



COUNTRY FACTSHEET: LITHUANIA 2012

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Lithuania during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

In 2012, a number of **amendments** to the Lithuanian Law on the Legal Status of Aliens were adopted, with a view to **transposing and implementing provisions of legal acts of the European Union** including the Blue Card Directive, Long-Term Residence Directive, Return Directive, and Employer Sanctions Directives. Additional proposals for amendments to the Law were submitted and are currently being considered by the Seimas (Parliament of the Republic of Lithuania).

Parliamentary Elections in Lithuania took place in 2012 and thus a new Government was formed during the same year. The new Governments' Programme of has no substantial modifications in the area of immigration policy. The main aspects of the previous Programme such as migration management, external border control and the issue of migration still remain in the Programme.

Lithuania also took the following steps to facilitate the entry of third-country nationals:

- Highly-qualified workers: as of 01 January 2013, these third country nationals may arrive by the facilitated procedure and immediately bring their family members;
- Students: a Government Resolution permitted Higher Education institutions to recognise diplomas and some aspects of the procedure were simplified.

2.2 ECONOMIC MIGRATION

The **Blue Card Directive was transposed**, introducing an accelerated procedure for granting residence to successful applicants. Overall, such amendments shorten the period of examination of an application for the issuance of a temporary residence permit from six months to two months and facilitate the procedure for family reunification. Applicants for the permit must be third-country nationals with a relevant higher education diploma. The applicant's monthly salary must be at least twice the average national monthly gross earnings and the applicant must obtain the decision of the Lithuanian Labour Exchange Office on the basis of an assessment of labour market needs. The amendments entered into force on 1 January 2013.

Labour shortages were identified in industry (welding and ship hull assembly) and services (kitchen chefs and long-haul truck driving) in 2012. The Lithuanian Labour Exchange **issued 39% more work permits to third-country nationals than the previous year** (4,627 in total); the majority of these (70%) were issued to long-haul truck drivers. Most permits were granted to citizens of Belarus (42%) and the Ukraine (41%).

2.3. FAMILY REUNIFICATION

A draft proposal to amend the concept of family member so as to include dependent persons or dependants of persons, who are in a documented long-term relationship with citizens of the EU Member States, was submitted to the Seimas for debate¹. The draft amendment follows the decision of the EU Court of Justice (Case C-83/11 - *Secretary of State for the Home Department v. M. S. Rahman et al.*).

2.4. INTEGRATION

In 2012 there were no policy changes in the field of integration of the third country nationals in Lithuania. Nevertheless, the draft proposal to create a

¹ The amendments were passed on the 27 June 2013.

governmental Commission to coordinate the work of the different institutions responsible for integration continued to be subject of discussions in the Governmental institutions.

Lithuania also used the European Fund for the Integration of third-country nationals (EIF) funds to support activities at migrant service centres and the training of (other) professionals working directly with third-country nationals (e.g. teachers, police officers, municipal professionals, and workers in local labour exchange offices).

On 9 May 2013, **the Seimas ratified the 1961 United Nations Convention on the Reduction of Statelessness** and drafted legal acts to integrate its provisions into national law. The draft provisions stipulate more favourable conditions for the naturalisation of stateless persons born in Lithuania. In 2012, citizenship naturalisation was granted to 183 persons the majority of who had been stateless.

2.5 MANAGING MIGRATION AND MOBILITY²

On 10 May 2012, the **Visa Information System (VIS) was launched** at the Lithuanian embassy in Israel. Amendments to the Law on the Legal Status of Aliens **brought national legislation into alignment with the provisions of the Visa Code**. The new provisions introduce the requirement to record biometric data in travel documents, visas and residence permits issued to third-country nationals and establish the grounds for refusal to issue a national visa or the visa already issued is withdrawn if the person concerned may constitute a threat of irregular migration. Separate changes to legislation strengthened the requirements on letters of invitation for enter the Member State.

In 2012, **17 new agreements for consular representation** by other EU Member States (Estonia, the Netherlands, Slovak Republic, Spain and Sweden) entered into force. **Lithuania began to represent seven other EU Members States** (Denmark, Estonia, Finland, Latvia, Slovak Republic, Spain and Sweden) in ten different countries. New contracts with non-national private companies were procured for the **provision of visa centre services in Russia and the Ukraine**.

Lithuania endorsed **visa-facilitation agreements** with Azerbaijan, Kazakhstan and Oman on mutual visa exemption for holders of diplomatic, special and service passports.

3. International Protection and Asylum

The number of asylum seekers grew in 2012. The majority of applications were lodged by citizens of

Georgia (see Figure 3). In 2012 the number of unfounded applications also increased. Positive decisions accounted for 20 per cent of all lodged applications.

In 2012 Lithuania prepared necessary amendments for the transposition of Directive 2011/51/EU amending Council Directive 2003/109/EC in order to extend its scope to beneficiaries of international protection. This is the first Directive to be transposed concerning the Common European Asylum System (CEAS).

Lithuania took part in the **EU pilot project on intra-EU relocation from Malta ("EUREMA II")** and on 12 December 2012 relocated four asylum applicants (citizens of Eritrea) (see also Table 4).

The Office of the United Nations High Commissioner for Refugees (UNHCR) implemented a **project to improve the quality of asylum decisions** in Lithuania.

During the reporting period, Lithuania used funding from the **European Refugee Fund** to organise Lithuanian language and IT courses, provide social assistance and legal and psychological aid, as well as counselling on housing, health services, subsistence funds and labour market integration.

4. Unaccompanied Minors and other Vulnerable Groups

On 1 February 2012, a provision that **third-country national vulnerable persons and families with minors may be detained only in exceptional cases** was introduced in consideration of their best interests.

In 2012, the Refugee Reception Centre (RRC) provided accommodation to 93 persons who had claimed to be unaccompanied minors. However, in at least some cases the age needs to be confirmed and there is a concern that some of the cases may be false. The Ministry of Social Security and Labour has formed an inter-institutional working group tasked with drafting procedures for identification, accommodation, health care and age assessment of unaccompanied minors.

5. Actions against Trafficking in Human Beings

Under a law passed on 21 June 2012, the Seimas ratified the Council of Europe Convention on Action against Trafficking in Human Beings and passed amendments to the national Criminal Code **transposing the provisions of the Council of Europe Convention and the EU Directive on trafficking in human beings**. The amendments broaden the national definition of the crime to cover forced marriage and forced begging and remove liability for persons subjected to the exploitation or reporting the crime. The amendments also provide

² "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

that persons using forced labour or services are liable if it is known that the victim was forced into such conduct through the use of physical violence, threat or deception against him/her.

6. External Dimension of EU Migration Policy

No significant political or legal developments occurred in relation to the external dimension of EU migration policy in 2012.

7. Irregular Migration

Four main forms of irregular migration were recognised in Lithuania in 2012:

- **Irregular entry at the border.** The number of irregular entrants from Belarus has grown, but there was a decrease in the number coming from Russia. Illegal border crossing was mostly attempted by citizens of Georgia, Vietnam and Belarus;
- **Visa overstay;**
- **Misuse of the asylum system** (unauthorised departure from the reception centre following the lodging of an application for asylum); and
- Establishment of '**bogus businesses**' in order to obtain temporary residence permits for the purpose of undertaking business activities.

Most irregular migrants to Lithuania seek to obtain Schengen visas in order to be able to move within the Schengen area.

In order to **address irregular entry**, Lithuania concluded **agreements with Russia** on the coordination of border activities and the exchange of information. The State Border Service also **implemented exercises** to improve coordination between land and air forces in border surveillance.

In order to combat **false declarations of businesses** for the purpose of migration, the Ministry of the Interior is preparing amendments to the law on the Legal Status of Aliens in order to pre-empt abuse of the business route of immigration.

In 2012, Lithuania **transposed the Employer Sanctions Directive**. Since 1 August 2012, the State Labour Inspectorate has been responsible for the examination of administrative cases and imposition of penalties for the illegal employment of third-country nationals.

Protocols for the implementation of **EU Readmission Agreements** were endorsed with Russia and coordinated with Georgia and Macedonia; the draft Protocol for implementing the agreement with Bosnia and Herzegovina was submitted to the Seimas. The law of ratification on bilateral readmission agreement with Kazakhstan was passed, and a positive decision

on expediency to conclude readmission agreements with Thailand and Egypt was taken.

8. Provision and Exchange of Information to support Policy Development

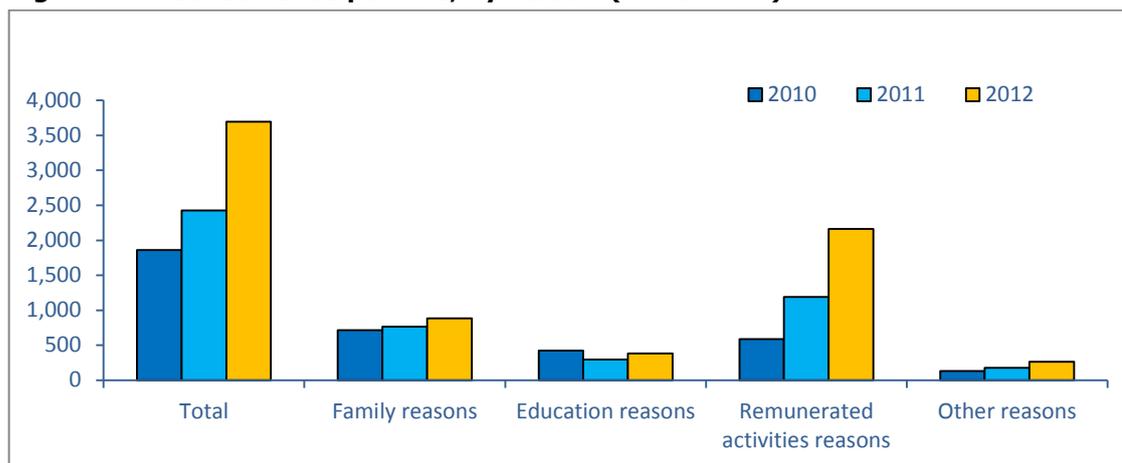
No significant political and legal developments occurred in relation to the provision and exchange of information to support policy development in 2012.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Lithuania on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in Lithuania (2010-2012)

Figure 1: First residence permits, by reason (2010-2012)



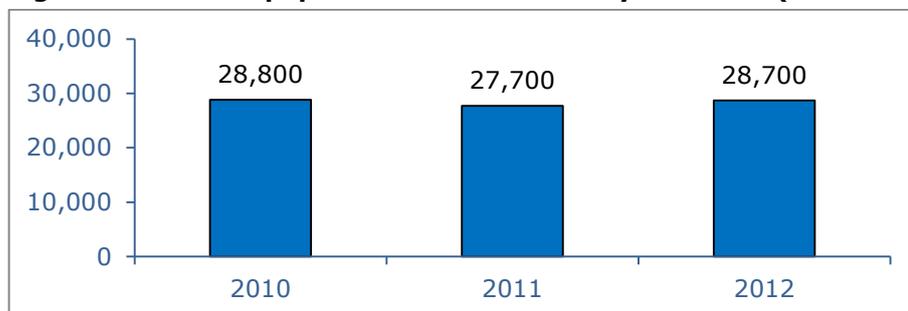
Source: Eurostat migration statistics (migr_resfirst)

Table 1: First residence permits: Top 5 nationalities (2010-2012)

| 2010 | 2011 | 2012 |
|------------------|------------------|--------------------|
| 1. Belarus – 513 | 1. Russia – 641 | 1. Russia – 944 |
| 2. Russia – 477 | 2. Belarus – 598 | 2. Belarus – 860 |
| 3. Ukraine – 222 | 3. Ukraine – 409 | 3. Ukraine – 773 |
| 4. China – 72 | 4. India – 64 | 4. Georgia – 122 |
| 5. USA – 72 | 5. Armenia – 58 | 5. Stateless – 103 |

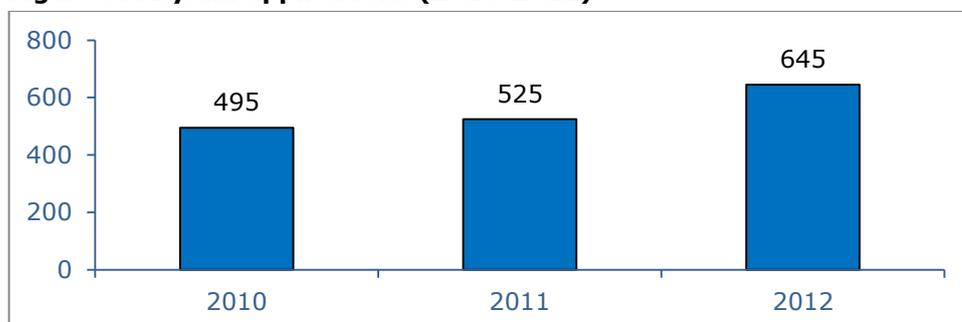
Source: Eurostat migration statistics (migr_resfirst)

Figure 2: Resident population of third-country nationals (2010-2012) ³



Source: data provided by the EMN NCP according to the Migration Department

Figure 3: Asylum applications (2010-2012)



Source: Eurostat migration statistics (migr_asyappctza)

³ As from 1 January of each year

Table 2: Asylum applications: Top 5 nationalities (2010-2012)

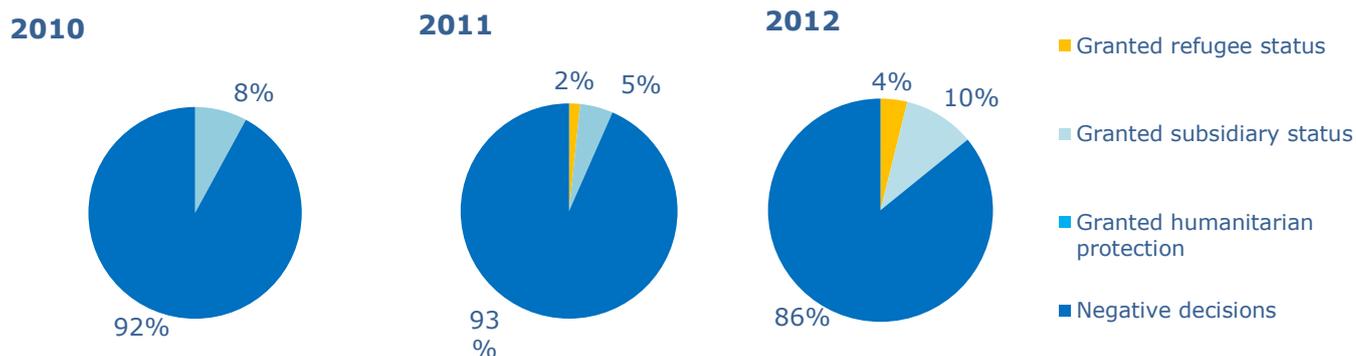
| 2010 | 2011 | 2012 |
|---------------------|---------------------|----------------------|
| 1. Georgia – 250 | 1. Georgia – 230 | 1. Georgia – 310 |
| 2. Russia – 110 | 2. Russia – 110 | 2. Afghanistan – 100 |
| 3. Afghanistan – 40 | 3. Afghanistan – 55 | 3. Russia – 95 |
| 4. Armenia – 20 | 4. Kyrgyzstan – 30 | 4. Vietnam – 40 |
| 5. Belarus – 15 | 5. Armenia – 30 | 5. Belarus – 20 |

Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications - First instance decisions by outcome (2010-2012)

| | Total decisions | Positive decisions | Of which: | | | Negative decisions |
|------|-----------------|--------------------|----------------|-----------------------|----------------------|--------------------|
| | | | Refugee status | Subsidiary protection | Humanitarian reasons | |
| 2010 | 190 | 15 | 0 | 15 | N/A | 175 |
| 2011 | 305 | 25 | 5 | 15 | N/A | 285 |
| 2012 | 390 | 55 | 15 | 40 | N/A | 335 |

Source: Eurostat migration statistics (migr_asydcfsta)

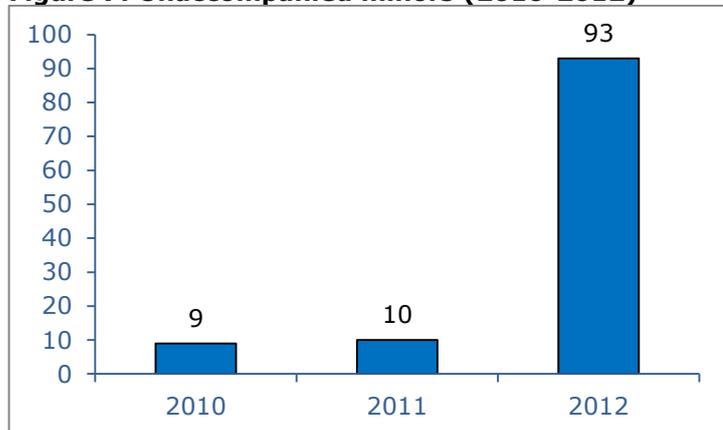
Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)

Source: Eurostat migration statistics (migr_asydcfsta)

Table 4: Third-country nationals relocated and resettled (2011-2012)

| | 2010 | 2011 | 2012 |
|-----------------------------------|------|------|------|
| Third-country nationals relocated | N/A | 0 | 4 |

Source: National contributions to EMN Annual Policy Report

Figure 7: Unaccompanied minors (2010-2012)

Source: National contributions to EMN Annual Policy Report; *data provided by the EMN NCP

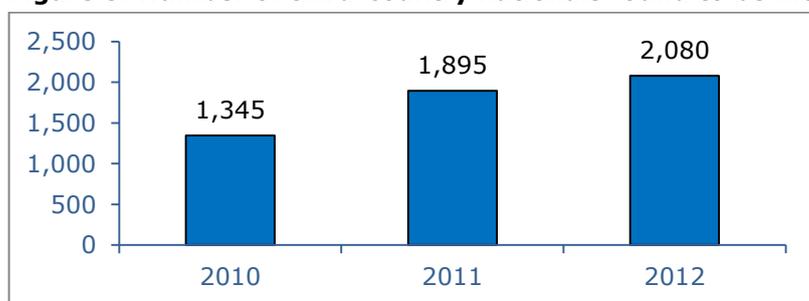
Table 5: Unaccompanied minors (2010-2012)

| | 2010 | 2011 | 2012* |
|---|------|------|-------|
| Unaccompanied minors (total) | 9 | 10 | 93 |
| Unaccompanied minors not applying for asylum | N/A | 0 | 89 |
| Unaccompanied minor asylum applicants | 10 | 10 | 4 |

Table 6: Number of third-country nationals refused entry at external borders (2010-2012)

| | 2010 | 2011 | 2012 |
|--|-------|-------|-------|
| Third-country nationals refused entry at external borders | 1,965 | 2,215 | 2,215 |

Source: Eurostat migration statistics (migr_eirfs)

Figure 8: Number of third-country nationals found to be illegally present (2010-2012)

Source: Eurostat migration statistics (migr_eipre)

Table 7: Third-country nationals returned (2010-2012)

| | Third-country nationals ordered to leave | Returned as part of forced return measures | Returned voluntarily | Returned through an Assisted Voluntary Return Programme |
|-------------|--|--|----------------------|---|
| 2010 | 1,345 | 137 | N/A | 55 |
| 2011 | 1,765 | 110 | 1,165 | 30 |
| 2012 | 1,910 | 160 | 1,000 | 50 |

Source: Eurostat migration statistics (migr_eiord) and National contributions to EMN Annual Policy Report

Table 8: Number of visas issued by type (2010-2012)

| | 2010 | 2011 | 2012 |
|--|---------|---------|---------|
| Total visas | 277,311 | 346,536 | 417,967 |
| Schengen visa (short-stay visas)* | 269,606 | 342,543 | 421,828 |
| National visa | 2,520 | 3,993 | 5,139 |

Source: data provided by the EMN NCP according to the Migration Yearbook published yearly by the Migration Department