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COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

21/08/2012

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**EUROPEAN SOCIAL CHARTER**  
**REPLIES TO SUPPLEMENTARY QUESTIONS**

9<sup>th</sup> National Report on the implementation of  
the European Social Charter

submitted by

**THE GOVERNMENT OF LITHUANIA**

(Articles 1§2  
for the period 01/01/2007 – 31/12/2010)

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Report registered by the Secretariat on 23 July 2012

**CYCLE 2012**

Dear colleagues,

Referring to **Mr Regis Brillat letter of 14 June 2012 (GD-9831)** with enclosed questions of European Committee of Social Rights I am sending the required information.

The National Defence System's Organization and Military Service Law (Official Gazette, 1998, No. 49-1325) contain provisions which provide for professional military service contracts for these terms (Article 31 part 2 paragraph 1):

1. First contract for the officers starting the service after finishing the Military Academy of Lithuania or relevant foreign school terminates at the age of 35 years, which is the age of the release to the reserve for lieutenant. Further contract maybe established depending on the will and career of the officer with the following terms (they also depend on the age of the release to the reserve for relevant position):

- the senior lieutenants – till the age of 40 years;
- the masters (captains lieutenants) - till the age of 43 years;
- major (lieutenant commanders) - till the age of 46 years;
- lieutenant colonel (commander) - till the age of 50 years;
- colonel (captain) - till the age of 53 years;
- generals (admirals) - till the age of 58 years.

2. For others (admitted to the professional military service soldiers, reserve soldiers, volunteers or other soldiers, military experts) the period of service under the contract **can not be longer than 5 years** and also depends on the age of the release to the reserve for relevant position.

**There is no possibility to prolong the length/term of service established by contract due to training or operational requirements.**

**Valid reasons for termination of service contract on the soldier's initiative before the expiry of the term:**

- soldier is appointed as the sole guardian of an incapable person or a person of diminished capacity, or soldier has to care for a disabled person (spouse or close relative) to whom the special need for constant care is established and there are no other persons who may take care of the disabled;
- soldier raising alone a child (adopted) or disabled child (adopted child) under eighteen years old or have the care of disabled child (adopted child) who has the special need for constant care;
- if the work of soldier's spouse in state or municipal institution or agency requires to move abroad;
- the soldier is the only working person in the farm;
- if the soldier is the single breadwinner in the family and his/her income share for the family members are less than approved base amount of the relevant year.

The National Defence System's Organization and Military Service Law provides for other reasons to terminate the service contract before the expiry of the term without the soldier's initiative.

Other questions referring to the **letter of 11 July 2012** will be replied due to your time limit.

Kind regards

Kristina Vyšniauskaitė-Radinskienė

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Strasbourg, 14 June 2012

Dear Vysniauskaite-Radinskiene,

The European Committee of Social Rights is currently examining the States' reports on the European Social Charter with respect to the thematic group on "employment, training and equal opportunities" and has instructed me to forward to you the enclosed questions.

The Committee would be grateful if you could reply to these questions before 27 July 2012 in order to allow the information to be taken into account in Conclusions 2012.

Yours sincerely,

Régis Brillat



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EUROPEAN COMMITTEE OF SOCIAL RIGHTS

COMITE EUROPEEN DES DROITS SOCIAUX

14 June 2012

### Questions addressed to Lithuania

Article 1§2 (prohibition of discrimination in employment/ forced labour/ right to earn one's living in an occupation freely entered upon):

- *What is the length of, if any, compulsory minimum period of service required of those serving in the professional armed forces?*
- *Are there circumstances, such as specialised training or specific operational requirements, which entail a different compulsory minimum term of service in the professional armed forces and under what conditions may the persons concerned leave the service before the expiry of this term?*