

TRANSLATION OF THE CRUCIAL PROVISIONS
OF THE DIRECTIVE TEMPORARY PROTECTION 2001/55/EC

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Article 5, §1: The existence of a mass influx of displaced persons shall be established by a Council Decision adopted by a qualified majority on a proposal from the Commission, which shall also examine any request by a Member State that it submit a proposal to the Council.

Translation:

Article 92. Taking a Decision on the Giving of Temporary Protection to Aliens in the Republic of Lithuania

(LAW ON THE LEGAL STATUS OF ALIENS)

1. Where the EU Council takes a decision that there is a mass influx of aliens into the European Union, the Government of the Republic of Lithuania, on the recommendation of the Minister of the Interior, shall take a decision on granting of temporary protection to aliens.

<...>

Article 5, §3: The Council Decision shall have the effect of introducing temporary protection for the displaced persons to which it refers, in all the Member States, in accordance with the provisions of this Directive. The Decision shall include at least:

- (a) a description of the specific groups of persons to whom the temporary protection applies;
- (b) the date on which the temporary protection will take effect;
- (c) information received from Member States on their reception capacity;
- (d) information from the Commission, UNHCR and other relevant international organisations.

Translation:

Article 92. Taking a Decision on the Giving of Temporary Protection to Aliens in the Republic of Lithuania

(LAW ON THE LEGAL STATUS OF ALIENS)

1. Where the EU Council takes a decision that there is a mass influx of aliens into the European Union, the Government of the Republic of Lithuania, on the recommendation of the Minister of the Interior, shall take a decision on granting of temporary protection to aliens.

<...>

Article 8, §1: The Member States shall adopt the necessary measures to provide persons enjoying temporary protection with residence permits for the entire duration of the protection. Documents or other equivalent evidence shall be issued for that purpose.

Translation:

Article 40. Grounds for the Issue and Replacement of a Temporary Residence Permit (LAW ON THE LEGAL STATUS OF ALIENS)

1. A temporary residence permit may be issued or replaced to an alien

<...>

10) the alien has been granted temporary protection in the Republic of Lithuania in the manner prescribed by this Law;

<...>

Article 49. Issue of a Temporary Residence Permit to an Alien upon Granting him Temporary Protection in the Republic of Lithuania (LAW ON THE LEGAL STATUS OF ALIENS)

1. An alien shall be issued a temporary residence permit provided that he has been granted temporary protection in the Republic of Lithuania according to the procedure established by this Law.

2. A temporary residence permit shall be issued to an alien for the period set by the Government of the Republic of Lithuania for which temporary protection in the Republic of Lithuania has been granted.

Article 95. Issue of Personal Documents to Aliens who have been Granted Temporary Protection in the Republic of Lithuania (LAW ON THE LEGAL STATUS OF ALIENS)

1. The Migration Department shall issue aliens who have been granted temporary protection in the Republic of Lithuania temporary residence permits which shall be valid for the entire duration of the protection.

2. The aliens who have been granted temporary protection but are still in a foreign country shall be provided by the Migration Department with travel documents to enable them to enter the Republic of Lithuania.

Article 8, §3: The Member States shall, if necessary, provide persons to be admitted to their territory for the purposes of temporary protection with every facility for obtaining the necessary visas, including transit visas. Formalities must be reduced to a minimum because of the urgency of the situation. Visas should be free of charge or their cost reduced to a minimum.

Translation:

Article 95. Issue of Personal Documents to Aliens who have been Granted Temporary Protection in the Republic of Lithuania (LAW ON THE LEGAL STATUS OF ALIENS)

1. The Migration Department shall issue aliens who have been granted temporary protection in the Republic of Lithuania temporary residence permits which shall be valid for the entire duration of the protection.

2. The aliens who have been granted temporary protection but are still in a foreign country shall be provided by the Migration Department with travel documents to enable them to enter the Republic of Lithuania.

Article 9: The Member States shall provide persons enjoying temporary protection with a document, in a language likely to be understood by them, in which the provisions relating to temporary protection and which are relevant to them are clearly set out.

Translation:

Article 94. Rights and Duties of Aliens Granted Temporary Protection in the Republic of Lithuania

(LAW ON THE LEGAL STATUS OF ALIENS)

1. Aliens granted temporary protection in the Republic of Lithuania shall have the following rights during the temporary protection period:

<...>

3) to be provided with all the necessary information regarding their legal status in the Republic of Lithuania in their native language or in a language which they understand;

<...>

Article 17, §1:

1. Persons enjoying temporary protection must be able to lodge an application for asylum at any time.

Translation:

Article 94. Rights and Duties of Aliens Granted Temporary Protection in the Republic of Lithuania

(LAW ON THE LEGAL STATUS OF ALIENS)

1. Aliens granted temporary protection in the Republic of Lithuania shall have the following rights during the temporary protection period:

1) to lodge an Asylum Application in the Republic of Lithuania in the manner prescribed by this Law;

<...>

Article 17, §2:

2. The examination of any asylum application not processed before the end of the period of temporary protection shall be completed after the end of that period.

Translation:

Article 76. Admission of an Asylum Applicant into the Territory of the Republic of Lithuania and Granting him Temporary Territorial Asylum (LAW ON THE LEGAL STATUS OF ALIENS)

1. Having examined the documents and evidence submitted to it and determined that no EU Member State is responsible for examining the asylum application and there are no reasons indicated in Article 77 of this Law, the Migration Department shall take decisions in respect of granting (refusal to grant) temporary territorial asylum to an asylum applicant and provision of the asylum applicant with accommodation in the Republic of Lithuania pending the examination of his application as to substance and the taking of final decision.

<...>

Article 128. Circumstances Taken into Account when Making a Decision to Expel an Alien or Due to which the Implementation of the Decision on the Expulsion of an Alien from the Republic of Lithuania May be Postponed (LAW ON THE LEGAL STATUS OF ALIENS)

<...>

2. The implementation of the decision regarding the expulsion of an alien from the Republic of Lithuania shall be suspended if:

1) the decision regarding expulsion of an alien from the Republic of Lithuania is appealed against in the court, except in cases when the alien must be expelled due to the threat which he constitutes to state security or public policy;

<...>