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COMITÉ EUROPÉEN DES DROITS SOCIAUX

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FIFTH REPORT
ON THE NON-ACCEPTED PROVISIONS OF THE REVISED EUROPEAN SOCIAL CHARTER

Lithuania

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I. OVERVIEW

The European Social Charter is based on a ratification system, which enables States Parties, subject to certain minimum requirements, to choose the provisions they are willing to accept as binding international legal obligations. This system is provided for by Article A of the revised European Social Charter (Article 20 of the 1961 Charter) and it allows States, at any time subsequent to ratification of the treaty, to notify the Secretary General of their acceptance of additional articles or paragraphs.

It is in the spirit of the Charter for States Parties to progressively increase their commitments, tending towards acceptance of additional and eventually all provisions of the Charter where possible, as opposed to an *à la carte* stagnancy.[1]

The procedure on examination of reports on non-accepted provisions is provided for by Article 22 of the European Social Charter of 1961 (ETS No. 35). According to this provision, the States Parties shall send to the Secretary General, at appropriate intervals as requested by the Committee of Ministers, reports relating to the provisions of Part II of the Charter which they did not accept at the time of their ratification or by subsequent notification. The Committee of Ministers shall determine from time to time in respect of which provisions such reports shall be requested and the form of the reports to be provided.

In September 2022, the ECSR adopted a decision to henceforth implement the procedure on non-accepted provisions in respect of all State Parties to either Charter, in a reinforced manner. The current procedure provides for submission of written information by States Parties in accordance with a pre-established calendar, and additional bilateral meetings when it is deemed to represent an added value. The written information, submitted by the States Parties shall be made public upon its reception, and the national and international social partners, non-governmental organisations, national human rights institutions, equality bodies and other stakeholders are given the possibility to provide comments within three months after receipt of the written information.

II. EXECUTIVE SUMMARY

Lithuania ratified the revised Charter on 29 June 2001 accepting 86 of its 98 paragraphs. Thus far, the following 12 provisions have not been accepted by Lithuania: Article 12§2, Article 13§4, Article 18§§2 and 3, Article 19§§2, 4, 6, 8 and 12, Article 23, Article 30 and Article 31§3. Lithuania has not yet accepted the system of collective complaints.

The procedure on non-accepted provisions was applied to Lithuania for the first, second and third time in 2007, 2011 and 2016, in the context of a meeting between members of the ECSR and the Government.

In order to apply the procedure for the fourth time in 2021, the Lithuanian authorities were invited to provide written information on the non-accepted provisions of the Charter. Having examined the written information, the ECSR considered that the situation was compatible with the requirements of the Charter in respect of Articles 19§4, 19§8, 19§12, 23 and 30. The legal situation and the practice was not fully compatible with the requirements of the Charter in

[1] The opening paragraph of Part I reads "The Parties accept as the aim of their policy, to be pursued by all appropriate means both national and international in character, the attainment of conditions in which the following rights and principles may be effectively realised", followed by the heading of all rights contemplated by the European Social Charter. Part III, Article A, provides that "each of the Parties undertakes [...] to consider Part I of the Charter as a declaration of the aims which it will pursue by all appropriate means, as stated in the introductory paragraph of that part", followed by the rules on the choices available as regards provisions that Parties can declared to be bound by and which determine the modalities of monitoring under Part IV of the Charter. (See CM(2022)196-final).

respect of Article 18§2. Further information was needed to assess whether the situation in law and practice was compatible with the requirements of the Charter as regards Articles 12§2, 13§4, 18§3, 19§§2 and 6 and 31§3.

With a view of carrying out the procedure for the fifth time in 2026, the Lithuanian authorities were invited to provide written information on the non-accepted provisions of the Charter.

This fifth examination of the non-accepted provisions is based on the adjusted procedure on non-accepted provisions. In terms of this procedure, Lithuania was invited on **1 December 2025** to submit written information before 31 March 2026. The requested written information was registered on **31 March 2026**, and it was subsequently published on the CoE website.[2]

Having examined the written information provided by Lithuania, **the ECSR considers that the situation in Lithuania is compatible with the requirements of the Charter in respect of Articles 12§2, 19§4, 19§8, 19§12, 23 and 30 and that these provisions could be accepted without delay**; that the legal situation and the practice is not fully compatible with the requirements of the Charter in respect of Articles 18§2 and 19§6 and more information is needed in respect of Articles 13§4, 18§3, 19§2 and 31§3.

The ECSR also invites Lithuania to accept the collective complaints procedure, in order to increase the effectiveness, speed and impact of the implementation of the Charter and strengthen the role of the social partners and non-governmental organisations, as well as make a declaration enabling national NGOs to submit collective complaints, as a step towards meeting the strong interest of domestic NGOs in the continuous strengthening of social standards at the national level.

The ECSR remains at the disposal of the Government for enhanced dialogue on the provisions of the Charter and the relevant case law and invites Lithuania to undertake further commitments under the Charter as soon as possible.

A table showing the provisions of the revised Charter accepted by Lithuania appears in Appendix I.

The next examination of the provisions not yet accepted by Lithuania will take place in 2031.

II. EXAMINATION OF THE NON-ACCEPTED PROVISIONS OF THE REVISED EUROPEAN SOCIAL CHARTER

Article 12§2 - The right to social security

With a view to ensuring the effective exercise of the right to social security, the Parties undertake: to maintain the social security system at a satisfactory level at least equal to that necessary for the ratification of the European Code of Social Security.

Situation in Lithuania

The Government indicates that an updated analysis carried out in 2026 regarding compliance of Lithuanian legislation with the requirements of the European Code of Social Security (Code), revealed that Lithuania could comply with the requirements of the following parts of the Code: medical care, sickness benefit, employment injury benefit, family benefit and maternity benefit. In particular, Lithuania's compulsory health insurance system provides a broad package of primary, outpatient, inpatient and emergency care, as well as

[2] National report on non-accepted provisions of the European Social Charter – April 2025

reimbursements for pharmaceuticals. Lithuania's sickness benefit scheme grants benefits from the first day of certified incapacity to work, with defined replacement rates and transparent qualification rules. The system ensures income security during temporary illness, meeting the Code's core conditions on duration, certification and adequacy. Lithuania maintains a dedicated employment injury insurance scheme that provides medical care, temporary incapacity benefits, lump-sum or periodic compensation for permanent loss of capacity, and survivor benefits. Lithuania's universal child benefit, supplemented by targeted additional payments for low-income families or children with disabilities, matches the Code's requirement for broad, stable family benefits. Lithuania provides paid maternity leave with earnings-related maternity benefit, alongside guaranteed antenatal, perinatal and postnatal healthcare through the national health system.

However, Lithuania still lacks compliance with the requirements of the following parts of the Code: unemployment benefit (because of its adequacy, duration and coverage), old-age benefit, invalidity benefit, survivors' benefit. Lithuania's unemployment insurance system provides meaningful support, however, it does not fully meet the Code's minimum requirements. In Lithuania, the benefit consists of a fixed part plus a variable part; Lithuania's fixed nine-month maximum duration is generally shorter than the standard required by the Code; not all categories of unemployed persons meeting the Code's definition are covered. Old-age pension remains below the income-replacement thresholds defined in the Code. The Code demands indexation mechanisms that fully protect real purchasing power, which is not always the case under current rules in Lithuania. Invalidity pensions, especially for individuals with low contribution histories, are below the replacement-rate standards set by the Code; Lithuania uses a capacity-for-work percentage model, which remains only partially aligned with the Code's definition of invalidity; some persons with partial incapacity receive very low or no benefit. Survivor benefits, especially for persons with no or low contribution rights of their own are below the Code's adequacy standards; Lithuania's eligibility rules are more restrictive; survivor benefits often do not reach the required percentage of the deceased worker's reference earnings.

The Government finally provides the rules of benefit calculations and the amounts of the benefits. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

The ECSR notes that Lithuania signed the Code on 15 November 2005. It also notes that Lithuania has not ratified ILO Convention No. 102. The non-ratification of the Code is not in itself an obstacle to acceptance of Article 12§2 of the Charter.

The Code requires the acceptance of more parts than ILO Convention No. 102 on social security (minimum standards), i.e. at least six of Parts II to X (on the understanding that Part II, Medical care, counts as two parts and Part V, Old-age benefit, counts as three parts).

In order to examine whether the social security system stands at a level at least equal to that necessary for the ratification of the Code, the ECSR has to be provided with thorough information regarding the branches (risks) covered, the personal scope and the level of benefits offered. Conclusions under Article 12§1 are also taken into account.

The ECSR takes into account the Government's assessment that Lithuania complies with the requirements of the following parts of the Code: medical care (Part II, which counts as two parts), sickness benefit (Part III), employment injury benefit (Part VI), family benefit (Part VII) and maternity benefit (Part VIII). The ECSR notes that in its conclusions on Article 12§1 of the Charter, it held that the Lithuanian social security system covers the branches of social security

corresponding to all traditional risks. The ECSR also notes that in Conclusions 2021 it held that the minimum level of unemployment benefit was adequate.

In light of the information provided by the Government and the fact that Lithuania complies with the requirements of seven contingencies contained in the Code and States are required to accept six, **the Committee considers that the situation in Lithuania is compatible with the requirements of the Charter in respect of Article 12§2, which could therefore be accepted immediately**.

***Article 13§4* - The right to social and medical assistance**

With a view to ensuring the effective exercise of the right to social and medical assistance, the Parties undertake:
to apply the provisions referred to in paragraphs 1, 2 and 3 of this article on an equal footing with their nationals to nationals of other Parties lawfully within their territories, in accordance with their obligations under the European Convention on Social and Medical Assistance, signed at Paris on 11 December 1953.

Situation in Lithuania

The Government indicates that the Law on Cash Social Assistance for Poor Residents provides support to families and single individuals who lack sufficient means for living and whose income and property fall below legally established thresholds. Eligibility for assistance extends to foreign nationals holding a EU long-term resident's residence permit issued by the Republic of Lithuania, as well as to citizens of EU Member States or Member States of the European Free Trade Association belonging to the EEA, and their family members, provided they have been issued documents confirming their right to reside in the Republic of Lithuania and have lived in Lithuania for at least three months. The three-month residence requirement does not apply to workers, including self-employed persons, and their family members from these States. Assistance is also available to foreign nationals who have been granted asylum or temporary protection in Lithuania, as well to citizens of Australia, Japan, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Canada, New Zealand, Republic of Korea and their family members who hold temporary residence permits in Lithuania and have been residing in the country for at least three months.

The Government further describes the application of the Law on Benefits for Children to foreigners, which is mostly related to residence or protection criteria.

The Government confirms that the EU social security coordination rules apply in Lithuania, ensuring that EU/EEA/Swiss citizens and eligible third-country nationals legally residing in the EU retain access to cross-border social security rights, including healthcare reimbursement through the Compulsory Health Insurance Fund.

The Government further states that all residents of Lithuania regardless of their place of residence, citizenship, or compulsory health insurance status, as well as asylum seekers and irregular migrants, have the right to receive emergency medical assistance and necessary medical care services. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

Article 13§4 grants non-resident foreign nationals an entitlement to emergency social and medical assistance.

By definition, no condition of length of presence can be set on the right to emergency assistance[3].

Emergency social assistance should be supported by a right to appeal to an independent body.

The ECSR takes note of the written information provided by the Government and it considers that further information is necessary to assess whether the situation in law and practice is compatible with the requirements of the Charter. In particular, it needs clarification on emergency social and medical assistance available specifically to non-resident nationals of States Parties. In the meantime, it encourages the Government to pursue its efforts and to consider accepting Article 13§4 of the Charter as soon as possible.

***Article 18§2* - The right to engage in a gainful occupation in the territory of other Parties**

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:
to simplify existing formalities and to reduce or abolish chancery dues and other charges payable by foreign workers or their employers.

Situation in Lithuania

The Government states that in recent years, Lithuania has seen a rapid increase in the number of jobseekers arriving from third countries. While employment for EU/EEA citizens remains simple and largely unrestricted, the rules for non-EU nationals have become significantly stricter due to amendments to the Law on the Legal Status of Aliens and the Law on Employment. Since July 2024, foreign nationals may no longer work in Lithuania on the basis of visa-free regime, a Schengen visa, a national visa or a residence permit issued by another EU Member State. The are only allowed to work in Lithuania if they hold a temporary residence permit issued for the purpose of employment. A general quota applies to non-highly qualified third-country nationals who intend to work in Lithuania under an employment contract, which limits their number to 1.4% of the country's permanent residents. Once the quota has been exhausted, a temporary residence permit for employment may still be issued if the foreign national will be paid at least 1.2 times the average gross salary or, in the case of high value-added professions – at least the average gross salary. As of 2026, after the quota has expired, the parties to the branch's collective agreement may submit a proposal to establish an additional quota.

The Government states that third-country nationals may work in Lithuania on the basis of several different documents: work permit; seasonal work permit; temporary residence permit for employment; EU Blue Card; temporary residence permit for intra-corporate transferees; temporary residence permit for researchers and lecturers, and temporary residence permit for students. Foreign nationals who come to Lithuania on other grounds may also work in Lithuania once they have been issued a temporary residence permit.

The Government also states that Lithuania's 2024-2025 reforms significantly increased employer responsibilities.

The Government notes that in most cases, an application for a temporary residence permit must be examined, and the permit issued or refused, within three months from the date of submission, unless the law provides a shorter period. Certain deadlines are shorter, for example, two months for intra-corporate transferees, researchers, persons who have completed studies or vocational training in Lithuania and their family members, one month for

[3] European Federation of National Organisations working with the Homeless (FEANTSA) v. the Netherlands, Complaint No. 86/2012, decision on the merits of 2 July 2014, §171.

highly qualified workers, certain intra-corporate transferees, researchers, lecturers and others. Applications for a permanent residence permit must be decided within three months.

The Government provides the fees applicable for temporary residence permits. The standard fee is €160, if the procedure is expedited – the fee is doubled. Work permit for one year is €121, extension of a work permit - €52, work permit for up to two years - €150, seasonal work permit - €34, duplicate work permit - €8.6, for youth exchange programmes - €34. Where a formal decision confirming that the foreigner's job meets the needs of the Lithuanian labour market is necessary, the fee for this assessment is €28. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

Formalities and dues and other charges are one of the aspects of regulations governing the employment of workers also covered by Article 18§3 but are dealt with specifically under this provision[4].

The ECSR notes from the national legislation that foreign nationals do not need work permit in certain cases, including when they have temporary or permanent residence permits. Thus, two different application procedures are not needed. The time needed to obtain a work permit also does not seem to pose issues of conformity with the Charter. The fees, however, could be considered as excessive in accordance with the ECSR's case law.

In the light of the above information, the ECSR considers that the current legal framework is not fully compatible with the requirements of Article 18§2 of the Charter. However, the ECSR encourages the Government to take the necessary steps enabling acceptance of this provision as soon as possible.

***Article 18§3* - The right to engage in a gainful occupation in the territory of other Parties**

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Party, the Parties undertake:
to liberalise, individually or collectively, regulations governing the employment of foreign workers recognise the right of young workers and apprentices to a fair wage or other appropriate allowances.

Situation in Lithuania

According to the information provided by the Government, Lithuania continues to strengthen the conditions under which foreign nationals may take up employment, guided by the principle that access to a gainful occupation should be effective, non-discriminatory and responsive to labour market needs.

The Government states that as of 1 January 2025, there were 217,290 foreigners living in the country and 106,400 of them held temporary residence permits on the basis of work, which demonstrates that Lithuania has created practical and accessible routes for foreign workers to participate in the labour market.

The Government also states that the regulatory environment governing employment of foreign nationals has been progressively liberalised. A substantial share of foreigners receive residence permits for employment. Administrative barriers have also been reduced through

[4] Conclusions IX-1 (1990), United Kingdom.

digitalisation. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

The conditions laid down for access by foreign workers to the national labour market must not be excessively restrictive, in particular with regard to the geographical area in which the occupation can be carried out and the requirements be met.[5]

Article 18§3 requires each State Party to liberalise regulations governing the employment of foreign workers, in order to ensure to the workers from other States Parties the effective exercise of the right to engage in a gainful occupation.[6]

The loss of employment should not lead to the cancellation of the residence permit, as this would require the worker to leave the country as soon as possible.[7] The validity of the residence permit should in fact be extended to give them enough time to find a new job.[8]

The ECSR takes note of the written information provided by the Government and it considers that further information is necessary to assess whether the situation in law and practice is compatible with the requirements of Article 18§3 of the Charter. In particular, it needs clarification of the legal situation with regard to the rights in the event of loss of employment and the conditions that apply in respect of foreigners (in particular, nationals of non-EEA States Parties to the Charter) wishing to access the Lithuanian labour market as self-employed. In the meantime, it encourages the Government to pursue its efforts and to consider accepting Article 18§3 of the Charter as soon as possible.

***Article 19§2* - The right of migrant workers and their families to protection and assistance**

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:
to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey.

Situation in Lithuania

The Government states that Lithuania operationalises this commitment through a mix of digital access, service standards and health safeguards across the whole migration pathway: before departure, applications for national visas and temporary residence permits are filed and tracked through the Lithuanian Migration Information System and, where relevant, lodged via an external service provider network abroad.

The Government notes that visa applicants must hold private health insurance that covers necessary care and repatriation with an insured sum of €30,000. After arrival, legally residing and working third-country nationals and their family members are brought into Lithuania's compulsory health insurance system, with recent updates easing coverage for family members until they take up employment ensuring access to publicly financed services on the

[5] Conclusions V (1977), Germany
[6] Conclusions 2012, Statement of Interpretation on Article 18§3
[7] Conclusions XXII-1 (2020), Germany
[8] Conclusions XXII-1 (2020), Germany, citing Conclusions XVII-2 (2005), Finland

same terms as residents. Travel assistance and consular help are available through the Ministry of Foreign Affairs' Consular Department.

The Government states that the International Organisation for Migration contributes significantly through its Migration Information Centre "MICenter", which provides free legal consultations, psychological support, language training, career counselling and a variety of informational and educational activities aimed at facilitating smooth integration into social and economic life in Lithuania. NGOs also play an essential role, particularly in supporting vulnerable groups such as asylum seekers, beneficiaries of temporary protection and third-country nationals facing social risks. Caritas operates integration centres in Vilnius and Pabradė, where foreigners receive social, legal and psychological consultations, language courses, assistance with housing and employment and opportunities to participate in community building activities. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

This provision obliges States Parties to adopt special measures for the benefit of migrant workers to facilitate their departure, journey and reception.[9]

The ECSR notes that Article 19§2 does not provide for a right of establishment and therefore does not concern the conditions under which foreign nationals are entitled to a residence or work permit (these aspects being assessed under Article 18 for foreign workers). Nor does it concern the right to health insurance.

The ECSR takes note of the written information provided by the Government and it considers that further information is necessary to assess whether the situation in law and practice is compatible with the requirements of Article 19§2 of the Charter. In particular, it needs clarification of the legal situation with regard to special measures for the benefit of migrant workers to facilitate their departure, journey and reception. In the meantime, it encourages the Government to pursue its efforts and to consider accepting Article 19§2 of the Charter as soon as possible.

***Article 19§4* - The right of migrant workers and their families to protection and assistance**

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:
to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

- ***a) remuneration and other employment and working conditions;***
- ***b) membership of trade unions and enjoyment of the benefits of collective bargaining;***
- ***c) accommodation.***

Situation in Lithuania

According to the information provided by the Government, the provisions of the Labour Code apply equally to Lithuanian citizens, EU citizens and third-country nationals. Employers must implement the principles of gender equality and non-discrimination on other grounds.

[9] Conclusions III (1973), Cyprus.

The Government further states that trade unions may represent third-party nationals in judicial or administrative proceedings according to a procedure prescribed by law. Trade unions shall also defend their members on an individual basis and represent them in individual employment relationships. All natural persons (both Lithuanian citizens and foreigners) who have the legal capacity and legal capacity to work have the right to freely establish and join trade unions at the State, branch or territorial level and to participate in their activities.

The Government also states that housing support is provided in accordance with the principle of equality. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania)

Opinion of the ECSR

States Parties are required to prove the absence of discrimination, whether direct or indirect, in terms of law and practice, and should inform of any practical measures taken to remedy cases of discrimination.[10]

The ECSR takes note of the information provided by the Government and reiterates its previous opinion that **the situation in Lithuania is compatible with the requirements of the Charter in respect of Article 19§4, which could therefore be accepted immediately.**

***Article 19§6* - The right of migrant workers and their families to protection and assistance**

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:
to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory.

Situation in Lithuania

According to the report, the right of foreigners to family reunification is regulated in Article 43 of the Law on the Legal Status of Aliens. Foreigners acquire the right to family reunification when they have lived in Lithuania for the previous two years, hold a temporary residence permit valid for at least one more year, and have a reasonable prospect of acquiring the right to permanent residence in Lithuania. There are some exceptions to this rule, where foreigners acquire the right to family reunification immediately.

The Government considers that national legislation partially complies with Article 19§6 of the Charter, however, there are currently no plans to fundamentally amend the family reunification framework or to remove the existing restrictions. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania)

Opinion of the ECSR

This provision obliges States Parties to allow the families of migrants legally established in State Party territory to join them.[11] The worker's children entitled to family reunion are those

[10] Conclusions III (1973), Statement of Interpretation on Article 19§4; European Federation of national organisations working with the Homeless (FEANSA) v. the Netherlands, Complaint No. 86/2012, decision on the merits of 2 July 2014, §§ 202-203.
[11] Conclusions 2019, Albania.

who are dependent, unmarried, and who fall under the legal age of majority in the receiving State.[12]

States Parties should not adopt a blanket approach to the application of relevant requirements, so as to preclude the possibility of exemptions being made in respect of particular categories of cases, or for consideration of individual circumstances.[13]

States Parties may not deny entry to their territory for the purpose of family reunion to a family member of a migrant worker for health reasons. A refusal on this ground may only be admitted for specific illnesses which are so serious as to endanger public health.[14]

States Parties may require a certain length of residence of migrant workers before their family can join them. A period of one year is acceptable under the Charter, but a longer period is considered excessive.[15] Thus, for example, a period of eighteen months or more is not in conformity with this provision of the Charter.[16]

The requirement of having sufficient or suitable accommodation to house the family or certain family members as a precondition for its admission to a State Party should not be so restrictive as to prevent family reunion.[17]

The level of means required by States Parties to bring in a migrant worker's family or certain family members should not be so restrictive as to prevent any family reunion.[18] Social benefits shall not be excluded from the calculation of the income of a migrant worker who has applied for family reunion.[19]

States may take measures to encourage the integration of migrant workers and their family members, such measures being important in promoting economic and social cohesion.[20]

The ECSR notes that **no clear information is provided on housing, means and language requirements, on the independent right of residence and the mechanism of appeal or review and requests this information to be provided in the next report.** However, the length of residence requirement of two years is excessive and not in conformity with the Charter.

In the light of the above information, **the ECSR considers that the current legal framework is not fully compatible with the requirements of Article 19§6 of the Charter.** However, the ECSR encourages the Government to take the necessary steps enabling acceptance of Article 19§6 of the Charter as soon as possible.

***Article 19§8* - The right of migrant workers and their families to protection and assistance**

[12] Appendix to the Revised European Social Charter, European Treaty Series - No. 163.
[13] Conclusions 2019, Albania, citing Conclusions 2015, Statement of Interpretation on Article 19§6 – housing requirements.
[14] Conclusions XVI-1 (2002), Greece.
[15] Conclusion 2011, Statement of Interpretation on Article 19§6.
[16] Conclusions I (1969), Germany; Conclusions 2011, France; Conclusions 2011, Cyprus.
[17] Conclusions IV (1975), Norway.
[18] Conclusions XVII-1 (2004), The Netherlands.
[19] Conclusions 2015, Statement of interpretation on Article 19§6.
[20] Conclusions 2015, Statement of Interpretation on Article 19§6 – language and integration tests.

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:
to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality.

Situation in Lithuania

According to the report, the grounds for expelling a foreigner from the Republic of Lithuania are established in Article 126 of the Law on the Legal Status of Aliens. A person who is legally present in Lithuania may be expelled if their presence poses a threat to national security or public order. When making a decision on expulsion, account must be taken of the duration of the person's stay in Lithuania; family ties with persons residing in Lithuania; existing social, economic and other links with Lithuania; whether the person has minor children studying in Lithuania under a formal education programme; the nature and extent of the danger posed by the offence committed. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

This provision obliges States Parties to prohibit by law the expulsion of migrants lawfully residing in their territory, except where they are a threat to national security, or offend against public interest or morality.[21]

Risks to public health are not in themselves risks to public order and cannot constitute a ground for expulsion, unless the person refuses to undergo suitable treatment.[22]

Collective expulsions are not in conformity with the Charter; decisions on expulsion may be made only on the basis of a reasonable and objective examination of the particular situation of each individual.[23]

The ECSR notes that the grounds for expulsion under Lithuanian legislation fall within the ambit of Article 19§8 of the Charter. Similarly, the aspects that are taken into account in Lithuania are similar to those required under the Charter.

In the light of the information provided by the Government, the ECSR reiterates its previous opinion that **the situation in Lithuania is compatible with the requirements of the Charter in respect of Article 19§8, which could therefore be accepted immediately**.

Article 19§12 **- The right of migrant workers and their families to protection and assistance**

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

[21] Conclusions VI (1979), Cyprus; Conclusions 2011, Statement of Interpretation on Article 19§8; Conclusions 2015, Statement of interpretation on Article 19§8.
[22] Conclusions V (1977), Germany.
[23] Centre on Housing Rights and Evictions (COHRE) v. Italy, Complaint No. 58/2009, decision on the merits of 25 June 2010, §§ 155-158, Centre on Housing Rights and Evictions (COHRE) v. France, Complaint No. 63/2010, decision on the merits of 28 June 2011, §§ 68-79; European Roma and Travellers Forum (ERTF) v. France, Complaint No. 64/2011, decision on the merits of 24 January 2012, §§ 51-67; Médecins du Monde - International v. France, Complaint No. 67/2011, decision on the merits of 11 September 2012, §§ 112-117.

to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

Situation in Lithuania

According to the report, students arriving from abroad are encouraged to learn their mother tongue through formal and non-formal education. In general education schools, non-formal education is financed from the State budget. In non-formal children's education, opportunities to learn one's mother tongue are not limited by the student's country of origin.

The Government states that Article 3(1) of the Law on Education provides that every person should be ensured the ability to learn the State language, foreign languages and their mother tongue. There are schools in Lithuania that implement education programmes of foreign States and international organisations. In Lithuanian schools that have the minister's authorisation to implement foreign or international education programmes, foreigners whose mother tongue is Ukrainian, English or French have the opportunity to study in their mother tongue.

The Government states that in areas where a national minority traditionally resides in large numbers, if the community requests, the municipality ensures education in the national minority language or the teaching of the national minority language. In this way, Lithuania provides opportunities for students to learn and be taught in Polish, Russian, Belarussian, German or Yiddish. In schools where education is carried out in Lithuanian, students arriving from abroad have the opportunity to learn both the first and second foreign language. Students may choose English, French or German as their first foreign language and English, Spanish, Polich, French, Russian, Ukrainian or German as their second foreign language. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

States Parties should promote and facilitate the teaching of the languages most represented among the migrants present on their territories within their school systems or in other contexts such as voluntary associations or non-governmental organisations.[24]

In the light of the information provided by the Government, the ECSR reiterates its previous opinion that **the situation in Lithuania is compatible with the requirements of Article 19§12 of the Charter, which could therefore be accepted immediately.**

Article 23 – The rights of elderly persons to social protection

With a view to ensuring the effective exercise of the right of elderly persons to social protection, the Parties undertake to adopt or encourage, either directly or in co-operation with public or private organisations, appropriate measures designed in particular:

- **to enable elderly persons to remain full members of society for as long as possible, by means of:**
  a. **adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life;**

[24] Conclusions 2002, Italy; Conclusions 2011, Armenia; Conclusions 2011, Statement of Interpretation on Article 19§12.

b. **provision of information about services and facilities available for elderly persons and their opportunities to make use of them;**

- **to enable elderly persons to choose their life-style freely and to lead independent lives in their familiar surroundings for as long as they wish and are able, by means of:**
  a. **provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;**
  b. **the health care and the services necessitated by their state;**

- **to guarantee elderly persons living in institutions appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institution.**

Appendix: For the purpose of the application of this paragraph, the term « for as long as possible » refers to the elderly person's physical, psychological and intellectual capacities.[25]

Situation in Lithuania

According to the information provided in the report, Lithuania has reached the unified pension age of 65 years for both men and women in 2026. In recent years, Lithuania has taken meaningful steps to strengthen the well-being, dignity and participation of older persons through several important policy developments. The most substantial step is the new Draft Law on the Framework of Older People's Policy, which introduces a comprehensive national approach to ageing by defining clear objectives, tasks and principles aimed at ensuring dignified, active and healthy ageing, enhancing social inclusion and promoting meaningful participation of older persons in decision-making.

The Government describes the pension reform carried out in 2018 and the rules of calculation of old-age pension, as well as the rules of indexation.

The Government states that the Law on State Social Assistance Pensions establishes the minimum income guarantees provided by the State to older persons who do not have the right to old-age pension or whose income is lower than the minimum social threshold set by the State.

The Government further describes pension supplements, social pensions, social benefits available and technical assistance measures.

The Government also states that to encourage the expansion of older persons' participation in the activities of NGOs, strengthen cooperation and promote cultural, national, patriotic, educational and social engagement among older persons, projects implemented by NGOs representing older persons are funded annually through a competitive process. Also, to ensure high-quality emotional and physical support for older persons, an NGO is selected each year to implement a project providing telephone-based emotional, psychological and informational assistance to older persons.

The social prescribing initiative, implemented by coordinators working in municipal public health bureaus, is aimed at individuals of retirement age to strengthen their psychological well-

[25] Appendix to the European Social Charter (Revised), *European Treaty Series - No. 163*

being and mental health by involving them in long-term, free cultural, wellness, non-formal education or other community-based activities.

The Council for the Affairs of Older Persons plays an important role in strengthening social inclusion. Several national initiatives support the development of digital skills among older persons. Libraries serve as safe, open and accessible community spaces. Cultural institutions also support the social inclusion of older persons.

The Government states that to ensure the effective implementation of older persons' right to social protection, Lithuania is consistently increasing social insurance pensions, taking into account economic growth, the rising wage fund and the individual's accrued insurance record. Moreover, municipal administrations are encouraged to make publicly available information about social service providers and the number of individuals waiting for services in each institution, thereby improving the accessibility of social services for municipal residents.

The Government states, however, that the share of GDP allocated to social protection remains below the EU average. Employer's attitudes toward older workers are still not sufficiently developed, and older individuals often lack confidence in their ability to remain active in the labour market. Infrastructure for services for older persons remains insufficient.

The increasing number of persons losing independence and having complex long-term care and social service needs has led to the establishment of an interinstitutional working group to create a Long-Tem Care Services Model for Lithuania. Also, regional projects are being implemented to encourage the provision of long-term care services. The range of services available to older persons is wide.

There are two housing adaptation programmes for persons with disabilities which can also be adapted for older persons. Older persons have the right to free healthcare and long-term care services, as well as reimbursed medicines. Older persons have access to preventive health programmes. Older persons living in institutions receive appropriate care, with full respect for their privacy and participation in decisions concerning their living conditions in those institutions. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

Article 23 of the Charter is the first human rights treaty provision to specifically protect the rights of older persons.[26]

One of the primary objectives of Article 23 is to enable older persons to remain full members of society. Equal treatment calls for an approach based on the equal recognition of the value of older persons' lives.[27]

Non-discrimination legislation should exist at least in certain domains protecting persons against discrimination on grounds of age.[28]

Pensions and other state benefits must be sufficient in order to allow older persons to lead a 'decent life' and play an active part in public, social and cultural life.[29]

[26] Conclusions XIII-3 (1995), Statement of Interpretation on Article 4 of the Additional Protocol (Article 23)
[27] Statement on Covid-19 and social rights adopted on 24 March 2021
[28] *Fellesforbundet for Sjøfolk* (FFFS) v. Norway, Complaint No. 74/2011, decision on the merits of 2 July 2013, §115
[29] Conclusions 2013, Statement of Interpretation Article 23 – adequate resources for the elderly

The ECSR takes note of the information provided by the Government, and notes that there have been certain changes to the legal framework during the reference period.

Taking this information into account, the ECSR reiterates its previous opinion that **the situation in Lithuania is compatible with the requirements of the Charter in respect of Article 23, which could therefore be accepted immediately.**

***Article 30* - The right to protection against poverty and social exclusion**

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake:

- ***a) to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance;***
- ***b) to review these measures with a view to their adaptation if necessary.***

Situation in Lithuania

According to the report, poverty remains one of the most complex social policy challenges in Lithuania, despite consistent efforts to strengthen the social protection system and increase residents' income. The at-risk-of-poverty rate in 2024 reached 21.5% and, compared to 2023, increased by 0.9%. In 2024, the poverty risk for older persons reached 36.9%, which is 15.4% higher than the national average. This situation is largely determined by relatively small pensions. Unemployed persons also face an extremely high level of poverty – 59.6% live below the poverty line.

In 2024, Lithuania's income quintile share ration reached 6.6, the second highest in the EU, the Gini coefficient stood at 35.3% - one of the highest in Europe.

In 2025, the basic amounts of social benefits increased: the State-supported income level rose to €221, the social assistance pension base – to €248, the basic social benefit – to €70 and the targeted compensation base – to €208.

To increase the sustainable integration of persons living in poverty or social exclusion into the labour market, amendments to the Law on Employment came into force in 2022. They introduced a new status of person preparing for the labour market. Since 2023, municipalities have been implementing Employment Promotion Programmes by incorporating a case management model and providing services aimed at removing barriers to employment to the participants of the programmes. As of 1 January 2026, 24,200 persons were registers with the status of person preparing for the labour market.

In accordance with the Law on Support for Housing Acquisition or Rent, the fundamental conditions have been created to provide housing support to all low-income individuals (families). Support is provided on the basis of the principle of equal treatment.

Educational policy measures are aimed at ensuring that every individual has access to quality education and lifelong learning opportunities, regardless of their social, economic or cultural background.

The Ministry of Culture implements a set of measures consistent with the provisions of Article 30 of the Charter, aimed at promoting access to culture, participation and social inclusion for various population groups, including older persons.

Social assistance is an essential component of the social protection system, aimed at ensuring income security for individuals and families facing financial hardship, as well as addressing housing needs, child-rearing expenses and material deprivation. Support for housing expenses remains a crucial part of Lithuania's social assistance architecture. The State continues to provide compensations for heating, hot and cold water costs to low-income households. Housing rental subsidies expanded significantly – in 2025, 3,362 households received partial reimbursement of rental costs – an 146.4% increase in comparison with 2024. Municipal social housing supply also grew, yet demand continues to exceed availability, with more than 10,000 households waiting for social housing at the end of 2025. Over the year, 995 households were newly accommodated in social housing and overall 17,185 households benefited from housing-related support measures in 2025, more than doubling the figure from the previous year. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania).

Opinion of the ECSR

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, Article 30 requires States Parties to adopt an overall and coordinated approach, which shall consist of an analytical framework,[30] a set of priorities and corresponding measures to prevent and remove obstacles to access to social rights, in particular employment, housing, training, education, culture and social and medical assistance.[31]

In particular, the Committee has interpreted the scope of Article 30 as relating both to protection against poverty (understood as involving situations of social precarity) and protection against social exclusion (understood as involving obstacles to inclusion and citizen participation), in an autonomous manner or in combination with other connecting provisions of the Charter.[32]

The ECSR takes note of the information provided by the Government, and notes that there have been certain changes to the legal framework during the reference period.

The ECSR notes the commitment of Lithuania undertaken during the High-Level conference on Social Rights – the European Social Charter in Chişinău, Republic of Moldova, on 18-19 March 2026, to accept Article 30 of the Charter. The ECSR welcomes this commitment.

Taking this information into account, the ECSR reiterates its previous opinion that **the situation in Lithuania is compatible with the requirements of the Charter in respect of Article 30, which could therefore be accepted immediately. It looks forward to Lithuania accepting the provision in line with its commitment to do so.**

***Article 31§3* – The right to housing**

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

3. to make the price of housing accessible to those without adequate resources.

Situation in Lithuania

[30] Conclusions 2003, Statement of interpretation on Article 30, see e.g. Conclusions 2003, France.
[31] Conclusions 2013, Statement of interpretation on Article 30.
[32] Conclusions 2013, Statement of interpretation on Article 30.

According to the information provided by the Government, there are the following forms of housing support for persons and families who meet the criteria established in the Law on Support for the Acquisition or Rent: subsidised housing loan, housing lease or Rent2Buy, social housing and reimbursement of part of housing rental expenses. Municipalities must ensure that the waiting period for social housing does not exceed 5 years as of 1 January 2024 and 3 years as of 1 January 2026. If social housing is not granted within those periods, municipalities have the obligation to ensure compensation for the part of actual rent.

The Government states that there is an obligation for municipalities to plan and organise complex support and social services for persons and families waiting for social housing. As of 2021, subsidies were increased from 15% to 30% (instead of 10% and 20%) for the payment of a part of the mortgage loan or as a down payment. There is a draft amendment to the Law on Support for the Acquisition or Rent, which proposoes updating income and asset thresholds for housing support eligibility, eliminating the need for asset and income declarations and using register data for assessments. (For more detailed information, see the National report on non-accepted provisions of the European Social Charter – March 2026, provided by Lithuania)

Opinion of the ECSR

An adequate supply of affordable housing must be ensured for persons with limited resources.[33]

Under Article 31§3, States Parties are required to adopt comprehensive housing benefit systems to protect low income and disadvantaged sections of the population.[34] Housing benefit is an individual right: all qualifying households must receive it in practice; legal remedies must be available in case of refusal.[35]

The ESCR takes note of the written information provided by the Government and welcomes the positive development regarding the increase of subsidies for the payment of the part of a mortgage loan or as a down payment and complex support provided by those waiting for social housing. However, **ECSR considers that further information is necessary to assess whether the situation in law and practice is compatible with the requirements of Article 31§3 of the Charter.** In particular, it needs clarification of on measures taken to ensure non-discrimination against vulnerable persons (such as Roma and Travellers). In the meantime, it encourages the Government to pursue its efforts and to consider accepting Article 31§3 of the Charter as soon as possible.

[33] Conclusions 2003, Sweden
[34] Conclusions 2003, Sweden; Conclusions 2019, Greece
[35] Conclusions 2003, Sweden

Appendix I

— Lithuania and the European Social Charter —

Signatures, ratifications and accepted provisions

Lithuania ratified the Revised European Social Charter on 29/06/2001, accepting 86 of the Revised Charter's 98 paragraphs. Lithuania has not yet ratified the Additional Protocol providing for a system of collective complaints.

The Charter in domestic law

Automatic incorporation into domestic law and superiority of International treaties ratified by the Seimas (Parliament) over national legislation (Article 138 of the Constitution and Article 11 of the Law on Treaties).

Table of accepted provisions

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3
6.4	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1
15.2	15.3	16	17.1	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1
31.2	31.3							Grey = Accepted provisions			

The European Committee of Social Rights ("the Committee") examines the situation of non-accepted provisions of the Revised Charter every 5 years after the ratification. It adopted reports concerning Lithuania in 2007, 2013, 2016 and 2021.

The Committee considers that there are no obstacles to the acceptance of Articles 19§4, 19§8, 19§12, 23 and 30.

Further information on the reports on non-accepted provisions is available on the relevant webpage.

Monitoring the implementation of the European Social Charter[36]

I. Reporting system[37]

Reports submitted by Lithuania

Between 2003 and 2024, Lithuania has submitted 21 reports on the application of the Revised Charter.

The 20th report, which was submitted on 12/01/2023, concerns the accepted provisions relating to thematic group 4 "Children, families and migrants" (Articles 7, 8, 16, 17, 19, 27 and 31).

Conclusions with respect to these provisions have been published in March 2024.

On 29 December 2023, an ad hoc report on the cost-of-living crisis was submitted by Lithuania[38].

Situations of non-conformity[39]

Thematic Group 1 "Employment, training and equal opportunities" - Conclusions 2020

► *Article 1§4 – Right to work – Vocational guidance, training and rehabilitation*
Vocational guidance within the education system is not guaranteed.

► *Article 9 – Right to vocational guidance*
Vocational guidance within the education system is not provided by sufficient staff, nor is it provided to a sufficient number of persons.

► *Article 20 – Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the ground of sex*

There is a lack of sufficient measurable progress in respect of the obligation to promote the right to equal pay.

Thematic Group 2 "Health, social security and social protection" - Conclusions 2021

[36] The Committee monitors compliance with the Charter under two procedures, the reporting system and the collective complaints procedure, according to Rule 2 of the Committee's rules: « 1. The Committee rules on the conformity of the situation in States with the European Social Charter, the 1988 Additional Protocol and the Revised European Social Charter. 2. It adopts conclusions through the framework of the reporting procedure and decisions under the collective complaints procedure ».
Further information on the procedures may be found on the HUDOC database and in the Digest of the case law of the Committee.
[37] Detailed information on the Reporting System is available on the relevant webpage. The reports submitted by States Parties may be consulted in the relevant section
[38] In accordance with the decision of the Ministers' Deputies adopted on 27 September 2022 concerning the new system for the presentation of reports under the European Social Charter, the European Committee of Social Rights and the Governmental Committee have decided to request an ad hoc report on the cost-of-living crisis to all State parties.
[39] Further information on the situations of non-conformity is available on the HUDOC database.

► *Article 3§3 - Right to safe and healthy working conditions - Enforcement of safety and health regulations*

- Measures to reduce the number of fatal accidents at work are inadequate;
- It has not been established that labour inspection, insofar as it concerns occupational health and safety, is effective.

► *Article 11§1 – Right to protection of health – Removal of the causes of ill-health*

Insufficient measures have been taken to effectively guarantee the right of access to healthcare.

► *Article 12§4 – Right to social security – Social security of persons moving between states*
The right to maintenance of accruing benefits is not guaranteed for nationals of all other States Parties.

► *Article 13§1 – Right to social and medical assistance – Adequate assistance for every person in need*

- The levels of social assistance, including for the elderly persons, are not adequate;
- Nationals of other non-EEA States Parties are subject to a length of residence requirement of five years to become eligible for social assistance.

Thematic Group 3 "Labour rights" - Conclusions 2022

► *Article 4§1 – Right to a fair remuneration – Decent remuneration*
The minimum wage does not ensure a decent standard of living.

► *Article 4§4 – Right to a fair remuneration – Reasonable notice of termination of employment*
Notice periods do not take into account the length of service in cases of dismissal at the employer's initiative through no fault of the worker.

► *Article 5 – Right to organise*
Soldiers in professional military service are prohibited from joining and forming organisations for the protection of their interests.

► *Article 6§2 – Right to bargain collectively – Negotiation procedures*
The promotion of collective bargaining is not sufficient.

► *Article 6§4 - Right to bargain collectively - Collective action*

The police are denied the right to strike.

► *Article 26§1 – Right to dignity in the workplace – Sexual harassment*
The existing framework in respect of employers' liability does not provide for sufficient and effective remedies against sexual harassment in relation to work.

► *Article 26§2 – Right to dignity in the workplace – Moral harassment*
The existing framework in respect of employers' liability does not provide for sufficient and effective remedies against moral (psychological) harassment in relation to work.

Thematic Group 4 "Children, families, migrants" - Conclusions 2023

► *Article 7§1 - Right of children and young persons to protection - Prohibition of employment under the age of 15*

During the school term, the daily working time outside school days is excessive and therefore the work cannot be regarded as light.

► *Article 7§3 – Right of children and young persons to protection – Prohibition of employment of children subject to compulsory education*

The daily duration of working time of children in compulsory education on non-school attendance days is excessive and may deprive them of the full benefit of education.

►*Article 17§1 - Right of children and young persons to social, legal and economic protection – Assistance, education and training*

- Bone testing is used to assess the age of children in irregular situation;
- Immediate expulsion of children in an irregular migration situation can be carried out by the authorities without providing them with any assistance;
- The maximum length of pre-trial detention of children is excessive.

► *Article 31§1 - Right to housing – Adequate housing*

The supervision of housing standards is not adequate.

►*Article 31§2 – Right to housing – Reduction of homelessness*

- The law does not provide for the prohibition of evictions during winter;
- The law does not prohibit eviction from emergency accommodation/shelters without the provision of alternative accommodation;
- During 2021, the right to shelter for migrants, including unaccompanied migrant children, and asylum-seekers, was not adequately guaranteed.

The Committee also considered that the failure to provide requested information on Articles 7§5 and 31§1 amounts to a breach by Lithuania of its reporting obligations under Article C of the Charter.

The Committee has been unable to assess compliance with the following provisions:

Thematic Group 1 "Employment, training and equal opportunities"

► Article 1§2 - Conclusions 2020

► Article 10§1 - Conclusions 2020

► Article 10§3 - Conclusions 2020

► Article 15§1 - Conclusions 2020

► Article 15§2 - Conclusions 2020

► Article 15§3 - Conclusions 2020

Thematic Group 2 "Health, social security and social protection"

► Article 3§2 - Conclusions 2021

► Article 3§4 - Conclusions 2021

► Article 12§1 - Conclusions 2021

► Article 12§4 - Conclusions 2021

► Article 14§2 - Conclusions 2021

Thematic Group 3 "Labour rights"

► Article 2§1 - Conclusions 2022

► Article 4§5 - Conclusions 2022

Thematic Group 4 "Children, families, migrants"

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II. Examples of progress achieved in the implementation of rights under the Charter (non-exhaustive list)

Thematic Group 1 "Employment, training and equal opportunities"

►The Law amending the Law on Equal Treatment (No. X–1602 of 17 June 2008) requires employers to make reasonable accommodation for persons with disabilities. Article 7 of the Law states that when applying equal treatment employers must "take appropriate measures to provide conditions for disabled people to obtain work, to work, to pursue a career or to study, including adapting premises, provided that the employer would not be disproportionately burdened with duties as a result.

►Repeal of the Act on the evaluation of the USSR State Security Committee (NKVD, NKGB, MGB, KGB) and the present activities of former permanent employees of the organisation entailed restrictions which restricted the professional activities of former employees.

►On 19 June 2012 the Parliament amended the Law on the Guarantee Fund (Recast) which came into effect on 1 January 2013. The law establishes a better regulation in order to simplify the calculation of allowances from the Guarantee Fund and to speed up the allowances allocation process.

Thematic Group 2 "Health, social security and social protection"

►The General Regulations for Assessing Occupation Risks were amended and entered into force as of 1st November 2013. The Regulations contain revised concepts and provisions relating to the organisation and performance of risk assessment and set out that the assessment of a risk at the workplace is followed by the filling in of a document in the form chosen by the enterprise. Enterprises having conducted a self-assessment of occupational risks in accordance with the Regulations review and revise the assessment of or reassess occupational risks according to Paragraph 5 of the General Regulations for Assessing Occupational Risks.

►The Online Interactive Risk Assessment ("OiRA") tools are being developed seeking to help small and medium size enterprises to assess the risks on their entities.

►From 1 January 2012, payment of old age, work incapacity (disability) and survivors' pensions (widow's/widower's and orphan's pensions), which had been temporarily reduced in 2010–2011 (see Conclusions 2013), was restored to the full amount. As a result, in 2012, the average amount of old-age pension increased by around 9% compared to 2011.

►As of 1 January 2015, sickness allowances paid from the State Social Insurance Fund budget resources were increased by approximately one third, following the amendment of the Law on Sickness and Maternity Social Insurance. As a result, the sickness allowance was brought to 80% of the beneficiary's compensatory salary for the whole length of the sick leave, while until end 2014 only 40% of it was paid from the third to seventh day of sick leave.

►Sickness and maternity/paternity insurance was extended in 2015 to students and graduates under the age of 26, exempting them from the qualifying period requirements, provided that they start working within 6 months (as regards sickness insurance) or 12 months (as regards maternity/paternity insurance) from the completion of their studies. Until the end of 2014, young people starting work after completing their studies were only exempted from the qualifying period requirement if they started working within 3 months from the graduation.

►A Law on Compensation of State Social Insurance Old-Age and Lost Capacity for Work (Disability) Pensions, entered into force on 22 May 2014. The law provided for the payment of compensatory benefits to those who received reduced old-age and disability pensions in 2010–2011, because of the economic crisis, as well as to their heirs, if the beneficiaries has died after the entry into force of the law. The compensatory amounts were paid in instalments, between end 2014 and 2016, to around 500 000 persons, for a global cost of around €99 000

000. Another law (Law on Compensation of State Social Insurance Old-Age Pensions and State Pensions Reduced by Taking into Account Available Insured Income), adopted on 30 June 2015, provides for further compensatory amounts to be paid in instalments between 2016 and 2018 to some 84 400 beneficiaries of Old-age pensions which were reduced in 2010-2011 (the global amount involved is expected to be around €120 600 000).

►Amendments to the Law on Pension which remove the length of residence requirement for old age pension, widows and survivor's benefits have been adopted, so that social security benefits are henceforth only based on the social insurance record. The amendments entered into force in 2014 provide for the payment of state social insurance pensions to any person, whether he or she is a Lithuanian national or a national of third country, who paid the compulsory contributions to the State Social Insurance Fund budget, irrespective of his or her presence in Lithuania.

►The amendments to the Law on Cash Social Assistance for Poor Residents established a legal basis for cash social assistance for persons in need. Municipalities provide cash social assistance for poor residents under equal conditions (both social benefits and compensations) as of 1 January 2015 by fulfilling their independent municipal function.

►In order to help identify investigation process of the psychosocial risk factors to the changing working conditions and to simplify the provisions in order to help small and medium enterprises to investigate such risks Regulations on investigation of psychosocial occupational risks were changed by the order No. V-153/A1-77 of the Minister of Health and the Minister of Social Security and Labour of 5 February 2019. Also, on 1 May 2019 the Minister of Health adopted the order No. V-590 which relates to improving competencies of workers' mental health and which is directed towards reducing the impact of stress at work to the workers' health.

►In order to help identify investigation process of the psychosocial risk factors to the changing working conditions and to simplify the provisions in order to help small and medium enterprises to investigate such risks Regulations on investigation of psychosocial occupational risks were changed by the order No. V-153/A1-77 of the Minister of Health and the Minister of Social Security and Labour of 5 February 2019. Also, on 1 May 2019 the Minister of Health adopted the order No. V-590 which relates to improving competencies of workers' mental health and which is directed towards reducing the impact of stress at work to the workers' health.

►A reform was initiated at the beginning of 2017 to modernise the social security system. This reform aims, among other goals, to integrate self-employed persons into the state social security system and include the different groups of platform workers (such as persons working in the bicycle delivery service sector) in the "self-employed persons" category in order to expand their social security coverage and improve their social insurance benefits.

Thematic Group 3 "Labour rights"

►A specific prohibition of moral (psychological) harassment has been introduced in the new Labour Code, adopted in September 2016 and entered into force in July 2017.

►Article 144 of the new Labour Code, which entered into force on 1 July 2017, states that work performed on days off and holidays, at night or during overtime by a single-person management body of a legal person has to be recorded but is not paid for unless the parties agree otherwise in the employment contract. Work performed on days off and holidays, at night or during overtime by the managerial employees of a legal person must be recorded has to be paid for in the same way as for work done according to the usual working time arrangements unless the parties agree otherwise in the employment contract. The Law on the Remuneration of Employees of State and Municipal Institutions of the Republic of Lithuania sets out specific rules on remuneration for overtime for employees of budgetary institutions and for Commission Members. In accordance with the Law on the Civil Service, civil servants are also paid for overtime.

►The new Labour Code, which entered into force in June 2017, establishes restrictions on the termination of employment contracts and the deterioration of employment contract conditions of workers' representatives without the consent of the head of the territorial division of the State Labour Inspectorate. These regulations aim to ensure that persons exercising workers' representation functions do not suffer discrimination or other negative consequences due to their role. The restrictions apply for the period for which the persons representing the employees are elected and for six months after the end of their term of office.

►Article 207 of the new Labour Code (June 2017) regulates the information and consultation procedures in the case of collective redundancy. Accordingly, prior to adopting a decision on a collective redundancy, the employer shall inform and consult the work councils. The employer shall provide the following information to the work councils in writing no later than seven working days prior to the planned start of the consultations: 1) reasons for the planned redundancy; 2) total number of employees and number of employees being made redundant, by category; 3) time limit within which employment contracts will be terminated; 4) criteria for the selection of employees for redundancy; 5) conditions of termination of employment contracts and other important information.

Moreover, Article 209 of the new Labour Code regulates employers' liability for failure to fulfil the information and consultation requirements. In the event that the employer has violated his/her duties of information and consultation, the work council or the trade union shall be entitled to initiate a labour dispute. If the Code does not establish otherwise, the relevant labour dispute resolution body has the right to reverse the employer's decisions and require that certain actions be taken, as well as to apply the liability established in this Code or the Republic of Lithuania's Code of Administrative Offences.

Thematic Group 4 "Children, families, migrants"

►Extension of the number of child allowance beneficiaries (Child Allowances Act, entry into force 1 July 2004)..

►A draft Act on Protection from Domestic Violence was submitted to the Government on 12 May 2010. The purpose of the draft legislation is to respond quickly to violations, impose sanctions, provide appropriate support and take preventive measures to protect people from domestic violence. In addition, Government Resolution No. 853 of 19 August 2009 approved the Plan of Measures Implementing the National Strategy on Combating Violence against Women, 2010-2012. With a view to enhancing the legal framework in this area, there are plans to improve access to legal assistance for victims of domestic violence.

►Adoption on 26 May 2011 of the Law on Protection against Domestic Violence, which defines the concept of domestic violence, establishes the rights and liabilities of subjects of domestic violence, implements preventive and protective measures and provides for assistance in the event of domestic violence.

►According to the new Labour Code which came into force on 1st July 2017, pregnant women enjoy protection against dismissal from the day they notify their employer that they are pregnant until the child is four months old.

►Lithuania abolished all forms of corporal punishment in all settings.

►The Committee had previously considered that the legal protection for persons threatened with eviction was not adequate (2011, 2015, 2017). While the Committee reiterates its conclusion of non-conformity on the specific point of prohibition of evictions during the winter period, it now considers that the situation is in conformity with respect to: the obligation to rehouse the persons evicted in case of eviction for reasons of public interest (notably when the dwellings are unfit for habitation and when the are being demolished, reconstructed); and access to legal remedies and compensation in the event of illegal eviction.

APPENDIX II

High-Level Conference on Social Rights – the European Social Charter
(Chişinău, Republic of Moldova, 18-19 March 2026)





CHIŞINĂU DECLARATION

1. The Council of Europe member States gathered in Chișinău recognise that social rights as enshrined notably in the European Social Charter are under unprecedented pressure as Europe grapples with overlapping and mutually reinforcing societal crises. Democratic stability and security are directly impacted by rising socio-economic inequalities and the cost-of-living crisis. These factors, as well as the need to increase defence spending resulting from the unstable international situation, including Russia's war of aggression against Ukraine, have placed burdens on governments, institutions and communities already grappling with climate change, the health challenges arising from the Covid-19 pandemic and demographic change.

2. The Reykjavík Declaration (2023) and the Vilnius Declaration (2024) reinforced the political commitment of the Council of Europe member States to social rights, as guaranteed by the European Social Charter, a primary instrument for achieving social justice. The Vilnius Declaration welcomed the decisions taken by the Committee of Ministers of the Council of Europe to improve the implementation of the Charter system and its monitoring procedures.

3. In this context the member States reiterate their commitment to recognised principles on social rights and social justice enacted by other international or regional organisations including the United Nations, the International Labour Organisation (ILO) and, where applicable, the European Union (EU). They acknowledge the alignment of these principles with the Doha Declaration (2025).

4. Difficulty to guarantee social rights and deliver social justice is a major driver of distrust in public authorities and democratic institutions. The member States welcome the initiative on a New Democratic Pact for Europe (the Pact). With social justice as a key objective, the Pact offers an opportunity for renewed commitments, integrated solutions across sectors and innovative ways to support social justice. As previously stated by the Committee of Ministers, social justice denotes a society based on equality and solidarity, which meets fundamental human needs, reduces inequalities through fair redistribution mechanisms and secures collectively the conditions necessary for every individual to develop and use their skills.

5. Investing in social rights is both a moral imperative and a strategic choice for building sustainable, resilient, just and inclusive societies. Such investment reduces inequality, fosters social cohesion and inter-generational justice, and enhances democratic stability and security. At the same time, it reinforces trust in institutions and public authorities at all levels of governance. Investing in social rights means investing in the future of democracy itself. Democratic stability and security can only be achieved where social rights are adequately protected.

6. On the occasion of this High-Level Conference, member States and participants at the Conference:

a. reaffirm their full commitment to the protection and implementation of social rights as guaranteed by the European Social Charter system and encourage member States to consider ratifying the revised European Social Charter (1996), while keeping under review the possibilities for accepting additional commitments, including the additional Protocol (1995) providing for a system of collective complaints;
b. recognise that ensuring social rights as enshrined notably in the European Social Charter is essential to countering growing threats to democracy driven in particular by fears about economic instability, declining working and living standards and limited opportunities;
c. recognise that combatting poverty and social exclusion is a question of human dignity. The cost-of-living crisis situation remains critical for millions of people, in particular the most vulnerable groups who are forced to spend a larger proportion of their income on essentials. This crisis disproportionately affected – and still affects – low-income households and particularly vulnerable population groups such as single-parent families, children, youth, persons with disabilities, older persons and Roma and Travellers;
d. underline the importance of addressing emerging labour rights challenges in Europe, including those arising from digitalisation, artificial intelligence and climate and demographic changes;
e. acknowledge that effective social dialogue, freedom of association and collective bargaining are indispensable for a just, inclusive and sustainable future of work;
f. recognise the role played by the Charter's monitoring body, the European Committee of Social Rights, and the follow-up and other work undertaken by the Governmental Committee of the European Social Charter and the European Code of Social Security;
g. recognise the importance of strengthening visibility, understanding, awareness and ownership of the Charter, in particular at local level where social rights are implemented;
h. underline the importance of implementation of the Committee of Ministers 2022 reform package and the need to take into account reviews and evaluations thereof ;
i. underline the need for better co-operation within the Council of Europe to promote coordinated action on social rights including between the Charter treaty bodies, the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner for Human Rights, the Conference of INGOs, other monitoring bodies and relevant intergovernmental committees;
j. recognise the importance of institutional dialogue and synergies between the Council of Europe, the United Nations, the ILO and the EU in order to ensure coherence and complementarity.

7. In view of the above, member States:

a. commit, where necessary, to adopt laws and policies which can ensure equal enjoyment of social rights and equitable access to life/work opportunities to bring about a stronger, more cohesive, more democratic and socially just Europe, in which the enjoyment of the rights enshrined notably in the European Social Charter is effectively guaranteed, in law and in practice, while preserving an adequate balance between rights and obligations and strengthening incentives for labour market participation;
b. undertake, with due consideration of national systems and practices, to ensure that current economic, demographic and technological transformations in labour markets place workers at the centre, guided by respect for social rights, including decent working conditions, dignity in the workplace, fair remuneration, access to social protection and effective social dialogue;
c. undertake to adopt gender-responsive economic and social policies addressing the persistent social rights shortfalls experienced by women, including those resulting from the gender pay and pensions gaps, women's over-representation in precarious jobs and their disproportionate burden of unpaid household and care work
d. undertake to strengthen child and youth perspectives and participation in strategies and measures to realise social rights, including those related to eradicating poverty and child labour and securing equal, inclusive societies, by establishing institutionalised, regular and meaningful participation mechanisms and advisory structures;
e. undertake to adopt measures to ensure the right to active social citizenship of older persons and commit to eliminating ageism and age discrimination, as well as to taking the necessary steps to ensure older persons' social protection, including their participation in society and ability to lead independent lives;

f. undertake to ensure the effective exercise of the rights of persons with disabilities to independence, social inclusion and participation in community life by taking the steps required to ensure that quality services are genuinely available and accessible to all persons with disabilities;
g. commit to take appropriate measures to give effect to the conclusions and decisions of the European Committee of Social Rights, including on the basis of the follow-up measures proposed by the Governmental Committee of the European Social Charter and the European Code of Social Security, taking into account national circumstances and realities;
h. resolve to promote and strengthen enhanced dialogue, conducted in a constructive spirit, between the European Committee of Social Rights, the Governmental Committee of the European Social Charter and the European Code of Social Security, competent national and local and regional authorities as well as other stakeholders, with a view to the shared objective of improving the achievement of social rights in practice;
i. resolve to fully engage with and support Council of Europe co-operation activities in the relevant fields and to explore financing options provided by the Council of Europe Development Bank (CEB) to improve the implementation of the Charter at national level;
j. resolve to maintain political engagement, through High-Level Conferences on social rights and the European Social Charter in order to monitor progress, share best practices, and encourage further treaty commitments.

8. Participants thank the authorities of the Republic of Moldova for the perfect organisation of the High-Level Conference and their gracious hospitality, and welcome the invitation by Portugal to hold the 3rd High-Level conference during their Presidency of the Committee of Ministers in 2029.

APPENDIX III
https://rm.coe.int/digest-ecsr-prems-106522-web-en/1680a95dbd