

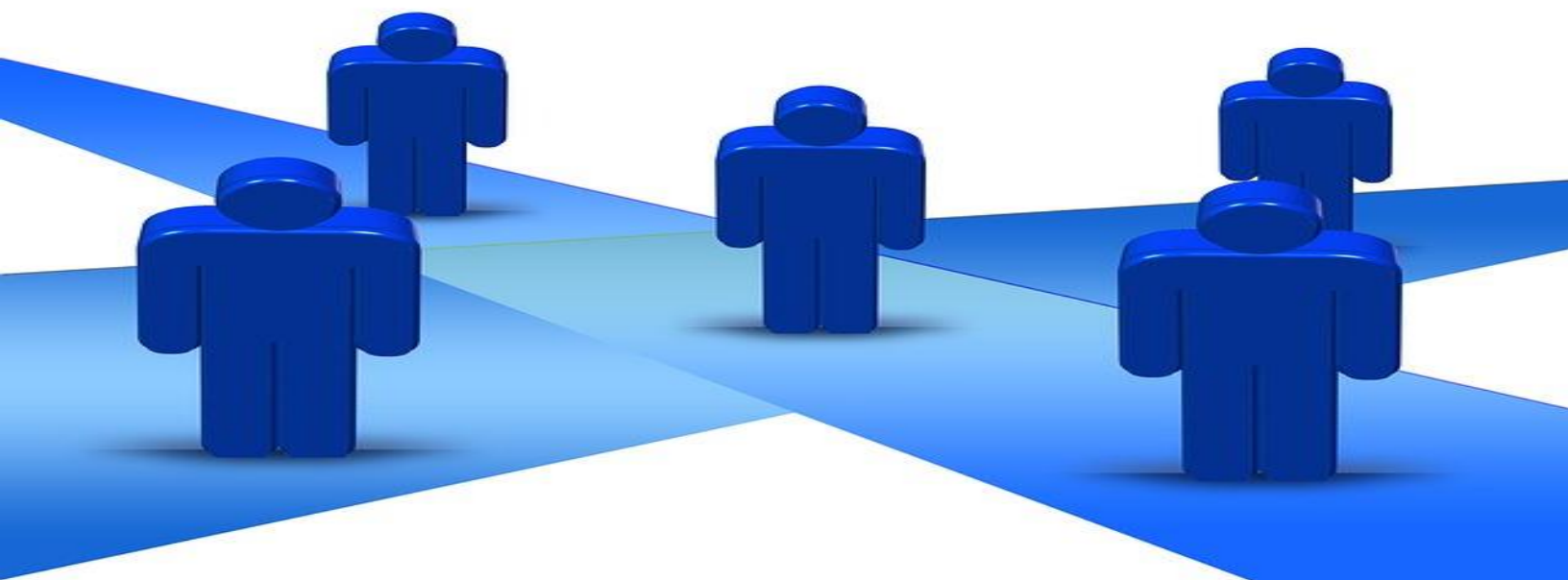
**INTERNATIONAL ORGANIZATION FOR MIGRATION  
EUROPEAN MIGRATION NETWORK**

---

# **SOCIAL AND HEALTH CARE SERVICES FOR MIGRANTS: POLICIES AND PRACTICES IN LITHUANIA**

---

**2013**



## Contents

<b>1. National social security system and its application to third-country nationals .....</b>	<b>10</b>
1.1. Overview of the social security system of the Republic of Lithuania .....	10
1.2. Application of social and health care policy mechanisms to migrants from third countries .....	15
1.3. Lithuanian immigration and social security policy .....	33
<b>2. National regulation stipulating access of third-country nationals to social services .....</b>	<b>35</b>
2.1. Minimum length of stay in the country and access of third-country nationals to social guarantees .....	35
2.2. Possibilities of the preservation and transfer of the social guarantees available to third-country nationals when returning to the country of origin .....	36
2.3. Minimum period of employment and payment of social contributions and social guarantees to third-country nationals .....	38
<b>3. Administration of third-country nationals' access to social services .....</b>	<b>41</b>
3.1. Practices applicable in Lithuania in relation to third-country nationals .....	41
3.2. Additional forms of assistance .....	42
3.2.1. Interpretation/Translation services .....	42
3.2.2. Services provided by NGOs .....	43
<b>4. International aspects of the social security system .....</b>	<b>45</b>
4.1. Bilateral agreements between the Republic of Lithuania and third countries on coordination of social security systems .....	45
4.1.1. Agreement with the Republic of Belarus .....	46
4.1.2. Agreement with Ukraine .....	47
4.1.3. Agreements with the Russian Federation .....	48
4.1.4. Agreement with the USA .....	49
4.1.5. Agreement with Canada .....	50
4.2. Social insurance benefits to citizens of the Republic of Lithuania residing in third countries with which Lithuania has no bilateral agreements .....	52
<b>5. Case study .....</b>	<b>55</b>
<b>Key conclusions .....</b>	<b>58</b>
<b>References .....</b>	<b>61</b>

## Summary

One of the main future challenges to be faced by the majority of EU Member States is the aging population and a gap between labour force (qualifications) and market needs. Migration is one of the ways of responding to these challenges. These changes call for the need to consider the issues of provision of social and health care services to migrants from third countries. The present study discusses third-country nationals' legal and administrative access to social and health care services in Lithuania.

### Lithuanian social security system

Lithuania's social model is characterised by a social benefits system which mainly depends on the results of an employed person's participation in the labour market. Most social benefits are financed by contributions paid by the employee or the employer. Specific services, usually designed to support the most vulnerable persons, are funded on a non-contributory basis. They are funded from the state or municipal budget.

### Social security system and migration

Third-country nationals' access to social benefits and health care services depends on their legal status. The third-country nationals holding a permanent residence permit in the Republic of Lithuania have equal rights with citizens of the country in the area of social security and health care. They have access to all the benefits and services both provided on a contributory basis and funded from the state or municipal budget. The third-country nationals holding a temporary residence permit (with the exception of high-qualified workers) can access only the social guarantees which are granted on a contributory basis. The study has found that they are not always able to take advantage of these guarantees, as in order to receive the majority of the services a person must reside in Lithuania. The basis of their entry is temporary and they must depart upon the expiry of their residence permit. In most cases, the guarantees are not preserved upon departure from Lithuania.

### Available services and social benefits

The third-country nationals holding a temporary residence permit in the Republic of Lithuania are granted access only to the social guarantees funded on a contributory basis, i.e. the absolute majority of services are available to them provided that they legally work in Lithuania

and/or have paid social insurance contributions over a certain period of time. They can access the following social services: health care, sickness allowances, maternity and paternity allowances, survivor's pensions, benefits in the event of accidents at work and occupational diseases. They would not be able to take advantage of the following guarantees: support for pregnant women, incapacity for work pensions, vocational rehabilitation allowance for the disabled, old-age pensions, family benefits, unemployment benefits, guaranteed minimum resources, and long-term care benefits.

### **Highly qualified workers**

As of 1 January 2013, Lithuania has transposed Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. This Directive provides that highly-qualified workers must be given equal social rights with citizens of the country. Therefore, in the area of social security this group of migrants is granted facilitated access to social guarantees.

### **Practices applicable to administration of social services**

In Lithuania, individual applications for the granting of social guarantees are examined exclusively in compliance with legal acts. The institutions providing services are not allowed to exercise discretion in taking into account the specific circumstances of the applicant and granting social benefits or services. They apply common decision-making criteria. Lithuania does not require aliens to have resided in the country for a certain period of time before applying for social assistance, though each benefit is subject to record requirements.

### **Role of non-governmental organisations**

Lithuania does not have a national programme for integration of aliens, and government institutions do not provide any specialised services to third-country nationals. Specialized services (language courses, legal and psychological counselling, employment support, socio-cultural integration) are provided by non-governmental organisations and are financed under EU-funded projects.

## **International agreements in the area of social security**

Lithuania has signed bilateral agreements on social security coordination with Belarus, Ukraine, and Canada and on payment of pensions – with the United States and the Russian Federation. The agreements on social security coordination have been concluded following the principle of export of benefits and the principle of totalising of the insurance / employment record. The agreements on pensions provide for a procedure for paying pensions to citizens of Lithuania and third-country nationals. In respect of the countries with which no agreements have been signed (except for the EU Member States), social guarantees are not regulated. In 2009, Lithuania drafted a sample agreement on social services between the Republic of Lithuania and a third country, but no such agreements have so far been signed with any state.

## Methodology of the study

### Aims of the study

The study aims at investigating the legal and administrative opportunities of third-country nationals to receive social and health care services in the Republic of Lithuania. The target group of the study is the third-country nationals residing in Lithuania and holding a permanent or temporary residence permit.

The study provides an overview of the Lithuanian social security system, key institutions, and their main functions and discusses the Lithuanian legislative framework and practices in respect of third-country nationals' access to all categories of social guarantees and health care. In order to comprehensively explore the conditions and procedures of provision of social services to third-party individuals, the Study has been supplemented with comments by responsible civil servants and representatives of NGOs.

The information generalised in the study is intended for:

- politicians and representatives of public administration institutions dealing with the issues of migration and social policy and working directly with the third-country nationals having the status of a permanent or temporary resident;
- experts, representatives of the academic community, students and researchers investigating the social welfare system and migration processes;
- other interested parties related to representation of interests of third-country nationals (NGOs, interest groups);
- representatives of the media searching for generalised information on third-country nationals' social guarantees in Lithuania;
- all citizens taking an interest in the abovementioned specific aspects of migration and social security policies.

This study is carried out according to a jointly developed methodology in all Member States of the European Migration Network (EMN). The European Commission will subsequently summarise the data of all countries in a synthesis report with an aim to compare the practices applied by different countries.

## Concepts

When analysing third-country nationals' access to social guarantees, it is important to determine the status of a third-country national, that is, to determine whether a third-country national has a long-term resident status and permanently resides in Lithuania or does not have such a status and is staying on a temporary basis. In most cases, this determines the type of social guarantees that will be available to the person. In Lithuania, the status of a long-term resident is indicated by a permanent residence permit in the Republic of Lithuania.

**Permanent residence permit in the Republic of Lithuania.** This permit may be issued to third-country nationals who have been residing in the Republic of Lithuania or an EU Member State uninterruptedly for the last five years holding a temporary residence permit. A permanent residence permit in Lithuania is issued if the alien has passed an examination in the state language and an examination in the basic principles of the Constitution of the Republic of Lithuania.<sup>1</sup> A permanent residence permit grants the status of a **permanent** resident and associated rights. Such persons may exercise all social rights on an equal footing with citizens, except for the right to vote.

**Temporary residence permit in the Republic of Lithuania.** A temporary residence permit entitles third-country nationals to live in the Lithuanian territory during a specified period. The rights of the third-country nationals holding the permit are narrower compared to those of the aliens granted the status of a permanent resident. In many cases, these individuals do not have access to the social guarantees granted on a non-contributory basis, but contribution-based social guarantees are in many ways equivalent to the rights of citizens and permanent residents. Nevertheless, the range of the services available to these foreigners is much narrower.

---

<sup>1</sup> Law on the Legal Status of Aliens, 29.04.2004, No IX-2206, Official Gazette, No 73-2539, 2004, Vilnius (Article 53)

## Methodology

In the process of preparing the study, both primary and secondary sources of data were used. The conditions of provision of social guarantees and health care to migrants from third countries were analysed based on an analysis of legal acts and secondary legislation, documents, comments and recommendations of responsible government and municipal institutions, publications and material of research on the subject of the study.

For the purpose of investigation of the administrative practices related to the target group of the study and a more in-depth analysis of the actual situation, the following primary sources of data were used: interviews with experts of relevant areas (social insurance, social security, migration and health care professionals).

The study mostly relies on official documents (published legal acts, the information provided by official state and municipal institutions), however when analysing certain practical aspects the experts working in the area of social security were consulted. Use has also been made of information sources of non-governmental organisations.

The study relies on the data submitted by the following agencies and organisations:

- Vilnius Local Labour Exchange;
- National Health Insurance Fund under the Ministry of Health;
- State Social Insurance Fund Board;
- Migration Department under the Ministry of the Interior of the Republic of Lithuania;
- Ministry of Social Security and Labour;
- Social Benefits Division of the Vilnius City Municipality;
- Lithuanian Department of Statistics under the Government of the Republic of Lithuania.

Although Lithuania collects the official statistics related to the study area, such data do not provide for the possibility of distinguishing third-country nationals as a separate group, hence the study provides only minimal statistics. The main source of official statistical information, that is, the Department of Statistics under the Government of the Republic of Lithuania, collects only general information about migrants (available dimensions: period, country of origin), however the Department fails to supply the information relevant to the aims of the study (employment statistics, budget

allocations for health and social benefits in different nationality or country of origin groups). Primary suppliers of statistical information and competent authorities, namely, the State Social Insurance Fund Board, social benefits divisions of municipalities, the Migration Department under the Ministry of the Interior of the Republic of Lithuania, the Ministry of Social Security and Labour, the National Health Insurance Fund, and the Labour Exchange, are not capable of providing statistical information on third-country nationals.

In Lithuania, the analysis of the situation in the area of social and health care services focuses on two target groups – the third-country migrants having the status of a permanent resident (holding a permanent residence permit in the Republic of Lithuania) and those having the status of a temporary resident (holding a temporary residence permit in the Republic of Lithuania). Despite a relative narrowness of the subject-matter of the analysis, the contents of the study cover all the key aspects of access to social and health care services.

## 1. National social security system and its application to third-country nationals

This section provides an overview of the national social security system, the key institutions, their main functions and coordination focusing on all categories of social guarantees available to third-country nationals.

### 1.1. Overview of the social security system of the Republic of Lithuania

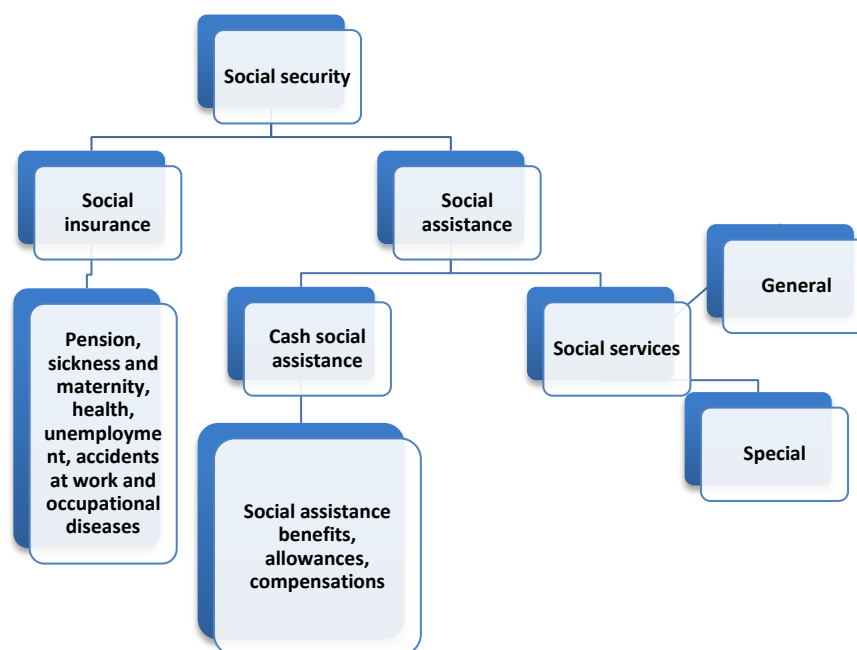
In the most general sense, the Lithuanian social security model may be referred to as corresponding to a conservative type. It is characterised by a social benefits system which is mainly dependent on the results of the former (current) participation of an employee in the labour market. If the employee's salary and length of record (as well as contributions) are larger, this person will be entitled to a larger social benefit when social risk occurs.<sup>2</sup> According to some authors, Lithuania may be attributed to the post-socialist Eastern European social security model, the main features of which are the separation of the social insurance fund from the state budget and functioning of the major part of the pension system on the basis of the system of current transfers.<sup>3</sup>

---

<sup>2</sup> Lazutka, R. Socialinė apsauga. Žmogaus socialinė raida [Social security. Human social development]. Vilnius: Homo Liber, 2001; Guogis, A. Dėl Lietuvos socialinės apsaugos sampratos [Analysis of the Lithuanian concept of social security]. In *Socialinis darbas [Social Work]*, 2008, No 7(2), p. 26-34; Valstybinio socialinio draudimo fondo valdyba Valstybinis socialinis draudimas Lietuvoje [State Social Insurance Fund Board. State Social Insurance in Lithuania], Vilnius, 2008, <http://www.sodra.lt/get.php?f.3745> (accessed 10.09.2013); Medaiskis, T. Collection of lectures, 2012. Socialinės apsaugos ekonomika. Socialinės apsaugos esmė ir pagrindiniai principai [Social security economy. Essence and key principles of social security], <http://web.vu.lt/cf/t.medaiskis/socialines-apsaugos-ekonomika> (accessed 04.09.2013)

<sup>3</sup> See Deacon, B., Developments in East European social policy. In *New Perspectives on the Welfare State in Europe*, red. C. Jones. London: Routledge, 1993; Deacon, B., Eastern European welfare states: the impact of the politics of globalization. *Journal of European Social Policy* 10 (2), p.146-161, 2000; Fajth, G., Social Security in a Rapidly Changing Environment: The Case of Post-communist Transformation. *Social Policy and Administration* 33 (4), p. 416-436, 1999.

The Lithuanian system of social security comprises *social insurance* and *social assistance*.



**Picture 1.** Structure of the social security system in Lithuania

*Social insurance* is funded on a contributory basis. It consists of:

- Pension insurance;
- Sickness and maternity insurance;
- Health insurance;
- Unemployment insurance;
- Insurance against accidents at work and occupational diseases.

*Social assistance* is granted according to the principle of scarcity, i.e. a person is provided with assistance if he has no subsistence funds and is incapable of taking care of himself. In the case of non-contributory social assistance, no prior merits are required from a person, however it is verified whether (s)he is not self-subsistent.

Social assistance is granted under the following circumstances and conditions:

- All expenses are covered from the state budget or municipal budgets;

- In order to assess the need for assistance, checks of funds and/or property are carried out taking account of the available income and resources;
- An allowance is granted in the amount which is to increase the applicant's total income up to the minimum level.<sup>4</sup>

Social assistance consists of cash social assistance and social services (special and general).

*Cash social assistance* consists of:

- social assistance benefits (social assistance pensions and compensations);
- funeral allowance;
- transport privileges for children, seniors and the disabled;
- benefits to children (family allowances);
- social allowance<sup>5</sup>;
- compensations for dwelling maintenance costs and other compensations.

*General social services:*

- provision of information and consulting;
- intermediation and representation;
- socio-cultural services<sup>6</sup>;
- transportation, provision of meals, provision with clothing and other services.

*Special social services:*

- social attendance (assistance at home, development of social skills, provision of temporary accommodation);
- social care: day, short-term and long-term.

---

<sup>4</sup>The amount is currently publicly recognised as required to ensure subsistence, but is not linked with previous income or previous standard of living. Since 1 January 2007, the minimum standard of living per capita in the amount of LTL 130 has been specified. Source: Law of the Republic of Lithuania on the Approval of the Financial Indicators of the State Budget and Municipal Budgets for 2007, 07.12.2006, No X-963, Official Gazette, No 138-5267, 2006, Vilnius.

<sup>5</sup>**Social allowance**—cash assistance paid by municipalities to low-income families and single residents, provided that at the time of lodging an application they meet the requirements provided for by the Law of the Republic of Lithuania on Cash Social Assistance for Low-Income Families (Single Residents) (2003).

<sup>6</sup>*Socio-cultural services* – leisure organisation services provided with a view to reducing social exclusion and promoting active involvement of the community.

The funding sources of *social security* include employees' and employers' social security contributions, government subsidies from the state budget (direct or indirect) and municipal funds.

*Social insurance* is funded from compulsory contributions calculated on the wages of employees. Self-employed persons pay a fixed amount and/or contribution from taxable income. Social insurance (except health insurance) contributions are collected into the independent State Social Insurance Fund.

*Health insurance*, in addition to contributions, is also financed by state funds calculated for the persons insured by the state. Funds of health insurance are collected into the independent Compulsory Health Insurance Fund.

#### *Institutional framework*

The Ministry of Social Security and Labour is the main institution of the executive implementing the social security and labour policy. The Ministry specifies objectives of the State Social Insurance Fund and is in charge of activities of the Lithuanian Labour Exchange.

**Table 1.** Institutional framework of the social security and health care systems

<b>Ministry of Social Security and Labour</b>		<b>Municipalities</b>	<b>Ministry of Health</b>
State Social Insurance Fund	Lithuanian Labour Exchange	Social affairs and health departments of municipal administrations	National Health Insurance Fund
10 local offices and 47 divisions.	10 local labour exchanges (total 49 offices)	Social assistance offices	The number of territorial health insurance funds and their territorial action areas are determined by the National Health Insurance Fund upon agreement with the Ministry of Health. Not more than five territorial health insurance funds are established.

The State Social Insurance Fund is administered and its budget is implemented by the State Social Insurance Fund Board (SODRA). The State Social Insurance Fund performs the following functions:

- collects social insurance contributions;
- registers insurers and insured persons;
- pays social insurance pensions, sickness and maternity, accident at work and occupational disease insurance benefits.

The State Social Insurance Fund Board has 10 local offices (47, including divisions).

The Lithuanian Labour Exchange is an establishment under the Ministry of Social Security and Labour which, in conjunction with subordinate local labour exchanges, implements the labour market and employment support policy. The Lithuanian Labour Exchange performs the following basic functions:

- paid unemployment insurance benefits until 01.01.2013;<sup>7</sup>
- registers jobseekers;
- acts as an intermediary in job search;
- implements active labour market policy measures.

The Lithuanian Labour Exchange is an establishment under the Ministry of Social Security and Labour and consists of 10 local labour exchanges (in total, 49 offices).

Social assistance divisions of municipalities are the establishments assigned to the area of regulation of social affairs and health care departments of municipal administrations and provide social assistance to the residents who are not capable of independently managing their personal/family life and who are in need of assistance in meeting their basic needs and solving social problems.

The Ministry of Health is the main institution of the executive implementing and coordinating the health care policy. The National Health Insurance Fund under the Ministry of Health:

- implements the budget of the Compulsory Health Insurance Fund;

---

<sup>7</sup>Since 1 January 2013, in compliance with Article 20 of the Law of the Republic of Lithuania Amending the Law on Unemployment Social Insurance (17.10.2012, Official Gazette, No XI-2306, 2004, No 127-6395, 2012) unemployment social insurance benefits are calculated, allocated and paid by local offices of the State Social Insurance Fund Board under the Ministry of Social Security and Labour (Sodra).

- distributes, through territorial health insurance funds, health insurance benefits for the services provided to insured persons (sickness and maternity benefits in kind);
- controls the quality of health care services;
- enters into contracts with health care establishments and pays them for the personal health care services rendered;
- reimburses the costs of acquisition of prostheses and prosthetic assistance, purchase of medicines and medical aid equipment and treatment at sanatoriums and health resorts;
- keeps accounts of the persons covered by health insurance.

*Legislative framework:*

The basic principles governing the social security system are defined in the Constitution of the Republic of Lithuania, the general social, pension accumulation and social assistance laws defining the key social and health care rights, international treaties and EU directives stipulating general requirements for certain categories of third-country nationals (e.g., long-term residents of the EU, highly qualified employees).

## **1.2. Application of social and health care policy mechanisms to migrants from third countries**

In the social system of the Republic of Lithuania and its regulatory framework, social security of migrants from third countries in the overwhelming majority of cases is not distinguished. Social benefits and health care services depend on the legal status of a third-country national. The rights of third-country nationals who hold a permanent residence permit in Lithuania are equivalent to the social guarantees granted to the country's citizens. The principle of equality applies to these aliens, and their social security mechanisms are defined by the same legal acts as those of Lithuanian and EU citizens. They are given access to all the benefits and services provided both on a contributory basis and funded from the state or municipal budget, on an equal footing with citizens of the Republic of Lithuania.

The persons holding a temporary residence permit in Lithuania may be eligible for contribution-based social guarantees, unless they belong to a certain special group of aliens (e.g., highly qualified aliens). However, the actual length of their stay in the country may often be

too short for the payment of benefits over the period provided for by the law. This might become an indirect obstacle in ensuring comprehensive access to social guarantees.

In the countries of the European Union, the issues of social security and provision of medical services fall within the national domain, hence making comparisons among the countries is a complicated task. This study will make use of the Mutual Information System on Social Protection (MISSOC)<sup>8</sup> developed by the European Commission. This instrument has been designed to inform mobile EU citizens about the specific services available to them and searched for in another EU Member State, but it also allows to compare the social services provided to a third-country national. The MISSOC distinguishes 11 fields of social and medical services. The table below lists the services available to third-country nationals.

---

<sup>8</sup>EU's *Mutual Information System on Social Protection (MISSOC)*  
[http://ec.europa.eu/employment\\_social/empl\\_portal/SSRinEU/Your%20social%20security%20rights%20in%20Lithuania\\_lt.pdf](http://ec.europa.eu/employment_social/empl_portal/SSRinEU/Your%20social%20security%20rights%20in%20Lithuania_lt.pdf)  
 (accessed on 19.08.2013).

**Table 2.** Access of third-country nationals to social services in Lithuania according to MISSOC

Social security category	Social guarantees and programmes included in each category	Financing mechanisms	Access for third-country nationals	
			Permanent residents in Lithuania	Temporary residents in Lithuania
I. Health care  Funds of the budget of the Compulsory Health Insurance Fund are used to cover the costs of the following services:	Medical treatment	On a contributory basis	<b>Yes</b>  Article 6. Citizens of the Republic of Lithuania and <b>foreign nationals permanently residing in the Republic of Lithuania</b> shall be eligible for the compulsory health insurance.	<b>Yes</b>  Article 6. <b>Foreign nationals</b> temporarily residing in the Republic of Lithuania, <b>provided that they are legally employed in the Republic of Lithuania, as well as under-age members of their families</b> shall be eligible for the compulsory health insurance. <u>Important:</u> Foreign nationals entering the Republic of Lithuania and working under contracts of employment holding national visas (D), <u>will not be covered</u> by the compulsory health insurance.
	Medical rehabilitation and nursing care			
	Nursing care			
	Social services attributed to individual health care			
	Individual health examination			
II. Sickness - cash benefits	Persons who became temporarily incapacitated	On a contributory	<b>Yes, provided that:</b>	

Sickness – cash benefits are paid to the following insured persons:	for work due to an illness	basis	<p>Article 4(1). The persons <b>employed under employment contracts or under copyright agreements</b><sup>9</sup> are compulsorily insured with the sickness and maternity social insurance when insuring for sickness, vocational rehabilitation, maternity, paternity and maternity (paternity) social insurance allowances.</p> <p>Article 8: 2) they had the sickness and maternity <b>social insurance record</b> of not less than 3 months during the last 12 months or not less than 6 months during the last 24 months before the day of establishment of temporary incapacity for work.</p> <p>Law of the Republic of Lithuania on Sickness and Maternity Social Insurance. 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius.</p> <p>Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005: No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius</p>
	Persons nursing their family member		
	Persons requiring treatment at health care institutions providing orthopaedic and/or prosthetic services		
	Persons removed from work due to quarantine or caring for a child removed from nursery for the same reason		
	One of the parents caring for a child during the paternity/maternity leave of the other parent, who is unable to take care of the child due to an illness		
III. Maternity/Paternity	All insured persons are entitled to a maternity allowance during the maternity leave if they have the insurance record of not less than 12 months	On a contributory basis	<p><b>Yes, provided that:</b></p> <p>Article 16(1). The insured persons [...] <b>who are employed under employment contracts or receive income under the copyright agreement</b><sup>10</sup> are entitled to a maternity allowance during the maternity leave if by the first day of the maternity leave they have the sickness</p>

<sup>9</sup> A definition of insured persons is provided in Article 4 of the Law on Personal Income Tax.

<sup>10</sup> A definition of insured persons is provided in Article 4 of the Law on Personal Income Tax.

	during the last 24 months.		and maternity <b>social insurance record</b> of not less than 12 months during the last 24 months.  Law of the Republic of Lithuania on Sickness and Maternity Social Insurance. 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius. Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005: No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius
	Maternity/paternity allowance (paid to one of the parents with the following options – until a child turns one year old (100% of the reimbursed remuneration) or two years (70% + 40% of the reimbursed remuneration))	On a contributory basis	<b>Yes, provided that:</b>  Article 19. A maternity/paternity allowance may be granted to the persons who are <b>employed under employment contracts or receive income under the copyright agreement</b> <sup>11</sup> , provided that they: 3) over the last 24 months before the first day of a childcare leave have got the sickness and maternity <b>social insurance record</b> of not less than 12 months during the last 24 months.  Law of the Republic of Lithuania on Sickness and Maternity Social Insurance. 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius. Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005: No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius
	Paternity allowance is paid during a paternity leave (for one month from the	On a contributory basis	<b>Yes, provided that:</b> Persons are employed under employment contracts or receive income under the copyright agreement. <sup>12</sup>

<sup>11</sup>A definition of insured persons is provided in Article 4 of the Law on Personal Income Tax.

<sup>12</sup>A definition of insured persons is provided in Article 4 of the Law on Personal Income Tax.

	birth of a child – 100% of the reimbursed remuneration)		<p>Article 18<sup>1</sup>. Entitled to a paternity allowance shall be the father who: 3) over the last 24 months before the first day of a paternity leave had the sickness and maternity <b>social insurance record</b> of not less than 12 months during the last 24 months.</p> <p>Law of the Republic of Lithuania on Sickness and Maternity Social Insurance. 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius.</p> <p>Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005: No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius</p>
	Assistance granted to pregnant women. A pregnant woman who is not eligible for a maternity pay under the Law on Sickness and Maternity Social Insurance shall be granted a lump sum in the amount of 2 basic social benefits (LTL 260) 70 calendar days before the birth of a child.	On a contributory basis	<p><b>Yes</b></p> <p>Article 1(2). This Law shall apply to <b>persons whose permanent residence is in the Republic of Lithuania</b>.</p> <p>Article 10. A pregnant woman who is not eligible for a maternity pay under the Law on Sickness and Maternity Social Insurance shall be granted a lump sum in the amount of 2 minimal subsistence level (MSL) upon the 28<sup>th</sup> week of pregnancy (70 calendar days left before a baby is due).</p> <p>Law of the Republic of Lithuania Amending the Law on State Benefits to Families Raising Children. 18.05.2004, No IX-2237, Official Gazette, No 88-</p>
			<b>No</b>

	(Sickness and) maternity allowances in kind, i.e. health care services provided to pregnant and postpartum women	On a contributory basis	3208, 2004, Vilnius. <b>Yes</b>  Article 6. Citizens of the Republic of Lithuania and <b>foreign nationals permanently residing in the Republic of Lithuania</b>  Law of the Republic of Lithuania on Health Insurance, 21.05.1996, No I-1343, Official Gazette, No 55-1287, 1996, Vilnius.	<b>Yes</b>  Article 6. <b>Foreign nationals temporarily residing in the Republic of Lithuania, provided that they legally employed in the Republic of Lithuania, as well as under-age members of their families</b> Law of the Republic of Lithuania on Health Insurance, 21.05.1996, No I-1343, Official Gazette, No 55-1287, 1996, Vilnius.
IV. Invalidity/Lost working capacity pension	Lost working capacity pension	On a contributory basis	<b>Yes, provided that:</b>  Article 1. The <b>permanent residents of the Republic of Lithuania</b> [...] shall be entitled to a state social insurance pension. The persons are also required to have the <b>obligatory record</b> . <sup>13</sup>  Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.	<b>Yes, provided that:</b>  Article 1. The persons who have been issued a <b>temporary residence permit for the purpose of highly qualified employment in the Republic of Lithuania</b> [...] shall be entitled to a state social insurance pension. The persons are also required to have the <b>obligatory record</b> . Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153,

<sup>13</sup><http://www.sodra.lt/index.php?cid=337>.

				1994, Vilnius.
	Additional compensation for permanent nursing or attendance (assistance) expenses	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 1. <b>The persons permanently residing in the Republic of Lithuania</b> shall be entitled to receive target compensations for nursing or attendance (assistance) expenses.</p> <p>Article 9. Orphan's social assistance pensions shall be granted and paid despite the fact that the deceased or the person declared dead in the manner prescribed by law, whose children (adopted children) are entitled to receive the orphan's social assistance pension, <b>was not a permanent resident of the Republic of Lithuania</b> before the death or the declaratory judgement of death.</p> <p>Law of the Republic of Lithuania on State Social Assistance</p>	<b>No</b>

			Benefits, 29.11.1994, No I-675, Official Gazette, No 96-1873, 1994, Vilnius	
	Vocational rehabilitation <sup>14</sup> allowance for the disabled	Mixed (for persons covered by insurance – on a contributory basis, persons not covered by insurance – from the state budget)	<p><b>Yes</b></p> <p>I.2. Vocational rehabilitation allowances shall be granted and paid to the <b>persons permanently residing in the Republic of Lithuania</b>, for whom the need for vocational rehabilitation services has been determined by the Disability and Working Capacity Assessment Office, provided that these persons are taking part in the vocational rehabilitation programme.</p> <p>Government of the Republic of Lithuania Resolution on Approval of the Regulations of Grant and Payment of Vocational Rehabilitation Allowances, 01.07.2005, Official Gazette, No 51-1699, 2005, Vilnius.</p> <p>Article 21<sup>(1)</sup>. The insured persons shall be entitled to the vocational</p>	<b>No</b>

<sup>14</sup>Vocational rehabilitation means the restoration or enhancement of a person's working capacity, professional competence and capacity to participate in the labour market by educational, social, psychological, rehabilitative and other means. The **need for vocational rehabilitation services** is determined for persons by the Disability and Working Capacity Assessment Office under the Ministry of Social Security and Labour in compliance with the Description of the Criteria of Determination of the Need for Vocational Rehabilitation Services approved by the Minister of Social Security and Labour of the Republic of Lithuania (Official Gazette, No 6-163, 2005; No 28-1338, 2013).

			rehabilitation allowance provided that they have sickness and maternity <b>social insurance record</b> of not less than 3 months during the last 12 months or not less than 6 months during the last 24 months before the commencement of the rehabilitation programme. <sup>15</sup> Law of the Republic of Lithuania on Sickness and Maternity Social Insurance. 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius.	
V. Old-age	State social insurance pension	On a contributory basis	<p><b>Yes</b>, provided that an insured person has acquired at least the minimum state social pension insurance record of <b>15 years</b>.</p> <p>Article 1. The <b>permanent residents of the Republic of Lithuania</b> [...] shall be entitled to a state social insurance pension.</p>	<p><b>Yes</b>, provided that an insured person has acquired at least the minimum state social pension insurance record of <b>15 years</b>.</p> <p>Article 1. The persons who have been issued a <b>temporary residence permit for the purpose of highly qualified employment in the Republic of Lithuania</b> [...] shall be entitled to a state social insurance pension.</p>

<sup>15</sup>The persons not covered by state social insurance or covered only by state social pension insurance, not having the sickness and maternity social insurance record of 3 months during the last 12 months or 6 months during the last 24 months shall be paid a vocational rehabilitation allowance in the amount of two base pensions of state social insurance from the funds of the state budget. These allowances will be granted and paid by local labour exchanges: [http://www.ldb.lt/Informacija/PaslaugosAsmenims/Puslapiai/prof\\_reab\\_aprasymas.aspx](http://www.ldb.lt/Informacija/PaslaugosAsmenims/Puslapiai/prof_reab_aprasymas.aspx).

			Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.
VI. Survivors	Survivor's pension	On a contributory basis	<p>Yes</p> <p>Article 34. Where the person was a <b>permanent resident of the Republic of Lithuania</b> and where the pension recipient conforms to the <b>definition contained in Article 4 of the Law on Personal Income Tax</b>.</p> <p>Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.</p> <p>Government of the Republic of Lithuania on Approval of the Regulations of Grant and Payment of State Social Insurance Pensions, 18.11.1994, No 1156, Official Gazette, No 91-1781, 1994; new version No 83-3066, 2005, Vilnius.</p>
	Funeral allowance	On a non-contributory basis	<p>Yes</p> <p>Articles 2 and 3 indicate that a funeral allowance shall be paid in the event of death of a person who permanently resides in the Republic of Lithuania, which includes <b>an alien holding a permanent residence permit and an alien residing in the Republic of Lithuania who has been issued a temporary residence permit for the purpose of highly qualified employment in the Republic of Lithuania</b>.</p> <p>Law of the Republic of Lithuania Amending the Law on Assistance in the Case of Death, 09.06.2011, No XI-1435, Official Gazette, No 77-3722 (Official Gazette, No 73-1371, 1993; No 98-2484, 1997; No 115-3241, 1998; No 45-1298, 2000; No 71-2559, 2005; No 110-4490, 2007), Vilnius.</p>
VII. Accidents at	Accidents at work	On a	<b>Yes</b> , provided that persons pay state social insurance contributions

work and occupational diseases	Accidents on the way to/from work and occupational diseases	contributory basis	themselves and/or such contributions are paid for these persons by insurers.	
	Temporary incapacity benefits (in kind and cash benefits)		Law of the Republic of Lithuania on Social Insurance of Occupational Accidents and Occupational Diseases, 23.12.1999, No VIII-1509, Official Gazette, No 110-3207, 19991, Vilnius.	
	Permanent incapacity benefits		Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005, No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius	
	Benefits in the event of death of an insured			
VIII. Family benefits	Child benefit <sup>16</sup>	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 6. A benefit for a child shall be granted where at least one of the child's parents (adoptive parents), guardians (curators) is a <b>permanent resident of the Republic of Lithuania</b> [...] and the child permanently resides or has a temporary residence permit in the Republic of Lithuania.</p> <p>Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an</p>	<p>Article 6. A benefit for a child shall be granted at least one of the child's parents (adoptive parents), guardians (curators) [...] is <b>an alien who resides in the Republic of Lithuania and who have been issued a temporary residence permit for the purpose of highly qualified employment in the Republic of Lithuania</b>, and the child permanently resides or has a temporary residence permit in the Republic of Lithuania.</p> <p>Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721,</p>

<sup>16</sup>A child shall be paid the benefit where the average monthly income of the persons living together per person as specified in the Law on Cash Social Assistance for Poor Residents is lower than the amount of 1.5 state-supported income (LTL 525).

			Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721, 2011, Vilnius.	2011, Vilnius.
	Lump sum child benefit <sup>17</sup>	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 5. A benefit for a child shall be granted where at least one of the child's parents (adoptive parents), guardians (curators) is a <b>permanent resident of the Republic of Lithuania</b> [...] and the child permanently resides or has a temporary residence permit in the Republic of Lithuania.</p> <p>Law of the Republic of Lithuania Amending Articles 1 and 2 of the</p>	<p>Article 5. A benefit for a child shall be granted at least one of the child's parents (adoptive parents), guardians (curators) [...] is <b>an alien who resides in the Republic of Lithuania and who have been issued a temporary residence permit for the purpose of highly qualified employment in the Republic of Lithuania</b>, and the child permanently resides or has a temporary residence permit in the Republic of Lithuania.</p> <p>Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an</p>

<sup>17</sup>Each newborn child shall be granted a lump sum benefit in the amount of 11 base social benefits (LTL 1430).

			Law on Benefits for Children and Supplementing the Law with an Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721, 2011, Vilnius.	Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721, 2011, Vilnius.
	Benefit for a child of a serviceman in mandatory service <sup>18</sup>	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 7. A benefit for a child shall be granted where at least one of the child's parents (adoptive parents), guardians (curators) is a <b>permanent resident of the Republic of Lithuania</b> [...] and the child permanently resides or has a temporary residence permit in the Republic of Lithuania.</p> <p>Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721, 2011, Vilnius.</p>	Article 7. A benefit for a child shall be granted at least one of the child's parents (adoptive parents), guardians (curators)[...] is an alien who resides in the Republic of Lithuania and who have been issued a temporary residence permit for the purpose of <b>highly qualified employment</b> in the Republic of Lithuania, and the child permanently resides or has a temporary residence permit in the Republic of Lithuania. Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an Annex, 09.06.2011, No XI-1434, Official Gazette, No 77-3721, 2011, Vilnius.
	Guardianship/curatorship benefit	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 2: This Law shall apply to <b>persons whose permanent</b></p>	<b>No</b>

<sup>18</sup>Each child of a serviceman in mandatory service shall, during the period of service of his father, be granted a benefit in the amount of 1.5 base social benefits (LTL 195) per month.

			<p><b>residence is in the Republic of Lithuania.</b></p> <p>Law of the Republic of Lithuania Amending the Law on State Benefits to Families Raising Children. 18.05.2004, No IX-2237, Official Gazette, No 88-3208, 2004, Vilnius.</p>	
	Lump sum settlement benefit <sup>19</sup>	On a non-contributory basis	<p><b>Yes</b></p> <p>Article 2: This Law shall apply to <b>persons whose permanent residence is in the Republic of Lithuania.</b></p> <p>Law of the Republic of Lithuania Amending the Law on State Benefits to Families Raising Children. 18.05.2004, No IX-2237, Official Gazette, No 88-3208, 2004, Vilnius.</p>	<b>No</b>
IX. Unemployment	Unemployment insurance benefit	On a contributory basis	<p><b>Yes</b>, provided that persons pay state social insurance contributions themselves and/or such contributions are paid for these persons by insurers and that they conform to the definition indicated in Article 4 of the Law on Personal Income Tax.</p> <p>Article 4. The <b>permanent residents of the Republic of Lithuania, as</b></p>	

<sup>19</sup>Persons who have been placed under guardianship (curatorship), upon termination of the guardianship (curatorship) of the child due to reaching of the age of majority, emancipation or conclusion of marriage shall be granted a lump sum settlement benefit in the amount of 75 base social benefits.

			<p><b>they are defined in the Law on Personal Income Tax</b>, who pay state social insurance contributions themselves and/or such contributions are paid for them by insurers shall be insured against unemployment.</p> <p>Article 5. Insured persons who are registered as unemployed at a local labour exchange shall be entitled to the unemployment insurance benefit if they acquired the <b>unemployment insurance record</b> not shorter than 18 months during the last 36 months.</p> <p>The unemployment allowance will not be paid if an alien needs to depart from Lithuania due to expiry of validity or withdrawal of a temporary residence permit.</p> <p>Law of the Republic of Lithuania on Unemployment Social Insurance, 16.12.2003, No IX-1904, Official Gazette, No 4-26, 2004, Vilnius.</p> <p>Law of the Republic of Lithuania on State Social Insurance, 21.05.1991, No I-1336, Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005, No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius</p> <p>Law of the Republic of Lithuania on Personal Income Tax, 02.07.2002, No IX-1007, Official Gazette, No 73-3085, 2002, Vilnius.</p>	
X. Guaranteed minimum resources	Cash social assistance	On a non-contributory basis	<p>Yes</p> <p>Article 1. This Law shall apply to <b>aliens holding a permit of a long-term resident of the Republic of Lithuania</b> to reside in the European Community.</p> <p>Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents, 01.07.2003, No IX-1675, Official Gazette, No 73-3352, 2003, Vilnius.</p>	No

	Social assistance pension	On a non-contributory basis	Yes Article 1. This Law shall apply to <b>the persons permanently residing in the Republic of Lithuania.</b> Law of the Republic of Lithuania on State Social Assistance Benefits, 29.11.1994, No I-675, Official Gazette, No 96-1873, 1994, Vilnius.	No
XI. Long-term care	Benefits in kind (home care services, day centres and residential social care institutions)	On a non-contributory basis	Yes Article 5. The following persons shall be entitled to social services: <b>aliens, including stateless persons, holding a permanent or temporary residence permit in the Republic of Lithuania.</b> Law of the Republic of Lithuania on Social Services, 19.01.2006, No X-493, Official Gazette, No 17-589, 2006, Vilnius.	
	Cash benefits (target compensation for attendance expenses)	On a non-contributory basis	Yes Article 1. This Law applies to <b>foreign nationals permanently residing in the Republic of Lithuania.</b> Law of the Republic of Lithuania on State Social Assistance Benefits, 29.11.1994, No I-675, Official Gazette, No 96-1873, 1994, Vilnius.	No
	Cash benefits (target compensation for care expenses)	On a non-contributory basis	Yes Article 1. This Law applies to <b>foreign nationals permanently residing in the Republic of Lithuania.</b> Law of the Republic of Lithuania on State Social Assistance	No

			Benefits, 29.11.1994, No I-675, Official Gazette, No 96-1873, 1994, Vilnius.	
--	--	--	--	--

To sum up the table presented above, the following conclusions should be drawn:

- Access to social services for third-country nationals depends on their status. The third-country nationals who hold a residence permit are provided with social services to the same extent as Lithuanian residents. The persons holding a temporary residence permit in most cases have access only to the social services which are accrued on a contributory basis.
- A large part of social services depends on the length of record (for example, maternity/paternity allowance, old-age pension, unemployment benefit, etc.). While some of them could in theory be made available to third-country nationals holding a temporary residence permit in Lithuania, these individuals would not be able to use them in practice. For example, the unemployment benefit would not be paid to a third-country national worker even if (s)he has been employed for the required time period, because after the expiry of his/her employment contract or in the event of loss of a job, (s)he would lose a ground to stay in Lithuania and would not be able to periodically appear at the labour exchange.
- Exceptions apply only to highly qualified workers. Having regard to Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and with a view to making Europe more attractive for highly skilled workers, the persons belonging to this category are facilitated access to social guarantees, and in terms of access to social guarantees they are made equal to Lithuanian or EU citizens.

### 1.3. Lithuanian immigration and social security policy

Lithuania perceives immigration for work as a temporary phenomenon and gives priority to return of Lithuanian emigrants and provision of such persons with jobs. New developments in the provision of social guarantees to third country nationals are implemented as an imperative outcome of the EU's requirements.

Since the entry into force, on 1 January 2013, of Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment the aim has been to facilitate the access of highly qualified workers to all social guarantees, hence certain exceptions are apply to this group. Transposition of the directive has introduced to Lithuanian legislation on social security guarantees for highly qualified workers from third countries. The latest amendments to legal acts are related to this category of immigrants.

- Children benefits paid to the third-country nationals working in highly qualified employment are considered to be equivalent to those paid to permanent residents of the Republic of Lithuania.

On 9 June 2011, the Seimas passed the Law Amending the Law on Benefits for Children No XI-1434<sup>20</sup> transposing to the national legislation the provisions of the European Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. Under the adopted amendments, in respect of the third-country nationals (EU Blue Card holders) entering the Republic of Lithuania for the purposes of highly qualified employment families with children are entitled to receive a child benefit under the same conditions as it is paid to permanent residents of the Republic of Lithuania.

- Assistance in the case of death for the third-country nationals working in highly qualified employment is considered to be equivalent to assistance for permanent residents of the Republic of Lithuania.

---

<sup>20</sup>Law of the Republic of Lithuania amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with the Annex, No XI-1434, 09.06.2011, Official Gazette, No 77-3721, 2011, Vilnius

---

Law No XI-1435<sup>21</sup> Amending the Law on Assistance in the Case of Death, passed concurrently with Law No 1434, grants the right to assistance (funeral allowance) in the case of death of the third-country nationals staying in the Republic of Lithuania for the purposes of highly qualified employment under the same conditions as this allowance is paid upon the death of citizens of the Republic of Lithuania.

- Entitlement to pensions granted to the third-country nationals working in highly qualified employment is considered to be equivalent to the right granted to permanent residents of the Republic of Lithuania.

Under Law No XI-2137<sup>22</sup> of 28 June 2012, the Seimas amended the Law on State Social Insurance Pensions with a view to aligning the provisions of the Law with Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. The amendments to the Law stipulate that the right to receive a pension is granted not only to the aliens permanently residing in the Republic of Lithuania, but also to the persons who, in accordance with the procedure laid down by legal acts of the Republic of Lithuania, have been issued a temporary residence permit and an authorisation to undertake highly qualified employment, provided that they were covered by state social pension insurance or were self-insured during a specified period.<sup>23</sup>

---

<sup>21</sup> Law of the Republic of Lithuania Amending the Law on Assistance in the Case of Death, No XI-1435, 09.06.2011, Official Gazette, No 77-3722, 2011, Vilnius.

<sup>22</sup> Law of the Republic of Lithuania Amending Articles 1, 2, 8, 43, and 54 of the Law on State Social Insurance Pensions and Supplementing the Law with Article 11 and the Annex, No XI-2137, 28.06.2012, Official Gazette, No 80-4141, 2012, Vilnius.

<sup>23</sup> In the cases when a pension is granted to a person residing abroad (regardless of his citizenship), the person's state social pension insurance record includes only the periods of employment with Lithuanian undertakings, agencies and organizations. In the cases when the payment of a pension is continued upon a pensioner's departure for permanent residence to a foreign state, the same rule applies as in the case of granting of pensions to the persons living abroad, i.e. a pension continues to be paid only for the state social pension insurance record acquired while working in Lithuanian undertakings, agencies or organisations.

## **2. National regulation stipulating access of third-country nationals to social services**

The third section analyses the conditions applicable to third-country nationals as regards access to the social guarantees attributed to the following categories of social security:<sup>24</sup>

- I. Health care;
- II. Sickness allowances;
- III. Maternity and paternity allowances;
- V. Old-age pension and benefits;
- VIII. Family benefits;
- IX. Unemployment benefits;
- X. Guaranteed minimum resources.

### **2.1. Minimum length of stay in the country and access of third-country nationals to social guarantees**

In some EU countries (e.g., the United Kingdom), discussions are being held on the minimum length of stay required for aliens to access the country's social guarantees. Lithuanian legal acts do not contain a definition of the criterion of the minimum length of stay for third-country nationals to take advantage of social guarantees. Access to social guarantees is enabled depending on the granted immigration status and a type of a residence permit. However, one could still argue that there is an indirect link between the time of residence and accessibility of social services. In order to be eligible for certain social services (e.g., social guarantees related to contributions over a certain period of time) one needs to have the minimum record of employment. For example, sickness allowances, maternity and paternity allowances, old-age pensions and unemployment benefits are indirectly related to the minimum period of stay of third-country nationals. When taking a decision, the length of stay is not taken into consideration, but account is taken of a person's record of payment of contributions, which arises while residing and working in the Republic of Lithuania. Meanwhile, only the persons holding a permanent residence permit in the Republic of Lithuania are entitled to family benefits and guaranteed minimum resources.

---

<sup>24</sup>Numbering corresponds to the social security areas described in Table 2.1.

## 2.2. Possibilities of the preservation and transfer of the social guarantees available to third-country nationals when returning to the country of origin

The *preservation* of social guarantees means the situations where benefits are paid without having regard to the actual place of residence of third-country nationals. In the area of the *preservation and transfer* of social guarantees, different practices are applied, but in many cases, transfer rules in respect of third-country migrants' social benefits coincide with the rules applicable to citizens of the Republic of Lithuania.

**Table 3. Preservation of social guarantees upon departure from Lithuania**

Category of social service	Preserved or not upon departure	Grounds
Health care	No	According to the Law on Health Insurance, health insurance is not preserved in the case of a third-country national's return to his country of origin, as he terminates the payment of contributions, which determines health insurance. Article 8: Persons on behalf of whom compulsory health insurance contributions are paid [...] shall be regarded as the insured for one more month after the end of payment of the compulsory health insurance contributions on behalf of them or after they themselves stopped paying such contributions, provided that the contributions were paid for the last three months. <sup>25</sup>
Sickness allowance	No	Under the provisions of the Law on Sickness and Maternity Social Insurance <sup>26</sup> (during the period of sickness, a person must be in the territory of the country), sickness insurance benefits are not preserved and may not be transferred. Article 15 of the Law provides for the conditions under which a sickness allowance is paid. <sup>27</sup>

<sup>25</sup> Law of the Republic of Lithuania on Health Insurance, 21.05.1996, No I-1343, Official Gazette, No 55-1287, 1996, Vilnius

<sup>26</sup> 21.12.2000, No IX-110, Official Gazette, No 111-3574, 2000, Vilnius

<sup>27</sup> Expert's comment: A consultant of the Foreign Benefits Service of the State Social Insurance Fund Board (SODRA) has informed that a sickness allowance is paid as long as an electronic incapacity for work certificate is valid. However, leaving abroad during the period of sickness would constitute a breach of conduct rules resulting in termination of the payment of the benefit. Therefore, this benefit is in fact not transferred, though it is noted that the mentioned conditions are the same for citizens of the Republic of Lithuania and third-country nationals.

Maternity and paternity allowances	Yes	The allowance is paid during the period for which the beneficiary lodged an appropriate application and can be preserved after leaving Lithuania. <sup>28</sup>
Family benefits and guaranteed minimum resources	No	These benefits are related to the place of residence declared in Lithuania, hence in the case of departure from the country these guarantees are not preserved.
Old-age pension and benefits	Yes	These social benefits are transferrable too. Article 1 of the Law of the Republic of Lithuania on State Social Insurance Pensions <sup>29</sup> provides that the persons permanently residing abroad who were covered, on a compulsory basis, by state social pension insurance or were self-insured during a period specified by this Law are entitled to state social insurance pensions under this Law and in accordance with the procedure laid down by treaties of the Republic of Lithuania. In the case of absence of international agreements on the payment of pensions, the aliens who have acquired at least the minimum record of state social pension insurance (the minimum record for an old-age pension is 15 years) while working in Lithuanian undertakings, agencies or organisations are entitled to state social insurance pensions. The same conditions apply to citizens of the Republic of Lithuania who have left to reside in third countries. The Foreign Benefit Service under the State Social Insurance Fund Board (SODRA) is in charge of payment of benefits to such persons.

*Transfer* of social guarantees is identified as the situation when the rights of third-country nationals to receive social benefits are adjusted with a third country's social system, mostly on the basis of bilateral agreements. Social guarantees in the area of old-age pensions and benefits are transferred only on the basis of bilateral agreements with the Republic of Belarus, Ukraine, the Russian Federation, the United States of America and Canada. Payment of social insurance pensions is continued by the state which granted them.<sup>30</sup> The agreements ensure compliance with the principle of export of benefits, i.e. when a person moves from one state to another, and the principle of totalising of insurance/employment record, i.e. when determining the right to a social security pension, where

<sup>28</sup>With 100% of the reimbursed remuneration paid for one year, or for two years (70% - in the first year, 40% - in the second year).

<sup>29</sup> Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.

<sup>30</sup> The content of bilateral agreements is analysed in greater detail in Section 5.

appropriate, account is taken of the record acquired according to legal acts of the other state. A person whose record has been acquired in the territory of both states receives a pension on a 'proportional' basis, i.e. each state awards a pension for the record acquired in its territory.

### 2.3. Minimum period of employment and payment of social contributions and social guarantees to third-country nationals

The minimum period of employment and the minimum period of payment of social contributions affects access to social guarantees both for citizens of the Republic of Lithuania and third-country nationals. The table below shows minimum periods of employment necessary to receive a certain social guarantee.

**Table 4. Minimum periods of employment or payment of social contributions**

Category of social service	Minimum period	Grounds
Health care <sup>31</sup>	Since commencement of payment of contributions	Health insurance of employed persons insured by the state becomes effective from the day of commencement of payment of contributions.
Health care for self-employed persons <sup>32</sup>	After 3 months since commencement	For self-employed persons, compulsory health insurance becomes effective in the month following three consecutive months of payment of compulsory health insurance

<sup>31</sup>Persons are considered to be covered by compulsory health insurance if they pay health insurance contributions or if compulsory health insurance contributions are paid for them, and if they are insured by state funds (disabled persons, persons who have attained old-age retirement age, participants of the resistance movement, children under 18 years of age, and representatives of other special categories). Compulsory health insurance of the persons employed under an employment contract, representatives of the executive, the legislative and the judiciary, owners of individual enterprises and members of partnerships comes into effect from the day of commencement of payment of compulsory health insurance contributions for these persons or by them themselves.

<sup>32</sup>For recipients of income under copyright agreements, the persons having the status of an artist, the persons engaged in individual activities, the persons receiving sickness and maternity social insurance allowances, and the persons who monthly pay for themselves compulsory health insurance contributions in the amount of 9 percent of the minimum monthly salary, compulsory health insurance becomes effective in the month following three consecutive months for which they have been paid, or they themselves have paid the compulsory health insurance contributions, or from the day on which such persons paid a contribution in the amount of three minimum monthly salaries. See Law of the Republic of Lithuania on Health Insurance, updated version: 26.08.2013, No I-1343: Official Gazette, No 55-1287, 1996, Vilnius.

	of payment of contributions	contributions which have been paid for them or which they have paid themselves, or from the day on which such persons paid a contribution in the amount of three minimum monthly salaries. <sup>33</sup>
Sickness allowance	3 months	Minimum period of payment of contributions for sickness allowances is at least 3 months over the last 12 months or at least 6 months over the last 24 months.
Maternity and paternity allowances	12 months	The minimum period of payment of contributions for the maternity allowance for the duration of the maternity leave period – at least 12 months over the last 24 months. The minimum period of payment of contributions for the maternity (paternity) allowance – at least 12 months over the last 24 months until the first day of the childcare leave.
Family benefits and guaranteed minimum resources	Non-applicable	Family benefits and guaranteed minimum resources are not related to minimum period of payment of employment and/or social contributions. <sup>34</sup>
Unemployment benefit	18 months	Minimum record for unemployment social insurance benefit is at least unemployment insurance record of 18 months over the last 36 months prior to registration at a local labour exchange. <sup>35</sup>
Old-age pension	15 years	Law of the Republic of Lithuania on State Social Insurance Pensions.

Taking into account the above-mentioned criteria for granting social benefits (contribution periods), it may be suggested that for migrants who hold a temporary residence permit access to benefits is limited. In all cases, except for sickness allowances, eligibility

<sup>33</sup>Third-country nationals pay compulsory health insurance contributions (or paid for by the employer) according to the principle of universality. The principle of universality means that all citizens of the Republic of Lithuania and aliens who in fact permanently reside in Lithuania, as well as the aliens legally employed and temporarily residing in Lithuania must participate in the compulsory health insurance system and pay compulsory health insurance contributions.

<sup>34</sup>Law of the Republic of Lithuania Law on State Social Assistance Benefits, 29.11.1994, No I-675: Official Gazette, No 96-1873, Vilnius.

<sup>35</sup>Law of the Republic of Lithuania on Sickness and Maternity Social Insurance, 21.12.2000, No IX-110: Official Gazette, No 111-3574, 2000, Vilnius; Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549: Official Gazette, No 59-1153, 1994, Vilnius.

criteria exceed the length of stay granted to a temporary resident (up to 12 months). In order to receive other social benefits and services, extension of a residence permit and the ground for stay are needed.

### **3. Administration of third-country nationals' access to social services**

#### **3.1. Practices applicable in Lithuania in relation to third-country nationals**

The practices of provision of social services and benefits in the EU Member States differ. Some states authorise the officers providing services to decide having regard to individual circumstances of an applicant. Other states accurately regulate the procedure for granting state social services and benefits and do not allow the officers to use discretion when taking decisions on social services to third country nationals.

In Lithuania, individual applications for granting social guarantees are considered only according to legal acts. Basically, the status of a third-country national is evaluated, that is, whether he is a permanent resident with a permanent residence permit, or temporarily resides in Lithuania and holds a temporary residence permit in the Republic of Lithuania. Most frequently, it is verified whether the alien does not reside outside Lithuania for a period longer than six months during the period of validity of a temporary residence permit. Article 50(13) of the Law of the Republic of Lithuania on the Legal Status of Aliens stipulates that a temporary residence permit in the Republic of Lithuania is withdrawn if the alien departs to reside or has been residing in a foreign country for a period longer than six months.

The institutions of the Lithuanian social security system do not apply the discretionary decision-making practice, and officials must comply with valid legal acts in taking their decisions. No special mechanisms not described in legal acts or individual decision-making criteria are provided for, and decision-makers do not have the possibility to apply other criteria (than those described in the legal acts). The interviewed staff of the Social Assistance Centre, the State Social Insurance Fund Board and territorial health insurance funds claim that they have not received any guidelines, recommendations or methodologies on how to work with third-country nationals. The specialists of territorial health insurance funds mention the ad-hoc approach: in complicated cases, they usually refer to the National Health Insurance Fund and receive advice there.

According to the staff of the institutions administering social services and benefits, cooperation with the Department of Migration usually occurs when checking whether a particular person holds a temporary residence permit, or it will be issued to the person, also when

dealing with similar issues. The chief specialist of the Social Benefits Division of the Social Affairs and Health Department of the Vilnius City Municipality claims that there have not been any cases of officers of the Migration Department officials referring to the municipality for information on the social assistance granted to a third-country national when deciding on the extension of a residence permit of this person. The same information is provided also by the staff of the State Social Insurance Fund Board— they have not cooperated with officers of the Migration Department on the initiative of either one or the other party.

## 3.2. Additional forms of assistance

### 3.2.1. Interpretation/Translation services

Legal acts require to ensure that the persons applying to state authorities have the possibility to use a non-official language, but the state authorities related to the administration of social guarantees or support apply different practices in the cases of communication with third-country nationals (language and interpretation/translation). The Government of the Republic of Lithuania Resolution on Approval of the Rules for Examination of Applications Submitted by Individuals and Services Provided to Them in Public Administration Institutions, Agencies and Other Public Administration Entities provides that ‘if a person does not speak the state language [...] and applies orally to an institution, he must be accompanied by a person capable of translating the application into the state language (interpreter). The interpreter shall be invited by the authority considering the application or by the applicant on his own initiative.’<sup>36</sup> The same legal act provides that ‘persons’ applications must be written in the state language; this provision shall not apply to applications sent by post; [...] the entire text of an application written in a non-official language and received by post shall be translated into the Lithuanian language by the institution which, within its remit, is to consider the application.’

An interview with employees of the Social Affairs Department of the Vilnius City Municipality has revealed that this institution does not apply any such practice. However, it is possible to lodge an application or complaint in the Russian language. This facilitation has been

---

<sup>36</sup>Government of the Republic of Lithuania Resolution on Approval of the Rules for Examination of Applications Submitted by Individuals and Services Provided to Them in Public Administration Institutions, Agencies and Other Public Administration Entities, 22.08.2007, No 875, Official Gazette, No 94-3779, 2007, Vilnius.

introduced with a focus not on third-country nationals, but the Russian-speaking minorities of Lithuania.

The State Social Insurance Fund Board (SODRA) complies with this provision and ensures translation of documents received in any language to the state language.

The employees of the Vilnius local labour exchange claim that third-country nationals usually speak the Lithuanian/Russian/English languages, hence it is easy to communicate with them. Moreover, the aliens wishing to work and integrate in the Republic of Lithuania have the possibility to learn the state language (such an opportunity is offered by a wide range of projects, integration centres, etc.). If communication was not possible, third-country nationals themselves would have to find an interpreter.

A representative of the Vilnius Territorial Health Insurance Fund claims that upon receipt of a written application in a foreign language, the Fund arranges for a translation at a translation agency. However, the response to a third-country national is prepared in the state (Lithuanian) language. Interpretation services are not provided. According to the representative, there are usually no communication problems, as applicants either speak one of the popular languages (Russian, English, German or French) or appear together with an interpreter.

All institutions aim at ensuring communication in one of popular languages. The institutions directly working with migrants provide the possibility of filling in applications in a language other than the state language (e.g., English or Russian). It is necessary to improve the knowledge of foreign languages of the officers working directly with migrants (Migration Department, migration services).

### **3.2.2. Services provided by NGOs**

Lithuania have in place a national programme for integration of aliens. Therefore, in the area of integration of third-country nationals a large number of services are provided by non-governmental organisations. They teach the state language, provide legal advice and other social services to third-country nationals.

The main non-governmental organisations providing integration support to third-country nationals in Lithuania are as follows:

- The Tolerant Youth Association, in cooperation with the Social and Educational Initiatives Centre PLUS, is implementing a continuous project entitled “Consultation

and Information Centre PLUS”. The project pursues the aim of enhancing the possibilities of integration among third-country nationals by providing them with high quality services. This is not a continuous activity, but a project which is extended annually subject to receipt of funding under the Annual Programme of the European Fund for the Integration of Third-Country Nationals. The project will end in June 2014. It should be noted that the Centre provides services only to the persons holding a temporary or permanent residence permit in the Republic of Lithuania. With the help of an individual or group social work method, a social worker at the Centre provides information, counselling, intermediation, representation, and socio-cultural services. The Centre also provides free legal, employment and psychological counselling services.

- The Klaipėda Centre for Migrants was established in implementing a project under the Annual Programme of the European Fund for the Integration of Third-Country Nationals, the project activities currently implemented will be completed in June 2014. In addition to legal and psychological counselling and organisation of cultural events, the Centre provides social consultations—intermediation, information, representation, escorting, etc.

Non-governmental organisations are an important part of the system of support to third-country nationals, most of them receive project funding from the European Union, rather than the institutions of the Republic of Lithuania. They operate on the basis of day care centres and ensure not only expert advice, but also provide opportunities for third-country nationals to communicate with each other, to maintain their cultural and ethnic identity, to find orient themselves in Lithuanian society. Activities of NGO projects in the area of consulting on social issues, intermediation, representation and escorting third-country nationals facilitate work with this group of clients and state institutions.

## 4. International aspects of the social security system

This Section discusses the agreements between the Republic of Lithuania and third countries regulating coordination of the social security and health care systems.

### 4.1. Bilateral agreements between the Republic of Lithuania and third countries on coordination of social security systems

Access to social security for the persons entering or leaving the EU is mainly governed by national regulations. With the increasing mobility and migration of persons, it is becoming increasingly relevant to regulate social security issues at the international level. Individual Member States conclude bilateral social security coordination agreements with third countries and stipulate in such agreements a system of coordination rules designed for the persons traveling from one contracting state to the other in order to protect their own citizens working in other countries.

The majority of agreements with third countries usually lay down rules on the applicable law, equal treatment and pensions. Provisions on pensions protect the rights acquired by migrants when leaving their country and allow the payment of pensions in the territory of another country. In some cases, the agreements include provisions on the totalising of periods of insurance, employment or stay. The applicable legislation usually includes provisions on posting, on the basis of which the employees conforming to certain requirements are subject to the social security legislation of the posting country and are released from the obligation to pay social security contributions in the country in which they work (avoiding double taxation). In accordance with the principle of equal treatment, migrant workers must be guaranteed the same conditions as are granted to citizens of the country in which they are employed.<sup>37</sup>

The Republic of Lithuania has the following bilateral agreements signed on coordination of the social security system:<sup>38</sup>

- Agreement between the Republic of Lithuania and the **Republic of Belarus** on

---

<sup>37</sup>Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The External Dimension of EU Social Security Coordination, 30 03 2012. COM 2012 No 153, Brussels

<sup>38</sup> Website of the Ministry of Social Security and Labour of the Republic of Lithuania publishing a list of international agreements of the Republic of Lithuania on social security: <http://www.socmin.lt/index.php?-1271014688> (accessed on 07.09.2013).

**Social Security** (1999).<sup>39</sup>

- Agreement between the Government of the Republic of Lithuania and the Government of the **Russian Federation** on the **Provision of Pensions** (1999).<sup>40</sup>
- Agreement between the Republic of Lithuania and **Ukraine** on **Social Security** (2001).<sup>41</sup>
- Agreement between the Government of the Republic of Lithuania and the Government of the **United States of America** concerning the **payment of state social insurance pensions** to the citizens of the United States of America residing abroad (2003).<sup>42</sup>
- Agreement on **Social Security** between the Republic of Lithuania and **Canada** (2005).<sup>43</sup>

**4.1.1. Agreement with the Republic of Belarus**

The agreement provides that the persons working under a contract of employment and self-employed are subject to the legal acts of the Party in whose territory they work, even if they permanently reside or the employer(hirer) for which they work is legally registered or resides in the territory of another Party.<sup>44</sup> Article 4 of the agreement ensures that in applying the legal acts of the other Party, the rights of citizens and their family members of one Party, irrespective of their citizenship, are held equivalent to the rights of citizens of the other Party.

This agreement relies on the **principle of export of benefits**, i.e. when a person moves from one state to another, social insurance pensions will continue to be paid by the state which has awarded them, and the **principle of totalising of the record of insurance/employment**, i.e.

---

<sup>39</sup>Agreement between the Republic of Lithuania and the Republic of Belarus on Social Security, 04.02.1999, Minsk: Official Gazette, No 61-1979, 1999.

<sup>40</sup>Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the Provision of Pensions, 29.06.1999, Moscow: Official Gazette, No 20-496, 2000.

<sup>41</sup>Agreement between the Republic of Lithuania and Ukraine on Social Security, Official Gazette, No 93-3261, 2001.

<sup>42</sup>Agreement between the Government of the Republic of Lithuania and the Government of the United States of America concerning the payment of state social insurance pensions to the citizens of the United States of America residing abroad, 24.01.2003, Vilnius: Official Gazette, No 8-270, 2003.

<sup>43</sup> Agreement on Social Security between the Republic of Lithuania and Canada, 05.07.2005, Vilnius: Official Gazette, No 143-5186, 2005.

<sup>44</sup> Detailed information on application of the agreement to persons is available from <http://www.sodra.lt/get.php?f.22502>

when determining entitlement to social insurance pension, account is taken, where appropriate, of the record acquired on the basis of other legal acts of another state. A person whose record was acquired in the territory of both States receives a pension on a 'proportional' basis, i.e. each state awards a pension for the record acquired in its territory, i.e. each state awards a pension for the record acquired in its territory.<sup>45</sup> The agreement also discusses other social guarantees:

- Unemployment benefits are paid to the persons who worked under an employment contract and became unemployed in the territory of another Party according to the legal acts of that Party (Article 26);
- Family benefits are granted and paid according to the legal acts of the Party in which children permanently reside (Article 29);
- Sickness and maternity allowances are paid to the persons who are eligible for such allowances according to the legal acts of one Party and move for temporary or permanent residence to the territory of another Party by the competent authority of the first Party (Article 11).
- In the event of death of a person who was covered by social insurance according to the legal acts of one Party or of the family member maintained by such person in the territory of another Party, the funeral allowance is paid by the competent authority of the first Party.

#### 4.1.2. Agreement with Ukraine

Under the Agreement between the Republic of Lithuania and Ukraine on Social Security, employed persons and self-employed persons are subject to legislation of the Party in the territory of which they work.<sup>46</sup> The rights and duties of citizens of one Party, also their family members, irrespective of their citizenship, if they reside in the territory of another Party, are held equivalent to the rights and duties of the citizens of the second Party according to legal acts of this Party.

This agreement relies on the **principle of export of benefits**, i.e. when a person moves from one state to another, social insurance pensions will continue to be paid by the state which has awarded them, and the **principle of totalising the record of insurance/employment**, i.e.

---

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

when determining entitlement to social insurance pension, account is taken, where appropriate, of the record acquired on the basis of other legal acts of another state. A person having the record acquired in the territory of both states is awarded pensions according to the ‘proportional’ principle, i.e. each state awards pensions according to the record acquired in its territory.<sup>47</sup>

The agreement also regulates the following social guarantees:

- Accidents at work: Article 20 of the agreement stipulates that if the legislation of the Party provides for disability [...] pensions as a result of accidents at work or occupational diseases (Lithuanian legislation provides for periodic/lump-sum compensation for loss of capacity for work), these pensions are awarded and paid according to the legal acts of the Party in which the insured event occurred;
- Benefits to families with children: these benefits are paid according to legal acts of the Party in the territory of which children reside (Article 23);
- Unemployment benefit: Article 25 stipulates that the unemployment benefit is paid according to legal acts of the Party in the territory of which the person concerned permanently resides with funds of this Party.
- Sickness and maternity allowance: Article 11 provides that the persons who are eligible for the sickness and maternity allowance under the legal acts of one Party and who temporarily reside in the territory of another Party or move to it for residence are paid the allowance by the competent authorities of the first Party according to the provisions of the legislation applicable by this Party.

It is not permitted to refuse the awarding of a pension or allowance, or damages to which a person becomes entitled according to the legislation of one Party, and it is neither permitted to reduce, suspend or terminate the payment of those already awarded on the grounds of residence in the territory of the other Party.

#### 4.1.3. Agreements with the Russian Federation

The Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the Provision of Pensions ensures for the Russian citizens living in Lithuania the **awarding of pensions**, their amount and payment on an

---

<sup>47</sup> Ibid.

equal footing with Lithuanian citizens. The Agreement has been drawn up based on the territorial (integration) principle, according to which state social insurance pensions are awarded and paid by the Party in the territory of which a person permanently resides in compliance with its legislation.<sup>48</sup> Article 6 of the Agreement provides that when awarding pensions under this Agreement, their amount is to be calculated in accordance with the procedure laid down by legal acts of each Party. This Agreement applies to all types of pensions which have been specified or will be specified by legal acts of each Party, except for the military and the personnel of institutions of the interior.

The Agreement stipulates that funds for the payment of the pensions and allowances awarded to such persons are allocated by the Russian Federation (Article 1). At medical treatment facilities of the Republic of Lithuania, military retirees of the Russian Federation and their families are provided with medical and prosthetic assistance and medical treatment services. The expenses related to the provision of these services are covered by the Russian Federation. Military retirees of the Russian Federation are granted the right to live at old people's and invalids' homes [author's note: currently – at social care establishments] in accordance with the procedure and under the conditions stipulated by laws of the Republic of Lithuania, provided that the expenses are covered by the Russian Federation (Article 5).

#### 4.1.4. Agreement with the USA

The Agreement between the Government of the Republic of Lithuania and the Government of the United States of America on the payment of state social insurance **pensions** abroad ensures that the appropriate social insurance authorities of the USA and the Republic of Lithuania pay the full amount of benefits to citizens of the other state entitled to such benefits, but currently staying outside the country paying the benefits, irrespective of the duration of their absence. This means that the Republic of Lithuania pays pensions to the citizens of the USA who have acquired an appropriate insurance record according to laws of the Republic of Lithuania, but currently reside outside the country, while the USA pays pensions to the citizens of the Republic of Lithuania who have acquired an appropriate insurance record according to laws of the USA, but currently reside outside the country. The pension paid for the record acquired in Lithuania does not overlap with the pension paid by the USA for the period of employment in

---

<sup>48</sup><http://www.sodra.lt/index.php?cid=342>

this country, hence a person may receive two pensions from both countries for appropriate periods. The payment of pensions is also regulated by Order of the Director of the State Social Insurance Fund Board on the Approval of the Procedure for Awarding and Paying State Social Insurance Pensions to Citizens of the United States of America Residing Abroad.<sup>49</sup>

#### 4.1.5. Agreement with Canada

The Agreement on Social Security between the Republic of Lithuania and Canada provides for an underlying principle according to which a person who works under a contract of employment in the territory of a Party is subject only to the legislation of that Party during the period of his employment. Subsequent articles of the Agreement provide for the derogations under which a Canadian citizen working in Lithuania may stay subject to social legislation of Canada. Such derogations include the cases of posting to work abroad, work for a diplomatic mission or consular post and the legislation of the posting State.

This Agreement relies on the **principle of export of benefits**, i.e. when a recipient of a state insurance benefit moves for residence from one Party to another, the benefit will continue to be paid to him by the Party which has granted it, and the **proportional principle**, i.e. a person who has completed a creditable period in both Parties will be awarded and paid the pension/benefit by each Party for the creditable period completed in its territory. If the person is not eligible for the benefit because he has not accumulated the period required for the pension of an appropriate type in both of the Parties or in one of them, the eligibility of such a person for the pension/benefit is determined by totalising the periods acquired in both Parties. If the person is not eligible for the benefit even upon totalising the periods completed in both Parties, account is taken of the record completed in a third State with which both Parties are bound by social security instruments.<sup>50</sup>

---

<sup>49</sup> Order of the Director of the State Social Insurance Fund Board on the Approval of the Procedure for Awarding and Paying State Social Insurance Pensions to Citizens of the United States of America Residing Abroad, 24.03.2003, No V-100, Official Gazette, No 33 -1400, 2003, Vilnius.

<sup>50</sup> <http://www.sodra.lt/index.php?cid=342>

**Table 5.** Rights of migrants from third countries stipulated in bilateral agreements

State	Republic of Belarus	Ukraine	Russian Federation	USA	Canada
Validity of legal acts	Country in which a person is employed	Country in which a person is employed	--	--	Country in which a person is employed
Pensions	Exported (upon a person's departure, pensions continue to be paid by the state which awarded them)	Exported (upon a person's departure, pensions continue to be paid by the state which awarded them)	State social insurance pensions are awarded and paid by the state in the territory of which a person permanently resides in compliance with its legislation	Republic of Lithuania pays pensions to the citizens of the USA who have acquired the record of insurance according to laws of the Republic of Lithuania, but currently reside outside the Republic of Lithuania, and the USA pays pensions to the citizens of the Republic of Lithuania who have acquired the record of insurance according to laws of the USA, but currently reside outside the USA	Exported (upon a person's departure, pensions continue to be paid by the state which awarded them)
Record of employment	Record is summed up, pensions are paid by each state in proportion to the acquired	Record is summed up, pensions are paid by each state in proportion	--	Record is not summed up	Record is totalised, pensions are paid by each state in proportion to the accumulated

	record	to the acquired record			cord
Sickness and maternity allowances	Transferred	Transferred	--	--	--
Unemployment benefits	Paid in the country in which a person worked and acquired the record	Paid in the country in which a person resides with funds of this country and in compliance with its legislation	--	--	--
Funeral allowances	Transferred	Transferred	--	--	--
Rights of citizens	Equivalent	Equivalent	--	--	--

These international agreements have been concluded with the non-EU Member States having, for political and historical reasons, large communities of Lithuanian citizens (US, Canada) and with the countries whose citizens reside in Lithuania (Russia, Belarus, Lithuania).

#### **4.2. Social insurance benefits to citizens of the Republic of Lithuania residing in third countries with which Lithuania has no bilateral agreements**

The social guarantees of the citizens of the Republic of Lithuania residing and working in the third countries with which Lithuania has no bilateral agreements on cooperation in the social field are not regulated and are not ensured.

Upon the entry into force, in 1994, of the Law of the Republic of Lithuania on State Social Insurance<sup>51</sup> the record includes only the periods of work in the Republic of Lithuania and

<sup>51</sup>18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.

payment of state social insurance contributions to the budget of the State Social Insurance Fund. Therefore, in accordance with the provisions of the Law on Pensions, there is no legal basis for taking account of the remaining part of the record acquired while working in any other state after 1 June 1991 when calculating old-age pensions.<sup>52</sup>

On 11 August 2012, amendments to the Law on State Social Insurance Pensions came into effect. According to the amendments, state social insurance pensions are granted and paid to the persons residing abroad regardless of their citizenship. The main condition for entitlement to a pension is having acquired at least the minimum record established for the pension of an appropriate type while working in Lithuanian undertakings, agencies and organisations (the minimum record for an old-age pension – 15 years). Pensions are awarded and paid only for the record acquired while working in Lithuanian undertakings, agencies and organisations.<sup>53</sup>

In the countries with which no agreements have been concluded, the record of insurance is usually lost, because a record of several years is not sufficient for a pension to be awarded according to laws of another state, while Lithuania does not recognise such a record (and vice versa). With a view to solving this problem, a draft of a sample agreement between the Republic of Lithuania and another state on social security (the Draft) was prepared in 2008. A bilateral agreement to be concluded would apply to the persons residing in the territory of one of the States and being subject to laws of one or both States, also to their family members. The agreement could cover state social insurance old-age, incapacity for work (disability), survivor's and/or orphan's (loss of breadwinner's) pensions, because pensions are among the most important other social security benefits. A person's pension is related to the record of social insurance, which is acquired over the period of several decades. The bilateral agreement would be based on the pro rata (proportional) principle, i.e. when determining entitlement to a pension the record of state social insurance acquired in both countries would be summed up, while a share of the pension would be calculated separately for each country in proportion to the record of state social insurance acquired in each Member State of acquired social insurance coverage, and the calculated amount of pension would be sent to the state in which the pension recipient is

---

<sup>52</sup>Law of the Republic of Lithuania on State Social Insurance. 21.05.1991, No I-1336: Official Gazette, No 17-447, 1991 (new version of the Law – 01.01.2005: No IX-2535, Official Gazette, No 171-6295, 2004), Vilnius, 1991; Law of the Republic of Lithuania on State Social Insurance Pensions. 18.07.1994, No I-549: Official Gazette, No 59-1153, 1994, Vilnius.

<sup>53</sup> Ibid.

permanently resident.<sup>54</sup> This agreement (the Draft) is not effective. In 2009, a version of the agreement was delivered by diplomatic channels to Kazakhstan, Moldova and Turkmenistan. The Republic of Kazakhstan refused to continue coordination of an agreement due to major differences between social security systems. Negotiations on the conclusion of the agreement are being continued with the Republic of Moldova (2011-2013). During the preparation of this report, a reply from Turkmenistan was not received yet.<sup>55</sup> As the largest migration flows are currently observed within the EU, Lithuania is mostly interested in improvement of coordination of social services and benefits within the EU.

---

<sup>54</sup>Resolution on Approval of a Draft of the Sample Agreement between the Republic of Lithuania and Another State on Social Security. 24.11.2008, No 1235: Official Gazette, No 139 -5500, 2008, Vilnius.

<sup>55</sup> Prepared according to the information published on the website of the Ministry of Social Security and Labour: <http://www.socmin.lt/index.php?-1608614484> (accessed on 16.09.2013)

## 5. Case study

With a view to comprehensively analysing the conditions of provision of social services to third-country nationals and related procedures and comparing the ways of dealing with similar situations in different EU Member States, competent officials were asked to consider hypothetical situations.

*Case 1: Tho (28) and Lien (30), a married Vietnamese couple, moved to Lithuania ten years ago. They hold a permanent residence permit. For the last eight years, Tho worked in a car factory and paid compulsory insurance contributions during the entire period. Lien worked as a chef at a large hotel's restaurant and also paid compulsory insurance contributions for the last two years. Tho and Lien are expecting their third child, who should be born in six weeks' time. Last week, the car factory where Tho worked announced his dismissal due to redundancy. As Tho lost a source of income at a time when Lien was temporarily unable to work as a result of the birth of a child, Tho decided to apply for unemployment benefit, and Lien applied for maternity allowance.*

Lien is eligible for maternity allowance, which is paid in the amount of 100% for 126 calendar days from 32<sup>nd</sup> week of pregnancy. Upon completion of payment of maternity allowance, maternity/paternity or childcare allowance may be paid to one of the parents of their choice until the child reaches one or two years of age (100% in the case allowance is received for one year, 70% and 40% in case the allowance is received for two years). In this case, if the child is raised by the father, even if he was dismissed, he will be paid the allowance, as the main criteria will be fulfilled: the employment record of 12 months over the period of two years and dismissal from work during the wife's pregnancy.

If the child is raised by the wife, and Tho registers with a labour exchange, he will get unemployment benefits, as he conforms to the requirement of having the unemployment insurance record of not less than 18 months over the last 36 months<sup>56</sup> prior to registration with the labour exchange. In addition, as Tho holds a permanent residence permit, he does not lose a ground for stay in Lithuania upon dismissal and will be able to periodically appear at a labour exchange office in order to receive unemployment benefits.

<sup>56</sup>Informants: chief specialist of the Kaunas Department of the Social Insurance Fund Board.

*Case 2: Jasmina (29) is a single mother holding Philippine citizenship who arrived in Lithuania two and a half years ago. She has a two-year old child holding Philippine citizenship living with her, another child (five years old) lives in the Philippines together with Jasmina's mother. She holds a temporary residence permit, which was extended once. For 2.5 years, Jasmina has worked as a nurse at a day care centre. Each month she sends a small amount of money to the Philippines for the maintenance of her daughter. Last month, Jasmina's employer announced that due to budget cuts, employees' wages would be significantly reduced. After her income noticeably decreased, Jasmina moved to a dormitory, because she no longer can afford to rent a private dwelling. She had to cut by half the amount of money she sends each month to her family in the Philippines. She decided to apply for family benefits and guaranteed minimum resources.*

Jasmina would not receive support from the municipal Social Assistance Centre. She is not eligible for support due to her legal status in the Republic of Lithuania (temporary residence permit), and her income is (probably) not small enough<sup>57</sup> for her to be granted an allowance. If Jasmina applied to the Social Assistance Centre, the employees of the Centre would be interested in her family situation, i.e. the father of her child, who lives in Lithuania, and his responsibilities for the child's maintenance. The Centre cannot take into consideration the circumstance that Jasmina has a commitment to maintain the family members living in the Philippines, as the Social Assistance Centre provides support only to the persons residing in the territory of that municipality.<sup>58</sup>

*Case 3: Senghor is a highly qualified worker from Senegal. He arrived in Lithuania six years ago and was issued a temporary residence permit for work. Senghor is single and has no children, but making use of the possibility of family reunification he has recently brought to the country his elderly mother (80), who is completely dependent on his income. Last week, Senghor had an accident at work resulting in incapacity for work which he was employed to perform for a period of three years. He decided to apply for disability benefit, sickness allowance and family benefits.*

<sup>57</sup>The amount of the state-supported income is LTL 350 per capita, Government of the Republic of Lithuania Resolution on Approval of the Amount of State-Supported Income, 05.06.2008, No 538: Official Gazette, No 67-2531, 2008, Vilnius.

<sup>58</sup> Informant: specialist of the Social Benefits Division of the Social Assistance Centre.

Senghor will not receive family benefits from the municipal Social Assistance Centre. When calculating the income, a benefit to be granted as a result of the accident by the State Social Insurance Fund Board (SODRA) will be taken into consideration. Senghor and his mother are considered to be two separate families. His mother, who does not hold a permanent residence permit in the Republic of Lithuania, will neither have the right to receive the family benefits provided by the Social Assistance Centre.

As Senghor is a highly qualified worker, he is likely that to hold a highly qualified worker's residence permit. Moreover, as he has resided in Lithuania for six years, he is likely that he may to hold a permanent residence permit. As Senghor suffered an injury at work, according to Article 14 of the Law of the Republic of Lithuania on Social Insurance of Occupational Accidents and Occupational Diseases he will be paid a sickness allowance in the amount of 100% from the first day of the occurrence of the injury until the day of recovery or the day of adoption of a decision by a commission of the Disability and Working Capacity Assessment Office regarding the establishment of a level of capacity for work (or disability).<sup>59</sup> According to the percentage of incapacity for work, disability pension will be paid depending on the length of record and loss of income.<sup>60</sup>

---

<sup>59</sup> Law of the Republic of Lithuania on Social Insurance of Occupational Accidents and Occupational Diseases, 23.12.1999, No VIII-1509; Official Gazette, No 110-3207, 1999, Vilnius.

<sup>60</sup> Informants: chief specialist of the Kaunas Department of the Social Insurance Fund Board and specialist of the Social Benefits Division of the Social Assistance Centre.

## Key conclusions

- *Legal environment.* In the social system of the Republic of Lithuania and its regulatory framework social security mechanisms of citizens of Lithuania, the EU Member States and the third-country nationals legally residing in Lithuania are defined by the same legal acts and managed on the basis of equal treatment.
- *Legal status and social guarantees of third-country nationals.* The majority of guarantees are *de facto* available to the third-country nationals holding a permanent residence permit in Lithuania. They are eligible for all the benefits and services provided both on a contributory basis and funded from the state or municipal budget, on an equal footing with citizens of the Republic of Lithuania. The aliens holding temporary residence permits in most cases can only claim the social guarantees and benefits funded on a contributory basis. However, due to the duration of validity of a temporary residence permit (issued for a period of one year with the possibility of extension) the third-country nationals holding such a permit may be unable to access the social benefits funded on a contributory basis (e.g., unemployment benefit). More favourable conditions are provided in laws for the third-country nationals who come to Lithuania as highly qualified workers.
- *National immigration policy strategy.* An analysis of provisions of the immigration policy of the Republic of Lithuania reveals that attraction of immigrants is not a priority, and the social guarantees provided for them in legal acts are rather an imperative outcome of the EU's requirements. The latest legislative amendments related to the social security of immigrants from third countries and focusing on improvement of conditions of highly qualified workers, again, are related to the transposition of EU directives rather than to the country's national strategy.
- *Minimum criteria of stay in the country.* For the third-country nationals who hold a permanent residence permit in the Republic of Lithuania, the minimum length of stay criteria for gaining access to social guarantees are not defined in legal acts. Nevertheless, taking into consideration the context of social security (e.g., social guarantees related to contributions over a period of time), one can identify an indirect relationship between the length of stay and entitlement to social services and benefits.

For a person to qualify for certain social guarantees, the minimum record of employment is required.

- *Minimum employment and other qualification criteria for provision of social services.* For both categories of third-country nationals (both the aliens holding a permanent residence permit and having the status of a permanent resident and the aliens holding a temporary residence permit), the conditions of granting access to social guarantees, benefits and services depend only on the period of payment of contributions. The minimum period of stay in the state is not identified in legal acts. According to this criterion, all third-country nationals and EU and Lithuanian citizens have equal access to social guarantees. Nevertheless, bearing in mind the qualification criteria for granting some social benefits requiring a sufficiently long participation in the social security system (see the above-mentioned conditions of granting sickness insurance, maternity, paternity and pension benefits), a person's stay in the country is indirectly linked to access to social guarantees. In this case, the divide between the aliens permanently residing in the country and those residing temporarily (third-country nationals and their family members not having the status of a permanent resident) remains.
- *Decision-making rules are based solely on effective legal acts.* In Lithuania, individual applications for granting social guarantees are considered only according to legal acts. Individual decision-making criteria do not apply to social guarantees. The institutions comprising the Lithuanian social security system do not apply discretionary decision-making practice, and officials must comply with effective legislation when taking their decisions. The social or health care needs of third-country nationals do not have any effect (whether positive or negative) when deciding on a person's legal status in the context of migration.
- *Possibility to use native tongue.* Legal acts require to ensure that the persons applying to state authorities have the opportunity to use the non-official language, but the state authorities related to the administration of social guarantees or support not always or only selectively (i.e. in the cases of popular foreign languages) follow this practice.
- *Role of NGOs.* There are no special social guarantees provided to third-country nationals at state institutions, and they do not always have access to the social or

health care services provided to citizens of the Republic of Lithuania. For these reasons, non-governmental organisations seek to fill this gap and, in addition to language courses and legal advice, provide social services to third-country nationals. Non-governmental organisations are an important constituent of the system of assistance for third-country nationals. They receive project funding from funds of the European Union.

- *Additional guarantees are granted to third-country nationals by bilateral agreements on coordination of social security concluded with third countries.* Individual Member States of the European conclude, at their own discretion, agreements on coordination of social security with third countries and stipulate in them a system of coordination rules aiming at protecting their citizens working in other states. The Republic of Lithuania has bilateral agreements with the Russian Federation, the Republic of Belarus, Ukraine, Canada and the United States of America stipulating rules concerning applicable law, equal treatment and pensions.
- *Social guarantees granted to permanent residents of the Republic of Lithuania.* Significant social guarantees which are acquired on a contributory basis (benefits payable in the event of accidents at work and occupational diseases, unemployment benefit, survivor's pension, paternity allowance, maternity/paternity allowance, maternity allowance for the duration of the maternity leave, sickness allowance) are provided to permanent residents of the Republic of Lithuania and are not available to third-country nationals who are temporarily staying in Lithuania and hold a temporary residence permit.

## References

### References

1. Asylum and Migration Glossary 2.0. A tool for better comparability, European Commission, European Migration Network, 2012.
2. Attracting Highly Qualified and Qualified Third-Country Nationals (Focussed Study), prepared by: European Migration Network National Contact Point in Lithuania. Vilnius: International Organization for Migration and the European Migration Network, 2013. [http://emn.lt/wp-content/uploads/2013/06/Attracting-Highly-Qualified-TCN\\_FinalLT1.pdf](http://emn.lt/wp-content/uploads/2013/06/Attracting-Highly-Qualified-TCN_FinalLT1.pdf)(accessed on 15.08.2013), p.7.
3. Deacon, B., Developments in East European social policy. In *New Perspectives on the Welfare State in Europe*, red. C. Jones. London: Routledge, 1993.
4. Deacon, B., Eastern European welfare states: the impact of the politics of globalization. *Journal of European Social Policy* 10 (2), p.146-161, 2000.
5. Fajth, G., Social Security in a Rapidly Changing Environment: The Case of Post-communist Transformation. *Social Policy and Administration* 33 (4), p. 416-436, 1999.
6. Guogis, A. Dėl Lietuvos socialinės apsaugos sampratos [Analysis of the Lithuanian concept of social security]. In *Socialinis darbas [Social Work]*, No 7(2), p.26-34, 2008.
7. Lazutka, R. Socialinė apsauga. Žmogaus socialinė raida [Social Security. Human Social Development]. Vilnius: Homo Liber, 2001.
8. Medaiskis, T. Collection of lectures, 2012. Socialinės apsaugos ekonomika. Socialinės apsaugos esmė ir pagrindiniai principai [Social security economy. Essence and key principles of social security], <http://web.vu.lt/ef/t.medaiskis/socialines-apsaugos-ekonomika>(accessed on 04.09.2013).
9. Valstybinio socialinio draudimo fondo valdyba Valstybinis socialinis draudimas Lietuvoje [State Social Insurance Fund Board. State Social Insurance in Lithuania]. Vilnius, 2008, <http://www.sodra.lt/get.php?f.3745>(accessed on 10.09.2013).

## EU legal acts

1. Mutual Information System on Social Protection (MISSOC) of the European Union [http://ec.europa.eu/employment\\_social/empl\\_portal/SSRinEU/Your%20social%20security%20rights%20in%20Lithuania\\_Lt.pdf](http://ec.europa.eu/employment_social/empl_portal/SSRinEU/Your%20social%20security%20rights%20in%20Lithuania_Lt.pdf) (accessed on 19.08.2013).
2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The External Dimension of EU Social Security Coordination, 30 03 2012. COM 2012 No 153, Brussels
3. Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, Official Journal of the European Union, Council of the European Union, 2009, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:155:0017:0029:LT:PDF> (accessed on 19.08.2013).

## Legal acts of the Republic of Lithuania

1. Law of the Republic of Lithuania on the Approval of the Financial Indicators of the State Budget and Municipal Budgets for 2007, 07.12.2006, No X-963: Official Gazette, No 138-5267, 2006, Vilnius.
2. Law of the Republic of Lithuania on Personal Income Tax, 02.07.2002, No IX-1007: Official Gazette, No 73-3085, 2002, Vilnius.
3. Law of the Republic of Lithuania on Benefits for Children, 03.11.1994, No I-621: Official Gazette, No 89-1706, 1994 (new version: Official Gazette, No 88-3208, 2004), Vilnius.
4. Law of the Republic of Lithuania Amending Articles 1 and 2 of the Law on Benefits for Children and Supplementing the Law with an Annex, 2011.06.09, Nr. XI-1434: Official Gazette, No 77-3721, 2011, Vilnius
5. Law of the Republic of Lithuania on the Legal Status of Aliens, 29.04.2004, No IX-2206: Official Gazette, No 73-2539, 2004, Vilnius.
6. Law of the Republic of Lithuania Amending the Law on Assistance in the Case of

Death, 09.06.2011, No XI-1435: Official Gazette, No 77-3722, 2011, Vilnius

7. Law of the Republic of Lithuania on Sickness and Maternity Social Insurance, 21.12.2000, No IX-110: Official Gazette, No 111-3574, 2000, Vilnius.
8. Law of the Republic of Lithuania on Social Insurance of Occupational Accidents and Occupational Diseases, 23.12.1999, No VIII-1509: Official Gazette, No 110-3207, 1999, Vilnius.
9. Law of the Republic of Lithuania on Health Insurance, 21.05.1996, No I-134: Official Gazette, No 55-1287, 1996, Vilnius; 21.12.2000, No IX-110: Official Gazette, No 111-3574, 2000, Vilnius.
10. Law of the Republic of Lithuania on Health Insurance, updated version: 26.08.2013, No I-1343: Official Gazette, No 55-1287, 1996, Vilnius.
11. Law of the Republic of Lithuania on State Social Insurance Pensions, 18.07.1994, No I-549, Official Gazette, No 59-1153, 1994, Vilnius.
12. Law of the Republic of Lithuania Amending Articles 1, 2, 8, 43, and 54 of the Law on State Social Insurance Pensions and Supplementing the Law with Article 11 and an Annex, 28.06.2012, No XI-2137: Official Gazette, No 80-4141, 2012, Vilnius.
13. Law of the Republic of Lithuania on State Social Assistance Benefits, 29.11.1994, No I-675: Official Gazette, No 96-1873, 1994, Vilnius.
14. Government of the Republic of Lithuania Resolution on Approval of the Rules for Examination of Applications Submitted by Individuals and Services Provided to Them in Public Administration Institutions, Agencies and Other Public Administration Entities, 22.08.2007, No 875, Official Gazette, No 94-3779, 2007, Vilnius.
15. Government of the Republic of Lithuania Resolution on Approval of the Amount of State-Supported Income, 05.06.2008, No 538: Official Gazette, No 67-2531, 2008, Vilnius.

16. Government of the Republic of Lithuania Resolution on Approval of the Lithuanian Immigration Policy Guidelines, 03.12.2008, No 1317, Official Gazette, 13-12-2008, No 143-5706, Vilnius.

**Bilateral agreements on social rights and guarantees to which the Republic of Lithuania is a party**

1. Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the Social Guarantees Applying the Procedure for the Officer Pensioners of the Russian Federation Permanently Residing in the Republic of Lithuania, 18.11.1993, Vilnius: Official Gazette, No 23-368, 1994.
2. Agreement between the Republic of Lithuania and the Republic of Belarus on Social Security, 04.02.1999, Minsk: Official Gazette, No 61-1979, 1999.
3. Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the Provision of Pensions, 29.06.1999, Moscow: Official Gazette, No 20-496, 2000.
4. Agreement between the Republic of Lithuania and Ukraine on Social Security, Official Gazette, No 93-3261, 2001.
5. Agreement between the Government of the Republic of Lithuania and the Government of the United States of America concerning the payment of state social insurance pensions to the citizens of the United States of America residing abroad, 24.01.2003, Vilnius: Official Gazette, No 8-270, 2003.
6. Agreement on Social Security between the Republic of Lithuania and Canada, 05.07.2005, Vilnius: Official Gazette, No 143-5186, 2005.
7. Order of the Director of the State Social Insurance Fund Board on the Approval of the Procedure for Awarding and Paying State Social Insurance Pensions to Citizens of the United States of America Residing Abroad, 24.03.2003, No V-100:Official Gazette, No 33 -1400, 2003, Vilnius.