Oficial Translation

**THE REPUBLIC OF LITHUANIA**

**LAW**

**ON AMENDMENT OF REPUBLIC OF LITHUANIA LAW**

**“ON REFUGEE STATUS IN THE REPUBLIC OF LITHUANIA”**

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(amended as of January 15, 2002. No. IX – 704)

**Article 1. New Version of The Republic of Lithuania Law “On Refugee Status in the Republic of Lithuania”**

To amend the Republic of Lithuania Law “On Refugee Status in the Republic of Lithuania,” and to render it as follows.

**THE** **REPUBLIC OF LITHUANIA LAW**

**ON REFUGEE STATUS**

**CHAPTER I**

**GENERAL PROVISIONS**

**Article 1. Purpose of the Law**

This Law shall establish the conditions and procedure for granting and withdrawing of refugee status to asylum seekers in the Republic of Lithuania, refugee’s rights, duties, responsibility, grounds for entry and expulsion and basis of social integration of refugees.

**Article 2. Basic Definitions of this Law**

1**. Refugee** is a person who owing to a well-founded fear of persecution for reasons of race, religion, nationality, belonging to a particular social group or political conviction, is unable or fears to avail himself of the protection of the state of which he is a national, or if he does not have the relevant nationality and is outside the borders of the state, of his former habitual place of residence, and for the aforementioned reasons is unable or fears to return to it.

2. **Foreign national, who has filed an application for refugee status** (hereinafter referred to as a **foreign national)** is a foreign national, who seeks refugee status in the Republic of Lithuania under the 1951 Convention and the 1967 Protocol, relating to the Status of Refugees pending a decision on his request for refugee status.

3. **Application for refugee Status** is the oral or written application by a foreign national seeking protection in the Republic of Lithuania who requests refugee status under this Law.

4. **Detention of foreign national** is the restriction of movement of a foreign national under this Law.

5. **Temporary settlement of oreign National** means the confinement of a foreign national within an area designated by the Migration Department under the Ministry of the Interior (hereinafter - Migration Department), without applying any restriction of freedom of movement.

6. **Temporary Territorial** **Asylum** is the right accorded to a foreign national by the Migration Department to remain in the Republic of Lithuania, while his petition to be accorded refugee status is being examined as to substance.

7**. Manifestly Unfounded Application for Refugee Status** is an application to be granted refugee status in the Republic of Lithuania, which clearly lacks evidence of persecution in his country or is based upon false pretences, or which is abusive of the procedure for the determination of refugee status and due to the aforementioned reasons does not meet any of the basic criteria of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees.

**8. Examination of the Subtance of an Application** is an examination of the application of a foreign national for refugee status, during which time, it shall be determined on the basis of data contained in their case files whether they fulfil the criteria of refugee status within the meaning of this Law.

**9. Examination of Application under General Procedure** is an examination on its merit of the application for refugee status where there are no reasons for examining them under emergency procedure.

**10. Examination of Application under Emergency Procedure** is the examination of the substance of an application for refugee status where it has been established that there are reasons specified in this Law for examining them as soon as possible.

**11. Registration Certificate of a foreign national** is a certificate issued by the Migration Department which confirms the right of a foreign national to enjoy temporary territorial asylum in the Republic of Lithuania while his application for refugee status is examined on its merit.

**12. Travel Document of a refugee** is a document issued by the Migration Department to a foreign national who has been granted refugee status entitling him to leave and return the Republic of Lithuania during the term of validity of said document.

**13. Country of Origin** is a state of nationality of a foreign national or, where it is impossible to determine his nationality or he has no nationality, the country of his former habitual residence.

**14. Safe country of origin** means a country of origin of a person where the legal system, the legal norms applied and political relations do not result in persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, where nobody is submitted to cruel, inhuman or degrading treatment and is not punished in like manner, and where human rights and fundamental freedoms are not violated.

**15. Safe third country** is a state, which is not the country of origin of a foreign national, however it is a participant in the 1951 Convention on the Status of Refugees and (or) 1967 Protocol on the Status of Refugees and also, the 1950 European Convention on the Protection of Human Rights and Fundamental Freedoms and (or) the 1966 International Pact on Civic and Political Rights, which applies the provisions of these documents and, based on international laws, provides concrete opportunity to petition for refugee status and to obtain such according to established procedure.

**Article 3. Right of Foreign National to Apply for Asylum and Obtain Refugee Status in the Republic of Lithuania**

1. An foreign national shall have the right to apply for and obtain refugee status in the Republic of Lithuania according to the procedure established by this Law.

2. Application of any foreign national to obtain refugee status must be examined on its merit, with the exception of the instances specified in Article 10 of this Law.

**Article 4. Refusal to Grant Refugee Status**

1.The status of refugee shall not be granted to a foreign national who meets the criteria set forth in paragraph 1 of Article 2 of this Law, if:

1) he enjoys the assistance and protection of the institutions or organisations of the United Nations Organisation, with the exception of the United Nations High Commissioner for Refugee Affairs;

2) institutions of competent authority of the country, where he resides, recognise his rights and obligations related to the nationality of that country;

3) there are serious reasons to believe that prior to his entry into the Republic of Lithuania, he has committed a serious non-political crime or is guilty of actions, contrary to the purposes and principles of the United Nations Organisation.

4) there are serious reasons to believe that he has committed a crime against peace, humanity, or a war crime, as said crimes are defined in the international agreements of the Republic of Lithuania;

**Article 5. Cessation of Refugee Status**

1. The refugee status accorded to a foreign national shall be withdrawn if he:

1) has voluntarily availed himself of the protection of the state of which he is a national;

2) has voluntarily recovered his lost nationality;

3) has acquired a new nationality and enjoys the protection of the country of his new nationality;

4) has voluntarily re-established himself in the country, which he had left or outside the borders whereof he remained owing to fear of persecution;

5) can not refuse to avail himself of the protection of the country of his nationality, because the circumstances prompting his recognition as a refugee have ceased to exist;

6) being a person who has no nationality, may return to the country of his former habitual residence because the circumstances in connection with which he has been recognised as a refugee have ceased to exist;

7) has acquired refugee status the Republic of Lithuania, through methods of deception, excepting those instances where the information submitted about himself had no essential bearing upon adopting the decision to grant him refugee status.

2. The provisions of subparagraphs 5 and 6 of paragraph 1 of this Article, shall not apply to refugee, if he invokes compelling reasons, for fearing persecution in a country of his former habitual residence, whereto he refuses to return.

3. The decision on withdrawing refugee status shall be adopted by the Migration Department.

4. In cases cited in paragraph 1 of this Article, a refugee may appeal the decision concerning withdrawal of refugee status to the Vilnius Administrative Court, within one month from the date of communication of said decision.

**Article 6. Inapplicability of Liability for Ilegal Entry and Stay in the Republic of Lithuania**

Penalties shall not be imposed on account of his illegal entry into and presence in the Republic of Lithuania territory (i.e., one whose entry has not been through the border-crossing point, or according to the procedure set forth by an institution authorised by it) from a country where his life or freedom is threatened, for unlawful entry and presence in the Republic of Lithuania, provided he presents himself without delay at the inhstitutions specified in Article 8 of this Law, and renders exhaustive explanation regarding his illegal entry and presence in the Republic of Lithuania territory.

**Article 7. Prohibition of Expulsion or Deportation of Foreign National**

1.A foreign national who has submitted an application to obtain refugee status in cases stipulated by this Law, shall not be expelled from the Republic of Lithuania and deported to the country, where his life or freedom are threatened.

2. The provision of paragraph 1 of this Article shall not be applied to a foreign national who for compelling reasons, shall be regarded as a danger to the security of the Republic of Lithuania, or who have been convicted by a final court judgement, for a serious crime and constitute a danger to society.

**CHAPTER II**

**PROCEDURE OF GRANTING REFUGEE STATUS**

**Article 8. Application of Foreign Nationals for Refugee Status**

1. Foreign nationals may submit a substantiated application for refugee status in writing or make it orally at the border – crossing points of the Republic of Lithuania, to the State Border Guard Service, the territorial police authority, the Foreign Nationals Registration Centre and other State or municipal institutions and agencies. Where foreign nationals make an application for refugee status orally, the officers of such institutions shall draw up a report. Information about filing an application shall be confidential, unless otherwise requested by a foreign national, except for the case specified in paragraph 2 of Article 27 of this Law.

2. Applications of foreign nationals for refugee status and record (when the application for refugee status was submitted orally), submitted to other State or municipal, institutions and agencies shall be immediately forwarded to the State Border Guard Service, a territorial police institution or a Foreign Nationals Registration Centre.

3. His parents and other legal representatives may file an application on behalf

of a minor. A minor who is unaccompanied by parents or legal representatives may himself file an application. Temporary protection shall be granted to such a minor in accordance with the procedure established by the laws of the Republic of Lithuania.The guardiam of a minor who is unaccompanied by parents or legal representatives, must confirm the minor’s application and represent the minor’s lawful; interests while his application for refugee status is being examined.

4. One of the adult family members may file an application on behalf of the

family (spouse, children, adopted children to 18 years of age, if they are not married, as well as parents unable to work because of old age or disability).

**Article 9. Admission of Foreign Nationals to the Territory of the Republic of Lithuania**

1. Having received an application of a foreign national for refugee status, the officers of the Border Guard Service, territorial police agencies, or the Foreign Nationals Registration Centre shall conduct an interview with the foreign national, obtain his personal information as well as that of the family members who accompanied him, establish an itinerary of his journey and also clarify the motives for filing the application.

2. Applications of foreign nationals for refugee status and, (in the case of oral application), relevant records as well as collected data shall be immediately forwarded to the Migration Department which will decide within 48 hours if there are grounds for not admittinga foreign national to the Republic of Lithuania for reasons specified in Article 10 or, in cases where the foreign national is present in the Republic of Lithuania, prohibit his presence therein.

3. When it is decided not to admit a foreign national to the Republic of Lithuania territory or prohibit his presence there, the foreign national shall be expelled or deported to the country from where he arrived or the country of his origin. Foreign nationals may appeal to the Vilnius County Administrative Tribunal against the decision not to admit them to the Republic of Lithuania or prohibit their presence wherein within 7 days from the date of communication of said decision. Filing of the appeal shall suspend only the enforcement of the decision to prohibit their presence in the Republic of Lithuania.

**Article 10. Reasons Preventing Permitting Foreign Nationals to Enter the Republic of Lithuania or to Remain There**

A foreign national shall not be admitted to the Republic of Lithuania territory or his presence there shall be prohibited if he has arrived from a safe third country.The principle of a safe third country may not apply to a minor who is unaccompanied by his parents or legal representatives.

**Article 11. Procedure for Examination on its Merits of the Foreign National’s Application for Refugee Status**

1. Foreign nationals who are admitted to the territory of the Republic of

Lithuania or permitted to stay there, shall be sent to the Foreign Nationals Registration Centre to implement the actions indicated in paragraph 2 of this Article. If necessary the foreign nationals travels to the Foreign Nationals’ Registration Centre escorted by of Border Guard officers or police officers.

2. At the Foreign Nationals Registration Centre, a foreign national shall fill out a form requesting refugee status, after which he shall be questioned, photographed and fingerprinted. If necessary, a search of the person and his belongings shall be conducted. Upon completion of these actions, the question of the foreign nationals’ living accommodation shall be resolved.

3. The Foreign Nationals Registration Centre, relying upon the collected data, shall carry out an examination no later than within a 15-day period and write up a conclusion regarding the examination of the foreign national’s request on the substance of the foreign national’s application. If necessary, the chief of the Foreign Nationals Registration Centre may extend the term of examination ,but not beyond 15 days.

4. The Migration Department shall issue a certificate of registration to foreign nationals covering the period of examination of the substance of the foreign national’s request to grant him refugee status, which will entitle him to the right to enjoy temporary asylum in Republic of Lithuania.

**Article 12. Conditions of and Grounds for Detention of Foreign Nationals**

1. A foreign national may not be detained in the Republic of Lithuania, except in the following instances:

1) to ensure that the foreigner could not enter the country without a permit;

2) where action is taken to deport him;

3) to determine the reasons why the foreign national is using forged

identity documents or has damaged them;

4) to prevent the spread of infectious diseases;

5) on the grounds set forth by Republic of Lithuania laws.

2. The police shall have the right to detain a foreign national for not longer than 48 hours. Minors shall be detained in exceptional cases only.a foreign national may be detained for more than 48 hours by a court decision, in which case he will stay at the Foreign nationals Registration Centre.

**Article 12 (1) Alternative Measures of Detention**

The court, taking into consideration the identity of a foreign national, his

vulnerability, a degree of his danger to society, probability that the foreign national will assist in finding out the reasons with respect to his using fake documents, or damaging them, as well as other circumstances which might have some importance in the procedure of granting refugee status to the foreign national, may adopt a decision not to detain the foreign national and (or) adopt one of the following decisions:

1) to obligate the foreign national to periodically report to a territorial police body at a set time;

2) to obligate the foreign national at the set time to inform by means of communication a territorial police body of his whereabouts;

3) to trust a minor who is not accompanied by the parents or legal representatives to the care of a social agency;

4) to trust the foreign national to the care of a non-governmental organisation , provided that such an organisation pledges to take care of the foreign national;

5) to trust the foreign national to the care of a citizen of the Republic of Lithuania or to a foreign national, legally residing in the Republic of Lithuania, who is in a family relationship with the foreign national, the issue of whose detention is being resolved, provided that the said person pledges to take care of the foreign national.

2. If the court decisions specified in paragraph 1 of this Article are not implemented, the Migration Department shall file to the court a repeat request to detain the foreign national.

3. When an issue pertaining to the detention of a minor who is not accompanied by the parents or legal representatives, is being considered in court, a guardian assigned to him shall represent the interests of the minor. When imposing detention upon a minor, The Law of the Republic of Lithuaniaon Fundamentals of Protection of the Right of the Child must be observed.

4. When adopting a decision to impose and alternative measure of detention, the court shall set a time limit for application of the measure. Such time limit may not exceed 12 months from the adoption of the first decision to impose such measure.

**Article 12 (2)  Filing to the Court a Request To Detain a Foreign National or to Impose upon him an Alternative Measure of Detention, Acquainting with a Court Decision**

1. In the cases laid down in paragraph 1 of Article 12 of this Law an officer of the State Border Guard Service, a territorial police body, the Foreign Nationals Registration Centre or the Migration Department shall, within 48 hours of the detention of a foreign national, file a request to impose an alternative measure of detention on him to a district court in accordance with the whereabouts of the foreign national in the territory of the Republic of Lithuania.The foreign national shall be immediately informed about the filing to the court of a request to detain him or impose upon him an alternative measure of detention. Participation of the foreign national in a court sitting shall be obligatory, and during the consideration of a request in court, he shall be entitled to legal assistance guaranteed by the State. The foreign national, the issue of whose detention or the imposing of an alternative measure of detention is being considered, shall defend his interest in court himself or through a representative.

2. The court shall examine the request specified in paragraph 1 of this Article, according to the procedure set forth in the Code of Administrative Offences and this Law.

3. A court decision with respect to the request to detain the foreign national or to impose an alternative measure of detention upon him, must be immediately announced to the foreign national using a language which he understands, indicating the reasons of his detention or imposing of an alternative measure of detention upon him. The court decision to detain the foreign national or to impose an alternative measusre of detention upon him shall come into force from the moment of its adoption. A copy of the court decision shall be issued to the foreign national.

4. The court decision regarding detention of the foreign national must specify the grounds for the detention, as well as the term of the detention.

**Article 12 (3) Appeal againstthe Decision to Detain a Foreign National**

1. A foreign national shall have the right to appeal to the Supreme Administrative Court against the decision to detain him or to extend the time limit of his detention, or to impose an alternative measure of detention upon him. An appeal may be filed through the Foreign Nationals Registration Centre.

2. The chamber of three judges shall examine the appeal of the foreign national in the Supreme Administrative Court in accordance with the procedure set forth in the Law. On Administrative Proceedings and this Law. It shall convene a court sitting not later than within 10 days of the receipt of the appeal, and shall adopt one of the following decisions:

1) to uphold the decision of a district court to detain the foreign national or to impose an alternative measure of detention upon him;

2) to reconsider the decision of a district court to detain the foreign national or to impose an alternative measure of detention upon him;

3) to reverse the decision of a district court to detain the foreign national or to impose an alternative measure of detention up-on him and to obligate him and to obligate the Migration Department to adopt a decision with respect to accommodation of the foreign national without curtailing his freedom of movement.

3. The decisions of the Supreme Administrative Court specified in paragraph 2 of this Article shall come into force from the day of their adoption.

**Article 12.(4) Review of the Decision to Detain a Foreign National**

1. Having established that the grounds for the detention of a foreign national have ceased to exist, the Foreign Nationals Registration Centre must immediately file a request to review the decision to detain the foreign national to a district court according to the location of detention of the foreign national.

2. The district court shall, not later than within 10 days of the receipt of the request from the Foreign Nationals Registration Centre, review the decision to detain the foreign national and adopt one of the following decisions:

1) to uphold the decision to detain the foreign national;

2) to reconsider the decision to detain the foreign national;

3) to reverse the decision to detain the foreign national and to obligate the Migration Department to adopt a decision with respect to accommodation of the foreign national without curtailing his freedom of movement.

3. The decisions of the district court set forth in paragraph 2 of this Article shall come into force on the day of their adoption.

4. The decision of the district court may be appealed against in accordance with the procedure set forth in Article 12 (3) of this Law.

**Article 12. (5)  Time-limits of Detention**

1. The entire period of detention of a foreign national at the Foreign Nationals Detention Centre may not exceed 12 months.

2. The entire period of the detention of the foreign national shall be counted from the day of actual detention of the foreign national.

**Article 12 (6)  Termination of Detention**

1. When the grounds for detention cease to exist, a foreign national shall be released without delay from the place of detention by the court decision.

2. If the foreign national’s period of detention expires and the court has not extended it, the foreign national must be released from the place of detention.

**Article 13. Accommodation of Foreign National During the Period of Examination of Applications for Refugee Status**

1. The Migration Department shall adopt the decisions with respect to

accommodation for the foreign national, during the period of examination of the application for refugee status.

2. A foreign national who has submitted an application for refugee status shall

be provided an accommodation at the Foreign Nationals Registration Centre until the Migration Department shall adopt a decision on establishing the procedure with respect to examining the substance of the application to grant refugee Status and when the foreign national’s application for refugee status is being examined in emergency procedure.

3. A foreign national who has submitted an application for refugee status

shall be given accommodation at the Foreign Nationals Registration Center, provided the substance of his application is undergoing examination according to the general procedure.

4. A minor unaccompanied by his parents or other legal representatives, who

has submitted an applicatiomn for refugee status, shall be provided accommodation at the Refugee Reception Center, provided the minor’s appointed guardian does not desire otherwise.

5. A foreign national who has legally entered the territory of the Republic of Lithuania or who is legally present there and has submitted an application for refugee status, may be permitted to live in the residence of his choice.

6. The Government of the Republic of Lithuania or an institution authorised by it, shall found, reorganise and liquidate the Foreign Nationals Reception Centre and the Refugee Reception Centre.

7. The funds required to establish and support the Foreign Nationals Registration Centre and the Refugee Reception Centre shall be allocated from the State Budget of the Republic of Lithuania. These centres shall have the right to use the assistance of the organisations of the Republic of Lithuania and other states, international organisations and private individuals.

**Article 14. Examination of Substance of theForeign National’s Applications for Refugee Status**

1. The Migration Department shall examine a foreign national’s application for

refugee status on its merits under general or emergency procedure.

2. Emergency procedure may be applied when:

1) the foreign national has come from a safe country of origin;

2) the application of the foreign national is manifestly unfounded;

3) the foreign national without exonerating circumstances submits false

information regarding himself and the circumstances of his arrival or presence in the territory of the Republic of Lithuania;

4) the foreign national is regarded for compelling reasons as a danger to security

of public order of the Republic of Lithuania.

5) another country has granted asylum to the foreign national;

6) the foreign national has several nationalities and without due cause is not

making use of the protection of at least one of the countries of which he is a national;

7) even previously, upon having examined the foreign national’s application for refugee status, a decision was taken in accordance and for reasons established in legal acts, not to grant refugee status to the foreign national, and the new application does not contain any significant additional information.

3.Paragraph 2 of this Article might not apply to a minor who is unaccompanied by parents or other legal representatives, and the substance of his application for refugee status is examined by standard procedure.

**Article 15. Acceptability of Evidence**

When in the course of examining the substance of a foreign national’s

application for status , it shall be determined that, the information relevant to the establishment of the foreign national’s refugee status, cannot be supported by written proof, despite honest efforts on the part the foreign national, said facts shall be assessed in favour of the foreign national and the aforementioned applications shall be considered as well-founded if the explanation provided by him is coherent, not contradictory in substance, and conforms to generally known facts. the status of refugee shall be deemed well-founded, provided that the foreigner’s explanations are non-contradictory on their merits and consistent and do not contradict universally known facts.

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

1. In cases where the emergency procedure applies, applications of foreign

nationals for refugee status shall be examined within one month from the date of receipt by the Migration Department of conclusions concerning the examination of an application for refugee status on its merits. Where there are well-founded reasons for not examining an application during said period, it shall be examined under general procedure and the Foreign Nationals Registration Centre shall be notified thereof.

2. In cases where general procedure applies, applications of foreign nationals

for foreign status, the foreign national’s application for refugee status must be examined within 6 months from the date of receipt by the Migration Department of the conclusions concerning the examination of an application for refugee status on its merits. Should there exist well-founded reasons for not examining an application during said period, the head of the Migration Department may extend it, however, the total period of the examination of applications for refugee status may not exceed 12 months.

**Article 17. Rights and Obligations of Foreign Nationals Related to the Determination of Refugee Status**

1. A foreign national shall have the following rights related to the determination

of refugee status:

1) to live in the Foreign Nationals Registration Centre or Refugee Centre and services thereof;

2) to prepare and notarise documents;

3) to avail oneself of State guaranteed legal assistance;

4) to receive compensation for using public transport;

5) to make use of the free interpreter services provided by the State;

6) to enjoy medical assistance at the Foreign Nationals Registration Centre and the Refugee Centre in accordance with established procedure;

7) to receive a monthly money allowance for minor expenses in accordance with the procedure established by the Government of the   
Republic of Lithuania or its authorised institution;

2. The children of foreign nationals referred to in paragraph 1 of this Article, shall be entitled to attend schools of general education.

3. a foreign national shall have the following duties:

1.) to observe the laws of the Republic of Lithuania and rules laid down by the Foreign Nationals Registration Centre and the Refugee Centre;

2) to live in the Foreign Nationals Registration Centre if he has entered the Republic of Lithuania or is present there unlawfully until the procedure of the examination of his application on its merit is established;

3) to live in the Refugee Centre while his application for refugee status is examined on its merits, if the foreign national has not been permitted to live in a place of his choice;

4) to allow doctors to examine him in accordance with the procedure established by the Ministry of Health;

5) during the examination of his application for refugee status to supply all available documents as well as truthful and exhaustive explanation for applying for refugee status, the circumstances of his entry and presence in the Republic of Lithuania as well as personal facts.

4. Foreign nationals referred to in this Article shall also enjoy other rights guaranteed by international agreements, laws and legal acts of the Republic of Lithuania.

5. Funds from the State Budget of the Republic of Lithuania and other funds shall be allocated for implementation of the rights of foreign nationals set forth in paragraph 1of this Article.

**Article 18. Suspending or Termination of the Examination of an Application of a Foreign National for Refugee Status**

1. The examination of an application of a foreign national for refugee

status may be suspended if the foreign national leaves the Foreign Nationals Registration Centre without valid reasons and fail to return for more than 3 days or in the absence of a possibility to contract the foreign national. The examination of the application for refugee status shall be renewed, if the foreign national returns to the Foreign Nationals Registration Centre or the Refugee Reception Centre or if it becomes impossible to establish contact with the foreign national, provided that 6 months have not yet elapsed from the decision to suspend the examination of the application for refugee status.

2. The examination of an application for refuge status shall be terminated if:

1) a foreign national makes a written request to terminate the examination of the application;

2) following the passage of 6 months from the day of acceptance of the decision to suspend the examination of the application for refugee status.

3) the foreign national dies, except for the cases where the foreign national has lodged an application for refugee status on behalf of his family or a minor.

2. The decision to terminate the examination of of an application for refugee status shall be adopted by the Migration Department. Such decision may be appealed against to the Vilnius County Administrative Court within 7 days from the receipt the decision.

**Article 19. Granting Refugee Status and Identity Documents**

1. Upon examination of applications of foreign nationals for refugee status, the Migration Department shall make a substantiated decision on granting or not granting such status.

2. The Migration Department shall issue a permit of habitual residence in Lithuania to those foreign nationals who are granted refugee status.

3. At the request of foreign nationals, the Migration Department shall issue travel documents.

**Article 20. Expulsion of Foreign Nationals**

1. Foreign nationals who cannot enjoy temporary territorial asylum or have not been granted refugee status shall be expelled from the Republic of Lithuania under the procedure established by the Republic of Lithuania Law on “The Legal Status of Foreign Nationals of the Republic of Lithuania.”

**CHAPTER III**

**APPEALS CONCERNING REFUGEE STATUS**

**Article 21. Appeal Against Refusal of Refugee Status**

1. Appeal against a decision to refuse refugee status may be lodged with the Vilnius County Administrative Court by persons who have been refused such status within 14 days of communication of said decision.

2. Appeals may also be transmitted to the Vilnius County Administrative Court through the Migration Department. The Migration Department shall forward an appeal together with relevant case-file to the Vilnius Regional Administrative Court within 3 days of receipt of said appeal.

3. Appeals against refusal of refugee status, where the decision was made when examining an application filed on behalf of a family, may be lodged by foreign nationals who applied for refugee status on behalf of the family or any adult family member.

4. Foreign nationals shall not be expelled from the Republic of Lithuania while their appeals are being examined.

**Article 22. Hearing of an Appeal Concerning Refugee Status**

1. Appeals concerning refugee status shall be heard in accordance with the procedure laid down in the Law On Administrative Proceedings of the Republic of Lithuania and this Law.

2. When considering appeals the administrative court shall ascertain the lawfulness and substantiation of relevant decisions.

3. The appeal concerning the decision to deny status of refugee which was adopted when examining the application of a foreign national according to emergency procedure, must be heard by the administrative court not later than within ten days from the day of issuing of an order to accept the appeal for hearing; the appeal concerning the decision to deny status of refugee which was adopted when examining the application of a foreign national according to the general procedure must be heard not later than within thirty days from the day of issuing an order to accept the appeal for hearing.

**Article 23. Administrative Court Rulings on Appeals Concerning Refugee Status**

After having heard an appeal concerning refugee status, the administrative

court shall pass one of the following rulings:

1) uphold the adopted decision and dismiss the appeal;

2) revoke the adopted decision and obligate the Migration Department to

enforce the court ruling.

**CHAPTER IV**

**SOCIAL INTEGRATION AND NATURALISATION OF REFUGEES**

**Article 24. Social Integration and Naturalisation of Refugees**

1. Social integration and naturalisation of refugees shall be implemented in

accordance with the procedure established by the laws of the Republic of Lithuania.

2. Refugees may enjoy humanitarian and other aid in conformity with the

procedure prescribed by law. Natural and legal persons of the Republic of Lithuania and foreign countries may establish aid funds for refugees. The activity of said funds can be supported by other countries, international organisations, legal and natural persons.

**Article 25. Rights, Duties and Liabilities of Refugees**

Refugees in Lithuania shall enjoy the rights accorded to foreign nationals by

international agreements and laws of the Republic of Lithuania. Refugees shall observe the laws and other legal acts and they shall be liable for violating them pursuant to the laws of the Republic of Lithuania.

**Article 26. Family Reunification**

1. The foreign national shall have the right to invite to come and live in the

Republic of Lithuania his spouse, children and adopted children under 18 years of age if unmarried, as well as parents unable to work due to old age or disability who have remained in a foreign country.

2. A refugee under 18 years of age shall have the right to invite his parents, who remained in a foreign country, to come to live in the Republic of Lithuania according to the procedure set forth in paragraph 1 of this Law.

3. Residence permits of the Republic of Lithuania shall be issued to the refugee’s family members who are specified, in paragraphs 1 and 2 of this Article in accordance with the procedure established by the Law of the Republic of Lithuania on the legal Status of foreign Nationals.

**CHAPTER V**

**FINAL PROVISIONS**

**Article 27. Co-operation with International Organisations**

1. When dealing with refugee problems, the Republic of Lithuania shall co-operate with the Office of the United Nations High Commissioner for Refugees create conditions to perform its duty of supervising the application of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees in the Republic of Lithuania, furnish it with necessary information and the statistical facts about foreign nationals and refugees, about the implementation of the Convention and Protocol and regulatory enactments regarding refugees, that are valid or about to become valid.

2. Refugees and asylum seekers shall be entitled to appeal to representatives of the Office of the High Commissioner who in their turn are allowed, upon the request of refugees and asylum seekers, to contact them immediately. The Office of the United Nations High Commissioner for Refugees shall be provided with information about applications for asylum.

**Article 28. Register of Refugees**

1. Foreign nationals and refugees shall be registered in the State Register of Refugees.

2. The Register of Refugees shall be administered by the Ministry of the Interior of the Republic of Lithuania or its authorised institution.

**Article 29. International Agreements**

Where the provisions of effective and ratified international agreements of the Republic of Lithuania provide otherwise than those of the present Law, the provisions of international agreements shall apply.

**Article 30. Commitments Relating to the Implementation of the Law**

Prior to entry into force of this Law, the Government of the Republic of Lithuania or its authorised institution shall:

1) approve the procedure of determining safe countries of origin and safe third countries and the procedure for determining safe countries of origin and safe third countries and the procedure for expulsion or deportation of foreign nationals thereto;

2) establish the conditions and procedure for settlement of foreign nationals at the Foreign national Registration Centre and the Refugee Centre, the procedure for the arrangement of their employment and the application of disciplinary sanction to foreign nationals;

3) establish the procedure for the receipt of money allowance for minor expenses;

4) establish the procedure for implementation of the rights of foreign nationals specified in paragraph 1 of Article 17;

5) establish the procedure for examination of applications for refugee status and issue of identity documents.

**Article 32. Entry into Force**

This Law shall come into force on 1 September 2000.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

**PRESIDENT OF THE REPUBLIC VALDAS ADAMKUS**