REPUBLIC OF LITHUANIA
LAW ON THE ORGANISATION
OF THE NATIONAL DEFENCE SYSTEM
AND MILITARY SERVICE
May 5, 1998 No. VIII-723
Vilnius
(As amended by 14 January 1999 No VIII-1027
and 7 July 1999 No VIII-1289)

FIRST SECTION
GENERAL REGULATIONS

Article 1. Purpose
This law sets forth the fundamentals of organisation, command, and control of the
National Defence System, and establishes the procedures for the fulfilment and support of
military service and civilian service within the National Defence System.

Article 2. Definition of terms
1. National Defence System - the principal part of the national security system of the
Republic of Lithuania. The National Defence System consists of national institutions
designed to protect and defend the sovereignty of the state, the inviolability and integrity
of its territory, the territorial waters and the exclusive economic zone in the Baltic Sea; to
fulfil Lithuania’s international defence and military co-operation obligations; and to fulfil
other national defence related functions.

2. Lithuanian Armed Forces (hereinafter - Armed Forces) the armed institution for defence
of the state - the principal part of the national security system protecting the sovereignty of
the state and the inviolability of its territory and air space, defending the state by means of
arms from aggression or any other form of armed attack, and carrying out military
missions consistent with international obligations of the Republic of Lithuania.


4. Unit - a battalion or military element of equal size (consisting of at least two companies)
with an approved permanent structure.
5. Combined unit - several units or military elements with a joint operational purpose or mission, commanded by one designated commander.

6. Active reserve - that part of the Armed Forces made up of reserve servicemen, who have served in the armed forces or completed their basic military training in some other manner, who are listed on the reserve personnel register and who are periodically called up for military training and exercises up to an age limit established by law.

7. Operational command - the authority delegated to a designated commander to organise and command assigned forces in a manner necessary to accomplish the assigned mission or task. Operational command does not include responsibility for training, administration, internal organisation, and logistic support of assigned units.

8. Military territory – territory (fields, buildings and quarters) controlled or used by the institutions of the national defence system; other fenced or clearly marked territory that is attached to and/or used for the needs of the institutions of the national defence system; as well as clearly marked places where the armed forces carry out military training and exercises, remove harmful explosives, accomplish rescue or other assigned tasks needed for the security and defence of the State during periods of training, exercises or field work.

9. Military operation - military action to accomplish strategic, tactical or administrative military missions and training.

10. NATO standards - a set of general principles, standard documents and standards regulating the activities of NATO member military and defence structures, as well as other related institutions.

11. Active military service - the service status given to Lithuanian citizens for continuous service in mandatory military service and professional military service, as well as non-continuous service by volunteer servicemen or active reservists called up for a temporary period of time for training exercises, defence, security, or other duties.

12. Mandatory military service - required military service for citizens of the Republic of Lithuania as established by the Constitution. The services consists of an initial period of military service established by law, and follow on periodic service in the active reserve, as well as service in the event of mobilisation.

13. Professional military service - continuous military service voluntarily committed to by means of a written contract with the Ministry of National Defence by citizens of the Republic of Lithuania, and in accordance with conditions and requirements set forth by law and legal acts. These servicemen fulfil their military service in the Armed Forces or
other institutions within the National Defence System as well as other institutions or international structures.

14. Volunteer military service - non-continuous military service in the National Defence Volunteer Forces voluntarily committed to (in the form of a written contract with the Ministry of National Defence) by citizens of the Republic of Lithuania, and in accordance with the conditions and procedures established by law and legal acts.

15. Service in the active reserve - mandatory non-continuous (periodic or due to national security circumstances) service by reserve servicemen up to an age limit established by law.

16. Serviceman - a citizen of the Republic of Lithuania fulfilling mandatory (either initial or active reserve), professional, or volunteer military service.

17. Volunteer serviceman - a citizen of the Republic of Lithuania serving in a non-continuous (non-permanent) status with the National Defence Volunteer Forces.

18. Reserve serviceman - a citizen of the Republic of Lithuania who has completed initial mandatory service or volunteer service, or received the necessary military education in some other manner, or transferred from professional military service to the active or individual reserve register.

19. Civilian national defence service - service entered into by Lithuanian citizens on a voluntary basis in accordance with laws and legal acts into specific civilian assignments within the National Defence System.

20. Cadet - a serviceman studying at Lithuania’s Military Academy or a foreign military education institution who upon graduation receives an officer’s commission.

21. Individual reserve - a category of reserve servicemen who have been relieved from mandatory service in the active service due to age or other reasons and who may be called up to the active military service only in the event of mobilisation.

22. Retirement - the transfer of a serviceman from professional or volunteer service, who due to age or health reasons is not enrolled in the reserve register, or crossing out a reserve serviceman from the reserve register due to age or health reasons.

23. Temporary personnel reserve of the professional military service - professional military servicemen, who are transferred temporarily into this category and are not carrying out their permanently assigned duties.

24. Draftee - a conscript who, in accordance with the procedures and methods established by Law on Military Conscription, has not fulfilled the initial mandatory or alternative service obligation, nor has been released from it. During the period of time when a draftee
is called up by the Selective Service Commission to fulfil his mandatory service until gaining a serviceman’s status, the individual shall be referred to as recruit.

25. Re-enlistee - a citizen of the Republic of Lithuania who enters professional military service within 60 days after completing his initial mandatory service.

Article 3. National Defence System

1. The National Defence System consists of:

1) the Ministry of National Defence;

2) the Armed Forces, and in time of war - other armed forces: border police, special police units, citizens in organised resistance (partisans) units, subordinate to the Commander of the Armed Forces;

3) the Lithuanian Military Academy, the Non-Commissioned Officer (NCO) school and other military schools;

4) other state institutions established by the Ministry of Defence or subordinate to the Minister of National Defence;

5) infrastructure assigned to National Defence; and

6) enterprises established by the Ministry of National Defence.

2. The National Defence System shall be developed as part of the transatlantic collective defence system. In this regard:

1) the Armed Forces and other institutions within the National Defence System shall be developed in line with NATO standards, and shall be interoperable with NATO structures;

2) the Lithuanian military and civilian air space surveillance systems shall be developed and integrated into the NATO regional air space control system; and

3) NATO security principles and standards shall be applied in performing security clearances for personnel whose duties involve working with classified material, as well as to ensure physical protection of information, premises, facilities, and other objects and communication systems.

3. In accordance with the procedure established by legal acts, institutions of the national defence system shall control and/or use military territory to carry out their functions and tasks. Commanders (supervisors) of national defence system institutions, unit commanders and other officials shall be responsible for the enforcement of laws and other legal acts within the territories they use or control. Officials of civilian institutions may carry out their functions only in circumstances established by the Government and only with the participation of national defence system officials who are empowered with the rights to
control the territory. The regimen and internal procedures for controlling military territories shall be established by the Minister of National Defence, the Chef of the Armed Forces, or commanders (supervisors) of units, other military units, services or national defence institutions. These individuals may act in accordance with the authority that has been empowered to them.

4. Military chaplains are part of the National Defence System. In co-ordination with the leadership of officially recognised traditional Lithuanian churches, who assign the chaplains, the Minister of National Defence shall establish the regulations and procedures governing their activities.

Article 4. Legal principles governing activities of institutions within the National Defence System
Institutions within the National Defence System will be governed by the Constitution of the Republic of Lithuania, laws and other legal acts passed by the Seimas, Presidential decrees, Government resolutions, Minister of National Defence orders, and Republic of Lithuania international treaties.

Article 5. International Co-operation of the Institutions of the National Defence System and Participation by the Armed Forces in International Missions and Exercises
1. The National Defence System will co-operate with NATO structures in planning the defence of Lithuania and in integrating into the transatlantic collective defence system.
2. The Ministry of National Defence shall develop partnerships, multilateral and bilateral international defence programmes with NATO, Western European Union, NATO member states and states seeking NATO membership; and also with other states when such activities correspond with the objective to integrate the Republic of Lithuania into NATO. Institutions of the National Defence System shall co-operate with the above mentioned subjects by:
   1) training the Armed Forces in accordance with NATO standards and preparing them and other National Defence System institutions to be interoperable with NATO structures;
   2) developing information and communication systems which can be exchanged and secure;
   3) in accordance with NATO requirements, standardising defence structures, legal acts regulating defence activities, statutes, terminology, equipment, maps and documentation;
4) training military personnel and defence specialists;
5) obtaining NATO compatible defence equipment; and
6) developing other areas of defence within the National Defence System.

3. In accordance with international co-operation agreements and plans, and in keeping with the conditions for participation in international operations and exercises, the Ministry of National Defence will conduct international military exercises or training in Lithuanian territory, or send units from its armed forces to foreign countries to participate in exercise or training.

4. In accordance with international obligations, the Republic of Lithuania, subject to the Seimas approval, shall send its military units to participate in various international military and humanitarian missions in foreign countries.

SECOND SECTION
PRINCIPLES OF ORGANISATION AND COMMAND

Article 6. Principles of the National Defence System
2. The principle of democratic civilian control shall be applied to all institutions within the National Defence System.

Article 7. Democratic civilian control of the Armed Forces
1. The Seimas determines the amount of funds to be allocated for the development of the Armed Forces, the acquisition of weapons and other support requirements. Parliamentary control of the National Defence System is exercised in accordance with established procedures.
2. National Defence policy and allocation of funds approved by the Seimas for defence shall become part of the record.
3. The President of the Republic and the Seimas, in accordance with procedures established by the Constitution and the Law on the Fundamentals of National Security, shall issue resolutions declaring mobilisation, a state of war, deployment of the Armed Forces, and defence in the event of armed aggression.
4. The Government or its authorised institution shall issue resolutions on supplying the Armed Forces, on procurement of weapons, and the development of a logistical base of support within the National Defence System.

5. The Government, the Minister of National Defence, and the Commander of Armed Forces shall be accountable to the Seimas for the leadership and management of the Armed Forces.

6. Only civilians may be appointed as the Minister or Vice Ministers of National Defence.

7. Deployment areas of the Armed Forces in peacetime, their territorial boundaries for manoeuvring, and redeployment areas of units are approved only by the Presidential decree.

Article 8. Funding, Control, and Restrictions of Legal Entities

1. Institutions in the National Defence System shall be funded from the National budget. Foreign credits and support may be used for the development of the National Defence System.

2. The Minister of National Defence is the Chief Administrator of funds allocated to the National Defence System. Financial activity and the budgets of National Defence System institutions are controlled in accordance with the procedures established by law.

3. The Minister of National Defence may place certain restrictions on the Armed Forces or other legal entities in entering into transactions. The Ministry of National Defence is not subject to these restrictions.

Article 9. Ministry of National Defence


2. In accordance with the Constitution and governmental statutes, the Minister of National Defence is appointed and dismissed as the Chief Executive of the Ministry of National Defence. Vice ministers and the Secretary of the Ministry are directly subordinate to the Minister. The Minister determines the limits of their authority. Vice ministers are appointed and dismissed in accordance with the procedures established by law.

3. The principal tasks of the Ministry of National Defence are:

   1) to develop the National Defence System and the military capability of the Armed Forces, and to prepare the Armed Forces and other National Defence System institutions for the defence of the country;

   2) to ensure that national security and defence tasks are accomplished in peacetime or war;
3) in accordance with the procedures established by law, to organise collection and processing of information and intelligence data on activities or phenomena that threaten national security and the defence capability of the state;

4) to develop and implement international co-operation plans and programs;

5) in conjunction with other governmental and local government institutions, to draft conscripts and reserve servicemen for mandatory military service, as well as to implement mobilisation in accordance with the procedures established by law;

6) to organise co-operation between the Armed Forces and civilian institutions, the “Šauliai” (Riflemen) Union, and other public organisations that directly contribute to the strengthening of the National Defence System; and to prepare the public for the defence of Lithuania; and

7) to execute the functions of the Minister of National Defence, established by this law and any other laws and resolutions of the Government.

4. The Ministry of National Defence is authorised to:

1) establish an arsenal, an institute for military technologies, and facilities for the maintenance of weapons and military equipment;

2) establish a military archive;

3) operate and maintain military medical and healthcare institutions;

4) operate and maintain intelligence and counter-intelligence services;

5) establish social and recreational facilities for the military - Officer Clubs and sport clubs;

6) establish public relations offices;

7) maintain a housing fund and rent both houses and apartments in order to provide servicemen with living facilities; and

8) receive foreign assistance items for the National Defence System, and transport them through the state border free of any customs duties.

5. The Ministry of National Defence may send candidates to study in foreign military and other educational institutions. The candidates are selected through a competitive process. The Minister of National Defence shall establish the rules and requirements for the competitive process. Participants in the competitive process may be called up for preparatory training as servicemen.

Article 10. Rights, duties and responsibilities of the Minister of National Defence
1. The Minister of National Defence is responsible for implementing the tasks and functions assigned to the Ministry, for the activities and development of National Defence System institutions, and for efficiently using the resources allocated by the Government.

2. The Minister of National Defence shall:

1) supervise the implementation of defence policy, the preparation and development of the National Defence System institutions for the defence of the state, and international cooperation;

2) determine the structure and Tables of Organisation of National Defence System institutions and their subdivisions, approve regulations and expenditure estimates governing their activities, and establish the rights and responsibilities of the officials in charge;

3) establish National Defence System policy on personnel staffing, training and development;

4) establish policy on the efficient use and control of resources;

5) establish procedures for the security of the National Defence System and its implementation;

6) establish procedures for the collection, analysis and distribution of intelligence data by security services;

7) submit permanent displacement sites of military units to the President for approval;

8) submit to the National Defence Council the national military defence strategy for deliberation. After having received the Council’s concurrence and recommendations, approve the strategy;

9) submit to the National Defence Council for deliberation the principal structure of the Armed Forces, to include: general limits on the number of conscripts and professional military servicemen in the national defence system; the number of permanent combined units, battalions and other units of comparable status; and limits on the number of lieutenants colonels (commanders), colonels (navy captains), and generals (admirals). With the consent of the National Defence Council and authorised by the Government, he shall submit this information to the Seimas for approval;

10) establish procedures and a system for the assignment of officers and commanders;

11) establish a promotion system and promote servicemen to a higher rank except second lieutenants and officers to the grade of colonel (navy captain) and higher);
12) recommend to the President promotion of officers to the rank of colonel (navy captain) and higher, and in accordance with Article 85 of the Constitution, co-sign the acts-decrees by the President of the Republic for promotion to these higher ranks;
13) recommend to the President of the Republic national awards for servicemen, individuals conferred the same status as servicemen by law, and any other person who have distinguished themselves in national defence;
14) recommend to the President of the Republic the appointment of the Commander of the Field Forces;
15) appoint and dismiss the Inspector General of National Defence, the Head of the Lithuanian Military Academy, Chief of Staff of the Armed Forces, Commander of Volunteer Forces, commanders of regular forces; commanders of military districts, heads of the NCO school and other military educational institutions, and in accordance with authority established by law designate their rights and responsibilities;
16) appoint battalion and higher level commanders as well as assign lieutenant colonels (commanders) and colonels (naval captains) to duties corresponding with their rank, dismiss or transfer them from one National Defence System institution (unit) to another; and if necessary, delegate the servicemen to serve in institutions that are not subordinate to the Ministry of National Defence;
17) enlist servicemen into the professional military service and transfer them into the reserve;
18) establish and approve procedures for the transfer of professional military service servicemen to the temporary personnel reserve;
19) be a founder of National Defence System medals and badges for skill and distinction, as well as establish procedures for awarding them; and
20) implement other laws and authority provided by the Government and the Prime Minister.

3. The Minister of National Defence shall assign tasks and issue orders and legal acts ratified by law to all institutions of the National Defence System.
4. The Minister of National Defence may issue orders, delegate part of the rights and duties set forth in this Law to the Vice Ministers, the Commander of the Armed Forces, other commanders and heads of the institutions and departments of the National Defence System, and establish terms, procedures and conditions for the use of these delegated rights and decision-making authority.
5. The rights provided to the Minister of National Defence as to a Government member can not be delegated. In the absence of the Minister of National Defence only another minister appointed as acting Minister of National Defence, may exercise his rights as a Government member.

6. The Minister of National Defence has the right to establish advisory institutions.

THIRD SECTION
LITHUANIAN ARMED FORCES

Article 11. Status and structure of the Armed Forces

1. The Republic of Lithuania is the founder of the Lithuanian Armed Forces. The Ministry of National Defence shall implement the founder’s rights consistent with this and other laws.

2. The Lithuanian Armed Forces are an integral institution with the status of a legal entity. The Commander of the Armed Forces carries out the rights and responsibilities of the Armed Forces as a legal entity. Units, combined units and other elements do not have status as separate legal entities. Units, combined units, services, and other military elements may have legal entity rights and responsibilities delegated to them in order to have the authority to accomplish necessary tasks. In realising these rights and responsibilities, units, combined units, services, and other military elements represent the Armed Forces and act on its behalf. The Lithuanian Armed Forces shall have its flag which, by the advice of the Minister of National Defence, shall be approved by the President of the Republic. The flags of the various services, combined units, units, and independent military units shall be approved and presented to the units by the Minister of National Defence.

3. The Minister of National Defence, upon the recommendation of the Commander of the Armed Forces shall establish the framework for Armed Forces to enter into transactions and other legal civilian relationships.

4. The Lithuanian Armed Forces consist of:

1) Regular Forces;
2) Volunteer Forces;
3) Active Reserve;

5. The Regular Forces shall consist of:

1) Ground Forces;
2) Military Air Forces;
3) Naval Forces.

6. A battalion shall be the principal operational element for Ground and Volunteer Forces.
7. The Minister of National Defence shall determine the detailed structure of the Armed Forces and establish new combined units and units following the Seimas approval of the principal structure of the Armed Forces.
8. Field Forces shall be formed to conduct military operations. The Field Forces shall consist of elements from the Ground Forces and other forces assigned by the Commander of the Armed Forces to the operational command of the Commander of the Field Forces.

Article 12. Missions of the Armed Forces
1. The mission of the Armed Forces in peace is:
   1) to protect the territory of the State, control and protect the air space, territorial waters and the exclusive economic zone in the Baltic Sea;
   2) to maintain operational readiness and in accordance with orders carry out the tasks assigned by the Ministry of Defence; and
   3) in accordance with the provisions set forth by Article 18 of this statute, provide assistance to police and civil authorities.
2. The principal mission of the Armed Forces during wartime is an armed defence of Lithuania.
3. In accordance with the procedures established by law, the Armed Forces shall carry out assigned missions agreed to by international agreements.

Article 13. Commander of the Armed Forces
1. The President of the Republic appoints the Commander of the Armed Forces in accordance with the procedures established by the Constitution of the Republic of Lithuania to serve a term not to exceed five years. Upon commencement of his duties, the Chief of the Armed Forces shall be sworn in and affix his signature to the oath in a formal ceremony.
2. The text of the oath of the Chief of the Armed Forces shall read as follows:
   “I (forename and surname),
   upon being assigned as the Chief of Lithuania’s Armed Forces, without any reservations, do solemnly swear:
   to faithfully serve the Republic of Lithuania,
to protect the integrity of its territory,
to conscientiously observe the Constitution and laws of the Republic of Lithuania and
carry out my duties, to the best of my ability to strengthen the Armed Forces of Lithuania,
to defend the State of Lithuania, its freedom and independence.
So help me God.’’
3. The oath may be taken omitting the last sentence.
4. The Commander of the Armed Forces is subordinate to the Minister of National
Defence, and carries out the policies established by the Minister of National Defence for
the development of the Armed Forces. The Commander of the Armed Forces is the highest
ranking Lithuanian military official and the highest-ranking military representative on
military matters.
5. In carrying out his responsibilities, the Commander of the Armed Forces acts with the
authority conferred to him by statutes and other legal acts.
6. The most important peacetime task for the Commander of the Armed Forces is the
preparation of the Armed Forces for the defence of the nation.
7. In peacetime, the Commander of the Armed Forces shall:
1) develop national military defence strategy and ensure that defence plans are prepared
for an unexpected attack or other contingencies;
2) establish the missions for the Armed Forces to protect and control the nations’ territory,
territorial waters, the economic zone and air space;
3) prepare plans for the development of the Armed Forces and mobilisation;
4) establish the necessary requirements, means and methods to ensure co-ordination of all
the forces;
5) establish the combat readiness requirements for the border police and other police
elements that are a part of the Armed Forces;
6) be responsible for the functioning of the national defence strategic command post;
7) ensure the reliable functioning of command and control systems;
8) ensure the enforcement of laws and other legal acts; be responsible for the order and
discipline in the Armed Forces;
9) ensure the protection of classified information in the Armed Forces in accordance with
legal acts;
10) establish general military service requirements applicable to all military personnel to
include all active military servicemen of the National Defence System with the exception
of servicemen serving in security forces;
11) prepare deployment plans for Armed Forces units;
12) be responsible for the efficient functioning of military administration and logistics structures;
13) submit proposals to the Minister of National Defence for the improvement of Armed Forces structures and functional systems (logistics, communications, etc.);
14) approve military exercise and training programs;
15) establish military personnel staffing, training and education requirements, be responsible for the preparation of the active reserve, and the effective functioning of subordinate military educational establishments;
16) establish command selection and promotion boards for junior officers;
17) provide advice to the Minister of National Defence on military matters;
18) submit and justify the Armed Forces budget, and recommend the distribution of funds;
19) control and be responsible for the efficient and proper use of funds and Armed Forces property;
20) organise the supply of the Armed Forces: distribute arms, equipment, and other supplies; and be responsible for the proper accounting, protection and efficient use of these items;
21) submit to the Minister of National Defence proposals for laws and other legal acts;
22) in accordance with procedures established by the Minister of National Defence, appoint or dismiss servicemen from their duties, from company commanders to battalion executive officers or equivalent positions, and transfer personnel with the rank of a major or below from one combined unit to another, or from one Force to another;
23) implement other functions established by legal acts or assigned by the Minister of National Defence.

8. In carrying out the aforementioned functions, the Commander of the Armed Forces shall issue orders and provide mandatory direction to the Armed Forces.
9. Upon declaration of war, the Commander of the Armed Forces, by the Presidential decree, is designated as the Commander of all the Armed Forces and is subordinate for defence actions to civilian authorities.

1. Command of national defence is exercised at three levels: strategic, operational, and tactical.
2. At the strategic level, the President of the Republic, the National Defence Council, the Minister of National Defence, the Commander of Armed Forces, and the Defence Staff make strategic decisions on national security and defence, assign tasks missions to the Armed Forces to conduct defence operations or other actions.

3. At the operational level, the Commander of Field (Ground) Forces, commanders of other branches of the regular forces, including Volunteer Forces (during war - commanders of other Armed Forces), plan, command, and support military operations.

4. At the tactical level, military units plan and execute military operations, and the commanders of these units exercise tactical control.

5. The President of the Republic, as the Commander-in-Chief of all the Armed Forces and the Minister of National Defence constitute the National Command Authority.

6. In accordance with the principle of democratic civilian control, the chain of operational command for operations and other defence activities begins with the President of the Republic, through the Minister of National Defence, and normally goes to the Commander of the Armed Forces, or under extraordinary circumstances, directly to the Commander of Field Forces, commanders of other branches of the regular forces, or the Commander of the Volunteer Forces. Missions ordered by the President of the Republic and the Minister of National Defence are implemented by operational orders.

7. The Minister of National Defence must get written approval from the President of the Republic prior to any travel to foreign countries. When the President of the Republic travels outside the country, the Minister of National Defence must remain in Lithuania, except in certain cases during peacetime, when the Minister must travel to a previously arranged official or work visit dealing with international security and defence issues. When the President of the Republic and the Minister of National Defence are both out of the country at the same time and temporarily cannot carry out their duties in the operational chain of command, the Chairman of the Seimas and another member of the Government shall be assigned temporarily to act in their place.

8. The Commander of the Field Forces is responsible for the operational command of subordinate forces, and for the efficient conduct of military operations.

9. The Commander of Field Forces determines the operational missions and issues orders to units and combined units under his operational command.

10. In peacetime, the Commander of the Field Forces, in accordance with the direction provided by the Commander of the Armed Forces, prepares plans for military operations and exercises and commands the units.
11. The President of the Republic appoints the Commander of the Field Forces. The Commander of the Field Forces is also designated as the Deputy Commander of the Armed Forces and the Commander of the Ground Forces.

12. The Commander of the Armed Forces, after co-ordination with the Minister of National Defence shall establish the specific functions, authority and responsibility assigned to the Commander of the Field Forces (Ground).

13. In discharging his functions, the Commander of the Field Forces is assisted by the Field Forces (Ground) Staff which is directly subordinate to him, and the structure whereof is established by the Minister of National Defence.

14. The Inspector General of the Armed Forces has oversight responsibility for the general and combat readiness of the Armed Forces, as well as the preparedness of Border Police and other police forces for military actions with the Armed Forces.

Article 15. The Defence Staff

1. The Defence Staff is the general staff of military national defence subordinate to the Commander of the Armed Forces. The Defence Staff is an integral part of the Ministry of National Defence and it provides assistance to the Minister of National Defence in preparing development plans for the Armed Forces and the military defence strategy, and to the Commander of the Armed Forces in carrying out his duties and functions.

2. The Defence Staff prepares defence and mobilisation plans for all the Armed Forces together with other armed forces structures and governmental institutions, which provide relevant data for the plans.

3. In accordance with the tasks assigned by the Commander of the Armed Forces and rotation policy, the commanders of the Regular Forces shall assign officers to serve on the Defence Staff.

4. The Commander of the Armed Forces, after co-ordination with the Minister of National Defence appoints the Deputy Chief of the Defence Staff and the heads of the various Staff sections.

Article 16. Tasks assigned to Regular Forces


2. Air Forces - air control, air defence, support to the Ground Forces and Naval Forces, conduct of search and rescue operations and special operations.
3. Naval Forces - control and defence of the territorial waters and the exclusive economic
zone, shipping and coastal security, conduct of search and rescue missions and special
missions.

4. The Commander of the Armed Forces in accordance with defence plans and
requirements shall assign the specific functions and tasks for regular forces, combined
units and independent units.

Article 17. National Defence Volunteer Forces
1. National Defence Volunteer Forces (abbreviated - Volunteer Forces) are a component
part of the Armed Forces.
2. Volunteer Forces shall be formed from volunteer servicemen and professional military
servicemen.
3. Volunteer Forces shall be trained for joint military action with elements of the Regular
Forces.
4. In peacetime the Volunteer Forces shall have the following functions: preparation of
volunteer servicemen and units for defence in their own territory and the accomplishment
of general defence tasks, security of defence infrastructure and strategic objects, assistance
in the event of natural disasters and calamities. In wartime, the Volunteer Forces units
shall accomplish assigned defence missions.

Article 18. Conditions for Providing Assistance to Civil Authorities
1. The President of the Republic or the Minister of National Defence may issue an order to
deploy the Armed Forces to assist in rescue operations in the event of natural disasters,
industrial accidents, and calamities in Lithuanian territory, and may send military rescue
teams to disaster stricken foreign countries at their government’s request or with their
government’s consent.
2. The President of the Republic or the Minister of National Defence may issue an order to
deploy the Armed Forces to provide assistance to the Border Police, when its is necessary
to re-enforce border security.
3. If the Minister of National Defence issues the order noted in paragraphs 1 and 2 above,
he is required to inform the President of the Republic.
4. In extraordinary circumstances, the Armed Forces may be deployed to provide
assistance to the police when it is necessary to prevent violent anti-constitutional activities.
The President of the Republic of Lithuania, with the support of the Seimas to use the
Armed Forces shall issue a decree to deploy the Armed Forces in accordance with the procedures established by law.

5. In urgent cases, when human life and property are threatened by criminals and speedy criminal detention operations are necessary, the General Commissioner of the Police Department under the Ministry of the Interior, the Deputy Commissioner, or the local police chief must submit a written request for assistance. In accordance with established procedures, and upon approval for such an operation by civilian operational authorities, a military unit may be deployed on orders of a commander in the operational chain of command to provide specifically defined one-time assistance to the police that will not exceed 24 hours. The General Commissioner of the Police Department, the Deputy Commissioner or an official assigned by the General Commissioner will be in charge of the operation. Following the same procedures, assistance may be extended to 48 hours.

6. In urgent cases, when human life and property are threatened, upon request by civilian authorities, on orders of a commander within the operational chain of command, a military unit may be deployed to assist civilian authorities to protect human life and property. When a commander gives such an order, it must be reported to the Minister of National Defence via the operational chain of command.

7. In unusual circumstances, when it is necessary to control territory for a certain period of time or re-enforce the security of government property, a governmental resolution shall stipulate how assistance may be provided to the police by military units.

8. In providing assistance to civilian authorities, the military will use minimal force. Law prescribes the conditions under which deadly force may be used.

Article 19. Military Police

1. The Military Police is a component part of the Armed Forces.

2. A separate law establishes the functions and rights of the Military Police. The Minister of National Defence shall establish the structure.

Article 20. Lithuanian Military Academy

1. The Lithuanian Military Academy (hereinafter - Academy) a high level military educational establishment that prepares officers and improves their skills, is a part of National Defence System and subordinate to the Minister of National Defence.

2. Regulations for founding and managing higher educational establishments do not apply to the Academy. The Minister of National Defence shall submit proposed statutes to the
Government for approval. The Minister of National Defence shall approve the officer training system, the Academy’s chain of command, table of organisation, and distribution of allocated funds.

3. The Commander of the Armed Forces proposes the objectives and requirements for officer training to the Minister of National Defence for approval.

4. The Academy accepts servicemen who have a high school education or draftees, who meet the entrance requirements. Draftees accepted into the Academy, are called up for mandatory military service at the same time, and fulfil this obligation as cadets. While studying at the Academy, cadets are conferred cadet ranks. Actual ranks of prior servicemen are suspended during their stay at the Academy. Those individuals who are enrolled as cadets’ sign an agreement with the Academy whereby they pledge to study diligently, and upon being commissioned enter the professional military service.

5. Cadet status, ranks, academic regulations are set forth by Academy statute and other legal acts.

6. During a state of war or aggression the Academy is considered to be a component part of the Armed Forces subordinate to the Commander of the Armed Forces.

FOURTH SECTION
MILITARY SERVICE

Article 21. General Status of Servicemen

1. A serviceman is a defender of the Lithuanian State.

2. In accordance with statutes, laws and other legal acts, military service requires a high degree of loyalty to the state. This Law, other laws, and statutes shall establish a serviceman’s status, and regulate the activities of the Armed Forces and the military service. Laws on Labour, state employees and officials are not applicable to the servicemen.

3. Human rights and freedoms guaranteed by the Constitution of the Republic of Lithuania is applicable to servicemen. A servicemen’s civil rights - the right to personal security, guarantee of a place to work, freedom of association, choice of residence and freedom of movement, unauthorised entry on government property, participation in meetings, group petitions, dissemination of information and expression of opinion, in accordance with laws, and regulations based on law, will only be limited to the extent necessary to ensure
performance of duty, military discipline and order, and in fulfilling service objectives. Freedom of thought, religion and conscience is guaranteed and not restricted.

4. The length of a workday for servicemen shall not be limited, and shall depend upon the needs of the service. Statutes establish detailed requirements for the length of a workday.

5. A serviceman, whose rights guaranteed by this statute have been violated, may seek redress from his commander or the Inspector General of the Armed Forces. These individuals shall investigate the facts immediately and take the actions necessary to eliminate the violations.

6. The human dignity of every serviceman shall be respected. A serviceman shall not experience humiliation.

7. Citizens of the Republic of Lithuania acquire serviceman status:
   1) as recruits - from the moment they arrive to the unit (training centre) or the moment they come under the subordination of a military official;
   2) as professional military servicemen - on the day of acceptance into professional military service; and
   3) as volunteers and active reservists - in accordance with service or training orders, from the time of arrival to the assigned location and reporting in to a military supervisor.

8. A serviceman shall do his military service in the National Defence System within the territory of the Republic of Lithuania. In certain cases established by law or otherwise agreed to by the Seimas, servicemen may be sent to do their military service in foreign countries.

   Article 22. Status of Volunteer Servicemen

1. A citizen of the Republic of Lithuania, who is fit for military duty with line units and has signed a volunteer service contract, shall acquire volunteer serviceman’s status for the period of service in the Volunteer Forces. This status shall be the same as the status of an active reserve serviceman.

2. When a volunteer serviceman in carrying out his orders, arrives to the place of duty, carries out assigned tasks, or participates in exercises or training, his status shall be the same as the status of a serviceman fulfilling mandatory military service.

3. A volunteer serviceman shall not be called for any other service in the active reserve.

4. A citizen of the Republic of Lithuania, who is not fit for the military duty with line units and has been accepted as non-line units volunteer, shall acquire reserve volunteer status for the period of service in the Volunteer Forces. When the reserve volunteer is carrying
out assigned tasks, participating in exercises and training, he has the same status as a volunteer serviceman, however he wears a reserve volunteer serviceman’s uniform.

5. A citizen of the Republic of Lithuania, who is a full time civilian employee in the Volunteer Forces and has signed a labour contract, or in accordance with the procedures noted in this Law, has been accepted into Ministry of Defence civil service, does not have volunteer status. He may gain volunteer or reserve volunteer status by complying with existing procedures.

6. Volunteers shall be trained in accordance with the programs developed by the Commander of the Volunteer Forces and approved by the Commander of the Armed Forces for a period of time not less than 20 days per year. The training shall be conducted on weekends or on days away from their primary employment.

7. Employers must release the volunteer from their work in order to participate in training or when called up for service.

8. A volunteer serviceman who has served exemplary in the Volunteer Forces for a period of not less than 10 years, or who has distinguished himself may be awarded the title of the “Honorary Volunteer Serviceman”. The Minister of National Defence shall approve the procedures governing this award.

9. When a volunteer serviceman completes the contracted time of service or is transferred from duty in a line unit to a non-line unit due to age or health, he acquires the status of a reserve volunteer.

10. The Minister of National Defence shall establish the distinctive insignia of a volunteer reserve serviceman.

Article 23. The Serviceman’s Oath

1. Every citizen of the Republic of Lithuania called upon to do active or reserve service in the Lithuanian Armed Forces shall swear allegiance to the state of Lithuania in a solemn environment and sign a personal oath form.

2. The text of the oath is as follows: “I, (first, last name), without any reservations, do solemnly swear to faithfully serve and defend the Republic of Lithuania, its freedom and independence, with all my might and without regard for my life, to conscientiously obey the Republic of Lithuania’s Constitution, laws, and orders of my superiors, safeguard classified information, and promise to be a moral and honourable Lithuanian soldier. So help me God.”

3. The oath may be taken without reference to the last sentence.
4. The serviceman’s oath shall be taken by:
1) cadets and mandatory military servicemen - no later than upon completion of the initial training cycle;
2) professional military servicemen, unless they have taken the oath previously, - upon being accepted into service;
3) volunteer servicemen, unless they have taken the oath previously, - upon completion of their trial period;
4) active reserve servicemen, unless they have taken the oath previously, - upon being called up for service in the active reserve;
5) individual reserve servicemen, unless they have taken the oath previously, - upon being called up for service during mobilisation.
5. The signed personal oath forms shall be kept in the serviceman’s personnel file, and the units shall keep the lists of the servicemen who have taken the oath.
6. A serviceman who breaks the oath shall be dealt with in accordance with established procedures.

Article 24. Lithuanian Officer
1. A Lithuanian Officer (hereinafter - officer) is a representative of the Lithuanian Armed Forces acting in the capacity of a military official within his area of responsibility. The title “officer” bears the responsibility and obligation to defend officer’s honour.
2. A citizen of the Republic of Lithuania upon being commissioned as an officer, shall take the following oath: “I, (first, last name), upon being commissioned as an officer, without any reservations, do solemnly swear to faithfully serve and defend the Republic of Lithuania, its freedom and independence, with all my might without regard for my life, to conscientiously obey the Republic of Lithuania’s Constitution, laws and orders of my superiors, safeguard classified information, and promise to be a moral and honourable Lithuanian soldier. So help me God.”
3. The oath may be taken without reference to the last sentence.
4. An officer is required to adhere to the Officer Code of Ethics that is recommended by the Commander of the Armed Forces to the Minister of National Defence for approval.

Article 25. Statutes
1. Statutes shall establish the procedures, conditions and disciplinary responsibility for military service, use of weapons, civil service and security service performed by
servicemen and civilians in the national defence system. The Chief of the Armed Forces shall establish the detailed procedures for carrying out military regulations and performing military service. The respective commanders or military supervisors shall establish internal regulations for military units, military training and other institutions.

2. Statutes that establish the disciplinary responsibility of servicemen and the use of weapons shall be approved by the Seimas. The Government or the Minister of National Defence authorised by it shall approve statutes governing civil service and security service for servicemen and civilians in the national defence system. The Minister of National Defence shall approve other Statutes.

Article 26. Discipline and Material Liability of Servicemen

1. A serviceman shall conscientiously and properly perform his duties and obey the orders of his military superiors, abide by the laws and statutes, not exceed the rights provided by law, and safeguard classified information.

2. A serviceman shall be responsible for protecting service property, monetary funds or other items that are given or entrusted to him. Material liability for the loss or damage caused to the property shall be established by the law.

3. Violations of the law or discipline by a serviceman shall be dealt with in accordance with statutes and laws.

4. When it is necessary to establish the facts and circumstances regarding the improper performance of military duty, violations of law or discipline, a service investigation will be assigned in accordance with the procedure established by the Armed Forces Statute, the Minister of Defence or the Commander of the Armed Forces.

5. To ensure security of classified information, or to verify information provided by a serviceman a lie detector may be used only after a serviceman has agreed to it in writing. A serviceman who refuses to undergo the lie detector test shall not be assigned duties with access to classified information.

Article 27. Prohibition on Issuing an Unlawful Order or Forcing an Individual to Commit an Unlawful Act

1. A serviceman must obey the orders of his leaders.

2. Nobody can issue a serviceman or any element of the Armed Forces an order which forces the serviceman to break his oath, which is clearly unlawful (that bears disciplinary responsibility), or which violates all generally accepted principles and standards of
international law. A commander (military superior) who issues such an order shall be prosecuted under the law.

3. If a clearly unlawful order is issued, a serviceman shall not obey the order and shall report it to the superior officer of the individual who issued the unlawful order.

4. Other than in the conduct of official duties, no one serving in the Armed Forces shall be forced to render personal servitude to any other person or a group of people.

Article 28. Acceptance into Professional Military Service

1. A citizen of the Republic of Lithuania who on a voluntary basis and subject to selection procedures, meets the educational, physical training, health and moral requirements established for the professional military service and upon completion of the mandatory military service, the basic serviceman training course, or having obtained a military education equivalent to the basic training course, may be accepted to Professional Military Service on the basis of volunteering and selection. In accordance with requirements established by legal acts, they must know the national language.

2. Individuals, who meet the requirements in paragraph 1 above, shall sign a professional military service contract.

3. Individuals who have not completed mandatory military service or a basic military training course, or have not obtained the necessary military education in some other manner, if they meet the other conditions specified in paragraph 1 of this Article, are not older than 32 years of age, have got higher or secondary education, and meet the requirements for specialists needed by the Armed Forces, may be accepted into professional military service and sent to complete basic military training. Upon completion of basic military training, they may conclude a professional military service contract in accordance with the general provisions established by Article 31.

4. A professional military serviceman may not be:

1) an individual who has been convicted of premeditated crimes;

2) an individual whose activities are limited by court.

5. If a requirement exists within the national defence system, the Minister of National Defence, with the approval of an appropriate country, shall have the right to employ as a military adviser or expert under a fixed-term contract an officer or a reserve officer from a NATO member state who is not a citizen of the Republic of Lithuania, and to establish his duties, rights, responsibilities and other conditions of the contract. The period of validity of a fixed-term contract may not be longer than two years; and upon its expiration, a new
contract may be concluded with the same individual under the conditions provided for in this Article.

6. An individual wishing to join the professional military service or a serviceman already in the professional military service, shall fill out a background information questionnaire, providing personal data about himself, contacts, and connections and interests that might be relevant to safeguarding classified information, the performance of duties, or conflicts of interest. The information provided shall be verified. A professional serviceman who conceals or wilfully provides incorrect information shall be held responsible under the law or the Statute of Military Discipline.

Article 29. Acceptance into Volunteer Service
1. A citizen of the Republic of Lithuania, not younger than 18 years of age, on a voluntary basis and subject to selection procedures, who meets educational, physical training, health and moral requirements may be accepted as a volunteer serviceman in the National Defence Volunteer Forces.

2. Volunteer servicemen, who have not fulfilled mandatory military service, must complete the required basic military training in the Volunteer Forces during their trial period.

3. Individuals not fit for service in line units for health reasons or their age but who meet the criteria for specialists or any other service in the non-line units required by the Volunteer Forces, may be accepted as non-line unit volunteer servicemen.

4. The following persons may not be volunteer servicemen:
   1) persons who have been convicted of intentional crimes;
   2) persons with court-limited capacity.

5. In order to become a volunteer serviceman in the National Defence Volunteer Forces, individuals shall sign a contract with the Ministry of National Defence.

6. A background investigation shall be conducted to determine if there are any circumstances, personal data, or reasons, that may hinder a volunteer serviceman’s performance of duty before he is accepted into the Volunteer Forces and a contract is signed.

Article 30. Initial Mandatory Military Service Draft
In accordance with the conditions and procedures set forth in the Law on Military Conscription, citizens shall be drafted into initial mandatory military service.
Article 31. Professional Military Service Contract

1. A professional military service contract is written between the Ministry of National Defence and a citizen of the Republic of Lithuania wherein the Ministry of National Defence accepts a person into professional military service and the citizen pledges to fulfil his service obligation in accordance with conditions and procedures established in the Law and other legal acts, and to perform all duties.

2. The professional military service contract is signed for the following duration:
   1) with officers who have graduated from the Lithuanian Military Academy or any other foreign military school, - upon reaching the age to transfer to the reserve specified in Article 45 paragraph 4 of this Law;
   2) with servicemen who finished the NCO school and are being accepted to professional military service, as well as with reserve servicemen and specialists needed by the Armed Forces who meet the established military qualification requirements - for a period not exceeding 5 years and not longer than the day on which the said servicemen reach the age of transfer to the reserve as established by Article 45 paragraph 4 of this Law;
   3) with re-enlistees - for a period of time not less than 2 years nor more than 5 years;
   4) with soldiers entering peace keeping military units - for a period not less than 3 years and 6 months nor more than 5 years.

3. Upon the expiration of the contract under conditions stated in paragraph 2 subparagraph 2 above, the contract may be extended in accordance with the conditions set forth by the Minister of National Defence:
   1) with qualified non-commissioned officers - until they reach the established age for transfer to the reserve as specified in Article 45 of this Law;
   2) with other servicemen -not longer than for 5 years and not beyond the established age for transfer to the reserve as specified in Article 45 of this Law.

4. The contract may be terminated ahead of time in the cases set forth by Article 37 and 38 of this Law.

5. The Minister of National Defence shall enter into and extend professional military service contracts with:
   1) all officers in sub-units of the Ministry of National Defence and in institutions that are subordinate to the Minister of National Defence;
   2) officers having a rank of lieutenant colonel (commander) and higher.
6. With the consent of the Minister of National Defence and in accordance with selection requirements, conditions and procedures, the age limits stated in Article 45 and conditions in paragraph 2 and 3 above, the following individuals are authorised to enter into and extend professional military service contracts on behalf of the Ministry of National Defence:

1) the Commander of the Armed Forces - for officers up to the rank of major;
2) unit commanders - for non-commissioned officers up to the rank of sergeant major;
3) authorised officials by the Minister of Defence - for servicemen of sub-units and services of National Defence System up to the rank of sergeant major.

7. The officials addressed in the paragraph 6 of this Article may enter into professional military service with those individuals beginning their service, who graduated from the Lithuanian Military Academy or any other military school that has been approved by the Ministry of National Defence, without consent from the Minister of National Defence.

Article 32. Volunteer Servicemen Contracts
1. A volunteer serviceman contract is a written contract entered into between a citizen of the Republic of Lithuania and the National Defence Volunteer Forces wherein the battalion, combined unit, or force commander of the Volunteer Forces is duly authorised by the Minister of National Defence to accept a citizen into the Volunteer Forces, and the said citizen obligates himself to service in accordance with the conditions and procedures established by the law and other legal acts, and to fulfil the duties of a volunteer serviceman.

2. The volunteer service contract shall be signed upon completion of the trial period established under Article 34 of this Law. The contract shall be entered into for a period not shorter than 3 years and not longer than 5 years.

3. Upon expiration of contract, it may be extended for a new period not shorter than 3 years and not longer than 5 years. The contracts of volunteer serviceman in line units may be extended until the individual reaches 45 years of age. Upon reaching the 45-year age limit, the volunteer serviceman may enter into a contact for service in a non-line unit volunteer, or be transferred into the individual reserve.

4. The Minister of National Defence establishes procedures for entering into contracts and selecting volunteers.

Article 33. Professional Military Service Duty Assignments
1. Having signed a professional military service contract, a serviceman is assigned to duty appropriate to his rank by:
   1) an order from the unit commander - all non-commissioned officers;
   2) an order from the Minister of National Defence or his duly authorised officers - platoon leaders and higher ranking officers as well as other officer positions.
2. The Minister of National Defence or his duly authorised official in accordance with established procedures, shall assign servicemen to duty within other institutions of the National Defence System.

Article 34. Service Trial Periods for Professional and Voluntary Military Service
1. A trial period of not more than 3 months may be applied to individuals accepted into professional military service or given their first assignment.
2. Individuals being accepted into combat units having especially high physical, psychological and other combat readiness requirements, may have a service trial period longer than three months but less than one year, if provided for in the unit’s task and mission statement that is approved by the Minister of National Defence.
3. A trial period is not applicable to re-enlistees and servicemen who complete a course of instruction at a military educational institution, as well as to servicemen transferred to a different duty assignment.
4. In accepting an individual into the Volunteer Forces, a service trial period of three to six months is established. A contract is entered into for the service trial period.
5. The trial period shall not include periods when the serviceman is not on duty due to illness, or other times supported by documentation when he did not perform the assigned duties.

Article 35. Performance Evaluations
1. Commanders and supervisors have the responsibility to observe and evaluate the performance of servicemen. The evaluation of the individual’s characteristics, skills, conduct, training and education, improvement, and performance of duty is noted in a performance evaluation report. Conclusions and recommendations of the individual’s military service are noted and if required, the individual is counselled on his fitness for continued military service.
2. Performance evaluation reports are submitted on all servicemen in professional military service, except for the Commander of the Armed Forces.
3. Performance evaluation reports are submitted by the immediate commander or supervisor, as well as the next higher commander or supervisor. Evaluation reports will only take into account the interests of the service. The performance evaluation report, specifically, shall describe the individual’s personality, potential, and performance of duty.

4. A performance evaluation report will be submitted by a commander or supervisor:
   1) upon completion of an individual’s trial period;
   2) upon transfer of the individual to the subordination of another commander (supervisor);
   3) upon transfer of the immediate commander or supervisor and passing the command to another commander (supervisor);
   4) twelve months after the last evaluation.

5. When evaluating an individual at the end of the trial period, as required by paragraph 4, subparagraph 1 above, the reporting official will consider the individual’s fitness for military service as well as ability to perform the duties. A performance evaluation shall be submitted no later than seven days after completion of the trial period. If the individual is found to be unfit for professional military service, the individual must be dismissed within 14 days.

6. In situations set forth in the paragraph 4, parts 2 and 3 of this Article, a performance evaluation report will not be submitted if one has been written in the last six months.

7. A serviceman, who has not complied with the recommendations or improved his performance when counselled about fitness for continued military service in the previous report, may be designated as unsuitable for military service.

8. Individuals, only in the performance of official duties, will be granted access to a serviceman’s performance evaluation reports.

9. The Minister of National Defence shall establish the procedures for performance evaluation reports.

10. A serviceman has the right to appeal an unsatisfactory evaluation. Evaluations for trial periods (paragraph 4, subparagraph 1 above) may not be appealed. Appeals will be resolved in accordance with procedures established by the Minister of National Defence.

   Article 36. Limitations Imposed on Military Service

1. Active service servicemen are not allowed to participate in political activity that includes:
   1) membership in a political party or political organisation;
2) active participation in political gatherings, meetings, demonstrations and other public activity organised by a political organisation, where political convictions and demands are expressed or directly supporting a political party or political organisation;
3) political statements, articles or speeches where the serviceman publicly disagrees with officially approved and implemented policy of democratically elected public authorities (the Parliament, President, Government of the Republic), or submits publicly political demands to national authorities.

2. A serviceman shall terminate his membership and activity in any political party or organisation upon being accepted to the mandatory or professional military service for the duration of the service.

3. A serviceman may participate in the activities of public organisations, associations, clubs and any other non-political association, as well as in any other non-political activity that develops moral, national, patriotic and civic democratic values, provided that such participation does not interfere with military duties.

4. Reserve, retired, and volunteer servicemen, participating in the political activity described in the paragraph 1 of this Article, shall not have any right whatsoever to link said activity with his serviceman status, to make any references to his military rank, or to wear the military uniform.

5. A serviceman can not be a category “A” government official.

6. Servicemen who are filling category “B” government official positions in the National Defence System do not have government official status and military serviceman status are applied to them.

7. Professional servicemen shall not be assigned to any position where family or marriage relationships exist (as parents, foster parents, spouse, brothers, sisters, children, foster children as well as brothers, sisters, parents and children of the spouse) where one would be immediately subordinate to the other, or have the right to direct control of the other.

8. Professional military servicemen can not: work for enterprises, institutions and organisations outside the National Defence System, be board members (unless the law provides otherwise), be in any elective or appointed position, receive a salary other than for creative or educational activity; control by proxy more than 10% of stocks of any single company; provide commercial services or represent the interests of any enterprises, institutions or organisations outside the National Defence System, and travel abroad with this purpose; be a member of a union; strike; and use government property and resources for personal needs. A serviceman who owns a personal company or company stocks shall
control, use and dispose of the property in such a way that the possession of this property or ties to the company shall not give rise to a private or service related conflicts of interest.  

9. A professional military serviceman does not have the right either personally or through other individuals to get involved in any commercial activity that is related to his service, or give rise to private or service related conflicts of interest.  

10. A serviceman can not accept gifts or services directly or indirectly related to his duties, except for official gifts or bonus’ of the National Defence System or other government institution, or gifts and services in accordance with international protocol or traditions, which are related to his duties.  

11. Professional military servicemen who are doctors and are working as military doctors in the National Defence System shall have the right to work and receive a salary in other healthcare institutions during their spare time provided that this work does not conflict with service interests. They shall co-ordinate their work requirements and schedule with their immediate commanders.  

12. Citizens of Lithuania can not be accepted into professional military service who receive pensions for service rendered in other county militaries or related structures. The Minister of National Defence has the right to accept individuals without regard to their age, into professional military service for a period of time not longer than five years, or enrol them into the active reserve of the Armed Forces, that are Lithuanian citizens who have served as professional servicemen in the military of North Atlantic Treaty Organisation countries, or related structures and are receiving a military pension from these countries.  

Article 37. Early Termination of Professional Military or Volunteer Service Contract by a Serviceman  

1. The Minister of National Defence, in accordance with established procedures, may allow a professional military or volunteer serviceman to terminate his contract prior to expiration for valid reasons.  

2. A serviceman who violates the conditions in paragraph 1 above, and wilfully terminates the professional military service contract prior to expiration, will be considered absent without leave and be dealt with in accordance with the law. He may be dismissed from service in accordance with Article 38, paragraph 3, subparagraph 3.  

Article 38. Basis for Termination of Professional Military or Volunteer Service
Contracts

1. The professional military or volunteer service contract must be terminated and (or) the serviceman dismissed from service in the National Defence System, when:
   
   1) he loses his Lithuanian citizenship;
   2) he deliberately discloses a state or official secret;
   3) a serviceman is convicted of a premeditated crime and a court’s decision takes effect or the imposed punishment does not allow the serviceman to continue to serve;
   4) he receives an unfavourable trial period evaluation;
   5) he causes loss of the property of the National Defence System through deliberate and unlawful activity;
   6) a serviceman of the professional military service violates the requirements and provisions of the Article 36 of this Law;
   7) a serviceman reaches the established age for transfer to the reserve established by Article 45, paragraph 4 of this Law, and his professional military service has not been extended;
   8) he conceals circumstances violating the restrictive provisions of this Law, and it is not possible to eliminate the said circumstances;
   9) he is not capable of performing military service due to disablement, proved dependence on alcohol, narcotic, toxic or psychotropic materials.

2. The professional military or volunteer service contract may be terminated and (or) the serviceman dismissed from service in the National Defence System by the will of the Ministry of National Defence or Armed Forces leadership, when:

   1) a unit, service or any other institution of the National Defence System is to be abolished;
   2) the number of serviceman is to be reduced, or a unit, service or any other institution of the National Defence System is to be reorganised and (or) when there are no duties available corresponding to the serviceman’s rank and qualification;
   3) a serviceman disobeys a legal order, is absent without leave, or does not perform assigned duties to which he is assigned (transferred);
   4) a serviceman violated the provisions of the Statute of Military Discipline, or did not perform his duties;
   5) it becomes clear and it is determined that a serviceman is not capable of performing his duties due to the status of his health;
6) it becomes clear and it is determined that a serviceman does not have the needed qualifications, or has been pronounced as unfit for service under Article 35 of this Law;
7) it has been established that a serviceman during duty hours has been under the influence of alcohol, narcotic, toxic or psychotropic materials;
8) a serviceman on or off duty brings dishonour to the service;
9) through his own fault he loses trust to perform duties involving accounting, security, receipt, issue, or transportation of monetary funds or material assets;
10) a serviceman loses trust of his superiors, and the institutions or officials authorised by law reasonably demand to have the serviceman dismissed from service, or reasonably recommend that the serviceman’s access to the information considered a state or official secret be denied (or revoked) when he is an officer, or when he is a soldier, sergeant or senior non-commissioned officer needs access to such information in the performance of his duties and there are no duties available to be transferred to that do not require access to such information;
11) due to carelessness a serviceman discloses a state or official secret;
12) the Minister of National Defence concurs in the Commander of the Armed Forces recommendation, initially submitted by the unit commander, that for the good of the service it is necessary to have the serviceman dismissed;
13) a serviceman’s period of non-availability due to sickness is longer than 122 calendar days, if the sickness is not related to injury or crippling received in the direct performance of his duties.

3. Servicemen being released from professional military service in accordance with paragraph 1, subparagraph 1 of this Article are not transferred to the reserve or placed in retired status. By decision of the Minister of National Defence, professional military servicemen who are released from service in accordance with paragraph 1, subparagraphs 2, 3, 8, and 9 of this article, as well as paragraph 1, subparagraph 6 of this article regarding the violation of the restrictions specified in paragraph 12 of Article 36 of this Law may not be transferred to the reserve and/or placed in retired status.

4. The Minister of National Defence, the Chief of the Armed Forces and other commanders or officials empowered by the Minister of National Defence shall have the right to terminate contracts in accordance with the provisions of this Article.

Article 39. No Fault Provisions for Termination of the Professional Military Service Contracts
1. By the initiative of the Minister of National Defence or the Armed Forces leadership and due to no fault by the serviceman, a professional military service contract may be terminated in accordance with Article 38, paragraph 2, subparagraphs 1, 2, 5, 6, and 12 of this Law, provided no less than two months notice has been given. A contract may be terminated without any notice, providing the serviceman is compensated in the amount established in Article 40, paragraph 3 of this Law.

2. The professional military service contract may not be terminated and a serviceman be dismissed from service as noted in Article 38 paragraph 2, subparagraphs 1, 2, 5, 6, and 12 of this law, during a time when the serviceman is sick (temporarily incapable of working), provided the sick leave does not exceed four months.

3. In accordance with Article 38, paragraph 1, subparagraphs 1, 2, 3, 4, 8, and 9 and paragraph 2, subparagraphs 3, 7, 8, and 13 of this Law, in certain cases a professional military service contract may be terminated and the serviceman dismissed even though he is sick (temporarily incapable of working).

4. If a serviceman becomes sick upon reaching the age for transfer to the reserve, or if an official authorised to terminate the professional military service contract determines to do so under the provisions set forth in Article 38, paragraph 1, subparagraphs 5 and 6, and paragraph 2, subparagraphs 4, 5, 6, 9, 10, 11, and 12, and Article 37, paragraph 1, but the serviceman is sick up to the day of retirement from service, the serviceman may be relieved from his duties while sick. He may be transferred to the reserve the next day after coming off sick leave, but within 60 days from his original date of retirement.

Article 40. Separation Pay upon Dismissal from Service

1. When the professional military service contract is terminated on the initiative of the leadership, through no fault of the serviceman (in accordance with Article 38, paragraph 2, subparagraphs 1, 2, 5, 6, and 13 of this Law), or when a professional military serviceman reaches the age for transfer to the reserve (in accordance with Article 38, paragraph 1, subparagraph 7 of this Law), as well as when the professional military service contract expires and the serviceman is not entitled to a national pension of a serviceman, he shall receive separation pay. The amount of separation pay shall depend upon the length of his service in the National Defence System:

1) up to 5 years of service – one month’s salary;
2) more than 5 years of service – two months’ salary;
3) more than 10 years of service - three months’ salary;
4) more than 15 years of service - four months’ salary.

2. When the leadership terminates the professional military service contract due to no-fault of the serviceman, (Article 38, paragraph 2, subparagraphs 1, 2, 5, 6, and 13 of this Law) and the serviceman is entitled to a national pension, a total of two months salary will constitute separation pay regardless of the number of years of service.

3. All servicemen who have their professional military service contract terminated due to no-fault of their own (Article 38, paragraph 2, subparagraphs 1, 2, 5, 6, and 13 of this Law), and they did not receive prior notice of termination, shall be paid an additional compensation of 1 month’s salary. A serviceman, who is raising children up to 14 years old, shall be paid an additional compensation of 2 month’s salary.

4. In computing the separation allowances in paragraphs 1 and 2 above, only actual time in service, without any credits, shall be counted.

Article 41. Serviceman Rank and Duty Assignment

1. The Minister of National Defence, taking into account the recommendations of the Commander of the Armed Forces, establishes unit Tables of Organisation which identify the duty description and the appropriate rank that a serviceman must have to be assigned to that position.

2. Servicemen assignments shall be commensurate with their ranks. In certain cases, and under certain conditions established by the Minister of National Defence, an officer may be assigned to a position requiring the next higher rank. When there are no positions of appropriate rank available, the Minister of National Defence, with the written concurrence of the officer, may assign him to a position one rank lower for a period up to one year.

3. Neither a civilian nor a reserve serviceman may be assigned to a position requiring an active duty serviceman.

Article 42. Transfer of a Professional Service Serviceman to another Place of Duty, another Duty Assignment, or the Temporary Personnel Reserve

1. Based on the will of the Minister of National Defence or his authorised commander, a serviceman may be transferred to another duty assignment, unit, and place of duty or the temporary personnel reserve. A serviceman is rotated into another duty assignment in accordance with procedures established by the Minister of National Defence.

2. In accordance with procedures for rotation established by the Minister of National Defence, until a serviceman is given his permanent duty assignment he may be transferred
into the temporary reserve for a period not to exceed two months, or be given a temporary assignment for a period not to exceed six months.

3. The Minister of National Defence may assign an officer to military attaché duty at embassies, or to international military or defence institutions and structures for a period not to exceed three years.

4. If the Minister of National Defence assigns a professional military officer as the Commander or Executive Officer of the Riflemen Union, the officer may serve in that assignment for a period of time not to exceed three years.

5. The Minister of National Defence, upon the request by a governmental institution that is not part of the National Defence System, but which needs the services of a qualified professional military officer, may assign an officer to this institution for a period of time not to exceed two years and six months to whom the procedures for performing professional military service and support requirements may not apply. This officer will be transferred to the temporary personnel reserve for the duration of the assignment at the civilian institution. If the officer reaches the mandatory age for transfer to the reserve specified in Article 45 of this Law, he will be transferred to the reserve.

6. If a serviceman is on sick leave for more than 60 days, he may be relieved from his present duty assignment and transferred to the temporary personnel reserve for the duration of the sick leave, without a change in pay.

7. The Minister of National Defence shall approve the temporary personnel reserve regulations.

8. A serviceman, who cannot perform his assigned duties because his access to classified information has been revoked, must be transferred to another assignment not requiring use of classified information, if such an assignment exists.

Article 43. Removal of a Professional Military Serviceman from his Duties
By order of a higher commander or supervisor, a professional military serviceman may be removed from his duty assignment, if such serviceman violates or is suspected of having violated military service or discipline regulations, the provisions of an Officers Code of Ethics, or if circumstances arise leading to a conflict of interest. The serviceman removed from duties will be transferred to the temporary personnel reserve until a decision is reached regarding his continued service. The serviceman may be transferred to the personnel temporary reserve for a period of time not to exceed one month, or until the completion of investigation of the violation or other circumstances related to the service.
Article 44. Recovery of Training Expenses

1. A Lithuanian citizen, having finished a Lithuanian or foreign military school, to which he was sent by the Ministry of the National Defence who does not show up for the professional military service, serves less than 6 years, or terminates his service without the approval of the Minister of National Defence, shall compensate the state in accordance with procedures established by law for the direct expenses incurred to the National Defence System for his training, professional preparation, and skill improvement; to include expenses related to training in foreign schools and courses, that were incurred by foreign countries as part of their assistance to the National Defence System.

2. A serviceman, who by his own initiative terminates his professional military service contract prior to expiration, or whose contract is terminated in accordance with Article 38, paragraph 1, subparagraphs 1, 2, 3, 5, 6, and 8, and paragraph 2, subparagraphs 3, 4, 7, 8, 9, 10, and 11 may have to compensate the state for his training, professional preparation, and skill improvement, to include expenses for training in foreign military schools and courses, that were incurred by foreign countries as part of their assistance to the National Defence System.

3. The expenses noted in paragraph 2 above, except for officer training at military schools, may be recovered for only the last three years of professional military service and for only one year of volunteer service. The Government or its authorised institution shall approve one for recovering expenses.

4. Training expenses, noted in paragraph 2 above, shall not be recovered from servicemen who have been dismissed from service prior to their expiration date with the approval of the Minister of National Defence for acknowledged hardship or extenuating circumstances.

5. A professional military or volunteer service serviceman, who terminates his contract prior to the expiration date, shall compensate for the remaining value of military clothing, except when he is being transferred to the reserve and has the right to wear the uniform.

Article 45. Transfer of Professional Military Servicemen to the Reserve

1. When a professional military service contract is terminated in accordance with Articles 37 and 38 of this Law, except for the provisions set forth in paragraph 2 below, or when contract expires and is not extended, the serviceman shall be relieved from his duties, turn
over the duties and be dismissed from professional military service not later than within 14 calendar days.

2. When a professional military service contract is terminated for disablement (Article 38, paragraph 1, subparagraph 9 of this Law) or for health reasons (Article 38, paragraph 2, subparagraph 5 of this Law), a serviceman shall be relieved from his duties and transferred to the reserve within 28 calendar days.

3. A serviceman shall use the time from being relieved of his duties to the day of transfer to the reserve for turn over purposes. During this turn over period, he shall receive his normal monthly pay.

4. With the exception of servicemen noted in paragraphs 5 and 6 of this Article, professional military servicemen shall be transferred to the reserve:

1) at age 35 - if their rank is lower than a staff sergeant (petty officer 1st class);
2) at age 50 - for all ranks between staff sergeant (petty officer 1st class) and sergeant major;
3) at age 35 - if their rank is lieutenant;
4) at age 40 - if their rank is first lieutenant;
5) at age 43 - if their rank is captain (lieutenant captain);
6) at age 46 - if their rank is major (lieutenant commander);
7) at age 50 - if their rank is lieutenants colonel (commander);
8) at age 53 - if their rank is colonel (navy captain);
9) at age 58 - for all general officer (admiral) ranks.

5. Servicemen serving in doctor (military doctor) position in the National Defence System, regardless of their rank, shall be transferred to the reserve upon reaching age 60.

6. Professional military servicemen who are designated as military specialists in accordance with the list of military specialist positions approved by order of the Minister of National Defence, may be transferred to reserve upon attaining the age of 55.

Article 46. Extension of Service for Servicemen who have Reached the Age of Transfer from Professional Military Service to the Reserve

In certain cases, the Minister of National Defence, taking into account the requirements of the National Defence System, may extend professional military service for servicemen through the rank of colonel, who have reached the age specified in Article 45, paragraph 4 above, under a fixed term contract of the professional military service, not exceeding two years (or two extensions of one year each). Upon expiration of this term, the Minister of
National Defence may approve repeated extensions for the period not exceeding two years under such contracts only for officers through the rank of major.

Article 47. Retirement
1. Retirement status is given to former active duty or reserve serviceman, who has been permanently relieved from military conscription due to age or health status.
   2. The following servicemen are placed in retired status:
   1) professional military servicemen, who have reached the age of 60 upon their transfer to the reserve;
   2) reserve officers and generals (admirals), who are former professional military servicemen and have reached the age of 60;
   3) doctors (military doctors) in individual reserve status, who have reached the age of 60;
   4) other servicemen in individual reserve status, who have reached the age of 55;
   5) servicemen in active or individual reserve status, regardless of age, who due to their health status, are designated as not fit for duty.
3. Reserve duty servicemen, once retired, shall be deleted from the active and individual reserve registers and not called up in the event of mobilisation.

Article 48. Investigations of Military Service Disputes
1. In accordance with procedures established by the Minister of National Defence, disputes regarding acceptance to military service, removed from duty, transfer to another duty assignment, promotion, and extension of contracts, shall be investigated. Decisions may be appealed through the chain of command up to the Minister of National Defence. Courts shall not try these disputes.
2. If a professional or volunteer serviceman thinks that his dismissal from military service is unlawful in accordance with the procedure and conditions established by Armed Forces Statute on Military Discipline, he may lodge a complaint with a higher commander or official up to the Minister of National Defence. The decision of the Minister of National Defence may be appealed against in the court within one month of receipt of the decision or of the announcement thereof. In cases of dismissal from professional or volunteer military service based on the provisions of Article 38 paragraph 1, or Article 38 paragraph 2, subparagraphs 10 and 12 when the service contract had to be terminated, an appeal regarding violation of the dismissal procedure established by legal acts may be lodged with the court.
3. If the court determines that a professional or volunteer serviceman has been dismissed from service not in compliance of the provisions of subparagraphs 1-9, 11 and 13, paragraph 2, Article 38 of this Article, the court may re-instate such serviceman to professional or volunteer military service. In re-instituting him to professional military service, the court may require that the serviceman receive back pay for a period of his imposed absence from the service. The individual re-instated to professional or volunteer military service shall be assigned to duties or placed in the temporary personnel reserve of professional military service in accordance with the procedure established by legal acts regulating military service.

4. If an individual is dismissed from professional military service on the basis of the provisions of this law and the court decides that the dismissal procedure established by legal acts has been violated, the court may not re-instate the serviceman into professional military service or change the basis of his dismissal, however the court may award monetary compensation equal to the pay of up to three months to the professional military serviceman irrespective whether or not a severance pay was due and has been paid.

Article 49. Conditions for Military Education in Foreign Countries
1. The Minister of National Defence shall establish the procedures for the selection of servicemen to receive military education or be assigned to duty in foreign countries.
2. The Government or its authorised institution shall set the conditions for service and support of servicemen sent to foreign military schools or assigned to duty in foreign countries.
3. Servicemen sent to a foreign military school or assigned to duty in foreign countries for a period of time longer than three months may be transferred to the temporary personnel reserve.

Article 50. Certificate of Service upon Transfer to the Reserve or Retirement
1. Every serviceman, who is transferred to the reserve or retired upon completion of mandatory or professional military service, or discharged from professional military service under the provisions of this Law, shall be issued a certificate attesting to the service performed, appraisal of service, and the status of the serviceman. The Minister of National Defence shall determine the certificate’s content, format, and issue procedures.
2. A serviceman completing his service without disciplinary and legal violations noted in paragraphs 3 and 4 below, shall have written on the certificate that he is being transferred to the reserve (or retired) under honourable conditions.

3. If a serviceman’s personnel record contains any entries indicating disciplinary action, for which he was confined 15 or more days in a year, was punished more than three times in any given year, or if the serviceman is being dismissed in accordance with Article 38, paragraph 2, parts 6, 8, or 9 of this Law, upon his transfer to the reserve or retirement, the words “under honourable conditions” shall be omitted from the certificate. The phrase “under honourable conditions” may also be omitted when a serviceman is being discharged under Article 38, paragraph 2, subparagraph 12 of this Law.

4. A serviceman who is being discharged for disciplinary violations shall have written on his certificate the phrase “discharged for disciplinary violations.”

5. A serviceman who is being discharged in accordance with Article 38, paragraph 1, subparagraphs 1, 2, 3, 5 and 6 of this Article shall have written on his certificate the phrase “discharged for violations of law.”

6. Officers, senior non-commissioned officers, and volunteer servicemen, on whose certificates of service are written the phrases noted in paragraphs 4 and 5 above, do not have the right to wear a reserve serviceman’s uniform on ceremonial occasions.

   Article 51. Service in Time of War
   1. In time of war, the law declaring war, and other emergency laws and legal acts shall guide servicemen.
   2. There shall be no limitations on the length of military service during war or mobilisation.

FIFTH SECTION
MILITARY RANKS AND PROMOTION PROCEDURES

   Article 52. Military Ranks
   1. Military ranks are established in order to regulate relations among servicemen and designate their skill and service experience. Only active military and reserve servicemen registered in the National Defence System and those retired from service may have military ranks.
   2. Servicemen are grouped by ranks as:
1) soldiers, seamen;
2) sergeants;
3) senior non-commissioned officers;
4) junior officers;
5) senior officers;
6) generals, admirals.

3. The following ranks shall be established for servicemen of:

Ground and Air Forces Naval Military Forces
1) soldiers and seamen
   private seaman
   private first class seaman first class
   2) sergeants
      junior sergeant junior sergeant
      sergeant sergeant
      staff sergeant staff sergeant
      sergeant 1st class chief petty officer
   3) senior non-commissioned officers
      master sergeant master sergeant
      1st sergeant 1st sergeant
      sergeant major sergeant major
   4) junior officers
      lieutenant lieutenant
      first lieutenant first lieutenant
      captain lieutenant captain
   5) senior officers
      major lieutenant commander
      lieutenant colonel commander
      colonel navy captain
   6) generals and admirals
      brigadier general rear admiral (lower half)
      major general rear admiral (upper half)
      lieutenant general vice admiral
4. Service ranks shall be conferred only to professional military, mandatory military and the active reserve servicemen in accordance with conditions and procedures established by this Law.

Article 53. Conferring the First Rank
1. A serviceman shall be conferred the rank of a private (seaman) when he starts his service.
2. The first rank to be conferred to an officer is that of a lieutenant.
3. The first rank shall be conferred to officers who have graduated from Lithuanian or foreign military schools and have taken the officer’s oath. This rank may be conferred to individuals who have graduated from universities or similar institutions of higher learning with a bachelor’s degree or its equivalent and completed the officer’s course.
4. Doctors who have completed officer’s training course prior to entering professional military service, or completed the officer’s course for doctors while serving professional military service, or lawyers who have at least a bachelor’s degree or a corresponding degree, as well as doctors may, in accordance with the same procedure, be conferred the rank of first lieutenant or captain (lieutenant captain) instead of lieutenant.
5. Military chaplains may be conferred the rank of captain (lieutenant captain) instead of lieutenant.

Article 54. Conditions for Conferring Higher Ranks
1. Taking into consideration the National Defence System structure and requirements, Tables of Organisation established by the Minister of National Defence, as well as the limitations on the number of generals and senior grade officers established by the Seimas, active military service servicemen may be promoted to a higher rank in accordance with selection principles. The Minister of National Defence shall establish the criteria and the procedures for selection to the next higher rank.
2. In order for a professional serviceman considered in the selection process for the next higher grade, in peacetime, he must have served in the professional military service in the National Defence System as a:
   1) private, seaman, private first class, seaman first class - not less than 3 months;
   2) junior sergeant, sergeant - not less than 1 year;
   3) staff sergeant, sergeant 1st class, chief petty officer - not less than 2 years;
   4) master sergeant, 1st sergeant - not less than 3 years;
5) lieutenant - not less than 2 years;
6) first lieutenant - not less than 3 years;
7) captain, lieutenant captain - not less than 4 years;
8) major, lieutenant commander - not less than 5 years;
9) lieutenant colonel, commander - not less than 5 years.

3. Taking into account the needs of the national defence system, a certain number of the servicemen who have distinguished themselves, may be considered in the selection process for a promotion earlier than the required time established in paragraph 2 of this Article, provided they have served at least half of the required time; doctors and lawyers who are first lieutenants – provided they have served at least one-third of the required time. A military chaplain who has the rank not higher than lieutenant colonel, upon appointment as Vicar General (Head Chaplain) of the Armed Forces, may be conferred a higher rank without applying the conditions laid down in paragraph 2 of this Article, as well as in this paragraph.

4. Senior officer or general officer ranks are conferred only to those officers who have a college and special military education and know at least one of the NATO member country languages.

5. The rank of colonel (naval captain) or higher may be conferred upon a serviceman who has served as a unit, combat ship or combined unit commander or forces commander, or executive officer not less than one year. This requirement is not applicable to medical or legal officers having a master's degree or higher.

6. A brigadier general’s rank (rear admiral lower half) is conferred to a colonel (navy captain) who is appointed as the Commander of the Armed Forces.

7. The rank of major general (rear admiral upper half) may be conferred to the Commander of the Armed Forces, who has served at least one year as a brigadier general (rear admiral lower half).

8. Taking into consideration the approved number of general grade officers by the Seimas, colonels (navy captains) may be conferred brigadier general or rear admiral lower half in accordance with the conditions noted in paragraphs 4 and 5 of this Article, subject to the following provisions:

1) The Commander of the Field (Ground) Forces - Deputy Commander of the Armed Forces - when he has served as a colonel (navy captain) for a period of time not less than two years, and when the Ground Forces consist of at least two brigades totalling at least 4000 servicemen;
2) The Commander of Naval Forces - when he has served as a navy captain for a period of time not less than 3 years, and as the Commander of the Naval Forces for a period of time not less than one year, as well as when he has an operational ready force of at least two naval combat groups prepared to participate in combined structures of NATO member country forces;

3) The Commander of the Air Forces - when he has served as a colonel for a period of time not less than 3 years, and as the Commander of the Air Forces for a period of time not less than one year, as well as when at least one air force squadron is ready to participate in the combined structures with NATO member country forces;

4) The Commander of the Volunteer Forces - when he has served as a colonel (navy captain) for a period of time not less than 3 years;

5) The Inspector General of National Defence - when he has served as a colonel (navy captain) for a period of time not less than 3 years.

9. The Commander of the Armed Forces may be promoted to lieutenant general (vice admiral), when he has served as a major general (rear admiral (upper half) for a period of time not less than 1 year, provided the regular Ground Forces consist of at least 3 brigades, and the regular and Volunteer Forces total at least 24,000 servicemen.

10. Servicemen, with the exception of generals and admirals, may be promoted to the next higher rank, if they have at least two years of service left prior to transfer to the reserve, or has been extended in accordance with the conditions noted in Article 46.

11. In time of war, the Minister of National Defence, taking into account the existing circumstances, has the right to establish different conditions for promotion of servicemen in the fighting forces.

12. Active reserve servicemen may be promoted to a higher rank, when they have completed their training in accordance with the programs established by the Commander of the Armed Forces.

13. Individual reserve or retired servicemen will not be promoted to a higher rank.

14. A citizen of the Republic of Lithuania, who has been conferred a reserve officer rank by another country, upon acceptance into professional military service or inclusion in the active reserve register, shall receive a rank taking into consideration the conclusions and recommendations of the advisory commission appointed by the Minister of National Defence (having evaluated whether the military qualifications meet the needs of the National Defence System under the requirements of the Armed Forces).
15. A citizen of the Republic of Lithuania who holds a relevant service rank of an officer of the Ministry of the Interior or the State Security Department is accepted into professional military service or included in the active reserve register, shall be conferred a military rank in accordance with the requirements of the Armed Forces, regardless of the service rank held.

16. In exceptional circumstances the Minister of National Defence shall, without adhering to the general conditions of conferring higher military ranks laid down in this article and Article 55, have the right to temporarily confer to officers being assigned as commanders (supervisors) one rank higher than they presently have for the purpose of subordination in accordance with the military rank. The Minister of National Defence may also temporarily confer to officers being assigned to foreign countries a military rank if its is necessary for the assigned duties.

17. The temporary rank shall stay in effect while the officer is performing duties in the assignment for which the rank was conferred. The permanent higher rank shall be conferred in compliance with the general conditions of this Article as well as Article 55, notwithstanding that the officer had a temporary rank conferred. An officer who has been conferred a temporary higher rank is paid and provided for in accordance with the terms and conditions set forth for his permanent rank.

Article 55. Right to Confer Military Ranks

1. By the advice of the Minister of National Defence, the President of the Republic of Lithuania shall, by decree, confer the first military rank to servicemen of professional military service who have graduated from the Lithuanian Military Academy or other military schools for officers. The Minister of National Defence shall, by order, confer the first rank to reserve officers.

2. The President of the Republic of Lithuania confers colonel (naval captain), general, and admiral ranks.

3. In complying with the approved Tables of Organisation, the limitation on the number of sergeants 1st class through sergeant major, and qualification and selection requirements established by the Minister of National Defence, ranks are conferred to active service servicemen by:

   1) unit commander with a senior officer’s rank - up to sergeant 1st class inclusive;
   2) the next higher commander in the chain of command with the rank of a lieutenant colonel - up to sergeant major;
3) the officer authorised for that purpose by the Minister of National Defence - up to sergeant major for soldiers serving within the security services of the National Defence System.

4. Taking into consideration approved Tables of Organisation, limits on the number of officers by grade, selection procedures established by the Minister of National Defence, and conditions for promotion, officers are conferred higher ranks (except in cases noted in Article 54, paragraphs 12, 14, and 15, and paragraph 5 of this Article) after the Minister of National Defence approves the recommendations of the promotion board. Orders authorising promotion are promulgated by:

1) Commander of the Armed Forces - for all junior officers, except the rank of lieutenant;
2) Minister of National Defence - for all senior officers, up to the rank of lieutenant colonel (commander) inclusive.

5. The Minister of National Defence shall issue orders for the promotion of all officers working in security services, up to the rank of lieutenant colonel (commander) inclusive.

6. In accordance with Article 54, paragraphs 12, 14, and 15 of this Law, in certain cases the Minister of National Defence, upon the recommendation of the Commander of the Armed Forces shall confer the rank of colonel (navy captain) to officers, or to Lithuanian citizens, recommended by an advisory commission, who are accepted into professional military service or enrolled in the active reserve register of the Armed Forces in accordance with Article 36, paragraph 12.

7. In all cases (to include Article 53, paragraph 5), the Minister of National Defence, having received approval from the acknowledged and recognised traditional Lithuanian churches, shall confer military chaplains with their rank.

Article 56. Reduction or Loss of Rank

1. In accordance with procedures noted in the Code of Military Discipline, a serviceman may have his rank reduced for disciplinary violations. An official who is senior to the official that conferred the rank may reduce the serviceman’s rank. Officers that had their ranks conferred by the Minister of National Defence shall have their ranks reduced by the Minister of National Defence. Colonels (Navy captains) and generals shall have their ranks reduced by the President of the Republic.

2. A serviceman who had his rank reduced may have his original rank re-instated in accordance with procedures established in statutes no earlier than six months after the reduction, providing his service is evaluated satisfactorily. The period of time that the
serviceman was on leave, studied, or was sick shall not be counted as time of military service. In accordance with Article 54, paragraph 2, the required time to serve for the next higher rank shall start anew on the date the previous rank is re-instated.

3. The Minister of National Defence (in the case of, generals, and admirals - the President of the Republic) may take away the military rank of a serviceman discharged from service in accordance with the provisions of Article 38, paragraph 1, parts 1, 2, and 3.

Article 57. Length of Assignments and Rotation of Officers and Generals (Admirals)
1. Officers assigned as the Commander of the Field Forces, Air Forces, Naval Forces and Volunteer Forces cannot serve in the assignment longer than 5 years.
2. Other commanders, staff executive officers, heads of departments, services, divisions, and other military officials, normally, shall not serve in their assignments for a period longer than three years from the date of appointment. Upon completion of this term, they shall be rotated to another assignment, except in situations where the Minister of National Defence decides not to rotate the serviceman due to his unique speciality, needs of the service, or circumstances where rotation cannot be effected or is expedient.
3. When carrying out the rotation of the servicemen who have a unique speciality, as a rule, the acquired speciality shall be taken into account.
4. The Minister of National Defence shall establish the conditions and procedures for the rotation.

Article 58. Serviceman Qualification Ratings
1. Unique military specialities designated by the Minister of National Defence may have qualification ratings.
2. The Minister of National Defence shall establish the conditions and requirements for granting these ratings.

Article 59. Service Leave
1. A conscript shall be given a nine calendar days of leave (including travel days) twice in his service year. Servicemen shall not be provided with meals during their leave, rather they will be given a Government-established rate of per diem.
2. A professional military serviceman is entitled to 30 calendar days of paid annual leave.
3. Depending on the professional military serviceman’s length of service (without credits) in the National Defence System, he shall have his annual leave extended by:
   1) 2 calendar days - for 4–6 years of service;
   2) 4 calendar days - for 6–10 years of service;
   3) 6 calendar days - for 10–15 years of service;
   4) 8 calendar days - for more than 15 years of service.

4. Professional military servicemen, assigned hazardous duty that poses a risk to their life or health, may have their annual leave extended not longer than ten days. The Government shall establish a list of hazardous duty assignments and applicable extensions.

5. In accordance with paragraphs 2, 3, and 4 of this Article, the maximum annual leave a serviceman can accrue in one year is 40 days.

6. Taking into consideration the unit’s readiness requirements and the serviceman’s desired time for leave, a unit commander (supervisor) may grant the serviceman leave over several periods during the year. A professional military serviceman is entitled to at least 15 continuous days of annual leave per year. By mutual agreement between the serviceman and his leaders, a serviceman may have part of one year’s annual leave transferred into the following year.

7. In cases of emergency, a serviceman may be called back from leave by his or the next higher commander.

8. Professional military servicemen may be given leave for special purposes under specific conditions established by law:
   1) pregnancy and giving birth;
   2) maternity (for the mother; for the father - in cases when the mother of the child has passed away, or he is not able to look after the child due to the child’s illness or disablement);
   3) studies;
   4) leave without pay.

9. Maternity leave is granted until the child is one year old. A serviceman granted maternity leave is relieved of duties and transferred into the temporary personnel reserve. If a serviceman does not return to his unit at the end of maternity leave, or there are no assignments available commensurate with his qualification, he is transferred to the reserve. During the time the serviceman is in the reserve, he receives a fixed allowance from the national budget until the child is three years old, if he or other family members, do not make use of maternity rights and other allowances established by law.
10. With the consent of the Minister of National Defence or the Commander of the Armed Forces, a serviceman may be given leave to study, providing he remains in service.
11. A professional military serviceman may be given leave without pay, not to exceed 15 calendar days, for personal or special family circumstances, by the commander of a combined unit or a commander of one of the branches of the Armed Forces.

12. Service leave shall be counted as part of service time.
13. When a state of war or an emergency is declared, or mobilisation occurs, all servicemen on leave shall return to their units immediately.
14. Conscripts shall be given seven calendar days of leave in case of death of a family member, their guardian or immediate relative also following the birth of a child. During this leave period, conscripts shall be paid a per diem allowance, also following the birth of a child.

SIXTH SECTION
SUPPORT OF SERVICEMEN

Article 60. Servicemen Salaries, Extra Pay and Payments
1. Conscripts shall receive a monthly payment, established by the Government, for health and sundry items. Twice a year (Christmas and Easter Holiday) they shall be paid a holiday bonus in an amount that is established by the Government.
2. This Law establishes the payment procedures for professional military servicemen. Pay provisions for government civilian employees do not apply to servicemen.
3. A professional military serviceman’s pay shall be determined by two factors: his rank and the years served at that rank. The pay of professional military servicemen performing security services in the National Defence System shall be dependent on the duty assignment, rank and direct service within the National Defence System, as well as on the time served in the security services of the Republic of Lithuania.
4. In addition to his regular pay, a professional military serviceman may receive extra pay equal to his military pay, provided that he is assigned to duties with greater responsibility as a commander (not lower than a battalion commander) or involving special duty assignments. The serviceman shall receive the extra pay as long as he continues carrying out the said duties.
5. Professional military servicemen pay, extra pay, as well as the duty assignments that shall receive extra pay, shall be established by the Government. The Government may also
establish extra pay for servicemen who have unique military speciality qualification ratings.

6. Twice a year (Christmas and Easter Holiday) professional military servicemen shall be paid a holiday bonus up to a month’s pay (without extra pay). The Minister of National Defence shall, in proportion to the serviceman’s pay, establish the amount of the holiday bonus and the procedure for payment thereof.

7. Volunteer servicemen and active reservists called up for exercises, training, or to accomplish service tasks, shall be paid for the days that they participate from funds allocated to the Ministry of National Defence for training. The Government shall establish the pay schedule for reserve servicemen.

8. The Minister of National Defence may award bonuses or nominal gifts to servicemen who have particularly distinguished themselves while serving.

9. Payments, holiday and other bonuses, noted in the paragraphs 1, 6, and 8 of this Article, shall be paid, and the nominal gifts purchased from funds allocated to the Ministry of National Defence.

Article 61. Conditions for Service Abroad or International Operations

1. The Government or its authorised institution establishes the conditions and procedures for service in international military operation units, to include the preparation and participation of servicemen in a mission.

2. The Government or its authorised institution shall establish the procedures and conditions for service in other international military structures.

Article 62. Servicemen’s Uniforms and Insignia

1. The Minister of National Defence shall submit service uniform and insignia standards to the Government for approval. The Minister of National Defence shall approve uniform regulations for active service servicemen recommended by the Commander of the Armed Forces.

2. The Minister of National Defence upon transferring a serviceman to the reserves may confer upon him the right to wear the military serviceman’s uniform with a reserve serviceman’s insignia, on ceremonial occasions.

3. When a volunteer serviceman is transferred to the reserve, he may be conferred the right to wear the military service uniform with a reserve volunteer serviceman’s insignia on ceremonial occasions.
4. Reserve servicemen, who had the right to wear the uniform on ceremonial occasions prior to their retirement, shall retain this right upon retirement. However, they must wear the insignia, established by the Minister of National Defence, of a retired serviceman.

5. The Commander of the Armed Forces shall establish uniform regulations for reserve and retired servicemen. Reservists and retired soldiers may forfeit the right to wear the uniform if they commit violations of the Regulations on Military Discipline.

6. Officers and senior non-commissioned officers may purchase uniforms for ceremonial occasions using their own funds. The Minister of National Defence shall approve the specifications of such uniforms.

7. Individuals, who do not have the right to wear a military uniform, and wear it illegally, shall answer for their actions in accordance with the law.

8. The manufacture of military insignia or emblems other than those ordered by the Ministry of National Defence or the Armed Forces is forbidden. The Ministry of National Defence shall have the exclusive right for the distribution of military insignia and emblems.

Article 63. Supplying Servicemen with Food, Clothing and Billeting (Housing)

1. The Government or its authorised institution shall establish clothing allowances and standards for servicemen.

2. Conscripts shall be provided with billeting in the barracks.

3. Volunteer servicemen and active reserve conscripts who are called up for exercises, training or to accomplish service tasks, shall be provided with billeting.

4. Professional military servicemen, who themselves or whose family members (children or spouse) do not own an apartment, house or part of a house in the area of military service, and have not transferred this type of realty within the last 5 years (except for divorce), shall be provided from the official housing stock possessed by the Ministry of National Defence in an appropriate area with completely restored official apartments (singles or servicemen whose families may not move to the place of military service - with separate official accommodations) that conform to the conditions of the area and are in compliance with all technical and health requirements. For the official apartments provided, servicemen shall not pay any rent fixed under living accommodation rent agreements, other than for the space that exceeds the space standards of official apartments provided to servicemen for free, as established by the Government or its
authorised institution. Servicemen shall pay for electricity, communications and other
utilities in accordance with rates established in that area.

5. Part of the military housing may be reserved for servicemen, serving in duty
assignments designated by the Government, as commanders (supervisors). The servicemen
shall be entitled to this housing for as long as he serves in the designated assignment.
Upon transfer to another assignment or the reserve, the serviceman will vacate the housing
within 30 days.

6. A serviceman, who has been transferred to serve in another location, shall within 30
days vacate the official housing (official living accommodation) he had been assigned in
the former location of service. Military housing shall be provided to him in the new
location in accordance with the provisions of this Article.

7. A serviceman may live in an official apartment (official living accommodation) as long
as he serves in the professional military service. Upon dismissal from the national defence
service (transfer to the reserve), the serviceman must vacate his official apartment (official
living accommodation) within 30 days. In the cases, under conditions and in the manner
prescribed by the Government, a period of time established in this paragraph as well as in
paragraph 5 of this Article may be extended by the Minister of National Defence.

8. If a serviceman does not comply with the requirements of paragraphs 5 and 7 of this
Article, he shall be punished in accordance with procedures established by law, and
evicted without suit from the official apartment (official living accommodation) together
with all other persons living in that apartment.

9. To compensate for the cost of keeping of living accommodations, those professional
military servicemen who have not been provided with official apartments (singles with
separate official living accommodations) shall be paid a rent allowance in the amount
established by the Government, from the funds assigned to the Ministry of National
Defence. When servicemen having families are assigned to another place of service, and
there they are provided with separate official living accommodations designated only for
singles, while their families live in non-official apartments in another location and may not
move to the place of their service, a part of the rent allowance in the amount established
by the Government shall be paid to them.

10. Professional military service officers and senior non-commissioned officers who
have concluded service contracts of indefinite duration and who have at least ten years of
service left prior to their transfer to the reserve as established in Article 45 of this Law, as
well as other professional military servicemen who have served within the National
Defence System at least 5 years without a break in service and their service contracts have been extended, and who have at least ten years of service left prior to their transfer to the reserve as established in Article 45 of this Law (taking into consideration possible promotion) may make avail themselves of the State guarantee and to get a credit on concessionary terms, established by the said guarantee, for the purchase or construction of a dwelling.

11. Conscripts shall be provided with food in accordance with physiological nutrition standards established by the Government or its authorised institution. In those cases when conscripts are authorised more than one day of leave by the unit commander, a food allowance of an amount established for professional military servicemen shall be paid for those days they are away from their place of duty.

12. Professional military servicemen, with the exception of servicemen sent to foreign schools or locations where total support is provided, defence attaches, servicemen serving in institutions outside the National Defence System, shall be provided with food according to the physiological nutrition standards established by the Government or its authorised institution, or be paid a food allowance in the amount established by the Government.

13. Volunteer servicemen and active reservists called up for exercises, training, or service tasks, shall be provided with food according to the physiological nutrition standards established by the Government or its authorised institution, or be paid per diem in the amount established by the Government.

Article 64. Servicemen Postal, Transportation and Moving Expenses

1. Sending expenses of conscripts’ postal items shall be paid from the State budget funds allocated for this purpose to the Ministry of National Defence.

2. Professional military servicemen, who are moved to another location, shall have their moving expenses paid for in accordance with allowances established by the Government or its authorised institution.

3. Professional military servicemen on official duty, who travel in Lithuania by any mode of passenger transport (except taxi-cab), shall have their travel expenses reimbursed in accordance with procedures established by the Minister of National Defence.

4. When professional military servicemen do not have housing in their service area, or it is not expedient to transport them to work and back by duty vehicles, the Minister of National Defence may allow reimbursement of their travel expenses by passenger transport (except taxi-cab). The Minister of National Defence may reimburse servicemen
for travel expenses using their personal vehicles in accordance with rates established for passenger transport. The Minister of National Defence may by his order allow reimbursement for the cost of one round trip per week to the family place of residence for the servicemen who are provided with separate official living accommodations for singles only, while their families live in non-official apartments elsewhere. The reimbursement may be temporary until a soldier is provided with an official apartment at his place of service. While the serviceman is being reimbursed for the cost of travel, he shall not receive a rent allowance established by Article 63, paragraph 9.

5. When a professional military serviceman is called back from leave within Lithuania, he shall be paid round-trip travel expenses from the place of leave to the place of duty.

6. Conscripts shall have their travel expenses paid from the funds allocated to the Ministry of National Defence, when they travel by any mode of passenger transport (except taxi-cab):
   1) home on leave, and back;
   2) to healthcare or rehabilitation institution, and back;
   3) to visit seriously sick family members, with the consent of their commanders;
   4) to attend the funerals of family members, foster parents or immediate relatives, with the consent of their commanders;
   5) home, upon transfer to the reserve.

7. Volunteer servicemen and active reservists, who are called up for exercises, training or service tasks, shall have their travel expenses to their place of service, as well as travel expenses for official missions, reimbursed from the funds allocated to the Ministry of National Defence in accordance with procedures established by the Government or its authorised institution.

Article 65. Healthcare of Servicemen
1. The healthcare for conscripts and professional military service servicemen shall be financed from funds allocated to the Ministry of National Defence.

2. Healthcare for volunteer servicemen and active reservists called up for exercise, training or service shall be financed from funds allocated to the Ministry of National Defence.

3. The Ministry of National Defence organises and carries out the healthcare services for servicemen noted in paragraphs 1 and 2 above through National Defence System healthcare institutions or by utilising and reimbursing national, local or private healthcare institutions in accordance with procedures established by the Government.
4. Expenses for the rehabilitation of servicemen after injuries or sickness shall be covered from funds allocated to the Ministry of National Defence.

5. Healthcare standards and regulations for providing healthcare to conscripts and professional military servicemen are established by laws and other legal acts.

6. Complaints for healthcare services that were not provided or poorly provided shall be investigated by the Ministry of Health and authorised officials or institutions from the Ministry of National Defence.

Article 66. Insurance of Servicemen

1. Mandatory life and accident insurance coverage shall be provided by funds allocated from the national budget to:
   1) conscripts - from the day of acquiring serviceman’s status until the day of transfer to the reserve;
   2) professional military servicemen - from the day of acceptance to professional military service until the day of transfer to the reserve;
   3) volunteer servicemen and active reservists - from the day they are called up (for training, exercises, or service) until the day of return to their place of residence.

2. Insurance payments shall not be made to servicemen who had an accident, while committing a felony, disobeying a lawful order, or being negligent; or if the circumstances leading to their death or health problems were due to intoxication from alcohol, narcotics, psychotropic or toxic materials, suicide, attempted suicide, or intentional injury or in the event when the cause of death or a health problem of a serviceman was due to driving a vehicle without having a driver's licence to drive this particular vehicle or allowing to drive it to a person was who intoxicated with alcohol, narcotic, psychotropic or toxic substances, or who had not a driver's licence to drive this particular vehicle. Insurance payments shall not be paid for occurrences that have been acknowledged as non-insurable in accordance with procedures established by the Government.

3. The Government or its authorised institution shall establish the conditions and the procedures under which insurance payments shall be recognised, the procedures for payment, and the amount of payment.

4. Conscripts shall be insured at the Government minimal monthly wage rate multiplied by a factor of 12, in the month of the insurable event.

5. Volunteer servicemen or active reservists shall be covered with insurance equal to their monthly pay as a reserve serviceman multiplied by a factor of 12, in the month of the
insurable event. This total can not exceed a sum greater than the minimal monthly wage rate established by the Government for a period of 36 months.

6. A professional military serviceman shall be covered with insurance equal to his monthly pay as a professional serviceman multiplied by a factor of 12, in the month of the insurable event. This total can not exceed a sum greater than the minimum monthly wage rate established by the Government for a period of 48 months.

7. The provisions for insurance coverage for servicemen noted in this Article is not applicable during wartime.

Article 67. Compensations in the Event of Death or Breakdown in Health

1. A serviceman who is injured, crippled or disabled while in the performance of his duties, or a serviceman who is not disabled, but has suffered a breakdown in health with lasting effects that reduces his fitness for military service, in addition to his insurance payments, shall be paid a one-time compensation as noted in paragraphs 4, 5, 6, 7, 8, and 9 of this Article, and in compliance with the requirements set in paragraph 12 of this Article, and in the event of death of the serviceman, a one-time compensation in the amount specified in paragraph 10 of this Article shall be paid in compliance with the requirements set in paragraph 12 below. These compensations shall be paid from funds allocated to the Ministry of National Defence from the national budget.

2. Compensation is not paid if the breakdown in health does not affect the servicemen’s fitness for duty. Also, compensation is not paid in the event of a death or a health problem while a serviceman is committing a felony, disobeying a lawful order, or being negligent, or if the cause for death or a health problem was due to intoxication from alcohol, narcotics, psychotropic or toxic materials, suicide, attempted suicide, intentional injury, or in the event when the cause of death or a health problem of a serviceman was due to driving a vehicle without having a driver's licence to drive this particular vehicle or allowing to drive it to a person who was intoxicated with alcohol, narcotic, psychotropic or toxic substances, or who had not a driver's licence to drive this particular vehicle. If a serviceman dies or has a breakdown in health due to carelessness and becomes an invalid, and the cause of death is not related to his direct performance of duty, he is paid compensation specified by this Article in the amount, in every case, established by the Government.

3. In accordance with the procedures established by the Minister of National Defence, an investigation commission shall establish the causal relationship between the death and a
breakdown in the health of a serviceman and his direct performance of duty. The degree to which a serviceman is injured or crippled is established by the Medical Expertise Commission of the Ministry of National Defence, in accordance with procedures established by legal acts. The decision of this commission may be appealed in court within 10 days from the receipt of the decision, by a serviceman, members of his family, or upon the request of the family, an individual representing the interests of the family.

4. One time compensations in the following amounts are paid to servicemen whose injury or mutilation places them in Disability Group I:

1) 250 minimal monthly wage rate salaries established by the Government - for conscripts;
2) 60 monthly salaries - for professional military servicemen;
3) 60 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the active reserve.

5. One time compensations in the following amounts shall be paid to servicemen whose injury or mutilation places them in Disability Group II:

1) 200 minimal monthly wage rate salaries established by the Government - for conscripts;
2) 48 monthly salaries - for professional military servicemen;
3) 48 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the active reserve.

6. One time compensations in the following amounts shall be paid to servicemen whose injury or mutilation places them in Disability Group III:

1) 150 minimal monthly wage rate salaries established by the Government - for conscripts;
2) 36 monthly salaries - for professional military servicemen;
3) 36 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the active reserve.

7. If a seriously injured or mutilated serviceman does not become disabled after his treatment, but after a check up 12 months later has lasting effects that change his fitness for service, which cause him to transferred to a lower or less paying assignment, a one time compensation shall be paid the serviceman in the following amount:

1) 100 minimal monthly wage rate salaries established by the Government - for conscripts;
2) 24 monthly salaries - for professional military servicemen;
3) 24 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the active reserve.

8. If a moderately injured or mutilated serviceman does not become disabled after his treatment, but after a check up six months later has lasting effects that change his fitness
for service, which cause him to be transferred to lower or less paying assignment, a one
time compensation shall be paid the servicemen in the following amount:
1) 75 minimal monthly wage rate salaries established by the Government - for conscripts;
   2) 18 monthly salaries - for professional military servicemen;
3) 18 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the
   active reserve.
9. If a lightly injured or mutilated serviceman does not become disabled after his
treatment, but after a check up 3 months later has lasting effects that change his fitness for
service, which cause him to be transferred to a lower or less paying duty assignment, a one
time compensation shall be paid the serviceman in the following amount:
1) 50 minimal monthly wage rate salaries established by the Government - for conscripts;
   2) 12 monthly salaries - for professional military servicemen;
3) 12 monthly reserve serviceman salaries - for volunteer servicemen or servicemen in the
   active reserve.
10. In the event of a death of a serviceman, a one time compensation shall be paid in the
following amount:
1) 500 minimal monthly wage rate salaries established by the Government, but not less
   than 100 minimal monthly wage rate salaries for each dependent of the serviceman - for
   conscripts;
2) 120 monthly salaries, but not less than 100 minimal monthly wage rate salaries for each
dependent of the serviceman - for professional military servicemen;
3) 120 monthly reserve serviceman salaries, but not less than 100 minimal monthly wage
   rate salaries for each dependent of the serviceman - for volunteer servicemen or
   servicemen in the active reserve.
11. In accordance with paragraph 10 of this Article, the spouse, father (mother) and
dependants of the diseased shall receive equal shares. Individuals not capable of working,
who were supported and had the right to be supported by the deceased on the day of his
death, children of the deceased born after his death, adolescent children up to the age of
16, and full time day students registered at educational institutions in accordance with
established procedures, up to age 24, as well as invalids, may be considered as dependants.
12. When the established compensations for professional military servicemen, volunteer
servicemen or active reservists are exceeded in accordance with the provisions of the
paragraphs 5, 6, 7, 8, 9, 10 of this Article, a limited compensation shall be paid. Conscripts
shall receive limited compensation corresponding to the case multiplied by a factor of two.
13. The conditions for paying compensations noted in this Article do not apply in wartime.

Article 68. Social and other Military Service Guarantees for Servicemen
1. From the funds allocated to the Ministry of National Defence, servicemen shall be conferred social and other military service related guarantees that are applicable by this and other laws, in accordance with established procedures. In this case, laws relating to social guarantees of public employees (officials) and other civilian employees do not apply to servicemen. Guarantees for servicemen are applicable under other laws, if this law does not provide for them.
2. Professional military servicemen shall be paid an allowance for diseases in the following amounts:
   1) 100% monthly salary with extra pay for duty assignment is applicable in the event of a disease (breakdown of health) when temporary disability is not longer than 14 calendar days, and 100% monthly salary without extra pay - if temporary disability is longer than 14 calendar days;
   2) 80% monthly salary is applicable, when:
      a) a servicemen nurses a sick family member for a period of time not longer than 7 calendar days;
      b) a serviceman cares for a sick child up to seven years of age for a period not longer than 14 calendar days;
      c) a serviceman nurses a child up to seven years of age in an in-patient ward, or a child up to 14 years of age, who is sick with an oncohematological disease, after a complicated operation, trauma, or burns – for the entire nursing period, but to longer than 122 calendar days.
3. A volunteer serviceman or an active reservist, who temporarily has lost his ability to work during periods when he would be called up for training, exercises or the service, and does not have any income from insurance payments, shall be paid an allowance from funds allocated to the Ministry of National Defence equal to 100% of a reservists monthly pay, for a period of time not to exceed four months.
4. Active service servicemen who die in service for the reasons associated with service shall be buried at the expense of the Government. The Government or its authorised institution shall establish a list of funeral expenses financed by the State. If during active service a serviceman dies under other circumstances or due to illness, the family members or relatives of the serviceman who bury him, shall be allocated half of the sum designated
for burial expenses, as established by the Government, to partly defray the cost of burial expenses.

5. Active service servicemen, who die in service for the reasons associated with service, and with the agreement of their families (close relatives), may have a standard model tombstone approved by the Minister of National Defence and erected with the funds of the Ministry of National Defence. If the family (close relatives) buries the serviceman, who was killed or died, in a family grave and builds a monument other than the aforementioned, the Ministry of National Defence shall pay the family for expenses incurred equal to the cost of a standard model tombstone.

6. The Government or its authorised institution shall establish the amount of benefits paid during maternity and child care leave provided for in Article 59 of this Law, and the conditions of contributions for insurance pensions.

Article 69. Incentives for Conscripts who Have Completed Military Service

1. Individuals, who have fulfilled their mandatory military service under honourable conditions, and who meet the admission requirements, shall have priority rights to national defence or police official educational institutions, as well as being accepted into governmental service with the police, post office, railway, and National Security Department. In cases where their admission requirements are equal to other applicants who have not completed their military service, they shall have priority rights in being accepted into governmental educational institutions.

2. Individuals who have fulfilled their mandatory military service under honourable conditions, and served as professional military servicemen for at least 2 years, upon transfer to the reserve, shall have additional privileges established by other laws.

3. A volunteer serviceman, who has served exemplary for a period of time not less than 5 years, upon reaching the age when he must be transferred to the reserve, shall be awarded a bonus for his outstanding service. The amount of the bonus shall be determined by the commander, taking into account the service done by the servicemen and not exceeding the following maximum values:

1) for 5 to 10 years of service - up to two months of active reserve pay as established by the Government;

2) for more than 10 years of service - up to three months of active reserve pay as established by the Government.
Article 70. Pensions for Servicemen

1. Professional military servicemen are covered by the state pension insurance. Professional military servicemen, who have served the required number of years required by law, shall be eligible to receive the state military pension.
2. Servicemen, who become disabled in relation with their service, shall be entitled to receive the state serviceman’s disability pension.
3. Laws and procedures governing pensions shall establish the conditions and procedures for granting and paying pensions to servicemen.
4. Other laws shall establish the limitations and the amount of a state military pension that a reserve serviceman can receive, working as a state employee under a labour contract.

SEVENTH SECTION

SPECIFIC FEATURES OF CIVIL SERVICE IN THE NATIONAL DEFENCE SYSTEM

Article 71. Civil Service in the National Defence System

1. Civilian employees, officials and other personnel in the national defence system shall be categorised into:

1) those working on the basis of a labour contract, under the general provisions of the Labour Law and other laws governing labour;
2) those working in the national defence civil service under a national defence civil service contract drawn up in accordance with the provisions of the Labour Law, as well as supplementary conditions and specifics of this Law.

2. National defence civil service contracts shall be applicable to individuals serving within the sub-units of the Ministry of National Defence, the Armed Forces, Civilian Defence and other services of the National Defence System. Civil servants shall be placed in assignments when it is not necessary to have a professional military serviceman to perform the functions or accomplish the work, rather, an individual having special knowledge and /or experience is needed.

3. The Government may establish certain restrictions in national defence civil service contracts, taking into account the provisions of paragraph 2 of this Article, and ensuring that the National Defence System has high quality personnel and a stable work force.
4. The Minister of National Defence shall establish the civil service positions in the National Defence System within the Tables of Organisation, in compliance with the restrictions established by the Government.

Article 72. Specific Features of Civil Service in the National Defence System
1. In accordance with this Law, employees working in the national defence civil service system shall:
   1) have fixed term contracts, to include the necessary additional provisions noted in the Article 73 of this Law;
   2) be conferred civil service grades;
   3) receive payment for overtime;
   4) be supplied with a service uniform;
   5) act in compliance with the requirements set by the Civilian National Defence Service Statute.
2. In accordance with the provisions established by the Government, the same support provisions and social guarantees established for professional military servicemen under Article 66 and paragraphs 4 and 5 of Article 68, shall apply to employees with national defence civil service contracts. Also the provisions established by Article 63 paragraphs 3 and 4 of this Law may apply to them as well. The provisions for support and social guarantees shall be provided in accordance with the same procedures applicable to professional military servicemen.
3. In accordance with procedures established by law and other legal acts, individuals, who are entering or serving in the national defence civil service, shall fill out background questionnaires providing personal data, reporting their connections and interests that may be relevant to the protection of classified information, the conduct of their duties, or be a potential reason for a conflict of interest. This information shall be verified. Individuals who conceal or wilfully provide false information shall be prosecuted in accordance with the law. Individuals who conceal or wilfully provide false information may have their national defence civil service contracts terminated and dismissed from service.
4. In order to ensure the protection of classified information, or to verify the information provided by individuals, who have entered the national defence civil service, a lie detector may be used with the consent of the individual. An individual, who refuses to undergo a lie detector test, shall not be assigned to a position requiring access to classified information.
Article 73. Additional Provisions for the National Defence Civil Service
1. Only the Minister of National Defence or his authorised officials shall enter into national defence civil service contracts with individuals. The contract shall include the necessary provisions established by this Article.
2. Upon entering the national defence civil service, the individual shall sign a pledge, the contents of which shall be established by the Minister of National Defence. The contents shall include loyalty to the State and other obligations, length of service, and other relevant circumstances.
3. A necessary provision of the national defence civil service contract shall be the employee’s commitment to serve in the national defence civil service for a period of time not less than 5 years. If the individual is sent or funded by the Ministry of National Defence to study, he must extend his service for a period of time not less than 2 years after the completion of the most recent training or skill improvement course.
4. An employee may terminate the national defence civil service contract before its expiration date due to sickness, disability or any other circumstances beyond the individuals control that are insurmountable.
5. An employee who terminates his contract violating the provisions of paragraph 2 above, when the reasons noted in paragraph 4 above do not apply, or when the contract is terminated on the initiative of the employer due to the fault of the employee (Employment Contract Law, Article 29, paragraph 1, subparagraphs 6, 7, 8, 9, 10, 11, and 12, as well as paragraphs 2 and 3), or in accordance with Article 26, subparagraphs 5, 6, 9, 15, 16, 17, 18, 19, and 20, the individual shall be required to reimburse the employer for the expenses incurred directly related to training, professional preparation, or skill enhancement, to include the expenses for courses and training overseas, that were incurred by foreign countries as assistance to the National Defence System. If the individual does not fulfil this duty, the expense shall be recovered in accordance with the procedure established by law.

Article 74. National Defence Civil Service Grade System
1. The national defence civil service system shall have 14 grades established to reflect an employees qualifications and experience.
2. The national civil service grade system, as well as the requirements for each grade are established by Minister of National Defence. Also, the Minister of National Defence confers the grades to the employees in the National Defence System.

3. Civil service grades shall not signify subordination.

4. The conferred grade shall be valid as long as the employee serves in the national defence civil service under a contract.

5. In the event that the employee does not meet the qualification requirements for the grade he has been conferred, is negligent in the performance of his duties, or violates service discipline, the Minister of National Defence may reduce his grade.

Article 75. Additional Payment Provisions for Employees of National Defence Civil service

1. In addition to the conditions and procedures established by legal acts for pay and extra pay for government employees, national defence civil service employees shall be granted:
   1) national defence civil service extra pay, taking into consideration the conferred grade;
   2) extra pay for length of service in the national defence system.

2. The Government shall establish the amount of extra pay, noted in paragraph 1 above.

3. In compliance with the conditions established by the Government for granting extra pay, the Minister of National Defence may grant personal extra pay to the employees in the national defence civil service system.

4. The total amount of the extra pays set forth in paragraphs 1 and 3 of this Article shall not exceed the maximum amount established by the Government.

Article 76. Providing National Defence Civil Service Employees with Uniforms

1. The Minister of National Defence shall establish a list of civil service positions that will require employees in the national defence civil service to wear uniforms. These uniforms shall be provided from budget funds in accordance with the conditions and procedures established by the Government.

2. The Minister of National Defence shall approve the standard uniform of national defence civil service.

Article 77. National Defence Civil Service Employees with Bonus

1. National defence civil service employees shall receive a bonus in accordance with the general bonus procedures of public employees.
2. Twice a year (Christmas and Easter Holiday) an employee of the national defence civil service shall be paid a holiday bonus up to one month’s pay from the funds allocated to the Ministry of National Defence from the budget. The Minister of National Defence shall establish the amount of the bonus in proportion to the salary.

Article 77(1) Pay and social guarantees for national defence system security service civil employees

1. The Government shall establish the conditions and procedures for pay for civil service employees in the security services of the national defence system.

2. Social guarantees provided for professional military servicemen in Articles 66, 67, and paragraphs 4 and 5 of Article 68 shall apply to civil servants serving in security services within the national defence system. The social guarantees shall apply in accordance with the same procedure established for servicemen.

EIGHT SECTION
FINAL PROVISIONS

Article 78. Procedures for Implementation

The procedures for implementing separate provisions noted in this Law, shall be established by the Law Implementing the National Defence System and Organisation for Military Service.

Article 79. Laws Considered Null and Void

Once this Law comes into force, the following laws shall be null and void:

1) the Law on Voluntary National Defence Service of the Republic of Lithuania (Official Gazette, 1991, No. 4-106);

2) the Law on National Defence Service of the Republic of Lithuania (Official Gazette, 1996, No. 101-2302);

3) the Law on Amendment to the Article 6 of the Law on National Defence Service of the Republic of Lithuania (Official Gazette, 1997, No. 30-705);


I promulgate this Law passed by the Seimas of the Republic of Lithuania.
PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS