

GOVERNMENT OF THE REPUBLIC OF LITHUANIA

RESOLUTION No 79

22 January 2014

ON THE APPROVAL OF THE LITHUANIAN MIGRATION POLICY GUIDELINES

Vilnius

Acting pursuant to Paragraph 346 of the Priority Measures for Implementation of the Government Programme for 2012-2016, approved by Resolution No 228 of the Government of the Republic of Lithuania of 13 March 2013 on Approval of Priority Measures for Implementation of the Government Programme for 2012-2016, and with a view to establishing the objectives, principles and areas of the Lithuanian migration policy, as well as to ensuring proper management of migration processes, the Government of the Republic of Lithuania has resolved:

1. To approve the Lithuanian Migration Policy Guidelines (as appended).

2. To establish that the provisions of the Lithuanian Immigration Policy Guidelines (hereinafter referred to as the Guidelines) approved by the present Resolution shall be followed by ministries, Government institutions, institutions under the ministries, other national authorities and institutions accountable to the Government of the Republic of Lithuania, as they make decisions falling within their respective competencies, draft legislation, consider proposals regarding the adoption of European Union legal acts, as well as draw up negotiation lines of the Republic of Lithuania on these proposals.

3. To recommend to municipalities and other national institutions and agencies, which are outside of the subordination of the Government of the Republic of Lithuania, that they follow the provisions of the Guidelines.

4. To repeal:

4.1. Resolution No 957 of 24 September 2008 of the Government of the Republic of Lithuania on Approval of the Description of Monitoring, Analysis and Forecasting Procedures for Economic Migration Processes and the State of Lithuanians Living Abroad, with all its amendments;

4.2. Resolution No 1317 of 3 December 2008 of the Government of the Republic of Lithuania on Approval of the Lithuanian Migration Policy Guidelines.

Prime Minister

Algirdas Butkevičius

Minister of the Interior

Dailis Alfonsas Barakauskas

APPROVED BY
Resolution No 79

of the Government of the

Republic of Lithuania

of 22 January 2014

LITHUANIAN MIGRATION POLICY GUIDELINES

PART I GENERAL PROVISIONS

1. The Lithuanian Migration Policy Guidelines (hereinafter referred to as the Guidelines) aim at establishing key objectives and principles of the migration policy, as well as defining major policy trends, which would help ensuring migration flows management in line with national needs, particularly as it relates to addressing long-term structural and qualification demands of the labour market, while contributing to the national socio-economic development.

2. The Guidelines cover the following migration policy issues: emigration, reversible migration, immigration, integration of foreigners, asylum (international protection), fight against illegal migration, and issues related to the institutional set-up aimed at migration policy development and implementation, as well as the involvement of institutions related to policy development and implementation in advancing international cooperation.

3. The Guidelines take into account the provisions of the National Progress Strategy “Lithuania’s Progress Strategy Lithuania 2030”, approved by Resolution No XI-2015 of the Seimas of the Republic of Lithuania of 15 May 2012 on the Approval of the National Progress Strategy “Lithuania’s Progress Strategy Lithuania 2030“, the National Progress Programme for 2014-2020, approved by Resolution No 1482 of the Government of the Republic of Lithuania of 28 November 2012 on Approval of the National Progress Programme for 2014-2020, and the Programme for the Creation of “Global Lithuania” (Involvement of Lithuanian Emigrants in the Life of the State) for 2011-2019, approved by Resolution No 389 of the Government of the Republic of Lithuania of 30 March 2011 on the Approval of the Programme for the Creation of “Global Lithuania” (Involvement of Lithuanian Emigrants in the Life of the State) for 2011-2019, as well as the latest common migration policy initiatives of the European Union (hereinafter referred to as the EU), as well as national demographic, economic, social, national security and geopolitical conditions.

4. As an active player in the formation and the decision making of the common EU migration policy, Lithuania shall ensure compliance of these decisions with key national and – at the same time – common EU interests, as well as their contribution to the security and the

wellbeing of the citizens of the Republic of Lithuania, and creation of better conditions for the development of the society and the state.

5. The definitions applying in the Guidelines are defined in the Law on the Legal Status of Aliens of the Republic of Lithuania (hereinafter referred to as the Law on the Legal Status of Aliens) and other legal acts.

PART II

CONDITIONS FOR MIGRATION POLICY MAKING AND IMPLEMENTATION

6. Overall situation:

6.1. Lithuania is attributed to countries with prevailing emigration flows: more than 0.6 million of the citizens of the Republic of Lithuania live abroad. The EU's statistics agency (Eurostat) claims that Lithuania's net negative international migration (7.1 in 2012, to compare with 7.46 in Ireland) per 1000 population is among the highest in the EU.

6.2. In post-independence period, it was transit migration that prevailed in the country, therefore there was an ever growing attention to the management of migration processes, which resulted in declining illegal migration. Following Lithuania's EU and later Schengen membership, immigration trends tended to maintain the same pace, while emigration went up. The stringent immigration policy in Lithuania is among the factors preventing immigration flows.

6.3. It is only the past couple of years of the economic recovery in Lithuania that have prompted a growing trend in immigration and reversing migration, as well as falling emigration.

6.4. Migration flows in Lithuania are also affected by demographics. The population's negative natural reproduction rate translates into the ageing population. Besides, the age structure of the population is also impacted by emigration: emigrants are usually of a working age. The growing need for labour force related to declining internal resources has encouraged immigration.

6.5. The Law on the Legal Status of Aliens, which came into force on 30 April 2004, is the main national legal act that currently regulates issues relating to foreigners migration management. From the start of the EU membership, Lithuanian migration policy (with the exception of emigration and reversed migration) has been fundamentally determined by obligations, where respective EU provisions are transposed into national legislation.

6.6. Lithuania has ensured the application of the principle of free movement of persons to EU and European Free Trade Association Member States nationals and their family members, and it has simplified procedures for residence in Lithuania for the aforementioned citizens and their family members.

6.7. Following the Register of Foreigners, 33.3 thousand foreigners lived in Lithuania in the beginning of 2013, thus accounting for 1.1 per cent of the population. Some 3.3 thousand of these were citizens of the EU and European Free Trade Association Member States, including nearly half of the residents that were from Latvia, Poland and Germany. The

other 30000 were from other countries, including two-thirds from Russia, Belarus and Ukraine.

6.8. Globalisation, economic integration, liberalisation of the supply of services, and population mobility are among the factors that have had and will continue to have an effect on migration flows in EU Member States, including Lithuania.

7. Emigration:

7.1. The right of the citizens of Lithuania to move and choose their place of residence in Lithuania freely, and to leave their country freely, is stipulated in Article 32 of the Constitution of the Republic of Lithuania.

7.2. The repeal on 16 June 2000 of the Law on Emigration of the Republic of Lithuania of 30 November 1991, and Lithuania's assumed obligations regarding free movement of persons following its accession to the EU on 1 May 2004, a subsequent Schengen membership and the related lifting of land cross-border control with Latvia and Poland as of 21 December 2007, and airport cross-border control as of 30 March 2008, and lifted restrictions for the citizens of the Republic of Lithuania as regards labour markets in other EU Member States as of 1 May 2011 (Switzerland as of 31 May 2014) have resulted in the elimination of legal and administrative obstacles for the citizens of the Republic of Lithuania as regards residence in foreign states.

7.3. According to the Statistics Lithuania, in 2008-2012, 225000 citizens of the Republic of Lithuania emigrated, which was 1.3 times more than in 2003-2007 (17000). The majority left for other EU Member States. There has been a decreasing tendency for emigration since 2011, its potential, however, still remaining wide.

7.4. Most emigrants are young people of a working age. According to the Statistics Lithuania, 28 per cent of emigrants were aged 14-24 and 35 per cent 25-35 in 2012. The past decade has shown an increasing number of citizens of the Republic of Lithuania that seek education in other EU Member States. In 2011, they accounted for 6.4 per cent of all the students in the Republic of Lithuania (the average rate among EU Member States is approximately 3.3 per cent).

7.5. Emigration produces negative consequences in Lithuania: the population is decreasing and its structure is changing, while the socio-economic burden on the working-age population is increasing; the rebounding economy has resulted in declining workforce across certain industries, as well as the increasing "brain drain".

7.6. Emigration also has positive effects: some of the emigrating nationals of the Republic of Lithuania get education at well-known institutions abroad, gain new experience in the labour market, improve their qualifications, and support family members and other people living in Lithuania by sending them remittances. These factors raise internal consumption and general living standards in the country.

7.7. The elimination of the negative effects of emigration is not subject to direct legal and/or administrative regulation. This should be achieved through measures (such as the creation of new jobs, encouragement of employment, reduction of unemployment, wider

employment opportunities and improvement in living conditions and health care) aimed at gradually undermining economic, social and other factors in the country that encourage emigration (for example, differences in wages, the level of economic development, the disproportional distribution of employment by sector, the level of unemployment, etc.).

8. Reversing migration:

8.1. The Constitution of the Republic of Lithuania guarantees its citizens the right to return to Lithuania. Moreover, every Lithuanian is guaranteed the right of residence in the country. These rights are not restricted by any legal or administrative hurdles.

8.2. According to the Statistics Lithuania, in 2008-2012, 46.7 thousand citizens of the Republic of Lithuania returned to the country for permanent residence, or for at least 12 months. This was 2.2 times more than in 2003-2007 (21.1 thousand). A particularly steep trend was observed from 2011 (14000 returnees, and 17300 in 2012).

8.3. Those who return are mostly young people of a working age, who find no difficulties in adjusting to the Lithuania labour market. They often return with newly acquired qualifications, knowledge and international experience, which can become significant factors for progress in Lithuania.

8.4. To maintain relations with emigrants from Lithuania, distance-learning schools and internet websites have been established and admission to Lithuanian higher schools has been facilitated for emigrants and foreigners of the Lithuanian origin. Assistance is offered to people returning from abroad as well as foreigners as regards integration into the education system, with bridge classes and extra Lithuanian language lessons provided.

8.5. However, until now, the migration policy in terms of encouraging return has not been sufficiently successful. Too little attention was paid to the quality of informal education for Lithuanian children living abroad and teaching of the Lithuanian language to returning emigrants.

8.6. The return of emigrants to the Republic of Lithuania is still low due to significant differences in economic wellbeing between Lithuania and target countries for emigration.

8.7. The integration of returning citizens of the Republic of Lithuania may become difficult also due to the fact that some lose their formerly acquired skills, following their unskilled or unqualified jobs when in emigration. Unsuccessful reintegration leads to repeated emigration and weakens the motivation of emigrants to return, thus having a negative effect on migration trends. A potential for reversing migration has also been reducing due to weakening ties between emigrants and Lithuania, especially if people live outside the country for a number of years.

9. Immigration:

9.1. The Statistics Lithuania shows that the level of foreign immigration in 2004-2012 was relatively low, at not more than 3000 people per year. There is an observable dependency on economic conditions: there were larger inflows of foreigners before the financial crises, while in 2009-2010, the number fell to more than half. The recent economic revival has given

a prompt to immigration, which however did not resume its pre-crisis level (with 2486 foreign immigrants in 2012).

9.2. The reviving economy in 2004-2008, intensive emigration and the increasing demand for workforce, then trends of immigration to Lithuania have moved upwards, which has resulted in the need of certain legislation (the following documents were adopted: the Economic Migration Regulation Strategy, approved by Resolution No 416 of the Government of Lithuania of 25 April 2007 on Approval of the Economic Migration Regulation Strategy and the Plan of Implementation Measures for 2007-2008; the Lithuanian Immigration Policy Guidelines, approved by Resolution No 1317 of the Government of the Republic of Lithuania of 3 December 2008 on the Approval of the Lithuanian Immigration Policy Guidelines, etc.)

9.3. Following the Law on the Legal Status of Aliens', currently, temporary residence permits for foreigners (hereinafter referred to as temporary residence permits) are issued for one year on grounds that include family reunification, employment, studies and lawful business operations in Lithuania, and can later be prolonged for a period of one year. A long-term EU residence permit for the Republic of Lithuania is issued after a person has lived in the country continuously for 5 years using temporary residence permits and has complied with other conditions for permanent residence (such as knowledge of the national language and the basics of the Constitution of the Republic of Lithuania). In 2008-2012, the right to permanent residence was granted on average to 500-700 foreigners annually.

9.4. According to the Statistics Lithuania, only a third of all the immigrants to Lithuania are from the EU (mainly from neighbouring Poland and Latvia), but their number is growing. The number of third-country immigrants is still prevalent (70 per cent of immigrants in 2012), with the absolute majority from Russia, Belarus and Ukraine.

9.5. Before 2011, most temporary residence permits were issued on the grounds of family reunification. The situation is changing as the economy rebounds. The main reasons for issuing permits in 2012 were on employment grounds or for engagement in lawful operations (48 per cent); and for family reunification (39 per cent). The number of immigrant students is growing continuously (426 temporary resident permits were issued on this basis in 2010, compared with 1316 in 2011 and 1331 in 2012).

9.6. The rate of labour immigration in Lithuania is considerably low as regards labour market demands, and is mostly concentrated in several industries. The immigration is partly determined by hiring terms set for Lithuanian employers as regards recruitment of required labour force from third countries, as well as by inflexible and time-consuming procedures associated with the issue of permits for work and temporary residence.

9.7. The number of foreigners who immigrate on the grounds of employment is closely related to economic indicators. Before the recession, the number of work permits issued to foreigners was on a rapid rise (nearly 8000 in 2008), which showed a significant slowdown during the recession (1800 in 2010). The number of foreign employees has grown with the revival of the economy (4600 in 2012).

9.8. The recent years have seen a growing number of temporary residence permits issued on the grounds of other lawful operations, which do not require a work permit: 1900 permits were issued in 2011 (including 993 issued to foreigners on first visit or revisiting), compared with 2800 in 2012 (including 1700 issued to foreigners on first visit or revisiting).

9.9. The number of immigrating highly-qualified workers is low. In the first 6 months of 2013, 32 temporary residence permits (on employment grounds) were issued to highly-qualified labour force.

9.10. According to the Lithuanian Labour Exchange, almost all foreign workers are employed in the sectors of service (82 per cent in 2012) and manufacturing (16 per cent). Most work permits were issued (extended) to international logistics specialists (3265 permits), vessel hull welders (322), metal vessel hull assemblers (406) and restaurant chefs (122); permits are required in other economic sectors as well.

9.11. According to the Statistics of Lithuania, although the number of foreigners is growing at Lithuanian higher schools that offer degree study programmes (3786 students in 2012), it is still below the average among 27 EU Member States: foreigners comprised 2.5 per cent of students in Lithuania in 2011, compared with an EU average of 3.3 per cent.

9.12. The current procedure for issuing residence permits in the Republic of Lithuania facilitates invitation of highly-qualified specialists and researchers for scientific research; and labour force from abroad to fulfil labour market demands by issuing work permits. However, the procedure for issuing permits to reside in the territory of the Republic of Lithuania by certain grounds entitling them to the residence has not changed since 2004 and is increasingly abused by foreigners. The existing legislation does not provide full leverage to verify whether a foreigner seeks residence in Lithuania to engage in actual business of national interest, and confirm this fact.

9.13. There has been no facilitation as yet as regards permission to reside in Lithuania for foreign workers of professions that are in demand on the labour market, or for foreign investors. These foreigners have to follow general procedure for the issuance of temporary residence permits. Moreover, foreigners having graduated in Lithuania are usually obliged to leave the country, which makes their employment opportunities in the country more complicated.

9.14. Foreigners sometimes abuse their legal stay in the country, while waiting for a decision on their temporary residence with the Schengen visa. Attempts are made to exert pressure on authorities to prolong their stay in the country with the Schengen visa, which is contrary to the EU legislation. Mediators are used in an attempt to speed up the procedure for issuing a residence permit, etc.

9.15. The existing legislation does not clearly define cases where foreigners could change grounds for their legal status in the country – for example, foreigners who come to study at Lithuanian educational institutions and later decide to settle in the country, they acquire business and apply for a temporary residence permit on the grounds of lawful business operations.

9.16. Foreigners coming for the purpose of studies at Lithuanian educational institutions are from different countries including those posing risk of illegal migration. Some foreigners from such countries migrate through Lithuania to other EU Member States.

9.17. Some foreigners who come to Lithuania under a labour contract also leave or attempt to leave for other EU Member States. Lithuania is losing the competitive struggle over highly-qualified professionals to other economically stronger EU countries that offer higher salaries and better conditions.

9.18. Current legislation does not provide effective measures for fighting marriages of convenience, which can be a manifestation of organised crime – for example, of human trafficking, forgery of documents or people smuggling.

9.19. A significant influence on the internal labour market is exercised by employers interested in importing labour force from third countries with a view to cutting labour costs. This type of immigrated labour poses competition for Lithuanian citizens in the internal labour market, as well as a threat of abuse of foreign workers and human trafficking.

9.20. The aim of developing a common EU immigration policy is to establish more flexible immigration procedures for a certain category of foreigners, and at the same time to prevent and reduce illegal immigration. In contributing to the formation of the new, flexible and attractive EU immigration policy, Lithuania has an opportunity to implement the most important principles of its own immigration policy. Having adopted 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 (OJ L 155, 2009, p. 17) into national law, a new immigration scheme for highly qualified employees is applicable. Improvements of the Lithuanian law and procedures in the field of immigration are also determined by other EU law-making initiatives regarding legal migration (including proposals for the Directives of the European Parliament and the Council on conditions of entry and residence of third-country nationals for the purposes of seasonal employment; on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer; and on the conditions of entry and residence of third-country nationals for the purposes of research, studies, pupil exchange, remunerated and unremunerated training, and voluntary service and au pairing).

9.21. Through its participation in forming EU immigration policy, Lithuania seeks to achieve that newly adopted decisions correspond to the main national and common EU interests. Therefore, alongside the current categories of foreigners subject to facilitated immigration procedures under EU legislation, there should be indicated all other categories of foreign immigrants that are within the interest of Lithuania or subject to a more favourable approach. These categories shall subsequently be taken into account in the formation of Lithuanian policy and provisions of the national law.

10. Asylum (international protection):

10.1. The Lithuanian asylum system and the related national law are mainly regulated by common EU legal acts.

10.2. Following the adoption of the Republic of Lithuania Law on the 1951 Convention Relating to the Status of Refugees and Ratifying the 1967 Protocol Relating to the Status of Refugees by the Seimas of the Republic Lithuania on 21 January 1997, Lithuania became a country admitting asylum seekers and thus obliged under the provisions of the Convention to protect refugees in its territory and to create conditions for their integration into the country, that is the asylum system came into effect.

10.3. Since 1997, more than 6000 applications for asylum have been examined in Lithuania. The total of 164 asylum seekers were granted refugee status; approximately 400 people who cannot return to their countries of origin due to military conflicts or human-rights violations enjoy subsidiary protection in Lithuania.

10.4. According to the Migration Department under the Ministry of the Interior of the Republic of Lithuania (hereinafter the Migration Department), 2600 foreigners sought asylum in Lithuania in 2008-2012. This was 8 per cent more than in 2003-2007. From 2009, the increase in number of applications for asylum in Lithuania was basically related with more Georgians seeking entry (comprising nearly half of all the applications). The number of obviously unfounded applications for asylum in Lithuania increased.

10.5. In June 2013, following the approval of relevant legal acts, the EU completed the second stage of the creation of the Common European Asylum System, which aimed to simplify, rationalise and consolidate substantive and procedural standards for granting international protection (refugee status and subsidiary protection) across the EU; to ensure the adoption of well-founded decisions; to prevent the abuse of international-protection procedures; and to make the asylum process more efficient and shorter.

10.6. To enhance practical cooperation among EU Member States, the European Asylum Support Office was established in 2010. Lithuania has participated in its activities since 2011.

10.7. The asylum system of the Republic of Lithuania covering refugee status, subsidiary protection and temporary protection is in compliance with the EU standards. Lithuania is one of the first EU Member States to apply the principle of the single asylum procedure: when a foreigner submits an application for asylum in Lithuania, it is first established whether he/she meets the criteria for the granting of refugee status and can receive this status in the Republic of Lithuania. If this status cannot be granted, it is determined whether the asylum seeker is eligible for subsidiary protection.

10.8. In 2007 and 2012, Lithuania contributed to the implementation of EU common solidarity initiatives: the country voluntarily relocated 10 asylum seekers (citizens of Eritrea and Ethiopia) from Malta to Lithuania, granted them international protection and involved them in the social-integration programme. As regards the EU Resettlement Programmes and contribution to sharing the burden and strengthening solidarity among Member States, Lithuania is considering the possibility of participation in these programmes on an *ad hoc* basis and believes that this must be based on the principle of individual discretion of each country.

10.9. There may surface the following asylum-related problems: the growing number of obviously unfounded applications for asylum; insufficient resources for their urgent examination at border-control points and territorial police units. Moreover, the reception conditions in the Foreigners Registration Centre of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter referred to the Foreigners Registration Centre) and temporary accommodation of asylum seekers at the border are not sufficient enough. There is also a lack of interpreters of uncommon languages, and appeal procedures are too long.

11. Integration of foreigners:

11.1. Lithuania does not have a long-term policy for the integration of foreigners, nor an authority in charge of its formation; there is a lack of coordination among the authorities responsible for the integration.

11.2. The Law on the Legal Status of Aliens' provides for the set-up of the commission of the Government of the Republic of Lithuania for the coordination of integration of foreigners. This comprises the ministers and vice ministers of Social Security and Labour, the Interior, Health, Education and Science, and Culture and Finance, and the representative of the Association of Local Authorities in Lithuania. Representatives of national and municipal institutions, organisations and associations may also be included, as well as other persons as required. However, an Institution responsible for the coordination of integration of foreigners has not been appointed as yet.

11.3. No documents regulating the management of the policy area for integration of foreigners have been adopted.

11.4. The integration of foreigners in Lithuania is implemented mainly through support from the European Refugee Fund and the European Fund for the Integration of Third-Country Nationals. Non-governmental projects have become the main infrastructural element for the integration of foreigners.

11.5. There is a lack of constructive dialogue between stake holders having influence on the policy for the integration of foreigners (public authorities, non-governmental organisations, migrant associations, employers, professional unions and the academic community), which makes infrastructure for the integration of foreigners fragmented and vulnerable. All stages of creation of the Asylum and Migration Fund, which will serve as one of the most important instruments for integration in the future, are based on the principle of partnership.

11.6. Sometimes foreigners seeking for permanent residence in Lithuania (be these cases very few), have poor command of the Lithuanian language. Too little time allocated for learning it and/or inadequate teaching programmes could be among the reasons.

11.7. The EU-wide research "Migrant Integration Policy Index" (<http://www.mipex.eu/>) shows that in 2007, Lithuania ranked 20th from 28 countries by 7 policy areas of migrant integration (labour-market mobility, family reunification, education, political participation, long-term residence, access to nationality and anti-discrimination

policy); to compare with 27th position from 31 countries in 2011. The policy for the integration of foreigners in Lithuania is not as effective as in many EU (and some other) countries.

11.8. Although the number of foreigners in Lithuania is small, public opinion on immigration tends to be more negative than positive. Comparing the data from the public survey of 2010-2013, it is obvious that positive responses to questions relating to immigration benefits to the State and society were on the negative side, which shows that public disapproval has increased. The attitude of the society demonstrates prevalent cultural closure, which can be considered one of the essential barriers to the integration of foreigners, as well as the concern about possible economic and social implications caused by the presence of immigrants in Lithuania.

12. Illegal migration:

12.1. EU legal acts establish common rules for migrant return, removal, detention and the ban on entry, as well as mechanisms and measures for information exchange on illegal migration among EU Member States.

12.2. The Criminal Code of the Republic of Lithuania establishes criminal liability for illegal crossings of the state border, smuggling of human beings and illegal employment of third-country nationals. Article 206⁵ of the Code of Administrative Violations of the Republic of Lithuania establishes administrative liability for persons for the provision of fraudulent data for the approval of the invitation of foreigners for a temporary stay in Lithuania, or for any other assistance provided to a foreigner in obtaining a document entitling him or her to entry or residence in Lithuania.

12.3. Having violated the provisions of the legal acts that relate to entry, stays, residence or employment in Lithuania, or transit through or departure from the country, foreigners shall be returned to their countries in accordance with agreements on the international readmission agreements, concluded on behalf of Lithuania or the EU (there are agreements with 25 states for now). For any violation of the Law on the Legal Status of Aliens', the violator becomes subject to enrolment in the national list of foreigners, denied entry to the Republic of Lithuania, and other Schengen states, to that matter.

12.4. In 2010-2012, approximately 2700 foreigners a year were subjected to administrative liability for violations of the procedures for entry, stays or residence in Lithuania, or transit through or departure from the country; 1500 foreigners staying illegally in Lithuania were obliged to leave voluntarily; and 166 foreigners were removed from the country. In 2012, 65.2 per cent of foreigners who were obliged to voluntarily leave Lithuania were citizens of Russia, Belarus and Kazakhstan. The number of foreigners returned to their states in 2008-2012 was 1.7 times up against the figure in 2003-2007.

12.5. With priority given to the voluntary return of foreigners to their countries of origin, the number removed or deported from the territory of Lithuania has decreased (150 a year on average in 2008-2012, or nearly a third less than in 2003-2007).

12.6. According to the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter referred to as the State Border Guard Service), 10400 foreigners were refused entry into Lithuania in 2008-2012, mostly (approximately 80 per cent) citizens of Belarus and Russia. The most frequent reason for the refusal of entry was failure to produce a valid visa or a resident permit. As compared to 2003-2007, when 20300 foreigners were refused entry, the number has nearly halved.

12.7. The danger of illegal migration of foreigners from third countries to Lithuania has not been subsiding, as its forms have become more complex. This is confirmed by an increasing number of revealed cases of abuses by foreigners: they make use of the loops in the legislation on the issuance of visas (by fraud), family reunification (marriages of convenience), the establishment and development of business (fictitious enterprises), work under contracts (illegal work) and in other cases, and thus trying to enter Lithuania or other EU Member States through the territory of Lithuania. Bearing in mind that provisions of the legal acts that regulate the legal status of foreigners are misused to obtain documents that entitle them to a stay or residence in Lithuania as a bridge to other Schengen states, and in the presence of other forms of illegal migration, improvements are recommended to legal acts to establish liability for the violation of rights related to the legal status of foreigners.

12.8. Proper protection of external borders, the continuous implementation of preventive and proactive measures related to foreigners, and closer practical cooperation between agencies including those of the EU (for example, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) and foreign states, especially neighbouring ones, help to ensure the effective control of illegal migration flows.

12.9. Among many problems encountered in combating illegal migration is a very slow legislative process, particularly when there is a need for a rapid response to the new emerging forms of the illegal migration.

12.10. A high risk of illegal migration is posed by Belarus, providing the largest number of illegal entrants to Lithuania through the external EU border. This is because there are no agreements on the return of persons (readmission) concluded on behalf of Lithuania or the EU with Belarus.

13. Institutional structure for the formation and implementation of the migration policy:

13.1. Current policy makers are the Ministry of the Interior, the Ministry of Social Security and Labour, the Ministry of Education and Science, the Ministry of Foreign Affairs and the Ministry of Economy.

13.2. The Ministry of the Interior is responsible for the migration policy making as far as it relates to public security (with the exception of economic issues). The Ministry of Social Security and Labour is responsible for the labour policy; the social integration of foreigners granted asylum in Lithuania; administration of the European Refugee Fund, the European Fund for the Integration of Third-Country Nationals and the Asylum and Migration Fund; and

the return of political prisoners, deportees and their family members to Lithuania, along with the implementation of measures of their social integration that fall within the scope of social-integration policy. The Ministry of Education and Science is responsible for Lithuanian studies provided to foreigners of Lithuanian origin and emigrants; the education of foreigners; the coordination of studies; and the work of foreign teachers and researchers in scientific and educational institutions. The Ministry of Foreign Affairs is responsible for visas and policy areas that strengthen Lithuanian emigrants' relations with Lithuania. The Ministry of Economy is responsible for economic policy-making; the analysis of demand and supply of human resources in the labour market; the preparation and management of the profession classifier; and acknowledgement of professional qualifications obtained abroad in Lithuania.

13.3. In Lithuania, the migration policy is implemented by the following authorities:

13.3.1. The Migration Department, within the respective competences, ensures the implementation of the procedures related to visas, immigration, asylum and Lithuanian citizenship, the issuance of travel documents, residence permits and other documents to foreigners; and the implementation of the principle of free movement of persons.

13.3.2. The Police Department under the Ministry of the Interior of the Republic of Lithuania controls and coordinates operations of migration services at territorial police units implementing functions in the area of migration policy established by laws and other legal acts.

13.3.3. The State Border Guard Service and its structural subdivisions are responsible for national control of migration processes across the territory of Lithuania.

13.3.4. Detained foreigners who illegally enter or stay in Lithuania are placed in the Foreigners Registration Centre, and asylum seekers stay there while their requests for asylum are examined. Initial asylum procedure and return or deportation of foreigners from Lithuania is carried out in the Centre.

13.3.5. The Refugee Reception Centre under the Ministry of Social Security and Labour of the Republic of Lithuania is responsible for the social integration of foreigners who were granted asylum, and provides temporary residence to unaccompanied minors until the question of their legal status in Lithuania is resolved.

13.3.6. The Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania issues work permits to foreigners.

13.3.7. The State Labour Inspectorate under the Ministry of Social Security and Labour carries out the oversight as regards illegal labour, and coordinates operations of concerned authorities.

13.4. The Statistics Lithuania coordinates official statistics and implements the common national policy on the methodology and organisation of statistics; compiles and publishes statistical information on international migration of the population (emigration and immigration flows and trends of Lithuanian citizens and foreigners), demographic and socio-economic characteristics and statistical indicators on migrants, and information about socio-economic factors that might encourage emigration from Lithuania.

13.5. The reform of state institutions carried out during the recession period aimed partly at reducing public expenditure. It affected authorities and institutions that perform functions related to migration policy and its implementation, and led to structural changes and a significant decrease in human resources in this field.

13.6. Taking into account the horizontal nature of migration issues, the main problems related to the institutional structure for migration policy making and implementation are the following: the migration policy making falls within the competence of several ministries, instead of one; there is insufficient coordination of issues involving migration policy, with differing opinions and positions between institutions; some functions overlap among several institutions; it has not been established which institution has the competence to solve particular migration issues such as the integration of foreigners; the qualifications of specialists are inadequate; qualifications improvement system is insufficient; and the ratio of functions/human resources is not proportional.

14. International cooperation in migration policy:

14.1. Lithuanian authorities' cooperation with international organisations and foreign states also has an impact on the migration policy.

14.2. To address issues related to migration policy making and implementation at the EU level, Lithuania cooperates with EU institutions and agencies (such as the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, and the European Asylum Support Office). Lithuania cooperates on migration with third countries both bilaterally and multilaterally; implements different measures with regard to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "The Global Approach to Migration and Mobility" of 18 November 2011 (COM (2011) 743 final); has signed declarations on mobility partnerships with Moldova and Georgia; and participates in different initiatives such as the Eastern Partnership and the Prague Process. Since 2006, Lithuania has been a member of the Global Forum on Migration and Development established during high-level dialogue at the 61st session of the General Assembly of the United Nations.

14.3. International and non-governmental organisations actively participate in the migration policy processes. These include the International Organization for Migration Vilnius Office, representative of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other non-governmental organisations.

14.4. Lithuania's bilateral international cooperation in migration policy often encompasses particular issues, such as the readmission of persons (return); withdrawal of visa regime for certain groups of people; citizens' travel requirements (with Belarus and Russia); and facilitated transit for Russian citizens (with Russia). At present, neither the EU nor Lithuania has concluded agreements with Belarus for readmission. Lithuania has not as yet concluded a single agreement on local cross-border traffic with neighbouring states (Belarus and Russia).

14.5. Through the development of international cooperation, Lithuania addresses important issues related to migration policy. However, involvement in the activities of international organisations other than the EU and the maintenance of continuous bilateral relations with migration institutions of foreign states is often financially restricted.

PART III

OBJECTIVES AND PRINCIPLES OF MIGRATION POLICY

15. The migration policy of Lithuania encompasses a complex of actions carried out in accordance with national particularities and with common aspects of EU migration policy. Negative demographic trends due to an ageing population, negative migration tendencies among Lithuanian citizens, resulting in a decline of an economically active group in the society, and which affect national economic and social development and public finance – all this creates the need to search for mechanisms and measures to help Lithuania become more open and competitive. In the first place, we need to reduce the extent of economic migration; attract more workers to fulfil the demands of the Lithuanian labour market; establish priority (target) categories of foreigners of national interest; ensure the conformity of asylum procedures and reception conditions with EU standards; create and develop an integration system for foreigners; increase the management and prevention of illegal migration; initiate necessary changes in the legislative, organisational and institutional composition; and to improve monitoring of the migration processes.

16. Objectives of Lithuanian migration policy:

16.1. To achieve a gradual reduction of massive emigration and increase reversing migration;

16.2. to ensure a policy for attracting workers that corresponds to the needs of the country with a view to promoting social and economic development, attracting innovation and capital, enabling a flexible response to the demands of the foreign workforce, and establishing differentiated schemes for the attraction, selection and use of the workforce;

16.3. to facilitate integration of foreigners and thus capitalise on benefits offered by immigration, whereby foreigners actively contribute to strengthening the state by participating in its economic, social and cultural life;

16.4. to improve the management of migration processes by implementing control measures to help prevent illegal migration, effectively ensuring public order, health, security and crime prevention, and at the same time ensuring that Lithuania complies with its international obligations in the field of human rights and freedoms;

16.5. to have close and targeted involvement in EU immigration policy-making, in addressing issues that call for common and coordinated actions, and, together with other Member States, to expand the political dialogue and practical cooperation in the field of migration with third countries, particularly with Eastern neighbouring countries and countries with European aspirations.

17. Principles of the Lithuanian migration policy:

17.1. principle of selection: to shape migration policy to be able to respond to changes in Lithuania's economic development and labour market demands, and to be implemented in a way that effectively ensures quantitative and qualitative conformity of migration flows to the demands of the labour market, thus contributing to economic growth and enhanced competitiveness;

17.2. principle of workforce compensation: employees from third countries are invited to fill the vacancies only when this cannot be addressed by the local workforce or employable citizens of the Republic of Lithuania returning from emigration, or citizens of EU Member States in line with the principle of free movement of persons; the attraction of workers from third countries should not drive citizens of the Republic of Lithuania to emigrate to other countries;

17.3. principle of integration: foreigners granted the right of residence in Lithuania participate in integration programmes, while Lithuanian society should develop national and racial forbearance, tolerance and a multicultural attitude to reduce instances of xenophobia, discrimination and racism;

17.4. principle of prospectivity: foreigners who have met their obligations and successfully integrated into Lithuanian society shall be granted the right to seek permanent residence in the Republic of Lithuania;

17.5. principle of attractiveness: to reduce the burden for both institutions and foreigners in order to make Lithuanian migration procedures more attractive; to improve procedures by, for example, implementing the electronic management system for migration cases, which would allow the acceleration of procedures and their gradual transfer to the electronic space; and to expand the services rendered;

17.6. principle of resistance: migration policy must be resilient and prevent fraud and abuse of the Lithuanian migration system and its procedures;

17.7. principle of harmonisation: provisions of the migration policy should be harmonised with the obligations of EU membership, as well as obligations assumed under international agreements and Lithuanian national policy in terms of demographics, competitive economic ability, cooperation on development and other areas related to migration.

PART IV

MAJOUR MIGRATION POLICY AREAS

18. Emigration and reversing migration:

18.1. In order to place Lithuania among countries that do not have prevailing emigration flows and increase reversing migration, the measures implemented by the state should firstly be directed towards the elimination of internal social, economic and other factors that stimulate emigration (particular attention should be devoted to reducing youth unemployment).

18.2. In order to reduce emigration, it is recommended that cooperation is strengthened with the main countries targeted by emigrants. The policy of attracting investment from these countries to Lithuania should be more active.

18.3. To strive for emigration processes to become mobility processes (circular migration) when citizens leave with the purpose of using the benefits offered by countries targeted by emigrants; in future these benefits could be used in Lithuania or to benefit the country.

18.4. To search for ways to use the social, scientific, cultural and economic potential of emigrants and to encourage citizens of the Republic of Lithuania to maintain ties with their country. In order to achieve the objectives of reversing migration, it is important to implement projects that mobilise Lithuanians abroad and support their ties with the country, and to provide information and consultations on the issues of returning to and residing in Lithuania.

18.5. In order to improve accessibility of information, it is necessary to create conditions to receive all information and practical assistance with issues related to the return and residence in Lithuania through adoption of a 'one-stop-shop' principle.

18.6. To find ways to create favourable conditions for citizens of the Republic of Lithuania to return; to create opportunities for returning citizens to integrate into the labour market; to provide other reintegration measures, and at the same time avoid discrimination among citizens who remain in the country.

19. Immigration:

19.1. The immigration policy of Lithuania must be harmonised with that of the EU with respect to the process of formation and implementation of provisions, in which Lithuania – taking into account national and EU interests –participates along with other EU Member States.

19.2. An important element of Lithuanian immigration policy is controlled immigration from third countries, which contributes to development of the Lithuanian economy.

19.3. The country's priority categories of foreigners should be determined under the common system of acceptance and legalisation of foreigners to whom more advantageous immigration procedures can be applied, and categories that are granted specific rights due to their particularity or international legal norms:

19.3.1. foreigners of Lithuanian origin, who are guaranteed the right of residence in Lithuania by the Constitution of the Republic of Lithuania;

19.3.2. EU citizens and their family members who use their right of free movement of persons;

19.3.3. foreigners who are long-term residents of the Republic of Lithuania or other EU Member States;

19.3.4. foreigners who enter the country for the purpose of science and study;

19.3.5. foreigners who enter the country for the purpose of highly qualified employment;

19.3.6. foreigners who enter the country for the purpose of scientific research or experimental development, or to teach at Lithuanian scientific and educational institutions;

19.3.7. foreigners engaged in legal business operations who establish new workplaces and make investments in Lithuania, thus contributing to national economic and social development;

19.3.8. foreigners who come to work in qualified jobs, especially in those economic sectors lacking in employees of specific professions among the local workforce;

19.3.9. foreigners entering the country for purposes of family reunification;

19.3.10. foreigners who have been granted asylum in the Republic of Lithuania;

19.3.11. foreigners who are victims of human trafficking, also minors and unaccompanied minors;

19.3.12. other foreigners who fall within categories established by international agreements, mobility partnerships or national laws.

19.4. Priority categories of foreigners should be provided with favourable entry conditions (possibility for the arrival of their family members might be considered), and administrative procedures related to the issue of work and residence permits in the Republic of Lithuania should be simplified and facilitated.

19.5. Regulations for attracting workers should be appealing and flexible to ensure the competitive ability of Lithuania as a receiving country, when there is a need to attract members of the workforce that the country lacks from third countries. However, regulations should not stimulate employers to use cheap labour from third countries without making all possible efforts to use the internal workforce, and should not create conditions for employees from third countries to travel to other EU Member States through Lithuania, stimulating the economic emigration of Lithuanian citizens and raising additional social tensions.

19.6. In order to stimulate scientific research and innovation, a more appealing scheme should be established to attract foreigners involved in research or experimental development, to teach at Lithuanian scientific and educational institutions; and for students from third countries who study and graduate from the Lithuanian higher-education system, who can supplement the highly qualified segment of the workforce. Everyone who seeks to integrate into Lithuanian society should be granted more favourable conditions for residence and employment. The arrival of students, teachers and scientists in Lithuania is important as long as it corresponds with the science development trends and needs in the country.

19.7. Better regulation of legal business concerns and individual economic operations is required to avoid abuse of the system for issuing residence permits in the Republic of Lithuania, and to ensure that foreigners residing in Lithuania participate in legal business operations that are profitable or beneficial (not for profit), or are employed according to a labour contract when it is mandatory to have a work permit. Provisions stipulating that foreigners who do not engage and will not engage in actual economic operations will not be granted or allowed to keep the right to residence in Lithuania shall be complied with.

19.8. Particular attention should be devoted to foreigners with specific rights and those who require more favourable conditions or security because of their current situation (for example asylum seekers, foreigners who fall within the category of vulnerable persons, etc.).

20. Asylum (international protection):

20.1. It is necessary to ensure the effective implementation of the measures of the Common European Asylum System, which aims at helping to consolidate international standards of security throughout the EU. The Lithuanian asylum system, which is part of the Common European Asylum System, should be improved in a way that ensures proper and effective asylum procedures.

20.2. When using the financial opportunities provided by the EU funds, the national budget of the Republic of Lithuania and other financial resources, it should be pursued that reception and accommodation conditions of asylum seekers conform to requirements of the legal acts. Special attention should be devoted to accommodation of vulnerable persons and those with special needs.

20.3. To strive for the Lithuanian legal acts to ensure the rights of asylum seekers established in international documents, and to eliminate possibilities for abuse of the right of asylum.

20.4. In order to improve reception of asylum seekers and procedures of international protection, it is recommended to strengthen administrative capabilities of institutions that perform asylum-related functions.

20.5. When participating in relocation activities of beneficiaries of international protection, Lithuania should seek that participation in relocation programmes is based on the principle of voluntary decision of Member states. Taking into consideration the political decisions of the EU and Lithuania, Lithuania shall participate in relocation and resettlement programmes financed by the EU funds, provide assistance to the EU Member States and third countries that experience a heavy burden due to asylum seekers (refugees), and otherwise contribute to assisting third countries.

21. Foreigner integration:

21.1. The concept of the integration of foreigners should be clearly defined in Lithuanian legal acts.

21.2. The successful implementation of Lithuanian immigration policy depends on effective implementation of the integration policy. The preparation of comprehensive and long-term provisions is the basis of the foreigner integration policy.

21.3. A responsible institution should be appointed to form the foreigner integration policy.

21.4. In order to create the mechanism for the integration of foreigners, it is recommended that the existing framework is used – namely, the project activities of non-governmental organisations that are funded by the EU resources.

21.5. The integration of foreigners should be carried out both at national and local levels, with respect to the prevailing immigration structure, the specifics of the activities of

non-governmental organisations and institutions, and problems related to foreigner integration.

21.6. In order to make integration measures more flexible and to determine needs, it is necessary to continuously analyse the processes of immigration and integration of foreigners.

21.7. In order to ensure the effective integration of foreigners, it is necessary to promote public tolerance to foreigners living in Lithuania – to implement measures that promote national and racial forbearance and a multicultural attitude, and reduce manifestations of xenophobia, discrimination and racism.

21.8. Measures that implement the foreigner integration policy shall be established through respective strategic planning documents.

21.9. When creating and implementing the foreigner integration policy, it is necessary to comply with the following principles: ensuring human rights and equal opportunities in all areas of life, provision of the status of a permanent resident and (or) citizenship, reduction of social inequality, vulnerability and exploitation, observation of work and living conditions, improving representation.

22. The fight against illegal migration:

22.1. The prevention and control of illegal migration is not only an EU priority, but also one of the elements of the proper management of migration at a national level.

22.2. It is imperative to strengthen the management system for the prevention of illegal migration and foreigner control, encompassing activities of the competent Lithuanian institutions at a national and EU level, and effective cooperation and coordination in the area of foreigner control. It is necessary to improve the interaction of law-enforcement institutions, especially in the field of information exchange and in the ability to respond promptly, adequately and using the required measures.

22.3. The legal framework of Lithuania should not provide opportunities to abuse established procedures related to the arrivals, stays, residence and employment of foreigners in Lithuania. In order to ensure an effective mechanism for the implementation of measures for the prevention and control of illegal migration, it shall be required:

22.3.1. to perform preliminary control of illegal migration through effective application of the system for issuing visas (risk evaluation of illegal migration, preliminary consultations, cooperation with the competent institutions of Lithuania and other countries);

22.3.2. to ensure effective defence and control of national border crossings in response to changing migration flows – to use the possibilities for integrated EU external border management, increase the authorisations of institutions that protect the national border and control arrivals, stays and departures of foreigners in Lithuania, and to improve their capabilities of using the possibilities provided by the latest technologies and information systems;

22.3.3. to legally ensure the efficient control of illegal migration, to reduce the possibility for abuse of the system of legal migration (abuse on the grounds of family

reunification, the provision of asylum, the issue of a residence permit for the Republic of Lithuania, etc.);

22.3.4. to ensure effective implementation of the policy for the return of foreigners to the countries of origin or foreign countries to which they have the right to travel, and the readmission policy for illegal third-country nationals, comprehensively observing fundamental human rights, giving them the opportunity to leave with dignity and promoting voluntary return, thus sparing national resources;

22.3.5. to improve legal acts that establish the liability of persons who organise the illegal arrival (trafficking) of third-country nationals in the territory of Lithuania and in the Schengen Area, and the liability of foreigners for violating acts regulating the legal status of foreigners;

22.3.6. to continuously carry out analysis and risk evaluation on the threat of illegal arrivals and stays of foreigners in Lithuania, and illegal work and the breaches of law related to illegal migration; to make the information about the possibilities of legal migration in Lithuania, regulation of entry, stays, transit and departure of foreigners widely accessible to the public. Preventive actions would enable proper analysis of the methods and forms of illegal migration, forecasting and prevention of violations of laws as regards illegal migration.

23. Improvement of institutional composition and cooperation:

23.1. The existing model of migration management system in Lithuania has been used for 20 years and has served its purpose; it is similar to the model used in the Nordic countries (for example, Denmark and Finland).

23.2. However, the appointment of responsibilities and established areas of activity of the institutions raise a discussion concerning changes in the management system that relate to institutional capabilities and administrative capacities. The competences of institutions should be continued to be limited in order to seek clarity, transparency and liability of institutions for the areas of operation allocated by legal acts. Inter-institutional cooperation shall be strengthened, especially in the field of information exchange, the performance of common activities and improvements to the qualifications of personnel. A review of functions shall be performed regularly, with the aim of withdrawing functions that are not characteristic for institutions, avoiding their repetition and establishing the competence of institutions to carry out new activities. This will serve to help properly implement the migration policy, rationally use the national budget resources of the Republic of Lithuania allocated to this management area, and to use the financial assistance of the EU funds and other foreign states and international organisations appropriately.

23.3. It is advisable to appoint an institution responsible for formation of the policy on integration of foreigners, to ensure target-oriented and effective work of institutions responsible for the integration. It is important to involve employers of foreigners, trade unions and other subjects in the implementation of the integration policy.

23.4. In order to strengthen the administrative capabilities of institutions in implementing the migration policy, an analysis is required of the possibility for creating a permanent teaching framework for migration specialists to improve their qualifications.

24. International cooperation:

24.1. By using the opportunities offered by the EU, Lithuania could significantly contribute to the political dialogue and cooperation on issues of immigration policy with its priority third countries (for example, the countries of the Eastern Partnership), and involve them in corresponding projects implemented on a bilateral basis or in cooperation with other EU Member States.

24.2. Even though the international cooperation of Lithuania on questions of migration encompasses a number of areas (EU institutions and agencies, the activities of a wide network of international organisations and institutions, international agreements, and participation in conferences, dialogues and processes), the objectives of the migration policy are to make Lithuanian international cooperation more effective in migration issues both at a bilateral and a multilateral level.

24.3. It is advisable to develop agreements on readmission with relevant third countries (for example, Belarus), to conclude and implement local traffic agreements with neighbouring third countries, and to expand cooperation at central and regional levels on the issues of border security and the fight against illegal migration.

24.4. To ensure effective cooperation with other EU Member States and third countries on issues of migration and asylum, applying measures of global approach to migration and mobility, in particular in the relationship with countries of the Eastern Partnership.

24.5. To participate in the activities of the European migration network and other EU, regional and international structures, and to maintain close relations with international organisations.

PART V

MONITORING OF THE IMPLEMENTATION OF THE MIGRATION POLICY

25. The basis of monitoring the implementation of the migration policy is the continuous gathering, processing, summarisation and publication of statistical information on migration processes, and analysis and evaluation of them.

26. The Annex of the Guidelines provides evaluation criteria for monitoring and evaluating processes by specific areas of migration policy – emigration and reversing migration, immigration, asylum (international protection), foreigner integration, the fight against illegal migration and international cooperation.

27. Coordination of the monitoring of the migration processes and their analysis shall be performed by the Ministry of the Interior.

28. According to the evaluation criteria for the monitoring of the migration processes indicated in the Annex to the Guidelines, institutions and establishments shall gather and, as

of 2015, annually present summarised information on the significance and changes to evaluation criteria, their trends, progress and problems of implementation of the directions of the migration policy established by the Guidelines, other important information, together with conclusions and proposals on better forms of implementation and/or improvement of the Guidelines to the Ministry of the Interior before 1 April.

29. The Ministry of the Interior shall gather and summarise the significance of the evaluation criteria and other information received from the responsible institutions and establishments, analyse changes, problems and possible negative outcomes of ongoing migration processes, and before 1 May each year, as of 2015, shall present the conclusions and proposals on the implementation of the migration policy to the Government of the Republic of Lithuania.

Annex
to the Lithuanian Migration Policy Guidelines

LIST OF EVALUATION CRITERIA FOR MONITORING MIGRATION PROCESSES

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
I. General information					
1.	The number of residents in the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	country total	beginning of the year (preliminary)	Register of the Residents of the Republic of Lithuania (hereinafter Register of Residents), Demographic Statistics Database of Statistics Lithuania (hereinafter the Demographic Statistics Database)	Statistics Lithuania
2.	The number of foreigners living in the Republic of Lithuania and the change compared to the last year's number (percentage)	country total; by municipality; of third-country nationals; by municipality	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
3.	Net international migration	country total	annually	Demographic Statistics Database	Statistics Lithuania
II. Emigration and Reversing Migration					

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
1.	The number of emigrants and change in this number compared to the last year's number (percentage)	total; by municipality; by future place of residence (country); by citizenship; by age group (0–17; 18–24; 25–64; 65+)	annually	Register of Residents, Register of Foreigners	Statistics Lithuania
2.	The number of citizens of the Republic of Lithuania returning to live in the country (re-emigrants) and the change in this number compared to the last year's number (percentage)	total; by municipality; by former place of residence (country); by age group (0–17; 18–24; 25–64; 65+)	annually	Register of Residents	Statistics Lithuania
3.	The number of foreigners of Lithuanian origin and emigrants studying at Lithuanian higher education facilities, and the change of this number compared to the last year's number (percentage)	total; by the country they come from	annually	Higher education facilities	Ministry of Education and Science
4.	The number of children of returned families studying at Lithuanian education institutions and the change in this number compared to the last year's number (percentage)	total; by to the country they return from	annually	Data of the Ministry of Education and Science	Ministry of Education and Science
III. Immigration					

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
1.	The number of immigrants that arrived to live in the Republic of Lithuania, and the change in this number compared to the last year's number (percentage)	total; by municipality; by citizenship; by former place of residence (country); by age group (0–17; 18–24; 25–64; 65+)	annually	Register of Residents, Register of Foreigners	Statistics Lithuania
2.	The number of temporary residence permits issued to foreigners by the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by grounds for issue	annually	Register of Residents	Migration Department under the Ministry of the Interior
3.	The average duration of examination of the applications of foreigners for a temporary residence permit in the Republic of Lithuania (in calendar days)	by grounds for issue	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
4.	The number of permanent residence permits issued to foreigners by the Republic of Lithuania to live in the European Union, and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
5.	The number of revoked temporary residence permits of foreigners in the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by grounds for revocation	annually	Register of Foreigners	Migration Department under the Ministry of the Interior

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
6.	The number of revoked permanent resident permits of the Republic of Lithuania for residence in the European Union of foreigners and change in this number compared to the last year's number (percentage)	total; by grounds for revocation	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
7.	The number of work permits issued to foreigners and the change in this number as compared to the last year's number (percentage)	total; by citizenship; by economic sector; by employment contract; seconded to the Republic of Lithuania; interns and trainees; by international youth exchange programmes	annually	Database of the Lithuanian Labour Exchange	Lithuanian Labour Exchange under the Ministry of Social Security and Labour
8.	The average duration of issuing a work permit to a foreigner (in calendar days)	total; by category	annually	Database of the Lithuanian Labour Exchange	Lithuanian Labour Exchange under the Ministry of Social Security and Labour
9.	The number of decisions issued on the conformity of the foreigner's employment (requiring a high professional qualification) to the needs of the labour market of the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by professional qualification	annually	Database of the Lithuanian Labour Exchange	Lithuanian Labour Exchange under the Ministry of Social Security and Labour

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
10.	The average duration of issuing a decision on conformity of the foreigner's employment (requiring a high professional qualification) to the needs of the labour market of the Republic of Lithuania (in calendar days)	total; by professional qualification	annually	Database of the Lithuanian Labour Exchange	Lithuanian Labour Exchange under the Ministry of Social Security and Labour
11.	The number of temporary residence permits (<i>blue cards</i>) of the Republic of Lithuania issued to foreigners seeking employment that requires high professional qualifications and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
12.	The types of profession that lack respective employees in the Republic of Lithuania and changes in numbers compared to the last year's numbers (percentage)	by the segments of economic activity; by type of profession	annually	Database of the Lithuanian Labour Exchange	Lithuanian Labour Exchange under the Ministry of Social Security and Labour
13.	The number of visas issued to foreigners for entry into the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; Schengen visas; National visas	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
14.	The number of decisions to refuse issuing visas to foreigners for entry into the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by type of visa; by citizenship; by grounds	annually	Register of Foreigners	Migration Department under the Ministry of the Interior

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
15.	The number of decisions to cancel visas issued to foreigners and the change in this number compared to the last year's number (percentage)	total; by type of visa; by citizenship; by grounds	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
16.	The number of certificates issued that confirm the right to temporary residence in the Republic of Lithuania of citizens of EU Member States and members of the European Free Trade Association, and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
17.	The number of certificates issued that confirm the right to permanent residence in the Republic of Lithuania of citizens of the EU Member States and members of the European Free Trade Association and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
IV. Asylum (International Protection)					
1.	The number of applications for asylum in the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
2.	The number of decisions taken on asylum in the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by type of decision	annually	Register of Foreigners	Migration Department under the Ministry of the Interior

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
3.	The number of transferred foreigners in accordance with the Dublin Regulation ¹	total; transferred to the Republic of Lithuania; transferred from the Republic of Lithuania to other EU Member States	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
V. Foreigners' Integration					
1.	The number of foreigners studying at Lithuanian higher education facilities that offer degree study programmes, and the change in this number compared to the last year's number (percentage)	total	annually	Higher education facilities	Ministry of Education and Science
2.	The number of schools offering education to foreign children below the age of 18 who live in the Republic of Lithuania, and the change in this number compared to the last year's number (percentage)	total	annually	Municipalities	Ministry of Education and Science
3.	The number of projects on integration of foreigners implemented using EU funds and the change in this number compared to the last year's number (percentage)	total	annually	Data of the Ministry of Social Security and Labour	Ministry of Social Security and Labour

¹Regulation No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L180/31).

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
4.	The number of immigrants participating in integration programmes and the change in this number compared to the last year's number (percentage)	total	annually	Data of the Ministry of Social Security and Labour	Ministry of Social Security and Labour
5.	The number of foreigners studying at Lithuanian higher education facilities and receiving assistance from the state, and the change of this number as compared to the last year's number (percentage)	total	annually	State Studies Foundation, higher education facilities	Ministry of Education and Science
VI. Fight Against Illegal Migration					
1.	The number of foreigners refused entry into the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by citizenship; by grounds for refusal of entry	annually	Data of the State Border Guard Service under the Ministry of the Interior	State Border Guard Service under the Ministry of the Interior
2.	The number of apprehended illegal immigrants and the change in this number compared to the last year's number (percentage)	total; by citizenship; by type of infringement; by place of apprehension (border of the Republic of Belarus or the Russian Federation, ports (seaports, airports), inside the country)	annually	Data of the State Border Guard Service under the Ministry of the Interior	State Border Guard Service under the Ministry of the Interior

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
3.	The number of foreigners with administrative infringement records of violations of the legal acts that regulate the legal status of foreigners, and the change in this number compared to the last year's number (percentage)	total; by type of infringement	annually	Register of the administrative infringement of the law and traffic accidents	Police Department under the Ministry of the Interior
4.	The number of natural and legal persons who have penalties imposed for assistance provided to foreigners for illegal entry or illegal residence in the Republic of Lithuania, and the change in this number compared to the last year's number (percentage)	total	annually	Register of the administrative infringement of the law and traffic accidents	Police Department under the Ministry of the Interior
5.	The number of consultations on the issue of visas provided by the visa services of the Republic of Lithuania, and the change in this number compared to the last year's number (percentage)	total; recommended to issue a visa; recommended to refuse a visa	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
6.	The number of foreigners returned to foreign countries and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior

No	Evaluation criterion and measuring unit	Criterion specifications	Frequency	Information source	Institution responsible for provision of the evaluation criterion and (or) information
7.	The number of foreigners who voluntarily returned to the foreign country with the assistance of an international or a non-governmental organisation, and the change in this number compared to the last year's number (percentage) ²	total; by citizenship	annually	Data of international and non-governmental organisations	International Organization for Migration Vilnius Office
8.	The number of foreigners removed from the Republic of Lithuania and the change in this number compared to the last year's number (percentage)	total; by citizenship	annually	Register of Foreigners	Migration Department under the Ministry of the Interior
VII. International Cooperation					
1.	The number of concluded international agreements, and agreements related to the area of migration	total; by objectives	annually	Data of institutions	Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Social Security and Labour, Ministry of Education and Science, Ministry of Economy

² Upon provision of information by the responsible institution.