

**EUROPEAN MIGRATION NETWORK NATIONAL
CONTACT POINT FOR THE REPUBLIC OF LITHUANIA**

**ORGANISATION OF ASYLUM AND MIGRATION
POLICY IN LITHUANIA**

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Abbreviations

LT EMN NCP	– European Migration Network National Contact Point for the Republic of Lithuania
LLE	– Lithuanian Labour Exchange at the Ministry of Social Security and Labour
MD	– Migration Department under the Ministry of the Interior
RRC	– Refugees Reception Centre
MSSL	– Ministry of Social Security and Labour
DS	– Lithuanian Department of Statistics
FRC	– Foreigners' Registration Centre of the State Border Guard Service under the Ministry of the Interior
LLSA	– Law on the Legal Status of Aliens
MI	– Ministry of the Interior
LBGS	– State Border Guard Service under the Ministry of the Interior
MES	– Ministry of Education and Science
EESF	– Education Exchanges Support Foundation

1. Introduction

The aim of the present study is to present the Lithuanian institutions shaping and implementing Lithuania's migration and asylum policy.

Organisation of migration and asylum policy in Lithuania was discussed in a study prepared in 2008 by the European Migration Network National Contact Point for the Republic of Lithuania (LT EMN NCP¹). Since 2008, new legal acts have been adopted changing the functions of some institutions implementing migration and asylum policy, hence the present (second) study aims at providing up-to-date information and reflecting the situation at the end of 2011.

The study was prepared using the method of document analysis: the mentioned 2008 LT EMN NCP study was relied upon, Lithuanian legal acts in the field of migration and asylum currently in force and information on the websites of state institutions and agencies were examined. Moreover, use has been made of the migration yearbooks prepared by the Migration Department under the Ministry of the Interior (MD), the information provided on the websites of the Lithuanian Department of Statistics (DS) and other institutions with a view to providing statistical data.

The study has been prepared in compliance with specifications of the European Migration Network.

2. Overview of Lithuania's political, legal and institutional system

This section presents the main institutions, agencies and organisations of Lithuania functioning in the field of migration and asylum and reviews the principal legal acts.

2.1. Overview of the political system and institutional framework

2.1.1. Political system

The Republic of Lithuania is a multi-party parliamentary republic. In Lithuania, the legislative power is granted to a single chamber parliament (the Seimas), the executive power – to the Government². The head of the State is President of the Republic. The judicial power is exercised by independent courts of general jurisdiction and administrative courts. Local self-government in Lithuania is implemented by elected municipal councils³. The key issues of state government are determined and state policy is formed by laws. The laws are passed by the Seimas, and draft laws may be proposed by Seimas members, the President of the Republic, the Government and groups of 50 000 citizens entitled to suffrage. Draft laws are most often submitted by Seimas members and the Government, but consultations over the draft laws are held also with the public, thus the organisations and persons concerned can contribute to formation of state policy.

2.1.2. Institutions

The main Lithuanian institutions shaping and implementing migration policy are as follows:

Ministry of the Interior (MI) is the main institution engaged in formation and supervision of implementation of migration policy. Through its administrative division – the Public Security Policy Department⁴, the MI shapes state policy in the area of migration (with the exception of economic migration), organises, controls and co-ordinates its implementation, ensures implementation of state policy in the visa area. Moreover, the MI administers the External Borders Fund and the European Return Fund under the EU General Programme “Solidarity and Management of Migration Flows”.

Migration Department under the Ministry of Interior is the main central institution implementing state policy in the area of migration (with the exception of economic migration⁵). The MD deals with visa, immigration, asylum, citizenship issues, issues residence permits, aliens' travel documents, adopts decisions on expulsion or returning of aliens, prohibition to enter Lithuania, controls the stay and residence of aliens in Lithuania, analyses the reasons for illegal immigration. The

MD does not have any territorial divisions, but provides methodological assistance to migration services.

The Public Police Migration Board of territorial police agencies, its divisions, subdivisions and groups (**migration services**⁶) are the main territorial institutions dealing with the issues related to migration (with the exception of economic migration). Migration services receive applications of aliens for issuance of residence permits, travel documents, in certain cases – visas, receive applications for granting of asylum, citizenship of the Republic of Lithuania, in certain cases adopt decisions on the issuance of residence permits, verify letters of invitation for aliens to enter Lithuania, control the illegal stay of aliens in the country, carry out prevention of illegal immigration, adopt decisions on imposition of the obligation on aliens to depart from Lithuania, draw up reports of administrative offences, detain the aliens illegally staying in the country. The activities of migration services are controlled and co-ordinated by the Police Department under the Ministry of the Interior. Migration issues are handled by the Migration Division of the Public Police Board⁷.

State Border Guard Service under the Ministry of the Interior (SBGS⁸) protects the state border and exercises control of illegal immigration. The SBGS detains and identifies the aliens unlawfully crossing the state border, issues visas at the border, adopts decisions on imposition of the obligation on aliens to depart from Lithuania, executes decisions on deportation of aliens, granting of the permission to pass in transit, receives applications for granting of asylum. The SBGS consists of the central headquarters and territorial and other divisions⁹.

Foreigners' Registration Centre (FRC) of the State Border Guard Service under the Ministry of the Interior is an institution which houses detained aliens and provides with accommodation asylum seekers. The FRC carries out investigation of the identity of aliens, examines the circumstances of their case, executes expulsion of aliens from Lithuania, may organise or participate in joint EU flights in the cases of expulsion of aliens.

Refugees Reception Centre (RRC) is an institution which provides with accommodation the aliens who have been granted asylum in Lithuania, unaccompanied minor aliens and which implements social integration of the aliens who have been granted asylum¹⁰.

Lithuanian **diplomatic missions and consular posts** issue visas, receive documents for issuance of residence permits, granting of citizenship, legalise documents.

Other institutions participating in formation and implementation of migration policy as the following:

Ministry of Foreign Affairs (MAF) participates in the formation and implementation of visa policy, issues visas, co-ordinates implementation of international sanctions, supervises conclusion of treaties and their implementation, shapes de-

velopment co-operation policy, co-ordinates contacts with Lithuanian emigrants.

Ministry of Social Security and Labour (MSSL) shapes labour policy and controls its implementation. The Ministry submits proposals to the Government concerning employment of aliens in Lithuania, co-ordinates provision of support for the purpose of integration of aliens who have been granted asylum in Lithuania, implementation of EU requirements concerning social guarantees to immigrants, administers the European Refugee Fund and the European Fund for the Integration of third country nationals.

Lithuanian Labour Exchange at the Ministry of Social Security and Labour (LLE) implements labour market policy. The LLE issues work permits to aliens, engages in prevention of illegal work, implementation of social protection of migrant workers. 10 territorial labour exchanges are subordinate to the LLE.

Personalisation of Identity Documents Centre under the Ministry of the Interior issues residence permits and travel documents to aliens, identity cards and passports to Lithuanian citizens.

State Labour Inspectorate under the Ministry of Social Security and Labour (SLI) exercises control of illegal work, verifies compliance of employers with the requirements for working conditions and guarantees for posted workers.

Residents' Register Service under the Ministry of the Interior manages the Residents' Register, which accumulates information on all residents of Lithuania.

In **municipalities**, Lithuanian residents declare their place of residence or departure from Lithuania.

Migration issues are also addressed by non-governmental organisations. The following NGOs are among the most active ones in Lithuania:

International Organization for Migration (Vilnius Office) implements programmes for information and consultation of aliens, assistance to aliens in voluntarily returning to the countries of origin and reintegrating in the countries of origin, carries out the projects related to integration of aliens in Lithuania, training of officers and civil servants working in the migration field, conducts research on the issues of migration, is involved in the area of prevention of trafficking in human beings. IOM Vilnius Office also performs the functions of LT EMN NCP.

United Nations High Commissioner for Refugees (UNHCR) Regional Office per representative in Lithuania carries out trainings and disseminates information related to rights of refugees.

Lithuanian Red Cross Society carries out asylum seekers and refugee support projects.

Institutes for Ethnic Studies and Demographic Studies of the Lithuanian Social Research Centre conducts research and organises discussions on the issues of migration.

Tolerant Youth Association implements projects of integration of immigrants.

Caritas Lithuania aims to reduce poverty and social distinct of the most vulnerable groups of society. Caritas Lithuania also carries out prevention of human trafficking and provides assistance to victims of trafficking.

2.2. Overview of legal acts

2.2.1. Political documents

Lithuania does not have a single document consistently describing Lithuania's policy on the issues of migration, asylum and other issues related to movement of persons. Regardless of this fact, the provisions of migration policy contained in separate documents show that return of Lithuanian citizens to Lithuania is the most important goal, and immigration of third-country nationals¹¹ is merely an additional means of solving the economic problems of the country. Among such political and strategic documents, the following should be mentioned:

- **Long-Term Development Strategy of the State**¹² mentions the problems of emigration of citizens and illegal immigration of aliens;

- **National Demographic (Population) Policy Strategy**¹³ stipulates the strategic goal of economic migration policy – to aim that, under the conditions of fast economic growth, Lithuania would not experience a shortage of workforce and would avoid the negative consequences of migration;

- **Economic Migration Regulation Strategy**¹⁴ raises two tasks – to aim at meeting the needs of the Lithuanian labour market and encourage the return of economic migrants to their homeland. Workers from third countries must be attracted only in those sectors which are facing a shortage of workforce from Lithuania and other EU Member States, and only for a limited duration;

- **Lithuania's Immigration Policy Guidelines**¹⁵ stipulate the key objectives and areas of development of Lithuania's immigration policy (for more information, see Section 3.2 of this study);

- **Programme for Creation of "Global Lithuania" (Involvement of Lithuanian Emigrants into the Life of the State) for 2011-2019**¹⁶ has the purpose of providing for mechanisms encouraging Lithuanian emigrants to cherish the Lithuanian language, national identity of Lithuanians, enhance the links of the Lithuanian community abroad with Lithuania, engage in various areas of public life and contribute to creation of Lithuania's welfare, creating favourable conditions to this end (for more information, see Section 3.2 of this study).

- **Programme for the Prevention and Control of Trafficking in Human Beings**¹⁷. The Programme lists the measures aiming at combating trafficking in human beings, defending the rights of victims and developing international co-operation of government authorities in this field. This programme will be discontinued in 2013.

2.2.2. Laws and other legal acts

The main legal act regulating the issues related to the legal status of aliens in Lithuania is the **Law on the Legal Status of Aliens**¹⁸ (LLSA). The LLSA stipulates the conditions of entry and exit of aliens, their stay and residence, asylum, integration, detention and expulsion of aliens and regulates other related issues.

Other laws:

- **Law on Citizenship**¹⁹ stipulates the grounds of and procedure for acquiring and losing the citizenship of the Republic of Lithuania;
- **Law on the State Border and Protection Thereof**²⁰ establishes the legal regulations of the state border and the frontier of the Republic of Lithuania, regulates the activities of border crossing points and organisation of protection of the state border.
- **Law on Guarantees for Posted Workers**²¹ is intended for employees posted from other countries to temporarily work in Lithuania.

The laws establish the principles and main provisions of regulation of legal relationships, and they are implemented by Government resolutions, orders of ministers and orders of heads of institutions subordinate to the ministries²². Moreover, Lithuania has accessed to the main treaties in the field of migration and concluded treaties on readmission of aliens (with 24 states), local border traffic (with 1 state²³), legal aid (with 15 states²⁴). These treaties have direct effect and supremacy over laws.

3. Institutional and political developments

The development of asylum and migration system is presented in detail in the first study by LT EMN NCP “The Organisation of Asylum and Migration Policies in the Republic of Lithuania” (2008). Therefore, the present study will give an overview of the developments which took place during 2008 - 2011.

3.1. Institutional developments

In 2008, Lithuania was hit by the global economic crisis, which forced the Government to undertake stringent expenditure control measures. The Seimas approved a crisis response plan as proposed by the Government²⁵, and on the basis of the plan the Government approved the measures of implementation of the crisis response plan²⁶, which were essentially intended to reform state government. In 2009, the activities of the Commission for the Improvement of State Administration (the Sunset Commission²⁷) were resumed: the Commission was assigned the task of submission of proposals to the Government concerning the institutional structure of the state, improvement of civil service, efficient management of state-owned assets and other related issues.

During 2008-2011, state institutions were being merged thus reducing their number, the number of civil servants was being reduced and the budgets of state institutions was being cut. Expenditure control policy affected also the institutions working in the area of migration.

On 16 November 2009, the Migration Policy Department under the MI was liquidated, and its functions were transferred to the Public Security Policy Department under the MI, with the Migration Affairs Division established within the Department.

At the end of 2009, the Economic Migration Division at the Ministry of Social Security and Labour of the Republic of Lithuania, which was in charge of formation and implementation of the policy of economic migration and social protection of migrant workers, was liquidated.

Since 2 May 2011, the number of employees of the Migration Department under the Ministry of the Interior has been reduced, after a part of its functions had been transferred to the police. On 1 March 2011, the Migration Division was established at the Public Police Board of the Police Department under the Ministry of the Interior and consolidated the supervision of migration services carried out by the Police Department under the MI.

Upon amending the regulations of the SBGS on 20 March 2008, the SBGS was granted the right to exercise control of migration processes in the entire territory of the country. To this end, illegal immigration prevention and control divisions were established at the central institution of the SBGS and its territorial units in 2008. However, later these divisions were liquidated and on 1 July 2011 the Migration Division at the Border Control Organisation Board was established.

3.2. Political and legal developments

Immigration

During the last 5 years Lithuania encountered both increase and decrease in immigration. Starting from 2006 immigration was rising, particularly in 2006 when a shortage of labour force occurred. However, the economic crisis in the middle of 2008 had a negative impact on immigration trends. During the crisis (2008 – 2010) the number of national visas decreased twice and the number of aliens holding a residence permits in Lithuania has been also decreasing.

Entry of aliens to Lithuania during 2007-2011

	Number of issued national visas	Number of issued temporary residence permits	Number of issued permanent residence permits*
2007	6207	8819	746
2008	6649	12392	723
2009	3327	11769	588
2010	2520	9657	478
2011	3990	10425	513

Source: Data of Migration Yearbooks *Number of first-time permanent residence permits

Policy developments followed the needs of the country and the requirements of the EU.

On 4 December 2008, the Government of the Republic of Lithuania approved **Lithuania's Immigration Policy Guidelines**²⁸ – the first and only political document presenting the position of the State on immigration of third-country nationals. The Guidelines stipulate the following goals of the Lithuanian immigration policy: 1) to seek to ensure that Lithuania does not experience shortage of workforce and to avoid the detrimental effect of emigration of the Lithuanian population and ageing of society on the life of the state; 2) to ensure the effective management of immigration flows; 3) to participate, in an active and targeted manner, in the process of formation of the immigration policy of the European Union.

The Guidelines clearly specify that immigration of aliens must be based on the principle of benefit to the state and must be merely a secondary measure in meeting the needs of the labour market. Priority should be given to returning Lithuanian citizens. The Guidelines also stipulate the geographical priority of immigration, namely, the countries of the Eastern Neighbourhood (Belarus, Ukraine, Moldova, South Caucasus).

Lithuania's Immigration Policy Guidelines were being prepared at a time when the Lithuanian economy was growing fast, and certain economic sectors (e.g., construction, shipbuilding, transportation) were particularly in need of workforce. Meanwhile, state authorities were implementing a 'hole repair' policy in an attempt to effectively adapting to employers' needs and facilitating for them recruitment of the lacking workers from abroad. For instance, at the end of 2007 amendments were done to the rules for the issuance of multiple-entry national visas²⁹. The revised rules provided for the issuance of multiple-entry national visas to the third-country nationals entering Lithuania to work in a profession which is included in the Lithuanian Shortage Occupations List. Thus, these third-country nationals were permitted to enter the country for work and have their applications for the issuance of temporary residence permits in Lithuania examined already when working in Lithuania. Since 2007, the Shortage Occupations List has been approved on a semi-annual basis by the Minister of Social Security and Labour.

Shortage occupations in Lithuania during 2007-2011

Half year	Number of shortage occupations	Economic sectors
1 st half of 2007	31	Industry (electricians, welders, etc.), construction (assemblers, stone masons, etc.), services (medical practitioners, drivers, etc.)
2 nd half of 2007	60	Industry (assemblers, welders, metalworkers, etc.), construction (welders, carpenters, etc.), services (drivers, chefs, etc.)
1 st half of 2008	32	Industry (technicians, engineers, etc.), construction (stone masons, etc.), services (drivers, etc.), fisheries.
2 nd half of 2008	15	Industry (engineers, assemblers, etc.), services (drivers, etc.)
1 st half of 2009	10	Industry (mostly in Klaipėda, shipbuilding), services (drivers, chefs).
2 nd half of 2009	8	Industry (only in Klaipėda, shipbuilding), services (drivers, chefs)
1 st half of 2010	7	Industry (mostly in Klaipėda, shipbuilding), services (drivers, chefs).
2 nd half of 2010	6	Industry (only in Klaipėda, shipbuilding), services (drivers, chefs)
1 st half of 2011	4	Industry (only in Klaipėda, shipbuilding), services (drivers, chefs)
2 nd half of 2011	4	Industry (only in Klaipėda, shipbuilding), services (drivers, chefs)

Source: Data of orders of the Minister of Social Security and Labour³⁰

On 23 February 2008, amendments to the LLSA³¹ transposing into national law the provisions of the Schengen *acquis* and two EU directives (Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status and Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research) entered into force. The entry into force of these amendments provided favourable conditions for the entry of researchers, though little use was made of this scheme (e.g., in 2008 only 1 temporary residence permit was issued, in 2009 – 2). Specialists suppose that researchers do not make use of this scheme, because they are unaware of its existence and enter Lithuania as ordinary workers.

On 1 August 2009, other amendments to the LLSA³² entered into force. Their drafting began as early as in 2008, before the outbreak of the economic crisis, and they were intended not only for combating abuse of immigration procedures, but also for loosening some immigration restrictions (e.g., the list of aliens entitled to inviting family members immediately, without waiting for 2 years, was extended; replacement of temporary residence permits was decentralised, i.e., a possibility was created for adoption of decisions on certain temporary residence permits by migration services, rather than the DM).

On 1 April 2011, the new version of the visa rules³³ entered into force. This version brought the national visa issuance procedure into compliance with Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code). The new version expands the list of conditions under which aliens may be issued multiple-entry national visas. According to the new version, a multiple-entry national visa may be issued in the following cases:

- student arriving in Lithuania for studies according to international student exchange programmes or the student exchange programmes drawn up by a higher education institution registered and operating in Lithuania and a foreign higher education institution;
- student who has been admitted to studies at a higher education institution registered and operating in Lithuania;
- alien coming to Lithuania for pedagogical work and/or for research and/or experimental development at research and higher education institutions, also to a family member accompanying the alien;
- professional sportsman or coach entering Lithuania to take up sports-related activities;
- artist entering Lithuania to take up professional activities;
- alien entering the Republic of Lithuania for work and holding a work permit in the Republic of Lithuania issued by the LLE;
- seafarer arriving to a ship flying the flag of the Republic of Lithuania;
- seafarer, where a ship, a member of the crew whereof the alien is, is un-

dergoing repairs in Lithuania;

- journalist accredited with the Ministry of Foreign Affairs of Lithuania;
- alien who enters Lithuania on a periodical basis to work or to engage in any other lawful activity and whose main place of residence is in a foreign state;
- alien whose Schengen visa expires during the period of stay in Lithuania and cannot be extended according to Article 33 of the Visa Code or whose period of visa-free stay expires and who is not able to depart from the Republic of Lithuania for one of the following reasons:

- an illness, another acute health disorder or physical condition;
- a personal circumstance which the alien was not able to foresee;
- force majeure;

- in other cases, when his purpose of entry to Lithuania is a long stay in Lithuania.

Changes in the visa regulations facilitated arrival of students and workers to Lithuania.

To conclude, the changes undertaken in the area of immigration were mostly related to reassignment of the spheres of competence of state authorities, reduction of bureaucracy, but no major revision of immigration policy was accomplished.

Asylum

Upon ratification of the Geneva Convention, Lithuania took an obligation to grant asylum to foreign nationals who were forced to leave their home countries because of war, prosecution or harsh human rights violations. Lithuania grants 3 forms of protection:

- Refugee status (granted for unlimited period of time)
- Subsidiary protection (usually granted for one year, and can remain until situation in person's home country improves)
- Temporary protection (can be granted by the decision of the Lithuanian government if there is a massive influx of foreigners)

The procedures concerning entry of asylum seekers and the conditions of granting asylum have not undergone changes in Lithuania. In the last 10 years, 500 persons on average asked for asylum every year, almost 70 percent were granted protection. The number of decisions to refuse grant refugee status has increased. The number of applications for asylum in Lithuania, though fluctuating, remained at the same level. Russian citizens remained among the largest groups of asylum seekers, but their number was steadily decreasing. Since 2008, the number of asylum seekers from Georgia has significantly increased, despite often rejection of their applications for asylum.

Applications for asylum and decisions on granting of asylum in Lithuania during 2007-2011

Year (all citizenships), including	Applications for granting of asylum			Decisions			
	First-time	Repeated	Total	Refugee status	Subsidiary protection	Status refused	Total
2007	116	364	480	9	393	88	490
- Russia	53	313	366	1	341	29	371
- Georgia	13	-	13	-	-	14	14
2008	210	330	540	12	349	101	462
- Russia	137	278	415	6	301	40	347
- Georgia	7	2	9	-	-	8	8
2009	185	264	449	11	217	267	495
- Russia	45	198	243	6	169	152	327
- Georgia	74	2	76	-	-	50	50
2010	362	141	503	1	109	394	504
- Russia	39	74	113	1	67	43	111
- Georgia	231	18	249	-	-	232	232
2011	362	152	514	7	86	435	528
- Russia	47	63	110	-	54	52	106
- Georgia	202	25	227	-	-	270	270

Source: Data of the MD

Lithuania did not take a decision on participation in refugee reallocation programmes. However, on 14 September 2011³⁴ the Government of the Republic of Lithuania decided, in solidarity with the Republic of Malta facing a considerable inflow of refugees, to joint a project developed by Malta and co-funded by the European Refugee Fund on transfer of aliens arriving from third countries and being in need of international protection from Malta to other Member States of the European Union. A decision was taken to transfer to Lithuania up to 6 asylum seekers.

Emigration of Lithuanian citizens

Emigration of Lithuanian citizens still remains one of the most supreme challenges of Lithuania.

Migration of Lithuanian residents during 2006-2010

	2006	2007	2008	2009	2010	2011
Immigration	7 745	8 609	9 297	6 487	5 213	15 685
Emigration	12 602	13 853	17 015	21 970	83 157	54 331
Net migration	-4 857	-5 244	-7 718	-15 483	-77 944	-38 646

Source: Data of the DS

In 2011, experts in various fields increasingly urged state authorities to begin shaping Lithuania's migration policy taking account of imminent demographic problems³⁵. However, these requests have so far not received any response from the state authorities.

The Programme for Creation of "Global Lithuania" (Involvement of Lithuanian Emigrants into the Life of the State) for 2011-2019, as approved in 2011, has introduced a new approach to emigrant Lithuanian citizens – they may be useful for Lithuania when residing not only in Lithuania, but also abroad. The aspiration to promote return of Lithuanian citizens to the homeland remains, but the target group of the Programme has been expanded to include the citizens who do not intend to return to Lithuania, as well as the aliens who of the Lithuanian descent or have other links with Lithuania. The Programme aims at ensuring that emigrants from Lithuania preserve their national identity, promoting the involvement of the emigrants in the political, economic, cultural life of Lithuania, encouraging Lithuanians to return to Lithuania, and turning the brain drain process into the brain exchange process, involving the emigrants in the processes of exchange of information and dissemination of information.

Other developments

Since 28 June 2009, Lithuania has begun to issue biometric alien's passports, travel documents of stateless persons and travel documents of refugees (the electronic media contained in such documents record face biometrics and fingerprints). Since 9 January 2012, the issuance of biometric residence permits has been initiated.

Under the resolution of 4 November 2009³⁶, the Government of the Republic of Lithuania introduced the Lithuanian National Visa Information System. The purpose of the system is to create conditions for Lithuania to exchange data on applications for the issuance of visas and related decisions with other Member States of the European Union. The Lithuanian national visa information sys-

tem commenced its operation following the launching date of the Visa Information System as established by the European Commission, that is, 11 October 2011. The common Schengen Visa Information System should facilitate checks of persons at the external borders of the European Union and enhance security in the Schengen Area.

Under the order of 2 February 2011, the Minister of Education and Science approved the Programme on Internationalisation of Higher Education of Lithuania 2011-2012³⁷. The Programme aims at improving the quality of higher education and raising the profile of Lithuanian institutions of higher education at the international level as well as involving international elements in studies. This Programme raises the task of facilitating entry conditions (by reducing bureaucratic barriers to the issuance of visas and residence permits) for the students and lecturers who are third-country nationals.

On 8 December 2011, the Seimas passed new amendments to the LLSA³⁸ transposing into national law the provisions of Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country (the so-called Return Directive).

Amendments were also done to the Code of Administrative Offences with a view to adjusting its provisions to the latest amendments of the LLSA and other legal acts. The amendments to the Code of Administrative Offences which entered into force on 1 January 2012³⁹ stipulated administrative liability for provision of false data in order to verify letters of invitation for aliens to enter Lithuania or to assist an alien, by other unlawful means, in obtaining a document confirming the right to stay or reside in Lithuania. These amendments aim at taking action against the Lithuanian residents who aid aliens in establishing fictitious enterprises or misleading state institutions by other means and thus obtaining visas or residence permits in Lithuania.

With a view to implementing the provisions of the Directive on sanctions against employers (2009/52/EC), the Criminal Code, too, was amended. The amendments which entered into force on 6 January 2012⁴⁰ provide for criminal liability of natural and legal persons for employment of third-country nationals illegally staying in Lithuania or illegal employment of five or more illegally staying third-country nationals, or employment of illegally staying third-country nationals under particularly exploitative working conditions, or employment of a minor third-country national illegally staying in Lithuania.

4. Implementation of migration policy

Since 2008 migration and asylum procedures have not substantially changed. Therefore, this chapter will only provide a brief description of entry, admission and integration procedures and an overview of the main developments.

4.1. Entry

During the last years the admission procedure to Lithuania for third country nationals were simplified and adjusted to the requirements of EU. For example, after the Visa code came into force, all tourists come to Lithuania with Schengen visa. It is issued on the same conditions in all EU Member States. Admission procedures of other groups were also simplified. The table in the page 22 provides information on entry procedures for different groups of immigrants.

4.2. Legal residence

In this field, there have been any major institutional and procedural developments since 2008.

Due to the economic crisis, the number of aliens residing in Lithuania has started to decrease, however in 2011 a slight increase of number of aliens was observed.

Number of aliens residing in Lithuania at the beginning of the year during 2006 - 2012 (thousands)

	2006	2007	2008	2009	2010	2011	2012*
Number of residents, including:	3 403.3	3 384.9	3 366.2	3 350.1	3 329.0	3 244.5	3 204.4
- aliens	35.3	33.1	33.4	32.9	32.5	29.6	31.4
- percentage of aliens (%)	1.04	0.98	0.99	0.98	0.98	0.91	0.98

Source: Data of the Migration Yearbook *Data of the beginning of 2012 are preliminary

After decentralisation of adoption of decisions on the issuance of temporary residence permits under the 2009 amendments to the LLSA, the Minister of the Interior authorised on 4 July 2010⁴¹ the MD and migration services to adopt decisions on replacement of temporary residence permits. Moreover, the rules for issuing residence permits were simplified, the number of documents to be submitted together with an application for the issuance of a residence permit was reduced.

The table in the page 24 shows the procedures of aliens' residence in Lithuania for more than 1 year.

Migration procedures in Lithuania by grounds for entry: entry and residence not exceeding 1 year

Procedures / Grounds for entry	Information	Main documents	Procedure	Control of entry
Tourism	Information is provided by travel agencies, Lithuania's diplomatic missions abroad, the MD, the MFA	<ul style="list-style-type: none"> ✓ A Schengen visa. If a person is a citizen of a state which is subject to the EU's visa regime. ✓ Residence permit issued by another Schengen country. 	A Schengen visa is issued at a Lithuanian mission abroad within 15 calendar days. It allows to stay in the Schengen Area for a period not exceeding 3 months within half a year starting from the first day of entry into the Schengen Area.	At the border, officers of the SBGS check whether an alien is in possession of the required documents, whether the documents are not forged, whether the alien has not exceeded the maximum allowed period of stay in the Schengen territory, whether the documents of the alien support the purpose of entry, whether the alien wishing to enter has sufficient funds, whether the alien is not on the national or Schengen entry ban list. The officers have the right to revoke visas if the alien fails to meet the entry requirements.
Employment	Information is provided by the LLE, the MD, the MFA	<ul style="list-style-type: none"> ✓ A work permit, unless an alien does not need it. ✓ Usually a single- or multiple-entry national visa. If the alien works for a period not exceeding 3 months within half a year – a Schengen visa or a residence permit issued by another Schengen country. 	An employer wishing to recruit an alien registers a vacancy in a territorial labour exchange. After a month, he applies for the issuance of a work permit to the alien. Depending on the alien's purpose of entry, the work permit will be issued within 20 or 10 calendar days. Subsequently, the alien applies to a consular post abroad, and if he is legally staying in Lithuania – to a migration service or the MD for the issuance of a national visa or a temporary residence permit	
Studies	Information is provided by the MD, the MFA, MES, EESF	Usually – a single- or multiple-entry national visa. If an alien intends to study for a period not exceeding 3 months within half a year – a Schengen visa or a residence permit issued by another Schengen country.	A higher education institution in which a student is enrolled or to which he has been invited (under international exchange programmes) must submit a request to a Lithuania's mission abroad, the MD or a migration service (if the alien is legally staying in Lithuania) to issue to the alien a national visa. Subsequently, the alien himself applies to a visa service for the issuance of the national visa. The national visa is issued within 15 calendar days.	
Family reunification	Information is provided by the MD, the MFA	<ul style="list-style-type: none"> ✓ Single-entry national visa ✓ Residence permit ✓ Multiple – entry national visa (professor/scientist family members) 	<p>A family member (sponsor) usually may join an alien only after the sponsor has lived in Lithuania for 2 years and has reasonable prospects of remaining in Lithuania permanently¹. The family member lodges an application for the issuance of a temporary residence permit with a Lithuanian mission abroad, and if he is legally staying in Lithuania – to a migration service within the territory serviced by which he intends to settle. A decision on the issuance of the temporary residence permit is taken by the MD not later than within 6 months. Upon the receipt of a notice of the decision on the issuance of the temporary residence permit, the family member applies to the migration service for the issuance of a residence permit card. The temporary residence permit is issued for a period not exceeding 1 year. Subsequently, the alien applies for replacement of the temporary residence permit (in this case, the decision is adopted within 2 months).</p> <p>If an alien is a family member of a Lithuanian citizen, a person who has retained the right to the citizenship of Lithuania or a person of Lithuanian descent and moves with him to reside in Lithuania, he is immediately issued a permanent residence permit.</p>	
Asylum	Information is provided by the MD	An alien may enter without any documents, but in this case he must immediately apply for asylum.	<p>An application for the granting of asylum is lodged at a border crossing point, and if an alien is already staying in Lithuania – with the SBGS (if in the frontier zone) or a territorial police agency or the FRC (if inside the country). These institutions interview the alien, take his travel documents, biometric data and forward all documents to the MD. Within 48 hours, the MD decides:</p> <ul style="list-style-type: none"> ✓ to grant to the alien temporary territorial asylum and examine the application for asylum in substance; ✓ to grant temporary territorial asylum and initiate the Dublin procedure; ✓ not to examine the application for asylum in substance and to return the alien to a safe third country; ✓ not to grant asylum and expel the alien from Lithuania. 	

Migration procedures in Lithuania by grounds for entry: residence more than 1 year

Procedures / Grounds for entry	Main documents	Procedure	Control of aliens
Employment	Temporary residence permit Work permit	<ul style="list-style-type: none"> ✓ If an alien came to Lithuania with a multiply – entry visa and plans to stay for a period exceeding more than 1 year, he / she has to apply to migration services for the issuance of a temporary residence permit. The temporary residence permit is valid for a period not exceeding 1 year and may be subsequently extended (in this case, the decision is adopted within 2 months). ✓ Work permit is issued for period exceeding 2 years. 	<ul style="list-style-type: none"> ✓ Prior adopting a decision on the issuance of a visa or a residence permit, consular posts, migration services or the MD verify whether an alien is entered in the Schengen Information System or the National Entry Ban List of the Republic of Lithuania as an unwanted person. The MD additionally consults the Police Department and the State Security Department as regards the threat posed by the alien to public order or national security. ✓ The control of stay of aliens in Lithuania is exercised by the police, the SBGS and the MD, control of illegal work – by the SLI. If there are suspicions that an alien abuses the rules for staying in Lithuania (e.g., by contracting a marriage of convenience), migration services conduct on-spot verifications on their own initiative or at the request of the MD. The verifications may also be carried out by the SBGS, the SLI, the Tax Inspectorate and other controlling authorities. If it is established that an alien abuses the possibilities of residence in Lithuania or there are no other grounds permitting the alien to reside in Lithuania, the MD adopts a decision on revocation of the alien’s residence permit.
Studies	Temporary residence permit	<ul style="list-style-type: none"> ✓ If an alien came to Lithuania with a multiply – entry visa and plans to study for a period exceeding more than 1 year, he / she has to apply to migration services for the issuance of a temporary residence permit. Additionally, he must submit a letter of mediation of the host institution and other documents. A decision on the issuance of the residence permit is taken by the MD not later than within 6 months. The temporary residence permit is issued for the period of studies, but not longer than for 1 year. The alien may later apply for replacement of the temporary residence permit (in this case, the decision is adopted within 2 months). ✓ Having resided in Lithuania, under a temporary residence permit, for 5 years uninterrupted, an alien may apply to a migration service for the issuance of a permanent residence permit. A decision on the issuance of the permanent residence permit is adopted by the MD within 6 months. The permit is valid for 5 years, subsequently is replaced (in this case, a decision on replacement of the permit is adopted within 1 month). 	<ul style="list-style-type: none"> ✓ After an alien ceases to legally reside in Lithuania, the SBGS, migration services, and as regards asylum procedures – the MD, take a decision on returning the alien or impose on him the obligation to depart from Lithuania.⁴² If the alien fails to depart voluntarily or in the cases when the period of voluntary departure is not granted, the MD adopts a decision on expelling the alien from Lithuania. In the cases when Lithuania has concluded readmission treaties with foreign countries, the MD adopts a decision on returning an alien under a readmission treaty. Decisions on expulsion or returning of aliens under readmission treaties are executed by the SBGS (FRC) or the police. Along with decisions on returning or expulsion of aliens, the MD may adopt decisions on prohibiting aliens to enter Lithuania. The entry ban decisions may be adopted also in other cases when the MD receives information from other state institutions. The MD records these decisions in the Schengen Information System and the National Entry Ban List of the Republic of Lithuania.
Family reunification	Usually a temporary residence permit	<ul style="list-style-type: none"> ✓ TRP, which is alternated every year ✓ Having resided, under a temporary residence permit, in the country for 5 years, a family member may obtain a permanent residence permit. 	
Asylum	Permanent residence permit or temporary residence permit	<p>During examination of an application for asylum, an alien is provided with accommodation at the FRC, an unaccompanied minor – at the RRC, and if the alien is legally staying in Lithuania, the MD may allow him to settle in a place selected by him. The application for asylum is examined within 3 months (for objective reasons, examination may be extended for another 3 months). The MD adopts one of the following decisions:</p> <ul style="list-style-type: none"> ✓ to grant the status of a refugee and issue a permanent residence permit (valid for 5 years, subsequently extended); ✓ not to grant the status of a refugee, but to grant subsidiary protection and issue a temporary residence permit (subsidiary protection is granted for 1 year, later the alien may repeatedly lodge an application for asylum); ✓ not to grant asylum, expel the alien from Lithuania. 	

4.3. Integration

Lithuania does not have a comprehensive programme for the integration of aliens. Neither is there is a single institution responsible for the integration of aliens. Integration support is provided only to the aliens who have been granted international protection in Lithuania.

In Lithuania, the State provides support to the persons who have been granted asylum in Lithuania, regardless of the status of international protection which they have obtained. This support is provided only if the persons who have been granted asylum request it.

Provision of support is co-ordinated and supervised by the MSSL. The Department of Supervision of Social Services under the MSSL assesses the integration processes of the aliens who have been granted asylum, organises trainings of the persons working in the field of integration. The RRC carries out the integration of the persons who have been granted asylum and who are provided with accommodation at the RRC, while municipalities ensure further integration of the persons who have been granted asylum in the territory of the municipalities. Provision of support for integration covers the following areas:

- Teaching of the state language;
- Education;
- Employment;
- Provision with residential premises;
- Social security;
- Health care.

Support for integration is provided at the RRC for a period of up to 8 months. If, for objective reasons, an alien does not manage in time to prepare for integration in a municipality, the duration of his integration is extended for a period of up to 12 months. In respect of vulnerable aliens, support for integration may be provided for a period of up to 18 months (in exceptional cases, support may be provided to minors until they attain the age of 18).

Upon completion of integration at the RRC, support for integration is further provided by municipalities. It is provided for a period of up to 12 months, unless the temporary residence permit of a person who has been granted protection is valid for a shorter period or the alien departs from Lithuania. If vulnerable aliens fail to integrate within 12 months, the period of integration may be extended, but not longer than for another 4 years.

State support for integration of the persons who have been granted asylum during 2004 - 2010

	2004	2005	2006	2007	2008	2009	2010
Number of persons admitted by the RRC	63	65	62	63	50	47	20
Number of the aliens who have been granted asylum and receiving support for integration from municipalities	405	275	269	297	298	184	Data unavailable

Source: Data of the RRC

Lithuanian institutions do not implement programmes for integration of other aliens who have not applied for or have not been granted asylum in Lithuania. However, separate projects of information of aliens and the Lithuanian population and integration of aliens are carried out by non-governmental and other private organisations under the annual programmes of the European Fund for the Integration of Third Country Nationals⁴³.

4.4. Citizenship

On 2 December 2010, the Seimas of the Republic of Lithuania passed the Law of the Republic of Lithuania on Citizenship, which entered into force on 1 April 2011⁴⁴. Upon passing of this Law, the conditions of naturalisation have not changed: citizenship of the Republic of Lithuania may be granted to a permanent resident of Lithuania who has been permanently resident in Lithuania for 10 years, has passed an examination in the Lithuanian language and in the fundamentals of the Constitution of the Republic of Lithuania, has legal means of subsistence. Spouses of Lithuanian citizens need to have been resident in Lithuania for a shorter period of time: 5 years for spouses of deportees, political prisoners or their children born in exile, 5 years for aliens who have lived in Lithuania for at least a year while being married to a citizen of Lithuania who later died, 7 years for other spouses of Lithuanian citizens.

Apart from naturalisation, the citizenship of Lithuania may be acquired by birth, by way of exception (for outstanding merits to Lithuania), on the grounds provided for by treaties. Moreover, citizenship may be restored (to those who previously lost citizenship of Lithuania) or granted under the simplified procedure (to persons of Lithuanian descent).

According to the Constitution of the Republic of Lithuania, a citizen of the Republic of Lithuania may be a citizen of the Republic of Lithuania and another state only in exceptional cases. The new Law on Citizenship stipulates that the following citizens of Lithuania may have citizenship of the Republic of Lithuania and citizenship of another state:

- they have acquired citizenship of the Republic of Lithuania and citizenship of another state at birth and they have not reached 21 years of age;
- they are persons who were exiled from the occupied Republic of Lithuania before 11 March 1990 and acquired citizenship of another state or they are descendants of these persons (children, grandchildren or great grandchildren);
- they are persons who fled the Republic of Lithuania before 11 March 1990 and acquired citizenship of another state or they are descendants of these persons (children, grandchildren or great grandchildren);
- by virtue of marriage to a citizen of another state they have *ipso facto* acquired citizenship of that state;
- they are persons under 21 years of age, provided they were adopted by citizens (citizen) of Lithuania before reaching 18 years of age and, as a result of the adoption, acquired citizenship of Lithuania⁴⁵;
- they are persons under 21 years of age, provided they, being citizens of the Republic of Lithuania, were adopted by citizens (citizen) of another state before reaching 18 years of age and, as a result of the adoption, acquired citizenship of that state;
- they have acquired citizenship of Lithuania by way of exception while being citizens of another state;
- they have acquired citizenship of Lithuania while having refugee status in Lithuania.

Aliens must submit applications for the granting of citizenship of Lithuania to migration services, and if they reside abroad – to diplomatic missions of Lithuania or to the MD. Citizenship is granted and restored through naturalisation, under the simplified procedure or by way of exception by the President of the Republic of Lithuania, and the Citizenship Commission assists and consults him on these issues.

Documents of aliens are submitted to the Citizenship Commission by the MD and migration services.

Other issues related to citizenship (reinstatement of citizenship, loss, acquisition of citizenship in certain cases, oath, etc.) are dealt with by the Minister of the Interior, the MD and migration services.

Aliens granted Lithuanian citizenship during 2006 - 2010

Former citizenship	2006	2007	2008	2009	2010
Total	467	370	240	214	162
- Russia	151	113	54	49	43
- stateless persons	238	184	128	106	78
- Ukraine	30	20	31	27	19
- Belarus	28	31	10	12	11

Source: Data of the Migration Yearbook

The new Law of the Republic of Lithuania on Citizenship has ambiguous considerations. Lithuanian communities abroad are not content with the recent Law of the Citizenship. It is possible that discussions on this law will continue in the future.

4.5. Access to the labour market

The procedures for entering the country for the purposes of employment, undertaking employment upon entering Lithuania and issuing work permits have not changed since 2008, the functions of state institutions in this field have not changed either.

The LLE remains the main institution responsible for the issuance of work permits and supervision of the labour market. Control of illegal work – both by aliens, and Lithuanian citizens – is exercised by the State Labour Inspectorate under the MSSL, assisted by the police and other institutions.

Employment of aliens in Lithuania during 2007 - 2011

	2007	2008	2009	2010	1 st half of 2011
Number of work permits issued to aliens⁴⁶	5686	7819	2239	1808	3327
Number of identified cases of illegal work of aliens	18	161	15	21	5

Source: Data of the State Labour Inspectorate under the MSSL and the LLE

4.6. Return

In the field of return of aliens, institutional responsibilities and procedures have not undergone any changes since 2008. The amendments to the LLSA adopted on 8 December 2011 (obtained on 1st of February, 2012) harmonised the provisions of the LLSA with the provisions of Directive 2008/115/EC (Return Directive),⁴⁷ but return procedures have not been substantially changed, and the competence of the institutions implementing these procedures remains unchanged.

Since 1st of February, 2012 in the field of return the following 3 types of decisions are adopted:

- 1) A decision to return (before that - the obligation to depart) – an alien is granted a period from 7 to 30 days (this period can be extended if necessary) to voluntarily depart from Lithuania. Just as prior to entry into force of these amendments, a period of voluntary departure is granted to the aliens who en-

tered or settled in Lithuania legally, but later their stay or residence in Lithuania became illegal for various reasons. Just as previously, unaccompanied minor aliens are returned to a foreign state only when such a decision serves the best interests of the minors.

2) Obligation to depart – a version of the decision to return intended for the aliens entitled to reside or stay in another European Union Member State or a member country of the European Free Trade Association. These aliens will be granted a period of up to 30 days during which they can voluntarily depart from Lithuania to a Member State which they are entitled to enter for stay or residence (e.g., who have a residence permit or national visa issued by another European Union Member State or a member country of the European Free Trade Association).

3) A decision to expel – a decision under which an alien is expelled from Lithuania. Just as previously, this decision is adopted in respect of the aliens who are illegally staying in Lithuania (who entered Lithuania without having the right to enter it). The aliens who fail to depart voluntarily within the voluntary departure period granted to them, and the aliens whose stay in Lithuania constitutes a threat to national security or public order will also be expelled.

The new amendments to the LLSA clearly specify also the maximum allowed period of detention of an alien for the purposes of expulsion – 6 months, with a possibility to extend the period of detention in certain cases for another 12 months. Moreover, the amendments introduce the maximum duration of the prohibition to enter Lithuania – 5 years – and specify the exceptional cases when aliens may be prohibited from entering Lithuania for a period exceeding 5 years (when an alien poses a threat to national security or public order).

Aliens obliged to voluntarily depart from Lithuania and expelled during 2006 - 2011

	2006	2007	2008	2009	2010
Obligated to depart	1002	898	759	1035	1188
Expelled	149	147	123	144	137

Source: Data of the Migration Yearbook

5. Analysis of asylum and migration systems

It has already been mentioned that in recent years, the legal acts of the European Union have been the main reason for amending national legal acts in the area of migration and asylum. Some EU legal acts have promoted or will promote the development of a more advanced system of migration and asylum management in Lithuania. For example, upon transposing the Blue Card Directive⁴⁸, a more flexible and faster entry scheme for highly qualified workers will be developed; upon transposing the Employer Sanctions Directive⁴⁹, more attention will be devoted to illegal work of aliens in Lithuania. Other EU legal acts have not brought major changes. Thus, for instance, the Return Directive has only slightly modified the return system currently applied to aliens.

Another reason for which legal acts were amended is the intention to facilitate the procedures related to migration, reduce the administrative burden on aliens and the natural or legal persons inviting them. In the future, the increasing number of services will be shifted to cyber space. Thus, it is currently possible to find in the Internet various application forms, letters of invitation for aliens to enter Lithuania already may be sent electronically; after the MD completes a state project whose implementation is about to commence, citizens and aliens will be notified electronically about the personal documents issued in Lithuania, about the expiry of certificates contained in the documents, will be able to pay online for the services rendered, will be able to consult a virtual consultant over the issues related to migration. Moreover, electronic document management systems are already being introduced at state institutions, which will speed up the work of the state institutions.

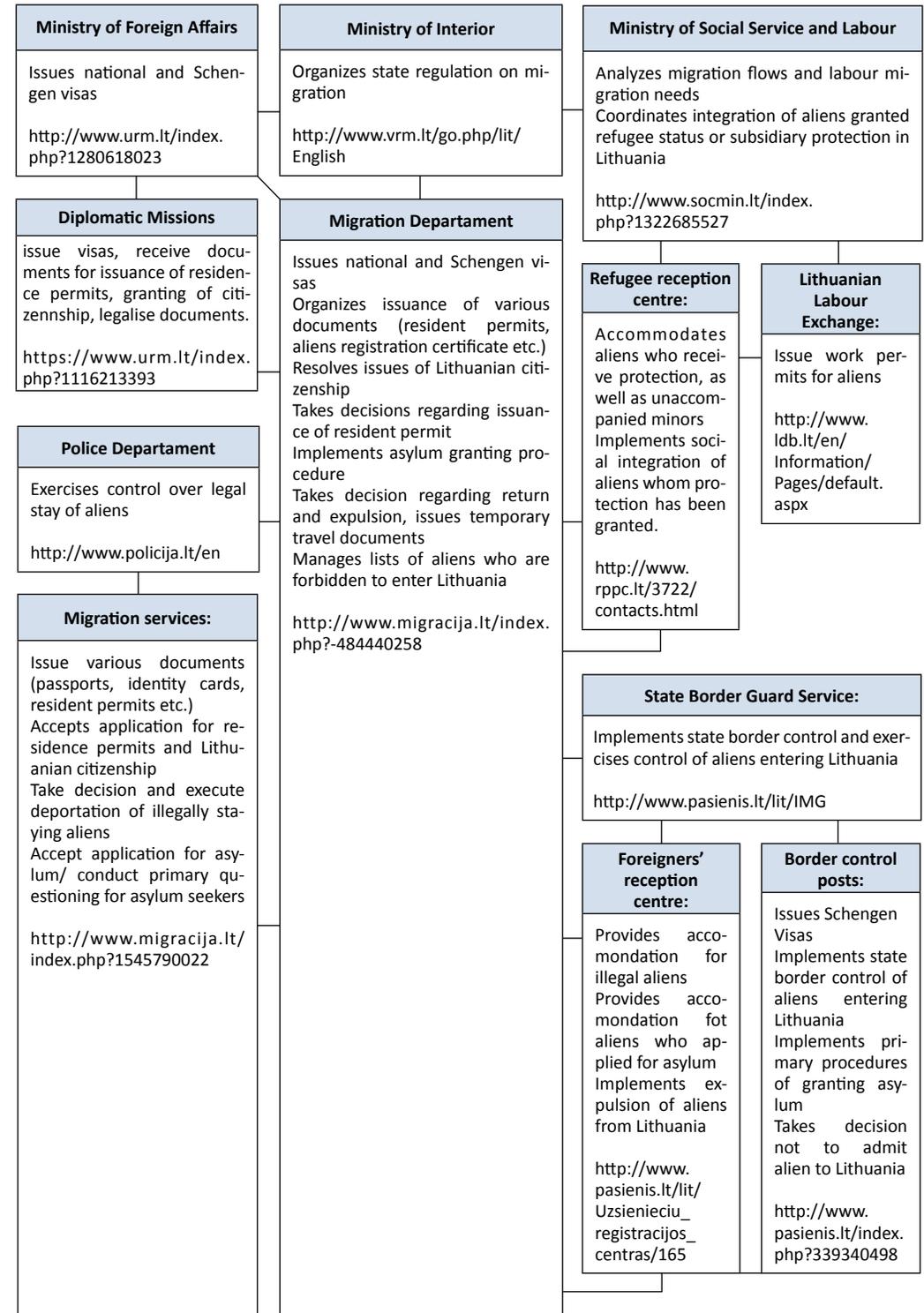
Despite this progress, unresolved problems remain.

The principal systemic problem which needs to be solved without delay is the absence of a system of integration of aliens who have not applied for international protection in Lithuania. An institution which would be responsible for co-ordination of integration of aliens has not been appointed yet, national integration policy does not exist, and integration is implemented solely by non-governmental entities occasionally carrying out short-term integration projects. On the EU agenda, the issues of integration are increasingly becoming the focus of attention, hence there is a hope that discussions at the EU level will speed up the solution of this problem in Lithuania.

Since 2008, the problem of the relationship of migration services with the MD has remained unsolved. The National Audit Office of Lithuania established as early as in 2006⁵⁰ that ‘the possibilities of the MD to participate in organising the activities of migration services are limited, because territorial migration services are not subordinate to it; the migration services are a constituent part of

the police, but the majority of the functions performed by these services are not related to implementation of the tasks assigned by laws to the police' and recommended to search for possibilities to separate the functions, as performed by the migration services, which are not characteristic of the police and to develop a common system of planning of the activities of the institutions administering migration processes and assessment of their performance. However, this issue has so far not been addressed comprehensively: although the MI has consolidated political supervision of migration processes (the divisions in charge of these processes have been established at the MI), the MD has not been provided with the possibility of enhanced co-ordination of the activities of migration services.

The funding cut due to the economic crisis and expected to be further cut in the future has resulted in reduction of the number of staff dealing with migration processes at state institutions, shortage of resources for the performance of direct functions, which in the future may determine a weaker control of the migration processes, the growing dissatisfaction of the population with the work of the state institution.



SOURCES

Legal acts

1. Constitution of the Republic of Lithuania (Official Gazette, No 33-1014, 1992).
2. Law of the Republic of Lithuania on the Legal Status of Aliens (Official Gazette, No 73-2539, 2004).
3. Law Amending Articles 2, 5, 8, 26, 32, 35, 40, 43, 46, 50, 53, 71, 72, 90, 99, 104, 113, 124, 125, 126, 127, 131, 133, 134, Section One of Chapter III and the Annex of the Law on the Legal Status of Aliens, Supplementing the Law with Article 49(2) and Repealing Article 7 (Official Gazette, No 22-803, 2008).
4. Law Amending Articles 2, 4, 5, 8, 10, 11, 21, 26, 34, 35, 43, 45, 51, 53, 62, 63, 64, 80, 81, 93, 101, 102, 106, 125 and 140(1) of the Law on the Legal Status of Aliens and Supplementing the Law with Article 141(1) (Official Gazette, No 93-3984, 2009).
5. Law of the Republic of Lithuania on Citizenship (Official Gazette, No 144-7361, 2010).
6. Law of the Republic of Lithuania on Guarantees to Posted Workers (Official Gazette, No 67-2406, 2005).
7. Law Amending Articles 13, 35, 436, 437, 438, 4310, 79, 1091, 1101, 111, 112, 1121, 1126, 1128, 125, 138, 145, 146, 147, 149, 163, 16313, 1713, 1724, 1735, 17316, 17321, 187, 1886, 18810, 18817, 189, 206, 2062, 2063, 221, 224, 2252, 2253, 227, 228, 2321, 233, 2351, 237, 239, 240, 242, 245, 246, 2464, 2468, 2472, 2477, 24710, 2591, 281, 304, 309, 314 of the Code of Administrative Offences of the Republic of Lithuania, Supplementing the Code with Articles 372, 4313, 523, 524, 9911, 1129, 11210, 11211, 1175, 17228, 17322, 1814, 18820, 2065 and Section Thirty-Three and Repealing Articles 1127, 1728, 1734, 2061, 241, 2466, 2473 (Official Gazette, No 163-7758, 2011).
8. Law Supplementing the Criminal Code of the Republic of Lithuania with 2921 and Supplementing the Annex to the Code (Official Gazette, No 4-115, 2012).
9. Seimas of the Republic of Lithuania Resolution No IX-1187 of 12 November 2002 on the Long-Term Development Strategy of the State (Official Gazette, No 113-5029, 2002).
10. Seimas of the Republic of Lithuania Resolution No XI-52 of 9 December 2008 on the Programme of the Government of the Republic of Lithuania (Official Gazette, No 146-5870, 2008).
11. Government of the Republic of Lithuania Resolution No 1350 of 28 October 2004 on the Approval of the National Demographic (Population) Policy Strategy (Official Gazette, No 159-5795, 2004).
12. Government of the Republic of Lithuania Resolution No 416 of 25 April 2007 on the Approval of the Economic Migration Regulation Strategy and Its Implementation Measures Plan for 2007-2008 (Official Gazette, No 49-1897, 2007).
13. Government of the Republic of Lithuania Resolution No 189 of 25 February 2009 on Approval of the Implementation Measures of the Programme of the Government of the Republic of Lithuania for 2008-2012 (Official Gazette, No 33-1268, 2009).
14. Government of the Republic of Lithuania Resolution No 50 of 28 January 2009 on Formation of the Commission for the Improvement of State Administration (the Sunset Commission) (Official Gazette, No 13-514, 2009).
15. Government of the Republic of Lithuania Resolution No 291 of 14 March 2001 on the Approval of the Regulations of the Ministry of the Interior of the Republic of Lithuania (Official Gazette, No 27-794, 2001; No 123-6302, 2010).
16. Government of the Republic of Lithuania Resolution No 98 of 29 January 2001 on the Establishment and Approval of the Regulations of the Police Department under the Ministry of the Interior of the Republic of Lithuania (Official Gazette, No 10-294, 2001; No 121-5199, 2009).
17. Government of the Republic of Lithuania Resolution No 194 of 22 February 2001 on the Reorganisation of the Border Police Department under the Ministry of the Interior of the Republic of Lithuania and Approval of the Regulations of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (Official Gazette, No 18-556, 2001; No 40-1459, 2008).
18. Government of the Republic of Lithuania Resolution No 1155 of 25 September 1998 on the Approval of the Regulations of the Ministry of Foreign Affairs of the Republic of Lithuania (Official Gazette, No 85-2378, 1998; No 49-1827, 2008).
19. Government of the Republic of Lithuania Resolution No 892 of 17 July 1998 on the Approval of the Regulations of the Ministry of Social Security and Labour of the Republic of Lithuania (Official Gazette, No 66-1916, 1998; No 123-6300, 2010).
20. Government of the Republic of Lithuania Resolution No 1317 of 3 December 2008 on the Approval of Lithuania's Immigration Policy Guidelines (Official Gazette, No 143-5706, 2008).
21. Government of the Republic of Lithuania Resolution No 1456 of 4 November 2009 on the Establishment of the Lithuanian National Visa Information System, Approval of Its Regulations and Determination of the Beginning of Its Operation (Official Gazette, No 136-5933, 2009).
22. Government of the Republic of Lithuania Resolution No 1104 of 9 September 2009 on the Approval of the Programme for the Prevention and Control of Trafficking in Human Beings 2009-2012 (Official Gazette, No 112-4761, 2009).
23. Government of the Republic of Lithuania Resolution No 389 of 30 March 2011 on the Approval of the Programme for Creation of "Global Lithuania" (Involvement of Lithuanian Emigrants into the Life of the State) for 2011-2019 (Official Gazette, No 42-1969, 2011).
24. Government of the Republic of Lithuania Resolution No 1082 of 14 September 2011 on Asylum Seekers from the Republic of Malta (Official Gazette, No 115-5416, 2011).
25. President of the Republic of Lithuania Decree No 1K-812 of 6 September 2011 on the Formation of the Citizenship Commission and Approval of the Rules of Procedure of the Citizenship Commission (Official Gazette, No 112-5264, 2011).
26. Minister of the Interior of the Republic of Lithuania Order No 388 of 6 October 2000 on the Approval of the Regulations of the Migration Department under the Ministry of the Interior (Official Gazette, No 86-2639, 2000; No 16-749, 2011).
27. Minister of the Interior of the Republic of Lithuania Order No 681 of 28 December 2001 on the Approval of the Regulations of the Personalisation of Identity Documents Centre under the Ministry of the Interior (Official Gazette, No 4-126, 2002; No 18-892, 2011).
28. Minister of the Interior of the Republic of Lithuania Order No 1V-430 of 28 June 2010 on Amendment of Minister of the Interior of the Republic of Lithuania Order No 1V-436 of 3 December 2008 on the Granting of Powers (Official Gazette, 2010, Nr. 79-4103).
29. Minister of the Interior of the Republic of Lithuania Order No 1V-233 of 29 May 2009 on the Granting of Powers (Official Gazette, 2009, Nr. 69-2802).
30. Minister of the Interior of the Republic of Lithuania Order No 454 of 7 December 2000 on the Approval of the Regulations of the Residents' Register Service under the Ministry of the Interior of the Republic of Lithuania (Official Gazette, No 107-3397, 2000; No 18-893, 2011).

31. Order No 1V-395/V-100 of the Minister of the Interior of the Republic of Lithuania and the Minister of Foreign Affairs of the Republic of Lithuania of 19 November 2007 on Amendment of Order No 1V-280/V-109 of the Minister of the Interior of the Republic of Lithuania and the Minister of Foreign Affairs of the Republic of Lithuania of 2 September 2004 on the Approval of the Rules for Submitting Documents for the Issuance of Visas, Issuing Visas, Including Issuing Visas at Border Crossing Points, Extending the Period of Stay in the Republic of Lithuania under a Visa, Revoking Visas, Accrediting Tour Operators and Travel Agencies (Official Gazette, No 121-4969, 2007).
32. Minister of the Interior of the Republic of Lithuania and Minister of Foreign Affairs of the Republic of Lithuania Order No 1V-233/V-66 of 24 March 2011 on Amendment of Minister of the Interior of the Republic of Lithuania and Minister of Foreign Affairs of the Republic of Lithuania Order No 1V-280/V-109 of 2 September 2004 on the Approval of the Description of the Procedure for Submitting Documents for the Issuance of Visas, Issuing and Revoking Visas, Consultation, Accrediting Tour Operators and Travel Agencies and Verifying Letters of Invitation for Temporary Entry of Aliens to the Republic of Lithuania (Official Gazette, No 38-1832, 2011).
33. Minister of the Interior of the Republic of Lithuania Order No 1V-827 of 30 December 2010 on the European Asylum Support Office (Official Gazette, No 2-54, 2011).
34. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-234 of 18 August 2005 on the Approval of the Regulations of the Refugees Reception Centre (Official Gazette, No 102-3795, 2005; No 117-5974, 2010).
35. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-306 of 13 November 2006 on the Approval of the Regulations of the Lithuanian Labour Exchange at the Ministry of Social Security and Labour (Official Gazette, No 125-4774, 2006; No 62-3076, 2010).
36. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-316 of 12 May 2009 on the Approval of the Regulations of the State Labour Inspectorate of the Republic of Lithuania under the Ministry of Social Security and Labour (Official Gazette, No 58-2262, 2009; No 147-7547, 2010).
37. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-238 of 21 October 2004 on the Approval of the Description of the Procedure for Rendering Lithuanian State Support for Integration of Aliens who Have Been Granted Asylum in the Republic of Lithuania (Official Gazette, No 157-5741, 2004; No 83-3449, 2009).
38. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-500 of 14 August 2009 on the Approval of the Description of the Conditions of and the Procedure for Issuing Work Permits to Aliens (Official Gazette, No 98-4134, 2009).
39. Minister of Social Security and Labour of the Republic of Lithuania Order No A1-120 of 26 March 2010 on Amendment of Minister of Social Security and Labour of the Republic of Lithuania Order No A1-500 of 14 August 2009 on the Approval of the Description of the Conditions of and the Procedure for Issuing Work Permits to Aliens (Official Gazette, No 36-1735, 2010).
40. Minister of Education and Science of the Republic of Lithuania Order No V-178 of 2 February 2011 on the Approval of the Programme on Internationalisation of Higher Education of Lithuania 2011-2012 (Official Gazette, No 16-785, 2011).
41. Lithuanian Police Commissioner General Order No 5-V-403 of 18 June 2007 on the Approval of Standard Regulations of Migration Divisions, Subdivisions, Groups and Passport Offices of the Public Police at Territorial Police Agencies (Official Gazette, No 99-4038, 2007).

42. State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania Commander Order No 4-1220 of 29 December 2007 on the Approval of the Regulations of the Foreigners' Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (Official Gazette, No 5-180, 2008, in force until 31 January 2012).

Websites

1. <http://www.lietuva.lt/>
2. <http://www.iom.lt/lt/>
3. <http://www.unhcr.se/lt>
4. <http://www.redcross.lt>
5. <http://www.ces.lt/>
6. <http://www.migracija.lt>
7. <http://www.lrvk.lt>
8. <http://www.pasienis.lt>
9. <http://www.rppc.lt/>
10. <http://www.vdi.lt/>

Other sources

1. LT EMN NCP study "The Organisation of Asylum and Migration Policies in Lithuania", 2008. http://emn.intrasoft-intl.com/Downloads/prepareShowFiles.do;jsessionid=446490F23FBF5ACA6B4198442B64402D?entryTitle=07_The%20ORGANISATION%20OF%20Asylum%20and%20Migration%20POLICIES%20in%20the%20EU%20Member%20States.
2. Public Audit Report No VA-2040-21-3 "Administration of migration processes (management and organisation of activities of migration services of territorial police agencies)" of 15 May 2006 drawn up by the National Audit Office of Lithuania.
3. Draft Law No XIP-2701 Amending Articles 1, 2 of the Law on the State Border and Protection Thereof and Supplementing the Law with Chapter VI.
4. Migration Yearbooks (2008, 2009, 2010).

(Footnotes)

1 These requirements do not apply, and family members may join the sponsor straight away: 1) who has been granted the status of a refugee in Lithuania; 2) who has been issued a temporary residence permit in Lithuania as a researcher under Directive 2005/71/EC; 3) who performs a job requiring high professional skills for which a monthly salary is paid during the period of validity of the temporary residence permit in the amount not lower than three most recently announced average monthly earnings in the whole economy (approximately LTL 6400 before tax); 4) who has entered the country to teach or participate in internship at Lithuanian institutions of higher education and research under the treaties to which Lithuania is a party or according to EU academic exchange programmes with third countries; 5) who, by directly participating in the projects of importance to the State, has invested in Lithuania a property owned by him, borrowed or managed and used by the right of trust.

(Endnotes)

- 1 Lithuania's study and the synthesis report prepared by the European Migration Network may be accessed at: <http://emn.intrasoft-intl.com/Downloads/prepareShowFiles.do?sessionid=D6992131DF6BAB1C762BF4A00B113A26?entryTitle=08>.
- 2 The Government is formed by the Prime Minister and 14 ministers. Each minister heads a separate ministry.
- 3 The territory of Lithuania is divided into 60 municipalities.
- 4 This Department includes the Migration Affairs Division (7 civil servants).
- 5 According to data of the end of 2011, the MD consisted of 71 civil servants, including 12 civil servants in the Division on Asylum Affairs.
- 6 There are currently 51 migration services, which consist of 516 positions.
- 7 At the end of 2011, this Division consisted of 3 persons.
- 8 At the beginning of 2012, the SBGS consisted of 4222 positions (out of them, 4033 positions were occupied).
- 9 The Border Guard School, the Special Tasks Squad, the Aviation Squadron, the Ignalina Nuclear Power Plant Security Unit, the Foreigners' Registration Centre.
- 10 At the end of 2011, the Centre had 22 employees.
- 11 Third country national – a person who does not have a citizenship of EU or Norway.
- 12 Approved by Seimas of the Republic of Lithuania Resolution No IX-1187 of 12 November 2002 (Official Gazette, No 113-5029, 2002)
- 13 Approved by Government of the Republic of Lithuania Resolution No 1350 of 28 October 2004 (Official Gazette, No 159-5795, 2004)
- 14 Approved by Government of the Republic of Lithuania Resolution No 416 of 25 April 2007 (Official Gazette, No 49-1897, 2007)
- 15 Approved by Government of the Republic of Lithuania Resolution No 1317 of 3 December 2008 (Official Gazette, No 143-5706, 2008)
- 16 Approved by Government of the Republic of Lithuania Resolution No 389 of 30 March 2011 (Official Gazette, No 42-1969, 2011).
- 17 Under Resolution No 1104 of 9 September 2009 (Official Gazette, No 112-4761, 2009), the Government of the Republic of Lithuania approved the Programme for the Prevention and Control of Trafficking in Human Beings 2009-2012, which is a continuation of the programmes 2002-2004 and 2005-2008.

- 18 http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=350564
- 19 http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=387811&p_query=&p_tr2=
- 20 http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=386914&p_query=&p_tr2=
- 21 http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=256480&p_query=&p_tr2=
- 22 A list of legal acts regulating migration is available at <http://www.migracija.lt/index.php?918803246>
- 23 With Belarus (has not entered into force yet)
- 24 A list of these treaties is available at <http://www.migracija.lt/index.php?1904747489>
- 25 Seimas of the Republic of Lithuania Resolution No XI-52 of 9 December 2008 on the Programme of the Government of the Republic of Lithuania (Official Gazette, No 146-5870, 2008), see the second part of the Programme.
- 26 Government of the Republic of Lithuania Resolution No 189 of 25 February 2009 on Approval of the Implementation Measures of the Programme of the Government of the Republic of Lithuania for 2008-2012 (Official Gazette, No 33-1268, 2009).
- 27 Government of the Republic of Lithuania Resolution No 50 of 28 January 2009 on Formation of the Commission for the Improvement of State Administration (the Sunset Commission) (Official Gazette, No 13-514, 2009).
- 28 Government of the Republic of Lithuania Resolution No 1317 of 3 December 2008 (Official Gazette, No 143-5706, 2008).
- 29 Order No 1V-395/V-100 of the Minister of the Interior of the Republic of Lithuania and the Minister of Foreign Affairs of the Republic of Lithuania of 19 November 2007 on Amendment of Order No 1V-280/V-109 of the Minister of the Interior of the Republic of Lithuania and the Minister of Foreign Affairs of the Republic of Lithuania of 2 September 2004 on the Approval of the Rules for Submitting Documents for the Issuance of Visas, Issuing Visas, Including Issuing Visas at Border Crossing Points, Extending the Period of Stay in the Republic of Lithuania under a Visa, Revoking Visas, Accrediting Tour Operators and Travel Agencies (Official Gazette, No 121-4969, 2007).
- 30 Official Gazette, No 21-784, No 76-3033, 2007; No 10-361, No 74-2908, No 98-3799, 2008; No 1-10, No 79-3294, 2009; No 3-129, No 83-4390, No 153-7854, 2010; No 78-3832, 2011.
- 31 Law Amending Articles 2, 5, 8, 26, 32, 35, 40, 43, 46, 50, 53, 71, 72, 90, 99, 104, 113, 124, 125, 126, 127, 131, 133, 134, Section One of Chapter III and the Annex of the Law on the Legal Status of Aliens, Supplementing the Law with Article 49(2) and Appealing Article 7 (Official Gazette, No 22-803, 2008).
- 32 Law Amending Articles 2, 4, 5, 8, 10, 11, 21, 26, 34, 35, 43, 45, 51, 53, 62, 63, 64, 80, 81, 93, 101, 102, 106, 125 and 140(1) of the Law on the Legal Status of Aliens and Supplementing the Law with Article 141(1) (Official Gazette, No 93-3984, 2009).
- 33 Minister of the Interior of the Republic of Lithuania and Minister of Foreign Affairs of the Republic of Lithuania Order No 1V-233/V-66 of 24 March 2011 on Amendment of Minister of the Interior of the Republic of Lithuania and Minister of Foreign Affairs of the Republic of Lithuania Order No 1V-280/V-109 of 2 September 2004 on the Approval of the Description of the Procedure for Submitting Documents for the Issuance of Visas, Issuing and Revoking Visas, Consultation, Accrediting Tour Operators and Travel Agencies and Verifying Letters of Invitation for Temporary Entry of Aliens to the Republic of Lithuania (Official Gazette, No 38-1832, 2011).

- 34 Government of the Republic of Lithuania Resolution No 1082 of 14 September 2011 on Asylum Seekers from the Republic of Malta (Official Gazette, No 115-5416, 2011).
- 35 See, for example, <http://www.bernardinai.lt/straipsnis/2011-10-27-pensinio-amziaus-ilginimas-visu-problemu-neisspres/71215/print>; <http://www.balsas.lt/naujiena/564940/d-paukste-emigracijos-politika-nieko-nematau-nieko-negirdziu-nieko-nesakau/1>; T. Janeliūnas. 2011-iejai: politinės inercijos metai // IQ. – ISSN 2029-4417. – 2011, No 12 (21), p. 34.
- 36 Government of the Republic of Lithuania Resolution No 1456 of 4 November 2009 on the Establishment of the Lithuanian National Visa Information System, Approval of Its Regulations and Determination of the Beginning of Its Operation (Official Gazette, No 136-5933, 2009).
- 37 Order No V-178 of 2 February 2011 (Official Gazette, No 16-785, 2011).
- 38 Law Amending Articles 2, 19, 77, 113, 114, 125, 126, 127, 128, 129, 132, 133, 139 of the Law on the Legal Status of Aliens and the Annex of the Law.
- 39 Law Amending Articles 13, 35, 436, 437, 438, 4310, 79, 1091, 1101, 111, 112, 1121, 1126, 1128, 125, 138, 145, 146, 147, 149, 163, 16313, 1713, 1724, 1735, 17316, 17321, 187, 1886, 18810, 18817, 189, 206, 2062, 2063, 221, 224, 2252, 2253, 227, 228, 2321, 233, 2351, 237, 239, 240, 242, 245, 246, 2464, 2468, 2472, 2477, 24710, 2591, 281, 304, 309, 314 of the Code of Administrative Offences of the Republic of Lithuania, Supplementing the Code with Articles 372, 4313, 523, 524, 9911, 1129, 11210, 11211, 1175, 17228, 17322, 1814, 18820, 2065 and Section Thirty-Three and Repealing Articles 1127, 1728, 1734, 2061, 241, 2466, 2473 (Official Gazette, No 163-7758, 2011).
- 40 Law Supplementing the Criminal Code of the Republic of Lithuania with Article 2921 and Supplementing the Annex of the Code (Official Gazette, No 4-115, 2012).
- 41 Minister of the Interior of the Republic of Lithuania Order No 1V-430 of 28 June 2010 on Amendment of Minister of the Interior of the Republic of Lithuania Order No 1V-436 of 3 December 2008 on the Granting of Powers (Official Gazette, No 79-4103, 2010).
- 42 For more information, see Section 4.1.7 of this study.
- 43 The list of projects under implementation is available at <http://esf.socmin.lt/index.php?926554457>.
- 44 Official Gazette, No 144-7361, 2010.
- 45 Children adopted by Lithuanian citizens acquire the citizenship of Lithuania from the moment of adoption.
- 46 This number does not reflect the total number of aliens working in Lithuania, because e.g. family members of aliens may work in Lithuania without a work permit.
- 47 These new amendments will enter into force on 1 February 2012 together with subordinate legal acts.
- 48 Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.
- 49 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.
- 50 Public Audit Report No VA-2040-21-3 “Administration of migration processes (management and organisation of activities of migration services of territorial police agencies)” of 15 May 2006 drawn up by the National Audit Office of Lithuania.