



*CONSULAR INFORMATION FOR THE
HONORARY CONSULAR OFFICER OF THE
REPUBLIC OF LITHUANIA*

*2015
CONSULAR DEPARTMENT OF THE
MINISTRY OF FOREIGN AFFAIRS OF THE REPUBLIC OF LITHUANIA*

INTRODUCTION

One of the priorities of the Lithuanian Foreign Service is to improve the quality of assistance to Lithuanian citizens abroad, both in everyday life and in crises. We seek to deliver our consular services to Lithuanian citizens abroad as professionally as possible.

The Lithuanian consular service has delivered major improvements in the last years. However, some challenges remain. One of them is to provide the same consistent, high - quality and professional service to Lithuanian citizens wherever they are. We cannot overcome this challenge without your assistance, support in crises, advice and information.

People are our greatest treasure and we are serving them. Your personal skills, knowledge and contacts should serve for the benefit of Lithuanian citizens. The quality of the consular services provided has not only a very big impact on the image of the consular service but also at the same time a great impact on the image of the whole foreign service.

Some of you are the only representatives of our small country in states where there are no embassies of the Republic of Lithuania that is why your assistance in consular activities is extremely appreciated and needed. This has been especially evident in the recent years, when the Ministry of Foreign Affairs of the Republic of Lithuania (hereinafter referred to as the Ministry), together with the Honorary Consuls organised special consular missions to foreign countries and regions with large Lithuanian communities which do not have diplomatic representations of the Republic of Lithuania. During the consular missions the diplomats accept applications of Lithuanian citizens regarding the issuance or exchange of passports, issuance of Repatriation Certificates, inclusion of civil status records that were concluded abroad into the registries of Lithuania, as well as admit declarations of the place of residence and provide other consular services.

Due to your input the organisation of work during the consular missions is more effective and smooth. The contribution of the Honorary Consuls who provide premises for the employees of the consular missions and assistance in composing lists of visitors is priceless.

This publication contains general information as it is intended for all Lithuanian Honorary Consular Officers. In cases when the publication recommends that the information received by the Honorary Consuls is to be transferred to the Representation, it is referred to the Lithuanian Representation in your state of residence or the Lithuanian Representation accredited to your state of residence, if such does not exist, then the closest Lithuanian Representation. You can find the contact information of Lithuanian Representations on the website: [http://keliuk.urm.lt/LRatstovybes.](http://keliuk.urm.lt/LRatstovybes)

Consular information package includes all the necessary general information on how to behave and who to contact if a Lithuanian citizen is in crisis and needs help, if he/she is a victim of a crime, if children are left without parental care, etc. The Honorary Consuls are not entitled to perform some consular functions (issuance of passports or personal identity cards, notarial actions, issuance of consular certificates), but the accurate information on consular issues they provide, assistance to Lithuanian citizens by communicating with the responsible Representation of the Republic of Lithuania or the Representation of a European Union Member State, provision of information to the citizens about a special consular mission organised is not less valuable. Therefore, in this publication you will also find information about the consular functions which are

not to be implemented by the Honorary Consuls, but about which you can and should provide basic information to the enquirers and direct them accordingly.

Please do not hesitate and contact the Consular Department of the Ministry to get the necessary information on the consular matters; competent staff will answer your questions and advise you on how to behave in a particular situation.

Contacts of the Consular Department:

Tel. +370 706 52400,

E-mail address: **kod@urm.lt; budetojai.kod@urm.lt**

In cases of urgent matters or emergencies after the office hours of diplomatic representations or the Ministry, or during holidays both you or any other citizen can contact the Ministry by phone at +370 706 52444 (this number is accessible 24 hours per day) or by e-mail: **pilieciai@urm.lt**.

The Honorary Consular Officers as well as the Consular Officers (diplomats) of the Republic of Lithuania may not exceed their commissions and when performing their activities must follow the applicable legislative acts of the Republic of Lithuania. Execution of consular functions includes knowledge and strict application of rule of laws that regulate protection of personal data: the Honorary Consul cannot provide or publish information that is a secret of a state, service; commercial, industrial or bank secret as well as private personal data, except for the cases stipulated by the law. The information received during the execution of service activities that could detriment personal honour, dignity or safety, legitimate interests of physical and juridical persons, hinder crime prevention, detection or result in committing a crime, cannot be published as well.

Good work, memorable events and bright memories will not be forgotten if you send the Consular Department messages about major works that you have implemented and your annual activity reports on the consular matters.

Please note, that this information package is not a legislative act, thus, in case of any non-compliance between this package and the legislative acts, the Honorary Consul must follow the legislative acts.

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1. CONSULAR FUNCTIONS EXECUTED BY THE HONORARY CONSULS

This section of the publication provides detailed information on the consular functions executed by the Honorary Consuls.

The Honorary Consul may execute only those consular functions that are defined in a consular commission issued to him/her. Most Honorary Consuls are assigned to perform the following consular functions established in the 1963 Vienna Convention on Consular Relations:

(a) protecting in the receiving State the interests of the Republic of Lithuania and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;

(e) helping and assisting nationals of the Republic of Lithuania, both individuals and bodies corporate;

(g) safeguarding the interests of nationals of the Republic of Lithuania, both individuals and bodies corporate, in cases of succession mortis causa in the territory of the receiving State, in accordance with the laws and regulations of the receiving State;

(h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the Republic of Lithuania, particularly where any guardianship or trusteeship is required with respect to such persons;

(m) performing any other functions entrusted to a consular post by the Republic of Lithuania which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the Republic of Lithuania and the receiving State.

Instructions on activities of the Honorary Consul and the reporting order are provided for in the description of the procedure of the establishment and closure of the consular posts of the Republic of Lithuania headed by Honorary Consular Officers, and of the appointment and revocation of the Honorary Consular Officers.

Honorary Consuls cannot exercise consular functions that are not included in the consular commission, or that are not assigned to them.

1.1. Assistance to persons who have lost their travel documents, whose travel documents became invalid for use or have expired

Citizens of the Republic of Lithuania who have lost their travel documents in a foreign country, whose travel documents became invalid for use or who do not have a proper travel document, can receive a Repatriation Certificate (hereinafter referred to as RC) to return to Lithuania. Regarding the issue of the RC Lithuanian citizens are advised to contact the Lithuanian Representation. Requests for the RC are submitted in person (in exceptional cases when there is no doubt regarding the identity of the citizen of the Republic of Lithuania, the request for the RC may be submitted otherwise).

Under the agreement between the Member States of the European Union, each citizen of the Member State of the European Union who has lost his/her documents in a foreign country where there is no diplomatic representation of his/her home state within reach, can contact any of the diplomatic representations of the European Union and submit a request to receive an Emergency travel document (hereinafter referred to as ETD) of the European Union. We recommend the Honorary Consuls to find out in advance the contact information of the diplomatic representations of the Member States of the European Union situated in their consular area, get in touch with their consular officials and direct the Lithuanian citizens who have lost their documents to a specific EU member state representation.

If the Diplomatic Representation of the European Union member state, to which the Lithuanian citizen has applied to with regard to the ETD issuance, appeals to the Honorary Consul for the identification of this person, this appeal must be transferred to the Lithuanian Representation or the Consular Department of the Ministry.

The RC or the ETD is issued only to return to Lithuania or, in exceptional cases, to the state of the place of residence. The RC is valid for up to 15 days, the ETD is valid for no longer than the minimal period of time needed to finish the journey. A citizen who has returned back to Lithuania or the state of the place of residence with the RC or the ETD, upon return must apply for a new passport of the Republic of Lithuania.

Detailed information on the procedure of issuance of the RC and ETD and the documents that must be submitted are published on the website of the Ministry: <http://keliauk.urm.lt/AGP>.

1.2. Consular assistance in case of a natural disaster, catastrophe, terrorist attack, war or armed conflict

In case of a natural disaster, catastrophe, terrorist attack, war or armed conflict (hereinafter referred to as the crisis), the Honorary Consul should immediately contact the authorities of the resident state for information about the victims that are the citizens of the Republic of Lithuania and to forward this information to the Representation or the Consular Department of the Ministry. The Honorary Consul in cooperation with the Representation or the Consular Department of the Ministry should provide information to Lithuanian citizens in the zone of catastrophe regarding the possibilities of evacuation, assist them in solving the issues related to finding the lodging for the night and providing themselves with food. If the Honorary Consul is aware of any Lithuanian citizens in the zone of catastrophe he should inform the Representation and the Consular Department about them.

1.3. Assistance to persons who have been detained, accused or are serving the sentence

The Honorary Consul must forward the information to the Representation or the Consular Department of the Ministry about Lithuanian citizens who have been detained, accused or are serving the sentence. The received documents are to be forwarded together with the information report.

Relatives of the detained person are informed about the arrest only if the detainee wishes/gives consent. Upon the request of the detainee other persons (not only the relatives) could be informed about his arrest. The persons to be informed are to be indicated in the information report together with their contact information. If the detainee is under 18 years old or he/she is

incapable, or of limited capacity, then the detainee's consent is not required. The Representation or the Consular Department of the Ministry forwards the information report received from the Honorary Consul to Lithuanian police that will inform the relatives or other persons in Lithuania indicated by the detainee.

Consular assistance is to be provided only upon the request of the detained person.

The Honorary Consul, having received the information about the detention of a citizen from sources other than the citizen himself, may contact the detainee or the administration of the detention facility. The Honorary Consul shall inform the detainee about his rights and duties under the law of the country of detention.

If the primary information submitted to the Honorary Consul is incomplete, it is necessary to find out the main personal data (name, surname, date of birth, etc.), contact details of close relatives, reasons for detention, charges against the detainee.

The Honorary Consul may visit the detainee only upon his/her request; the request of his/her family members or relatives; as well as the request of the Representation or the Consular Department of the Ministry. The decision regarding visitation of the detainee shall be taken in accordance with the seriousness of the complaint.

Before visiting the detainee it is necessary to contact the competent authority (usually the administration of the institution that holds the detainee in custody) and get permission to visit the detainee.

The Honorary Consul must take care that the living conditions of the detained citizens meet the hygiene and sanitation requirements, that they would be treated without violations of human rights. The detainee may not always realise that his/her human rights are violated, that is why the Honorary Consul can take initiative and ascertain whether or not the detainee's human rights are violated.

Upon the detainee's request the Honorary Consul can provide the detainee or his relatives with the contact information of potential lawyers and interpreters into Lithuanian language or must see that the person is granted legal defence. Helping to protect the human rights of the detainee the Honorary Consul may also provide other information (contact information of public organisations, translation agencies and other institutions), however, he cannot be the person's legal defender. The Honorary Consul should clarify whether the foreign state has an institution that provides free public defenders and, if any, to inform the detainee of the possibility to use this opportunity.

By reasoned request of the detainee the Honorary Consul must verify whether the detainee's rights are not violated and he is treated in conformity with the rule of law of the state of staying. In case of any suspicion that the foreign country violates the rights of the detainee, fails to conform to its laws or to the international treaties signed with the Republic of Lithuania, the Honorary Consul shall hereof inform the Representation or the Consular Department of the Ministry. The interference of the Honorary Consul is purposeful only if the detainee's legal defender or the detainee himself/herself reasonably complains that the detainee is discriminated in respect of the receiving state citizens or treated with violation of human rights, and when other local legal instruments reasonable and appropriate in the current situation and available for the detainee or his/her legal defender have already been exhausted.

Upon the detainee's or his/her relatives' request the Honorary Consul must inquire about the possibilities for the relatives to visit him/her in the detention facility, and for the relatives to transfer funds to the detainee.

The Honorary Consul is prohibited:

- to insist that the competent authority of the foreign state should notify about the arrest, detention or restriction of liberty of a Lithuanian citizen or give any other information about the citizen's arrest, detention or restriction of liberty, if the citizen does not wish so;
- to spread information (except for an information report) about the person's detention or the circumstances of his/her detention without the person's consent;
- to influence or otherwise interfere with the work of the law enforcement and other institutions of a foreign state;
- to be a legitimate detainee's defender.

The Honorary Consul can provide the *detainee's relatives only with the official information and the information submitted by the detainee, and may do so only if he/she has received the detainee's consent.*

When contacting the citizen in custody professional ethics requirements are to be followed.

In the case of arrest, detention or restriction of liberty it is advisable:

- to focus on the facts, but to be attentive and sensitive;
- not to speculate on the guilt issue;
- to remember that the treatment of detainees must not depend on what they are accused of, as well as on their social status, gender, nationality, etc.;
- not to speculate on the possible outcome of the case, the term of punishment, etc.

The detained citizen must solve the bail matters with the help of the lawyer representing him/her. The detained person shall take care of the funds for legal assistance himself/herself.

The Honorary Consul shall inform the sentenced Lithuanian citizens about the possibility of transfer of the sentenced persons to Lithuania for the remaining period of sentence as well as mediate in forwarding the requests of transfer of the sentenced persons to the Ministry of Justice of the Republic of Lithuania (to be sent through Consular Department of the Ministry). The question of transfer of the sentenced persons is to be solved only in cases when the court decision was made in the Member State of the 1983 Council of Europe Convention on the Transfer of Sentenced Persons or in the states with which Lithuania has signed bilateral agreements (Belarus, Russia, Poland, Azerbaijan, the USA). The verdict shall be final, the minimum term of penalties involving deprivation of liberty is six months, consents of both states for the transfer of the sentenced person are necessary.

1.4. Assistance to persons lacking full capacity

The Honorary Consul, upon receipt of the information about a child who is a citizen of the Republic of Lithuania, left without parental care in the state of the Honorary Consul's residence, for whom the authorities of the foreign state imposed temporary custody, shall promptly notify the Representation or the Consular Department of the Ministry that shall transmit this information to the responsible institutions in Lithuania: the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour. Further development of the issue regarding the child's care is dealt with in close collaboration with the Consular Department of the Ministry, the

State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour and the competent authorities of the foreign state.

1.5. Financial aid

First of all upon the receipt of a request from a Lithuanian citizen for financial aid, it is necessary to find out what has happened to the aggrieved, how he/she was aggrieved and what help does he/she need. At the same time, it is required to find out whether the citizen has tried to contact his/her relatives or other persons who may support him/her financially.

If the aggrieved is unable to contact his/her relatives, the Honorary Consul, if possible, can offer the aggrieved to contact his/her relatives using the means of the Honorary Consulate and ask for their help. The Honorary Consul can advise to use the cash transfer (Western Union, etc.). If the Honorary Consul cannot provide possibilities to contact the relatives, he/she should contact the Representation or the Consular Department of the Ministry and ask them to contact the relatives of the aggrieved and to ensure that they provide financial assistance to the aggrieved. If the aggrieved does not have the contact information of his/her relatives, it is necessary to find out the basic information about the relatives of the aggrieved (names, surnames, residence addresses, etc.).

In case of failure to successfully solve the issue of transmission of financial aid to the aggrieved from his/her relatives, it is recommended that the citizen's request for the receipt of financial aid is to be submitted to the Representation or the Consular Department of the Ministry. In exceptional cases, upon the citizen's request, after the consular officer of the Representation assures that the person does not have possibilities to obtain funds from other sources (does not have relatives or cannot contact them in a given time, or they refuse to help the aggrieved), the Representation can provide financial aid to the aggrieved. Financial aid is intended to cover the costs for the necessary medical care, return back to Lithuania, etc. The aid to the aggrieved is not provided in cash, but rather by paying for certain services in accordance with the documents that prove the services provided (e.g. by buying the travel ticket to Lithuania). The person who is receiving the financial aid undertakes to reimburse the Ministry all the costs incurred within 3 months. The non-fulfilment of this obligation leads to recovery of funds through the bailiff.

The Honorary Consul is not obliged to financially assist the citizens of the Republic of Lithuania, and he/she is advised not to provide such assistance.

1.6. Assistance in case of death

The Honorary Consul, having received official information from the competent authorities of the state of residence about death of a Lithuanian citizen, shall forward this information to the Representation or the Consular Department of the Ministry. It is recommended to send the information report. The Consular Department of the Ministry shall forward the received information to the Lithuanian police who will inform the relatives in Lithuania about the fact of death.

There might be cases when the information about the citizen's death is received from the media or relatives, employers of the deceased or similar sources, such information is not official. If this is the case, the Honorary Consul shall find out as much as possible from the source of information about the circumstances of the event (the personal data of the deceased, the time and place of death, etc.) and shall address the competent foreign authorities for obtaining official information about the event that is further forwarded to the Representation or the Consular Department of the Ministry.

The Honorary Consul can get the initial information about the death of a citizen from the relatives of the deceased or their authorized persons, insurance companies engaged in transportation of the remains of the deceased. In this case, the Honorary Consul shall also inform the Representation or the Consular Department of the Ministry.

If the *relatives apply with regard to the organisation of withdrawal and transportation of the remains*, the Honorary Consul should provide them with the following information:

- all the available information about the event, the contact details of the competent foreign bodies (e.g. the authority that provided the information about the event; the location of the remains; the law enforcement authorities conducting the investigation on the fact of death, if such is carried out; the authority issuing the permit to take the remains from the state, etc.);
- note that first of all the relatives should determine whether the deceased was insured, and whether the cause of death is specified in the insurance policy as an insured event:
 - if the person was insured, and the cause of death is specified in the insurance policy as an insured event, advise the relatives to address the insurance company regarding the organisation and financing of transportation of the remains;
 - if the person was not insured or his/her death is not an insured event, the relatives must take care about the organisation of transportation of the remains themselves or address a company providing funeral services in Lithuania or abroad. Neither the Honorary Consuls, nor the Representations organise the repatriation or burial of the remains of the persons deceased abroad.
 - the Honorary Consul does not provide information about specific chosen funeral companies nor the ones that are in his knowledge, nor the prices of the transportation and cremation services that they provide. Upon the request of the relatives the Honorary Consul may indicate information sources of the foreign state that provide contact information about such companies.
- to inform about the terms of keeping, withdrawal and transportation of the remains abroad, etc. in a particular case (the remains of deceased persons in a foreign state can be transported to Lithuania in conformity with the procedures established in that state).
- to inform whether the competent authorities of the foreign state have already granted a permission to withdraw the remains or to transport and bury them abroad, because this is very important. If such permission has not been issued yet, it should be agreed with the relatives that additional information would be forwarded to them upon the receipt of such permission.
- to explain that the remains of deceased persons in a foreign state can be transported to Lithuania only with a permit for the transportation of the remains of the deceased in a coffin issued by the Lithuanian Representation. The list of states from which the remains could be transported without the permission of the Representation (the permission is to be issued by the competent authorities of the states): Andorra, Austria, Belgium, the Czech Republic, Estonia, Greece, Iceland, Spain, Cyprus, Latvia, Lithuania, Luxembourg, Moldova, Norway, the Netherlands, Portugal, France, Slovakia, Slovenia, Finland, Sweden, Switzerland, Turkey, Germany. If such permission is necessary, please, inform the Representation. The transportation of the remains of the deceased in an urn does not require permission from the Representation.
- to indicate that the relatives can apply for financial assistance to the municipality of their residence in Lithuania to transport the remains of Lithuanian citizens. Specify that neither the Ministry nor the Honorary Consul, nor the Representations can provide material support for the repatriation or burial of the remains.

If the relatives do not wish or cannot withdraw the remains of the deceased and agree that the remains are buried in a foreign country, they must submit a written notarized letter in a free form that proves their decision. This letter can be transmitted through the Consular Department of the Ministry as well. The Honorary Consul shall transfer the received document to the competent authority of the foreign country. Upon their request the relatives are provided with information regarding their refusal to withdraw the remains of the deceased, the possible consequences of such decision under the procedure laid down in the foreign country (e.g. what foreign authorities settle the issue of the burial at site in such a case, who funds the burial, etc.).

The Honorary Consul, having received an official response from the Consular Department of the Ministry that the Lithuanian police authorities failed to determine whether the deceased person had relatives or determined that he/she did not have any relatives, forwards this information to the competent authority of the foreign state.

In the event when the relatives do not wish or cannot withdraw the remains of the deceased, or the relatives cannot be identified, the remains of a Lithuanian citizen are buried at the site. The Honorary Consul shall inform the Representation or the Consular Department of the Ministry about the burial date, location and shall transmit the death certificate, personal identity card, passport of the person, so that the death of a Lithuanian citizen would be recorded in the Residents' Register of Lithuania.

If it is determined that a Lithuanian citizen died during a criminal act, the Honorary Consul to the extent that is possible, should:

- take measures in order to identify the deceased person. This finding is very important, because provision of wrong information to the relatives of the deceased can cause considerable moral damage. It should also be taken into account that the passport found at the aggrieved can belong to another person, or a witness of the event may provide inaccurate information about the deceased. In cases of death it is always recommended to wait for the official authorities to submit information in writing and only then to inform the Representation or the Consular Department of the Ministry about the event. If the foreign law enforcement authorities have doubts about the identity of the aggrieved, the Honorary Consul shall submit the existing incomplete information to the Representation or the Consular Department of the Ministry for further identification to be carried out in cooperation with the law enforcement institutions of the Republic of Lithuania.
- solve the issue of repatriation of the remains to the Republic of Lithuania consulting with the Representation or the Consular Department of the Ministry. In the absence of possibilities to repatriate the remains of a Lithuanian citizen, and having received relevant documents from the relatives of the deceased, to take measures in order to ensure that the Lithuanian citizen is properly buried in the foreign state. To receive and transfer information regarding the burial location to the Representation or the Consular Department of the Ministry.

1.7. Assistance to victims of crime

The Honorary Consul can help Lithuanian citizens who became victims of crime to receive medical aid, to provide information about the possibilities to receive legal assistance and interpreter's services, as well as help the citizen to contact his/her relatives in Lithuania.

The Honorary Consul shall inform the Representation or the Consular Department of the Ministry about a Lithuanian citizen who became a victim of crime in a foreign country. Such information is provided by sending an information report.

When the Honorary Consul provides consular assistance to the victims of crime, it is very important to take full advantage of his position as a consular official.

In general, information about the aggrieved citizens of Lithuania is received from official authorities in writing. However, the Honorary Consul often responds to informal information as well. In cases when the message comes from unofficial sources, the Honorary Consul shall collect as much information as possible and, if necessary, contact local law enforcement authorities in order to get additional information. If the law enforcement or medical personnel inform about the aggrieved verbally, it is also necessary to register as much information about the victim's identity and location as possible, and to ask for information in writing.

The Honorary Consul shall help the aggrieved:

- to contact his/her spouse, relatives or other person identified by the aggrieved in Lithuania (information report);
- to receive medical assistance;
- to obtain legal assistance or interpreter services (this applies only in rendering consular assistance to victims of crime);
- if the victim does not speak foreign language or speaks poorly, to take measures in order to ensure the participation of an interpreter when communicating with the law enforcement representatives;
- to organise a return to Lithuania.

If a person is treated in a medical facility, the Honorary Consul shall:

- inform the Representation or the Consular Department of the Ministry;
- ascertain the institution the victim is being treated in;
- contact the medical facility's staff in order to ascertain the accuracy of the information received, and get information about the identity of the victim and his/her state of health;
- if possible and taking into account the victim's state of health, visit the victim in the medical facility. During the visitation conduct a brief inquiry about the circumstances of ailment. Find out whether the victim wishes to inform the relatives in Lithuania about this fact, and determine what aid the victim requires. While visiting, ask whether the medicinal aid provided is appropriate, whether financial assistance is needed, whether the person has a health insurance, and whether an interpreter is required to communicate with doctors and law enforcement officials;
- upon the request of the victim's relatives, provide comprehensive information about the victim's location, the law enforcement institution and officials conducting the investigation.

1.8. Assistance to victims of human trafficking

Human trafficking is defined as the selling, purchasing, otherwise conveying or acquiring of persons, recruitment, transportation or holding in captivity by using physical violence or threats or by otherwise depriving a person of a possibility of resistance, or by taking advantage of the victim's dependence or vulnerability, or by resorting to deceit, or by receiving or paying money, or by gaining or granting other material benefit to a person who actually has the victim under his control.

Exploitation includes the exploitation of people in the form of prostitution, pornography or other forms of sexual exploitation; exploitation in slavery or practice similar to slavery; exploitation seeking the removal of organs, tissue or cells; exploitation for forced labour or services, including forced begging as well as forcing to commit criminal acts or for other purposes of exploitation. A prior consent of the victim of human trafficking for an intended exploitation is irrelevant, if any of the above-mentioned means of breaking down the will of a person were applied.

Proposal to purchase or otherwise acquire a minor, selling, purchasing, otherwise conveying or acquiring, recruitment, transportation or holding in captivity for the purpose of illegal adoption, exploitation in slavery or practice similar to slavery, prostitution, pornography, other forms of sexual exploitation, exploitation for forced labour or services, including forced begging as well as forcing to commit criminal acts or for other purposes of exploitation shall be considered trafficking in persons even if this does not involve any of the means of breaking down the will of the minor victim set forth above in case of human trafficking. Traffickers of children by applying violence or fraud often seek to involve people under 18 years in prostitution; sell children for forced labour; illegally transplant their organs in order to sell them later; sexually exploit children in pornography; sell children for adoption.

The Honorary Consul shall inform the Representation or the Consular Department of the Ministry about a Lithuanian citizen, who became a victim of human trafficking in a foreign country as well as a stateless person, who has a permanent resident's permit in Lithuania. Such information is provided by sending the information report.

The Honorary Consul shall provide assistance to victims of human trafficking in close cooperation with the Representation or the Consular Department of the Ministry, foreign law enforcement institutions, foreign and Lithuanian non-governmental organisations and municipalities that work in this field.

If a sold person or a person who is still in the hands of traffickers as well as the relatives or friends of such a person appeal to the Honorary Consul, the following actions are to be taken:

- forward the information to the Representation or the Consular Department of the Ministry;
- forward the received information to local police and provide other necessary assistance to the victim so that he/she would be freed as soon as possible.

Usually, the countries of destination (i.e. the countries to which people were sold or transported) assume responsibility for temporary accommodation of such persons, and often for their rehabilitation. The Honorary Consul in cooperation with foreign non-governmental organisations that provide assistance to victims of human trafficking must ensure that such a person is provided with:

- safe temporary accommodation;
- medical and psychological assistance;
- if possible, legal assistance.

If a victim of human trafficking wants to return to Lithuania as soon as possible, it is necessary to provide him/her with all possible consular assistance.

If the victim does no longer have any personal documents, the Honorary Consul shall help him/her to contact the Representation or the Diplomatic Mission of the Member State of the European Union regarding the issuance of a temporary travel document.

Usually the country of destination provides the victim with a return ticket to the country of origin, however, if during organization of such assistance problems or difficulties occur, it is recommended to contact the Representation or the Consular Department of the Ministry regarding the granting of financial funds and organization of return to Lithuania (the Ministry's budget has funds for this purpose).

In many foreign countries offices of the International Organization for Migration have projects to help the victims of human trafficking, thus the victims of human trafficking or prostitution can be directed to the IOM representation in the state of residence of the Honorary Consul, where the victims will be cared for and assisted in their return to Lithuania or redirected to a safe shelter.

1.9. Cases of succession of mortis causa

If a foreign state institution notifies the Honorary Consul or the Honorary Consul otherwise becomes aware of the property in a foreign country that a citizen of the Republic of Lithuania may be entitled to inherit, the Honorary Consul shall transfer this information to the Consular Department of the Ministry that will forward this information to the Ministry of Justice of the Republic of Lithuania, which will inform the person who has the right to inherit the property.

If necessary, the Honorary Consul can provide the citizens of the Republic of Lithuania who inherited the property in a foreign country with the official information of the authorities of the country of staying that govern the administration of the inheritance.

2. ASSISTANCE OF DIPLOMATIC MISSIONS OF THE EUROPEAN UNION MEMBER STATES TO CITIZENS OF THE REPUBLIC OF LITHUANIA

In some cases, in foreign countries that do not have accessible permanent Lithuanian Representations, consular assistance to the citizens of the Republic of Lithuania may be granted by the diplomatic missions of the European Union Member States. According to the Decision 95/553/EC of 19 December 1995 regarding protection for citizens of the European Union by diplomatic and consular representations, in cases when in the foreign country where the citizen of the Republic of Lithuania is located, the Republic of Lithuania has no accessible permanent diplomatic representation or accessible Honorary Consul competent for such matters, the citizen of the Republic of Lithuania is entitled to consular protection of diplomatic or consular representations of any European Union Member State. Diplomatic and consular representations which give protection shall treat a person seeking help as if he were a citizen of the Member State which they represent.

Lithuania has also special agreements concluded with several European Union states on consular assistance to citizens of the Republic of Lithuania abroad. Such agreements are concluded with Latvia, Estonia, Poland and Hungary that represent Lithuania in providing consular assistance to Lithuanian citizens in the following foreign countries:

- Poland represents Lithuania in Algeria, Morocco and Tunisia;
- Hungary represents Lithuania in Chile, Indonesia, Iran, Jordan, United Arab Emirates, Montenegro, Cuba, Lebanon, Macedonia, Pakistan, South Africa, Saudi Arabia, Serbia, Singapore, Syria, Thailand, Taiwan and Vietnam;
- Latvia represents Lithuania in Uzbekistan;
- Estonia represents Lithuania in Australia.

3. CONSULAR FUNCTIONS THAT ARE EXECUTED ONLY BY THE CONSULAR OFFICERS OF THE LITHUANIAN REPRESENTATIONS

This section of the publication provides information about consular functions that can be executed only by the consular officials working in the Lithuanian Representations who have access to specialized databases, systems and state registries. Honorary Consuls are recommended to familiarise with this information and provide it to the Lithuanian citizens inquiring about related issues. Honorary Consular Officers are forbidden to carry out consular functions listed in this section.

3.1. Admission and transfer of applications for citizenship of the Republic of Lithuania

People living in foreign countries can submit applications regarding the citizenship of the Republic of Lithuania using one of the following ways:

- in person or by their authorized representative upon arrival at the Lithuanian Representation;
- in person or by their authorized representative upon arrival at the Migration Department under the Ministry of the Interior of the Republic of Lithuania;
- by registered mail sent to the Migration Department under the Ministry of the Interior of the Republic of Lithuania.

The Law on Citizenship of the Republic of Lithuania of 1 April 2011 provides only a few cases when the citizens of the Republic of Lithuania may also have a citizenship of another country. Information about Lithuanian citizenship and documents to be submitted when applying for the citizenship of the Republic of Lithuania is presented on the website: <http://keliauk.urm.lt/pilietybe>.

3.2. Applications for issuance or replacement of personal identity cards and passports of the Republic of Lithuania

The personal identity card and passport of the Republic of Lithuania is a personal document of a citizen of the Republic of Lithuania confirming his identity and citizenship of the Republic of Lithuania.

The personal identity card is intended to be used in the Republic of Lithuania and may also be used for travelling to foreign countries that recognize the personal identity card as a travel document.

The passport is intended for travelling to foreign countries and may also be used in the Republic of Lithuania.

The personal identity card and passport issued by the Republic of Lithuania are biometric; therefore when submitting applications for the issuance or replacement of these documents, citizen's fingerprints are scanned.

A person can submit application for the issuance/replacement of the personal identity card or passport in the following ways:

- in person upon arrival at the Representation;
- in person upon arrival at the chosen Migration Service in Lithuania.

A personal identity card or passport for a citizen under 16 years of age shall be issued or replaced on the application of one of the parents. When submitting applications for the issuance of a personal document for a minor under the age of one, his appearance at the authorised institution or Representation shall not be obligatory.

Detailed information on the procedure regarding issuance of personal identity cards and passports of the Republic of Lithuania as well as documents that have to be submitted is available on the website <http://keli auk.urm.lt/pasai> and on the websites of Lithuanian Representations.

3.3. Inclusion of civil status records into registers and registration of civil status records in Diplomatic Representations

Citizens of the Republic of Lithuania are required to include into registers of Lithuania births of children, concluded marriages and divorces that took place in a foreign country. The deaths of Lithuanian citizens who died abroad are also to be included into the registers in Lithuania.

The application and documents for inclusion of civil status records into the registers in Lithuania may be submitted by a citizen of Lithuania:

- in person or by an authorized person upon arrival at the civil registry office in Lithuania;
- in person or by an authorized person upon arrival at the Lithuanian Representation;
- using the Electronic Registry Service Information System MEPIS – <https://mepis.vrm.lt/web/mepis/elektronines-paslaugos>.

Documents sent by mail are not accepted.

Detailed information on the inclusion of civil status records into the registers is published on the website <http://keli auk.urm.lt/cms> and on the websites of Lithuanian Representations.

Consular officers working at Representations shall register the following civil status records:

- birth of children whose both parents or one of them is a citizen of the Republic of Lithuania;
- marriage of citizens of the Republic of Lithuania;
- death of citizens of the Republic of Lithuania.

The Representations register the civil status records in cases when they have not been registered in a foreign country yet.

Detailed information on the registration of civil status records is published on the website: <http://keli auk.urm.lt/cms> and on the websites of Lithuanian Representations.

3.4. Legalization of documents and certification with an Apostille

Legalization of documents or certification with an *Apostille* is the official certification that a signature, seal and duties of the undersigned individual on a document are genuine. Legalization is necessary to allow documents issued in one country to be accepted and used by institutions of other

countries. This means that the state legalizing a document certifies that the document is issued by its competent authority or officer and is official in that country. Only official documents can be legalized.

If the document is issued and is intended to be used in the Member States of the 1961 Hague Convention abolishing the requirement of legalization for foreign public documents, such document has to be certified with an *Apostille* in the country of origin. The list of Member States of Hague Convention is published on the website: <http://keliauk.urm.lt/legalizavimas/Hagoskonvencija>

Legalization of a document is an integrate procedure, when the approval is primarily implemented by the state of origin, and then by a competent authority of the country where the document is submitted to.

The Honorary Consul should find out which authority in the country of his residence is competent to legalize the documents or to certify them with an *Apostille* and provide this information to enquirers.

Persons can contact the Consular Department of the Ministry or the Representation regarding legalization and certification with an *Apostille* of documents issued in Lithuania.

Detailed information about legalization of documents and certification with an *Apostille* is published on the website <http://keliauk.urm.lt/legalizavimas>.

3.5. Performance of notarial acts

Notarial acts as well as the legalization of documents, is a very important consular function causing legal consequences. In Lithuania notarial acts can be performed only by notaries, but there are some notarial acts that could be performed to Lithuanian citizens by consular officers. The list of such officers is provided to the Lithuanian Chamber of Notaries. Lithuanian institutions accept only those documents that were notarised by officers that are on that list.

The citizens of the Republic of Lithuania who apply for execution of notarial acts (for power of attorney, wills, authentication of signatures, copies, etc.), should be offered to contact a local notary public or the Representation of the Republic of Lithuania.

Notaries perform notarial acts to persons irrespective of citizenship of applicants. It is not advisable to recommend the citizens a particular notary public, rather to have a list of notaries working in the district of the Honorary Consul or give a reference to the local authority executing the function of the notaries' chamber.

Only the documents or notarial acts that are confirmed by a notary public of a foreign country and certified with an *Apostille* or legalized according to the procedures stipulated in the foreign country and translated into the Lithuanian language will be accepted in Lithuania. It is advisable to recommend a national to consult with the notary in Lithuania and, if possible, to obtain an example of a notarial document (e.g. authorisation) from a Lithuanian notary so that the notarial act composed by a foreign notary public conformed to the form required in Lithuania and no problems would occur with regard to its usage.

3.6. Document request

Lithuanian citizens can apply to a Lithuanian Representation regarding the request for documents from Lithuanian authorities. Lithuanian Representations do not mediate the citizens of foreign countries regarding the request for documents (except when the request for the document from the archive is submitted along with an application for citizenship of the Republic of Lithuania).

3.6.1. Request for conviction (non-conviction) certificates

Requests for issuance of a certificate or an extract from the Register of Suspects, Accused and Convicts can be submitted to the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania as follows:

- the applicant or his/her representative can apply (in person, by mail or by courier) to the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania;
- electronically (online), using public e-services portal “E-government gateway” at <https://www.epaslaugos.lt/portal/login>;
- in person or by mail through the Representation.

More information on the issuance of certificates from the Register of Suspects, Accused and Convicts, application forms and submission procedures can be found on the website <http://www.ird.lt> or by applying directly to the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (e-mail: ird@vrm.lt, tel. +370 5 271 7177; +370 5 271 8921).

Information about requests for certificates through Representations is published at <http://keliauk.urm.lt/pazymos>.

3.6.2. Request for certificates of marital status

When submitting applications for registration of marriage in foreign countries it is necessary to submit a certificate of marital status.

Applications for the issuance of certificates of marital status can be submitted:

- in person at the civil Registry Office in Lithuania;
- in person or by post at the Representation.

Detailed information on request of certificates of marital status is published at <https://mepis.vrm.lt/paslaugos>.

3.6.3. Request for documents from the archives

Individuals who are looking for the documents of their Lithuanian origin, data on real estate in Lithuania and other archival documents of the Republic of Lithuania, can directly submit requests to the Lithuanian archives by e-mail, fax or post:

Lithuanian State Historical Archives

Address: Gerosios Vilties g. 10,
LT - 03134 Vilnius, Lithuania
Tel. +370 5 213 7482
Fax. +370 5 278 4369
E-mail: istorijos.archyvas@lvia.lt

Lithuanian Central State Archives

Address: O. Milašiaus g. 21,
LT - 10102 Vilnius, Lithuania
Tel. +370 5 247 7830
Fax. +370 5 276 5318
E-mail: lcva@archyvai.lt

Lithuanian Special Archives

Address: Gedimino pr. 40/1,
LT - 01110 Vilnius, Lithuania
Tel. +370 5 251 9024
Fax. +370 5 251 4211
E-mail: lya@archyvai.lt

More information about the documents issued by the archives of the Republic of Lithuania, application forms and submission procedures can be found on the website: <http://www.archyvai.lt>.

Representations also mediate regarding the request for other documents from the authorities of the Republic of Lithuania.

3.7. Issuance of consular certificates

A citizen can address a Lithuanian Representation regarding the issuance of consular certificates. Requests for the issuance of consular certificates can be submitted to Lithuanian Representations by mail.

Lithuanian diplomatic missions and consular posts can issue the following consular certificates:

- of a person's marital status;
- of possession of citizenship of the Republic of Lithuania;
- of the initiated pre-trial investigation or previous convictions;
- replacing a lost vehicle registration certificate;
- replacing a lost driver's license;
- of the person's place of residence in the Republic of Lithuania;
- that the document confirming the identity and citizenship of the Republic of Lithuania was returned to the diplomatic mission or consular post of the Republic of Lithuania;
- that the request of a person who contacted the Representation could not be satisfied;
- that the documents were submitted to the Representation;
- other consular certificates whose issuance does not breach the legislative acts of the Republic of Lithuania.

Detailed information on the procedures for issuance of consular certificates is available on the website <http://keliauk.urm.lt/pazymos>.

3.8. Declaration of the place of residence

A person leaving the Republic of Lithuania for more than six months must declare his/her departure from Lithuania. This must be done by the person prior to his/her departure from Lithuania at the municipality that provides services on the municipal territory, where a person lives in Lithuania. In case of failure to declare the departure from Lithuania before leaving the country, it is possible to submit the declaration of the place of residence, which is filled in if a person leaves Lithuania for a period longer than six months, while staying abroad.

The declarations of the place of residence can be submitted:

- at the Representation (only in person);
- using public e-services portal www.epaslaugos.lt.

Detailed information on the declaration of the place of residence is published on the website <http://keliauk.urm.lt/deklaravimas>.

3.9. Issuance of visas and equal documents

3.9.1. The Schengen area

Lithuania is one of the countries that belong to the Schengen area. Schengen or the Schengen area is the territory of the states that have signed the Schengen Agreement. A particularity of the Schengen area is that although the external borders of this area are guarded with great care, control on internal ones is removed completely.

Currently, the Schengen area is composed of 26 Member States: Austria, Belgium, Denmark, Greece, Spain, Italy, Luxembourg, Liechtenstein, the Netherlands, Portugal, France, Finland, Sweden, Germany, Lithuania, Latvia, the Czech Republic, Estonia, Poland, Malta, Slovakia, Hungary, Slovenia, Iceland, Norway and Switzerland.

The European Union countries: Ireland and the United Kingdom do not belong to the Schengen group. The United Kingdom and Ireland still keep control on the borders with other European Union Member States. Bulgaria and Romania are not Schengen States yet, but they plan to join the Schengen area in the near future.

The Schengen Agreement allows the abolishing of control of internal borders of the Schengen Member States, sets common rules for the control of external borders, prescribes a common visa policy.

3.9.2. Common visa policy

The countries of the Schengen Agreement apply a common visa policy. A common visa is used in the Schengen. This means that a person wishing to travel anywhere in the Schengen area needs to get only one visa. From the first day of the membership in the Schengen all Lithuanian visa offices issue Schengen visas.

Lithuania, as well as other Schengen states issue common short-stay visas that allow travelling in the Schengen area, and the foreigners who have already got visas issued by other

Schengen partners, can stay in the Schengen area, including Lithuania, for a validity period indicated in the visa.

Schengen countries apply common visa issuance practice, taking into account each other's interests, uniform requirements for the documents to be submitted, and take the same fee for review of visa application. Therefore, a visa issued in one Schengen Member State is valid in other Member States. This is especially useful for citizens of third countries who intend to visit several Schengen Member States.

Citizens of third countries shall apply to the representation of the state to which they intend to travel. If they intend to visit several Schengen states, they must apply to the representation of the state that is the main destination. If they intend to visit several Schengen states and it is not possible to determine which state is the main destination, they should apply to the representation of the Member State that will be visited first.

Foreign citizens who need a visa when travelling to the Schengen area, and whose main destination is the Republic of Lithuania, shall apply to the Representation regarding the Schengen visa. In some foreign countries where Lithuania does not have diplomatic missions, Lithuania is represented by other diplomatic representations of European Union countries in issuing Schengen visas. Lithuania has concluded agreements on representation in issuing Schengen visas with 14 European Union countries.

The list of foreign visa offices representing the Republic of Lithuania in issuing Schengen visas can be found on the webpage: <http://keli auk.urm.lt/Atstovavimas>.

If a foreign citizen who needs a visa to enter the Schengen area and whose main destination is Lithuania, addresses the Honorary Consul, the Honorary Consul shall advise this person to contact the Lithuanian Representation or the diplomatic representation of the European Union Member State that represents Lithuania in the issuance of Schengen visas in the state of residence of the Honorary Consul.

Foreign citizens subject to a visa-free regime or who already have a Schengen visa may enter and travel in the territory of the member states that apply all the Schengen provisions not longer than 90 days in any period of 180 days, if upon arrival they meet all the requirements stated within the Schengen Acquis:

- possess a valid travel document and, if required, a Schengen visa;
- can justify the purpose of their visit;
- can prove that they have sufficient financial means for the stay and return to their country;
- are not included into the Schengen Information System, as persons for whom an alert has been issued for the purposes of refusing entry, or persons who are considered to be a threat to public policy, or national security of any Schengen state.

Foreign citizens intending to stay in Lithuania for more than 90 days must obtain a long-term (D category) national visa or a residence permit. If a foreign citizen who intends to stay in Lithuania for more than 90 days and needs a long-term (D visa) or residence permit addresses the Honorary Consul, then the Honorary Consul shall recommend this person to directly address the Lithuanian Representation.

The list of countries whose citizens can go to the Republic of Lithuania without a visa is given on the website: <http://keli auk.urm.lt/vizos>.

The list of countries to which the citizens of the Republic of Lithuania may travel without a visa is published on website: <http://keliauk.urm.lt/vizos>.

Detailed information on visa issues is available on the website: <http://keliauk.urm.lt/vizos>.

3.10. Admission of requests for Temporary Residence Permits in Lithuania

A temporary residence permit in the Republic of Lithuania is a document granting an alien the right to temporary reside in the Republic of Lithuania for a period specified in the permit.

A temporary residence permit in the Republic of Lithuania is issued to an alien who is a citizen of a non-European Union Member State. It is usually issued for a period of one year, though it may also be issued for a shorter period. In respect of persons of the Lithuanian descent and the aliens who have retained the right to the citizenship of the Republic of Lithuania, the temporary residence permit is issued for a period of five years.

If an alien intends to stay in Lithuania for more than 90 days in a 180-day period or work, or study, or engage in other lawful activities in Lithuania, he/she must apply for a temporary residence permit in Lithuania.

A temporary residence permit may be issued to an alien if:

- the alien has retained the right to the citizenship of the Republic of Lithuania;
- it is a case of family reunification;
- the alien intends to take up employment in the Republic of Lithuania;
- the alien intends to engage in lawful activities in the Republic of Lithuania;
- the alien intends to study in the Republic of Lithuania;
- the alien has been taken into guardianship/curatorship or has been appointed guardian/curator;
- the alien is or was a victim of trafficking in human beings and cooperates with the pre-trial investigation bodies or the court in combating trafficking in human beings or crimes related to trafficking in human beings;
- the alien intends to conduct scientific research in the Republic of Lithuania.

An alien can submit an application for the issuance of an initial temporary residence permit and other documents to any Lithuanian Representation abroad, and an alien who is lawfully staying in the Republic of Lithuania - to a Migration Service in the territory of which he intends to reside.

Applications for temporary residence permits in Lithuania received by mail are not accepted.

Detailed information on the issuance procedures of the temporary residence permits in Lithuania and documents to be submitted is published on the website of the Migration Department under the Lithuanian Ministry of the Interior: <http://www.migracija.lt>. Information in English: <http://www.migracija.lt/index.php?893302090>.

3.11. Admission of requests for Permanent Residence Permits in Lithuania

Permanent residence permit is a document entitling an alien to reside in the Republic of Lithuania and certifying the foreigner's permanent resident status.

An alien may be issued a permanent residence permit if:

- the alien has retained the right to citizenship of the Republic of Lithuania according to the procedure established by the Republic of Lithuania Law on Citizenship;
- the alien is a person of Lithuanian descent;
- the alien has entered the Republic of Lithuania for residence together with a citizen of the Republic of Lithuania as his/her family member;
- the alien has lost citizenship of the Republic of Lithuania but resides in the Republic of Lithuania;
- the alien is a child under the age of 18, born in the Republic of Lithuania, and his/her parents or one of the parents are citizens of the Republic of Lithuania whose place of residence has been declared in the Republic of Lithuania or who holds a permanent residence permit;
- the alien is a child under the age of 18 born outside the Republic of Lithuania and his/her parents or one of the parents are citizens of the Republic of Lithuania whose place of residence has been declared in the Republic of Lithuania or who holds a permanent residence permit;
- the alien has been granted refugee status in the Republic of Lithuania;
- the alien has been residing in the Republic of Lithuania uninterruptedly for the last 5 years holding a temporary residence permit in the Republic of Lithuania (the foreigner has to pass an examination in the state language and in the basic principles of the Constitution of the Republic of Lithuania according to the procedure established by the Government of the Republic of Lithuania);
- the alien submits the judgement certifying the juridical fact that the alien resided in the Republic of Lithuania until the 1 July 1993 and is residing in the Republic of Lithuania at the moment.

The application and documents for a permanent residence permit in Lithuania are to be submitted to the Migration Department under the Ministry of the Interior of the Republic of Lithuania, either directly or through a Migration Division of a Territorial Police Office, in whose service area an alien has declared or intends to declare a place of residence or is registered as a person without a place of residence.

Detailed information on the procedure for issuing permanent residence permits in Lithuania and the documents to be submitted is published on the website of the Migration Department under the Ministry of the Interior of the Republic of Lithuania: <http://www.migracija.lt>. Information in English: <http://www.migracija.lt/index.php?-1515816950>.