



LIETUVOS RESPUBLIKOS NUOLATINĖ ATSTOVYBĖ
PRIE TARPTAUTINIŲ ORGANIZACIJŲ VIENOJE

PERMANENT MISSION OF THE REPUBLIC OF LITHUANIA
TO THE INTERNATIONAL ORGANIZATIONS IN VIENNA

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Verbal Note

The Permanent Mission of the Republic of Lithuania to the International Organizations in Vienna presents its compliments to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE and has the honour to provide the response to the Information Exchange on the OSCE Code of Conduct on Politico-Military Aspects of Security for 2018.

The Permanent Mission of the Republic of Lithuania to the International Organizations in Vienna avails itself of this opportunity to renew to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE the assurances of its highest consideration.

Vienna, 16 April 2018



To: All Permanent Delegations and Missions to the OSCE,
CPC of the OSCE
Vienna

QUESTIONNAIRE ON THE CODE OF CONDUCT ON POLITICO- MILITARY ASPECTS OF SECURITY

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, sub-regional and bilateral) related to preventing and combating terrorism is your State a party?

a) United Nations Conventions:

1. *Convention on the Physical Protection of Nuclear Material* – Vienna 26/10/79; entry into force in Lithuania – 6 January 1994
2. *Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation, complementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Aircraft* – Montreal 24/02/88; entry into force in Lithuania – 3 January 1997;
3. *Convention on Offences and Certain Other Offences Committed on Board Aircraft* – Tokyo 14/09/63; entry into force in Lithuania – 19 February 1997;
4. *Convention on the Unlawful Seizure of Aircraft* – The Hague 16/12/70; entry into force in Lithuania – 3 January 1997;
5. *Convention for the Suppression of Unlawful Acts Against the Safety of Aircraft* – Montreal 23/09/71; entry into force in Lithuania – 3 January 1997;
6. *Convention on the Marking of Plastic Explosives for the Purpose of Detection* – Montreal 01/03/91; entry into force in Lithuania – 21 June 1998;
7. *Convention Against the Taking of Hostages* – New York 17/12/79; entry into force in Lithuania – 2 February 2001;
8. *The United Nations Convention Against Transnational Organized Crime* – New York 15/11/2000; entry into force in Lithuania – 9/05/2002.
9. *Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Personnel* – New York 14/12/73; entry into force in Lithuania – 23 October 2002;
10. *International Convention for the Suppression of Financing of Terrorism* – New York, 09/12/99; entry into force in Lithuania – 20 February 2003;
11. *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation* – Rome 10/03/91; entry into force in Lithuania – 30 April 2003;
12. *Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms on the Continental Shelf* – Rome 10/03/88; entry into force in Lithuania – 30 April 2003;
13. *International Convention on the Suppression of Terrorist Bombings* – New York 15/12/97; entry into force in Lithuania – 17 March 2004;
14. *Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf* – London 14/10/2005 – not a State Party
15. *Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation* – London 14/10/2005 – not a State Party;
16. *International Convention for the Suppression of Acts of Nuclear Terrorism* - New York 13/04/2005; entry into force in Lithuania – 19 July 2007;
17. *Amendment to the Convention on the Physical Protection of Nuclear Material* – 08/07/2005; ratified on 3 June 2008;
18. *Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation* – Beijing 10/09/2010 – not a State Party;
19. *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* – Beijing 10/09/2010 – not a State Party;

b) Council of Europe Conventions related to terrorism:

1. *European Convention on Extradition CETS No: 024* – Paris 13/12/1957; entry into force in Lithuania – 18 September 1995;
2. *Additional Protocol to the European Convention on Extradition CETS No: 086* – Strasbourg 15/10/1975; entry into force in Lithuania – 18 September 1995;

3. *Second Additional Protocol to the European Convention on Extradition CETS No: 098* – Strasbourg 17/3/1978; entry into force in Lithuania – 18 September 1995;
4. *Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No: 141* – Strasbourg 8/11/1990; entry into force in Lithuania – 1 October 1995.
5. *European Convention on Mutual Legal Assistance in Criminal Matters CETS No: 030* – Strasbourg 20/4/1959; entry into force in Lithuania – 16 July 1997;
6. *Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters CETS No: 099* – Strasbourg 17/3/1978; entry into force in Lithuania – 16 July 1997;
7. *European Convention on the Suppression of Terrorism CETS No: 090* – Strasbourg 27/01/1977; entry into force in Lithuania – 8 March 1997;
8. *European Convention on the Transfer of Proceedings in Criminal Matters CETS No: 073* – Strasbourg 15/5/1972; entry into force in Lithuania – 24 February 2000;
9. *Convention on Cybercrime CETS No: 185* – Strasbourg 23/11/2001; entry into force in Lithuania – 1 July 2004;
10. *Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters CETS No: 182* – Strasbourg 8/11/2001; entry into force in Lithuania – 1 August 2004;
11. *Protocol amending the European Convention on the Suppression of Terrorism (2003) CETS No: 190* – Strasbourg 15/5/2003; ratified by Lithuania – 12 September 2005;
12. *Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005) CETS No: 198* – Warsaw 16/5/2005 – Not a State Party;
13. *Convention on the Prevention of Terrorism CETS No: 196* – Warsaw 16/05/2005; signed on 10 October 2007;
14. *Directive (EU) 2017/541 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA* (Deadline for transposition: 8 September 2018)
15. *Directive (EU) 2016/681 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime* (Deadline for transposition: 25 May 2018)

c) Other regional, sub-regional or bilateral agreements or arrangements:

1. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Kazakhstan on cooperation in combating organized crime, illegal drug and psychotropic substances trafficking, terrorism and other crimes* – Astana 11/05/00; entry into force 21/08/01.
2. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Hungary on cooperation in combating terrorism, illicit drug trafficking, organized crime and other major crimes* – Vilnius 04/03/97; entry into force 20/11/02.
3. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Uzbekistan on Cooperation in Combating the Crime* – Tashkent 18/02/02; entry into force 17/07/02.
4. *Agreement between the Government of the Republic of Lithuania and the Government of the Federal Republic of Germany on the cooperation in combating organized crime, terrorism and other major crimes* – Vilnius 23/02/01; entry into force 10/07/03
5. *Agreement between the Government of the Republic of Lithuania and the Government of the United States of America Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction, and the Promotion of Defence and Military Relations* – Vilnius 10/10/02; entry into force 24 April 2003.
6. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Turkey on cooperation in combating terrorism, organized crime, illicit circulation of (trafficking in) narcotic drugs and psychotropic substances and other major crimes* – Vilnius 02/06/97; entry into force 12/08/04.
7. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Belarus on cooperation in combating organized crime, illegal drug and psychotropic substances trafficking, terrorism and other crimes* – Vilnius 03/10/05; entry into force 17/07/07.
8. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Latvia on Cooperation in Combating Organized Crime and other Offences and on Joint Actions in Border Regions* – Vilnius 07/06/06; entry into force 15/07/07.
9. *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Poland on Cooperation in Combat against Organized Crime and Other Crimes and Cooperation in the Border Territories* – Vilnius 14/03/06; entry into force 08/07/07.
10. *Agreement between the Government of the Republic of Lithuania and the Cabinet of Ministers of Ukraine on Cooperation in Combating the Crime and International Terrorism* – Kiev 12/04/07; entry into force 02/02/08.

11. *Agreement between the Republic of Lithuania and the Kingdom of Spain on Co-operation in Detecting, Investigating and Preventing Criminal Offences* – Madrid 03/12/07; entry into force 07/02/09.
12. *Agreement between the Government of the Republic of Lithuania and the Government of the Slovak Republic on Co-Operation in Detecting, Investigating and Preventing Criminal Offences* – Bratislava 10/06/08; entry into force 14/03/09.
13. *Agreement between the Government of the Republic of Lithuania and the Government of Georgia on Cooperation in the Fight against Crime* – Vilnius 26/09/13; entry into force 14/01/15.
14. *The Protocol to Amend and Extend the Agreement between the Government of the Republic of Lithuania and the Government of the United States of America concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction, and the Promotion of Defence and Military Relations* – Vilnius 30/11/09; entry into force 23/04/10. The Protocol was complemented and extended the Agreement until 2017.

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

1. *Law on the Control of Strategic Goods* of 5 April 1995 (last amendments of 1 January 2018) – establishes the conditions of control of export, import and transit of military equipment and of mediation related thereto as well as of activities that may contribute to the proliferation of weapons of mass destruction and conventional arms.
2. *Law on the prevention of money laundering and terrorist financing of 19 June 1997* – specifies the measures for the prevention of money laundering and terrorist financing and designates the institutions responsible for the implementation of the money laundering and terrorist financing prevention measures.
3. *The Criminal Code of the Republic of Lithuania of 26 September 2000* – provides for criminal liability for acts of terrorism or terrorism related crimes. The amendments to the Criminal Code, that entered into force as of 2013 July 13, have comprehensively reviewed and improved the elements of terrorist offences, introduced new offences of public incitement to terrorism, recruitment for terrorism, training of terrorists, threatening to commit a terrorist offence, financing and support of terrorism, introduced definitions of “terrorist offences” and “offences linked to terrorism”, etc. The Law also brought necessary adjustments regarding criminalization of creation and activities of groups aiming at committing terrorist offences. On 14 May 2017 articles of the Criminal Code concerning terrorism were amended and supplemented by Law No. XIII-342 of the Republic of Lithuania. Specifically, Paragraph 1 of Article 250⁴, Article 250⁵ and Paragraph 2 of Article 252¹ were amended, and the Code was supplemented with Article 250⁶.
4. *Resolution of the Government of the Republic of Lithuania No 820 of 4 June 2002 on the measures for the implementation of the UN Security Council Resolutions 1333(2000), 1373(2001), 1388 (2002) and 1390 (2002)* – imposes sanctions on Osama bin Laden, Taliban and Al Qaeda.
5. *Law on Implementation of Economic and other International Sanctions* of 22 April 2004 – stipulates the procedure for imposition, change and termination of the non-military international sanctions imposed by the United Nations and other international organizations, as well as the European Union.
6. *Resolution of the Government of the Republic of Lithuania No 237 of 1 March 2005 on the Approval of the List of the States to Which the Export or Transit of the Goods Listed in the Common Military List is Prohibited and for which Brokering in Negotiations and Transactions in the Goods Listed in the Common Military Resolution of the Government of the Republic of Lithuania No. 1266 of 13 December 2006 (last amendments of 11 January 2014) on the establishment of the Commission for the coordination of the Electronic information security (Cybersecurity) and on the adoption of its statute* – describes the organizational structure of institutions, fighting cybercrime as well as their functions.
7. *List is Prohibited*, as amended on 1 June 2006, 31 January 2007, 30 December 2008 and 7 December 2011.
8. *Resolution of the Government of the Republic of Lithuania No 113 of 6 February 2008 on the measures for the implementation of international sanctions listed in EU Council Common Position 2001/930/CFSP on combating terrorism.*
9. *Resolution of the Government of the Republic of Lithuania No 472 of 16 May 2008 on implementation of political sanctions that prohibit persons to arrive to or transit through the territory of the Republic of Lithuania* – establishes a procedure of incorporating the decisions of UN Security Council sanctions committees into national legislation.
10. *Law on Cyber Security of 11 December 2014 (currently under general revision)* –establishes national cyber security system, determinates the institutions, which form and implement cyber security policy as well as defines their rights and responsibilities.
11. *Law on the Principles of Activities of Transport No. I-1862 of 8 October 1991* (last amendment of 4 July 2016) – establishes the obligation of the carriers, engaged in transportation of passengers by air, to provide the passenger data for the purposes of prevention, detection, investigation and criminal prosecution for terrorist offences and criminal activities associated with terrorism, as well as serious and grave criminal acts

12. *Resolution of the Government of the Republic of Lithuania No. 1123 of 20 December 2017* - establishes a procedure of passenger data provision to Lithuanian competent authorities, exchange between Member States and transfer to third countries.
13. *Resolution of the Government of the Republic of Lithuania No 796 of 29 June 2011 on the adoption of the Programme for the development in 2011-2019 of the security of electronic information (cybersecurity)* – establishes guidelines for the development of cybersecurity. In 2018 Government of the Republic of Lithuania plans to adopt a new National Cyber Security Strategy.

1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

According to the provisions of the Law on Basics of National Security, the State Security Department of the Republic of Lithuania (hereinafter VSD) coordinates activities of national institutions in fight against terrorism. For this purpose there is a special inter-institutional working group established and led by VSD, which is entitled to deal with various terrorism prevention issues related to institutional cooperation.

The Lithuanian police are responsible for prevention, detection and investigation of terrorist crimes and crimes linked to terrorism. A specialized counter terrorism unit was established under the central criminal police agency of the Republic of Lithuania, i.e. in the Lithuanian Criminal Police Bureau. As for a county police headquarters, counter terrorism officers were appointed within their organized crime units. They are responsible for pursuing terrorism-related criminal intelligence and prevention, for suppression, disclosure and investigation of criminal offences related to terrorist acts, to unlawful production, acquisition, storing, carrying, transportation and (or) handling of firearms, ammunition, explosives and explosive substances.

Lithuanian Police Anti-terrorist Operations Unit “Aras” is a separate specialized police institution and organizes, manages and implements special operations on the entire territory of Lithuania, which require the use of the well-prepared, armed and specially equipped force.

Financial Crime Investigation Service under the Ministry of the Interior implements money laundering and terrorist financing prevention measures aimed at creating an effective national anti-money laundering system and ensures its proper functioning as well as conducts pre-trial investigation of legalisation of the funds and property derived from the criminal activity.

The Armed Forces of the Republic of Lithuania are tasked to contribute to state efforts in responding to terrorist acts when capabilities of other institutions are not sufficient. If needed, the Armed Forces also contribute to the protection of critical importance infrastructure objects.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to: financing of terrorism; border controls; travel document security; container and supply chain security; security of radioactive sources; use of the Internet and other information networks for terrorist purposes; legal co-operation including extradition; safe havens and shelter to terrorists and terrorist organizations.

On 13 April 2016, under the Resolution No. 370 of the Government of the Republic of Lithuania, the inter-institutional plan on implementation of the Public Security Development Program of 2015-2025 was approved. The plan also includes counter terrorism measures. In 2017, a working group for coordination of terrorism issues, lead by National Security Department, prepared an action plan for the implementation of these tasks.

Lithuania participates actively in the EU, NATO, the OSCE, the UN, and other international efforts to counter terrorism threat.. Lithuania is an active member of Global Coalition against Daesh where it takes part in a Counter – Messaging Working Group and Military Support Working Group and supports Coalition activities in the conflict zone.

Since 2017 the Passenger Data Information system has been established in Lithuania. It enables law enforcement agencies to access air carriers' information on passengers arriving in the territory of Lithuania or departing from it. Passenger Information Unit was appointed by the Order of the Lithuanian Police Commissioner General and started its operation as of 1 January 2017.

Some provisions of the Law on the Principles of Transport Activities permitting collection of API and PNR data from air carriers were supplemented and amended by Law No. XII-2483 of the Republic of Lithuania, dated 23 June 2016.

With a view to fight serious or very serious crime, terrorist offences and terrorism-related crime, to prevent and investigate these acts more effectively as well as to prosecute responsible individuals, the Draft Resolution of the Government of the Republic of Lithuania “On the Approval of the Rules for Ticket Booking and Departure

Control as well as Provision and Use of Passenger Flight Data” (*hereafter referred to as: “Resolution”*) was drafted. A Draft Resolution aims to establish terms, methods and the procedure for the control of ticket booking and departure, provision of passenger flight data on passengers arriving to/departing from the territory of the Republic of Lithuania via air routes, or the results of processing of this data as well as terms, methods and procedures. Rules for Ticket Booking and Departure Control as well as Provision and Use of Passenger Flight Data, approved by Resolution No. 1123 of the Government of the Republic of Lithuania on 29 December 2017, served as the basis for transposition into the national law of data submission (exchange)-related provisions of the Directive of the European Parliament and of the Council on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, concerning provision (exchange) of data.

Passenger Information Unit (PIU) was established on 1 January 2017 by the Order of the Lithuanian Police Commissioner General No. 5-V-1017 of 5 December 2016 which conducts a risk assessment of travellers. A representative of the Lithuanian Criminal Police Bureau takes part in the subgroup meetings of the High-level Commission Expert Group on Radicalization (HLCEG-R), which aims at analyzing member states’ experience and programs pursued in countering radicalization, as well as to submit recommendations on a more effective use of European instruments and tools (projects, databases, training, seminars, various platforms) at the national level.

Counter terrorism officers of the Lithuanian Criminal Police Bureau participated in multiple capacity building international trainings. . Training courses to be mentioned: training organized by the US law enforcement authorities, specialized training delivered by the Second Investigation Department under the Ministry of National Defence of the Republic of Lithuania, and training on investigation of hostage taking cases and on enhancing specialist competencies in planning and organizing rescue operations, delivered by the Federal Criminal Police Office of Germany. While providing counterterrorism training, informational guidelines of the Radicalization Awareness Network Police Working Group (RAN POL) were utilized. In the framework of the developed programs, officers from organized crime investigation units of both central criminal police and county police headquarters were trained.

According to the provisions of the Law on State Border and its Protection Thereof, State Border Guard Service (SBGS) performs radiation detection and primary response functions on the cargos, vehicles and passengers crossing the State border; provides physical protection of the nuclear facilities (Ignalina NPP main site and outside radioactive waste storages); ensures physical protection of the nuclear materials during transportation. In 2012 the Nuclear Security Center of Excellence (NSCOE) has been established within the SBGS to develop competent human resources and to contribute to the strengthening of the national nuclear security capabilities. The NSCOE organizes trainings and exercises for national stakeholders aiming at prevention, detection and interception of the attempts of the illicit trafficking of the nuclear and radioactive materials, promotes the interagency cooperation and coordination and manages the functions that are assigned to the SBGS – radiation detection at the state border and physical protection of the nuclear infrastructure.

The Programme for the Development of Electronic Information Security (Cyber-Security) for 2011–2019 was approved by the resolution of the Government of the Republic of Lithuania on 29 June 2011. The purpose of the Programme is to determine the objectives and tasks for the development of electronic information in order to ensure the confidentiality, integrity and accessibility of electronic information and services provided in cyberspace, safeguarding of electronic communication networks, information systems and critical information infrastructure against incidents and cyber-attacks, protection of personal data and privacy, as well as to set the tasks, implementation of which would allow total security of cyberspace and entities operating in this medium.

In 2018 the Government of the Republic of Lithuania plans to adopt a new National Cyber Security Strategy. An updated version is intended to improve the protection of national critical infrastructure, strengthen public and private partnership, form national and international cooperation to counter cyber threats and cybercrime and boost development of Lithuanian cyber culture in the EU region.

The Law on Cyber Security (currently under general revision) was approved on 11 December, 2014. The Law establishes national cyber security system, determinates the institutions which form and implement cyber security policy as well as defining their rights and responsibilities, determinates rights, functions and responsibility of managers of state information resources, managers of critical information infrastructure, internet service providers and hosting service providers and sets cyber security measures and minimal organizational and technical cyber security requirements for State information resources, critical information infrastructure, internet and hosting services.

In accordance with the provisions of the Law on Cyber Security, the National Cyber Security Centre (NCSC) has been established on 1 January 2015. NCSC is responsible for management of national level cyber incidents, supervision of fulfilment of organizational and technical cyber security requirements by the owners of state information resources and critical information infrastructure (both in public and private sectors), provides advice to these entities on cyber security issues. NCSC works in close cooperation with the national law enforcement and personal data protection authorities.

On April 25 2015 Lithuanian Government approved establishment of Cyber Security Council – permanent collegial body analysing state of cyber security and providing its advice to the cyber security policy making and policy implementing institutions, public sector entities, owners of state information resources and critical information infrastructure, operators of public networks and providers of internet and hosting services,

academia and education institutions on the improvement of cyber security. This body, among others, comprises representatives from institutions responsible for cyber-crime and personal data protection.

2. Stationing of armed forces on foreign territory

2.1. Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

The Law on International Operations, Military Exercises and other Military Events establishes that the Republic of Lithuania, in recognition of its international obligations, can send its military units to participate in various international military operations abroad. According to the Law on Treaties, treaties on the stationing of the armed forces of the Republic of Lithuania and their status on the territories of foreign states shall be subject to ratification by the Parliament.

In 2017, Lithuania continued its military contribution to international operations. In total, 208 servicemen participated in NATO, EU, the UN operations and a training mission in Ukraine. Statistics of the participation is provided in the Table 1 below:

Table 1. Participation in international missions and operations

Mission/operation	Period (2017)	Number of servicemen
Afghanistan: NATO-led RSM operation	2017-01 - 2017-12	60
Afghanistan: NATO DCM (Deployable communication module)	2017-09 – 2017-12	8
Mali: UN MINUSMA	2017-01 - 2017-12	44
Mali: EUTM Mali	2017-01 - 2017-12	6
RCA: EUTM RCA	2017-04 – 2017-12	2
Turkey: NATO DCM	2017-01 - 2017-04	1
Mediterranean: EU SOPHIA	2017-01 - 2017-12	31
Kosovo: NATO KFOR	2017-01 - 2017-12	4
Djibouti: EU ATALANTA	2017-11 – 2017-12	14
Iraq: INHERENT RESOLVE	2017-01 – 2017-12	12
Ukraine: training mission	2017-09 – 2017- 12	26
Total:		208

3. Implementation of other international commitments related to the Code of Conduct

3.1. Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

Lithuania is committed to arms control and CSBMs obligations under regional and bilateral arrangements. Lithuania actively participates in the implementation and modernization of the Vienna Document (VD): exchanges military-political information with partners carries out and accepts inspections and evaluation visits in accordance with the Vienna Document. In addition to the key VD obligations, Lithuania implements bilateral agreements with Belarus, Sweden, and Finland as additional measures for ensuring regional security and stability to increase the confidence between the countries and their military structures.

Lithuania is a party to a number of the arms control, disarmament and WMD non-proliferation arrangements, *inter alia*, the Open Skies Treaty, the Wassenaar Arrangement, the Convention of the United Nations on Cluster Munitions, the Ottawa Convention, the Australia Group, The Convention on the Prohibition and Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, the UNSCR Resolution 1540, the UN Arms Trade Treaty and others. Lithuania supports harmonization of export control within EU and its partners as well as universalization and

implementation of UN Arms Trade Treaty.

According to Article 7 of the *Law on Control of Weapons and Ammunition*, all weapons, weapon accessories and ammunition which are prohibited by international agreements of the Republic of Lithuania shall be prohibited in the Republic of Lithuania. The following provisions of the *Criminal Code of the Republic of Lithuania* criminalize activities that are contrary to Lithuania's commitments in the field of arms control and disarmament:

Article 112. Use of Prohibited Means of Warfare

A person who, in violation of treaties to which the Republic of Lithuania is party or universally accepted international practices regarding means of warfare or methods of warfare, orders the use of or uses in hostilities prohibited means of warfare or methods of warfare is punishable by imprisonment for a term from three to ten years.

Article 199. Smuggling

<...> 2. A person who, without going through the customs control or otherwise avoiding it or without an authorization, transports across the state border of the Republic of Lithuania firearms, ammunition, explosives, explosive, radioactive materials or other strategic goods, toxic, highly active, narcotic or psychotropic substances or precursors of narcotic or psychotropic substances shall be punished by imprisonment for a term of three up to ten years.

Article 253. Unauthorized Possession of Firearms, Ammunition, Explosives or Explosive Materials

1. A person who, without an authorization, acquires, stores, carries, transports or handles a firearm, ammunition, explosives or explosive materials shall be punished by arrest or by imprisonment for a term of up to five years.

2. A person who, without an authorization, produces, acquires, stores, carries, transports or handles at least three firearms, the ammunition, explosives or explosive materials of a large explosive power or in a large quantity is punishable by imprisonment for a term of four up to eight years.

Article 253(1). Unauthorized Intermediation in the Transfer of Military Equipment

1. A person who, without an authorization, acts as an intermediary in transferring military equipment to a state non-Member State of the European Union shall be punished by deprivation of the right to be employed in a certain position or to engage in a certain type of activities or by a fine or by arrest or by imprisonment for a term of up to three years.

2. A legal entity shall also be held liable for an act provided for in this Article.

Article 257(1). Production of Installations for the Production of Explosive Materials, Explosives or Radioactive Materials or Development or Distribution of Production Technologies or Specifications Thereof

1. A person who unlawfully produces, stores, transports, transfers or handles machinery or other installations directly intended or adapted for the production of explosive materials, explosives or radioactive materials or unlawfully develops or distributes technologies or specifications of the production of explosive materials, explosives or radioactive materials shall be punished by a fine or by arrest or by imprisonment for a term of up to four years.

2. A legal entity shall also be held liable for the acts provided for in this Article.

3.2. Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

Implementation of CSBMs:

In 2017, Lithuania executed the following inspections and evaluation visits according to the Section IX of the Vienna Document 2011 (VD):

Active quotas:

- Specified area inspections: two inspections to Ukraine (as guest inspectors within Hungarian and Latvian teams).
- Evaluation visit to Russia (as a guest inspector within Latvian team).

Passive quotas: Lithuania received three specified area inspections: from Belarus (with guest inspector from Russia), from Ukraine and from Russia.

According to Section X (Regional Measures) of the VD Lithuania executed one evaluation visit to Belarus and received one evaluation visit from Belarus. According to Section IV (Contacts) of the VD Lithuania participated in two Observation visits of military activities in Belarus and in Sweden.

In addition, Lithuania is a state party to the Open Skies Treaty. In 2017, as a State Party to the Open Skies Treaty Lithuania received three observation flights from Belarus-Russia Group of States Parties, Sweden, and Ukraine.

Regarding conventional arms control and export control, Lithuania is a party to the Wassenaar Arrangement, UN Arms Trade Treaty, and EU Common Position on Arms Exports 2008/944/CFSP and actively participates in the EU Council Working Group COARM. Lithuania supports harmonization of export control within EU and its partners as well as universalization and implementation of UN Arms Trade Treaty.

Section II: Intra-State elements

1. National planning and decision-making process

1.1. What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

All decisions concerning Lithuanian defence policy and planning as well as the development of the Lithuanian Armed Forces are made by the democratically elected civil authorities. The major issues of national defence are discussed in and coordinated by the National Defence Council which consists of the President of Lithuania, the Prime Minister, the Speaker of the Parliament, the Minister of National Defence and the Chief of Defence. The Council is headed by the President of Lithuania. The President is also the Commander-in-Chief of the Armed Forces.

Decisions concerning mobilization, declaration of the state of war, the use of Armed Forces and defence against armed aggression are made by the President and the Parliament. Decisions concerning peace-time deployments of the Armed Forces are approved by the President. The long-term development plans of the National Defence System as well as budgetary appropriations for the Ministry of National Defence are approved by the Parliament, which also exercises parliamentary oversight over the National Defence System. Moreover, the Parliament approves limit numbers of the servicemen and statutory civil servants as well as sets the limits of military and civilian personnel participating in international operations in specific regions.

The Ministry of National Defence (MoND) has a central role in the defence policy-making and defence management. In order to fulfil its tasks, the MoND plans its activities by issuing planning documents, which represent the long-term, mid-term and short-term planning process. The National Defence System Development Programme is based on the National Security Strategy and the Military Strategy and indicates long-term directions of the development of the National Defence System. The Programme for 2014–2023 was adopted in 2013 and is currently being renewed. The Guidelines of the Minister of National Defence represent the medium-term (six-year) planning document. These Guidelines are aimed at ensuring effective functioning of the National Defence System. Current Guidelines for 2017-2022 were adopted in March 2017. The document establishes priorities for the development of the National Defence System and general provisions of the future commitments related to the membership in NATO and the EU.

The short-term (3-year) planning document is the Strategic Activity Plan of the National Defence System, which is reviewed annually. The Parliament approved the State Budget for 2017 on 22 December 2016. Total defence expenditure of Lithuanian MoND in 2017 constituted 723,8 Mil. EUR or 1.73% of GDP.

1.2. How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

Lithuania lives up to its international obligations, implements its international, regional, and bilateral commitments, and actively participates in the modernization of the Vienna Document process. Lithuania respects international law and international rules-based system, supports the measures that are strengthening transparency, raising predictability, and ensuring stability and security.

Also see Section I paragraph 2.1. and 3.2 and Section II paragraph 1.1.

2. Existing structures and processes

2.1. What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

Democratic civilian control of the Armed Forces is one of the major principles of the development of the National Defence System. It is embodied in the Constitution of the Republic of Lithuania, the Law on the

Basics of National Security, the National Security Strategy (new version 2017), the Law on National Defence System Organization and Military Service, the Law on Principal Structure of the Armed Forces as well as in other legal acts, decision-making process and national defence management arrangements. All senior MoD officials – the Minister, the Vice-ministers and the Chancellor of the Ministry of the National Defence must be civilians.

The *Seimas* (the Parliament):

- considers the programme of the Government, including security and defence issues, presented by the Prime Minister and decides whether to give assent to it;
- supervises the activities of the Government, and may express no-confidence in individual Ministers;
- approves the State budget and supervises the implementation thereof;
- imposes direct administration and martial law, declares state of emergency, announces mobilization, and adopts decisions to use the Armed Forces when the need arises to defend the State or to fulfil the international obligations of the Republic of Lithuania;
- adopts a law establishing the organization of National Defence System and military service;
- adopts laws that approve the Disciplinary Statutes of the Armed Forces, the Statute on Use of Military Force;
- approves National Security Strategy and the Long-term State Programmes for the Strengthening of National Security, including The National Defence System Development Programme;
- annually passes the law establishing the limits to the following types of military personnel: professional military servicemen, permanent mandatory initial military servicemen, active reserve servicemen (National Defence Voluntary Force servicemen), prepared reserve servicemen participating in refreshment training, and cadets. Furthermore, the law sets limits to the number of statutory civil servants of the system of national defence and the number of senior officers of each rank, generals and admirals as well as establishes the principal structure of the Armed Forces.

The Parliamentary *Committee on National Security and Defence* deals with national security and defence matters. Together with the Foreign Affairs Committee, it holds regular hearings on Lithuania's participation in international operations. The Committee also discusses proposals and presents conclusions on the appointment of military attachés and representatives in the military missions of the Republic of Lithuania to foreign states.

The Parliament has established the *Commission for Parliamentary Scrutiny of Criminal Intelligence*. It is a permanent commission responsible for execution of the parliamentary control over criminal intelligence operations. The main tasks of the commission are:

- exercising control over the protection of the constitutional rights and freedoms while executing criminal intelligence operations;
- supervision that the activities of the subjects of criminal intelligence correspond to the Constitution and laws of the Republic of Lithuania;
- analysis of the legal acts regulating criminal intelligence activities and their compatibility to the laws.

According to the Constitution, the *President* is the Commander-in-Chief of the Armed Forces of the State and has the following powers:

- appoints and dismisses, with the approval of the Parliament, the Chief of Defence and the Director of the State Security Department;
- confers the highest military ranks;
- adopts, in the event of an armed attack which threatens State sovereignty or territorial integrity, decisions concerning defence against such armed aggression, the imposition of martial law as well as mobilization, and submit these decisions to the next sitting of the Parliament for approval;
- declares a state of emergency according to the procedure and in cases established by law, and present this decision to the next sitting of the Parliament for approval;

Under the Law on the Organization of the National Defence System and Military Service, the President and the Parliament issue resolutions, make decisions on mobilization, declaring a state of war, deploying use of wartime Armed Forces and defence against armed aggression in accordance with procedures established by the Constitution and the Law on Basics of National Security, other legal acts. The President of the Republic of Lithuania approves deployment areas of the Armed Forces in the peacetime, the territorial boundaries of their manoeuvring activities and the resolutions decision on transferring military units to another deployment area. Under the Statute of the Use of Military Force, in case of an armed incident of local nature or violation of state border, the President can authorize the use of force in a defined territory for a specific period of time. The decision of the President must be submitted for the approval of the Parliament.

According to the Constitution, the Government of the Republic of Lithuania:

- protects the inviolability of the territory of the Republic of Lithuania and guarantees state security and public order;
- executes laws, the resolutions of the Parliament on the implementation of laws, as well as the decrees of the President of the Republic;
- co-ordinates the activities of ministries and other establishments of the Government;
- prepares a draft State Budget and submits it to the Parliament; executes the State Budget and submits to the Parliament a report on the execution of the budget;
- prepares draft laws and presents them to the Parliament for consideration;
- shall establish diplomatic ties and maintain relations with foreign states and international organizations.

Following the long-term National Defence System Development Programme, approved by the Parliament, under the relevant legislation the Government or its authorized institution issues resolutions, makes decisions on acquisition of armaments, and development of supply support facilities within the National Defence System. Under the Constitution, the Government, the Minister of National Defence and the Commander of the Armed Forces Chief of Defence are accountable to the Parliament for the command and management of the Armed Forces. Persons performing active military service or alternative service, as well as officers of the national defence system, the police and the interior, non-commissioned officers, re-enlistees, and other paid officials of paramilitary and security services who have not retired to the reserve may not be Members of the Parliament or members of municipal councils. They may not hold elected or appointed office in the State civil service, nor may they take part in the activities of political parties and organizations.

The Commander of the Lithuanian Riflemen's Union – voluntary paramilitary organization – submits annual reports on the activity of the Riflemen's Union to the Minister of National Defence and to the Parliamentary National Security and Defence committee. The Commander of the Union is appointed by the Order of the Minister of National Defence with approval of the Parliamentary National Security and Defence Committee and the General Meeting of the Union. Minister of National Defence has the right to suspend or recall the Commander of the Union.

The Law on State Security Department stipulates that the *State Security Department* is accountable to the Parliament and the President. The President with the approval of the Parliament appoints and dismisses the Director of the State Security Department.

The Second Investigations Department under the Ministry of National Defence – body responsible for intelligence and counter-intelligence activities – is subordinated to the Minister of National Defence and accountable to the Parliament, the Government and the President of the Republic of Lithuania.

The Minister of Interior is authorized to exercise control over *the Police* activities. According to the Internal Service Statute, the officers of the interior institutions are not allowed to be members of political parties or to participate in any other political activity. Officers cannot take duties/position as political appointees. *The Police Commissioner General* has established the Procedure of internal control of police bodies. The Police Commissioner General is appointed for the term of five years and can be removed from office by the President. The Police Commissioner General is directly subordinated to the Minister of Interior and is accountable to the President. According to the Internal Service Statute, the police officers are not allowed to be members of political parties or to participate in any other political activity.

2.2. How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The Prosecutor's Office of the Republic of Lithuania supervises the legality of activities by all Governmental officials. *Administrative courts* are established to protect the rights of individuals against unauthorized actions of public bodies and officials. *The Seimas Ombudsmen* investigate complaints concerning the abuse of office of government officials and has a right to apply for a court ruling regarding their dismissal.

2.3. What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

The Law on the Organization of National Defence System and Military Service stipulates that the Lithuanian Armed Forces protect State's sovereignty, territory and airspace; defend against aggression or other armed attack and implement military tasks according to international commitments of the Republic of Lithuania. The Lithuanian Armed Forces consist of the Land Force, the Air Force, the Navy and the Special Operations Forces. The *Land Force* is responsible for military protection and defence of the State land territory. The *Air Force's* mission is surveillance, control and defence of Lithuanian air space. The Navy is responsible for the surveillance, control and defence of territorial waters, surveillance and control of the exclusive economic zone and the continental shelf. In addition, the Navy controls and coordinates search and rescue, pollution containment operations in its responsibility area. The *Special Operations Forces* are responsible for the special

reconnaissance, direct actions and military support.

National Defence Volunteer Force (NDVF) is a part of Land Force. The NDVF employs a small part of professional soldiers and a large number of volunteers (active reserve servicemen), who do not serve on a regular basis but perform their duties up to 30 days per year in accordance with training programmes. The main goal of NDVF is to prepare for and conduct territorial defence tasks. The NDVF consists of HQ and 6 territorial units.

The Lithuanian Riflemen's Union is a state-sponsored voluntary paramilitary organization, which contributes to strengthening of state defence capabilities, promotes civic and patriotic education, and supports the Armed Forces, Police, and the State Border Guard Service, as well as education and civil protection and rescue system institutions. The Constitution of Lithuania, the Law on the Basics of National Security, the Law on Riflemen's Union (last amendments of 13 June 2017), and other legal acts form the legal basis for the activities of the Lithuanian Riflemen's Union.

With regard to mechanisms to assure that military, paramilitary and security forces act solely within the constitutional framework – see Section II paragraph 2.1.

3. Procedures related to different forces personnel

3.1. What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

a) Military recruitment

The Constitution stipulates that defence of the State of Lithuania against a foreign armed attack shall be the right and duty of each citizen of the Republic of Lithuania. Citizens of the Republic of Lithuania must perform military or alternative national defence service according to the procedure established by law.

The Military Conscription Law establishes two options for conscription:

1. Conscript Service (9 months);
2. Junior Officers' Commander Training (3 years part time service) for higher school students and graduates.

The Parliament annually passes decision approving the limit numbers of the military personnel. In 2015, Lithuania reintroduced Conscript Service and was extended for indefinite period from 2016. 18-38 years old men and women are encouraged to sign up for Conscript Service on voluntary basis. If volunteers are not enough to cover the needed number of conscripts, the remaining number is chosen using random selection method from the pool of 19-26 years old men group which are eligible for mandatory call up. To ensure transparency and objectivity of the process, formation of the conscription list is observed by representatives of NGOs. In 2017, the intake of conscripts was 3 500 (53 of them – on mandatory basis), which represented an increase by 500 from 2016.

Junior Officers' Commander Training was launched in 2012. The training is voluntary and open to 18 – 32 years old higher school students and graduates. After successfully completing the training, participants can enter professional military service or become reserve lieutenants. In 2016, 59 completed and more than 400 students were undergoing Junior Officers Commanders' Training.

National Defence Volunteer Force is a territorial defence force comprised of citizens who are trained as soldiers during weekends. Servicemen are on duty 1 – 2 weekends per month, 30 days per year. Lithuanian citizens, aged 18 to 60 are accepted.

The Professional military service is a contract based continuous military service. Lithuanian citizens from 18 to 40 years old (officers/non-commission officers up to 56, specialists up to 60) with prior basic military training can sign up.

The membership in the Lithuanian Riflemen's Union is voluntary. In case of war, combat units of the Union would be included in a wartime structure of the armed forces. Members of the Lithuanian Riflemen's Union participate in certain trainings and exercises of the Lithuanian Armed Forces and participate in national defence activities. The affiliation of Lithuanian Riflemen's Union Combat Units with Lithuanian Armed Forces started in 2016.

b) Recruitment for internal service

The procedures of recruitment to Internal Service are laid down in the Statute of Internal Service. An applicant to the internal service: 1) has to be a citizen of the Republic of Lithuania and have a good command of the Lithuanian language; 2) has to have an unblemished reputation; 3) is not younger than 18 years old and not older than 60 years; 4) must have not lower education as a secondary education; 5) an applicant's state of health should allow to work in internal service; 6) the physical readiness should also allow to work in internal service; 7) must be graduated from professional education establishment of the interior or other educational establishment or introductory training courses of the professional education establishment of the interior.

The Minister of the Interior or the authorized heads of the central interior bodies may set supplementary requirements for persons applying to study at an establishment of professional training in the field of interior or other educational establishment or introductory training courses of the professional education establishment of the interior, or for persons applying to particular subdivisions of the interior bodies. Supplementary requirements pertain to intellectual, physical and practical abilities, moral and psychological suitability to serve in internal service or in particular subdivisions.

There may be supplementary requirements, namely, a person cannot be recruited to the internal service: 1) if a person was convicted for a crime irrespective of whether conviction for the commission of previous crime has expired, also if a person is convicted for a negligent crime or misdemeanour and it is less than 5 years from the judgment became effective or the previous conviction has not expired; 2) if a person already served as a statutory officer, judge, notary, prosecutor, barrister, or served within the system of national defence and was dismissed for actions compromising the rank of the officer; for the activity compromising the rank of the judge; for the breach of professional and ethical rules of notaries, for the compromising of the rank of prosecutor, for the breach of professional and ethical rules of barrister, for the legal breaches compromising the rank of soldier or the national defence institutions; 3) if a person was dismissed from the civil service for professional misdemeanour and 3 years have not passed since the day of his dismissal; 4) if a person is appointed to the position in the interior institution where his/her spouse, partner, close relative or a spouse's relative, according to the functions would be related by direct subordination; 5) if a person is a member of the organization forbidden by the laws.

It is forbidden to employ a person to the internal service if any certified compromising data is available. The decision upon the suitability of a person to the service is made by the head of the central interior institution.

3.2. What kind of exemptions or alternatives to military service does your State have?

According to the Constitution, citizens can apply for an alternative national defence service.

The Law on the Basics of National Security stipulates that the alternative national defence service is an alternative to general military service as an auxiliary service for those, whose religious or pacifist convictions do not allow them to serve bearing arms. The purpose of this service is to develop citizens and provide them with an opportunity to contribute, in alternative ways, to national defence and enhancing of national security. The Ministry of National Defence organizes this service for the purposes of national protection and defence.

3.3. What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

The Law on the Organization of the National Defence System and Military Service regulates that Institutions of the National Defence Services' must act in accordance with the Constitution, laws and other legal acts, including international agreements, Lithuania is a party to.

A serviceman's civil rights - the protection of his private life, guarantee to the place of service, freedom to participate in associations, choice of residence and free migration, inviolability of the official (service) apartment, freedom to methods of meetings, group petitions, dissemination of information and expression of the opinion - are limited by the laws and the approved statutes to the extent necessary for the conduct of the servicemen duties, and to ensure military obedience and objectives of the service. A serviceman is guaranteed the freedom of thought, religion, and conscience. The human dignity of every serviceman must be respected. Any person serving in the Armed Forces cannot be compelled to serve any other person or a group of persons other than those conducting his/her official duties.

A serviceman, whose guaranteed rights have been violated, may seek redress from his immediate superior or the Inspector General of the Armed Forces. The aforementioned persons must immediately investigate the facts and take actions necessary to eliminate the violations.

The Service Statute provides that if a serviceman gets an order, by implementing which he would break an oath or make a clear criminal act, he shall not carry out the order and shall urgently address the immediate superior. If the immediate superior issued this order, the serviceman shall address the next standing senior superior.

According to the Criminal Code of the Republic of Lithuania, a serviceman who unlawfully demands that another serviceman behave according to his instruction or who humiliates another serviceman by using mental coercion shall be punished by arrest or by imprisonment for a term of up to two years. A serviceman who humiliates or terrorizes another serviceman by using physical violence or a weapon shall be punished by imprisonment for a term of up to five years. A serviceman, who commits the abovementioned acts, where this causes serious consequences, shall be punished by imprisonment for a term of four up to eight years.

Further, a serviceman who issues a clearly unlawful order or forces another serviceman to execute such an order, also a serviceman who executes a clearly unlawful order, where this causes serious consequences, shall be punished by imprisonment for a term of two up to eight years.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1. How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

Lithuania has ratified all major international humanitarian law (IHL) instruments. Since 2000, the Ministry of National Defence coordinates implementation of IHL. The Commission on the Implementation of International Humanitarian Law established in 2001 as an advisory body to the Minister of National Defence, coordinates dissemination of international humanitarian law and related topics.

Among other activities, the Commission also organizes national and international seminars, courses and workshops on international humanitarian law and related topics for militaries and civil servants.

During pre-mission training, these topics are also introduced to the militaries selected for international operations. The Military Academy has number of training programmes on officers' professional ethic, international law, international humanitarian law and other international rules governing the armed conflict. The subject of international humanitarian law is also included in curriculum of the Armed Forces School, all levels of police personnel; it is also an optional course in the Law faculties of the leading universities as well as in the Institute of International Relations and Political Science.

National Society of the Red Cross (RC) provides courses on the International Red Cross and Red Crescent movement, International Committee of the Red Cross, RC Emblem and the Lithuanian RC to the military leaving for international operations. The Society also participates in providing information and organizing courses, seminars and workshops on international humanitarian law to the representatives of the armed forces and general public.

Together with other relevant information on International Humanitarian Law, texts of international agreements and other international instruments of international humanitarian law are available in the libraries of military and civil establishments.

All information related to implementation of the international humanitarian law in Lithuania is placed on the website of the responsible authority – the Ministry of National Defence (*www.kam.lt*). The texts of international humanitarian law documents ratified by the Republic of Lithuania can also be accessed at the Register of Legal Acts website: (<http://www.e-tar.lt/portal/en/index>).

4.2. What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

The Law on the Organization of the National Defence System and Military Service stipulates that "Nobody shall give a serviceman or any element of the Armed Forces the order which breaks an oath, which is clearly unlawful, or which violates all generally accepted principles and standards of international law. A superior officer who issues such an order shall be prosecuted under the law". It also states that if a clearly unlawful order is issued, under the law a serviceman shall not follow the order and shall report it to the superior officer to the leader who has issued the unlawful order.

In the Criminal Code of the Republic of Lithuania, a separate chapter is dedicated to crimes against humanity and war crimes. The person would be criminally liable for genocide (Article 99), treatment of persons prohibited under International Law (Article 100), killing of persons protected under International Law (Article 101), deportation of civilians of an occupied state or transfer of the civilian population of an occupying State (Article 102), causing bodily harm to, torture or other inhuman treatment of persons protected under International Humanitarian Law, violation of norms of international humanitarian law concerning protection of civilians and their property in time of war (Article 103), forcible use of civilians or prisoners of war in the armed forces of the enemy (Article 105), destruction of protected objects or plunder of national valuable properties (Article 106), delay in repatriation of prisoners of war (Article 107), delay in release of interned civilians or impeding repatriation of other civilians (Article 108), unlawful use of the emblem of the Red Cross, Red Crescent, Red Crystal and the United Nations Organization or another universally recognized emblem (sign) or designation (Article 109), aggression (Article 110), prohibited military attack (Article 111), use of prohibited means of warfare (Article 112) and marauding (Article 113).

For criminal responsibility related to executing an order – see Section II para. 3.3.

4.3. How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

See above.

4.4. What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

The Law on the Organization of the National Defence System and Military Service regulates that Institutions of

the National Defence Services must act in accordance with the Constitution, laws and other legal acts, including international agreements Lithuania is a party to.

Servicemen exercise their human rights and freedoms guaranteed by the Constitution of the Republic of Lithuania. A serviceman's civil and political rights – the protection of private life, guarantee to the place of service, freedom to participate in associations, choice of residence and free movement, inviolability of the official (service) place of residence, freedom of assembly, group petitions, dissemination of information and expression of the opinion – are limited by the laws and the approved statutes to the extent necessary for the conduct of the servicemen duties, and to ensure military discipline and objectives of the service. Freedom of thought, religion and conscience shall be guaranteed for a serviceman and cannot be restricted. The human dignity of every serviceman must be respected. Any person serving in the Armed Forces cannot be compelled to serve any other person or a group of persons other than those conducting his/her official duties.

Active service servicemen are prohibited from participating in political activities including:

- 1) membership in a political party or a political organization;
- 2) active participation of the servicemen in the meetings or other public actions organized by political parties and political organizations and expressing political convictions or political demands or directly supporting a political party or a political organization;
- 3) servicemen's political statements, articles or speeches publicly voicing disagreement with the policy declared and implemented by a democratically elected government of the State (the Seimas, the President of the Republic, the Government) or publicly raising political demands to the government of the State. A serviceman shall terminate his membership and activity in a political party or a political organization upon commencing to initial mandatory or professional military service for the duration of the service.
- 4) Servicemen may participate in the activities of associations and other non-political alliances and in other non-political activities aiming to foster moral, national, patriotic and civic democratic values, provided that participation in such activities does not interfere with performance of direct duties of a serviceman.

4.5. How does your State ensure that its defence policy and doctrine are consistent with international law?

The Constitution stipulates that international treaties ratified by the Parliament are a constituent part of the legal system of the Republic of Lithuania. It also states that in implementing its foreign policy, the Republic of Lithuania shall follow the universally recognized principles and norms of international law.

The Constitution, the National Security Strategy, the Law on the Basics of National Security and other legal acts, constituting a foundation of the Lithuanian defence system and defence policy, ensure the respect of the provisions and spirit of the international law.

Section III: Public access

1. Public access

1.1. How is the public informed about the provisions of the Code of Conduct?

There are no specific measures on the information about the Code of Conduct, but the public is being informed about implementation of national measures related to provisions of the Code.

1.2. What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

All information provided in this report is available in unclassified sources.

1.3. How does your State ensure public access to information related to your State's armed forces?

Public access to information is embedded in the Constitution as well as in the Law on Provision of Information to the Public and other legal documents.

The public access to information on security and defence cannot be barred except in cases where information is qualified as a state secret. Public information on national defence issues is disseminated by various media means as well as by state institutions.

The Ministry of National Defence of Lithuania releases and updates the defence policy and Armed Forces related information on its Internet site (www.kam.lt).

The texts of all laws related to the national defence policy and Armed Forces can be accessed at the Register of Legal Acts website: (<http://www.e-tar.lt>).

According to the Law on the Basics of National Security, the Government is obliged to submit an annual report

to the Parliament on the developments of the National Security System. The Parliament holds a debate on the Report of the Government and adopts a resolution thereof. The National Defence policy and assignments approved by the Parliament must be put on the public record.

INFORMATION ON WOMEN, PEACE AND SECURITY

Regarding DECISION No. 5/11 (FSC.DEC/5/11, 13 July, 2011) REFERENCE GUIDE ON THE QUESTIONNAIRE ON THE OSCE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

Lithuanian National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 was adopted in December 2011. The NAP echoes the objectives outlined in the UNSC Resolution 1325 and foresees specific activities to be implemented in this regard. The NAP is an important tool in raising awareness among the general public on the equal opportunities for women to take part in the prevention of conflicts and rebuilding peace, to involve women in decision-making at all levels, as well as in peacekeeping operations and missions both in the civilian and military fields. The NAP also provides for the training of the experts taking part in the operations and missions on women's rights and other matters related to the UN Security Council Resolution 1325. A number of state institutions are involved in the implementation of the NAP, namely the Ministry of Foreign Affairs, the Ministry of National Defence, the Ministry of the Interior, the Ministry of Social Security and Labour, the Ministry of Health, and the Police Department under the Ministry of the Interior. The Ministry of Foreign Affairs is in charge of coordinating the implementation of the NAP. Currently the consultations with relevant state institutions have been conducted with a view of updating and improving the NAP.

On 20 April 2015, an international conference on the implementation of the UNSC resolution 1325 in the OSCE region, organized by the Organization for Security and Co-operation in Europe (OSCE) and the UN Women and hosted by the President of the Republic of Lithuania D. Grybauskaitė, took place in Vilnius. Gaps and challenges on the implementation of the Women, Peace and Security agenda, as well as recommendations and priorities for action were discussed during the conference. The conference gathered important data for the UN Global Study on the implementation of the UNSC resolution 1325 on Women, Peace and Security in the OSCE region.

I. Prevention

Subject of gender equality (including the United Nations Security Council Resolution No 1325 (2000) on Women, Peace and Security (hereinafter referred to as "the UNSC Resolution No 1325 (2000)") is incorporated into the education programmes of all levels of military personnel (the General Jonas Žemaitis Military Academy of Lithuania, the Division General Stasys Raštikis Lithuanian Armed Forces School and the General Adolfas Ramanauskas Warfare Training Centre).

The representatives of the Joint Headquarters of the Lithuanian Armed Forces have delivered 8 lectures (1 hour each) on the UNSC Resolution No. 1325 (2000) and on the requirements of other related resolutions and implementation measures to the soldiers on official missions/international operations in the General Adolfas Ramanauskas Warfare Training Centre of the Lithuanian Armed Forces. During the lectures, the main differences in cultural, social and economic requirements for women and men and boys and girls, possible outcomes of different situations were discussed. The participants were familiarised with the importance of gender aspects in international operations, the main terms and definitions, the situation of women and children in the area of military conflicts and in the district of a specific operation, the activities of peacekeepers, which could change the situation. Lectures were given to servicemen preparing for international operations (missions) in Afghanistan, Mali, Somalia, Kosovo, Turkey, and the Mediterranean Region. The total number of attendees in the lectures amounted to around 177 soldiers (7 women and 170 men);

The subject programmes of the General Jonas Žemaitis Military Academy of Lithuania include topics related to the implementation of the questions analysed in the UNSC Resolution 1325 (2000):

- all bachelor degree study programmes include a subject which is aimed at providing the cadets with knowledge on the main categories of law, human rights, principles of international law and their application in conflicts;
- the subjects of the Humanitarian Law and the International Organisations and International Operations which are included in all bachelor degree study programmes teach about the application of the international law provisions in conflict and humanitarian crisis zones, provide basic knowledge about the content and implementation of United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security;
- the subject of the Fundamentals of Political Science of the bachelor study programme International Relations contains a few topics on female movements, types of feminism, development of women's political rights and their representation in parliaments all over the world;
- the subject of the Theories of International Relations of a master degree study programme Military

Diplomacy analyses the theoretical feminist perspective of international relations and the problem of visibility of women in international politics;

- the subject-matter of “Moral Problems in Modern-day Society” of the subject Ethics and Courtesy which is included in all study programmes examines the issue of equality between men and women taking into consideration the qualification requirements for NATO officers’ training;
- the Department of Foreign Languages (DFL) has included a subject-matter related to the issues of equality between men and women in its English Language Study Programme; lecturers of the DFL of the Academy teach the cadets gender-neutral terms.

The institutions of the National Defence System and their units take part in different international seminars, conferences and other events related to the application of the provisions of the UNSC Resolution No. 1325 (2000) and the implementation of the measures specified in the National Programme on Equal Opportunities for Women and Men 2015–2021.

Under the Statute of Military Discipline, sexual harassment is considered a gross violation of military discipline and is punished by means of disciplinary measures.

Since 2010, gender perspective was integrated into military planning processes at tactical and operational levels, as well as in all exercises conducted by the Lithuanian Armed Forces.

II. Participation

The legislation of the Republic of Lithuania provides for the application of principles of non-discrimination of persons on the basis of ethnicity, nationality, race, origin, social status, beliefs, attitudes, religion, sexual orientation and gender. The non-discrimination principles are also established in the Lithuanian Constitution and other legal acts (the Law on Equal Opportunities, the Law on Equal Opportunities for Women and Men, the National Programme on Equal Opportunities for Women and Men 2015–2021).

Lithuania is also involved in the implementation of the UNSC Resolution No. 1325 (2000).

The legislation of the Republic of Lithuania in relation to national defence provides for gender equality in the national defence system. There are no gender-based limitations with respect to military service, as both women and men have equal rights to serve in all services and can occupy any position in the Lithuanian Armed Forces. Furthermore, there are no admission quotas with respect to the type of service or military training and studies. In the process of selection of military personnel for deployment to international operations, no gender-based criteria are applied.

According to the Law on Compulsory Military Service, women are subject to military duty only if they wish to become military draftees and (or) have a higher education degree in medicine, nursing or midwifery study programmes. Exemption of women’s duty for conscription is traditionally based on biological and physical differences between men and women; therefore, different physical readiness and other requirements have been established by laws in order to preserve women’s health. In this regard, not only women’s exemption from compulsory military service but also less stringent requirements for physical readiness test as well as other guarantees (e. g., women are granted pregnancy and delivery leave; in the event of war, state of emergency or mobilisation pregnant women cannot be called up for service, and the like) have been established in the Lithuanian national defence system.

Men and women serving in the Lithuanian Armed Forces receive equal pay and have equal social guarantees. Promotion opportunities are the same for both women and men. Promotion regulating rules are based on seniority and professional qualification. There are no legitimate leadership restrictions for female officers. As mentioned above the factors that make the difference between men and women in the national defence system are based on biological and physical differences only. In 2017, women accounted for 11,2% of the Lithuanian military personnel. More specifically, women accounted for 14 % of all persons admitted to the professional military service, 16,5 % – of all persons admitted to the volunteer service, 3,6 % – of the permanent compulsory basic military service recruits, and 10,9 % – of the total number of persons admitted to the General Jonas Žemaitis Military Academy of Lithuania.

In 2017, 33,3 % of female military officers and 18,7 % of female civil servants occupied decision-making positions in the Ministry of National Defence, and 7,7 % – in the Lithuanian Armed Forces.

It should be noted that gender-based statistics (the proportion of females serving in different branches and on different levels of military service (according to military ranks and positions occupied) as well as other gender-based aspects are analysed and reported to different institutions on an annual basis.

Under the Statute of Military Discipline, sexual harassment is considered gross violation of military discipline and disciplinary measures are applied as a means of punishment.

In 2017, 7 women were deployed in international operations. Defence Staff of the Lithuanian Armed Forces has an officer (male) with a supplementary function of gender advisor.

In 2016, 61 person was seconded to the international institutions and deployed to civilian missions, of whom 21 were women (34 percent of all deployed personnel in 2016). Lithuania also deployed 48 observers to the election observation missions of the European Union and the OSCE. Almost two thirds of the observers were women (31).

As of 1 January 2017, there were 3124 women and 5127 men serving in the Lithuanian police.

III. Protection

There were no cases of exploitation and abuse perpetrated by Lithuanian peacekeepers in 2017.

IV. Other information

To implement the National Programme on Equal Opportunities for Women and Men 2015–2021 (hereinafter referred to as – the Programme) approved by the Government of the Republic of Lithuania, the Action Plan 2015–2017 for the Implementation of the National Programme on Equal Opportunities for Women and Men 2015–2021 (hereinafter referred to as – the Plan) was drawn up by the Minister of National Defence. To put the Plan into action:

- lectures on the UNSC Resolution No. 1325 (2000) and on the requirements of other related resolutions and implementation measures were given for military personnel on international missions and operations (see more in Prevention section);
- no practical training on the implementation of the provisions of the UNSC Resolution No. 1325 (2000) intended for civilians assigned to international operations (missions) were organized. It should be noted that after the Lithuanian military and civil contribution in Afghanistan reduced, the need for such training became less relevant.

Besides, updated annual information on the UNSC Resolution No. 1325 (2000) and on the implementation of the measures specified in the Programme has been prepared and is available on the website of the Ministry of National Defence www.kam.lt under the heading *International Humanitarian Law / Sources of the International Humanitarian Law / UN Security Council Resolution No. 1325 (2000) on Women, Peace and Security*.

Contact information

Provide information on the national point of contact for the implementation of the Code of Conduct.

Ministry of Foreign Affairs, Transatlantic Cooperation and Security Policy Department
phone +370 706 5 2938, fax: +370 5 231 3090, e-mail: ieva.karpaviciute@urm.lt
Ministry of National Defence, International Relations and Operations Department
phone +370 5 273 6535, fax: +370 5 211 3833, e-mail: agne.bernadisiute@kam.lt