

REPUBLIC OF LITHUANIA
LAW ON REFUGEE STATUS

4 July 1995 No. I-1004
Vilnius

New version of the law

(News, 2000, No. VIII-1784, 29 06 2000; No. 56-1651 (12 07 2000), enters into force on 01 09 2000)

SECTION ONE
GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall establish the order for granting and cessation of refugee status for foreigners seeking asylum in the Republic of Lithuania, refugee's rights, duties, responsibility, grounds for entrance and expulsion, basics for the social integration of refugees.

Article 2. Main definitions of this Law

- 1. Refugee** – person, who has a well-founded fear of persecution because of his/her racial origin, religion, nationality, membership in a particular social group, or political opinion and cannot, or fears to enjoy the protection of the country of which s/he is a citizen, or if s/he has no corresponding citizenship and is outside the territory of the country where s/he used to reside permanently, and due to above reasons cannot, or fears to, return to it.
- 2. Foreigner, who submitted application for refugee status** (hereafter – **foreigner**)– foreigner seeking protection in the Republic of Lithuania in accordance with the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees while his application for refugee status is being examined.
- 3. Application for refugee status** – written or verbal application of foreigner, by which s/he is seeking protection in the Republic of Lithuania requesting to grant refugee status according to this Law.
- 4. Detention of foreigner** – restriction of freedom of movement of foreigner in accordance with grounds enlisted in this Law.
- 5. Temporary accommodation of foreigner** – accommodation of the foreigner in the place assigned by the Migration Department to the Ministry of Interior (hereafter - Migration Department) without applying restrictions as to his/her right to free movement.
- 6. Temporary territorial asylum** – right, granted to foreigner by the decision of Migration Department, which entitles her/him to stay in the Republic of Lithuania pending examination of her/his application for refugee status".
- 7. Manifestly unfounded application for refugee status** – such application for refugee status in the Republic of Lithuania, submitted by foreigner, which manifestly contains no

substance for risk of persecution in the country of origin or is based on deliberate deception, or is an abuse of refugee status determination procedure and which due to mentioned reasons manifestly meets none of the substantive criteria under the 1951 Convention or 1967 Protocol Relating to the Status of Refugees.

- 8. Examination of application in substance** – such investigation of the foreigner’s application for refugee status, during which, based on material collected in the foreigner’s case, it is established whether foreigner fulfils refugee status criteria established in this Law.
- 9. Examination of application under normal procedure** – such substantial examination of application, which is applied if there are no reasons to examine it under accelerated procedure.
- 10. Examination of application under accelerated procedure** – such substantial examination of application, which is applied if the reasons enlisted in this law and leading to examination of application as soon as possible, are established.
- 11. Foreigner's Registration Card** – document, issued by the Migration Department, which confirms the right of foreigner to enjoy temporary territorial asylum in the Republic of Lithuania pending examination of her/his application for refugee status.
- 12. Refugee Travel Document** – document, issued by the Migration Department to the foreigner who was granted refugee status, which entitles to leave from the Republic of Lithuania and return during the term of document’s validity.
- 13. Country of origin** – a state, which citizenship foreigner holds, if the citizenship of foreigner can not be established or s/he is does not have such – a state, in which s/he had a permanent place of residence.
- 14. Safe country of origin** – a country of origin of person, where the prevalent system of law, application of legal norms and political conditions are such that individual is not persecuted because of race, religion, nationality, belonging to a particular social group or political opinion, nobody is tortured or subject to cruel, inhuman or degrading treatment or punishment and the fundamental human rights and freedoms are not violated.
- 15. Safe third country** – this shall mean a state, while not foreigner’s country of origin, but which is a state party to the 1951 Convention Relating to the Status of Refugees and (or) the 1967 Protocol Relating to the Status of Refugees, also the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and (or) the 1966 International Covenant on Civil and Political Rights, implements the provisions of these documents and in accordance with the national laws provides for real possibility to apply for refugee status and obtain it in accordance with the established procedure.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 3. Right of Foreigner to Apply and Obtain Refugee Status in the Republic of Lithuania

1. A foreigner shall have a right to apply and obtain refugee status in the Republic of Lithuania under the order provided by this Law.
2. Each application for refugee status, submitted by foreigner shall be examined in substance, except cases provided by Article 10 of this Law.

Article 4. Exclusion from Refugee Status

Foreigner, fulfilling the criteria established in paragraph 1 of Article 2 of this Law, shall be excluded from refugee status if:

- 1) s/he enjoys the assistance and protection provided by the organs and organisations of the United Nations, except the United Nations High Commissioner for Refugees;
- 2) competent authorities of the country where s/he resides acknowledge the rights and duties related to citizenship of the said country;
- 3) there is a serious ground to believe that prior to arrival to the Republic of Lithuania s/he committed a serious non-political crime, or is guilty of activity that contradicts the objectives and principles of the United Nations;
- 4) there is a serious ground to believe that s/he committed a crime against peace, humanity or a war crime, as they are defined in international treaties of the Republic of Lithuania and other sources of international law.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 5. Cessation of Refugee Status

1. Refugee status granted to foreigner ceases, if s/he:

- 1) has enjoyed voluntarily protection of a state of which s/he is a citizen;
- 2) voluntarily regained lost citizenship;
- 3) acquired a new citizenship and enjoys the protection of the state of which s/he is a citizen;
- 4) voluntarily re-established in the state that s/he has left or remained outside its territory fearing persecution;
- 5) cannot refuse to enjoy the protection of state of which s/he is a citizen, because the circumstances under which s/he was recognised as a refugee have ceased;
- 6) as a person without any citizenship, can return to the state which was earlier his/her place of permanent residence, because the circumstances under which s/he has been recognised as a refugee have ceased;
- 7) obtained refugee status in the Republic of Lithuania by fraud, save the cases when information furnished by him/her did not significantly influence the decision to grant refugee status to him/her.

2. The provisions of paragraphs 5 and 6 of part 1 of this Article shall not apply to refugee, if s/he presents serious reasons for fear of persecution in the country, to which s/he refuses to return and which was his/her permanent place of residence.

3. Decision on cessation of refugee status shall be issued by the Migration Department.

4. In cases, provided in part 1 of this Article, decision on cessation of refugee status may be appealed by foreigner to Vilnius District Administrative court within 1 month from receipt of decision.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 6. Inapplicability of Responsibility for Illegal Entrance and Stay in the Republic of Lithuania

A foreigner who entered the territory of the Republic of Lithuania illegally (crossing the state border not through the state border crossing points in accordance with the order established by the Government of the Republic of Lithuania or institution authorised by it) from the state where his/her life and freedom is in danger, shall not be held responsible for illegal entrance and stay in the Republic of Lithuania, if s/he arrives to institutions mentioned in Article 8 of this Law without delay and explains comprehensively his/her illegal arrival or stay in the Republic of Lithuania.

Amendments to the Article:

No.IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 7. Prohibition to Deport or Return a Foreigner

1. A foreigner, who submitted his/her application for refugee status as provided by this Law, shall not be expelled from the Republic of Lithuania and returned to a state, where his/her life or freedom is in danger.
2. The provision of paragraph 1 shall not be applied to foreigner, for whom there are serious reasons to consider that s/he poses a danger to the security of the Republic of Lithuania, or if s/he is convicted for serious crime by enforced judgement of the court and poses a danger to society.

SECTION TWO REFUGEE STATUS DETERMINATION PROCEDURE

Article 8. Submission of Foreigner's Application for Refugee Status

1. A foreigner may submit his/her motivated application for refugee status in written or oral form to State Border Guard Service at border crossing points of the Republic of Lithuania, territorial police unit, Foreigners' Registration Centre or other state or municipal bodies and institutions. If foreigner submits oral application for refugee status, officers (state employees) of these institutions shall take a record of it. Information about submission of application is confidential, unless otherwise desired by the applicant, save exception provided in paragraph 2 of Article 27.
2. Foreigner's application for refugee status in the Republic of Lithuania, submitted to other state or municipal bodies and institutions and record (if oral application for refugee status was submitted) shall be immediately transferred to the State Border Guard Service, territorial police unit or Foreigners' Registration Centre.
3. Application for the minor can be submitted by his parents or other legal representatives. Minor, unaccompanied by parents or other legal representatives, can submit the application himself/herself. According to the order established by the Laws of the Republic of Lithuania such a child shall be assigned temporary guardianship. Assigned guardian of the minor, unaccompanied by his/her parents or other legal representatives, shall certify the application of the child and should represent child's legitimate interests during the process of examination of his/her application.
4. Application on behalf of a family (spouse, children and foster children below 18 years of age, if not married, and parents disabled due to age or illness) may be submitted by one of adult family members.

Amendments to the Article:

No. VIII-2007, 10 10 2000, News, 2000, No. 92-2859 (31 10 2000).

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 9. Admission of Foreigner to the Territory of the Republic of Lithuania

1. Having received the foreigner's application to grant refugee status, the officers of the State Border Guard Service, territorial police unit or the Foreigners' Registration Centre shall interview the foreigner, collect personal data about him/her and the members of his/her family who came together, establish the travel route, as well as find out the motives for submission of the application.

2. Foreigner's application for refugee status, record (if oral application for refugee status was submitted) and information collected shall be transferred to the Migration Department without delay, which shall decide no longer than within 48 hours whether there are reasons, provided in Article 10, preventing foreigner's admission to the territory of the Republic of Lithuania, or his/her stay in the country, if s/he is already in the territory of the Republic of Lithuania.

3. If decision to refuse admission or stay of foreigner in the territory of the Republic of Lithuania is issued, s/he shall be returned to a state, wherefrom s/he came or originates. Decision on refusal of foreigner's admission or stay in the territory of the Republic of Lithuania, may be appealed by foreigner to Vilnius District Administrative court within 7 days from receipt of decision. Submission of appeal suspends only the execution of decision on refusal of stay in the Republic of Lithuania.

Amendments to the Article:

No. VIII-2007, 10 10 2000, News, 2000, No. 92-2859 (31 10 2000).

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 10. Reasons, Preventing Foreigner's Admission to the Territory of the Republic of Lithuania or his/her Stay in the Country

A foreigner shall not be admitted to the territory of the Republic of Lithuania or not allowed stay in it if s/he came from a safe third country. The principle of the safe third country may not be applied for a minor, unaccompanied by parents or other legal representatives.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 11. Determination of Procedure for Examination of Foreigner's Application in Substance

1. A foreigner, who has been admitted or permitted to stay in the territory of the Republic of Lithuania, shall be directed to the Foreigners' Registration Centre for actions mentioned in part 2 of this Article to be carried out. If necessary, foreigner shall be escorted to the Foreigners' Registration Centre by the officers of State Border Guard Service or police officers.

2. Foreigner shall fill in the questionnaire for refugee status, after that he shall be interviewed, photographed and dactyloscopied at the Foreigners' Registration Centre. Personal search and inspection of personal belongings may be performed, if necessary. Following these actions the question of foreigner's accommodation shall be resolved.

3. Based on information collected, Foreigners' Registration Centre shall conduct investigation not later than within 15 days and draw a conclusion on procedure for examination of

foreigner's application in substance. If necessary, the head of the Foreigners' Registration Centre may extend the term for investigation, but no longer than for 15 days

4. Migration Department shall issue Foreigner's Registration Card for the period of examination of foreigner's application in substance, which entitles foreigner to enjoy temporary asylum in the Republic of Lithuania.

Amendments to the Article:

No. VIII-2007, 10 10 2000, News, 2000, No. 92-2859 (31 10 2000).

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12. Grounds and Conditions of Detention of Foreigner

1. A foreigner cannot be detained in the Republic of Lithuania, except on the following grounds:

- 1) prevent the foreigner from unauthorised entry into the country;
- 2) when actions are being taken with regard to deportation of foreigner;
- 3) ascertain the reasons, based on which foreigner used forged identity documents or destroyed them;
- 4) prevent the spread of infectious diseases;
- 5) grounds provided by the laws of the Republic of Lithuania.

2. Police has a right to detain a foreigner for the period no longer than 48 hours. Minors are detained only as exception. For the period longer than 48 hours, foreigner may be detained on the basis of court's decision and placed in the Foreigners' Registration Centre.

Article 12¹. Measures alternative to detention

1. The court, taking into account the personality of the foreigner, his/her vulnerability, level of threat to the society, probability of co-operation of the foreigner in ascertaining the reasons of using the forged documents or damaging them and other circumstances having importance for foreigner's refugee status determination procedure, shall adopt a decision not to detain the foreigner and (or) one of the following decisions:

- 1) establish foreigner's duty to present himself/herself periodically to the territorial police unit at certain time;
- 2) establish foreigner's duty to inform via means of intercommunication the territorial police authority about his location place at certain time;
- 3) minor, unaccompanied by parents or legal representative may be trusted to social authority to be taken care;
- 4) foreigner may be trusted to non-government organisation, if this organisation expresses a wish to take care of the foreigner;
- 5) foreigner may be trusted to a citizen of the Republic of Lithuania or to a foreigner legally residing in the Republic of Lithuania who is a relative of the foreigner, whose detention is in question, if this person expresses a wish to take care of the foreigner;

2. If the decisions of the court provided in paragraph 1 of this Article are not complied with, Migration Department shall apply to the court with a repeated proposal to detain a foreigner.

3. When detention of minor, unaccompanied by the parents or legal representatives, is examined by the court, interests of the child shall be represented by an assigned guardian. While deciding on detention of the minor provisions of the Law of the Republic of Lithuania on the Protection of the Rights of the Child shall be taken into consideration.

4. While taking a decision on application of measure alternative to detention, the court shall establish the time limit for its application. Such time limit may not exceed the period of 12 months from adoption of first decision to assign such measure.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12². Application to the court with a proposal to detain a foreigner or assign alternative measure to detention, notification of the court decision

1. In cases provided in paragraph 1 of Article 12 of this Law the officer of the State Border Guard Service, territorial police unity, Foreigners' Registration Centre or Migration Department shall apply with a proposal to detain the foreigner or to assign alternative measure to detention to the district court of the location of the foreigner in the territory of the Republic of Lithuania within 48 hours after detaining the foreigner. Decision to apply to the court with a proposal to detain the foreigner or assign alternative measure to detention shall be immediately notified to the foreigner. Participation of the foreigner in court hearing shall be compulsory and s/he enjoys a right to state guaranteed legal aid during the examination of the proposal in the court. The foreigner, whose detention or assignment of alternative measure to detention is in question, may represent his/her interest in the court himself/herself or through a representative.

2. Proposal mentioned in paragraph 1 of this Article shall be examined by the court in accordance with the order established by the Code on Administrative Violations and this Law.

3. Decision to detain the foreigner or assign alternative measure to detention shall be immediately notified to the foreigner in a language s/he understands, specifying the grounds of detention or assigned alternative measure to detention. Decision of the court to detain a foreigner or assign a measure alternative to detention shall enter into force from the moment of notification. The foreigner shall be handed a copy of a decision.

4. Detention grounds and duration of detention shall be indicated in the decision of the court to detain a foreigner.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12³. Appeal of decision to detain the foreigner

1. Decision of the district court concerning foreigner's detention or extension of detention period or application of alternative measure may be appealed by foreigner to the High Administrative Court. Appeal may be submitted through the Foreigners' Registration Centre.

2. Appeal of the foreigner shall be examined in High Administrative Court by a collegium of three judges in accordance with the order established by the Law on Administrative Procedure and this Law. Court session shall be called by the collegium no later than within 10 days from the receipt of the appeal and one of the following decisions shall be adopted:

- 1) leave the decision of district court to detain the foreigner or apply to him/her an alternative measure to detention valid;
- 2) change the decision of district court to detain the foreigner or apply to him/her an alternative measure to detention;
- 3) repeal district court decision to detain the foreigner or apply to him/her an alternative measure to detention and authorise the Migration Department to adopt the decision on accommodation of the foreigner without the application of restrictions on the freedom of movement.

3. Decisions on High Administrative Court listed in paragraph 2 of this article shall enter into force from the day of adoption.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12⁴. Review of decision to detain the foreigner

1. Foreigners' Registration Centre, having established that grounds for detention of foreigner have ceased, shall apply without delay to district court according to the location of detained foreigner with request to review the decision to detain the foreigner.

2. District court shall no later than 10 days from the receipt of request of the Foreigners' Registration Centre review the decision to detain the foreigner and adopt one of the following decisions:

- 1) leave the decision to detain the foreigner valid;
- 2) change the decision to detain the foreigner;
- 3) repeal the decision to detain the foreigner and authorise the Migration Department adopt the decision on accommodation of foreigner without applying restrictions on his/her freedom of movement.

3. Decisions of district court mentioned in paragraph 2 of this article shall enter into force from the day of adoption.

4. Decision of district court may be appealed in accordance with the order established by Article 12³ of this Law.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12⁵. Duration of detention

1. Total duration of detention of foreigner in the Foreigners' Registration Centre can not exceed 12 months.

2. Total duration of detention of a foreigner shall be calculated from the day of factual detention of the foreigner.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 12⁵. End of detention

1. If grounds for detention cease to exist the foreigner shall be released without delay from the place of detention according to a decision of the court.

2. If the duration of detention of foreigner expired and the court did not extend it, the foreigner shall be released from the place of detention without delay.

Law supplemented by Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 13. Accommodation of Foreigner Pending Examination of Application for Refugee Status

1. Decisions on accommodation of foreigner pending examination of application for refugee status shall be issued by the Migration Department.

2. A foreigner, who submitted application for refugee status, shall be accommodated in the Foreigners' Registration Centre until Migration Department takes a decision on the order of examination of application for refugee status in substance and when the foreigner's application for refugee status is examined under accelerated procedure.

3. A foreigner, who submitted application for refugee status, shall be accommodated in the Refugee Reception Centre if his/her application is examined in substance under regular procedure.
4. Minor, unaccompanied by parents or other legal representatives and having submitted application for refugee status, shall be accommodated in the Refugee Reception Centre for the period of examination of his/her application for refugee status unless the assigned guardian of the child desires otherwise.
5. A foreigner, who legally arrived to the territory of the Republic of Lithuania or is legally staying in it and who submitted application for refugee status, may be allowed to stay in the place of residence of his/her choice.
6. The Foreigners' Registration Centre and Refugee Reception Centre shall be established, reorganised and liquidated by the Government of the Republic of Lithuania or by its authorised institution.
7. Means required for the establishment and maintenance of the Foreigners' Registration Centre and Refugee Reception Centre shall be allocated from the budget of the Republic of Lithuania. These centres shall have a right to receive assistance from organisations of the Republic of Lithuania, other countries, international organisations and private persons.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 14. Examination of Foreigner's Application for Refugee Status in Substance

1. Migration Department shall examine foreigner's application in substance under normal or accelerated procedure.
2. Accelerated procedure may be applied, when:
 - 1) foreigner came from a safe country of origin;
 - 2) foreigner's application is manifestly unfounded;
 - 3) foreigner submits clearly fraudulent information about him/herself and the circumstances of his/her arrival or stay in the Republic of Lithuania;
 - 4) there are serious reasons to consider that s/he poses a danger to the security or public order of the Republic of Lithuania.
 - 5) s/he has been already granted asylum in another state;
 - 6) s/he possess a citizenship of several states and without serious reasons does not avail himself/herself of the protection of a state of which s/he is a citizen;
 - 7) his/her application for refugee status has been earlier rejected after examination under the order of this Law, and new application does not contain important additional information.
3. Paragraph 2 of this Article may not be applied to a minor child, unaccompanied by parents or other legal representatives, and his/her application for refugee status may be then examined in substance under normal procedure."

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 15. Applicable evidence

If it is established during substantial examination of foreigner's application for refugee status that data related to determination of refugee status, despite sincere efforts of the foreigner, can not be supported by written evidence, these data shall be treated in favour of the foreigner and his/her application for refugee status shall be considered substantiated, if the explanations of foreigner are consistent, not essentially contradictory and do not conflict with generally known facts.

Article 16. Time Limits for Examination of Application for Refugee Status

1. If accelerated procedure is applied, foreigner's application for refugee status shall be examined no later than within 1 month from the receipt by the Migration Department of conclusion on the procedure for the examination of foreigner's application in substance. If there are valid reasons preventing examination of application within the said time limit, it shall further be examined under normal procedure informing about it the Foreigners' Registration Centre in written form.

2. If normal procedure for examination of application is applied, foreigner's application for refugee status shall be examined no later than within 6 months from receipt by the Migration Department of conclusion on the procedure for examination of foreigner's application in substance. If there are valid reasons preventing examination of application within the said time limit, the Head of the Migration Department may define longer period, but the whole time limit for examination of foreigner's application for refugee status shall not exceed 12 months.

Article 17. Rights and Duties of Foreigner Related to Refugee Status Determination

1. A foreigner shall have the following rights related to refugee status determination:

1) live in the Foreigners' Registration Centre or Refugee Reception Centre and make use of the services provided there;

2) process and register documents in notary;

3) make use of legal assistance guaranteed by the state;

4) receive compensation for the use of public transport;

5) use the services of interpreter provided free of charge by the state;

6) use medical services in accordance with the order, established in the Foreigners' Registration Centre and Refugee Reception Centre;

7) receive monthly allowance for minor expenses in accordance with the order established by the Government of the Republic of Lithuania or institution authorised by it.

2. Children of foreigners mentioned in paragraph 1 of this Article shall have a right to attend public schools.

3. Duties of foreigner:

1) comply with the laws of the Republic of Lithuania and the order of stay in the Foreigners' Registration Centre and Refugee Reception Centre;

2) live in the Foreigners' Registration Centre, if s/he arrived or stayed in the Republic of Lithuania illegally, until a procedure of examination of application in substance is determined;

3) live in the Refugee Reception Centre, until his/her application is examined in substance, if s/he has not been allowed to live in a place of his/her choice;

4) allow a doctor to examine his/her health according to the order, established by the Ministry of Health Care;

5) during examination of application for refugee status submit all available documents and exhaustive explanations corresponding to reality with regard to the motives of submitting application for refugee status, his/her identity and circumstances of arrival and stay in the Republic of Lithuania.

4. Foreigners mentioned in this Article shall also have other rights guaranteed to them by the international agreements, laws and other legal acts of the Republic of Lithuania.

5. Means necessary for implementation of the rights of foreigners provided by paragraph 1 of this Article shall be allocated from the budget of the Republic of Lithuania and other funds.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 18. Discontinuation of Examination of Foreigner's Application for Refugee Status

1. Examination of the application for refugee status may be suspended if the foreigner leaves the Foreigners' Registration Centre or Refugee Reception Centre and without serious reasons does not return for more than 3 days or if there is no possibility to get in contact with the foreigner. Examination of the application for refugee status shall be renewed if the foreigner returns to the Foreigners' Registration Centre or Refugee Reception Centre or there is a possibility to get in contact with the foreigner, provided that a period of 6 months after adoption of decision to suspend examination of the application for refugee status did not pass.

2. Examination of the application for refugee status shall be discontinued:

1) if the foreigner expresses a wish in written form to discontinue examination of the application;

2) after 6 months from the day of adoption of the decision to suspend examination of the foreigner's application for refugee status;

3) if the foreigner dies, except cases when the foreigner submitted application on the behalf of the family or a minor.

3. Decision to discontinue examination of the foreigner's application for refugee status shall be adopted by the Migration Department. This decision may be appealed to the Vilnius District Administrative Court within 7 days from the day of receiving the decision.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 19. Granting of Refugee Status and Personal Documents

1. After examination of the foreigner's application for refugee status, Migration Department shall issue motivated decision to grant or refuse refugee status.

2. Migration Department shall issue a permanent residence in the Republic of Lithuania permit to foreigner, who was granted refugee status.

3. Upon request of a refugee, Migration Department shall issue Refugee Travel Document.

Article 20. Expulsion of foreigner

Foreigner, who can not enjoy temporary territorial asylum or who was denied refugee status shall be expelled from the Republic of Lithuania in accordance with the order established by the Law of the Republic of Lithuania "On Legal Status of Foreigners".

SECTION THREE APPEALS AGAINST REFUSAL OF REFUGEE STATUS

Article 21. Submission of Appeal Against Refusal of Refugee Status

1. Appeal against a decision to refuse refugee status may be submitted by the person whom refugee status was refused to Vilnius District Administrative court within 14 days after receipt of such decision.
2. Appeal may also be forwarded to Vilnius District Administrative court through the Migration Department. Migration Department transfers the appeal along with the file to Vilnius District Administrative court within 3 days from receipt of appeal.
3. Appeal against the decision to refuse refugee status may be submitted by the foreigner who applied for asylum on behalf of the family or by any other adult member of that family, if the decision was issued in respect of application for refugee status submitted on behalf of the family.
4. A foreigner shall not be deported from the Republic of Lithuania pending examination of the appeal.

Article 22. Examination of appeal against refusal of refugee status

1. Appeals on refugee status shall be examined according to the order established by the Law on Administrative Proceedings of the Republic of Lithuania and by this law.
2. While examining the appeal the administrative court shall look into the aspects of law and facts of the decision concerned.
3. The Administrative Court shall examine the appeal against the decision to refuse refugee status, adopted following examination of the foreigner's application under accelerated procedure, no later than within 10 days from the day of decision to receive the appeal, and shall examine the appeal against the decision to refuse refugee status, adopted following examining the foreigner's application under normal procedure, no later than within 30 days from the day of decision to receive the appeal.

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

Article 23. Administrative Court Decision concerning appeal against refusal of refugee status

Following examination of appeal against decision to refuse refugee status administrative court shall take one of these decisions:

- 1) leave the decision adopted unchanged and reject the appeal;
- 2) repeal the decision adopted and authorise the Migration Department to implement the order of the court.

SECTION FOUR SOCIAL INTEGRATION and NATURALISATION OF REFUGEES

Article 24. Social Integration and Naturalisation of Refugees

1. Naturalisation and integration of a refugee shall be implemented according to the order established by the laws of the Republic of Lithuania.
2. A refugee may make use of humanitarian and other assistance in accordance with the order established by the laws. Natural and legal persons of the Republic of Lithuania and foreign states may establish aid funds for refugees. Activity of the funds may be supported by other states, international organisations and natural or legal persons.

Article 25. Rights, Duties and Liability of Refugees

A refugee in the Republic of Lithuania shall enjoy all rights pertaining to foreigners, which are provided in international agreements and laws of the Republic of Lithuania. A refugee shall obey the laws and other legal acts and shall be liable for their violations under laws of the Republic of Lithuania.

Article 26. Family reunification

1. A refugee shall have a right to invite for residence in the Republic of Lithuania his spouse, children and foster children under 18 years, living abroad, if they are not married, and parents, who are disabled due to age or illness, with whom refugee used to have a common household.
2. A refugee below 18 years of age shall have a right to invite for residence in the Republic of Lithuania his/her parents living abroad in accordance with the order established by paragraph 1 of this Article.
3. Permits for residence in the Republic of Lithuania for family members indicated in paragraph 1 and 2 of this Article shall be issued in accordance with the order established by the Law of the Republic of Lithuania "On Legal Status of Foreigners".

Amendments to the Article:

No. IX-704, 15 01 2002, News, 2002, No. 13-466 (06 02 2002).

SECTION FIVE FINAL PROVISIONS

Article 27. Co-operation with International Organisations

1. When solving the problems of refugees, the Republic of Lithuania shall co-operate with the Office of the United Nations High Commissioner for Refugees, shall create conditions to perform its obligations to supervise the implementation of the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees in the Republic of Lithuania, shall furnish necessary information and statistics on foreigners and refugees, implementation of the Convention and Protocol, legislation relating to refugees, which is or shall be enforced.
2. Refugees and foreigners shall be entitled to contact the representatives of the United Nations High Commissioner for Refugees. These representatives are allowed, to contact the foreigners or refugees without delay, if they request. The Office of the United Nations High

Commissioner for Refugees shall be provided with information about applications for refugee status.

Article 28. Register of Refugees

1. Foreigners and refugees shall be entered in the State Register –Register of Refugees.
2. Register of Refugee shall be managed by the Ministry of Interior of the Republic of Lithuania or its authorised institution.

Article 29. International Agreements

If ratified international agreements of the Republic of Lithuania, which are in force, set forth provisions that differ from this Law, provisions of international agreements of the Republic of Lithuania shall be applied.

Article 30. Orders Related to Implementation of this Law

Government of the Republic of Lithuania or its authorised institution shall until the enforcement of this Law:

- 1) approve the order on determination of safe third country and safe country of origin and foreigner's return to it;
- 2) determine the order and conditions of foreigners' accommodation in the Foreigners' Registration Centre and Refugee Reception Centre, order for organisation of foreigners' occupation and application of disciplinary measures to them;
- 3) determine the order of issuing monetary payments to refugee for minor expenses;
- 4) determine the order of implementation of foreigners' rights enlisted in part 1 of Article 17;
- 5) determine the order on examination of applications for refugee status and issuance of identity documents.

Article 31. Implementation of the law

Examination of applications of foreigners for refugee status, which were submitted and pending before the enforcement of this Law, shall be finalised in accordance with the order established by this Law.

Article 32. Enforcement of the law

This law shall enter into force on 1 September 2000.

I promulgate this Law enacted by the Seimas of the Republic of Lithuania.

PRESIDENT OF
THE REPUBLIC OF LITHUANIA
ADAMKUS

VALDAS