</b>	<b>7954</b>	<b>2986</b>	<b>8783</b>		

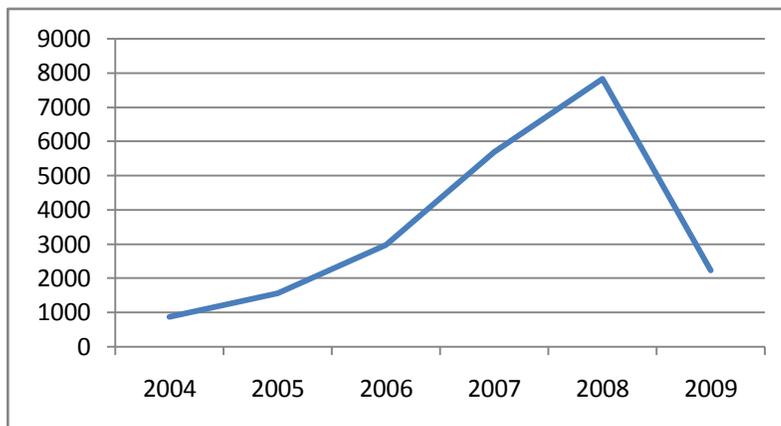
Source: Migration Department

Moreover, Lithuania also issues multiple national D visas entitling third country nationals to stay in the territory of the Republic of Lithuania for a period in excess of three months for the purposes of work, studies or engagement in other lawful activities<sup>29</sup>. During the validity period of visa third country nationals are allowed not only to stay in Lithuania but also move in the Schengen zone (up to 90 days), leave Schengen and come back. In 2008 Lithuania issued 4994, 2009 – 2279 and in 2010 – 1744 such visas.

It is not possible to accurately specify the number of third-country nationals who, according to this type of migration, could be attributed to those who have arrived under temporary return migration, because no such records are kept. However, upon evaluating the purpose of entering the Republic of Lithuania based on the grounds for the issuance of a temporary residence permit in the Republic of Lithuania, the conclusion is likely that the characteristics of temporary return migration would be met by those who have come for work under an employment contract, studies or learning, and whose absolute majority have come from European countries (Belarus, Russia, Ukraine).

According to data of the Lithuanian Labour Exchange, which issues work permits to third-country nationals, some aspects of circularity in migration patterns of third country nationals can be observed. A large number of workers holding a work permit in Lithuania leave the country upon its expiry and return to Lithuania after the lapse of a period provided for in the law (one-three months) and obtain a new work permit. The statistics concerning work permits are presented below.

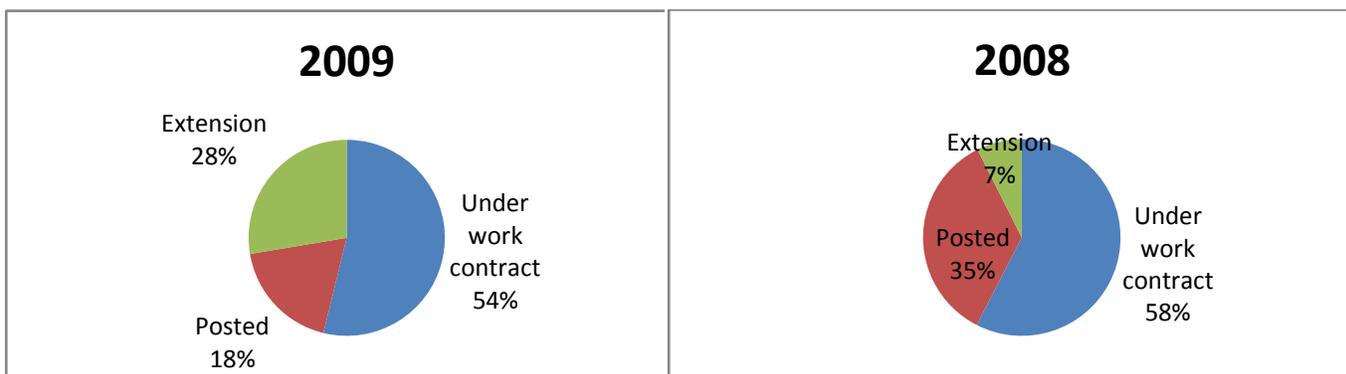
**Graph No 1: Number of work permits issued in 2004-2009**



Source: Lithuanian Labour Exchange

<sup>29</sup> Paragraph 1 and 4 of Article 17 of the Law on the Legal Status of Aliens. Paragraph 1: „An alien in possession of a national visa may enter the Republic of Lithuania and stay in it for a period longer than three months“. Paragraph 4: „A multiple entry national visa shall be issued to an alien whose purpose of entry into the Republic of Lithuania is long term stay in the Republic of Lithuania“.

**Graph No 2: Analysis of residence permits issued in 2008-2009**



Source: Lithuanian Labour Exchange

According to experts of the Lithuanian Labour Exchange, most foreign workers return to their country of origin upon the expiry of a work permit and, after the lapse of a certain period, apply for the re-issuance of a work permit. Moreover, the absolute majority of re-issued work permits are issued to aliens whose occupations are in shortage in Lithuania. Therefore, it can be supposed that these aliens would fall within the area of regulation of circular migration and would be able to take advantage of the benefit offered by it. It should be emphasized that aliens holding an occupation included in the Republic of Lithuania Shortage Occupations List are already able to extend the validity of work permits without leaving the country. All other aliens must leave the country and apply for the issuance of a new work permit after the lapse of at least one month.

The numbers of third country nationals who arrive to Lithuania for seasonal works are very small. In 2009 no work permits were issued to third country workers arriving for seasonal work. In 2010 thirteen work permits were issued: 12 – for Ukrainian workers, 1 – for Georgian worker. All of the work permits were issued for entertainment activities (circus workers).

A somewhat different situation is with accounting of the extent of departure of third-country nationals lawfully resident in Lithuania to third countries. As practice shows, third-country nationals entitled to permanently reside in Lithuania<sup>30</sup> and leaving Lithuania for a period exceeding 183 days must declare their departure. However, it does not happen in reality in fear of losing the right to reside in Lithuania in the case of declaration of departure, although the Law on the Legal Status of Aliens

<sup>30</sup> At the beginning of 2010, 19 592 third-country nationals in the Republic of Lithuania were holding an EC residence permit.

provides for the guarantees of preservation of this permit, unless the duration of departure exceeds 12 consecutive months. The volume of third-country nationals moving, under circular migration, from Lithuania to third countries is believed to be moderate and be mostly directed towards the neighbouring countries being the country of origin for these nationals (Belarus, Russia and Ukraine).

Taking into consideration the interests of both the European Union and Lithuania, the increased attention is currently being drawn to only two types of circular migration. Firstly, circular migration of third-country nationals residing in the EU Member States, when they enter a third country, and, secondly, circular migration of third-country nationals residing in their country of origin, when they enter one of the EU Member States.

## **4. Conclusions**

The concept of circular migration is not defined in Lithuania. The concept of circular migration is given a mention solely in the Lithuanian Immigration Policy Guidelines and is understood merely as a single migration cycle, i.e., temporary arrival and departure of aliens. The document proposes to give priority to circular migration and ensure that third-country nationals have no possibilities to remain in the country in the event of a change in the labour market. In this document, circular migration is understood rather as return migration.

Lithuania does not have in place circular migration schemes. All immigration schemes are designed for temporary immigration. Lithuania currently does not apply facilitated procedures for aliens entering the country for the second or subsequent times. Each arrival to Lithuania is considered to be the first one. However, during discussions with experts one could distinguish a group of foreigners (namely, workers from third countries) who would benefit from circular migration. These workers arrive to Lithuania, work here for the duration of their work permit but no longer than 2 years. After the expiration of the work permit they must leave the country and, in case if there is a need, undergo the whole procedure from the very beginning. It would be expedient to facilitate their subsequent arrival and it could be classified as circular migration.

The concept of circular migration is a new phenomenon in Lithuania. The need for and possible application of such a type of migration have not been identified. No legal system has been created. Circular migration is making only a gradual entry into the political discourse of Lithuania.

Policy makers are aware of the potential advantages and shortcomings of circular migration and are willing to discuss this issue. Upon assessing the positive and negative sides of circular migration, it would be possible to consider the issue of incorporation of this type of migration into Lithuania's legal system. The Law of the Republic of Lithuania on the Legal Status of Aliens could be supplemented with relevant provisions, which could become possible by introducing a separate ground for temporary residence which is related to employment or studies and which would be defined as the result of circular migration. Third-country nationals entering under the scheme of circular migration could be issued national visas or temporary residence permits in Lithuania. The total duration of stay and residence in Lithuania as established for a third-country national should not exceed four years. The terms of facilitated entry to the Republic of Lithuania for third-country nationals in the cases of their re-entry must also be stipulated.

Experts are divided as to the pattern of possible circular migration. Some believe that the period of stay or residence in the receiving country in possession of a national visa or a temporary residence permit should not be extended, with the exception of the rise of the circumstances beyond a person's control which prevent him from returning to his country of origin or if the new ground arises to receive a residence permit (e.g. family reunification). Third-country nationals who would arrive under the scheme of circular migration would not be granted the right to family reunification. In compliance with the acquis of the European Union, the mentioned right is granted solely to the third-country nationals who have the right to reside in the host country for a period of one year or exceeding one year and have reasonable prospects of permanent residence in the country. In this case, circular migration would be clearly distinguished from other types of migration permitting third-country nationals to remain for residence in a country for an indefinite period of time (e.g., highly qualified professionals, professors, etc.) and also from temporary migration, when third-country nationals are granted reasonable prospects to remain for residence in the country. A third-country national should not be under the obligation to take part in a programme for integration of aliens being implemented by a country (unfortunately, Lithuania still does not have any valid legal act providing for integration of aliens). An application to the relevant institutions of the host country for the granting of social assistance would be considered as one of the grounds for withdrawal of the right of stay or residence for the third-country national. Others are of the opinion that practically circular migration could serve as a 'test' and develop into permanent migration under appropriate circumstances. It is very probable that a foreigner who spends a lot of time in the country and sees his/her integration here could eventually become a resident.

Policy makers also indicate that the settlement in Lithuania of poorly qualified or non-qualified third-country nationals who would arrive under the scheme of circular migration would not be seen as a positive phenomenon owing to their insignificant contribution to the growth of the country's welfare. Moreover, the experience of foreign countries shows that it is this category of third-country nationals which most frequently poses problems for the host country as a result of their insufficient or negative motivation to integrate into society. In this case, a participant in circular migration would have to leave a country upon expiry of his period of stay in the country for work or for other purposes. If a third-country national wished to obtain a residence permit in Lithuania, he would have to do it only while residing abroad.

Moreover, more attention should be devoted to monitoring of circular migration and temporary return migration: for this purpose, statistical data should be systematized and analyzed and migration flows should be observed. The obtained material would assist in developing schemes of circular migration which would best correspond to Lithuania's needs and migration tendencies.

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