



European
Social
Charter

Charte
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EUROPEAN SOCIAL CHARTER

Answers to additional questions related to

21st National Report on the implementation of the European
Social Charter

submitted by

THE GOVERNMENT OF LITHUANIA

Articles 2, 3, 4, 5, 6, and 20

CYCLE 2024

ADDITIONAL INFORMATION TO THE 21ST NATIONAL REPORT SUBMITTED BY THE GOVERNMENT OF LITHUANIA ON 24 JULY 2025

Article 3.1

Please provide information on the content and implementation of national policies (including any existing action plans/strategies) on psychosocial or new and emerging risks in relation to:

- the gig or platform economy.

In Lithuania, there are no specific legal acts or action plans/strategies dedicated to occupational safety and health (OSH) for gig or platform economy workers or the psychosocial risks they may face. In such cases, general OSH legislation applies, which covers all workers regardless of their form of employment.

Article 3.2

Please provide information on the measures taken to ensure that domestic workers are protected by occupational health and safety legislation.

The concept of domestic workers is not defined in Lithuanian national legislation. As a result, general occupational safety and health (OSH) regulations apply to such workers, as outlined earlier under Article 3§1.

According to the Official Statistics Portal, in the year 2023, no companies were registered as employing domestic workers, and therefore no specific data indicators are available for this category.

Article 6.4

Army and police

Please, indicate if the restriction on the right to strike of the members of the armed forces is established by law, and why is it necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals (Article G of the Charter).

In addition, please indicate whether the members of armed forces have other means through which they can effectively negotiate the terms and conditions of employment, including remuneration.

Please, indicate whether police have the right to strike or there is a restriction on the right to strike of the police.

If there is a restriction on the right to strike, please indicate if the restriction is established by law, and why is it necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals (Article G of the Charter).

The restriction on the right to strike of the members of the armed forces

In Lithuania, the right to strike of the members of the armed forces is established by law. This prohibition is established in Article 36, Part 7 of the Law on the Organization of the National Defence System and Military Service of the Republic of Lithuania¹, which states that professional military service members may not be members of trade unions or go on strike.

According to the provisions of this Law, members of the armed forces are part of the state's armed defence institutions, whose primary mission is to defend the sovereignty and territorial integrity of the state and to carry out military tasks. Due to this special function, service members are subject to strict military discipline, hierarchy, and constant readiness requirements. Therefore, the right to strike, as a form of civil liberty, is incompatible with the nature of military service and is considered inconsistent with national security interests.

This is a restriction established by law and complies with the requirements of Article G of the Charter of Fundamental Rights of the European Union, which allows for limitations on rights, when necessary, in a democratic society to protect national security, public order, or the rights and freedoms of others. Article 21 of the Law on the Organization of the National Defence System and Military Service of the Republic of Lithuania outlines the unique legal status of soldiers. Military service entails a special relationship of loyalty to the state, governed by specific laws and regulations that supersede general labour and civil service legislation. Soldiers retain the fundamental rights and freedoms guaranteed by the Constitution; however, certain rights – such as privacy, freedom of movement, association, and expression – may be lawfully restricted to the extent necessary to fulfil military duties, maintain discipline, and ensure operational effectiveness. Despite these limitations, freedom of thought, belief,

¹ [VIII-723 Lietuvos Respublikos krašto apsaugos sistemos organizavimo ir karo tarnybos įstatymas](#)

and conscience remains fully protected. These legal distinctions are essential for safeguarding national security and reflect the core responsibilities of the armed forces, including territorial defence (airspace and maritime surveillance, control, and protection), maintaining combat readiness, participating in international operations, and coordinating search and rescue or environmental response efforts as mandated by law.

Soldiers in Lithuania do not have the right to negotiate the terms of their service, including working conditions or pay, as these are strictly regulated by the Law on the Organization of the National Defence System and Military Service. Their remuneration is determined by military rank and supplemented by a clearly defined system of bonuses, allowances, and compensations, which are based on qualifications, duties, and responsibilities. Social guarantees for soldiers are also established by law and differ from those granted to civil servants or other public employees. Unless otherwise specified, these guarantees are governed by separate legal provisions. According to Article 22 of the Military Service Statute, soldiers are entitled to receive legally defined supplies and provisions, rest time and statutory leave, healthcare services provided by military medical institutions, and social and other guarantees as established by law. Additionally, they have the right to file complaints under the Military Discipline Statute if their rights are violated or if they receive unlawful orders.

The restriction on the right to strike of the police

*In Lithuania, police officers do not have the right to strike. Their right to strike is entirely prohibited under a special law – the Law on the Statute of the Internal Service of the Republic of Lithuania. Specifically, Article 23, Part 1, Point 7 of this Law states that "Officers are prohibited from striking."² Furthermore, the Statute of the Internal Service is considered a *lex specialis* – a special law that takes precedence over general legislation such as the Labour Code when regulating the employment and service conditions of internal service officers. Therefore, any matters related to the working conditions or collective disputes of police officers must be resolved through procedures specifically established by the applicable special legislation.*

Justification under Article G of the European Social Charter

The prohibition of strikes by police officers in Lithuania, as established in Article 23, Part 1, Point 7 of the Law on the Statute of the Internal Service, is a necessary and proportionate measure in a democratic society. This restriction serves to protect the rights and freedoms of others, as well as to uphold the public interest, national security, and public order, in line with Article G of the Charter of Fundamental Rights of the European Union.

Police officers perform a unique and essential role in maintaining public order, ensuring safety, and enforcing the law. Their duties are critical to the functioning of a democratic society, and any disruption in their services—such as through a strike—could have serious consequences. A police strike could lead to increased crime, delayed emergency responses, and a general breakdown in public trust and security. These outcomes would directly affect the rights of individuals to life, liberty, and security, and could undermine the rule of law.

Moreover, the police are a fundamental part of the national security infrastructure. Their continuous and reliable presence is vital for responding to threats such as terrorism, organized crime, and civil unrest. Allowing police officers to strike could compromise the state's ability to protect its citizens and maintain constitutional order.

Current geopolitical context

Ensuring state security in Lithuania is particularly important in the current geopolitical context, especially considering the ongoing war in Ukraine and the security situation related to Belarus.

Lithuania shares a border with both Belarus and the Russian exclave of Kaliningrad, placing it in a strategically sensitive region. Since the beginning of Russia's full-scale invasion of Ukraine in 2022, Belarus has played a direct and indirect role in supporting Russian military operations, including allowing Russian troops and equipment to be stationed and launched from its territory. This has significantly increased the military and hybrid threats to Lithuania and other NATO countries in the region. In this context, maintaining internal stability and uninterrupted functioning of critical state services, such as the police, is essential. Any disruption – such as a police strike – could weaken Lithuania's ability to respond to hybrid threats, including cyberattacks, disinformation, and border provocations; mass migration pressures, such as those orchestrated by Belarus in 2021–2022; civil

² [IX-1538 Lietuvos Respublikos vidaus tarnybos statuto patvirtinimo įstatymas](#)

unrest or emergency situations that could be exploited by hostile actors.

Therefore, the prohibition of strikes by police officers is not only a matter of internal policy but also a strategic necessity to ensure national resilience, protect democratic institutions, and fulfil Lithuania's obligations as a NATO and EU member state.

The restriction also aligns with European human rights standards. The European Court of Human Rights has recognized that certain categories of public servants, particularly those involved in the administration of the state, may be lawfully restricted from striking. Such restrictions are permissible when they are clearly established by law, pursue a legitimate aim, and are necessary in a democratic society. Lithuania's legal framework meets all these criteria.

These limitations align with Article G of the European Social Charter, which allows for restrictions on rights such as the right to strike when they are necessary in a democratic society for the protection of public interest, national security, or the rights and freedoms of others.