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Pathways to
citizenship for third-
country nationals
in the Republic of
Lithuania

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EMN STUDY

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SUMMARY

Acquisition of citizenship through naturalisation. Law of the Republic of Lithuania on Citizenship (hereinafter referred to as the Law on Citizenship) provides for six ways of acquiring citizenship of the Republic of Lithuania: by birth, through naturalisation, under the simplified procedure, by way of exception, by having citizenship of the Republic of Lithuania restored and on the grounds established by international treaties. The subject of this study is third-country nationals who acquire citizenship of the Republic of Lithuania through naturalisation. In Lithuania, the number of persons who acquire citizenship of the Republic of Lithuania through naturalisation is small and makes up approximately 160-180 persons every year, which is tenfold smaller if compared to reinstatement of citizenship of the Republic of Lithuania. For example, in 2018 the percentage of those who acquired citizenship of the Republic of Lithuania through naturalisation was 9 % of the total number of persons who acquired citizenship of the Republic of Lithuania. Citizenship of the Republic of Lithuania was most often granted through naturalisation to stateless persons and citizens of the Russian Federation and Belarus. The majority of those who have acquired citizenship of the Republic of Lithuania through naturalisation are persons applying by virtue of marriage, i.e., having resided in the Republic of Lithuania for seven years together with the spouse who is a citizen of the Republic of Lithuania. Another large group comprises those who have been legally resident in Lithuania for ten years and meet other requirements of the Law on Citizenship.

Historical context. The Republic of Lithuania regained its independence on the 11th of March 1990. From 15 June 1940 until 11 March 1990, Lithuania was occupied. During the occupation, a part of the Lithuanian population was deported or left the occupied country themselves. The Law on Citizenship has granted a relatively liberal right to the persons who were deported or left the country and who, during this period, held citizenship of the Republic of Lithuania, to their children, grandchildren and great-grandchildren to have their citizenship of the Republic of Lithuania reinstated, irrespective of the state of their permanent residence. They do not need to meet the general requirements provided for by the Law. These persons also have the exclusive right to hold citizenship of both the Republic of Lithuania and another state (the persons who have acquired citizenship through naturalisation do not have such a right). Therefore, in Lithuania, the majority of applications are lodged by third-country nationals who are descendents of citizens of the Republic of Lithuania who were deported or left the country during Soviet occupation and apply for the reinstatement of citizenship of the Republic of Lithuania. Although the majority of applications are lodged for the reinstatement of citizenship, these individuals do not fall within the scope of this study and will not be considered in greater detail.

Naturalisation requirements. Acquisition of citizenship of the Republic of Lithuania through naturalisation is a lengthy process. A person applying for citizenship of the Republic of Lithuania through naturalisation must submit the documents confirming that he/she has been legally resident in the Republic of Lithuania for the last ten years (seven years if a person is married to a citizen of the Republic of Lithuania or five years if a person is stateless); has the right of permanent residence in the Republic of Lithuania; has passed an examination in the state language and in the fundamentals of the Constitution of the Republic of Lithuania; has legal means of subsistence; is a stateless person or declares in writing his/her will to renounce his/her citizenship of another state after he/she is granted citizenship of the Republic of Lithuania; there are no circumstances under which citizenship cannot be granted (e.g., a person was involved in international crimes or committed other grave crimes). It is also important to mention that after granting citizenship of the Republic of Lithuania by a decree of the President, the person must, within two years, renounce his/her citizenship of another state and take an oath of allegiance to the Republic of Lithuania. Only a person who has taken an oath of allegiance to the Republic of Lithuania may become a citizen of the Republic of Lithuania. Foreigners' applications for granting citizenship of the Republic of Lithuania through naturalisation are mostly rejected when they fail to submit all necessary documents (e.g., the documents proving means of subsistence, permanent residence in Lithuania).

Principles of acquisition of citizenship. In Lithuania, citizenship is acquired according to the *ius sanguinis principle* (by blood) (at birth, when one of the parents is a citizen of the Republic of Lithuania). The *ius soli principle* (by the right of the soil) applies only in exceptional cases (e.g., to children whose parents are unknown and who are born or found on the territory of Lithuania). The Constitution of the Republic of Lithuania stipulates the principle of prohibition of dual citizenship, which means that a citizen of the Republic of Lithuania cannot be a citizen of both Lithuania and another state, except for the rare exceptions provided for in the Law on Citizenship. In order to acquire citizenship of the Republic of Lithuania through naturalisation, a foreigner must renounce the citizenship held by him/her, while a citizen of the Republic of Lithuania, having acquired the citizenship of another state, loses citizenship of the Republic of Lithuania. In 2018, 982 persons lost citizenship of the Republic of Lithuania after acquiring citizenship of another state, 20 persons renounced citizenship of the Republic of Lithuania, and in 2017 – 720 persons lost citizenship of the Republic of Lithuania and 38 persons renounced citizenship of the Republic of Lithuania. Those acquiring citizenship through naturalisation are subject to the principle of integration (a person must have been legally resident in Lithuania for the specified number of years, must have passed an examination in the state language and in the fundamentals of the Constitution of the Republic of Lithuania) and the principle of good conduct (a person may not have been punished for crimes against humanity, other serious and grave crimes).

Main legal instruments. The main legal instruments regulating the issues of citizenship of the Republic of Lithuania are the Constitution of the Republic of Lithuania adopted in the Referendum of 25 October 1992 and the Law of the Republic of Lithuania on Citizenship of 2 December 2010, which establishes a procedure of the acquisition and loss of citizenship of the Republic of Lithuania.

Authorities. The main institutions involved in the procedures of granting citizenship of the Republic of Lithuania are the Migration Department under the Ministry of the Interior of the Republic of Lithuania (accepts applications for citizenship of the Republic of Lithuania, submits draft decisions concerning reinstatement/loss of citizenship of the Republic of Lithuania, submits documents to the Citizenship Commission of the Republic of Lithuania); the Citizenship Commission (considers/evaluates applications and assists the President of the Republic in deciding citizenship issues); the President of the Republic of Lithuania (takes decisions on the granting/refusal of the granting of citizenship of the Republic of Lithuania); the Minister of the Interior (co-signs decrees of the President of the Republic of Lithuania on citizenship of the Republic of Lithuania and takes decisions on the reinstatement/refusal of the reinstatement of citizenship of the Republic of Lithuania, also takes decisions regarding the loss of citizenship of the Republic of Lithuania).

Debate. There is little debate in Lithuania about the acquisition of citizenship of the Republic of Lithuania through naturalisation. Most of the debate in recent years has focused not on foreigners acquiring citizenship of the Republic of Lithuania, but on citizens of the Republic of Lithuania who acquire citizenship of another state and cannot retain citizenship of the Republic of Lithuania, as the principle of prohibition of dual citizenship applies in Lithuania.

1.

Legal and policy overview

Q1. With reference to international law, is Lithuania a party to the:

a) 1961 UN Convention on the Reduction of Statelessness?

Yes

The 1961 UN Convention on the Reduction of Statelessness was ratified in Lithuania on 9 May 2013 by Law No XII-268 and entered into force on 13 October 2013.

No

b) 1997 European Convention on Nationality?

Yes

No

There was no public debate on acceding the 1997 European Convention on Nationality. It is noteworthy that the provisions and concepts of the Convention are often mentioned both in court judgments, rulings of the Constitutional Court of the Republic of Lithuania, interpretations of various legal acts related to citizenship or in discussions.

Q2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in Lithuania? For example, is the acquisition of citizenship laid out in the constitution?

The main legal instruments regulating the issues of citizenship of the Republic of Lithuania are as follows:

The Constitution of the Republic of Lithuania adopted in the Referendum of 25 October 1992 (came into force on 2 November 1992). The provisions of the Constitution related to citizenship of the Republic of Lithuania are enshrined in the first major part of the Constitution "The State of Lithuania". Article 12 of the Constitution establishes that citizenship of the Republic of Lithuania is acquired by birth and on other grounds established by law. Article 12 of the Constitution also stipulates the principle of prohibition of dual (multiple) citizenship: "With the exception of individual cases provided for by law, no one may be a citizen of both the Republic of Lithuania and another state at the same time". Article 12 of the Constitution establishes that the procedure for the acquisition and loss of citizenship is established by law.

The Law of the Republic of Lithuania on Citizenship (No XI-1196) of 2 December 2010, which came into force on 1 April 2011 (the current version valid as of 1 May 2019). The Law determines on what grounds and under what conditions citizenship of the Republic of Lithuania may be acquired by citizens of other states and establishes a procedure for the loss of citizenship of the Republic of Lithuania.

Resolution No 280 of the Government of the Republic of Lithuania of 3 April 2013 on the Approval of the Description of the Procedure for Preparing Documents Relating to Citizenship of the Republic of Lithuania (the current version, as approved by Resolution No 633 of the Government of the Republic of Lithuania of 26 June 2019, entered into force on 11 July 2019). The Description

of the Procedure regulates a procedure for the lodging and consideration of applications for the granting of citizenship of the Republic of Lithuania, i.e., the Description of the Procedure specifies to which authorities and in what manner an applicant may submit documents, time limits for considering the applications for the granting of citizenship of the Republic of Lithuania, when the applications are not accepted, when the consideration of the applications may be terminated, which documents must be translated and legalised or certified by an Apostille.

Q3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in Lithuania undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship? If yes, what have been the main drivers for the change (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.)?

Yes

No

The legal regulation of citizenship of the Republic of Lithuania regarding naturalisation has not changed significantly in the past five years.

Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of Lithuania in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).

Yes

No

There has recently been no discussion concerning the third-country nationals acquiring citizenship of the Republic of Lithuania through naturalisation.

However, it is important to note that there has been much debate on the possibility of legitimising dual (multiple) citizenship. The Seimas of the Republic of Lithuania referred to the Constitutional Court of the Republic of Lithuania for interpretation of the statements regarding the possibilities of citizens of the Republic of Lithuania to be citizens of another state at the same time. Members of the Seimas based their arguments on the provision that socio-demographic changes led to a review of the restriction concerning dual (multiple) citizenship and that the Seimas should have the power to stipulate in the Law on Citizenship when a person could hold dual citizenship. One of the proposals was to allow the citizens of the Republic of Lithuania who had acquired citizenship

of a Member State of the European Union (EU) or a Member State of the North Atlantic Treaty Organization (NATO) to hold dual citizenship. In its ruling of 20 October 2017, the Constitutional Court stated that the provision of Article 12 that a person may be a citizen of both the Republic of Lithuania and another state at the same time only in individual cases provided for by law means that such cases, as provided for by law, may only be very rare (isolated). The Court held that unless amendments to Article 12 of the Constitution requiring a referendum are made, the circle of subjects of dual citizenship cannot be expanded by law so that dual citizenship becomes a widespread phenomenon, rather than isolated, extremely rare exceptions. A referendum on amendment of the provisions of the Constitution concerning dual citizenship was held on 2 May 2019. Although the majority of those who took part in the referendum were in favour of the amendment to the constitutional provisions, the provisions of the Constitution concerning citizenship will not be amended due to the insufficient number of voters (over 50% of all voters were supposed to have participated in the referendum).

Q5. From a legal perspective, is there a distinction between nationality and citizenship in Lithuania? If so, what are the differences?

Yes

These two terms are defined as follows:

Citizenship of the Republic of Lithuania is a person's permanent legal relationship with the Republic of Lithuania based on mutual rights and responsibilities (point 8 of Article 2 of the Law of the Republic of Lithuania on Citizenship)

Nationality is attribution to an ethnic group that does not necessarily depend on citizenship.

For citizens of the Republic of Lithuania, citizenship of the Republic of Lithuania is entered in their passports on a compulsory basis, whereas nationality – if a person so requests.

No

Q6. Is the acquisition of citizenship in Lithuania based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles?

Ius sanguinis

Article 5 of the Law on Citizenship stipulates that citizens of the Republic of Lithuania are persons a) who are citizens of the Republic of Lithuania on the date of the entry into force of the Law; b) who have reinstated citizenship of the Republic of Lithuania (applicable to the persons who held citizenship of the Republic of Lithuania before 15 June 1940 and to their descendants); c) who have acquired citizenship of the Republic of Lithuania (through naturalisation and by other means), as well as d) who have retained citizenship of the Republic of Lithuania (when a citizen of the Republic of Lithuania acquires the citizenship of another state, but retains citizenship of

the Republic of Lithuania for outstanding merits by a decision of the President of the Republic). Article 13 of the Law on Citizenship provides for six ways of acquisition of citizenship of the Republic of Lithuania: by birth, through naturalisation, under the simplified procedure, by way of exception, on having citizenship of the Republic of Lithuania restored and on the grounds established by international treaties.

Citizenship of the Republic of Lithuania is based on the *ius sanguinis* principle, i.e., citizenship of the Republic of Lithuania is acquired at birth when a child's parents, or one of the parents, are citizens of the Republic of Lithuania.

The Law on citizenship provides for the application of the *ius sanguinis* principle also in the cases when a child is born outside the territory of Lithuania or when a child is adopted if one of the parents is a citizen of the Republic of Lithuania:

- A child both of whose parents or one of them are citizens of the Republic of Lithuania acquires citizenship of the Republic of Lithuania by birth, irrespective of whether he/she was born in or outside the territory of the Republic of Lithuania (Article 14 of the Law of the Republic of Lithuania on Citizenship).
- A child at least one of whose parents was a citizen of the Republic of Lithuania but died before the child was born acquires citizenship of the Republic of Lithuania by birth, irrespective of whether he/she was born in or outside the territory of the Republic of Lithuania (Article 14 of the Law of the Republic of Lithuania on Citizenship).
- A child adopted by citizens of the Republic of Lithuania acquires citizenship of the Republic of Lithuania.

The Citizenship of a child whose parents are stateless persons: the child of stateless persons who are legally permanently resident in the Republic of Lithuania is a citizen of the Republic of Lithuania, whether born in or outside the territory of the Republic of Lithuania, provided he/she has not acquired citizenship of another state at birth; a child whose one parent is a stateless person who is legally permanently resident in the Republic of Lithuania and the other parent is unknown is a citizen of the Republic of Lithuania, whether born in or outside the territory of the Republic of Lithuania, provided he/she has not acquired citizenship of another state at birth (Article 15 of the Law of the Republic of Lithuania on Citizenship).

The Law on Citizenship provides for certain exceptions, when the *ius soli* principle applies:

- *Citizenship of a child whose parents are unknown:* a child found or living in the territory of the Republic of Lithuania, both of whose parents are unknown, is considered to be born in the territory of the Republic of Lithuania and acquires citizenship of the Republic of Lithuania, unless it transpires that the child has acquired citizenship of another state or other circumstances are discovered, by reason of which the child would acquire citizenship of another state. This provision also applies to a child where both of his/her parents or his/her only parent are dead or recognised as missing, or both of his/her parents or his/her only parent have been recognised as legally incapable in accordance with the established procedure, or where the parental powers of both of his/her parents or his/her only parent have been indefinitely restricted and the child has

been placed under permanent guardianship/curatorship (Article 16 of the Law of the Republic of Lithuania on Citizenship).

Ius soli. Please explain:

- Unconditional *ius soli*
- Conditional *ius soli*¹
- Automatic double *ius soli*²
- Conditional double *ius soli*³
- Mixed *ius soli* and *sanguinis*
- Other

Q7. In which modes can third-country nationals acquire the citizenship of Lithuania?

By ordinary naturalisation

Article 18 of the Law of the Republic of Lithuania on Citizenship establishes a procedure for granting citizenship of the Republic of Lithuania **through naturalisation**. In order to obtain citizenship of the Republic of Lithuania through naturalisation, a person must meet the following conditions:

1. he has been legally permanently resident in the Republic of Lithuania for the last ten years;
2. at the time of lodging an application for the granting of citizenship of the Republic of Lithuania and taking a decision regarding the granting of citizenship of the Republic of Lithuania, he/she has the right of permanent residence in the Republic of Lithuania;
3. he has passed an examination in the state language;
4. he has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania;
5. he has legal means of subsistence;
6. he is a stateless person or a citizen of a state under the law of which he/she loses citizenship of that state on acquiring citizenship of the Republic of Lithuania, or expresses in writing his/her will to renounce his/her citizenship of another state after he/she is granted citizenship of the Republic of Lithuania;
7. there are no circumstances, as specified in the Law on Citizenship, by reason of which citizenship may not be granted.

¹ This means that certain conditions have to be fulfilled, e.g. minimum period of residence in the country of the parents.

² This means that children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country.

³ This means that children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

In order to reduce the number of stateless persons and in implementing the provisions of the 1961 UN Convention on the Reduction of Statelessness, the Law provides for reduced requirements in respect of these persons. Article 18 of the Law establishes that citizenship of the Republic of Lithuania may be granted to a stateless person born in the territory of the Republic of Lithuania if he/she:

1. has been legally permanently resident in the Republic of Lithuania for the last five years;
2. has not acquired citizenship of another state;
3. has the right of residence in the Republic of Lithuania at the time of lodging an application for the granting of citizenship of the Republic of Lithuania and taking a decision regarding the granting of citizenship of the Republic of Lithuania;
4. has passed an examination in the state language;
5. has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania;
6. has legal means of subsistence;
7. there are no circumstances, as specified in the Law of the Republic of Lithuania on Citizenship, by reason of which citizenship may not be granted.

Reduced naturalisation requirements also apply to the persons who are married to a citizen of the Republic of Lithuania. In order to acquire citizenship of the Republic of Lithuania through naturalisation, a person:

- a) must be married to a citizen of the Republic of Lithuania and be legally permanently residing together with his/her spouse in the Republic of Lithuania for the *last seven years*, **or**
- b) must have been legally permanently resident in the Republic of Lithuania for the last *five years* and lived in the Republic of Lithuania for over a year while being married to a citizen of the Republic of Lithuania who later died, **or**
- c) must be married to a citizen of the Republic of Lithuania who is a deportee, political prisoner or their child born in exile and be legally permanently residing in the Republic of Lithuania together with his/her spouse, who is a citizen of the Republic of Lithuania, for the last *five years*.

A person indicated in a) – c) situation must meet the following conditions:

1. he/she has the right of permanent residence in the Republic of Lithuania at the time of lodging an application for the granting of citizenship of the Republic of Lithuania and taking a decision regarding the granting of citizenship of the Republic of Lithuania;
2. he/she has passed an examination in the state language;
3. he/she has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania;
4. he/she is a stateless person or a citizen of a state under the law of which he/she loses citizenship of that state on acquiring citizenship of the Republic of Lithuania, or expresses in writing his/her will to renounce his/her citizenship of another state after he/she is granted

citizenship of the Republic of Lithuania;

5. there are no circumstances, as specified in the Law of the Republic of Lithuania on Citizenship, by reason of which citizenship may not be granted.

A person must also submit a criminal record certificate in all cases.

By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme)

The Law on Citizenship also provides for other ways of granting citizenship of the Republic of Lithuania, such as the granting of citizenship under the simplified procedure and the granting of citizenship to persons having outstanding merits without applying naturalisation conditions.

A person may be granted citizenship of the Republic of Lithuania **under the simplified procedure**, i.e., citizenship of the Republic of Lithuania may be granted without applying ordinary naturalisation conditions to a person of Lithuanian descent who has never been a citizen of the Republic of Lithuania. A person of Lithuanian descent is a person whose parents or grandparents or one of the parents or grandparents are or were Lithuanians and who considers himself/herself Lithuanian and declares it by written statement (Article 10 of the Law on Citizenship).

A person may be granted citizenship of the Republic of Lithuania **by way of exception**, i.e., citizenship of the Republic of Lithuania may be granted to a citizen of another state or a stateless person for outstanding merits to the Republic of Lithuania and who had integrated into the Lithuanian society, without applying ordinary naturalisation conditions in respect of him/her (Article 10 of the Law on Citizenship).

Outstanding merits to the State of Lithuania constitute any activities of a citizen of a foreign state or a stateless person which significantly contribute to the consolidation of the statehood of the Republic of Lithuania, as well as to the strengthening of its power and authority in the international community (e.g., achievements in a certain area which promote Lithuania). In order to acquire citizenship of the Republic of Lithuania by way of exception, a person must submit recommendations of citizens of the Republic of Lithuania describing the person's activities which significantly contribute to the consolidation of the statehood of the Republic of Lithuania.

A person is considered as having integrated into the Lithuanian society if he/she is permanently resident in the Republic of Lithuania and is able to communicate in Lithuanian or, where he/she is not permanently resident in the Republic of Lithuania, he/she is able to communicate in Lithuanian and there is any other tangible proof of his/her integration into the Lithuanian society. A decision on whether a person has outstanding merits and has integrated into the Lithuanian society is taken by the Commission of Citizenship of the Republic of Lithuania.

In 2013-2018 two persons were granted Lithuanian citizenship by way of exception.

By declaration/notification

Other (e.g. reinstatement of former citizenship)

Citizenship of the Republic of Lithuania may also be reinstated or restored.

Citizenship of the Republic of Lithuania may be reinstated to persons who held citizenship of the Republic of Lithuania before 15 June 1940 and their descendants, irrespective of whether they are permanently resident in the Republic of Lithuania or in any other state. Citizenship may be reinstated only once (Article 9 of the Law on Citizenship).

The majority of applications for citizenship are lodged by persons applying for the reinstatement of citizenship. The Law on Citizenship has granted to the citizens of the Republic of Lithuania who were deported or left the country during this period, their children, grandchildren and great-grandchildren a liberal right to reinstate citizenship of the Republic of Lithuania without applying general requirements. They also have the right to keep their existing citizenship while acquiring the Lithuanian citizenship

Citizenship of the Republic of Lithuania may also be restored to a person who has lost it. Citizenship may be restored only once, provided the person meets the following conditions:

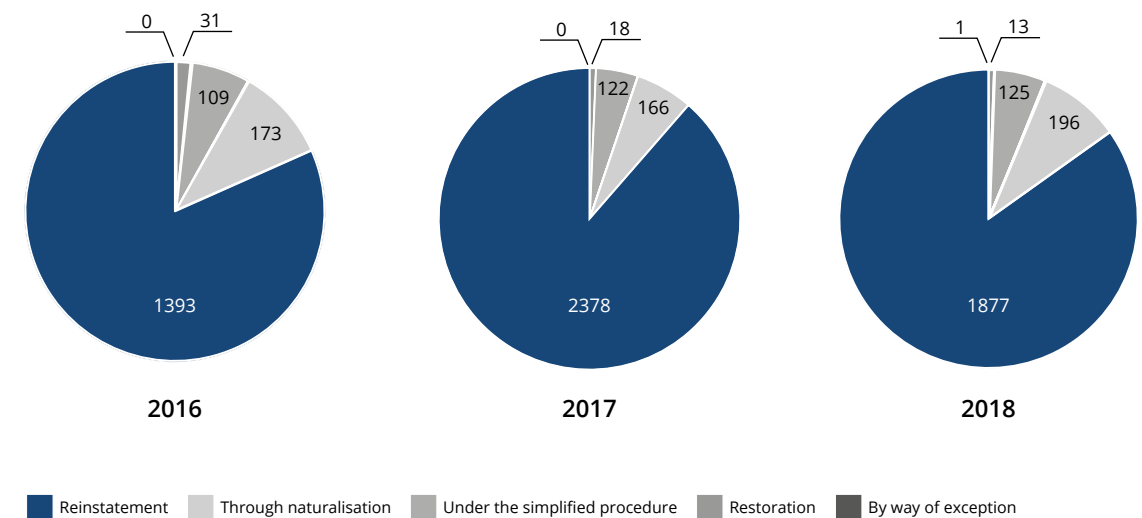
1. he is not a citizen of another state or expresses in writing his/her will to renounce his/her citizenship of another state after he/she has citizenship of the Republic of Lithuania restored;
2. he has been legally permanently resident in the Republic of Lithuania for the last five years;
3. at the time of applying for the restoration of citizenship of the Republic of Lithuania and taking a decision regarding the restoration of citizenship of the Republic of Lithuania, he/she has the right of permanent residence in the Republic of Lithuania;
4. he has legal means of subsistence;
5. there are no circumstances, as specified in the Law of the Republic of Lithuania on Citizenship, by reason of which citizenship may not be restored.

Citizenship of the Republic of Lithuania may also be restored to a person if he/she had acquired citizenship of the Republic of Lithuania before reaching 18 years of age by reason of his/her parents or one of his/her parents acquiring citizenship of the Republic of Lithuania through naturalisation and subsequently losing it. For example, parents acquired citizenship of the Republic of Lithuania through naturalisation, and a child under 14 years of age also acquired citizenship of the Republic of Lithuania, provided he/she was not a citizen of another state. A child between 14 and 18 years of age acquires citizenship of the Republic of Lithuania only with his/her consent, provided he/she is not a citizen of another state.

A person who has acquired citizenship of the Republic of Lithuania by birth, who had citizenship of the Republic of Lithuania reinstated or was granted citizenship of the Republic of Lithuania under the simplified procedure and who subsequently lost it may have citizenship of the Republic of Lithuania restored to him/her, provided he/she is not a citizen of another state. The fact that the person is not a citizen of another state is established by submitting relevant documents proving that he/she is not a citizen of another state: a travel document of a stateless person, a certificate of loss/renunciation of citizenship of another state, a stateless person's residence permit in Lithuania.

Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in Lithuania?

The most common way to acquire the citizenship of the Republic of Lithuania is through reinstatement. Third-country nationals who are descendants of persons who held Lithuanian citizenship until 15 June 1940 usually apply for the reinstatement of citizenship of the Republic of Lithuania. This can be explained by the fact that citizenship of the Republic of Lithuania can be reinstated to descendants of the citizens of the Republic of Lithuania who held citizenship of the Republic of Lithuania until 15 June 1940 (to their children, grandchildren and great-grandchildren). They are not subject to a number of naturalisation requirements (e.g., do not need to pass an examination in the Lithuanian language or in the fundamentals of the Constitution of the Republic of Lithuania, do not have to submit a criminal record certificate, often do not have to renounce their citizenship of another state, as in this case the applicant may hold citizenship of both the Republic of Lithuania and another state if he/she proves that he/she is a person or his/her descendant who was forcibly expelled from the occupied Republic of Lithuania by decisions of institutions or courts of occupation regimes for reasons of resistance to occupation regimes, political or social reasons or reasons of origin (before 11 March 1990) or that the person or his/her descendant left Lithuania before 11 March 1990. This concept excludes the persons who after 15 June 1940 left from the territory of Lithuania to the former territory of the Soviet Union.



2.

Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of Lithuania?

In order to acquire citizenship of the Republic of Lithuania through naturalisation, a person must fulfil the following conditions:

1. he has been legally permanently resident in the Republic of Lithuania for the last ten years;
2. at the time of applying for the granting of citizenship of the Republic of Lithuania and taking a decision regarding the granting of citizenship of the Republic of Lithuania, he/she has the right of permanent residence in the Republic of Lithuania;
3. he has passed an examination in the state language;
4. he has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania;
5. he has legal means of subsistence;
6. he is a stateless person or a citizen of a state under the law of which he/she loses citizenship of that state on acquiring citizenship of the Republic of Lithuania, or expresses in writing his/her will to renounce his/her citizenship of another state after he/she is granted citizenship of the Republic of Lithuania;
7. there are no circumstances, as specified in the Law of the Republic of Lithuania on Citizenship, by reason of which citizenship may not be granted.

Those married to a citizen of the Republic of Lithuania or a deportee are subject to reduced requirements (see the reply to Q7).

A stateless person who was born in the territory of the Republic of Lithuania may be granted citizenship of the Republic of Lithuania, provided:

1. he has been legally permanently resident in the Republic of Lithuania for the last five years;
2. he has not acquired citizenship of another state;
3. at the time of applying for the granting of citizenship of the Republic of Lithuania and taking a decision regarding the granting of citizenship of the Republic of Lithuania, he/she has the right of residence in the Republic of Lithuania;
4. he has passed an examination in the state language;
5. he has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania;
6. he has legal means of subsistence;
7. there are no circumstances, as specified in the Law of the Republic of Lithuania on Citizenship, by reason of which citizenship may not be granted.

A person must submit a criminal record certificate in all cases.

2.1. REQUIREMENTS REGARDING PERIOD OF RESIDENCE

Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of Lithuania?

A third-country national wishing to acquire citizenship of the Republic of Lithuania must have been legally permanently resident in the Republic of Lithuania for the last ten years. Stateless persons are subject to the requirement of five-year legal residence, foreigners married to a citizen of the Republic of Lithuania – to the requirement of seven-year legal residence requirement, and those married to a citizen of the Republic of Lithuania who is a deportee, a political prisoner or their child – to the requirement of five-year legal residence.

Q9a. Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in Lithuania also counted?

Legal residence required

A person applying for the granting of citizenship of the Republic of Lithuania must have been legally resident in Lithuania for the period of ten years. A document certifying that the person has been legally resident in the Republic of Lithuania for the last ten years must be submitted to confirm this fact.

The person must submit a certificate issued by the State Enterprise Center of Registers, a municipality or a ward concerning the declared place of residence in Lithuania.

- Presence in the country sufficient
- No residence / presence in Lithuania is required and citizenship is granted upon entry (e.g. investor schemes)
- Other

Q9b. Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

Yes, physical presence necessary

A person must be physically present and legally reside in the country. If the person is physically absent from the country, his/her residence permit will be withdrawn. In order to be issued a permanent residence permit, the person must submit documents confirming that he/she has resided in Lithuania for the last five years and has not left the territory of Lithuania for more than

six consecutive months during this period and that the period of absence does not comprise more than ten months within a five-year period. The period of residence in Lithuania is calculated according to the officially declared place of residence in the Republic of Lithuania.

- No, holding a permit is sufficient
- Other

Q9c. What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met?

A third-country national wishing to acquire citizenship of the Republic of Lithuania must submit a certificate issued by the State Enterprise Center of Registers, a municipality or a ward concerning the declared place of residence in Lithuania and a permanent residence permit in Lithuania (for proof of legal stay).

Residence requirement for a third country national applying for a temporary residence permit is applied. He/she must provide a certificate about the place of residence. The accommodation in which the foreign national intends to declare his/her residence must comply with the accommodation requirement which is not less than 7 m² per person. In the case of a hotel or a hostel, there is no space requirement. The requirement to have adequate accommodation shall not apply to a third country national who has the right to reinstate Lithuanian citizenship or is a person of Lithuanian origin, nor in the case of renewal of a permanent residence permit. If the foreign national has obtained a permanent residence permit, there is no need to provide a certificate of adequate accommodation.

Q9d. Can the period of residence be interrupted? If yes, how long can this interruption last?

- Yes
- No
- Other

Q10. What pre-existing legal residence status of the citizenship applicant is accepted?

Permanent residence permit

A foreigner may apply for the granting of citizenship of the Republic of Lithuania only after having resided in Lithuania for ten years and holding a permanent residence permit in Lithuania. A third-country national wishing to obtain a permanent residence permit in Lithuania must have been legally resident in the country for five years. He/she may then apply for a permanent residence permit, which is issued for a period of five years.

Refugee status

Temporary residence permit

Other protection statuses

Other status

2.2. CONDITIONS REGARDING LANGUAGE, CITIZENSHIP TESTS, GOOD CONDUCT AND ECONOMIC RESOURCES

Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?⁴

Yes

Yes, a foreigner must provide proof of knowledge of the Lithuanian language at the A2 level. An examination in the state language helps to ensure that persons applying for the granting of citizenship of the Republic of Lithuania will be able to communicate in the state language and will integrate more easily in the country.

The A2 language level is the level of language proficiency that demonstrates a person's understanding of short, clearly-structured spoken and written texts on common topics from everyday life, ability to speak on specific known matters, ability to complete standard document forms, to write unofficial short texts (e.g., notices, letters), also ability to understand spoken and written texts using a base vocabulary of approximately 900-1000 words.

⁴ Please indicate the level according to the Common European Framework of References for Languages - CEFR (A1-C2)

A state language proficiency test consists of 3 sections: Reading and Writing (5 parts worth 40 points in the Reading section and 3 parts worth 20 points in the Writing section); Listening (5 parts, 25 points); Speaking (3 parts, 18 points). This module has been used to carry out examinations since May 2004. Before an examination, individuals are given detailed information on how to mark, where to mark, how to correct errors, etc.

On average, 86-88 % of persons taking this examination pass it.

There is no need to take an examination in the state language for persons who have reached 65 years of age, persons whose capacity for working has been rated at 0-55 % and persons who have reached pensionable age and have been assessed, in accordance with the procedure laid down by legal acts, as having high and moderate special needs, as well as those with severe chronic mental and behavioral disorders.

No

Q11a. If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)?

In order to prove proper knowledge of the Lithuanian language, a foreigner must pass an examination in the state language. The organisation of examinations is the responsibility of the National Agency for Education, which administers examinations in the state language and issues language proficiency documents. It is also important to emphasise that the foreigners wishing to acquire citizenship of the Republic of Lithuania through naturalisation, except for elderly and disabled persons, are invited to an interview at the Office of the President of the Republic of Lithuania.

The Government of the Republic of Lithuania establishes the rules for examinations in the state language and in the fundamentals of the Constitution of the Republic of Lithuania, the documents certifying the passing of these examinations and the procedure for issuing them. See Resolution No 1687 of the Government of the Republic of Lithuania of 24 December 2003 on the Approval of the Rules for Examinations in the State Language and in the Fundamentals of the Constitution of the Republic of Lithuania and for Issuance of Certificates (current version as of 17 April 2009).

Q11b. If Lithuania uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)?

Yes

The examination of the Lithuanian language helps to ensure that persons applying for the citizenship of the Republic of Lithuania will be able to communicate in the national Lithuanian language and will integrate more easily in the country. This model has been used since 2004. Before the examination, individuals are given detailed information on how to mark, where to mark, how to correct inaccuracies, etc.

No

Q12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds? Please note that this could also include oral interviews.

Yes

A person who seeks to acquire citizenship of the Republic of Lithuania through naturalisation must pass an examination in the fundamentals of the Constitution of the Republic of Lithuania (this requirement does not apply only on the grounds established by the Law due to old age, disability, etc.). The examination in the fundamentals of the Constitution consists of a test comprising 20 questions. The test is done in writing. The examination is passed if 14 questions are answered correctly.

The wording of questions of an examination in the fundamentals of the Constitution of the Republic of Lithuania is adapted to the Category I (A2) level of language proficiency. The wordings are short, answer options are A, B, C (only one answer is correct). Examination tasks include topics selected according to the programme for an examination in the fundamentals of the Constitution of the Republic of Lithuania (the list is approved by the Minister of Education and Science of the Republic of Lithuania and the Minister of Justice of the Republic of Lithuania).

Examples of questions:

A citizen may participate in elections:

a) From 16 years of age; b) From 18 years of age; c) From 20 years of age.

Rights of spouses in a family:

a) Are equal; b) A man has more rights than a woman; c) A woman has more rights than a man.

No

Q12a. If yes, has the citizenship test ever been evaluated?

Yes

Yes, it was evaluated in 2004 and 2007. A special panel was set up to evaluate and improve the test, drawing on best practices of other countries (e.g., the United Kingdom) to develop examination tasks.

No

Q13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones?

Yes

A foreigner wishing to acquire citizenship of the Republic of Lithuania through naturalisation must swear an oath of allegiance to the Republic of Lithuania. The person under oath swears his/her allegiance to the Republic of Lithuania, to observe the Constitution and laws of the Republic of Lithuania, to defend the independence, territorial integrity and constitutional order of the State of Lithuania. He/she pledges to respect the state language, culture and customs of Lithuania, to strengthen the basic principles of democracy and the rule of law in Lithuania.

No

Q14. Are applicants required to pledge formally allegiance to Lithuania (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds?

Yes

Yes, in all cases when a person is granted citizenship of the Republic of Lithuania by a decree of the President, the person must take an oath of allegiance to the Republic of Lithuania. The person under the oath swears his/her allegiance to the Republic of Lithuania, to observe the Constitution and laws of the Republic of Lithuania, to defend the independence, territorial integrity and constitutional order of the State of Lithuania. The person also pledges to respect the state language, culture and customs of Lithuania and to strengthen the basic principles of democracy and the rule of law in Lithuania.

No

Q15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?

Yes

Pursuant to Article 22 of the Law on Citizenship, citizenship of the Republic of Lithuania is not to be granted if a person attempted to commit or committed an international crime, criminal acts against the State of Lithuania, prior to coming to Lithuania was punished for a premeditated crime considered to be serious or grave under laws of the Republic of Lithuania.

No

Q15a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

A person must submit a criminal record certificate.

The person must submit a certificate from authorities of the foreign states of residence confirming that prior to coming to reside in the Republic of Lithuania, the person was not sentenced to imprisonment in another state for a premeditated crime considered to be a grave crime under laws of the Republic of Lithuania or was not punished for a grave crime in the Republic of Lithuania, irrespective of whether or not the conviction for these crimes has expired.

A certificate is valid for a period of six months, and if it transpires during the consideration of an application that the certificate has expired or several days are left before it expires, it is requested to renew the certificate and the consideration of the application is suspended.

Citizenship of the Republic of Lithuania is also applied for also by persons who submit certificates that they have previous convictions. The Citizenship Commission evaluates whether a conviction is equivalent to the provisions of the Law on Citizenship according to which the granting of citizenship may be denied.

Q16. Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds?

Yes

A person wishing to acquire citizenship of the Republic of Lithuania must submit documents proving that he/she has legal means of subsistence. This requirement does not apply only to the persons who are married to a citizen of the Republic of Lithuania.

No

Q16a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

There is no set list of documents. A person is under the obligation to prove that he/she has legal means of subsistence. This can be a contract of employment or a certificate of earnings, it is also considered appropriate if the person is registered with the Employment Service or is a student.

Q17. Is the third-country national's housing situation taken into account?

Yes

No

When applying for citizenship, a person is not required to submit a document concerning adequate housing. However, proof must be provided that the person has been legally resident in Lithuania for 10 years (has declared his/her place of residence) and has the right of permanent residence in Lithuania (holds a permanent residence permit in the Republic of Lithuania).

Q17a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

Not applicable.

Q18. Are there any other requirements not listed above?

Yes

No

2.3. SECURITY

Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?

Yes

The criteria of threats to national security and public policy are important even before the lodging of an application for the granting of citizenship. A foreigner wishing to acquire citizenship of the Republic of Lithuania through naturalisation must, first of all, hold a temporary residence permit for a period of five years, subsequently apply for a permanent residence permit. Residence permits are issued only upon receipt of the authorities' conclusions that the foreigner does not represent a threat to national security and public policy or the public.

During the consideration of an application for the granting of citizenship of the Republic of Lithuania, a query is additionally communicated to the State Security Department and the Information Technology and Communications Department under the Ministry of the Interior. If signs of a threat to public policy are identified, a query is communicated to the Police Department. The person concerned also submits a criminal record certificate.

Article 22 of the Law on Citizenship also provides for the circumstances under which citizenship of the Republic of Lithuania is not granted and not restored. Citizenship of the Republic of Lithuania is not be granted through naturalisation, under the simplified procedure, by way of exception and is not restored to persons who:

1. prepared, attempted to commit or committed international crimes, such as aggression, genocide, crimes against humanity and war crimes;
2. prepared, attempted to commit or committed criminal acts against the Republic of Lithuania;
3. prior to coming to reside in the Republic of Lithuania, were sentenced to imprisonment in another state for a premeditated crime which is a grave crime under laws of the Republic of Lithuania, or were punished for a grave crime in the Republic of Lithuania, irrespective of whether or not the conviction for the crimes specified in this point has expired.

No

2.4. SPECIFIC GROUPS OF THIRD-COUNTRY NATIONALS

Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below. For each group, please briefly explain the main differences that apply:

- a. Refugees
- b. Other beneficiaries of international protection statuses
- c. Specific categories of legal migrants
- d. Other groups that are significantly represented in Lithuania, incl. stateless persons

Q20a. Refugees

Persons who have been granted refugee status must meet all the requirements for citizenship, except that they are not under the obligation to renounce or declare in writing that they renounce the citizenship of another state on the granting of citizenship of the Republic of Lithuania.

It is also important to note that persons who have been granted refugee status and who apply for a permanent residence permit are not subject to general requirements: concerning health insurance coverage, means of subsistence, accommodation, they are not under the obligation to submit a criminal record certificate from their country of origin.

Q20b. Other beneficiaries of international protection statuses

These persons are subject to the same requirements as apply to other foreigners.

Q20c. Specific categories of legal migrants e.g. people with disabilities or people in old age.

Article 18(4) of the Law on Citizenship provides that persons who have reached 65 years of age, persons whose capacity for work has been rated at 0-55 % and persons who have reached pensionable age and been assessed in accordance with the procedure laid down by legal acts as having high or moderate special needs, as well as persons with severe chronic mental and behavioral disorders are not subject to the requirement to pass an examination in the state language or in the fundamentals of the Constitution of the Republic of Lithuania.

Q20d. Other groups that are significantly represented in Lithuania (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

Stateless persons: a shorter period of legal residence in the country applies (5 years).

Persons applying for the reinstatement of citizenship and their descendants: there is no need to take an examination in the state language and in the fundamentals of the Constitution of the Republic of Lithuania, there is no required period of legal residence in the country, there is no need to have the right of permanent residence in the Republic of Lithuania, there is no need to submit a criminal record certificate, there is no need to have legal means of subsistence.

Persons of Lithuanian descent: there is no need to take an examination in the state language and in the fundamentals of the Constitution of the Republic of Lithuania, there is no required period of legal residence in the country, there is no need to have the right of permanent residence in the Republic of Lithuania, there is no need to have legal means of subsistence.

3.

Procedural aspects for the acquisition of citizenship in Lithuania

Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation.

A person applies to a territorial unit of the Migration Department under the Ministry of the Interior and submits an application for the granting of citizenship of the Republic of Lithuania through naturalisation. The territorial unit of the Migration Department accepts the application and verifies whether all documents have been submitted. The application and documents are then forwarded to the Citizenship Commission of the Republic of Lithuania, which evaluates and submits proposals to the President of the Republic concerning the granting of citizenship. If the President of the Republic takes a positive decision and issues a decree of the President of the Republic on the granting of citizenship of the Republic of Lithuania, the person must, within two years from the effective date of the decree of the President of the Republic, renounce his/her citizenship of another state (if any). Only upon providing proof that he/she has renounced the citizenship of another state, the person will be able to apply for the taking of an oath of allegiance to the Republic of Lithuania and will become a citizen of the Republic of Lithuania upon taking the oath and will receive the documents certifying this fact.

Q21a. Are children automatically naturalised once their parents are granted citizenship?

- Yes
 No

No, on acquiring citizenship of the Republic of Lithuania parents must apply for the granting of citizenship to their child separately.

If citizenship of the Republic of Lithuania is acquired by or reinstated to one or both of the parents of a child, a child under 14 years of age also acquires citizenship of the Republic of Lithuania, unless he/she is a citizen of another state. A child of the mentioned persons between 14 and 18 years of age acquires citizenship of the Republic of Lithuania only with his/her consent, unless he/she is a citizen of another state.

Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of Lithuania?

The Migration Department under the Ministry of the Interior of the Republic of Lithuania and its territorial units accept applications and submit documents to the Citizenship Commission of the Republic of Lithuania.

The President of the Republic takes a decision to grant/not to grant citizenship of the Republic of Lithuania.

The Citizenship Commission is an advisory body to the President of the Republic assisting him/her in deciding issues concerning citizenship; it considers/evaluates applications.

The Minister of the Interior co-signs decrees of the President of the Republic concerning citizenship of the Republic of Lithuania.

Q23. Are these procedures digitised? Can applications for citizenship be made online?

Yes

No

Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)?

In order to apply for the granting of citizenship of the Republic of Lithuania, a person must submit an identification document. This may be a foreign or internal passport of the country of origin.

Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?

Applications for the granting of citizenship of the Republic of Lithuania through naturalisation and the accompanying documents must be prepared and submitted to the Citizenship Commission for consideration not later than within three months from the date of receipt of an application by the Migration Department.

Applications for the granting of citizenship of the Republic of Lithuania must be considered by the Citizenship Commission not later than within six months after the receipt of all necessary documents. If there are circumstances hindering the satisfaction of a person's application for the

granting of citizenship of the Republic of Lithuania and additional documents and clarifications are needed to resolve the issue of citizenship, the institution, body or person that has prepared the documents regarding citizenship is informed in writing and is requested to eliminate the shortcomings (the time limit for considering applications does not run until the shortcomings are eliminated).

No procedure has been established for considering applications for the granting of citizenship as a matter of urgency.

Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds.

The fee for the consideration of an application for the granting of citizenship depends on the ground for the granting of citizenship which it is indicated in the application:

- For the reinstatement of citizenship of the Republic of Lithuania – EUR 53;
- For the granting of citizenship of the Republic of Lithuania under the simplified procedure – EUR 60;
- For the granting of citizenship of the Republic of Lithuania through naturalisation – EUR 62;
- For the granting of citizenship of the Republic of Lithuania by way of exception – EUR 61;
- For the restoration of citizenship of the Republic of Lithuania – EUR 61.

Q27. Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?

No.

Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?⁵

Article 18(6) of the Law on Citizenship provides for discretion in deciding whether to grant citizenship. The President of the Republic grants citizenship of the Republic of Lithuania having regard to the interests of the State.

Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants?

Lithuania does not experience any challenges regarding the verification of the identity of persons applying for citizenship through naturalisation, as the identity of foreigners is established before a residence permit is issued. The persons applying for citizenship of the Republic of Lithuania through naturalisation have already been identified, because they hold permanent residence permits in the country.

Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?

Yes

The Lithuanian law does not provide for the right to challenge a decision of the President not to grant citizenship, however a decision of the Citizenship Commission may be subject to appeal.

It is also possible to appeal against an established legal fact (for example, the fact that the documents submitted by a person do not prove legal residence in Lithuania for the last ten years, the person is not of Lithuanian descent, etc.).

No

⁵ Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

Q31. What are the most common grounds for a negative citizenship application decision?

A negative citizenship application decision is most often taken in the cases when:

- The person fails to submit all required documents, i.e., fails to submit the documents confirming the fulfilment of the requirements established in the Law on Citizenship (e.g., fails to submit documents regarding permanent residence, means of subsistence, family relationship with a citizen of the Republic of Lithuania, etc.);
- When circumstances change by reason of which a citizenship of the Republic of Lithuania has been granted (for example, a permanent residence permit is withdrawn);
- The person represents a threat to public policy and security (the circumstances due to which the granting of citizenship is not granted are identified, a certificate is issued by the State Security Department);
- Very rarely due to insufficient language skills.

Q32. Does Lithuania organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?

Yes

Participation in the ceremony of taking the oath of allegiance to the Republic of Lithuania is compulsory. A person who has been granted citizenship of the Republic of Lithuania under the simplified procedure, through naturalisation, by way of exception, having restored it, as well as on the grounds established by international treaties of the Republic of Lithuania must, within the specified time period, take a public and solemn oath of allegiance to the Republic of Lithuania (Article 23 of the Law on Citizenship).

The oath of allegiance to the Republic of Lithuania is taken at the Ministry of the Interior or at a consular post. In practice, the ceremony of granting of citizenship is organised at least once a month.

The time period during which a person must take the oath is as follows:

- 1) a stateless person or a person who is a citizen of a state under the law of which he/she will lose citizenship of that state on acquiring citizenship of the Republic of Lithuania, as well as a person who has been granted citizenship of the Republic of Lithuania by way of exception must take the oath within six months from the effective date of the decree of the President of the Republic on the granting of citizenship of the Republic of Lithuania;
- 2) a person who has expressed in writing his/her will to renounce his/her citizenship of another state after he/she is granted or restored citizenship of the Republic of Lithuania must take an

oath within two years from the effective date of the decree of the President of the Republic on the granting or restoration of citizenship of the Republic of Lithuania.

No

Q33. Does Lithuania provide information and/ or encourages third-country nationals to consider applying for citizenship?

Yes

General information is provided.

No

Q34. Is governmental support provided to applicants during the application process? Have any good practices been identified in Lithuania?

Yes

Yes, support is provided. Consultations are provided at units of the Migration Department, also by phone, e-mail. Information support is also provided at embassies or consular posts of the Republic of Lithuania.

If the person is socially disadvantaged or does not have sufficient income, etc., municipalities cover the costs of state fee payment, fees for required documents, etc.

No

Q35. Does Lithuania organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law.

Yes

Lithuanian language courses and civil education activities are organised for foreigners, but this is done by NGOs on a project basis.

Expatriates and political prisoners and their family members who move to the Republic of Lithuania for permanent residence are taught the Lithuanian language. Their learning is funded by the State.

No

4.

Dual citizenship

Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in Lithuania?

Yes

Foreigners must renounce their other citizenship in order to acquire citizenship of the Republic of Lithuania (Article 3 of the Law on Citizenship).

After granting citizenship of the Republic of Lithuania, a person must, within 2 years, renounce his/her citizenship of another state and submit supporting documents (e.g., a certificate of the competent authority of a foreign state regarding the loss/renunciation of the person's citizenship of that state). The person will be able to take an oath of allegiance to the Republic of Lithuania and become a citizen only upon providing the evidence that he/she is no longer a citizen of another state. This provision does not apply to persons who have been granted refugee status or persons having citizenship of the Republic of Lithuania reinstated.

Article 7 of the Law on Citizenship provides for rare cases when a citizen of the Republic of Lithuania may be a citizen of another state at the same time. The Constitutional Court has established that, in accordance with Article 12 of the Constitution of the Republic of Lithuania, such cases must be particularly rare.

The exceptional cases when a citizen of the Republic of Lithuania may also be a citizen of another state are as follows:

- he/she has acquired citizenship of the Republic of Lithuania and citizenship of another state at birth;
- he/she is a person who was exiled from the occupied territory of the Republic of Lithuania before 11 March 1990 or his/her descendant;
- he/she is a person who left Lithuania before 11 March 1990 or his/her descendant;
- by virtue of marriage to a citizen of another state he/she has ipso facto acquired citizenship of that state;
- he/she was adopted by citizens of the Republic of Lithuania before reaching 18 years of age or he/she, being a citizen of the Republic of Lithuania, was adopted by citizens of another state before reaching 18 years of age and, as a result of the adoption, acquired citizenship of that state;
- he/she has acquired citizenship of the Republic of Lithuania by way of exception while being a citizen of another state;
- he/she is a person who has retained citizenship of the Republic of Lithuania or who has citizenship of the Republic of Lithuania restored for his/her outstanding merits to the State of Lithuania.

The number of persons holding citizenship of the Republic of Lithuania and other states is small (approximately 23 000). These are mainly the persons who have citizenship of the Republic of Lithuania reinstated.

- No
 Other

Q37. Is the requirement to renounce dependent on the person's other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship?

No, the requirement to renounce citizenship does not depend on a person's other citizenship. The requirement to provide proof of loss of citizenship of another state does not apply where the law of the other state does not provide for procedures for the renunciation or loss of its citizenship following the acquisition of the citizenship of another state or where, by a decision of the Minister of the Interior, these procedures do not meet the criteria of reasonableness.

Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of Lithuania while keeping their other one(s)?

- Yes

The Constitution of the Republic of Lithuania stipulates the principle of the prohibition of dual citizenship, therefore, the cases when a citizen of another state may be a citizen of the Republic of Lithuania at the same time are rare and are provided for in Article 7 of the Law on Citizenship. (see the reply to Q36.)

It is important to mention that the third-country nationals applying for the granting of citizenship of the Republic of Lithuania through naturalisation may also be citizens of another state, provided they have acquired citizenship of the Republic of Lithuania while having refugee status in the Republic of Lithuania. Moreover, the third-country nationals who have been granted citizenship of the Republic of Lithuania by way of exception on grounds of having outstanding merits to the State of Lithuania may be citizens of another state at the same time.

- No

Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights (e.g. access to specific types of employment)?

- Yes

Right to elect: a person holding the citizenship of both another state and Lithuania may participate in elections to the office of the President of the Republic and to the Seimas. In order to become President of the Republic of Lithuania or Seimas member, a Lithuanian citizen must renounce his/her citizenship of another state.

Right to be elected: a person holding the citizenship of another state may not be elected as President of the Republic and Seimas member, but may be elected as a municipal councillor in a municipality of the Republic of Lithuania.

Recruitment to the civil service: a citizen of the Republic of Lithuania who is a citizen of another state at the same time may be recruited to the Lithuanian civil service, however, there are exceptions. In order to handle classified information, it is necessary to apply to the Commission for Secrets Protection Coordination of the Republic of Lithuania regarding the right to handle classified information. The application must state whether the person holds the citizenship of another state. The Commission decides whether to issue authorisations to handle or familiarise with classified information to persons holding dual citizenship or to persons who do not meet the qualification of five-year permanent residence in Lithuania, EU Member States or NATO member countries, as specified by the State of Lithuania.

- No

Q40. If Lithuania allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?

- Yes

As already mentioned, dual (multiple) citizenship is allowed in the Republic of Lithuania only in exceptional (rare) cases. The majority of those holding dual citizenship are the persons to whom citizenship of the Republic of Lithuania has been reinstated, who have the right to retain the citizenship of both another state and the Republic of Lithuania. Discussions arise at the political level about the citizens of the Republic of Lithuania who, after departing (emigrating) from Lithuania, acquire citizenship of another country. Politicians have made proposals concerning the cases when a citizen of the Republic of Lithuania could be a citizen of another state at the same time (for example, if he/she acquires citizenship of an EU Member State or a NATO member country). However, the Constitutional Court has interpreted that such an extension of cases is not in line with the provisions of the Constitution and that the extension of the number of cases of dual citizenship requires an amendment to the Constitution. The referendum on

- No

5.

Citizenship and integration

Q41. How does the integration policy of Lithuania address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/ action plan?

Yes

No

Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?

No such data is available.

Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit?

Q43a. Participation in regional or national elections

A person holding citizenship of both another state and Lithuania may vote in the election of the President of the Republic of Lithuania and the Seimas. However, a person who holds the citizenship of another state may not be elected President of the Republic of Lithuania and Member of the Seimas.

A permanent resident of a municipality may be elected as a municipal councillor of the Republic of Lithuania irrespective of his/her citizenship.

Q43b. Access to certain types of employment (jobs that are only open to citizens of your country)

A Lithuania's citizen holding citizenship of another state may be recruited to the Lithuanian civil service, however there are exceptions.

General requirements for recruitment to the public service of the Republic of Lithuania are as follows: 1) to hold citizenship of the Republic of Lithuania; 2) to speak the state language; 3) to be not less than 18 years of age and not more than 65 years of age; 4) to have a university degree or a college degree. Among requirements for civil servants there is the requirement to observe the Constitution, laws and other legal acts, to be loyal to the State of Lithuania and its constitutional order.

It is necessary to indicate whether a person holds the citizenship of another country when applying to the Commission for Secrets Protection Coordination of the Republic of Lithuania regarding the right to handle classified information.

The Commission decides, through the intermediation of entities of secrets, whether to issue authorisations to handle or familiarise with classified information to persons holding dual citizenship or the persons who do not hold citizenship of the Republic of Lithuania and do not meet the specified qualification of five-year permanent residence in the Republic of Lithuania, an EU Member State or a NATO member country.

Q43c. Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

The third-country nationals who have a permanent residence permit in the Republic of Lithuania have equal rights with the citizens of the country in the area of social security. They are eligible for all benefits and services provided either on a contributory basis or through state or municipal budgets. The third-country nationals holding a temporary residence permit may only claim the social guarantees provided on a contributory basis (except for highly qualified workers).

Q44. What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in Lithuania?

No support is given to new citizens.

Q45. With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?

Such information is not provided separately to new citizens. Only information common to all citizens is provided.

Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries?

Yes

No

Such information is not collected.

Experts have pointed out that the persons to whom citizenship of the Republic of Lithuania has been reinstated often do not return to reside in Lithuania.

Conclusions

The number of persons acquiring citizenship of the Republic of Lithuania through naturalisation is not large (approximately 160-180 per year). The process of granting citizenship of the Republic of Lithuania through naturalisation is lengthy and is designed so that a person who acquires citizenship of the Republic of Lithuania would certainly be able to integrate into the state life, to adapt to the surrounding environment and to be able to communicate in the state language (the requirement of permanent residence, the requirements to speak the Lithuanian language, to have knowledge of the Constitution of the Republic of Lithuania, etc.). The principle of good conduct also applies (the person concerned is requested to submit a criminal record certificate from the states of prior residence, the person must not have convictions for serious and grave crimes and for crimes against humanity).

One of the main principles of acquisition of citizenship of the Republic of Lithuania is the principle of prohibition of dual (multiple) citizenship. Both the Constitution of the Republic of Lithuania and the Law of the Republic of Lithuania on Citizenship stipulate that a citizen of the Republic of Lithuania may not be a citizen of another state at the same time, except in the rare cases established by law. Therefore, a citizen of the Republic of Lithuania who has acquired citizenship of the Republic of Lithuania through naturalisation must renounce his/her citizenship of another state. The person must also undertake a commitment to the Republic of Lithuania (swear his/her allegiance to the Republic of Lithuania, to observe the Constitution and laws of the Republic of Lithuania, to defend the independence, territorial integrity and constitutional order of the State of Lithuania, to respect the state language, culture and customs of Lithuania, to strengthen the basic principles of democracy and the rule of law in Lithuania). Such regulation ensures that there emerge no cases of a person's legal commitment to two or more states, as well as ensures loyalty to Lithuania.

Citizenship of the Republic of Lithuania is granted through naturalisation to a foreigner only having regard to the interests of the Republic of Lithuania. The President of the Republic takes decisions acting in the interests of the State.

The Republic of Lithuania does not experience any major challenges in respect of the naturalisation process. There are only isolated cases when foreigners are not granted citizenship of the Republic of Lithuania on grounds of representing a threat to national security or public policy. This is explained by the fact that threats are assessed both before lodging an application for the granting of citizenship (when a foreigner applies for a residence permit) and during the consideration of the application for the granting of citizenship. Potential challenges include the situations when citizens of hostile states could apply for the granting of citizenship of the Republic of Lithuania.

Lithuania faces challenges due to the large number of persons applying for the reinstatement of citizenship. As these persons are eligible for dual citizenship under the Law, are not subject to other conditions of naturalisation and the procedure currently in force liberal (as many as three generations can have their citizenship of the Republic of Lithuania reinstated), the number of applications for the reinstatement of citizenship of the Republic of Lithuania is very high (approximately 2 000 per year). Experts also note that a significant number of those to whom

citizenship has been reinstated do not return to reside in Lithuania.

It is important to mention that starting from the end of 2020, it is planned to allow foreigners to lodge applications for the granting of citizenship of the Republic of Lithuania via the Lithuanian Migration Information System (MIGRIS). This will ensure a more streamlined and effective processing of applications, with applications in paper form to be abandoned and the process itself to be facilitated for foreigners.

ANNEX

Annex. Number of persons to whom citizenship of the Republic of Lithuania has been granted through naturalisation

Citizenship of persons at the time of applying for the granting of citizenship of the Republic of Lithuania through naturalisation	2014	2015	2016	2017	2018
Afghanistan	1	2	3	1	-
Albania	1	-	1	-	-
Armenia	6	9	5	8	7
Azerbaijan	-	-	-	1	2
Belarus	12	14	16	22	29
Belize	1	-	-	-	-
Bolivia	1	-	-	-	-
Bulgaria	-	-	-	1	-
Egypt	1	2	3	1	7
Ethiopia	-	-	-	-	1
Georgia	1	2	5	1	3
India	-	-	1	1	2
Iraq	-	-	-	1	-
Iran	-	-	1	1	1
Israel	-	2	1	2	-
Jordan	1	1	-	-	-
Kazakhstan	7	5	-	2	1
China	-	4	-	-	-
Kyrgyzstan	-	1	-	2	-
Kosovo	-	-	2	-	-
Latvia	-	-	1	-	-
Poland	-	-	-	1	-
Lebanon	1	2	2	3	1
Macedonia	-	-	-	1	-
Morocco	-	-	1	1	3
Mexico	-	1	2	-	1
Moldova	3	2	1	3	2
Nepal	-	-	-	-	1
Nigeria	-	-	2	-	-
Pakistan	-	2	-	-	1
Peru	-	-	-	1	1
Romania	-	-	1	-	-
Russia	49	38	49	43	39
South Korea	-	1	-	-	-
Serbia	-	1	-	-	-
Syria	2	-	2	1	2
Tajikistan	-	-	-	-	-
Tunisia	1	1	1	-	1
Turkey	2	-	2	6	8
Turkmenistan	-	2	-	-	-
Ukraine	26	28	36	29	26
Uzbekistan	-	3	1	-	2
Vietnam	2	4	1	2	4
Germany	-	-	-	-	1
Stateless persons	61	50	33	31	50
Total	179	177	173	166	196

Source. Data of the Office of the President of the Republic of Lithuania

European Migration Network (EMN) is a network composed of migration and asylum experts from EU Member States, Norway and the European Commission. Its main objective is to collect, analyse and provide up-to-date, objective, reliable and comparable information on migration and asylum to policy makers at EU and Member State level and the general public.

The EMN National Contact Point (NCP) in Lithuania is composed of representatives from the Ministry of the Interior, the Migration Department, the State border guard service as well as the International Organization for Migration (IOM) Vilnius office which acts the national co-ordinator for the EMN activities in Lithuania. EMN NCP in Lithuania also collaborates with other entities from governmental as well as non-governmental institutions working in the area of migration.
