AGREEMENT
BETWEEN
THE GOVERNMENT OF THE STATE OF ISRAEL
AND
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA
ON
GAINFUL OCCUPATION FOR FAMILY MEMBERS OF A MEMBER OF A DIPLOMATIC MISSION OR CONSULAR POST

The Government of the State of Israel and the Government of the Republic of Lithuania (hereinafter referred to as the "Parties"),

Realizing that the members of the family of a diplomatic agent forming part of his/her household, in particular, spouses may wish to work in the State where the member of a diplomatic mission or consular post is assigned to duty;

Desirous of facilitating the engagement of such family members in a gainful occupation in the receiving State,

Have reached the following Agreement:

Article 1
Authorization to engage in a gainful occupation

1. The members of the family forming part of the household of a member of a diplomatic mission or consular post of the sending State appointed to carry out an official mission in the receiving State shall be authorized to engage in a gainful occupation in the receiving State in accordance with the provisions of the applicable legislation of the receiving State and the provisions of this Agreement.

2. The receiving State shall retain the right to withhold authorization for employment in certain areas, inter alia:

    a. If the employer is the receiving State, including its public enterprises, state-owned and mixed public-private corporations;

    b. If the activity affects national security.

3. Any authorization to engage in a gainful occupation in the receiving State shall be valid only during the tenure of the member of a diplomatic mission or consular

post in the receiving State or at the latest three months thereafter.

Article 2

Definitions

For the purpose of this Agreement:

1. "A member of a diplomatic mission or consular post" means any employee of the sending State who is not a national of or permanently resident in the receiving State and who is assigned to official duty in the receiving State in a diplomatic mission or consular post.

2. "A member of the family" of a member of a diplomatic mission or consular post means:

   a. The spouse, in accordance with the applicable legislation of the sending State;

   b. Unmarried dependent children under the age of 18 years or unmarried dependent children under the age of 25 years pursuing studies in universities or other higher education establishments recognized by the receiving State;

   c. Unmarried children forming part of the household of a member of a diplomatic mission or consular post who are physically or mentally disabled but able to work.

Article 3

Authorization procedures

1. The engagement of a member of the family in a gainful occupation in the receiving State shall be governed by the provisions of this Agreement and shall be subject to prior authorization of the competent authorities through a request submitted on behalf of the member of the family by the Embassy of the sending State to the Protocol Department of the Ministry of Foreign Affairs of the receiving State, specifying the position applied for, the details of the potential employer and any other information requested by the competent authority in accordance with its procedures and forms. The competent authorities of the receiving State, after checking whether the person in question fits the categories defined in this Agreement and taking into account applicable internal provisions, shall grant the authorization to engage in the requested position according to the applicable legislation of the receiving State and officially inform the Embassy of the sending State, through the Protocol Department of the Ministry of Foreign Affairs of the receiving State, that the person is authorized to engage in the requested position. In this process the labour market test and quotas of admission are not applied.

2. Should the member of the family seek to change his/her employers at any time after receiving a work permit, further authorization must be sought.

3. Authorization for a member of the family or of the potential employer to engage in a gainful occupation will not imply exemption from any requirements, procedures or fees which may ordinarily apply to any employment, whether relating to personal characteristics, professional or trade qualifications or otherwise. In the case of professions requiring special qualifications, the member of the family shall not be exempted from fulfilling the applicable requirements. The provisions of this Agreement shall not be interpreted as implying the recognition, by the other contracting Party, of a degree for pursuing a profession.

Article 4

Civil or administrative privileges and immunities

In the case of members of the family who enjoy immunity from the civil or administrative jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 such immunity shall not apply in respect of any act or omission carried out in the course of the gainful occupation and falling within the civil or administrative jurisdiction of the receiving State. Such a waiver of immunity from civil or administrative jurisdiction shall not be construed as extending to immunity from execution of the sentences, for which a specific waiver will be required.

Article 5

Criminal immunity

In the case of members of the family who enjoy immunity from the criminal jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations, 1961 or in accordance with the rules of customary International law as they are embodied in the Vienna convention on Consular Relations, 1963:

a. The provisions concerning immunity from criminal jurisdiction of the receiving State shall continue to apply in respect of any act or omission carried out in the course of the gainful occupation.

b. However, in the case of serious offences, as defined in the legislation of the receiving State, carried out in the course of the gainful occupation, upon the request in writing of the receiving State, the sending State shall seriously consider waiving the immunity of the member of the family concerned from the criminal jurisdiction of the receiving State.

c. Such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from execution of the sentences, for which a specific waiver will be required.

Article 6

Fiscal and social security regimes

In accordance with the Vienna Convention on Diplomatic Relations, 1961 and in accordance with the rules of the customary international law as they are embodied in the Vienna Convention on Consular Relations, 1963 members of the family shall be subject to the fiscal and social security regimes applicable in the receiving State for matters connected with their gainful occupation in that State.

Article 7

Settlement of disputes

Any differences or disputes regarding the interpretation or application of this Agreement shall be settled through mutual consultations.

Article 8

Final provisions

1. The Parties shall notify each other through diplomatic channels that the internal legal procedures necessary for the entry into force of this Agreement have been completed. The Agreement shall enter into force on the date of receipt of the later of the notifications and shall remain in force for an indefinite period of time.

2. The present Agreement may be amended on the basis of mutual written consent by both Parties. The amendments shall enter into force in accordance with paragraph 1 of this article.

3. Either Party may terminate this Agreement providing a 6 (six) months' notice in writing through diplomatic channels.

IN WITNESS WHEREOF the undersigned, being duly authorized by their Governments, have signed this Agreement.

Signed in Jerusalem, on the 6 day of, March 2012 which corresponds to the 12 of Adar 5772 in two original copies in the Lithuanian, Hebrew and English languages, all texts being equally authentic. In the case of divergence of interpretation the English text shall prevail.

For the Government of
the State of Israel

For the Government of
the Republic of Lithuania