Dublin procedure - Lithuania

Overview

Content updated on: 21/08/2025

Relevant EU legislation

Lithuania is bound by the Dublin III Regulation (AMMR) and enforces its provisions directly.

National Legislation

The Dublin III Regulation is applied directly in Lithuania, however, reference to the regulation is made in:

Law on the Legal Status of Foreigners No IX-2206 of 29 April 2004 | Įstatymas Dėl Užsieniečių Teisinės Padėties - 2004

24/02/2016: Ministerial Order on Description of Procedure Granting and Withdrawing of Asylum in the Republic of Lithuania | Lietuvos Respublikos Vidaus Reikalų Ministras Įsakymas Dėl Prieglobsčio Lietuvos Respublikoje suteikimo ir panaikinimo tvarkos aprašo patvirtinimo

26/05/2025: Order of the Minister of Social Security and Labour of the Republic of Lithuania, Minister of the Interior of the Republic of Lithuania, Minister of Health of the Republic of Lithuania on approval of the description of the procedure for the accommodation of unaccompanied minor foreigners, the search for family members or other legal representatives of unaccompanied minor foreigners who are not asylum seekers, the determination of their legal status and the performance of other procedural actions related to them, and the determination of the age of aliens

Competent authorities and stakeholders

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Entity responsible for the Dublin procedure (the application of the criteria and mechanisms for determining the Member State responsible): Asylum Division, Migration Department, Ministry of Internal Affairs | Prieglobsčio skyrius, Migracijos departamentas, Lietuvos Respublikos vidaus reikalų ministerija

Place in the institutional framework: An autonomous Dublin unit does not exist. The Asylum Division, which is part of the Migration Department under the Ministry of Internal Affairs, is the authority responsible for Dublin cases.

Competencies of the entity:

Yes	Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handling the form to be completed during registration)
No	Organising Dublin transfers
Yes	Notifying the transfer decision
No	Accompanying/escorting applicants during a Dublin transfer
Yes	Sending and replying to take charge and take back requests to/from other Member States
No	Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)
Yes	Sending and replying to information requests to/from other Member States

Stakeholders involved in the procedure:

Handing over the common leaflet on the Dublin procedure	Migration Department | Migracijos departamentas State Border Guard Service | Valstybės sienos apsaugos tarnyba

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Conducting the Dublin interview (specifically for the Dublin procedure, as part of the registration interview or handing the form to be completed during registration)	Territorial divisions of the Migration Department | Migracijos departamentas State Border Guard Service | Valstybės sienos apsaugos tarnyba
Referral of cases to the Dublin unit	State Border Guard Service | Valstybės sienos apsaugos tarnyba Migration Department | Migracijos departamentas
Sending and replying to a take charge or take back request	Asylum Division, Migration Department | Prieglobsčio skyrius, Migracijos departamentas
Sending and replying to information requests to/from another Member State	Asylum Division, Migration Department | Prieglobsčio skyrius, Migracijos departamentas
Notification of the transfer decision	Territorial divisions of the Migration Department | Migracijos departamentas State Border Guard Service | Valstybės sienos apsaugos tarnyba Reception and Integration Agency / Priėmimo ir integracijos agentūra
Free legal assistance during the appeal of a transfer decision	Reception and Integration Agency / Priėmimo ir integracijos agentūra provides free legal aid and representation services upon the applicant's request. Service providers are individuals or organisations who are under contract with the Reception ang Integration Agency.

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Representation of the asylum authority in an appeal against a transfer decision	Migration Department | Migracijos departamentas
Organising the transfer to the responsible Member State	State Border Guard Service | Valstybės sienos apsaugos tarnyba
Providing information on the transfer modalities to the applicant	State Border Guard Service | Valstybės sienos apsaugos tarnyba
Accompanying/escorting applicants during a Dublin transfer when necessary	State Border Guard Service | Valstybės sienos apsaugos tarnyba
Receiving applicants transferred under the Dublin procedure (meeting applicants at the airport/border crossing)	State Border Guard Service | Valstybės sienos apsaugos tarnyba
Court/authority responsible for deciding on an appeal against a transfer decision	Regional Administrative Court | Regionų administracinis teismas

Provision of information on the Dublin procedure

Information is provided by the officers of the State Border Guard Service upon arrival. When a person applies for asylum, he or she is given a leaflet providing general information about the Dublin procedure, Eurodac and the rights and obligations of an asylum seeker. The leaflet has been prepared in accordance with Article 4 of the Dublin Regulation. National information provided in this leaflet - contacts in Lithuania (Migration Department, State Data Protection Inspectorate, UNHCR Representative in Lithuania, IOM Vilnius Office, Lithuanian

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Red Cross Society and Vilnius Archdiocese Caritas).

The new information leaflets are being prepared by the EUAA (according to Article 20(2) of the AMMR). The Agency has set up a working group of MS representatives for this purpose. The leaflets will be available in multiple languages and should include the information specified in Article 19 of the AMMR. MS will have the opportunity to supplement them with their own specific information.

The applicant is entitled to contact the Migration Department for more information on the Dublin procedure and/or contact the office of the United Nations High Commissioner for Refugees (UNHCR) in Lithuania.

Right to legal counselling on the Dublin procedure

As of 1 January 2025, state funded legal aid is provided by the Reception and Integration Agency under the Ministry of Social Security and Labour. Previously, legal aid was provided by the Migration Department. Free legal assistance and representation services are provided upon the applicant’s request during the appeal against a decision on a transfer under the Dublin procedure. Service providers, individuals or organisations who are under contract with the Ministry of Social Security and Labour may provide legal assistance.

Personal interview for determining the Member State responsible

Organisation of the interview: Upon lodging an application, an initial interview is conducted. The goal of this initial interview is to collect data about the applicant and his/her family members who have arrived together with him/her, the route, data related to the determination of the responsible European country, basic reasons for submitting an application and his/her status in third countries.

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A separate interview is carried out on rare occasions.

Necessity of the Dublin interview is assessed by the caseworker and can be omitted if sufficient information is available.

An audio recording of the interview and its transcript are made. The transcript is signed by the interviewer and is kept in the file of the applicant being available to legal representatives of the applicant.

Persons present during interview: The Dublin procedure does not provide for a separate interview, therefore the general interview rules apply:

- An adult is interviewed by an expert from the Migration Department. If necessary, an interpreter participates in the interview. A lawyer is invited to the interview if the asylum seeker so requests.

- An interview of a minor asylum seeker is conducted in the presence of at least one of his/her parents (adoptive parents) or another legal representative with whom the minor asylum seeker arrived in the Republic of Lithuania, except in cases where it is reasonably believed that the participation of these persons in the interview may prevent the minor asylum seeker from providing data on the persecution he/she has experienced or is threatened with.

- An interview of an unaccompanied minor asylum seeker is conducted in the presence of an authorized representative providing legal assistance and a representative/temporary guardian specified in Article 32 of the Law “On the Legal Status of Foreigners”.

Experts of the Migration Department performing functions related to the examination of asylum applications must be familiar with the requirements of international, EU and Republic of Lithuania legal acts established for the examination and decision-making of asylum applications, the methodological and practical recommendations issued by EUAA and UNHCR for experts examining asylum applications, and must also have participated in relevant training covering the issues listed in points (a) to (e) of Article 6(4) of Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office, and must continue to be trained on these issues. Experts of the Migration Department conducting interviews with asylum seekers must have participated in specialized training, during which they are introduced to interviewing techniques and good practices, and are taught to choose the most appropriate method of communicating with the asylum seeker, taking into account, inter alia, their age, maturity, cultural background, gender,

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sexual orientation, gender identity and vulnerability, as well as to identify problems that may negatively affect the asylum seeker's ability to be interviewed based on relevant characteristics.

Notification of the transfer decision

When determining that another EU Member State is responsible for examining an application for asylum, an initial decision not to examine the application in substance establishing the Member State that is responsible for the examination of the application is issued. A decision on transfer is taken before the physical removal of the person to another Member State. The Asylum Division is responsible for notifying the transfer decision to the applicant.

The decision is delivered in person. The interpretation is arranged when necessary.

Transfer decision includes the decision itself, the reasons for the decision, the legal basis, information about the right to appeal and availability of free legal assistance. It also specifies the deadline for appealing the decision.

Remedies

Competent authority/court	The Regional Administrative Court
Deadline for review/appeal	14 days starting from the day when the decision is given
Deadline for decision on the review/appeal	The Regional Administrative Court must hear the appeal no later than two months after a court ruling to hear the appeal (Article 140(2) of Law on the Legal Status of Foreigners). The Supreme Administrative Court must pronounce a decision within two months after a court ruling to hear the appeal (Article 140(2) of Law on the Legal Status of Foreigners).
Suspensive effect of the review/appeal	There is no automatic suspensive effect of the appeal, however the applicant has the right to request this, and the court will decide on the request.

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Transfer arrangements

Transfers are organised and enforced by the State Border Guard Service, who is also responsible for providing information on the transfer modalities to the applicant.

The Asylum department agrees with the responsible Member State on the details of the transfer. The State Border Guard Service arranges the transfer. The applicant is informed of the transfer date and travel details. On the scheduled day, the applicant is transferred by land or air. Before an applicant is transferred, the responsible member state is submitted a standard form with information on the transfer modality, date, and time. This duty (to inform the responsible Member State) lies with the Migration Department. If the receiving Member State accepts the proposed transfer, the State Border Guard Service organizes it: informs the applicant about details of the transfer and takes the person to the airport or to the State Border, if the transfer is carried out by land. If necessary, the transfer under escort is carried out.

The decision of the Migration Department not to consider the application for asylum is taken within 48 hours. The average time to realise the transfer, in normal situation, is one month. The entire duration of the Dublin procedure, until the applicant is transferred to the country may, under normal circumstances, take up to 11 months.

The specific mechanism for the identification of persons with special needs within the Dublin procedure is laid in the Ministerial Order on Description of Procedure Granting and Withdrawing of Asylum in the Republic of Lithuania No. 1V-131, 24 February 2016.

There is a special questionnaire for establishment of a person’s vulnerability at the very outset of the asylum procedure which is filled in by the authority that accepts the application and assessed by the Head of the Asylum Division of the Migration Department (determining authority). The authority accepting the application is obliged to fill in a special questionnaire on vulnerability. Later on in the procedure if a person falls under the Dublin procedure and has to be transferred to another MS, his /her vulnerability had already been assessed.
When a person is returned from another member state and applies for asylum at

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the airport, the border guards that do the initial interview gather data on the vulnerability of the person. If the returned person decides not to apply for asylum, his/her special needs are not identified.

Guarantees for minors in the Dublin procedure

Assessment of the best interests of the child:

There is no specific national legal provision solely dedicated to assessing the best interests of the child within the Dublin procedure. Within one month of the unaccompanied minor's accommodation in a temporary accommodation facility, the staff assess the best interests of the child using a designated form.

Legal guardian: There are no specific tasks listed in national legislation regarding the role of legal guardian in supporting the minor in the Dublin procedure. Legal guardians are not specifically trained on the Dublin procedure.

Detection of potential family reunification cases:

Upon arrival of unaccompanied minors in the Agency, a general best interests of the child form is filled out, which also includes questions about relatives. The asylum application form also includes questions about family members, family ties, and the place of residence of relatives. After evaluating the answers, the Dublin procedure can be identified. Having noticed possible family reunification, the SBGS and the Agency notifies the Migration Department.

Upon receiving information about an unaccompanied minor foreign national, the Migration Department, together with non-governmental or international organizations operating in the Republic of Lithuania and the representative appointed to the unaccompanied minor foreign national in accordance with the procedure established by the legal acts of the Republic of Lithuania regulating the appointment of a representative, shall, without delay and no later than within 3 working days from the date of receipt of the information, organize a search for the family members or other legal representatives of the unaccompanied minor foreign national.

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