

## EMN FOCUSED STUDY 2012

### Intra-EU mobility of third-country nationals

#### National Contribution from Lithuania

*Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the above-titled EMN Focussed Study. The contributing EMN NCPs have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.*

**Top-line 'Factsheet'**  
**(National Contribution)**  
**[Executive Summary]**  
**(Synthesis Report)]**

*National Contribution (one page only)*

*Lithuania has not provided for any additional categories of mobile aliens which would enjoy facilitated conditions of entry and residence in Lithuania. Moreover, Lithuania does not apply any special facilitated procedures to mobile third country nationals (TCNs), other than those provided for by directives, except a shorter period in issuing temporary residence permit for Blue Card holders (first time comers as well as mobile). Therefore, it can be stated that the national law treats mobile TCNs in a similar manner as TCNs arriving from third countries.*

*Mobile TCNs may enter Lithuania from another Member State under a residence permit issued by another Member State (which is also a Schengen State). However, if intending to stay for a period exceeding the permitted period, such persons are required to apply for the issuance of a TRP.*

*Also, the TCNs entering Lithuania from another Member State are not distinguished as a separate category from the statistical point of view; hence statistical data on them are not collected.*

*The number of the EU citizens residing in Lithuania is not large, especially if compared against the number of citizens of the Republic of Lithuania who move to other EU Member States. Every year approximately 1000 citizens of other EU Member States reside in Lithuania. There are no obstacles to entry and stay of EU citizens in Lithuania. If they wish to reside in Lithuania for a period exceeding three months, they are issued a certificate in accordance with /subject to the requirements provided for by the Directive 2004/38/EC (and implemented by the LLSA). The time limit for the issuance of a certificate is very short and the price is low.*

*Synthesis Report (up to 3 pages)*

*Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience.*

## **Section 1**

### **The National Legislative Framework: Visas and Residence Permits**

*(National Contribution: Maximum 8 pages)*

*This section reviews the national rules and procedures which third-country nationals who are resident in one Member State need to follow in order to acquire a **visa and/or a residence permit** to reside in another Member State. It also includes any conditions that mobile third-country nationals need to fulfil in order to acquire a visa and/or residence permit, such as evidence that they have a stable and regular income, sickness insurance and/or that they comply with certain integration conditions (where applicable).*

*Please note that additional provisions in national legislation which can affect the decision of mobile third-country nationals to settle in another Member State (or Norway), but are not conditions for acquiring a visa or residence permit as such (e.g. rules and procedures governing the recognition of degrees and diplomas), are examined in Section 3 of this common template.*

*In their responses to this section, EMN NCPs are asked to specify and describe the relevant national rules and procedures that **specific groups of mobile third-country nationals need to follow** in order to obtain a visa and residence permit. These include groups of mobile third-country nationals that enjoy mobility rights under the EU's migration Directives, and other groups of mobile third-country nationals that do not enjoy such rights at EU level. If national legislation exists that is relevant to all groups of mobile third-country nationals, EMN NCPs should specify this is the case in the space provided.*

***Please note that only those national rules and procedures that are specific to mobile third-country nationals should be identified.** If the national rules and procedures that apply to third-country nationals who wish to move to another Member State for the purposes of work are the same as the national rules and procedures that apply to third-country nationals who migrate to an EU Member State (or Norway) from a third-country for the first time, please indicate this is the case and do not provide further information.*

*Finally, where specific national rules and procedures governing access to a visa and residence permit exist for specific groups of mobile third country nationals, EMN NCPs are asked to specify how these national rules and procedures differ (if at all) from the national rules and procedures that apply to **mobile EU citizens**.*

*The Synthesis Report will provide the reader and policymakers, in particular, with a comparative analysis of the rules and policies adopted at national level in order to implement the elements of the EU acquires set out in the background to the common template (further above), and any other national rules of relevance to intra-EU mobility of third-country nationals.*

*In the following, what is required is a brief outline of the relevant national rules and procedures pertinent to the group described under each entry, along with an explanation of how these rules and procedures differ (where relevant) from the*

*national rules and procedures that apply to EU citizens.*

**Groups of third-country nationals who enjoy mobility rights under the EU's migration Directives:**

**1.1. Long-term residents in another Member State**

- 1) What national rules and procedures apply to third-country nationals who are long-term residents in another Member State in respect of their access to a visa and/or residence permit in your country?

**Entry:** A long-term resident may enter Lithuania under the long - term - EC residence permit issued by another Schengen State and stay in Lithuania during the permitted period. In other cases (s)he will be required to hold a visa in compliance with Regulation (EC) No 539/2001. If a TCN wishes to stay for a period exceeding the permitted period (s)he needs to obtain a temporary residence permit (hereinafter: TRP) in Lithuania. The conditions to be met by TCNs are standard, i.e. the same as provided for in Council Directive 2003/109/EC.

**Submission of documents and time limits:** TCNs who are long-term residents in another EU Member State may submit documents to a migration service, the Migration Department (if staying legally in Lithuania) or to a consular post (if staying in another Member State). A TRP is issued not later than within four months; when issuing a TRP (to those entering from a third country) or a permanent residence permit (when applying for the issuance of such a permit after residing in the country for the appropriate time period) for the first time – not later than within six months.

**Facilitated procedures applicable to long-term residents:**

- Family members of a TCN who is a long-term resident, provided they have been issued a TRP for family reunification, are not required to obtain a WP (the same procedure applies to family members of TCNs coming from third countries).
- If a family was constituted in the EU Member State in which a TCN acquired the status of a long-term resident, (s)he may exercise the right to family reunification immediately. The provision entered into force on 1 January 2013.

Please explain how these national rules and procedures differ from the national rules and procedures that apply to EU citizens.

The EU citizens wishing to move and reside in Lithuania are subject to the provisions implementing Directive 2004/38/EC (i.e. the requirements provided for by the Directive).

**Main differences between EU citizens and TCNs who are long-term residents in another Member State:**

- EU citizen staying in Lithuania apply to a migration service for the issuance of a certificate. Mobile TCNs may submit documents both in Lithuania and in another Member State.
- Definition of the family members of the EU citizens is broader than the definition of the family members of the long-term residents;
- EU citizens are not required to hold a WP;

- EU citizens enjoy shorter time limits for the issuance of certificates<sup>1</sup>.

## **1.2. EU Blue Card holders**

- 1) What national rules and procedures apply to third-country nationals who are EU Blue Card holders in another Member State in respect of their access to a visa and/or residence permit in your country?

**Entry:** The Blue Card holders who have been issued the Blue Card in another Schengen state may enter Lithuania without a visa and stay during the permitted period. In other cases a visa will be required in compliance with Regulation (EC) No 539/2001. If the Blue card holder wishes to stay in Lithuania longer than the permitted period, (s)he will need a TRP. (S)he will be subject to the provisions of Council Directive 2009/50/EC.

**Submission of documents:** The documents may be submitted to a migration service or to the Migration Department (if staying legally in Lithuania), or to a consular post (if staying in another Member State).

### **Facilitated procedures for Blue Card holders:**

- A Blue Card holder may exercise the right to family reunification immediately. A TCN must have been resided in the Republic of Lithuania for at least 2 years and fulfil other conditions;
- A TRP is issued not later than within two months, in the case of TCNs – not later than within six months;
- A WP is not required (it will be verified whether the alien's employment meets the needs of the labour market of the Republic of Lithuania);
- A TCN wishing to obtain the status of a long-term resident must reside legally and uninterruptedly in Lithuania for a period of five years, while a Blue Card holder will be allowed to cumulate periods of residence in different Member States in order to fulfil the requirement concerning the duration of residence for the acquisition of the EC long-term resident status);
- The period of legal and uninterrupted residence of TCNs and Blue Card holders respectively outside the territory of a Member State and the territory of the EU as regards granting the status of a long-term resident is different.

All other provisions (standard conditions and procedures) are the same as provided for by the Blue Card Directive.

- 2) Please explain how these national rules and procedures differ from the national rules and procedures that apply to EU citizens.

Main differences:

- EU citizens lodge documents with migration services;
- The family members of the EU citizens are defined more broadly than the family members of the Blue Card holders;
- There is no requirement for the EU citizens to hold a WP (in case of potential Blue Card holders – it is examined whether the alien's employment meets the needs of the labour market of the Republic of Lithuania);
- The EU citizens enjoy shorter time limits for the issuance of certificates<sup>2</sup>. A decision on the issuance of the Blue Card is taken within two months;
- Blue Card holders may move to another Member State for the purpose of highly

qualified employment after having legally resided in the first Member State for 18 months, while EU citizens may move not necessarily for the purpose of highly qualified employment and not necessarily for the purpose of work, provided that they possess sufficient funds and are covered with health insurance;

- An application for the issuance of a Blue Card must be lodged not later than within one month from entering another Member State, and for the EU citizens this time limit is not less than three months from the date of arrival, if they intend to stay for a period exceeding three months.

### **1.3. Researchers**

- 1) What national rules and procedures apply to third-country nationals who are resident in another EU Member State who wish to undertake work as a Researcher in your Member State?

**Entry/stay:** A researcher may enter Lithuania with a residence permit issued by another Schengen state and stay in Lithuania during the permitted period. In this case, a visa is not required, while in other cases a visa will be required in compliance with Regulation (EC) No 539/2001. If research is to continue in Lithuania for a period exceeding the permitted period, the same procedure as to other TCNs will apply, i.e. the researcher will have to apply for the issuance of a TRP. Although the time limits stipulated by the law in respect of researchers have not been purposely shortened, in practice effort is made to adopt a decision on the issuance of the TRP so as not to interfere with research.

**Submission of documents and time limits:** The documents may be submitted to a migration service or to the Migration Department (if staying legally in Lithuania), or to a consular post (if staying in another Member State).

- 2) Please explain how these national rules and procedures differ from the national rules and procedures that apply to EU citizens.

Main differences compared to EU citizens:

- Definition of the family members of the EU citizens is broader than the definition of the family members of the researchers;
- Shorter time limits for the issuance of certificates: not later than within 5 working days from receiving of an application in a migration service (the time limit may be extended);
- A researcher's purpose of residence is specific research, while the EU citizen enjoys a broad range of activities.

### **1.4. Students<sup>3</sup>**

- 1) What national rules and procedures apply to third-country nationals who are resident in another EU Member State who wish to undertake studies in your Member State?

**Entry and stay:** A student may enter Lithuania with a residence permit issued by another Schengen state and stay in Lithuania during the permitted period. In this case, a visa is not required, while in other cases a visa will be required in compliance with Regulation (EC) No 539/2001. For the stay longer than the permitted period standard conditions and procedures are applied that is as in the case of third-country students entering the country for the first time. The law provides for a time limit for the issuance of a TRP – up to 6 months. In practice, it is attempted to issue a TRP as soon as possible

so as not to hamper the studies.

**Submission of documents:** The documents may be submitted to a migration service or to the Migration Department (if a third-country student is staying legally in Lithuania), or to a consular post (if staying in another Member State).

- 2) Please explain how these national rules and procedures differ from the national rules and procedures that apply to EU citizens.

**Main differences compared to the EU citizens:**

- The EU citizens may bring a broader range of family members;
- Shorter time limits for the issuance of certificates;
- Students from third countries are subject to employment-related restrictions: a WP is required, and such students may work not more than 20 hours per week starting with the second year of studies. Such the requirements are not applied to the EU citizens (neither as regards WP, nor in relation to working hours).

**1.5. Posted workers**

- 1) What national rules and procedures apply to third-country nationals who are resident in another EU Member State who are posted by a service provider for the purposes of cross-border provision of services in your Member State?

**Entry and stay:** Such an alien may enter Lithuania with a residence permit issued by another Schengen state and stay in Lithuania during the permitted period. In other cases (s)he needs a visa in compliance with Regulation (EC) No 539/2001. If a worker from another Member State is posted for a period of up to three months, (s)he does not need to obtain WP in Lithuania. (S)he will neither need WP if posted for a period exceeding three months, provided that (s)he holds a certain document issued by the relevant Member State. For the stay exceeding the three-month period standard conditions and procedures are applied, i.e. the same procedures as in the case of other workers from third countries, which means that TRP is required<sup>4</sup>.

**Submission of documents and time limits:** The documents may be submitted to a migration service or to the Migration Department (if staying legally in Lithuania) or to a consular post (if staying in another Member State). An enterprise must, in accordance with the procedure laid down by legal acts, submit to a local division of the State Labour Inspectorate a notice on a worker to be posted to the Republic of Lithuania not later than one day before the envisaged posting commencement date. This requirement also applies to the EU citizens.

- 2) Please explain how these national rules and procedures differ from the national rules and procedures that apply to EU citizens.

**Main differences compared to EU citizens:**

- Shorter time limits for the issuance of certificates.

**Groups of third-country nationals who are not provided for by the EU acquis:**

**1.6. Cross-border workers**

- 1) Do specific national rules and procedures governing access to a visa

and/or a residence permit apply to third-country nationals who are resident in another Member State but are employed as cross-border workers in your Member State?<sup>5</sup>

**Entry and stay:** Such aliens may enter Lithuania with a residence permit issued by another Schengen state and stay in Lithuania during the permitted period. In this case, no visa is required, in other cases including stays exceeding the permitted period, a visa or a TRP will be required (depending on a specific case).

There are no special provisions stipulated for this category of aliens, hence general provisions would apply, just as to a third-country worker entering Lithuania for the first time.

**Submission of documents and time limits:** The documents may be submitted for the issuance of TRP to a migration service or to the Migration Department (if staying legally in Lithuania) or to a consular post/diplomatic mission. As regards multiple-entry national visas, aliens apply to a diplomatic mission or consular post of the Republic of Lithuania (if applying outside Lithuania) or to migration services in Vilnius, Kaunas and Klaipėda or to the Migration Department (if staying legally in Lithuania).

- 2) If specific national rules and procedures apply to the third-country nationals described in 1.6 (1) above, how do these differ from the national rules and procedures that apply to EU citizens in a similar situation?

National legislation does not provide for any special provisions, therefore, general ones are applied.

### **1.7. Seasonal workers**

- 1) Do specific national rules and procedures apply to third-country nationals who are resident in another Member State and who exercise an economic activity as seasonal workers in your Member State in respect of their access to a visa and/or residence permit?

No specific provisions apply to these aliens. They enter the Republic of Lithuania under the general procedures applicable to seasonal workers. An alien who enters the Republic of Lithuania for the purpose of the seasonal work is issued a WP for a period of up to 6 months in a year starting from the first day of entry into the Republic of Lithuania.

- 2) If specific national rules and procedures apply to the third-country nationals described in 1.7 (1) above, how do these differ from the national rules and procedures that apply to EU citizens in a similar situation?

National legislation does not provide for any specific provisions.

### **1.8. Workers in regulated professions**

- 1) Do specific national rules and procedures apply to third-country nationals who are resident in another Member State and who apply to work in a regulated profession in your Member State in respect of their access to a visa and/or residence permit?

National legislation does not provide for any specific provisions, therefore, general provisions apply.

- 2) If specific national rules and procedures apply to the third-country nationals described in 1.8 (1) above, how do these differ from the national rules and procedures that apply to EU citizens?

National legislation does not provide for any specific provisions.

### **1.9. Any other category of migrant worker not mentioned above**

- 1) Are there any specific national rules and procedures that apply to any group of third-country nationals who are resident in another Member State that has not been mentioned above?

No

If yes, please describe how these rules differ from the national rules and procedures that apply to EU citizens.

### **1.10. Common rules and procedures for all mobile third-country nationals**

- 1) Does the national legislative framework in your Member State contain rules and procedures that are relevant to all mobile third-country nationals (rather than rules that differentiate between different groups) in respect of their access to a visa and residence permit?

All the categories of migrants mentioned above have in common further: if they have residence permits issued by a Schengen state, they can enter Lithuania without a visa and stay during the permitted period while in other cases they need a visa in compliance with Regulation (EC) No 539/2001.

Aliens wishing to reside for a period exceeding the permitted one are subject to standard procedures, that is, must apply for the issuance of a TRP or, in certain cases, a multiple-entry national visa.

- 2) If yes, please describe the rules and procedures and explain how they differ from the national rules and procedures that apply to EU citizens.

Key differences:

- Time limits – the EU citizens are issued certificates within a shorter time limit comparing it with the time limit for the issuance of the TRP to the TCN;
- Restrictions on activities – the EU citizens may move and reside without engaging in any specific activity (if they possess sufficient funds and is covered with health insurance), whereas TCNs enter and reside under a certain ground provided for by the law. Moreover, there is no obligation to the EU citizens to acquire a WP;
- Fee rates – a TRP costs LTL 400, a certificate – LTL 42 (the draft provides for the rate of 30 LTL).

## **Section 2**

### **Scale and scope of the phenomenon**

*(National Contribution: Maximum 4 pages)*

*EMN NCPs are requested to:*

- (i) comment on the availability of statistics on overall intra-EU mobility of third-country nationals and for the following groups of mobile third-country nationals in their countries;*
- (ii) provide the relevant statistics available;*
- (iii) provide estimates of aggregate numbers of third-country nationals using any of the proxy sources suggested further below; and finally*
- (iv) provide statistics on the flows of EU nationals to and from other Member States and Norway, Switzerland, Iceland and Liechtenstein.*

*The Synthesis Report will aim to provide a sense of the scale and scope of the phenomenon of intra-EU mobility of third-country nationals by mapping the availability of data at national and EU level on the number of mobile third-country nationals. It is recognised that there are numerous gaps and weaknesses in the available statistics. An attempt will be made in the Synthesis Report to indicate general patterns and trends in the phenomenon of third-country national intra-EU mobility by using proxy sources. The Synthesis Report will compare the scale of the movements of mobile third-country nationals that are provided for by the EU acquis and those that are not, and provide possible reasons for the differences. It will also compare these trends with available statistics on the intra-EU mobility of EU nationals.*

#### **2.1. Are statistics on overall intra-EU (work-related) mobility of third-country nationals available in your (Member) State**

- *If yes, please indicate, where possible, the type of available statistics, including Member State of previous residence, skills profile (high or low-skilled), demographic profile (age, nationality, etc.), occupational profile, family status.*

*Please present these statistics in a way that permits the reader to obtain a sense of the scale of the phenomenon. This should include breaking down any data on overall numbers by nationality, country of previous residence, etc.<sup>1</sup> If the data can be cross-classified, please specify that this is the case. If the data is collected annually, please present it over the last 5 years; if the data is collected more sporadically, please present any data that may be available, irrespective of the years.*

Statistics on mobile TCNs are not collected regularly.

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<sup>1</sup> If a number of nationality groups predominate, and individuals belonging to certain nationalities are very small in number, the latter can be grouped together under the category “Other nationalities”.

**2.2. Are statistics based on administrative registrations available in your (Member) State on the following groups of mobile third-country nationals? If they are not available could they in principle be made available from existing registrations?**

- *For each group, please indicate the type of statistics, including Member State of previous residence, skills profile (high or low-skilled), demographic profile (age, nationality, etc.), occupational profile, family status.*

Statistics (according to such criteria) are not collected.

**Groups of third-country nationals who enjoy mobility rights under the EU's migration Directives:**

- 1) Long-term residents coming from another Member States (information should be collected by national contact points established under Directive 2003/109/EC on third-country national long-term residents)

Such statistics are not collected. However, there occur only single cases, i.e. figures are very small.

- 2) EU Blue Card holders (information should be collected by national contact points established under Directive 2009/50/EC on EU Blue Card holders)

Statistical data are not collected. Statistics will be collected as of 2013.

- 3) Researchers

No statistics on the researchers moving within the EU are collected. Only general statistical data on the total number of researchers who have been issued a TRP on this ground exist:

**Table 1:** Number of issued TRP in 2008-2012 (the ground for issuance of TRP – research activity)

Citizenship	2008	2009	2010	2011	2012
BELARUS					2
INDIA		2	3	2	1
ISRAEL					1
JAPAN		1	1		
KAZAKHSTAN					1
PAKISTAN			1		
SOUTH KOREA			1	1	1
RUSSIA			1	1	
TURKEY			2	1	
UKRAINE	1		1	1	2
VENEZUELA			1		

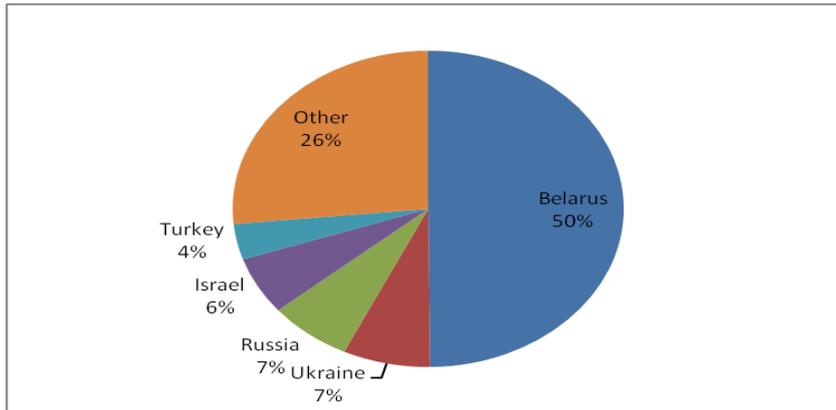
Source: Migration Department

- 4) Students

There are no statistical data on third-country students moving within the EU. Only general statistical data on third-country students entering Lithuania exist.

**Graph 1:** Third-country students entering Lithuania for the entire duration of studies,

by citizenship, 2011

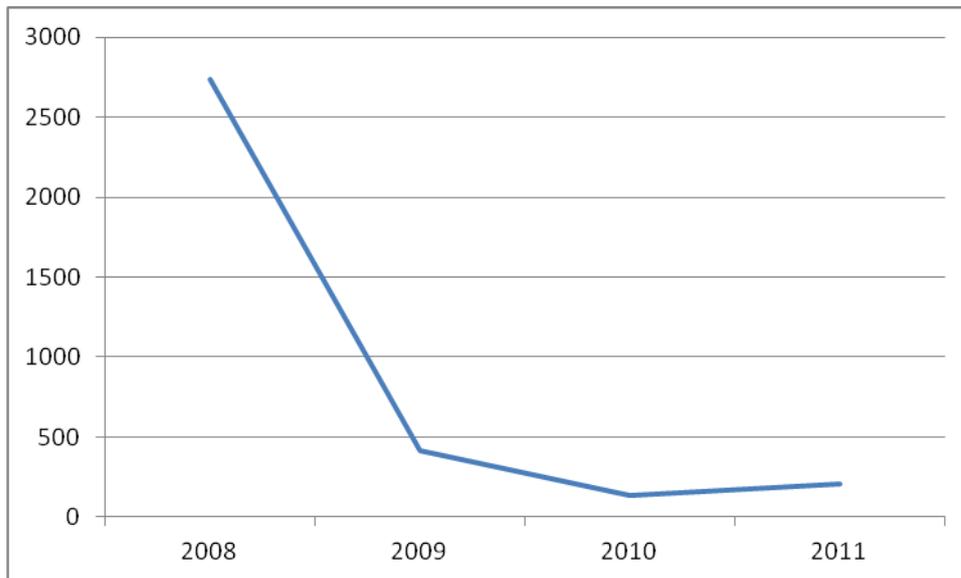


Sources: Department of Statistics

### 5) Posted workers

Statistical data are not available. There are only general statistical data on work permits issued to workers posted from third countries to temporarily work in the territory of the Republic of Lithuania.

**Graph 2:** Posted TCNs, 2008-2011



Source: Lithuanian Labour Exchange

***Groups of third-country nationals who are not provided for by the EU acquis:***

### 6) Cross-border workers

Statistical data are not available, because this category has not been separately identified and falls under general provisions.

7) Seasonal workers

Data is not available

8) Workers in regulated professions

No specific provisions exist, general provisions apply, hence statistical data are not available .

9) Any other category of migrant not mentioned above

None

**2.3. Are there any other/proxy sources of statistics that could provide indications of patterns and trends?**

➤ *It is recognised that most proxy sources of statistics will only capture a portion of the mobile third-country nationals concerned and therefore cannot provide indications of the scale of total mobility among third-country nationals with any degree of accuracy. However, they may provide approximate indications of general patterns and trends and will be used with caution in the Synthesis Report.*

(i) Number of applications for the recognition of diplomas/certificates acquired in another Member State.

N/A

(ii) Number of visa applications by third-country nationals who are resident in another EU Member State.

Lithuania does not collect such statistics automatically. It is possible to view data only manually.

(iii) Number of social security registrations<sup>2</sup> by third-country nationals who were resident in another Member State before arrival?

N/A

(iv) Information about previous country of residence contained in the latest population census.

N/A

➤ **Your responses to the following proxy sources of information are**

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<sup>2</sup> A social security registration is normally required on arrival in a Member State before access to employment can be granted.

**OPTIONAL. Please ONLY respond if the information is considered relevant to this study in your Member State and readily accessible.**

(v) Any information that might be collected about the motivations of third-country nationals who apply for citizenship in (your) Member State (e.g. as a proxy source of information on the number of third-country nationals wishing to travel within the EU).

In Lithuania the conditions of naturalisation are strict. Lithuania is not a country which it would be worthwhile for TCNs to enter and obtain citizenship in order to be able to freely move within the EU.

(vi) Any other proxy sources of statistics.

N/A

**2.4. Please provide any statistics available on the flows of EU nationals within your (Member) State over the last 5 years in order to provide a comparison with the flows of third-country nationals**

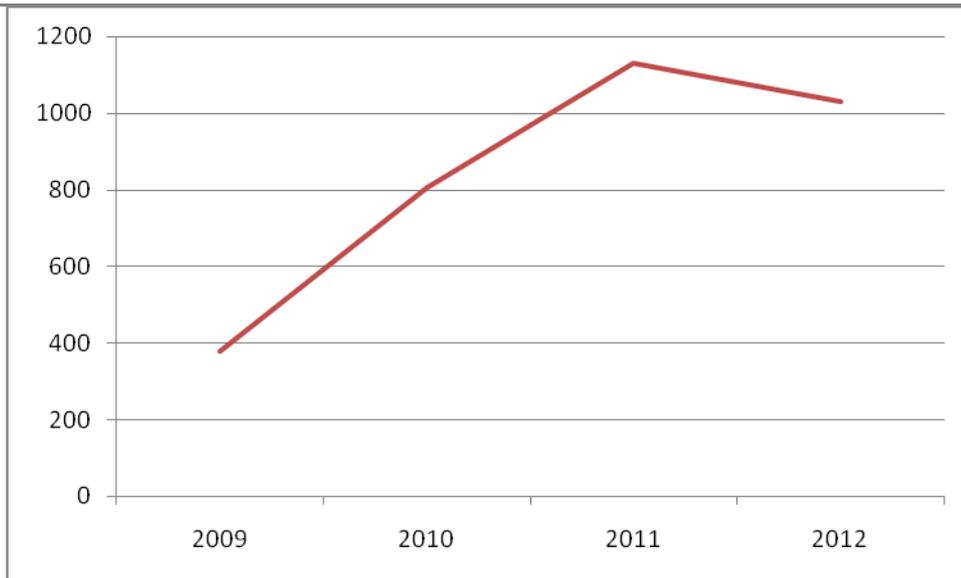
- *Please indicate, where possible, any available statistics, including Member State of previous residence, skills profile (high or low-skilled), demographic profile (age, nationality, etc.), occupational profile, family status.*

*Please present these statistics in a way that permits the reader to obtain a sense of the scale of the phenomenon. This should include breaking down any data on overall numbers by nationality, country of previous residence, etc.<sup>3</sup> If the data can be cross-classified, please specify that this is the case. If the data is collected annually, please present it over the last 5 years; if the data is collected more sporadically, please present any data that may be available, irrespective of the years*

**Graph 3:** EU citizens and their family members in Lithuania, 2009-2012

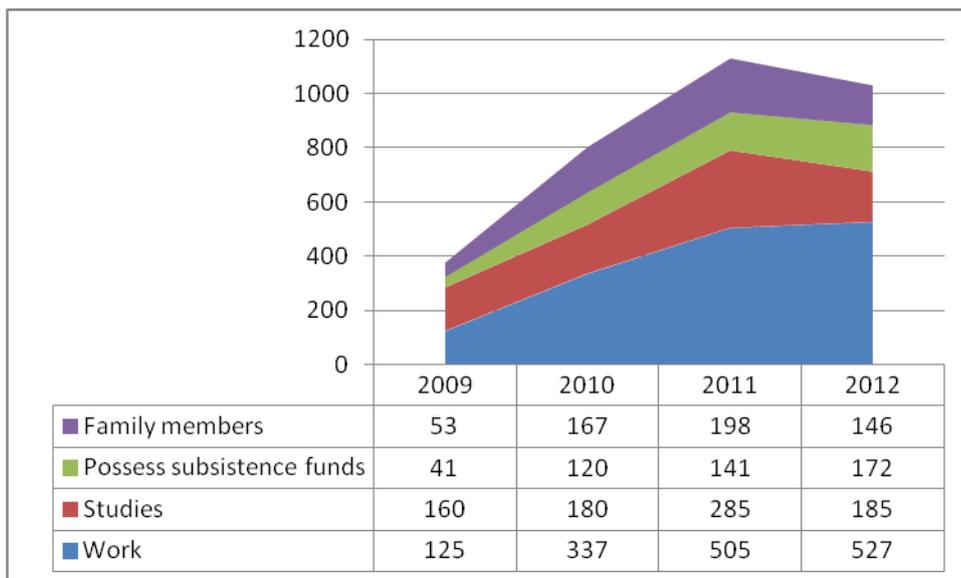
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<sup>3</sup> If a number of nationality groups predominate, and individuals belonging to certain nationalities are very small in number, the latter can be grouped together under the category “Other nationalities”.



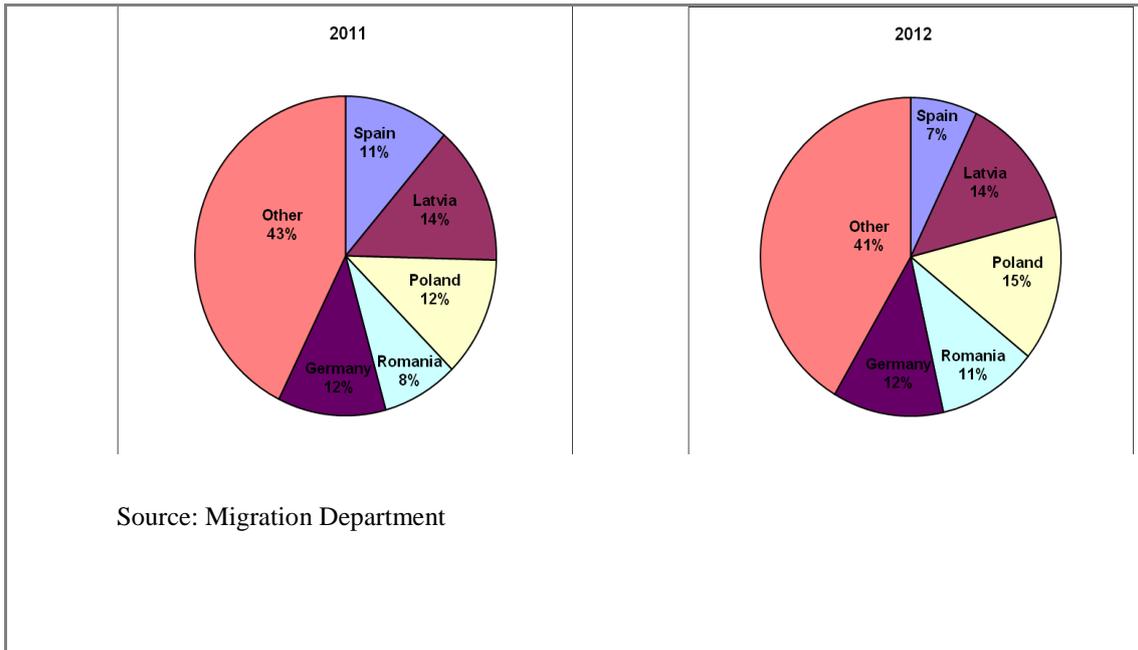
Source: Migration Department

**Graph 4:** Entry of EU citizens and their family members to Lithuania by grounds, 2009-2012



Source: Migration Department

**Graph 5:** TOP 5 citizenships of mobile EU citizens and their family members entering Lithuania in 2011 and 2012 (first 11 months of the year)



**Section 3**  
**Identified Restrictions to Intra EU mobility of third-country nationals**  
*(National Contribution: Maximum 3 pages)*

*Please note that the possible restrictions listed below must be distinguished from the conditions for applying for a visa and/or residence permit reviewed in section 1 above. By ‘restrictions’ the focussed study has in mind additional provisions in the national legislation of your (Member) State that may affect the decision of third-country nationals to settle in your (Member) State even if they fulfil all the necessary (formal and administrative) conditions for acquiring a visa and/or residence permit.*

*These restrictions are often introduced for reasons of labour market policy or in order to maintain certain professional standards. Examples of such restrictions are provided below. EMN NCPs are asked to comment on the relevance of these examples to their national legislative framework; if relevant, to explain why they have been introduced; and to comment on how they work in practice. They should also indicate, in the space provided, whether there are any additional restrictions in place in their (Member) State that may affect the decision of third-country nationals to settle in your (Member) State.*

*The Synthesis Report will identify any restrictions to the mobility of third-country nationals that have been included in national legislation/policies and explain why these are considered necessary.*

**3.1. Member States (and Norway) may examine the situation of the labour**

**market and give preference to Union (or EEA/EFTA) citizens when considering applications for work from a third-country national in another Member State or EFTA country.**

The aliens entering Lithuania for the purpose of work must obtain a WP, except the cases when an alien is exempted from the obligation to obtain the WP. The WP may be issued to an alien if there is no specialist in Lithuania meeting qualification requirements specified by the employer and after taking into account the needs of the labour market. The requirement to obtain a WP pursues the aim of protecting the Lithuanian labour market, which is a restricting condition in respect of TCNs – both TCNs and mobile TCNs.

Within the context of this study, it is important to note that the order of the Minister of Social Security and Labour provides for 12 grounds under which TCNs are not required to obtain a WP, including the employees posted from another EU Member State. A WP is neither required from aliens' family members who enter Lithuania for the purpose of family reunification.

Moreover, Lithuania does not apply quotas in respect of TCNs entering for the purpose of work.

**3.2. Minimum wages are often specified in the national legislative framework that may affect the decision of a third-country national, who is resident in one Member State (or EFTA country), to settle in another Member State (or Norway).**

The specified minimum monthly wage rate serves as a guarantee that an employee will get at least the minimum remuneration for his/her work. The LLSA also provides that the alien's remuneration may not be lower than that of a citizen of the Republic of Lithuania paid for the same work. These requirements may not be seen as a restricting condition in respect of TCNs entering for the purpose of employment since it ensures that aliens are not exploited and discriminated.

**3.3. If the third-country national who moves from another Member State (or EFTA country) is in a self-employed capacity, Member States (and Norway) may require that they have the appropriate funds which are needed, in accordance with national law, to exercise an economic activity in such capacity.**

The LLSA provides for the issuance of a TRP to an alien who intends to engage in lawful activities in the Republic of Lithuania, provided that the alien:

- 1) registers an enterprise, agency or organisation in the Republic of Lithuania as the owner or co-owner, in which the nominal value of his proportion of the authorised capital held in the enterprise must comprise not less than LTL 50 000, and his stay in the Republic of Lithuania is necessary seeking to attain the aims of the enterprise, agency, or organisation and carrying out the activities;
- 2) is the head or an authorised representative of an enterprise, agency or organisation registered in the Republic of Lithuania, if the principal goal of his entry is work at the

enterprise, agency or organisation;

3) intends to engage in lawful activities in the Republic of Lithuania, for which no work permit or permit to engage in certain activities is required.

To summarize, required funds depend on the activity an alien wishes to engage. However, the minimum amount of incomes (means of subsistence) required from all the aliens entering the country on the ground specified in this article is the same, i.e. one minimum monthly wage (MMW) per month (which currently amounts to LTL 1000, 1 EUR=3.4528 LTL).

Once again, it is not important whether an alien enters from another Member State or from a third country – the same requirements are applied to both categories.

**3.4. National rules or procedures governing the recognition of degrees and diplomas may affect the decision of a third-country national, who is resident in one Member State (or EFTA country), to settle in another Member State (or Norway).**

General conditions apply, just as to third-country nationals entering for the first time.

**3.5. National rules or procedures governing access to social security and social services for third-country nationals and their families may affect the decision of a third-country national, who is resident in one Member State (or EFTA country), to settle in another Member State (or Norway).**

General conditions apply, just as to third-country nationals entering for the first time.

**3.6. Any other restrictions**

N/A

## **Section 4**

### **Conclusions**

*(National Contribution: Maximum 2 pages)*

*The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policy makers at national and EU level.*

***With regard to the aims of this Focussed Study, what conclusions would you draw from your findings? What is the relevance of your findings to (national and/or EU level) policymakers?***

Lithuania has not provided for any additional categories of mobile TCNs which would enjoy facilitated conditions of entry and residence in Lithuania. Moreover, Lithuania does not apply any special facilitated procedures for mobile third country nationals, other than those provided for by directives, except a shorter period in issuing temporary residence permit for Blue Card holders (first time comers as well as mobile). Mobile TCNs enjoy only the facilitated procedures which are provided for by directives, for instance:

- ✓ A TRP is issued to an alien seeking highly qualified employment not later than

- ✓ within two months and to a TCN – not later than within six months;
- ✓ The number of entry permits to be issued has not been specified in respect of the TCNs entering for the purpose of work.

Mobile TCNs may enter Lithuania from another Member State under a residence permit issued by another Member State (which is also a Schengen State). However, if intending to stay for a period exceeding three months, such persons are required to apply for the issuance of a TRP.

Also, the TCNs entering Lithuania from another Member State are not distinguished as a separate category from the statistical point of view; hence statistical data on them are not collected.

The number of EU citizens residing in Lithuania is not large, especially if compared against the number of citizens of the Republic of Lithuania who move to other EU Member States. Every year, approximately 1000 citizens of other EU Member States enter Lithuania. There are no obstacles to entry and stay of EU citizens in Lithuania. If they wish to reside in Lithuania for a period exceeding three months, they are issued a certificate with regard to the conditions provided in the LLSA (which implements the Directive 2004/38/EC). The time limit for the issuance is short and the price is low.

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### Annexes: EU citizens in Lithuania by grounds for residence (2008-2012)

Ground	Is an employee/self-employed person (Article 101(1)(1) of the LLSA)					
		Number of decisions				
		2008	2009	2010	2011	2012
Citizenship						
IRELAND			1	1	6	4
AUSTRIA			2	2	6	3
BELGIUM			2	5	6	7
BULGARIA	1		7	30	25	38
DENMARK			4	22	11	15
ESTONIA			4	6	8	8
GREECE			1	5	6	3
ICELAND				1	2	2
SPAIN			5	27	27	18
ITALY			7	15	21	25
UNITED KINGDOM			6	23	36	18
LATVIA			21	38	50	57
POLAND			25	28	87	112
LUXEMBOURG					1	
MALTA				2	2	1
MOLDOVA					1	
NORWAY			3	10	13	12
NETHERLANDS			2	9	7	8
PORTUGAL			2	6	4	5

FRANCE		5	13	18	24
ROMANIA		4	13	73	93
SLOVAKIA		1	4	12	3
SLOVENIA		1	2	2	2
FINLAND		1	8	12	4
HUNGARY			7	6	4
GERMANY	1	18	39	46	44
CZECH REPUBLIC			4	4	3
SWEDEN		3	15	13	12
SWITZERLAND			2		2
Total:	2	125	337	505	527

Ground	Is in possession of adequate means of subsistence for himself and for his family members, where the family member accompany him or come to join him, to reside in the Republic of Lithuania and has a valid document evidencing health insurance coverage (Article 101(1)(2) of the LLSA)					
	Number of decisions					
		2008	2009	2010	2011	2012
Citizenship						
AUSTRIA			1			2
BELGIUM				4		2
BULGARIA			3		3	1
DENMARK			2	8	10	9
ESTONIA			1	2	1	3
GREECE					2	
ICELAND					1	1
SPAIN			1	1	1	8
ITALY			4	8	9	13
UNITED KINGDOM				3	6	13
LATVIA			2	17	22	22
POLAND			4	7	11	10
MALTA				1		
MOLDOVA				1		
NOT SPECIFIED			1		1	
NORWAY				3	1	6
NETHERLANDS				4	4	5
PORTUGAL					1	3
FRANCE			3	6	5	16
ROMANIA				11	3	8
RUSSIA				1	1	
SLOVAKIA				2		
SLOVENIA			1			
FINLAND			2	2	3	5
HUNGARY						1
GERMANY			14	33	46	37
CZECH REPUBLIC						1
SWEDEN			2	6	9	5

SWITZERLAND				1	1
Total:		41	120	141	172

Ground	Education (Article 101(1)(3) of the LLSA)				
	Number of decisions				
	2008	2009	2010	2011	2012
Citizenship					
IRELAND			2	4	2
AUSTRIA				2	4
BELGIUM		5		2	
BULGARIA			3	1	
DENMARK		2			
ESTONIA		2	2	2	2
GREECE			2	3	1
ICELAND				1	
SPAIN		19	27	93	42
ITALY		13	18	22	10
UNITED KINGDOM		2	4	5	3
CYPRUS			1		
LATVIA		20	18	26	23
POLAND		14	26	21	15
MALTA					1
NOT SPECIFIED					1
NORWAY			1	9	2
NETHERLANDS		1	1	3	4
PORTUGAL		12	10	3	6
FRANCE		38	32	44	22
ROMANIA		2		11	6
SLOVAKIA		2	2		
SLOVENIA				1	
FINLAND		5		1	
UKRAINE					1
HUNGARY		2	1		2
GERMANY		14	15	15	26
CZECH REPUBLIC		5	9	7	4
SWEDEN		2	4	9	8
SWITZERLAND			2		
Total:		160	180	285	185

Ground	Family members (first three groups) (Article 101(1)(4) of the LLSA)				
	Number of decisions				
	2008	2009	2010	2011	2012
Citizenship					
IRELAND		2	2	4	4
AUSTRIA					1
BELGIUM			1	4	2
BULGARIA			3	1	3
DENMARK		4	17	4	5
ESTONIA		2	8	7	6
GREECE				4	1
SPAIN		1	12	7	6
ITALY		3	2	7	10

UNITED KINGDOM		4	9	11	10
CYPRUS			1		
LATVIA		10	39	61	40
POLAND		5	12	18	15
MALTA					1
NOT SPECIFIED					1
NORWAY		1	10	8	4
NETHERLANDS		1	1	4	3
PARAGUAY				1	
PORTUGAL			1	1	1
FRANCE		2	5	2	5
ROMANIA			6	5	4
RUSSIA				4	
SLOVAKIA			3	3	4
SLOVENIA		1			
FINLAND			2	13	3
HUNGARY			3	3	
GERMANY		14	25	24	16
SWEDEN		1	5	2	1
SWITZERLAND		2			
Total:		53	167	198	146

<sup>1</sup> Not later than within five working days from receiving of an application in a migration service; as from 1 January 2013 – not later than within ten working days from submission of the application to the institution.

<sup>2</sup> Not later than within five working days from receiving of an application in a migration service; as from 1 January 2013 – not later than within ten working days from submission of the application to the institution.

<sup>3</sup> The statistics already compiled for the study Immigration of International Students to the EU may be used here.

<sup>4</sup> A WP is not required where an alien is a citizen of a non-EU Member State, legally and permanently employed with an enterprise of an EU Member State and posted by this enterprise for temporary work to the Republic of Lithuania and holding an E 101 certificate (concerning applicable legislation) issued by the EU Member State (except for the Kingdom of Denmark), an E 102 certificate (concerning extension of the term of posting or of the activities of a self-employed person) or a certificate issued by a competent authority of the Kingdom of Denmark, a state of the European Free Trade Association, confirming that the alien is covered with social insurance.

<sup>5</sup> This question only applies to those Member States that require cross-border workers to apply for a visa and/or residence permit in order to work in their Member State (even if their usual place of residence is in another Member State).