

**Report on the status of the Additional Protocols to the Geneva Conventions of 1949 relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of international humanitarian law, inter alia, with r**

### *1.1. Other international commitments*

#### UN Resolution 1325

Lithuanian National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 was adopted in December 2011. The NAP echoes the objectives outlined in the UNSC Resolution 1325



- 3rd year cadets of BA study programmes have an International Humanitarian Law subject that addresses a wide spectrum of gender-related legal issues, including effects of modern combat methods, responsibilities of officers to civilian population of occupied territories and to civilians in internment and prisoners of war.
- Public Security and Political Science studies programmes (BA) comprise public security subjects that thoroughly investigate the gender relations dimension in international relations and in formation and implementation of security and defence policy.

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

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

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

## **II. Participation**

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

According to the Law on Military Service, 18 August 2016, No. XI-1888, 18 August 2016, No. XI-1888

in the event of war, state of emergency or mobilisation pregnant women cannot be called up for service, and the like) have been established in the Lithuanian national defence system.

Men and women serving in the Lithuanian Armed Forces receive equal pay and have equal social guarantees. Promotion opportunities are the same for both women and men. Promotion regulating rules are based on seniority and professional q

key prerequisites for the projects is gender equality promotion and female empowerment. At the same time, this particular female officer carrying out supplementary tasks as a gender focal point.

In 2019 an officer (female) from the Lithuanian Land Forces attended 2019 Class of the Halifax Peace with Women Fellowship. (executive programme for senior active-duty female military officers, organized by Halifax International Security Forum).

In 2018, 58 persons were seconded to the international institutions and deployed to civilian missions, of whom 26 were women (45% of all deployed personnel in 2018). Lithuania also deployed 52 observers to the election observation missions of the European Union and the OSCE. 54% of the observers were women (28).

As of 31 December 2018, there were 4791 women and 5501 men serving in the Lithuanian police.

### **III. Protection**

There were no cases of exploitation and abuse perpetrated by Lithuanian peacekeepers in 2019.

#### *1.2. New political commitments*

On November 15, 2017 the Minister of National Defence of the Republic of Lithuania has signed the Vancouver principles on peacekeeping and the prevention of the recruitment and use of child soldiers. These principles take a more assertive stance on preventing child recruitment in the context of peacekeeping operations, specifically with regard to early warning and the active prevention of recruitment. In addition, the Vancouver Principles affirm commitments by member states to the training, planning, and conduct of their own forces in relation to engaging with the use of children as child soldiers. The overall aim of the principles is to improve the situation of children in armed conflict settings by prioritizing the protection of children within peace operations as central to the overall mandate of all United Nations Peacekeeping Missions.

Lithuania is also supportive of the Kigali Principles on the Protection of Civilians that are a non-binding set of eighteen pledges for the effective and thorough implementation of the protection of civilians in UN peacekeeping. The Kigali Principles address the most relevant aspects of peacekeeping, including assessment and planning, force generation, training and equipping personnel, performance and accountability. While they are framed around the protection of civilians, the responsible implementation of the principles would address much broader deficiencies that undermine the effectiveness of peacekeeping operations conducted in volatile situations, including peacekeeper abuse.

On September 9, 2017 the Government of the Republic of Lithuania and the Secretary General of the United Nations have also signed the Commitment to eliminate sexual exploitation and abuse voluntary compact. This Compact was proposed by the Secretary-General to all Member States that support UN operations on the ground, whether their contribution is in the peacekeeping, humanitarian or development context or otherwise, and whether it consists of uniformed or civilian personnel or those working directly within the United Nations system. The Compact is a demonstration of the political will to prevent sexual exploitation and abuse, demand accountability and provide meaningful support to victims. It sets out a statement of commitment based on shared values, as well as specific commitments on the part of both the United Nations and signatory Member States.

## *2. International Fact-Finding Commission*

By ratifying the Geneva Conventions and their Additional Protocols the Republic of Lithuania declared that it recognises *ipso facto* and without special agreement the competence of the International Fact-Finding Commission according to Article 90 of the I Additional Protocol to the Geneva Conventions.

In 2012 at the meeting of the High Contracting Parties the Lithuanian representative

The Ministry of National Defence is responsible for the coordination of the implementation of the international humanitarian law within the State.

The Commission on the Implementation of the International Humanitarian Law (hereinafter — the Commission) was established in 2001 as an advisory body to the Minister of National Defence. According to the Regulation of the Commission, its principal task is to provide assistance in performing the said function of the Ministry with regard to coordination of the national implementation of the international humanitarian law. Despite the fact that the Commission functions under the auspices of the Ministry of National Defence Republic of Lithuania (MoD), it is the inter-ministerial coordinating body composed of representatives from the National Defence System, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Health, the Ministry of Culture, the Ministry of Education and Science, the Ministry of Interior, the European Law Department under the Ministry of Justice, Lithuanian Red Cross Society, Lithuanian National UNESCO Commission and leading universities.

The mandate of the Commission is quite extensive. The objectives of the Commission are as follows:

To carry analysis of the situation regarding the implementation of the international humanitarian law in Lithuania, including Lithuania's participation in multilateral international agreements — joining the agreements, implementation of the provisions of these agreements, dissemination of the documents on international humanitarian law, teaching international humanitarian law within military and civil training institutions and investigation of the violations and their prevention issues;

To submit proposals on the implementation of the international humanitarian law to the leadership of the MoD and the Armed Forces and to other institutions which do not belong to the National Defence System;

To disseminate information on the international humanitarian law within militaries and society by initiating translations of the international humanitarian law documents into the Lithuanian language and publishing them or placing in the website of the MoD;

To initiate or provide assistance in arranging courses, workshops, seminars or conferences on issues regarding the implementation of the international humanitarian law.

#### *4. Implementation measures*

The set of implementation measures was taken after accession to the international instruments of the international humanitarian law *inter alia* implementation measures of the Additional Protocols relating to the protection of victims of armed conflicts.



Methods and means of warfare.

The Republic of Lithuania recognises and respects the basic rules enshrined in Art. 35 of the I Additional Protocol and the general principle that in any armed conflict, the right of the Parties to the conflict to choose methods or means of warfare is not unlimited.

The Republic of Lithuania is a State party to the Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons, which may be deemed to be excessively injurious or to have indiscriminate Effect (CCW) as well as to all its Protocols and Amended Article 1.

The Republic of Lithuania has long been active in promoting development, implementation and universalisation of CCW. From 2006 till 2015 it

In 2011 the Criminal Code of the Republic of Lithuania was amended in order to delimit and distinguish

The Commission on the Implementation of the International Humanitarian Law collects information regarding education and advises on inclusion of international humanitarian law subjects into educational programmes. The subject of international humanitarian law is included in education programmes of all levels of military personnel, also in the curriculum of education of police personnel, secondary schools etc.

The Ministry of National Defence and Lithuanian Armed Forces provide international humanitarian law and international human rights law



Convention for the Protection of All Persons from Enforced Disappearance signed on 6 February 2007 in Paris.

In 2017, the Ministry of National Defence of the Republic of Lithuania has approved the initiative of Belgium Kingdom to expand the scope of International Criminal Court (Article 8), to include the responsibility for weapons, which use microbial or other biological agents, or toxins, whatever their origin or method of production, weapons the primary effect of which is to injure by fragments which in the human body escape detection by X-rays and laser weapons specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices.