

Frant National contribution to the Fundamental Rights Report 2023

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Contents

Franet country study: policy and legal highlights 2022	4
1 Equality and non-discrimination	6
1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination focussing on LGBTIQ people and combating discrimination on the grounds of socio-economic status, health status and physical appearance	6
1.2 Findings and methodology of research, studies, or surveys on experiences of discrimination against LGBTIQ people and on the grounds of socio-economic status, health status and physical appearance.....	9
2 Racism, xenophobia and related intolerance.....	13
2.1 Data, research findings, studies, or surveys on experiences of ethnic discrimination, racism and hate crime	13
2.2 Legal and policy developments or measures relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive.....	16
3 Roma equality and inclusion	19
3.1 Policy developments in regards to the implementation of national action plans	19
3.2 Legal and policy developments or measures directly or indirectly addressing Roma/Travellers equality and inclusion	23
4 Asylum, borders, visas, migration and integration.....	26
4.1 National legal framework on criminalisation of 'humanitarian assistance' and domestic transposition of sanctions.....	26
4.2 Use of the large-scale IT Systems in the area of asylum, migration and border control	32
5 Information society, privacy and data protection.....	35
5.1 Initiatives in the use of artificial intelligence in both private and public sectors.....	35
5.2 Legal and policy initiatives on data protection and private life	43
6 Rights of the child.....	48
6.1 Measures addressing vulnerabilities of children living in poverty and developments regarding the national implementation of the EU Child Guarantee	48
6.2 Legal and policy developments or measures in relation to child-friendly procedures for children as victims, witness or suspects/accused in criminal proceedings.	54

7	Access to justice – Victims’ Rights and Judicial Independence	58
7.1	Legal and policy developments or measures relevant to the implementation of the Victims’ Rights Directive and the EU strategy for Victims’ Rights 2020-2025	58
7.2	Measures addressing violence against women	61
8	Developments in the implementation of the Convention on the Rights of Persons with Disabilities	69
8.1	CRPD policy and legal developments & implementation of the European Accessibility Act.....	69
8.2	CRPD monitoring at national level	77
	Annex 1 – Promising Practices	80
	Annex 2 – Case Law	96

Policy and legal highlights 2022

Franet country study: policy and legal highlights 2022	
Issues in the fundamental rights institutional landscape	The Government of Lithuania adopted the Regulation No. 439, 27-04-2022 on setting up an Investment Programme Monitoring Committee authorising it to complete functions listed in the for in Article 40 of the Regulation of the European Parliament and Council No. 2021/1060.
EU Charter of Fundamental Rights	Establishment of an Investment Programme Monitoring Committee. An Investment Programme Monitoring Committee has been established , comprising representatives from public and private sectors, academia, Ombudspersons' Offices, social partners and non-governmental organizations. The committee is, <i>inter alia</i> , responsible for the functions provided for in Article 40 of the Regulation No. 2021/1060.
Equality and non-discrimination	The Law on Equal Opportunities updated. On 19 May 2022, the Seimas approved amendments to the Law on Equal Treatment , allowing the Equal Opportunities Ombudsperson to investigate a wider range of citizens' complaints of harassment in the areas of consumer rights, organisations and associations.
Racism, xenophobia & Roma Equality and Inclusion	Investigation of hate crimes enhanced. The amendments to the Articles 169, 170, 60, 129,135, 138 of the Criminal Code of the Republic of Lithuania into force in 2022. They supplement such bases of hate crime and hate speech as age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions and views with colour of skin or ethnic origin came. Adopted Action Plan for the Integration of Roma, 2022-2023. In July 2022, the Department of National Minorities under the Government of Lithuania adopted the Action Plan for the Integration of Roma into Lithuanian Society 2022-2023 , but it did not respond to the expectations of state institutions and civil society organisations, especially when addressing Roma people's access to accommodation and education.
Asylum & migration	The notion of humanitarian assistance is not defined yet in Lithuanian laws. Therefore, any case is evaluated individually in order to assess whether actions amount to humanitarian assistance. This is in particular relevant due to situation at the border and increasing activities of NGOs aimed to help people pushed-back by Lithuanian and Belarusian border guards
Data protection and digital society	Transparency law found to contradict GDPR principles. On August 1, 2022, the Court of Justice of the European Union issued a landmark judgment in the case of OT v Vyriausioji tarnybinės etikos komisija (Case C-184/20) where it found a requirement under the Lithuanian law to publish online detailed private interest declarations of public officials incompatible with data minimisation, necessity and proportionality principles under the General Data Protection Regulation.
Rights of the child	Universal child benefit and disability benefit for children increased. From 1 June, 2022 responding to the rising inflation, the universal child benefit was increased from € 73.50 to € 80.50, whilst the benefit for children with disabilities was increased up to € 127.88. Disability benefit for children was increased from € 150–€ 300 to € 173–€ 346.
Access to justice,	New Law on Protection from Domestic Violence adopted. A new edition of the Law on Protection from Domestic Violence has been adopted. The law provides for a

including victims of crime	protection order that, if there is a risk of violence, can be applied by a police officer for up to 15 days without the decision of the court.
Convention on the Rights of Persons with Disability	An inclusion of people with disabilities improved. The adoption of the set of laws aims at increasing an inclusion of people with disabilities in labour market by abolishing the status of the social enterprises and offering new measures to facilitate the employment of people with disabilities in an open labour market. The Parliament adopted a set of laws set to reform disability assessment system that involves, among other things, temporal compulsory quotas for state and municipality institutions to employ people with disabilities, revision of the official vocabulary on disability and related concepts and establishing the regulation for the accessibility of information.

1 Equality and non-discrimination

1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination focussing on LGBTIQ people and combating discrimination on the grounds of socio-economic status, health status and physical appearance

On 16 May 2022, the draft Law on Civil Union¹ was registered in the Seimas and passed for discussion in Seimas committees.

The Equal Opportunities Ombudsperson has expressed the opinion, that the draft law „does not meet the standards of a dignified partnership“ since „full equality can only be achieved if marriage equality is guaranteed.“ The Ombudsperson appealed to the Seimas to take into account the comments and suggestions of human rights experts when discussing the draft law in the committees². The positive aspects of the draft law noted by the Equal Opportunities Ombudsperson are the „possibility to register the relationship itself or to recognise a de facto partnership, the issues of loyalty of two persons, mutual respect, the right of inheritance, the right to represent in healthcare institutions have been regulated, the issues of the use and division of common property have been at least regulated in part.“ In terms of shortcoming the draft Law does not make any connection towards the family legal relationship, since it „does not allow for the choice of the last name of a partner and does not regulate the protection of the interests of the children³.“

The Lithuanian Centre for Human Rights together with the Coalition of Human Rights Organizations (HROC) and law firms „Ellex Valiūnas ir partneriai“, „Walless“, „Glimstedt Vilnius“ and “WINT” have provided comments to the Seimas Law and Order Committee on the draft Law on Civil Union⁴. They commented on the definitions of the concept of partnership, the names of persons who have entered into a civil union, the protection of the rights and legitimate interests of a child. In their opinion, de facto partnership does not meet the real needs of same-sex and different-sex families, does not meet the principle of ensuring the best

¹ Lithuania, The draft Law on Civil Union ([Civilinės sąjungos įstatymo projektas](#)), Reg. No. XIVP-1694, 16 May 2022.

² Lithuania, Office of the Equal Opportunities Ombudsperson (2022), '[Equal Opportunities Ombudsperson on the Law on Civil Union: insufficient but necessary for consideration](#)', 21 June 2022.

³ Lithuania, Office of the Equal Opportunities Ombudsperson, (2022), '[Equal Opportunities Ombudsperson on the Law on Civil Union: insufficient but necessary for consideration](#)', 21 June 2022;

⁴ Lithuanian Centre for Human Rights (Lietuvos žmogaus teisių centras) (2022), 'Regarding the Draft Law on Civil Union' ([Dėl civilinės sąjungos įstatymo projekto No. XIVP-1694](#)), No. LŽTC-2022-06-23/01, 23 June 2022.

interests of the child and thus does not comply with the principles of human rights protection and international standards⁵.

On 19 May 2022, the Seimas approved amendments to the Law on Equal Treatment⁶, which will allow the Office of the Equal Opportunities Ombudsperson to investigate a wider range of citizens' complaints of harassment in the areas of consumer rights, organisations and associations. Protection, for example, applies to those who experienced humiliation due to their origin or sexual harassment in bars. The provisions of the amended law require all service providers to take measures to ensure a safer environment and to respond when customers notify them of infringements⁷.

In addition, protection against persecution after lodging a complaint is extended⁸. The amendments of the Law expand the list of areas, such as education, consumer protection, as well as organisations and associations⁹.

On 2 June 2022, the Equal Opportunities Ombudsperson, the Seimas Ombudsperson, Equality and anti-discrimination Ombud of Norway, and the Communications Manager at the Finnish Non-Discrimination Ombudsman's Office signed a public statement for effective protection of LGBTI+ people from discrimination. The document called on the Lithuanian authorities to take specific policy-making measures to protect same-sex families, the rights of transgender people, and LGBTI+ youth¹⁰.

On 3 June 2022, the Baltic Pride 2022 annual international conference "Proud Cities Summit" invited mayors from Europe and Canada, business, public sector and NGO representatives to share their insights on equal opportunities, diversity and inclusion. The conference was held in partnership with the Lithuanian Diversity Charter at Vilnius Town Hall. The event was broadcast online by Lithuanian National Radio and Television (Lrt.lt)¹¹.

The fifth Baltic Pride 2022 March for Equality and Peace was held on 4 June 2022 in Vilnius. About 10,000 participants from both Lithuania and abroad participated in the March. Participants marched through the main street of Vilnius – Gediminas

⁵ Lithuanian Centre for Human Rights (Lietuvos žmogaus teisių centras), (2022), '[Lietuvos žmogaus teisių centras pateikė pastabas dėl Civilinės sąjungos įstatymo](#)', press release, 4 July 2022;

⁶ Lithuania, Law amending Art. 2, 4, 6, 7, 8, 9 and annex of the Law on Equal Treatment ([Lygių galimybių įstatymo Nr. IX-1826 2, 4, 6, 7, 8, 9 straipsnių ir priedo pakeitimo įstatymas](#)), No. XIV-1109, 19 May 2022 (came into force on 2 June 2022);

⁷ Office of the Equal Opportunities Ombudsperson, (2022), '[Important changes to the Law on Equal Treatment: extension of the protection against harassment and persecution](#)', press release, 21 June 2022;

⁸ Lithuania, Office of the Equal Opportunities Ombudsperson, (2022), '[Important changes to the Law on Equal Treatment: extension of the protection against harassment and persecution](#)', press release, 21 June 2022;

⁹ Lithuania, Office of the Equal Opportunities Ombudsperson, (2022), '[Important changes to the Law on Equal Treatment: extension of the protection against harassment and persecution](#)', press release, 21 June 2022;

¹⁰ Lithuania, Office of the Equal Opportunities Ombudsperson, (2022), '[Ombudspersons: It is time to ensure the human rights of LGBTI+ people](#)', 21 June 2022;

¹¹ Kuktoraitė, E., National LGBT rights organisation LGL, (2022), '[Baltic Pride 2022: International Conference Proud Cities Summit](#)', 3 June 2022.

Avenue to the White Bridge. The march was followed by a concert (Proud Cities Concert)¹².

The Organisation for Economic Cooperation and Development (OECD) will create a new system for providing individualised services in Lithuania for vulnerable groups of society (such as people with disabilities, young people leaving care institutions and persons released from prisons), which will be implemented in 2023. On 23-27 May, the OECD experts held practical seminars in the municipalities of Marijampolė, Kaunas and Švenčionys districts where people with disabilities, young people and people leaving prisons, as well as social workers, local NGO's and service organisers shared their experiences, practices and proposals. The OECD experts will prepare an innovative model of personalised services, which will be used to improve social policy formulation and its practical implementation. The focus is on effective management of public services for vulnerable people. In addition, a map of services and programmes for vulnerable groups will also be created. Local NGOs are expected to be more actively involved in the provision of services¹³.

The Ministry of Social Security and Labour announced anti-poverty measures, such as inclusion of the unemployed, consistent increase of pensions and social benefits.

Since July 2022, changes which aim to include more people of working age in the labour market of the country's employment system have been implemented. The new status of a person preparing for the labour market was introduced. These persons will be provided with individualised services and case managers. In addition, employees will have more opportunities to strengthen their competences, learn, and acquire qualifications that create high added value. The aim of these changes is to harmonise the provision of employment promotion and motivation services and monetary social support, to increase the social integration of unemployed persons with many problems – social independence, motivation to work, professional competences. It is planned that all municipalities in Lithuania will work on the basis of this model starting from 2023.

According to the Department of Statistics the poverty risk level is 21.2 % in 2022¹⁴. The highest risk of poverty remains in the 65 and older age group of people where it is estimated to be 37.9 %¹⁵. In order to reduce poverty of older people, in 2021 amendments to the Law on Social Security Pensions, which came into force on 1 January 2022, were adopted¹⁶. These amendments ensure a faster increase (faster indexation) in social security pensions, which will have a positive

¹² Kuktoraitė, E., National LGBT rights organisation LGL, (2022), ['Vilnius Hosted the Baltic Pride 2022 March for Equality and Peace and Proud Cities Concert'](#), 4 June 2022.

¹³ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), (2022), ['Šalvie stiprinama pažeidžiamų žmonių įtrauktis: bus taikoma atvejo vadyba'](#), 27 May 2022.

¹⁴ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), (2022), ['Skurdi mažinti – kryptingi ir tvarūs sprendimai: bedarbių įtrauktis, nuoseklus pensijų ir socialinių išmokų didinimas'](#), 29 July 2022.

¹⁵ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), (2022), ['Skurdi mažinti – kryptingi ir tvarūs sprendimai: bedarbių įtrauktis, nuoseklus pensijų ir socialinių išmokų didinimas'](#), 29 July 2022.

¹⁶ Lithuania, Law amending Art. 47 and 49 of the Law on Social Security Pensions (*Socialinio draudimo pensijų įstatymo Nr. I-549 47 ir 49 straipsnių pakeitimo įstatymas*), No. XIV-458, 29 June 2021 (came into force on 1 January 2022);

impact on the reduction of poverty in the country, especially among persons of retirement age in 2022¹⁷.

1.2 Findings and methodology of research, studies, or surveys on experiences of discrimination against LGBTIQ people and on the grounds of socio-economic status, health status and physical appearance

On 18-28 June 2022, the survey company, Spinter research, carried out a representative public opinion poll ordered by the Office of the Equal Opportunities Ombudsperson, to analyse the attitudes of Lithuanian residents towards hate speech. Altogether 1 015 Lithuanian residents (18 years and older – up to age 75) from throughout Lithuania participated in the survey. The margin of error in a survey with this number of participants is less than 3 %. The method applied for the research was the telephone (CATI) and online (CAWI) interviews.

The survey results show when respondents usually tend to consider comments directed against LGBT people and persons of other “races” as hate speech¹⁸. The survey suggests a decreasing tolerance to hate speech in 2022; more Lithuanian residents (24 %) – 18% in 2020 – would turn to law enforcement institutions if they personally encountered negative comments on the internet. Over the past two years, there has been an increase in the number of residents who disagree that negative comments are not harmful (76 %; in 2020 – 70%). As many as 59 % of respondents (in 2020 – 46 %) disagree or completely disagree with the statement that negative comments on the internet about certain society groups are an expression of freedom¹⁹. In addition, the survey results show that 71 % of respondents have not written a negative comment about a certain group or groups of society, 12 % said that they have, 10 % - a few times and 2 % – only once. While the biggest (28 %) part of those who have written indicated that wrote negative comments about persons of a certain gender; 24 % - wrote about lesbians, gays, bisexuals or transgender (LGBT) persons; 12 % - about people of a certain age; 10 % - persons of a certain ethnic group and/or nationality; 8 % - about persons of a certain religion and 4 % - about disabled persons²⁰.

On 20 September – 1 October 2022, the news portal Delfi.lt carried out an internet public opinion poll ordered by the Lithuanian Human Rights Centre, to analyse the attitudes of Lithuanian residents towards a civil union of same-sex couples. The

¹⁷ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), (2022), '[Skurdui mažinti – kryptingi ir tvarūs sprendimai: bedarbiu įtrauktis, nuoseklus pensijų ir socialinių išmokų didinimas](#)', 29 July 2022.

¹⁸ Lithuania, Office of the Equal Opportunities Ombudsperson (Lygių galimybių kontrolieriaus tarnyba) (užsakovas); Spinter research (vykdytojas), (2022), '[Šalies gyventojų Nuomonės tyrimas dėl neapykantos kalbos reiškinių](#)', research report, June 2022;

¹⁹ Lithuania, Office of the Equal Opportunities Ombudsperson (2022), '[Tyrimas: daugiau nei pusė Lietuvos gyventojų priešišku komentaru internete nelaiko saviraiškos laisvę](#)', 28 July 2022;

²⁰ Lithuania, Office of the Equal Opportunities Ombudsperson (Lygių galimybių kontrolieriaus tarnyba) (užsakovas); Spinter research (vykdytojas), (2022), '[Šalies gyventojų Nuomonės tyrimas dėl neapykantos kalbos reiškinių](#)', research report, June 2022;

selection of respondents was carried out according to the age and gender proportions that correspond to the composition of the Lithuanian population. The survey results show that half of the respondents support the possibility of same-sex couples to legalize their relationship. The opportunity for same-sex couples to enter into civil unions is positively assessed by every second (49.6%) of respondents while disapproved by almost every third (29.88%) of respondents; neither approved, nor disapproved, or has no opinion by every fifth (18.53% and 1.99% respectively) respondents participated in the survey²¹.

In January 2022, the report "Teisė į lytinės tapatybės pripažinimą Lietuvoje. Nacionalinė apžvalga" (in English "The right to gender identity recognition in Lithuania. National Review") on the right to gender identity recognition in Lithuania was published. This report is part of a pilot project initiated by the Council of Europe to provide thematic analysis on the Recommendation of the Committee of Ministers No. CM/Rec(2010)5 to the Member States on the implementation of measures to combat discrimination based on sexual orientation or gender identity²². The report provides an analysis of international and national legislation, responses to requests for information and interviews with representatives of different state institutions, specialists, transgender people; it also uses data from reports, surveys or publications by related international institutions, academic articles and research on civil society. In addition to the mentioned data, in December 2021 a national roundtable discussion with representatives of state institutions and civil society was held. The information gathered during this roundtable is also reflected in the report. The report identified gaps, but also highlighted potential common points of contact between state institutions and civil society to advance reforms in line with the recommendation²³. The report concludes by presenting the following recommendations: to establish a quick, transparent and accessible administrative procedure to change their identity documents, their names and surnames based on the principle of personal self-determination (i.e. without psychiatric diagnosis or other medical requirements), without setting criteria for marital status or age, and systematically applying the changes made in all areas of life; to include gender identity in the list of grounds for non-discrimination in the Law on Equal Opportunities and other national legislation; to update the draft diagnostic and treatment protocol in consultation with international health experts and the local transgender community; also to establish an administrative procedure for transgender persons to change their first and last names to those corresponding to their gender; etc.²⁴.

At the beginning of 2022, The 3rd Cycle Universal Periodic Review (UPR) on Lithuania (Lithuania UPR 2022 – advocacy sheet) was issued²⁵. According to the

²¹ Mano teisės (2022), [DELFI.lt apklausa: pusė gyventojų palaiko tos pačios lyties civilines sąjungas](#), 7 November 2022.

²² Lithuania, Human Rights Monitoring Institute, (2022), [Ataskaita „Teisė į lytinės tapatybės pripažinimą Lietuvoje: nacionalinė apžvalga“](#), 28 June 2022;

²³ Leonaite, E., Jurgaite, A., in collaboration with Stéphanie Cramer Marsal and the European Council of Sexuality orientation and gender identity (SOGI) unit, Council of Europe (2022) [Teisė į lytinės tapatybės pripažinimą Lietuvoje Nacionalinė apžvalga](#)

²⁴ Leonaite, E., Jurgaite, A., in collaboration with Stéphanie Cramer Marsal and the European Council of Sexuality orientation and gender identity (SOGI) unit, Council of Europe, (2022), [Teisė į lytinės tapatybės pripažinimą Lietuvoje Nacionalinė apžvalga](#);

²⁵ Antanaitytė, M., National LGBT rights organisation LGL, (2022), [‘LGL Advocacy Efforts Within the Context of the Third Cycle Universal Periodic Review’](#), 20 January 2022;

advocacy sheet, protection of LGBTI individuals in Lithuania, despite several positive developments, remains highly compromised²⁶. Currently the Lithuanian Government has no comprehensive strategy on eliminating discrimination on the ground of sexual orientation and gender identity. The Action Plan for Promoting Non-discrimination 2017–2019 and the Action Plan for Promoting Non-discrimination 2021–2023, despite being key policy documents for countering discrimination, do not sufficiently address the specific needs of LGBTI individuals²⁷.

The national LGBT rights organisation, LGL, which is implementing a project financed by the European Union's Rights, Equality and Citizenship Programme "CHOICE: Promoting an Inclusive Learning Environment" has prepared special online educational modules that will help strengthen the competence of secondary school specialists in creating an inclusive school environment and raise awareness of discrimination, bullying or violence related to sexual orientation and gender identity in the school community and wider society. This project aims to promote more inclusive school environments and combat intolerance on gender identity, gender expression and sexual orientation in Bulgaria, Greece, Lithuania and Romania²⁸.

On 17-27 September 2022 the Gallup Organization *Baltic surveys (Baltijos tyrimai)* on behalf of Department of Ethnic studies at the Institute of Sociology at the Lithuanian Center for Social Sciences and non-governmental organization Diversity Development Group conducted representative survey among 1024 adult (18 and older). Residents from throughout Lithuania (different types of settlement) participated in the survey. The margin of error in a survey with this number of participants does not exceed 3.1 %. The survey demonstrates minor decrease of negative attitudes towards homosexual persons: 35.9 % of respondents (to compare with 42 % in 2021) indicated that they would not want to have a homosexual neighbour, 24.2 % (27 % in 2021) indicated that they would not like to work at the same work place with homosexual persons, 45.4 % (46% in 2021) answered that they would not like to rent apartment to homosexual persons.

On 2022 Vytautas Magnus University and non-governmental organization Diversity Development Group published the research report [„Universities towards diversity“](#). This research report is a part of [„UniDiversity – Universities towards diversity“ project](#), which is funded by the Rights, Equality and Citizenship (REC) programme of the European Union. The project aims to increase the evidence base about the current situation of discrimination based on sexual orientation, gender identity, and gender characteristics (SOGISC) in the academic environment in the 3 countries (Greece, Lithuania, and Italy) and making the academic environment more inclusive towards LGBTI+ individuals²⁹. The report presents the national policy overview, the results of Internet survey and recommendations for policy makers. The anonymous online survey was conducted in March-April 2021.

²⁶ National LGBT rights organisation LGL (2022) '[3rd Cycle Universal Periodic Review Lithuania UPR 2022 – Advocacy Sheet](#)', situations of LGBTI persons in Lithuania.

²⁷ National LGBT rights organisation LGL, (2022), '[3rd Cycle Universal Periodic Review Lithuania UPR 2022 – Advocacy Sheet](#)', situations of LGBTI persons in Lithuania.

²⁸ National LGBT rights organisation LGL, (2022), '[Parengti mokomieji moduliai apie įtraukios mokyklos aplinkos kūrimą švietimo specialistams](#)', 13 January 2022.

²⁹ Unidiversity. Objectives. <https://unidiversity-project.eu/>

Random selected 575 respondents took part in the survey: mostly university students (61.4%) and academic staff (35.1%). According to the online survey, the majority of respondents believe that there are very few cases of discriminatory attitudes and behavior regarding SOGISC in the academic environment. In addition, the majority of respondents stated that they had not experienced, observed or heard of discriminatory incidents in the academic environment. Students, unlike academic staff, believe that certain behaviors occur more often because of SOGISC. The report indicates the gap of discrimination due to SOGISC monitoring in the Lithuanian academic environment and lack of good practices in creating a tolerant environment for LGBTI+ persons. It is recommended to include the basis of gender identity in the investigation of hate crimes and discrimination. In addition, it is recommended to implement the mechanisms for the prevention of discrimination based on SOGISC while ensuring the anonymity and confidentiality of individuals; to initiate awareness raising campaigns as well as measures to encourage the reporting of manifestations of discrimination in universities³⁰.

On 17-29 January 2022, the survey company, Spinter research, carried out a representative public opinion poll ordered by the *Lithuanian National Anti-Poverty Network* to analyse the attitudes of Lithuanian residents towards price increases. This survey reveals the most vulnerable groups of society, who may experience social exclusion and income inequality in society on the grounds of socio-economic status. The survey results show, that it is people with the lowest incomes who mostly experience the increasing price inflation and the increase in heating bills. Poor, less educated people lack money for food (12.4 %; in 2021 – 11 %) utility taxes and rent (19.3 %; in 2021 – 14 %). In response to the survey results, the head of the association stated, that despite the expanded compensation mechanism and the state budget of 2022 focus on increasing incomes, these changes, unfortunately, are now barely keeping up with inflation. According to the head, poverty, including energy poverty, needs to be tackled with systemic measures – increasing the income of people with the lowest incomes, investing in renewable energy resources and accelerating housing renovation processes³¹.

³⁰ Vytauto Didžiojo universitetas, NVO "Diversity Development Group" (2022). [Universitetai įvairovės link. Tyrimo ataskaita. Lietuvos atvejais.](#)

³¹ Lithuanian National Anti Poverty Network (Nacionalinis skurdo mažinimo organizacijų tinklas, (2022), ['Naujausia apklausa: kainų augimą labiausiai jaučia mažiausias pajamas gaunantys gyventojai'](#), press release, 2 July 2022.

2 Racism, xenophobia and related intolerance

2.1 Data, research findings, studies, or surveys on experiences of ethnic discrimination, racism and hate crime

Between January and December 2022, 84 criminal acts (2 cases fewer in comparison with 2021) under Article 170 of the Criminal Code of the Republic of Lithuania (Incitement Against any National, Racial, Ethnic, Religious or Other Groups of Persons) (*Lietuvos Respublikos Baudžiamasis Kodeksas*) were registered and of these 57 were conducted on the grounds of sexual orientation, 15 - on the grounds of nationality³². The cases were recorded at the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*). Out of this number, 82 criminal acts under Article 170 were registered in the digital space³³. Between January and December 2022, two criminal offence were registered under Article 169 of the Criminal Code of the Republic of Lithuania (Discrimination on Grounds of Nationality, Race, Sex, Descent, Religion or Belonging to Other Groups) at the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*)³⁴.

The qualitative research on legal consciousness of immigrants from African and South Asian states in Lithuania was conducted in 2018–2021 in the framework of doctoral studies in sociology by R.Miežanskienė³⁵. The research is based on 45 semi-structural interviews with immigrants from African and South Asian countries in Lithuania who immigrated for economic reasons, family reunion or studies³⁶. The study is based on the interviews with respondents and indicates that in the labour market, immigrants might experience possible infringements of their rights

³² Lithuania, Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*) (2022) '[Register of criminal offences \(open access data\)](#)'.

³³ Lithuania, Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*) (2022) '[Registered and investigated criminal acts in digital space under Articles 170 and 170 \(1\) of the Criminal Code of Lithuania, January - December 2022](#)' (Užregistruota ir ištirta nusikalstamų veikų, padarytų elektroninėje erdvėje pagal LR BK 170 str., 170 str. ž. 1, sausis-gruodis)'.

³⁴ Lithuania, Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*) (2022) '[Register of criminal offences \(open access data\)](#)'.

³⁵ Miežanskienė, R. (2022) '*African and South Asian Immigrants' Experiences of Legal Relationships in Lithuania and the Features of Legal Consciousness*' (Afrikos ir Pietų Azijos imigrantų teisinių santykių patirtys ir teisinės sąmonės bruožai Lietuvoje). Doctoral dissertation. Kaunas University of Technology. Kaunas.

³⁶ *Ibid.* p. 82

such as not being paid a full salary (not paid for working overtime), different remuneration for the same work compared to local employees and immigrants, work under less favourable conditions than indicated in the employment contract, non-assurance of safe work conditions and non-preservation of balance between work and rest; ungrounded application of certain liabilities; illegal work without an employment contract³⁷. The qualitative research indicated that one respondent referred to a situation which can be evaluated as exploitation and was described as such when immigrants worked more than 60 hours per week for less than minimum wage, and their life was controlled by employers³⁸. The author of the dissertation concludes that reference to such situations indicates that there are cases of migrants' exploitation in Lithuania even if official statistics do not indicate it³⁹.

The Working Group for the Promotion of Effective Response to Hate Crime and Hate Speech in Lithuania (*Darbo grupė veiksmingam atsakui į neapykantos nusikaltimus ir napykantos kalbą Lietuvoje*) was established by order of the Minister of the Interior of the Republic of Lithuania in 2020⁴⁰. It delivered a review of the situation of hate crime and hate speech in Lithuania in 2020–2021⁴¹. The authors of the review estimate that in 2020-2021, there was a significant increase in the number of criminal acts registered under Article 170 of the Criminal Code of Lithuania (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons) (*Lietuvos Respublikos Baudžiamasis Kodeksas*)⁴². In 2021, 23 such cases were passed to the courts (in comparison, in 2020 and 2019 there were three such cases each year)⁴³. Additionally, in 2021 there was an increase in the number of registered suspects under Article 170 of the Criminal Code of Lithuania (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons) (*Lietuvos Respublikos Baudžiamasis Kodeksas*)⁴⁴. In 2021, 69 suspects were registered (in comparison, there were 15 in 2020 and six in 2019)⁴⁵.

The Working Group for the Promotion of Effective Response to Hate Crime and Hate Speech in Lithuania (*Darbo grupė veiksmingam atsakui į neapykantos nusikaltimus ir napykantos kalbą Lietuvoje*) works on the development of memoranda on the response to hate crime and hate speech, which aims to coordinate and unite the activities of governmental and non-governmental

³⁷ *Ibid.* p. 151

³⁸ *Ibid.* p. 155

³⁹ *Ibid.* p. 155

⁴⁰ Lithuania, Ministry of the Interior (2020) 'Order on the Establishment of Work Group' ([Isakymas dėl darbo grupės sudarymo](#)).

⁴¹ Ministry of the Interior of the Republic of Lithuania (*LR Vidaus reikalų ministerija*) (2022) '[The Review on the Situation of Hate Crime and Hate Speech in Lithuania in 2020–2021](#)' (*Ataskaita apie neapykantos kalbos situaciją Lietuvoje 2020-2021 metais*).

⁴² *Ibid.* p. 9.

⁴³ *Ibid.* p. 13

⁴⁴ *Ibid.* p. 13

⁴⁵ *Ibid.* p. 13

organisations in this sphere⁴⁶. The institutions and organizations would join the memoranda on voluntary base and this decision implicates responsibility to contribute to the fostering of response against hate speech and hate crime⁴⁷. The aim of memoranda would be to develop the clear scheme and coordinate work and responsibilities of different institutions and organizations which focus on effective response to hate crimes in Lithuania⁴⁸. The memoranda were introduced to the Commission for Suicide and Violence Prevention at the Parliament of the Republic of Lithuania⁴⁹. In November 2022 the memoranda is still in the process of development⁵⁰.

In the overview of the development of the human rights situation in Lithuania in 2020–2021, the experts indicate that the social distance towards some ethnic groups increased slightly in 2021 in comparison to 2019: the number of Lithuanian residents who indicated that they would not like to live in the neighbourhood of such groups as Chinese, Syrians, Iraqis and Chechens increased⁵¹. The change of opinion towards the Chinese is seen as related to interpretations of the COVID-19 pandemic and Lithuania's international relations with China⁵². The change of opinion towards Syrians and Iraqis is seen as related to intensified migration to Lithuania via the Belarusian–Lithuanian border in 2021⁵³.

The public opinion investigation (N1024) was conducted in September 2022 by the "Baltic surveys" under request of the Institute of Sociology at the Lithuanian Centre for Social Sciences and civil society organization "Diversity Development Group" ⁵⁴. The survey revealed the increase of social distancing and negative attitudes towards Russians in Lithuania: 74.6 per cent of respondents indicated that their attitudes towards Russians worsened considerably or rather worsened in 2022⁵⁵.

National report "Hate Speech and Euroscepticism in Lithuania" was prepared by Mėta Adutavičiūtė and Goda Jurevičiūtė (2022) in the framework of the project "Active European Citizens Against Hate Speech" co-funded by the Europe for

⁴⁶ Lithuania, Ministry of the Interior of the Republic of Lithuania (*LR Vidaus reikalų ministerija*) (2022). [The protocol of a meeting of the work group for the promotion of an efficient response to hate speech and hate crime on April 21, 2022.](#)

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Seimas of the Republic of Lithuania (2022) '[The Commission of Suicide and Violence Prevention: It is necessary to foster intolerance and response to hate crime and hate speech](#)' (Savižudybių ir smurto prevencijos komisija: būtina stiprinti netoleranciją ir atsaką neapykantos nusikaltimams ir neapykantos kalbai).

⁵⁰ Lithuania, Ministry of the Interior of the Republic of Lithuania, e-mail correspondence.

⁵¹ Kontvainė, V. (2022) 'Discrimination on the basis of nationality and ethnic background' (Diskriminacija dėl tautybės ir etninės kilmės), Human Rights Monitoring Institute, [Žmogaus teisės Lietuvoje 2020–2021](#), p. 70–71.

⁵² Ibid. p. 71

⁵³ Ibid. p. 71

⁵⁴ Blažytė, G. (Lithuanian Center for Social Sciences, Diversity Development Group) (2022) [Public opinion towards ethnic and religious groups: 2022](#)

⁵⁵ Ibid.

Citizens Programme of the European Union and the Ministry of Culture of the Republic of Latvia⁵⁶. The researchers investigated interrelation between Euroscepticism and hate speech⁵⁷. The methods used - desk research, 7 qualitative interviews and quantitative online survey (N189) targeting youth (16-25 years old) and investigating attitudes towards hate speech⁵⁸. The survey outlined the groups that are the most vulnerable to hate speech: LGBTQIA+, people with darker skin, Muslims, immigrants, people with disabilities, Roma people, and asylum seekers/refugees⁵⁹. The authors conclude that "the institutional response to hate speech in Lithuania remains weak and ineffective"⁶⁰

2.2 Legal and policy developments or measures relating to the application of the Framework Decision on Racism and Xenophobia and the Racial Equality Directive

On 5 May 2022, the amendments to Articles 169 (Discrimination on Grounds of Nationality, Race, Sex, Descent, Religion or Belonging to Other Groups), 170 (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons), 60 (Aggravating circumstances), and Article 129 (Murder), Article 135 (Severe health disruption), Article 138 (Mild health disruption) came into force addressing hate crime and hate speech of the Criminal Code of the Republic of Lithuania (*LR baudžiamasis kodeksas*)⁶¹. The amendments supplement such bases of hate crime and hate speech as age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions and views with colour of skin or ethnic origin⁶². The amendments to the Article 170(2) (Public approval, denial or gross mitigation of international crime, crimes towards the Republic of Lithuania or its residents by the USSR or Nazi Germany) introduced on 5 May 2022, address the infringements indicated by the European Commission on 9 June 2021⁶³ and expand the applicability of the law by applying it not only to the cases when public order is disrupted, and not only in regards to acts conducted in the territory of Lithuania or against Lithuanian citizens⁶⁴.

The experts criticize the preclusion of an initiative to classify certain hate crimes related to bullying or demise under the Code of Administrative Offences instead of

⁵⁶ Adušavičiūtė M., Jurevičiūtė G. (2022) [Hate Speech and Euroscepticism in Lithuania. National Report](#). Human Rights Monitoring Institute.

⁵⁷ Ibid. p. 5.

⁵⁸ Ibid. p. 5-6.

⁵⁹ Ibid. p. 25.

⁶⁰ Ibid. p. 51.

⁶¹ Lithuania, [Criminal Code of the Republic of Lithuania](#) (2022).

⁶² President of LR. LR Baudžiamojo kodekso 60, 129, 135, 138, 169, 170, 170(1), 170(2) straipsnių pakeitimo įstatymas. 2022 balandžio 28, Nr. XIV-165

⁶³ European Commission (2021) [June Infringements package: key decisions](#), 9 June 2021.

⁶⁴ Lithuania, [Criminal Code of the Republic of Lithuania](#) (2022).

the Criminal Code of Lithuania⁶⁵. This suggestion was initiated by the Ministry of Justice in 2021 and was supported by state and non-governmental institutions specialising in this sphere, but did not gain public support due to fear that these amendments can limit freedom of speech⁶⁶. The experts consider this decision as limiting alternative instruments for officers and courts to preclude hate speech and hate crime⁶⁷.

The "Methodology of the integration of national minorities and the situation in the labour market" (*Metodika tautinių mažumų integracijos ir situacijos darbo rinkoje*) was prepared in the context of the project "The inclusion of national minority members into the labour market" (*Tautinių mažumų atstovų įtraukimas į darbo rinką*)⁶⁸. The project has been implemented by the Department of National Minorities under the Government of the Republic of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*) in cooperation with partners⁶⁹. The project is funded by the European Social Fund Agency (*Europos socialinio fondo agentūra*), and the methodology of estimation of the situation of national minorities in the labour market and integration has been developed. This work is seen as part of broader work on the methodology of monitoring the integration of national minorities into the job market⁷⁰.

On 18 January 2022 the Law on the Inscription of the Personal Name and Surname in the Documents of the Lithuanian Republic (*Lietuvos Respublikos asmens vardo ir pavardės rašymo dokumentuose įstatymas*) was introduced. The law went into force in May 2022, and foresees the possibility for non-Lithuanian background citizens of the Lithuanian Republic to inscribe their name and surname into identity documents in the Latin (not Lithuanian) alphabet without diacritics⁷¹.

The third cycle report of Lithuania to the UN Human Rights Council was approved in July 2022⁷². The reviewers included a recommendation to anticipate the

⁶⁵ Jurevičiūtė, G. (2002) 'Hate crimes' (*Neapykantos nusikaltimai*), in [Žmogaus teisės Lietuvoje 2020–2021](#), Human Rights Monitoring Institute, p.78.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

⁶⁸ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie LR Vyriausybės*) (2020) "Estimation of integration of national minority members into the labour market and development of monitoring methodology 2020–2021" ([Tautinių mažumų atstovų integracijos darbo rinkoje galimybių įvertinimas bei stebėsenos metodikos sukūrimas 2020–2021](#)).

⁶⁹ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie LR Vyriausybės*) (2020) 'Inclusion of national minority members in the labour market' ([Tautinių mažumų atstovų įtraukimas į darbo rinką](#)).

⁷⁰ *Ibid.* p. 34-35.

⁷¹ LR Seimas (2022) 'The Law on Inscription of Personal name and surname into the documents' ([Lietuvos Respublikos asmens vardo ir pavardės įrašymo dokumentuose įstatymas. 2022 sausio 18, XIV-903](#)).

⁷² United Nations Human Rights Council (2022) '[Universal Periodic Review – Lithuania](#)'.

development of the Law on National Minorities that ceased to exist more than ten years ago⁷³.

The experts emphasise that even if, in 2021, the group of experts established by the Department of National Minorities under the Government of the Republic of Lithuania developed a new project of the Law on National Minorities, however, it was not presented publicly⁷⁴. This project gained criticism due to perceived threats to the state (Lithuanian) language⁷⁵.

⁷³ United Nations General Assembly. Human Rights Council (2022) '[Report of the Working Group on the Universal Periodic Review. Lithuania](#)' '[Universal Periodic Review –Lithuania](#)', p. 17.

⁷⁴ Kontvainė, V. (2022) 'Discrimination on the basis of nationality and ethnic background' ([Diskriminacija dėl tautybės ir etninės kilmės](#)), Human Rights Monitoring Institute Žmogaus teisės Lietuvoje 2020–2021, p. 69.

⁷⁵ *Ibid.*

3 Roma equality and inclusion

3.1 Policy developments in regards to the implementation of national action plans

Development regarding the implementation of the action plans	
Has the Member State adopted one or several action plan(s) for the implementation of the strategy (separately from the strategic framework? If yes, please provide a hyperlink	Yes, on 1 July 2022, the Department of National Minorities under the Government of Lithuania (<i>Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės</i>) adopted the Action Plan for the Integration of Roma into Lithuanian Society 2022-2023 (<i>Romų integracijos į Lietuvos visuomenę 2022-2023 metų veiksmų planas</i>).
How were Roma and Traveller civil society organizations consulted for the development of the action plan (please check with the competent national authorities and the most significant Roma organizations)?	Seven Roma civil society organisations were part of the permanent, interinstitutional working group that met regularly to discuss and develop the proposed action plan (in-person and online, when COVID-19 safety measures required) ⁷⁶ .
Was the Equality Body and the NHRI and the Ombuds institution in your country consulted in the development of the action plan (please check with the competent national authority, the Equality body, NHRI and Ombuds institution)?	The Office of the Equal Opportunity Ombudsperson submitted comments about the project of the Action Plan for the Integration of Roma into Lithuanian Society in December 2021 and has not been consulted since ⁷⁷ .

⁷⁶ Communication with the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), email, 22 September 2022.

Communication with the Roma Community Centre (*Romų visuomenės centras*), phone call, 22 September 2022.

⁷⁷ Communication with the Office of the Equal Opportunity Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), phone call, 14 September 2022.

	The Seimas Ombudsperson's Office (the national human rights institution of Lithuania) was not consulted ⁷⁸ .
Does the national strategic framework and the action plan foresee a regular monitoring and review? If yes, who will conduct this.	Yes, according to the Plan for the Integration of Roma into Lithuanian Society 2022-2023 , the Department of National Minorities coordinates the monitoring of the implementation of the plan. A permanent, interinstitutional working group shall convene at least once a year to evaluate the progress of the implementation and, if necessary, submit suggestions to amend the integration plan. Members of the working group are representatives of state institutions that implement measures of the integration plan, and representatives of Roma civil society organisations ⁷⁹ .
Implications of the war in Ukraine on the situation of Roma	
Have Roma from Ukraine entered your country?	Yes, Caritas Lithuania reported that some Roma people from Ukraine entered Lithuania but there is no official information about the exact number ⁸⁰ .
If Roma from Ukraine entered your country how was this communicated in the media?	No relevant information.
Is there any evidence (articles, reports, analyses) of the impact of the economic implications of the war (inflation, food or energy prices etc.) on Roma? If yes, provide reference	No.

⁷⁸ Communication with the Seimas Ombudsperson's Office (*Seimo kontrolierių įstaiga*), email, 20 September 2022.

⁷⁹ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), 'Action Plan for the Integration of Roma into Lithuanian Society 2022-2023' (['Romų integracijos į Lietuvos visuomenę 2022-2023 veiksmy planas'](#)), 1 July 2022.

⁸⁰ Communication with Caritas Lithuania, online meeting, 4 August 2022.

On 1 July 2022, the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*) adopted the Action Plan for the Integration of Roma into Lithuanian Society 2022-2023 (*Romų integracijos į Lietuvos visuomenę 2022-2023 metų veiksmų planas*). The previous integration plan, The Action Plan for Integration of Roma into Lithuanian Society 2015–2020 (*Romų integracijos į Lietuvos visuomenę 2015–2020 metų veiksmų planas*), lasted until December of 2020. The Office of the Equal Opportunity Ombudsperson, the Seimas Ombudsperson's Office, and civil society organisations expressed the need to adopt a new action plan to ensure the continuity of the measures of the previous action plan⁸¹. The new plan was adopted 18 months after the expiry of the previous one.

According to the Department of National Minorities, nine state institutions and seven Roma civil society organisations were consulted when developing the plan⁸². According to the 'Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Lithuania', the Department of National Minorities adopted a top-down approach during the development of the plan and, as a result, representatives of Roma non-governmental organisations felt disempowered and inadequately represented in the decision-making process⁸³. The report also characterises the action plan as poorly aligned with the 'EU Roma Strategic Framework for Roma Equality, Inclusion and Participation' and severely underfunded.

The Action Plan for the Integration of Roma into Lithuanian Society 2022-2023 sets five objectives: (i) increasing openness and tolerance of Roma culture; (ii) strengthening the Roma community's ability to participate in public life; (iii) promoting employment of Roma people; (iv) raising awareness among the Roma community about access to health services; (v) promoting the participation of Roma children in the education system. Measures foreseen in the 2022-2023 Action Plan mostly

⁸¹ Lithuania, the Seimas Ombudsperson's Office (*Seimo kontrolierių įstaiga*), 'Annual Activity Report of 2021' (['2021 metų veiklos ataskaita'](#)), 15 March 2022, pp. 84-85.

Lithuania, The Office of the Equal Opportunity Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), '2021 Annual Activity Report', (['2021 metų veiklos ataskaita'](#)), 14 March 2022, p.102.

⁸² Communication with the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), email, 12 September 2022.

⁸³ European Union, Roma Civil Monitor, '[Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Lithuania](#)', June 2022, pp. 10-12.

focus on providing the opportunity to finance Roma cultural events and activities of Roma community centres, organise educational activities, awareness-raising activities, and the provision of consulting services to help with employment⁸⁴. However, the plan fails to respond to the expectations of state institutions and civil society organisations, especially when addressing the issues of access to accommodation, education, and antigypsyism.

For example, the Office of the Equal Opportunity Ombudsperson recommended setting clear targets for the percentage increase in the number of Roma children attending school at different levels in the Action Plan for the Integration of Roma into Lithuanian Society⁸⁵. The 'Situation analysis' section of the Action Plan 2022-2023 states that in 2020 6 % of Roma children aged 6-15 did not attend school and 28 % of youth aged 10-19 were in primary school or were out of school⁸⁶. The education-related measures in the Action Plan 2022-2023 include helping schools organise the education of Roma students with different educational needs properly, building the capacity of teachers to work with Roma students with different educational needs, and incorporating information on Roma history, culture, and the Roma genocide and religious diversity into the general education curriculum but there is no mention of aiming to increase the number of Roma children attending schools⁸⁷.

The Office of the Equal Opportunity Ombudsperson also highlighted the importance of addressing the provision of housing for Roma people and improvement of the conditions in existing housing facilities, stressing that to achieve this objective "it is not enough to inform members of the Roma community where and how to file a complaint in case of discrimination when seeking

⁸⁴ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), 'Action Plan for the Integration of Roma into Lithuanian Society 2022-2023' (['Romų integracijos į Lietuvos visuomenę 2022-2023 veiksmų planas'](#)), 1 July 2022.

⁸⁵ Lithuania, The Office of the Equal Opportunity Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), '2021 Annual Activity Report', (['2021 metų veiklos ataskaita'](#)), 14 March 2022, p. 75.

⁸⁶ Kontvainė, V., Diversity Development Group, Lithuania (2020), 'Situation of Roma people in 2020', (['Romų tautybės asmenų padėtis 2020 m.'](#)).

⁸⁷ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), 'Action Plan for the Integration of Roma into Lithuanian Society 2022-2023' (['Romų integracijos į Lietuvos visuomenę 2022-2023 veiksmų planas'](#)), 1 July 2022, measures 6.1.1., 6.1.2., 6.1.3.

accommodation.⁸⁸ With regards to accommodation, the Action Plan 2022-2023 only foresees “providing counselling to raise awareness among Roma, especially young people, about available employment, social services and other social protection measures, thereby ensuring their ability to find employment, adequate housing and basic services” to 100 people in total, in 2022 and 2023⁸⁹.

According to the ‘Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Lithuania’, during consultations and working group meetings, representatives of Roma organisations repeatedly raised the issue of antigypsyism and identified prejudice against Roma people as the root cause of many other issues that the Roma community faces (e.g., access to housing, education, health care services, etc.). The adopted action plan states that promoting equality and preventing discrimination against Roma people is its primary aim; however, the term ‘antigypsyism’ is not used in the plan. The Roma Civil Monitor report highlights that despite the demands of Roma civil society organisations, the action plan does not acknowledge antigypsyism as a structural issue and its measures to combat discrimination are insufficient⁹⁰.

3.2 Legal and policy developments or measures directly or indirectly addressing Roma/Travellers equality and inclusion

The Office of the Equal Opportunities Ombudsperson reported that in recent years members of the Roma community have been contacting the office, seeking advice on alleged cases of discrimination. Identifiable trends among their complaints include cases of intersectional discrimination, due to both ethnicity and familial status (for example, when landlords refuse

⁸⁸ Lithuania, The Office of the Equal Opportunity Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), ‘2021 Annual Activity Report’, ([‘2021 metų veiklos ataskaita’](#)), 14 March 2022, p. 75.

⁸⁹ Lithuania, Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*), ‘Action Plan for the Integration of Roma into Lithuanian Society 2022-2023’ ([‘Romų integracijos į Lietuvos visuomenę 2022-2023 veiksmy planas’](#)), 1 July 2022, measure 4.1.1.

⁹⁰ European Union, Roma Civil Monitor, [‘Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Lithuania’](#), June 2022, pp. 13-15.

to rent accommodation to families with children), and cases of harassment due to language, skin colour or ethnicity in the sector of consumer rights⁹¹. In 2022, the Parliament of the Republic of Lithuania (*Seimas*) approved several legal amendments that resolve legal loopholes related to the protection of minorities against discrimination and harassment.

On 28 March 2022, the Parliament of the Republic of Lithuania (*Seimas*) approved amendments to articles of the penal code on hate speech and hate crimes drafted by the Ministry of Justice.⁹² The amendments extended the list of grounds for discrimination to include skin colour and ethnic origin, in addition to age, gender, sexual orientation, disability, race, nationality, origin, language, descent, social status, religion, beliefs and opinions. The amendments apply to Articles 169 (Discrimination on Grounds of Nationality, Race, Sex, Descent, Religion or Belonging to Other Groups), 170 (Incitement against any National, Racial, Ethnic, Religious or Other Group), 170¹ (Establishment and Activity of Groups Aiming to Discriminate Any Group of Persons or Incite against it), 60 (Aggravating circumstances), and articles 129 (Murder), 135 (Severe health disruption), and 138 (Mild health disruption) that include hate-motivated aggravating circumstances. According to the Ministry of Justice, the amendments remove inconsistencies with EU law and make it possible to combat certain forms of racism and xenophobia more effectively through criminal law⁹³. By filling the gaps in the list of grounds for discrimination, this amendment also indirectly improves the protection of the Roma community against hate crimes and hate speech.

On 19 May 2022, the Parliament of the Republic of Lithuania (*Seimas*) approved amendments to the Law on Equal Treatment to allow the Equal Opportunity Ombudsperson to investigate complaints of harassment in the areas of consumer

⁹¹ Lithuania, The Office of the Equal Opportunity Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*), '2021 Annual Activity Report', (['2021 metu veiklos ataskaita'](#)), 14 March 2022, pp. 36-37.

Sabatauskaitė, B. (2022), at the Lithuanian Roma Community (*Lietuvos romų bendruomenė*) conference 'Enjoy Romanisation' (*Mėgaukis romanizacija*'), 9 September 2022.

⁹² Lithuania, the Parliament of the Republic of Lithuania (*Seimas*), 'The Project of the Law Amending the Articles 60, 129, 135, 138, 169, 170, 170(1), and 170(2) of the Criminal Code of the Republic of Lithuania' (['Lietuvos Respublikos baudžiamojo kodekso 60, 129, 135, 138, 169, 170, 170\(1\), ir 170\(2\) straipsnių pakeitimo įstatymo projektas'](#)), 22 September 2021.

⁹³ Lithuania, The Ministry of Justice (*Lietuvos Respublikos Teisingumo ministerija*), 'Seimas approves: the list of criteria for hate crimes will be extended in line with the recommendations of the European Commission' (['Seimas pritarė: atsižvelgiant į Europos Komisijos raginimus, bus praplėstas neapykantos nusikaltimų kriterijų sąrašas'](#)), 28 March 2022.

rights and the activity of organisations and associations⁹⁴. This amendment grants members of the Roma community the right to file official complaints about cases of harassment due to language, skin colour or ethnicity in the sector of consumer rights to the Ombuds institution.

On 28 June 2022, the Parliament of the Republic of Lithuania (*Seimas*) approved amendments to the Law on Equal Treatment (*Lygių galimybių įstatymas*) to prohibit discrimination based on familial status⁹⁵. This amendment enables the Office of the Equal Opportunities Ombudsperson to investigate complaints of discrimination related to familial status in all areas – activities of state and municipal institutions, educational establishments, the workplace, provision of goods and services, and activities of organisations and associations – including complaints related to intersectional discrimination (ethnicity and familial status) in the housing market, reported by the Roma community.

The non-governmental organisation “Diversity Development Group” and the Lithuanian Centre for Social Sciences conduct an annual representative public opinion survey about public attitudes towards ethnic, religious, and social groups in Lithuania. The results of the 2022 survey show Roma people remain the most negatively perceived ethnic group in Lithuania. 58.6% of respondents said they would not want to live in the same neighbourhood with Roma people (compared to 60.8% in 2021 and 58% in 2020), 59.3% would not want to rent out an apartment to a Roma person (compared to 61.3% in 2021, 58% in 2020), and 31.1% would not want to share a workplace with a Roma person (compared to 36.2% in 2021, 37% in 2020). Comparison with previous surveys shows that public attitudes towards Roma people have remained virtually unchanged since 2020⁹⁶.

⁹⁴ Lithuania, the Parliament of the Republic of Lithuania (*Seimas*), ‘Law on Amending Articles 2, 4, 6, 7, 8, 9, and the Annex to the Republic of Lithuania Law on Equal Treatment, No. IX-1826’ ([‘Lietuvos Respublikos lygių galimybių įstatymo Nr. IX-1826 2, 4, 6, 7, 8, 9 straipsnių ir priedo pakeitimo įstatymas’](#)), 19 May 2022.

⁹⁵ Lithuania, the Parliament of the Republic of Lithuania (*Seimas*), ‘Law on Amending Articles 2,7 and the Annex to the Republic of Lithuania Law on Equal Treatment, No. IX-1826’ ([‘Lietuvos Respublikos lygių galimybių įstatymo Nr. IX-1826 2, 7 straipsnių ir priedo pakeitimo įstatymas’](#)), 28 June 2022.

⁹⁶ Diversity Development Group, Lithuanian Centre for Social Sciences, ‘Societal Attitudes Towards Ethnic and Religious Groups: 2022’, ([‘Visuomenės nuostatos etninių ir religinių grupių atžvilgiu: 2022 m.’](#)); Diversity Development Group, Lithuanian Centre for Social Sciences, ‘Societal Attitudes Towards Ethnic and Religious Groups: 2021’, ([‘Visuomenės nuostatos etninių ir religinių grupių atžvilgiu: 2021 m.’](#)).

4 Asylum, borders, visas, migration and integration

4.1 National legal framework on criminalisation of 'humanitarian assistance' and domestic transposition of sanctions

EUMS	Implementation of Article 3 of Directive 2002/90/EC	
	How has your EUMS implemented Article 3 of Directive 2002/90/EU	Hyperlinked legal provision in EN and national language Lietuvos Respublikos Baudžiamojo kodekso patvirtinimo ir įsigaliojimo įstatymas 292 straipsnis. Neteisėtai žmonių gabenimas per valstybės sieną 1. Tas, kas neteisėtai per Lietuvos Respublikos valstybės sieną gabeno nuolatinės gyvenamosios vietos Lietuvoje neturintį užsienietį arba neteisėtai valstybės sieną perėjęs toks užsienietis gabeno ar slėpė Lietuvos Respublikos teritorijoje, baudžiamas bauda arba areštu, arba laisvės atėmimu iki šešerių metų. 2. Tas, kas padarė šio straipsnio 1 dalyje numatytas veikas dėl savanaudiškų paskatų, arba jeigu tai sukėlė pavojų asmens gyvybei, baudžiamas laisvės atėmimu iki aštuonerių metų. 3. Tas, kas organizavo šio straipsnio 1 dalyje numatytas veikas, baudžiamas laisvės atėmimu nuo ketverių iki dešimties metų. 4. Už šiame straipsnyje numatytas veikas atsako ir juridinis asmuo.

		<p align="center">Republic of Lithuania Law on the approval and entry into force of the Criminal Code</p> <p align="center"><u>Article 292. Unlawful Transportation of Persons across the State Border</u></p> <p>1. A person who unlawfully transports across the state border of the Republic of Lithuania, an alien not having a permanent place of residence in the Republic of Lithuania, or transports or conceals in the territory of the Republic of Lithuania such an alien who has illegally crossed the state border of the Republic of Lithuania shall be punished by a fine or by arrest or by a custodial sentence for a term of up to six years.</p> <p>2. A person who commits the acts provided for in paragraph 1 of this Article for mercenary reasons or where this poses a threat to human life, shall be punished by a custodial sentence for a term of up to eight years.</p> <p>A person who organises the acts provided for in paragraph 1 of this Article shall be punished by a custodial sentence for a term of four up to ten years.</p> <p>4. A legal entity shall also be held liable for the acts provided for in this Article. (It is a consolidated version valid until 30 September 2018; however, Article 292 has not changed since then)</p>
	Cases [incident numbers] of criminalisation of humanitarian assistance	
	<p>Number of cases recorded by the police in 2022</p> <p>0</p>	<p>Number and details of cases (if available)</p> <p>The Police Department in its response specified that criminal investigations under Article 292 of the Criminal Code of the Republic of Lithuania are conducted by the State Border Guard Service (SBGS)⁹⁷. Official data on</p>

⁹⁷ Lithuania, Police Department (*Policijos departamentas*), written communication with the contractor, 8 September 2022

		<p>criminal statistics can be found following this link on the website of the Information Technology and Communications Department.</p> <p>https://ird.lt/en/reports/?year=2022&period=1-8&group=205</p>
	<p>Number of investigations initiated in 2022</p> <p>In 2022 SBGS conducted 123 retrial investigations under Article 292 of the Criminal Code of the Republic of Lithuania – in six cases, was refused to start criminal investigation procedures under Art. 292 of the Criminal Code of the Republic of Lithuania; 12 investigations were discontinued; in 53 cases pretrial investigations were finished and cases were referred to the court. SBGS identified</p>	<p>Number and details of cases (if available)</p> <p>SBGS¹⁰² and the Prosecutor General’s Office¹⁰³ clarifies that in this case, which was discontinued, the prosecutor assessed the fact that actions such as the provision of living space, food and means of communication cannot be considered as active acts of concealment made with direct intent under Article 292 of the Criminal Code. Since there was no intention to hide the persons, there was also communication with the representative of the United Nations and a lawyer, which can objectively justify an assumption that the state institutions knew about the persons. Furthermore, persons who assisted did not receive any payment. In addition, it was also assessed that the entry of persons into Lithuania was under conditions of necessity.</p> <p>SBGS¹⁰⁴ and the Prosecutor General’s Office¹⁰⁵ emphasised that there is no definition of humanitarian assistance in Lithuanian law and each case is assessed individually. Furthermore, the Prosecutor General’s Office noted that the Criminal Code does not foresee exemption from criminal liability in the case of humanitarian assistance for a person who is crossing the border illegally. However, criminal liability arises only if there exist intentional actions with an aim to help a person to cross border illegally or there are mercenary reasons (e.g. monetary reward). According to explanations</p>

¹⁰² Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 22 September 2022

¹⁰³ Lithuania, Prosecutor General’s Office (*Lietuvos Respublikos Generalinė prokuratūra*), written communication with the contractor, 22 September 2022

¹⁰⁴ Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 22 September 2022

¹⁰⁵ Lithuania, Prosecutor General’s Office (*Lietuvos Respublikos Generalinė prokuratūra*), written communication with the contractor, 22 September 2022

	<p>humanitarian assistance in one case therefore this case was discontinued⁹⁸. The Prosecutor General's Office noted that SBGS conducted 124 pretrial investigations, one of which was discontinued due to humanitarian assistance⁹⁹. According to statistical data available for the period from January to October 155 pre-trial investigations under Article 292 of the Criminal code of the Republic of Lithuania were conducted¹⁰⁰.</p> <p>According to statistical data for period from January to December 2022 168 pre-trial investigations under Article 292 of the</p>	<p>given by the Prosecutor General's Office, providing assistance with food and medicine, providing shelter or other assistance if there is a real danger to a person's life and health, or if the actions are actually aimed at helping such persons apply for asylum to competent institutions, it is recognised as humanitarian assistance and according to the composition of Article 292 of the Criminal Code, such actions do not constitute criminal liability.</p>
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⁹⁸ Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 22 September 2022

⁹⁹ Lithuania, Prosecutor General's Office (*Lietuvos Respublikos Generalinė prokuratūra*), written communication with the contractor, 22 September 2022

¹⁰⁰ Lithuania, Information Technology and Communications Department (*Informatikos ir ryšių departamentas*), '[Official crime statistics](#)', 25 November 2022.

	<p>Criminal code of the Republic of Lithuania were initiated and conducted – in ten cases, was refused to start criminal investigation procedures under Art. 292 of the Criminal Code of the Republic of Lithuania; 18 investigations were discontinued; in 139 cases pre-trial investigations were finished and cases were referred to the court. SBGS identified humanitarian assistance in one case in 2022; this case was discontinued.¹⁰¹</p>	
	<p>Number of court decisions taken in 2022</p>	<p>Unfortunately, an answer to the request for the Lithuanian National Courts Administration was not received. Information was collected from the open access databases.</p> <p>In 2022, 47 judgements¹⁰⁶ were issued by the Lithuanian Courts in cases under Article 292 of the Criminal Code of which seven judgements were issued by the superior courts¹⁰⁷. According to Article 292 of the Criminal</p>

¹⁰¹ Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 9 January 2023

¹⁰⁶ Infolex search programme, [Teismų praktikos paieška](#), 5 October 2022

¹⁰⁷ Infolex search programme, [Teismų praktikos paieška](#), 5 October 2022

		<p>Code for unlawful transportation of persons across the state border, a person shall be punished by a fine or by arrest or by a custodial sentence for a term of up to ten years if aggravating circumstances are identified¹⁰⁸. The jurisprudence of Lithuanian courts shows that the most common penalties imposed under Article 292 of the Criminal Code are fines from € 5,000¹⁰⁹ to € 20,000¹¹⁰ and/or a custodial sentence from six months up to one year.</p> <p>Key court decisions:</p> <ul style="list-style-type: none"> - 25 January 2022: the Supreme Court of Lithuanian stated that while assessing evidence in the light of Article 292 of the Criminal Code, the judge evaluates the evidence according to their inner conviction, based on a thorough and impartial examination of all the circumstances of the case. Thus, the law establishes the exclusive competence of the court to decide which of the data contained in the case have evidentiary value and whether they are sufficient to determine whether a person's actions have all the elements of a specific criminal offence¹¹¹. • - 30 June 2022: the Supreme Court of Lithuanian stated that a group of accomplices is when, at any stage of a criminal act, two or more persons agree to start, continue or complete a criminal act that has already started, if at least two of them are perpetrators. The Court explained that a group of accomplices can be formed at the stages of preparation or an unfinished attempt. The members of the accomplice group can agree among themselves on the commission of the entire joint criminal act or its episodes, the methods, tools and
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¹⁰⁸ Lithuania, [Republic of Lithuania Law on the approval and entry into force of the Criminal Code](#)

¹⁰⁹ Lithuania, [Kaunas Regional Court criminal case No. 1-291-397/2022, 30 June 2022](#)

¹¹⁰ Lithuania, [Kaunas Regional Court criminal case No. 1-130-966/2022, 3 May 2022](#)

¹¹¹ Lithuania, [Lithuanian Supreme Court case No. 2K-1-303-2022\], 26 January 2022](#)

		means of its commission, the usage of criminal consequences or its concealment, etc. A detailed plan for committing a criminal act, establishment of close ties between accomplices, distribution of roles, etc. are not necessarily the characteristics of a group of accomplices ¹¹² .
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4.2 Use of the large-scale IT Systems in the area of asylum, migration and border control

The State Data Protection Inspectorate informed that in 2022, the Inspectorate has not prepared and does not plan to prepare recommendations, guidelines or opinions regarding on the use of large-scale IT systems in the area of asylum, migration and border control. This relates to the existing systems (Eurodac, the Visa Information System (VIS), the Schengen Information System (SIS)) as well as planned initiatives for future systems (Entry/Exit System (EES), European Travel Information and Authorisation System (ETIAS), European Criminal Records Information System (ECRIS-TCN)). Moreover, in 2022, the Inspectorate did not receive any complaints regarding personal data processed in the systems mentioned above¹¹³.

In order to receive all relevant information regarding usage of IT systems in the area of asylum, migration and border control, SBGS and the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania were contacted. SBGS¹¹⁴ and the Information Technology and Communications Department¹¹⁵ indicated that they are using the following:

¹¹² Lithuania, [Lithuanian Supreme Court case No. 2K-199-719-2022, 30 June 2022](#)

¹¹³ Lithuania, State Data Protection Inspectorate (*Valstybinė asmens duomenų apsaugos inspekcija*), written communication with the contractor, 21 September 2022

¹¹⁴ Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 22 September 2022

¹¹⁵ Lithuania, Information Technology and Communications Department (*Informatikos ir ryšių departamentas*), written communication with the contractor, 28 September 2022

- The Eurodac system contains fingerprints of all asylum applicants from each Member State and prints from persons apprehended in irregular border crossings. Fingerprints are taken using biometric scanners. The Eurodac system is related to the Migration Information System (Migris) system where a Eurodac code is created, and after it is uploaded to the Eurodac system. No new data or technologies related to the Eurodac system were introduced in 2022.
- The SIS system contains fingerprints and facial images gathered using biometric technologies. No new data or technologies related to the SIS system were introduced in 2022. The Information Technology and Communications Department announced that in November 2022 they will introduce some changes, however, it was not specified what changes will be introduced. The Information Technology and Communications Department did not clarify what changes will be introduced, but referred to the article "New Legal Framework for Schengen Information System"¹¹⁶. It was also clarified that these changes were postponed until 8 March 2023¹¹⁷.
- The VIS system contains fingerprints and facial images gathered using biometric technologies. No new data or technologies related to VIS system were introduced in 2022.

SBGS¹¹⁸ and the Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania¹¹⁹ stated that they are planning to use the following in the future:

- The EES system: this will contain biometric data such as fingerprints and facial images, and will be gathered by biometric technologies. The Information Technology and Communications Department noted that they will provide IaaS (infrastructure as a service) and PaaS (platform as a service) services.
- The ETIAS system: however, neither SBGS nor the Information Technology and Communications Department identified which data are going to be collected and what technologies are going to be used. Both institutions referred to Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing ETIAS) and amending Regulations (EU) Nos. 1077/2011, (EU) 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226.

¹¹⁶ Thomas Wahl "New Legal Framework for Schengen Information System", 18 february 2019 <https://eucrim.eu/news/new-legal-framework-schengen-information-system/>

¹¹⁷ Lithuania, Information Technology and Communications Department (Informatikos ir ryšių departamentas), written communication with the contractor, 5 January 2023

¹¹⁸ Lithuania, State Border Guard Service (*Valstybės sienos apsaugos tarnyba*), written communication with the contractor, 22 September 2022

¹¹⁹ Lithuania, Information Technology and Communications Department (Informatikos ir ryšių departamentas), written communication with the contractor, 28 September 2022

ECRIS-TNC: however, the Information Technology and Communications Department did not identify which data are going to be collected and what technologies are going to be used. The Department referred to the Regulation (EU) 2019/816 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726. SBGD clarified that they will not upload any data to this system; SBGD will be a data receiver.

5 Information society, privacy and data protection

5.1 Initiatives in the use of artificial intelligence in both private and public sectors

Actor	Type	Description	Are Human Rights issues mentioned? (yes/no)	Reference
Data Protection Authority (DPA)	Other (DPA decision)	On 21 June 2021, the State Data Protection Inspectorate (<i>Valstybinė duomenų apsaugos inspekcija</i>) (DPA) issued a 20,000 EUR fine against 'VS Fitness' for unlawful biometric monitoring of customers' and employees' personal data without their freely given consent.	Yes Right to protection of personal data The DPA found that 'VS Fitness' had relied on consent from customers and employees for the processing carried out through its fingerprint monitoring system, but found in each case that the consent was not valid. More specifically, the DPA highlighted that consent must be voluntary, specific, informed, unambiguous, as well as provable and revocable, and that the consent obtained from customers did not meet these requirements. In addition, in the case of employees, the VDAI noted that employee consent is generally not considered an appropriate condition for the processing of personal data, due to a power imbalance between employees and their employers.	Press release of the State Data Protection Inspectorate 'A sport club was fined for violations of the General Data Protection Regulation when processing fingerprints of clients and customers' (Sporto klubui skirta bauda už Bendrojo duomenų apsaugos reglamento pažeidimus tvarkant klientų ir darbuotojų pirštų atspaudus), 21 June 2021.

			Based on the above, the DPA found a violation of Articles 5(1)(a) and (c) and 9(1) of the General Data Protection Regulation (GDPR).	
Civil Society Organisations (CSO)	Other (CSO comments)	On 6 August 2021, the Artificial Intelligence Association of Lithuania (<i>Lietuvos dirbtinio intelekto asociacija</i>) contributed to the public consultation 'Artificial intelligence – ethical and legal requirements' launched by the European Commission. The Association expressed support to the European Commission's proposal for the Artificial Intelligence Act and advocated further clarity on (i) how regulatory oversight of the Act will be ensured and by whom, (ii) the definition of 'safety components'	Yes Non-discrimination The statement briefly reiterates Recital 33 of the Artificial Intelligence Act ('(t)echnical inaccuracies of AI systems intended for the remote biometric identification of natural persons can lead to biased results and entail discriminatory effects') but does not expand further on this point.	Artificial Intelligence Association's of Lithuania ' Position on AIA ', 6 August 2021.

		and 'significant changes' under the Act, (iii) proportionality of the regulatory burden when it comes to SMEs.		
Government/ Parliamentary	Opinion (non-binding)	At the meeting of the EU Transport, Telecommunications and Energy Council which took place on 3 December 2021, Lithuania expressed its position regarding the European Commission's proposal for the Artificial Intelligence Act (AI Act). The main concern was related to the potentially uneven implementation of the AI Act across the EU Member States. Lithuania proposed adopting uniform and clear conformity assessment procedures, with a specific focus on	Yes Right to protection of personal data The Lithuanian Government noted that when discussing the AI Act, attention should be paid to the protection of personal data and that the law enforcement authorities should be involved in the discussions around biometric identification.	Position of the Lithuanian Republic on the questions to be discussed at the 3 December 2021 meeting of the EU Transport, Telecommunications and Energy Council (Lietuvos Respublikos pozicija dėl klausimų, svarstomų 2021 m. gruodžio 3 d. ES Transporto, telekomunikacijų ir energetikos tarybos (Energetikos ir telekomunikacijų kl.) posėdžiuose), (no date).

		CE marking, and guidelines for the supervisory authorities.		
Government/ Parliamentary	Adopted Act	On 1 July 2022, the Law on the Secondary Use of Health Data (<i>Pakartotinio sveikatos duomenų naudojimo įstatymas</i>) became effective. Among other things, the Law aims at facilitating secondary use of health data for the purpose of further digitalization of health services, including the development of AI solutions for disease diagnosis and AI-powered virtual assistants for the healthcare sector. The adopted law sets out specifically a) the prerequisites and procedure for granting the right to secondary	Yes Right to private life and right to protection of personal data Protection of personal data is referenced numerous times in law, specifically in relation to the GDPR requirements.	The Law on the Secondary Use of Health Data (<i>Pakartotinio sveikatos duomenų naudojimo įstatymas</i>), 16 January 2021 (effective from 1 July 2022) Explanatory Note to the Law on the Secondary Use of Health Data (<i>Pakartotinio sveikatos duomenų naudojimo įstatymo aiškinamasis raštas</i>), 31 July 2020.

		<p>use of health data; b) the conditions for collection, provision and secondary use of health data; c) the data subject's consent and providing information to data subjects on the use of their health data, including non-anonymised data; d) monitoring and control of the secondary use of health data.</p>		
Government/Parliamentary	Adopted Act	<p>On 12 September 2022, the Lithuanian Ministry of Economics and Innovation (<i>Ekonomikos ir inovacijų ministerija</i>) issued a methodology for the assessment of digital solutions for public services. The methodology is aimed</p>	<p>Yes</p> <p>Right to personal data protection</p> <p>Among other things, state and local institutions should take into consideration if the digital solution will comply with the data protection, privacy and cybersecurity requirements. The</p>	<p>The order of the Minister of Economics and Innovation 'Regarding the approval of the methodology for the assessment of the planned digital solutions allowing to receive public services in a secure and convenient manner' (Lietuvos Respublikos Ekonomikos ir</p>

		at supporting state and local institutions in implementing or modernizing digital (smart) solutions for public services. One of the assessment criteria in the category 'Simplicity, convenience and innovation' is the determination of the digital solution adopts innovative technology, such as 'robotics, artificial intelligence, data-driven decisions or similar'.	methodology does not elaborate on the requirements in detail.	<i>Inovacijų ministro įsakymas Dėl Planuojamų kurti skaitmeninių sprendimų, leidžiančių saugiai ir patogiai gauti paslaugas, vertinimo metodikos patvirtinimo</i>), 12 September 2022.
Government/ Parliamentary	Adopted Act	On 17 August 2022, the Government of the Republic of Lithuania (Lietuvos Respublikos Vyriausybė) approved the key priorities for 'academic research and	Yes Right to personal data protection It is briefly mentioned that, at the EU level, more attention is being paid to cybersecurity and	The Decree of the Government of the Republic of Lithuania 'Regarding the approval of the concept for the academic research and experimental development and innovation (smart

		experimental development and innovation (smart specialization)'. Artificial intelligence, alongside Big Data, the Internet of Things, FinTech, blockchain, cybersecurity have been identified as priority areas within the field of information and communication technologies.	personal data protection. This point is not further elaborated on, and other human rights are not mentioned.	specialization)' (Dėl Mokslinių tyrimų ir eksperimentinės plėtros ir inovacijų (sumaniosios specializacijos) koncepcijos patvirtinimo), 17 August 2022.
Government/ Parliamentary	<i>Other (public consultation)</i>	In March-May 2022, the Lithuanian Ministry of Justice (<i>Teisingumo ministerija</i>) held public consultations on the need for additional national laws governing the processing of biometric data and the use of CCTV. In their responses to the	Yes Right to protection of personal data The main aim of the consultation was to determine the need for further national regulation of personal data processing, in addition to the standards already set out in the GDPR.	Ministry of Justice of the Republic of Lithuania, 'The cycle of public consultations regarding the regulation of personal data protection' (Viešųjų konsultacijų ciklas dėl asmens duomenų apsaugos), 7 June 2022

		<p>consultation, the representatives of the business advocated for the less restrictive approach towards the use of biometric identification. With respect to the use of CCTV, business representatives and the academic institutions proposed to wait for the upcoming EU-wide rules on the artificial intelligence and the use of facial recognition technology before introducing new legislation on the national level. As a result of the public consultation, the Ministry of Justice did not put forward a new legislative package, but proposed to reconsider the need for more specific sectoral</p>		
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		legislation for biometric data processing.		
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5.2 Legal and policy initiatives on data protection and private life

During the first quarter of 2022, the National Cyber Security Centre at the Ministry of National Defence (*Nacionalinis kibernetinio saugumo centras prie Krašto apsaugos ministerijos*) (NCSC) registered 1020 cyber incidents. The number of incidents was higher compared to the same period of 2021 (981 incidents).¹²⁰ In particular, there was a noticeable increase in cyber incidents in the 8th week of 2022, at the beginning of the Russian invasion of Ukraine. The short-term increase was primarily attributed to the heightened awareness of cyber security threats among institutions and individuals. In March 2022, the NCSC warned against the use of digital solutions with embedded JavaScript originating from Russia.¹²¹ Such plugins are often embedded on the websites for the purposes of user count, advertising banners, maps, weather forecasts and other functionalities. The NCSC also advised against using website hosting, server, domain registration, DNS, backups, social media and other IT services from Russian companies. According to the NCSC, such solutions and services constitute a cyber threat as they can be used to unlawfully extract users' personal data and serve as a vector for cyber-attacks. In June 2022, the NDPA

¹²⁰ Lithuania, National Cyber Security Centre at the Ministry of National Defence (*Nacionalinis kibernetinio saugumo centras prie Krašto apsaugos ministerijos*) (2022), 'NCSC records a higher number of Distributed Denial of Service attacks in Lithuania' ([NKSC fiksuoja išaugusį paslaugų trikdymo kibernetinių atakų skaičių Lietuvoje](#)), 23 June 2022.

¹²¹ Lithuania, National Cyber Security Centre at the Ministry of National Defence (*Nacionalinis kibernetinio saugumo centras prie Krašto apsaugos ministerijos*) (2022), 'IT equipment components of the Russian origin constitutes a threat to security' ([Rusiškos kilmės programinės įrangos komponentai kelia grėsmę saugumui](#)), 3 September 2022.

noticed a sharp increase in Distributed Denial of Service (DDoS) attacks against public institutions, transport and financial sectors.¹²²

During the first half of 2022, the State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (DPA) recorded 137 personal data breaches affecting an estimate of 422 331 users, 401 103 of whom are based in Lithuania.¹²³ 12 of the recorded data breaches were due to ransomware attacks, while 62% of the recorded breaches were attributed to human error. As an example, in July 2022, the DPA launched investigations into the data breaches reported by an online marketplace www.alio.lt,¹²⁴ Lithuanian Innovation Agency (*Inovacijų agentūra*)¹²⁵ and a cleaning services company 'Švaros broliai'.¹²⁶ In all three cases, data breaches resulted in a violation of confidentiality of personal data, including users' names, family names, emails, phone numbers, and, in some cases, login information and numbers of car plates. In September 2022, the DPA launched an investigation into the data breach reported by the financial services company 'Revolut'.¹²⁷ According to the data breach notification, the cause of the incident was attributed to the social engineering attack which resulted in the attackers' accessing names, family names, email addresses, phone numbers, a part of the credit card numbers of 50 150 'Revolut' customers worldwide (379 of those customers were in Lithuania). All DPA investigations were ongoing and not yet concluded at the time of writing.

¹²² Lithuania, National Cyber Security Centre at the Ministry of National Defence (*Nacionalinis kibernetinio saugumo centras prie Krašto apsaugos ministerijos*) (2022), 'NCSC records a higher number of Distributed Denial of Service attacks in Lithuania' ([NKSC fiksuoja išaugusį paslaugų trikdymo kibernetinių atakų skaičių Lietuvoje](#)), 23 June 2022.

¹²³ Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2022), 'Overview of personal data breach notifications for the first half of 2022' ([2022 m. I pusmečio pranešimų apie asmens duomenų saugumo pažeidimus apžvalga](#)), 13 July 2022.

¹²⁴ Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2022), 'State Data Protection Inspectorate launches an investigation into personal data security (practices) of Alio.lt and a public entity Innovation Agency' ([Valstybinė duomenų apsaugos inspekcija pradeda tyrimus dėl Alio.lt ir VŠĮ Inovacijų agentūros asmens duomenų saugumo](#)), 15 July 2022.

¹²⁵ *Ibid.*

¹²⁶ Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2022), 'State Data Protection Inspectorate launches an investigation into personal data security of 'Švaros broliai' customers' ([Valstybinė duomenų apsaugos inspekcija pradeda tyrimą dėl „Švaros broliai“ klientų asmens duomenų saugumo](#)), 5 July 2022.

¹²⁷ Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2022), 'State Data Protection Inspectorate launched an investigation into 'Revolut' personal data security breach' ([Valstybinė duomenų apsaugos inspekcija pradėjo tyrimą dėl „Revolut“ asmens duomenų saugumo pažeidimo](#)), 16 September 2022.

On August 1, 2022, the Court of Justice of the European Union (CJEU) issued a landmark judgment in the case of *OT v Vyriausioji tarnybinės etikos komisija*¹²⁸ following a referral from the Vilnius Regional Administrative Court (Vilniaus apygardos administracinis teismas). The judgment specifically concerned the requirement under the Lithuanian Law on the reconciliation of public and private interests in the public service (*Lietuvos Respublikos viešųjų ir privačių interesų derinimo valstybinėje tarnyboje įstatymas*) to publish detailed private interest declarations of public officials and officials in non-public bodies that receive public funds on the website of Lithuania's Chief Ethics Commission (*Vyriausioji tarnybinės etikos komisija*). The requisite declarations included information about their and their spouse/partner's private interests, including gifts, transactions, and alike. The CJEU found such a far-reaching transparency requirement incompatible with data minimisation, necessity and proportionality principles under the General Data Protection Regulation. No changes to the Law on the Reconciliation of Interests were considered in Lithuania at the time of writing.

In October 2022, the Ministry of Justice (*Teisingumo ministerija*) submitted a proposal for the amendment of the Law on the Protection of Personal Data (*Asmens duomenų teisinės apsaugos įstatymas*).¹²⁹ The proposal concerns the liberalization of data protection rules related to the background checks of prospective employees – an area which is currently very strictly regulated, especially with regard to the private companies. According to the proposal, the employer, prior to collecting information about the prospective employee's criminal convictions would need to undertake a risk assessment to determine if such processing is necessary and proportionate, and, subsequently, identify the roles within the organization that merit more extensive background checks. The list of such roles should be made public on the employer's website.

In 2022, no legal or policy developments related to the enforcement of the Law Enforcement Directive (LED) have taken place. According to the 'First report on application and functioning of the Data Protection Law Enforcement Directive (EU) 2016/680 ('LED')' published by the European Commission on 25 July 2022, Lithuanian authorities do not keep separate statistics on LED data breaches¹³⁰ which makes it difficult to analyse and assess LED's application in Lithuania.

On 28 September 2022, the Ministry of the Internal Affairs (*Vidaus reikalų ministerija*) tabled a proposal for the amendment of the Law on the Provision of the Information to Public (*Visuomenės informavimo įstatymas*) transposing the Regulation 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content

¹²⁸ Judgment of 1 August 2022, *OT v Vyriausioji tarnybinės etikos komisija*, Case C-184/20, ECLI:EU:C:2022:601

¹²⁹ Lithuania, Draft Law I-1374 Amending Law on the Protection of Personal Data ([Asmens duomenų teisinės apsaugos įstatymo Nr. I-1374 pakeitimo įstatymo projektas](#)), 18 October 2022, Article 2

¹³⁰ European Commission (2022), 'First report on application and functioning of the Data Protection Law Enforcement Directive (EU) 2016/680 ('LED')', 25 July 2022, *supra* note 34.

online (Terrorist Content Online Regulation).¹³¹ According to the proposal, the police is designated as a competent authority for the purposes of Article 12(1)(a), (b) and (d) of the Terrorist Content Online Regulation, while the Communications Regulatory Authority (*Ryšų reguliavimo tarnyba*) (CRA) – as a competent authority for the purposes of Article 12(1)(c) and (d).¹³² The police are tasked with issuing removal orders, including cross-border removal orders, and have a right to consult the Inspector for the Journalists Ethics to determine whether the removal order could infringe the Terrorist Content Online Regulation or the fundamental rights and freedoms guaranteed by the Charter of Fundamental Rights.¹³³ The proposal introduces the procedure for imposing financial penalties and sets out thresholds for such penalties. As a rule, the hosting services providers can be fined up to 3% of their annual turnover of the preceding business year for violations of their obligations under the Terrorist Content Online Regulation, and up to 4% in case of a systematic or persistent failure to comply with obligations pursuant to Article 3(3) of the Regulation.¹³⁴ As an exception to the rule, the hosting services providers with an annual turnover of 86 900 EUR can be fined up to 2 900 EUR for the first violation.¹³⁵ The proposal has not yet been scheduled to be discussed in the Parliament (*Lietuvos Respublikos Seimas*) at the time of writing.

On 12 May 2022, Lithuania signed the Second Additional Protocol to the Cybercrime Convention (Budapest Convention) on enhanced co-operation and disclosure of electronic evidence.¹³⁶

With respect to the regulation of digital services, on 9 February 2022, the Lithuanian Free Market Institute (*Lietuvos laisvosios rinkos institutas*) released a study 'Digital Market Act: Competition, Private Property, Innovation and the Interests of the Users' which provides an analysis of the European Commission's proposal for the Digital Markets Act (DMA). The study, co-authored with other European think-tanks, concluded that 'notwithstanding its intentions, the DMA is not likely to create a level-playing field and may actually hurt end-users and SMEs, and ultimately hamper this dynamic and innovative

¹³¹ Lithuania, Draft Law Amending Articles 2, 19, 48, the annex and supplementing with Articles 191 and 192 the Law No IX-2135 on the Lithuanian Republic on the Provision of the Information to Public ([Lietuvos Respublikos visuomenės informavimo įstatymo Nr. I-1418 2, 19, 48 straipsnių, priedo pakeitimo ir įstatymo papildymo 191 ir 192 straipsniais įstatymas](#)), 16 July 2022.

¹³² *Ibid.*, Art. 2(1).

¹³³ *Ibid.*, Art. 2(2).

¹³⁴ *Ibid.*, Art. 3.

¹³⁵ *Ibid.*

¹³⁶ Lithuania, Ministry of the Foreign Affairs (*Užsienio reikalų ministerija*) (2022), 'Lithuanian signed Second Additional Protocol to the Cybercrime Convention' ([Lietuvos Respublika pasirašė Antrąjį papildomą Konvencijos dėl elektroninių nusikaltimų protokolą](#)), 12 May 2022.

market.¹³⁷ The study briefly references fundamental rights, and specifically calls out the allegedly adverse impact of the DMA on the 'protection of private property rights'.¹³⁸ At the governmental level, no proposals for national legislation transposing the Digital Services Act or Digital Markets Act have been put forward.

¹³⁷ Lithuania, Lithuanian Free Market Institute (*Lietuvos laisvosios rinkos institutas*) (2022), '[Digital Market Act: Competition, Private Property, Innovation and the Interests of the Users](#)', 9 February 2022.

¹³⁸ *Ibid.*, p. 16.

6 Rights of the child

6.1 Measures addressing vulnerabilities of children living in poverty and developments regarding the national implementation of the EU Child Guarantee

Measures addressing vulnerabilities of children living in poverty and developments regarding the national implementation of the [EU Child Guarantee](#).

Legislative changes	<p><i>e.g., any legislative development having an impact on children accessing health, education, social protection or other services</i></p> <p>In March 2022, parliament voted to approve for further consideration the draft amendments to the Law on Transport Relief, extending the 50 % discount for long-distance intercity and local travel to children aged 11–15¹³⁹. Before that, such discount was applied to younger children and children of 16 and older, who attend vocational education. . The draft is yet to be further considered and voted on by the Parliament, and was proposed independently of the energy crisis.</p> <p>On 28 June, the Seimas voted to adopt a series of amendments to the Labour Code and the Law on Equal Opportunities to ensure a better work–family life balance¹⁴⁰. The amendments came into force on 1 August. The legislation provides for a free day every three months for mothers and fathers raising a child up to 12 years of age, whilst mothers and fathers raising two children up to 12 years of age or a child with disability are entitled to two free days every three months (before the amendments it was one day). The legislation also provides for the opportunity to work part-</p>
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¹³⁹ “The Lithuanian Parliament (Seimas) unanimously approved the initiative that pupils from 10 years of age would be able to use the same discount as primary school children, as well as students ([„Seimas vieningai pritarė iniciatyvai, kad mokiniams nuo 10 metų siūloma suteikti tokia transporto lengvata, kuria šiuo metu naudojami pradinukai ir studentai“](#)): press release, 24 March 2022.

¹⁴⁰ Lithuania, Ministry of Social Security and Labour, ‘Seimas approved: it will be easier to balance work and family life, with an additional free day for parents’ ([„Seimas pritarė: bus lengviau derinti šeimos ir darbo poreikius, atsiranda papildomas mamadienis“](#)): news release, 28 June 2022.

time for employees raising children who are up to 8 years of age (before that it was 3 years of age). The employer also must (if they will not incur excessive expenditure because of the nature of the work) satisfy a request from an employee to work remotely or have a flexible working time plan. This applies if the employee is pregnant, has recently given birth or is currently breastfeeding, employee who is raising a child up to 8 years of age. It also covers an employee who is a single parent of a child up to 14 years of age, or an employee raising a child with a disability who is up to 18 years of age. The procedure for parental leave for employees who have adopted a child has been specified – the paternity leave must now be provided before parental leave.

The amendments to the Law on Equal Opportunities enacted the obligation for employers to take measures that an employee who takes paternity leave, parental leave or unpaid leave would not be discriminated against¹⁴¹. Furthermore, it was specified that the ground of social status which is a prohibited ground of discrimination under the law, encompasses a person's family status. This also means that the Office of Equal Opportunities Ombudsperson will be able to investigate complaints based on this particular ground.

On 28 June 2022, the Seimas also adopted legislation amending the regulation of parental leave and parental leave pay¹⁴². Parents will be able to choose 18 or 24 months of parental leave. From these, each parent could use 2 months of non-transferable parental leave, whilst during the rest of the leave the pay would be issued to a mother, a father or a carer. However, if for example, a father does not use 2 months of non-transferable leave, the total term of paid parental leave becomes shorter, that is 16 and 22 months. The amendments will come into force on 1 January 2023.

¹⁴¹ Lithuania, Ministry of Social Security and Labour, 'Seimas approved: it will be easier to balance work and family life, additional free day for parents' ([„Seimas pritarė: bus lengviau derinti šeimos ir darbo poreikius, atsiranda papildomas mamadienis“](#)), news release, 28 June 2022.

¹⁴² Lithuania, Ministry of Social Security and Labour, 'Seimas approved: from the next year the parental leave will be longer, fathers are being involved' ([„Seimas pritarė: nuo kitų metų pradžios ilgėja vaiko priežiūros atostogų trukmė, įtraukiami tėčiai“](#)), news release, 28 June 2022.

<p>Policy changes</p>	<p><i>e.g., development of national action plan for the Child Guarantee, appointment of National Coordinator, etc</i></p> <p>According to the information received from the Ministry of Social Security and Labour, a national coordinator for the EU Child Guarantee has been appointed.¹⁴³ A National Plan for the Implementation of the System of Child Guarantee 2022-2030 is currently being finalized.</p>
<p>Other measures or initiatives</p>	<p><i>e.g., income support to single-headed families or based on number of children in the household; meals for children provided for free; other actions or measures linked to the implementation of the EU Child Guarantee.</i></p> <p>From the beginning of 2022, the allowance for children with disabilities, depending on the level of the disability, increased from € 143–€ 286 in 2021 to € 150–€ 300¹⁴⁴. The allowance for parents and carers who looked after a person with disability with special needs for at least 15 years and cannot work anymore, has increased from € 143–€ 214.50 in 2021 to € 150–€ 225¹⁴⁵.</p> <p>From 2022, the level of income supported by the state from which the heating benefit is calculated has been increased twofold, which means that more people with financial difficulties will receive compensation for heating expenses¹⁴⁶. The compensation is provided irrespective of the manner of heating used. The benefit targets families as well as single inhabitants, including more favourable compensation calculation rules for people with disabilities.</p>

¹⁴³ Lithuania, Ministry of Social Security and Labour (*Lietuvos Respublikos socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 14 October 2022.

¹⁴⁴ Lithuania, Ministry of Social Security and Labour, 'Pensions and benefits in 2022: what is important to know for people with disabilities' ([„Pensijos ir išmokos 2022 metais: ką svarbu žinoti negalia turintiems žmonėms“](#)), news release, 4 January 2022.

¹⁴⁵ Ibid.

¹⁴⁶ Lithuania, Ministry of Social Security and Labour, 'Pensions and benefits in 2022: what is important to know for people with disabilities' ([„Pensijos ir išmokos 2022 metais: ką svarbu žinoti negalia turintiems žmonėms“](#)), news release, 4 January 2022.

	<p>In January, 58 municipalities where children’s day centres operate received € 7.5 million, which should ensure the funding of the centres’ activities throughout the year¹⁴⁷. The centres provide accredited social day care to children and various services such as education of social skills, help with solving issues in the family, psychological counselling and other individual services¹⁴⁸. There are a total of 454 children’s day centres operating across the country; the funding depends on a number of children who receive services in the centre¹⁴⁹.</p> <p>From the beginning of 2022, the childcare allowance has been increased, which now depends on the age of the child as well as their needs¹⁵⁰. Children up to 6 years of age receive an allowance of € 218, children from 6 to 12 years of age receive € 252, children from 12 to 19 and children with disabilities receive € 273, and former wards up to 24 years of age who are learning or studying receive € 273¹⁵¹. When a child is being cared for in the family, in a family-type home or care centre (by an emergency carer), a targeted additional allowance of € 168 a month is being paid¹⁵².</p> <p>From January 2022, the procedure for paying a universal child benefit has been changed in some cases – that is, for families whose children do not attend compulsory preschool, primary or secondary education without justifiable reason. The benefit is provided not in a monetary form, but by covering the costs for kindergarten, informal education, meals, clothes, educational tools for learning etc.¹⁵³ According to the Ministry of Social Security and Labour, the measure is aimed</p>
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¹⁴⁷ Lithuania, Ministry of Social Security and Labour, ‘Children’s day centres are assigned € 7.5 million for 2022’ ([„2022 metams vaiku dienos centrams skirta 7,5 mln. euru“](#)), news release, 11 January 2022.

¹⁴⁸ *Ibid.*

¹⁴⁹ Map of children’s day centres including the funding allocation according to the municipalities and the number of the centres in each municipality: https://socmin.lrv.lt/uploads/socmin/documents/images/2022%2001%2005_SADM_akredituotu%20vaiku%20dienos%20centru%20finansavimas.jpg

¹⁵⁰ ‘Child care: what is important to know in 2022’ ([„Vaiko globa: ką svarbu žinoti 2022 metais“](#)), 15min.lt, 25 January 2022.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ ‘The procedure of payment of universal child benefit has been changed: some families will receive it differently’ ([„Pasikeitė vaiko pinigų mokėjimo tvarka: dalis šeimų juos gaus kitaip“](#)), lrt.lt, 13 February 2022.

	<p>at individualised support for children, helping children not to be singled out from others in schools and preventing social inequality in the future¹⁵⁴.</p> <p>In March, the Ministry of Social Security and Labour announced that children of Ukrainian refugees in Lithuania will receive the same type of support as Lithuanian children. That is, they will be provided with free meals at school and receive support to purchase educational tools¹⁵⁵. According to the Law on Social Support to Pupils, this kind of support is assigned to all children in Lithuania if they attend school, irrespective of their status in the country¹⁵⁶. Children of Ukrainian refugees are also entitled to the same universal child benefit, including other types of social support – childcare allowance, one time allowance for settling in, partial compensation for renting accommodation, other types of social support as well as social services.¹⁵⁷</p> <p>From 1 June, responding to rising inflation, the universal child benefit was increased from € 73.50 to € 80.50, whilst the benefit for children with disabilities was increased to € 127.88¹⁵⁸. Disability benefit for children was increased from € 150–€ 300 to € 173–€ 346, and for parents or carers who looked after a person with a disability for at least 15 years and cannot work anymore, it increased from € 150–€ 225 to € 173–€ 259.50¹⁵⁹.</p> <p>Responding to the increasing energy prices, the Ministry of Social Security and Labour took measures to extend the term for which the property is not being taken into account and increase</p>
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¹⁵⁴ 'The procedure of payment of universal child benefit has been changed: some families will receive it differently' ([„Pasikeitė vaiko pinigų mokėjimo tvarka: dalis šeimų juos gaus kitaip“](#)), lrt.lt, 13 February 2022.

¹⁵⁵ Lithuania, Ministry of Social Security and Labour, 'Ukrainian children who started school in Lithuania will receive social support' (["Lietuvoje pradedantiems mokytis ukrainiečių vaikams – socialinė parama"](#)): news release, 8 March 2022.

¹⁵⁶ Ibid.

¹⁵⁷ Lithuania, Ministry of Social Security and Labour, 'Ukrainians fleeing from the horror of war will be entitled to social support', ([„Nuo karo siaubo pabėgę ukrainiečiai galės gauti socialinę paramą“](#)), news release, 17 March 2022.

¹⁵⁸ Lithuania, Ministry of Social Security and Labour, 'From the beginning of summer – higher social allowances' ([„Nuo vasaros pradžios – didesnės socialinės išmokos“](#)), news release, 23 May 2022.

¹⁵⁹ Ibid.

	<p>the rate of income from which the benefit is being calculated.¹⁶⁰ In this way, the number of recipients of heating benefits should expand by one fifth, and encompass families that have average income, for example, the family of four people (two parents and two children) receiving 2 average wages (EUR 2174,8) would have to pay no more than EUR 45,51 a month for the heating of 70 square meters accommodation.</p> <p>According to the Department of Statistics, the level of children's poverty risk has decreased over the year by 2,8 percent and now stands at 17,2 percent (2021), compared with 20 percent in 2020.¹⁶¹</p> <p>From 1st January 2023, a single time allowance for each child born in Lithuania increases by EUR 33 to EUR 539.¹⁶² This benefit is paid for adopted children as well irrespective whether the allowance was paid when the child was born, and for foster children up until 1,5 years of age and in case such allowance was not paid when the child was born, and the child was placed in foster care for the first time.</p> <p>For a pregnant mother, who did not work and is not entitled to maternity pay, a single allowance of EUR 315 will be paid.</p> <p>Universal child benefit also increases to EUR 85,75, whilst additional benefit to children from larger families and children with disabilities increases to EUR 50,47. The allowance for parents when more than one child is born, which is paid to one of the parents for two years since the birth of the children, increases to EUR 196 a month in case of twins, EUR 392 a month in case of triplets, and EUR 588 in case of four children. An allowance of EUR 73,50 a month will be paid for a child whose parent is called to or voluntary serves in the compulsory military service. For child, whose parent</p>
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¹⁶⁰ Lithuania, Ministry of Social Security and Labour, 'Compensations for heating – also for the families with average income' („Būsto šildymo išlaidų kompensacijos – ir vidutines pajamas gaunančioms šeimoms“), news release, 6 September 2022.

¹⁶¹ Lithuania, Ministry of Social Security and Labour (*Lietuvos Respublikos socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 14 October 2022.

¹⁶² Lithuania, Ministry of Social Security and Labour, 'Support to families increases from 2023: what's new?' („Nuo 2023 m. pradžios didėja parama šeimoms: kas naujo?“), 21 December 2023.

	<p>studied and does not have the necessary work experience for social insurance for receiving child allowance, EUR 294 allowance will be paid for the studying parent until the child reaches the age of two.</p> <p>From 1st January, 2023 all pre-schoolers, first and second graders are entitled to free meals at school. Older children are entitled to free meals, if the income of their family does not exceed EUR 235,5 for each member of the family. Such children are also entitled to free meals at school camps and EUR 98 support for school supplies.</p>
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6.2 Legal and policy developments or measures in relation to child-friendly procedures for children as victims, witness or suspects/accused in criminal proceedings.

<p>Legislative changes</p>	<p><i>e.g., reform of the criminal code, new law on violence against children with procedural safeguards.</i></p> <p>According to the Ministry of Justice, current provisions of the Lithuanian Code of Criminal Procedure, guaranteeing the rights of child victims, witnesses, suspected and accused are aligned with the concept of child-friendly criminal proceedings, and all necessary legislative changes related with children in criminal procedures have been enacted whilst transposing Directive 2012/29/EU (EU Victims’ Directive) and Directive 2016/800/EU (Directive on Procedural Safeguards for Children who are Suspects or Accused Persons in Criminal Proceedings)¹⁶³. No additional legislative changes in criminal law and criminal procedure law, specifically related with children, were adopted in 2022.</p>
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¹⁶³ Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 9 September 2022.

	<p>Amendments to the Code of Criminal Procedure were passed on 30 June 2022, detailing the mechanism, grounds and conditions for the application of arrest¹⁶⁴. These are aimed at removing flawed possibilities for the arrest of persons and strengthening the rights of such persons¹⁶⁵. The amendments are not aimed specifically at strengthening the rights of underage suspected and accused persons. However, according to the Ministry the change will undoubtedly have a positive impact seeking to reduce the number of arrests towards the underage participants of the criminal process as well.</p> <p>On 30 June 2022, parliament ratified the 19 December 2011 optional protocol to the UN Convention on the Rights of the Child (CRC) on a communications procedure¹⁶⁶. This recognises the competence of the UN Child Rights Committee and individual communications procedure, which allows children and other persons or groups to submit communications to the committee on the violations of the rights contained in the convention. Under the protocol, the CRC can also launch an independent inquiry into grave and systematic child rights violations.</p>
<p>Policy developments</p>	<p><i>e.g., guidance or training for law enforcement officers on the treatment of child suspects or victims; amendment of police academy curriculum; training of judges; developing indicators to monitor the situation of child suspects and improve data collection.</i></p> <p>Police vocational and professional development training</p> <p>According to the information received from the Police Department under the Ministry of Interior, in 2022 there were 72 events organised on procedural guarantees of child victims, witnesses, suspects and the accused. There were also other themes related to children in criminal proceedings, were the training was successfully completed by a total of 963 police</p>

¹⁶⁴ Lithuania, Law on the Amendment of Article 140 of the Code of Criminal Procedure No. XIV-1359 ([Lietuvos Respublikos baudžiamojo proceso kodekso 140 str. pakeitimo įstatymas Nr. XIV-1359](#)), 30 June 2022.

¹⁶⁵ Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 9 September 2022.

¹⁶⁶ Lithuania, Law on Ratification of the Optional Protocol to the United Nations Convention on the Rights of the Child on Communications Procedure No. XIV-1375 ([Lietuvos Respublikos įstatymas dėl Jungtinių Tautų vaiko teisių konvencijos fakultatyvaus protokolo dėl pranešimų procedūros ratifikavimo Nr. XIV-1375](#)), 30 June 2022.

	<p>officers¹⁶⁷. The police academy curriculum and the professional development programmes include topics on the rights and procedural guarantees of children in criminal procedures. The Police Department develops and implements the following programmes of professional development: 'The work of police officers with underage persons at the scene' (69 events, 912 officers took part) and 'Tactical aspects of interviewing underage persons, when a psychologist participates in the interview' (one event, 29 officers). A total of 76 police cadets have studied the topic 'Participants of the criminal process, their rights and obligations and underage participants of the process and guaranteeing their rights' as part of the course on the criminal process under the police academy curriculum. Two other events with 22 officers participating took place under the professional development programme 'Features of the interviews of underage participants of the criminal process: preparation for the interviews and the tactics of its implementation'.</p>
<p>Other measures or initiatives</p>	<p><i>e.g., relevant activities to promote alternatives to detention; set-up of Barnahus houses or other specific programmes for children in the criminal system.</i></p> <p>In the beginning of 2022, a methodological guide '<i>Good practice guide of a court psychologist</i>' was published¹⁶⁸, which provides practical guidance, advice and recommendations for court psychologists on how to conduct interviews with children in criminal proceedings. According to the Criminal Procedure Code, interviews with minor child victims and witnesses are always conducted with a psychologist; interviews with underage child victims and witnesses (14 and older) are conducted with a psychologist in cases of serious crimes. This is also possible at the request of participants of the procedure, or on the motion of the court, prosecutor or pretrial investigation officer. Children suspected or accused persons are interviewed with a psychologist</p>

¹⁶⁷ Lithuania Police Department under the Ministry of Interior (*Policijos departamentas prie Vidaus reikalų ministerijos*), written communication with the contractor, 1 September 2022.

¹⁶⁸ Lithuania National Court's Administration (*Nacionalinė teismų administracija*), written communication with the contractor, 30 August 2022.

	<p>when participants of the procedure request or on the initiative of the pretrial investigation officer, prosecutor, pretrial judge or the court in case of judicial proceedings.</p> <p>There were a total of 15 psychologists working in the Lithuanian courts as of 29 August 2022. On 30 June 2022, the Judges' Council approved Recommendations on the Organisation of the Work of Court Psychologists. These aim to harmonise the principles and procedures of the organisation of the court psychologists' work, more clearly define the purpose and functions of the court psychologist, define the principles of improving qualifications¹⁶⁹, etc.</p>
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¹⁶⁹ Lithuania, National Court's Administration (*Nacionalinė teismų administracija*), written communication with the contractor, 30 August 2022.

7 Access to justice – Victims’ Rights and Judicial Independence

7.1 Legal and policy developments or measures relevant to the implementation of the Victims’ Rights Directive and the EU strategy for Victims’ Rights 2020-2025

Statistics

In 2022, there were 25,551 victims (natural persons) registered in the official crime database¹⁷⁰. Compared with the same period of the previous year, it is a 3.7 % increase (from 24,638). The victims were 48.5 % women, 51.5 % men and 6.1 % children. Table 7.1. shows the damage suffered by the registered victims in 2022 including a comparison with 2021 for the same period (the table’s first section (material damage) includes natural as well as legal persons).

Table 7.1. Statistics of the damage suffered for 2021 and 2022.

The person suffered:										
	Material damage		Physical violence		Sexual violence		Psychological violence		Neglect	
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022
Total	6,788	6,510	6,615	6,348	103	102	261	186	31	32

Support

Currently, there are 26 accredited organisations providing free and confidential support to victims of crime, which is regulated by the Law on Support to Victims of Crime¹⁷¹ as well as other relevant legislation such as the orders of the Minister of Social Security and Labour on the procedure for providing support as well as

¹⁷⁰ Lithuania, Department of Informatics and Communications under the Ministry of Interior, ‘Reports from the Official Crime Register’ ([Informatikos ir ryšių departamentas prie vidaus reikalų ministerijos, Nusikalstamų veikų žinybinio registro ataskaitos](#)), last accessed on 23 September 2022.

¹⁷¹ Lithuania, Law on Support to Victims of Crime No. XIV-169 ([Lietuvos Respublikos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas Nr. XIV-169](#)), 14 January 2021.

accreditation of the organisations providing these support services¹⁷². However, some accredited organisations identify as an issue the accessibility of services, because people lack knowledge of such aid and where to turn for it¹⁷³. The law does not provide for a function for the support services providers to disseminate information about the rights of victims and how to recognise that a person has become a victim of a crime, and there is no state funding provided for such an activity¹⁷⁴.

According to the Ministry of Social Security and Labour, in 2022, EUR 500 000 has been allocated for the 26 organisations providing generic support services to the victims.¹⁷⁵ During January-June 2022, 1191 persons received support from these services: 762 women, 388 men, 41 child. 49 of those who received the support were persons with disabilities.

Legislation

In autumn 2022, the Ministry of Justice registered a draft law amending the Law on Compensation for Damage Inflicted by Violent Crimes¹⁷⁶. The purpose of the law is to implement a rule formed by the Court of Justice in its interpretation of the Directive 2004/80/EC that a Member State must provide compensation for victims of all violent crimes committed in its jurisdiction¹⁷⁷. Therefore, with this draft it is suggested to include into the remit of the application of the law intentional not serious violent crimes such as causing physical pain or minor health impairment as well as adjust the rates of compensation according to the severity of the crime committed.¹⁷⁸ The draft law also seeks to amend the definition of violent crimes by providing not only for aggravated, grievous or very grievous

¹⁷² Lithuania, Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*), Order on approval of the Regulation on accreditation of services providing assistance to victims of crime ([Dėl Pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims tarnybų teikiamos pagalbos akreditavimo tvarkos aprašo patvirtinimo](#)), 21 April 2021; Lithuania, Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*), 'Order on approval of the regulation on providing accredited assistance to victims of crime' ([Dėl Akredituotos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims teikimo tvarkos aprašo patvirtinimo](#)), 19 July 2021. It is important to note that these 26 organisations are accredited to provide support specifically for all victims of crime and can be considered generic victim support organisations. There are other organisations that provide specialised integrated support to victims of domestic and gender based-violence, human trafficking and child victims of violence. The support provided by the latter organisations is regulated by different legal acts. However, some organisations overlap, i.e. provide generic as well as specialised support to certain categories of victims.

¹⁷³ The contractor's informal communication with the support service provider, 14 September 2022.

¹⁷⁴ Čepas, A. (2002) 'Rights of victims of crime', in [Human Rights Overview 2020-2021](#), Human Rights Monitoring Institute, Vilnius, 2022, p. 83–85.

¹⁷⁵ Lithuania, Ministry of Social Security and Labour (*Lietuvos Respublikos socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 14 October 2022.

¹⁷⁶ Lithuania, Draft Law No. XIVP-1954 on Amendment of Articles 2, 6, 7, 8, 10, 11 and 14 of the Law on Compensation of Damages Inflicted by Violent Crimes No. X-296 ([Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymo Nr. X-296 2, 6, 7, 8, 10, 11 ir 14 straipsnių pakeitimo įstatymo projektas](#)), registered on 2 September 2022.

¹⁷⁷ Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 9 September 2022.

¹⁷⁸ *Ibid.*

crimes against person's liberty, sexual determination and integrity, as it is in the current law, but any crimes of this type, irrespective of their severity. The proposed definition of a violent crime reads as follows: violent crime is an act having features that constitute a criminal activity under the Criminal Code, with which a persons life has been taken, his health impaired or physical pain caused intentionally, or other act having features that constitute criminal act to person's liberty, sexual determination and integrity.

The government has approved the draft law which is registered with the Parliament for further consideration. The draft law is currently being considered by the parliamentary committees. The Human Rights Committee has approved the draft on 26 October 2022, however, the main committee for this draft – Committee on Legal Affairs – is yet to provide its conclusion.

On 9 December 2022, a revised draft has been registered in the Parliament, which provides for the terms of compensation for damage inflicted by violent crimes for persons who suffered such damage before the term when the law will come into effect (on 1 January 2024), from 1 July 2005 to 31 December 2023.¹⁷⁹ The draft law is yet to be voted on by the Parliament.

Information

In February 2022, the Ministry of Justice released an e-leaflet for people who became victims of crime¹⁸⁰. The leaflet provides information about the rights of victims, the criminal procedure, how to report a crime, how to file a complaint, receive compensation for expenses incurred due to participation in the criminal process, information about protection measures, possibilities of receiving legal aid, and information and contacts of support services organisations, providing free and confidential support. The leaflet has a version for people with visual and hearing impairments, and intellectual impairments¹⁸¹.

The Ministry of Social Security and Labour issued a leaflet about support that all victims of crime are entitled to¹⁸². The leaflet informs what type of aid is being provided, including information and contacts of support services providers.

¹⁷⁹ Lithuania, Draft Law No. XIVP-1954 on Amendment of Articles 2, 6, 7, 8, 10, 11 and 14 of the Law on Compensation of Damages Inflicted by Violent Crimes No. X-296 ([Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymo Nr. X-296 2, 6, 7, 8, 10, 11 ir 14 straipsnių pakeitimo įstatymo projektas](#)), registered on 9 December 2022.

¹⁸⁰ Lithuania, Ministry of Justice, 'On the European Day for Victims of Crime, the Ministry introduces an informational publication' (["Minint Europos nusikaltimų aukų dieną, Teisingumo ministerija pristato informacinį leidinį"](#)), last accessed 23 September 2022; [informational leaflet](#).

¹⁸¹ Lithuania, Ministry of Justice, 'On the European Day for Victims of Crime, the Ministry introduces an informational publication' (["Minint Europos nusikaltimų aukų dieną, Teisingumo ministerija pristato informacinį leidinį"](#)), last accessed 23 September 2022; [leaflets for people with disabilities](#).

¹⁸² Lithuania, Ministry of Justice, 'On the European Day for Victims of Crime, the Ministry introduces an informational publication' (["Minint Europos nusikaltimų aukų dieną, Teisingumo ministerija pristato informacinį leidinį"](#)), last accessed 23 September 2022; [informational leaflet on support services](#).

In March 2022, the National Court Administration informed the courts of the obligations provided for in the Law on Support to Victims of Crime for first contact institutions, who are obliged to provide the victims with information about support services available and other relevant information provided for by the law. The courts, according to the law, are among the first contact institutions. The Administration also disseminated the leaflets prepared by the Ministry of Justice and encouraged the courts to publish information about support available to victims on their websites¹⁸³.

Measures to avoid secondary victimisation

The courts continued implementation of the 2019 decision of the Judges' Council to adjust court premises to avoid secondary victimisation due to unnecessary contact with the suspect¹⁸⁴. Currently, secure conditions for victims of crime are ensured in 35 % of the district courts and 40 % of regional courts. There is a goal set to achieve the adjustment of 85 % of the premises for the protection of vulnerable persons and their interests by 2030.

Trainings

In 2022, the National Courts' Administration organised a four-hour judicial training 'Features of communication with victims and witnesses in human trafficking cases', in which 24 judges participated. Similar training is being planned, to be held on 25 November 2022¹⁸⁵.

In the first half of 2022, professional development training for police officers was organised on the topic 'The actions of the police officers in the cases of hate crimes and prevention work against hate crimes', which was completed by 61 officers¹⁸⁶.

7.2 Measures addressing violence against women

Statistics

In 2022, there were a total of 6,135 victims of domestic violence officially registered¹⁸⁷. It is 2 cases less than in 2021, therefore no substantial increase / decrease compared with 2021. Women accounted for 76.3 % of the victims, and 23.7 % were men; 86,4 % of perpetrators in 2022 were men. This proportion of

¹⁸³ Lithuania, National Courts' Administration (*Nacionalinė teismų administracija*), written communication with the contractor, 30 August 2022.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*

¹⁸⁶ Lithuania, Police Department under the Ministry of Interior (*Policijos departamentas prie Vidaus reikalų ministerijos*), written communication with the contractor, 1 September 2022.

¹⁸⁷ Lithuania, Department of Informatics and Communications under the Ministry of Interior, Reports from the Official Crime Register ([*Informatikos ir ryšių departamentas prie vidaus reikalų ministerijos, Nusikalstamų veiku žinybinio registro ataskaitos*](#)), last accessed on 23 September 2022.

victims and perpetrators in terms of their gender has remained similar over the years – e.g. 86.5 % of perpetrators were men in 2021; they represented 88 % in 2020 and 90.4 % in 2019, whereas the majority of victims in 2022 and the previous years were women: 74.3 % in 2021, 75.5 % in 2020 and 76.8 % in 2019.

Table 7.2 shows the type of damage that registered domestic violence victims suffered in 2022, including a comparison with the same period in 2021.

Table 7.2. Types of violence suffered by the victims in 2022 and 2021.

The person suffered:										
	Material damage		Physical violence		Sexual violence		Psychological violence		Neglect	
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022
Total	121	117	3,819	3,617	29	36	144	98	26	27

The statistics show that some forms of violence such as economic, sexual or psychological violence might remain difficult to recognise as well as investigate, including the likely issue of stigma and the emotional toll of reporting some of these types of violence.

National survey results

In June 2022, the Lithuanian Statistics Department published the results of a survey on the safety of the population conducted in 2021¹⁸⁸. The purpose of the survey was to prepare and publish statistical information on the violations of people’s personal security at work and violence in the domestic environment and beyond its limits, as well as its prevalence and nature. The survey inquired about the instances of intimate partner violence through the respondent’s lifetime and about violence from other person than intimate partner – since the respondent was 15 years of age. The survey revealed that 25.2 % of women of 18–74 years of age and 20 % of men of the same age have experienced physical violence (or threats of physical violence) or sexual violence from any type of person. For women, 88.2 % experienced violence from an intimate partner, whilst more than half (56.7 %) of men experienced violence not from a partner.

¹⁸⁸ Lithuania, Department of Statistics (*Lietuvos statistikos departamentas*), [Population’s security survey – attention to the problem of violence in the country](#), last accessed 23 September 2022.

The survey showed that almost every third woman (30.7 %) has experienced intimate partner violence – physical, psychological or sexual. Older women (65–74 years of age) were those who experienced domestic violence most frequently (36.7 %), whereas the youngest women (18–29) experienced violence less frequently (21.2 %). The most widespread form of violence is psychological violence, which affected 29.5 % of the surveyed women; 10.3 % of women suffered physical health impairments and 5.5 % felt their life was under threat. Because of repeated intimate partner violence, 6.2 % of women felt psychological consequences¹⁸⁹. Most of the women talked about violence suffered with their closed environment and 21.6 % of those who suffered intimate partner violence reported it to the police.

Legislation

On 15 March 2022, parliament passed a new edition of the Law on Protection from Domestic Violence, which replaced the previous edition, which was more than ten years old¹⁹⁰. The new law, which will come into force on 1 July 2023, enacts several very important changes. It provides for a protection order that can be imposed by a police officer on a suspected perpetrator for 15 days in cases where there is a risk of violence, but not enough evidence to launch a criminal investigation. The order obliges the suspected perpetrator to 1) temporary move out from the place of residence if they live with the person at risk of domestic violence, irrespective of the property rights of the home; 2) not to visit the area where the person at risk of domestic violence lives; 3) not to approach the person at risk of domestic violence and other persons living with them and any children living in the environment, where there was a threat of violence; 4) not to communicate, not to seek contact with the person at risk of domestic violence and those living with them, including any children. The law also provides for a procedure of appeal against the imposition of the order.

According to the law, the protection order shall be issued no later than in 12 hours since the registration of the event and will have immediate effect. The protection order can be applied for 15 days and cannot be extended. It is terminated in case a criminal investigation is launched and remand measures are applied instead. In cases when there is no criminal investigation, and when the protection order runs out, the victim can appeal to court under the Code of Civil Procedure and request protection of their rights by other measures provided for in the laws.

The protection order amounts to the emergency barring order in the meaning of Art 52 of the Istanbul Convention, as it contains analogous measures applied to the alleged perpetrator, that is to vacate the residence of the victim or person at

¹⁸⁹ *Ibid.*

¹⁹⁰ Lithuania, Law on Protection from Domestic Violence No. XIV-934 ([Lietuvos Respublikos apsaugos nuo smurto artimoje aplinkoje įstatymas Nr. XIV-934](#)), 15 March 2022.

risk and not to seek any contact with the victim or person at risk and their immediate environment, including children.

The new edition of the law fills the gap that existed where there were not enough data to commence a pre-trial investigation but there was a potential risk of violence. By conducting a risk assessment and using his or her discretion, under the new law, the police officer can issue a protection order for up to 15 days without the need for the court sanction. During this time, the specialized support centre has better possibilities to work with the potential victim, prepare a safety plan and provide other forms of support.

Additionally, the law clarifies the requirements for the specialised support centres which provide integrated support to victims of domestic violence. It also establishes the Council on Prevention of and Protection from Domestic Violence – an interinstitutional advisory council under the Ministry of Social Security and Labour, as well as Commissions on the Prevention of Domestic Violence in every municipality.

During the consideration of the law, there were efforts by a group of MPs to include the concept and the definition of gender-based violence, taking into account the circumstance that women suffer domestic violence disproportionately. However, parliament voted to remove this concept from the draft law; as a result, the Law on Protection from Domestic Violence remains gender-neutral and no legislation reflects the circumstance that domestic violence often is a gender-based crime. Because of the lack of legal definition of gender-based violence as well as legislative and policy measures to address it, part of women who suffer various forms of violence but not from an intimate partner remain unprotected by specific legislation (except in the working environment, where they are protected by the Labour Code). Although the Criminal Code provides for responsibility for physical, psychological and sexual violence in or outside of an intimate relationship, however, there is a lack of relevant policy measures and support systems for women victims of gender-based violence outside of the relationships. For example, there are no specialized services for women victims of sexual violence, and the support in such cases is usually provided by the specialized integrated support centres who generally provide support to domestic violence victims.

In autumn 2022, the Ministry of Justice introduced a draft law amending the Law on Compensation for Damage Inflicted by Violent Crimes¹⁹¹. The purpose of the law is to provide compensation for victims of all violent crimes committed in the country's jurisdiction. Therefore, with this draft it is suggested to include into the remit of the application of the law intentional not serious violent crimes such as causing physical pain or minor health impairment as well as adjust the rates of

¹⁹¹ Lithuania, Draft Law No. XIVP-1954 on the Amendment of Articles 2, 6, 7, 8, 10, 11 and 14 of the Law on Compensation of Damages Inflicted by Violent Crimes No. X-296 ([Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymo Nr. X-296 2, 6, 7, 8, 10, 11 ir 14 straipsnių pakeitimo įstatymo projektas](#)), registered on 2 September 2022.

compensation according to the severity of the crime committed.¹⁹² This legislation would have a considerable impact for victims of domestic violence because a large proportion of the crimes of physical violence suffered by victims are criminalised under Article 140 of the Criminal Code as causing physical pain or minor health impairment. Therefore, when the law is adopted, the victims of these crimes will also be eligible for compensation from the fund.

On 9 December 2022, a revised draft has been registered in the Parliament, which provides for the terms of compensation for damage inflicted by violent crimes for persons who suffered such damage before the term when the law will come into effect (on 1 January 2024), from 1 July 2005 to 31 December 2023.¹⁹³ The draft law is yet to be voted on by the Parliament.

On 1 of November, the amendments to the Labour Code came into force, which introduce additional duties for employers to prevent and respond to various forms of violence and harassment in the workplace, including gender-based violence and harassment.¹⁹⁴ The amendments define violence and harassment, including psychological violence, violence and harassment on the basis of gender (violence and harassment targeted at persons because of their gender or that affect the persons of a certain gender disproportionately, including sexual harassment), as any inappropriate behaviour or threat thereof, irrespective whether it is sought with this behaviour, a single time or repetitively, to cause physical, psychological, sexual or economic impact, or with this inappropriate behaviour such impact has been made or might be made, or with such behaviour a person's dignity is offended or a threatening, hostile, degrading or insulting environment is created or (and) physical, material and (or) immaterial damage has been inflicted or could be inflicted.

The prohibition of violence and harassment is applied in various working environments, including e-communications, travel to or from work, during breaks, and others.

The employers, taking into account the size of the enterprise, must take all necessary measures to prevent and respond to violence and harassment, such as controlling and preventing threats, providing the mechanism for reporting such acts and familiarizing employees with the procedure, adopting and implementing

¹⁹² Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 9 September 2022.

¹⁹³ Lithuania, Draft Law No. XIVP-1954 on Amendment of Articles 2, 6, 7, 8, 10, 11 and 14 of the Law on Compensation of Damages Inflicted by Violent Crimes No. X-296 ([Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymo Nr. X-296 2, 6, 7, 8, 10, 11 ir 14 straipsnių pakeitimo įstatymo projektas](#)), registered on 9 December 2022.

¹⁹⁴ Lithuania, Law Amending Articles 14, 25, 27, 30, 52, 58, 139, 144, 221, 222, 223, 225, 226, 227 and 240 of the Labour Code No. XIV-1187 ([Lietuvos Respublikos Lietuvos Respublikos darbo kodekso 14, 25, 27, 30, 52, 58, 139, 144, 221, 222, 223, 225, 226, 227 ir 240 straipsnių pakeitimo įstatymas Nr. XIV-1187](#)), 28 June 2022.

an anti-violence and anti-harassment policy (for employers with more than 50 employees).

In September 2022, two Members of Parliament proposed to introduce the change in the concept of sexual violence as it is defined by the Criminal Code.¹⁹⁵ The package of proposals will be aimed at introducing the concept of clear and voluntary consent, that is, the sexual relation would be considered involuntary, unless a clearly expressed voluntary consent is given. The MPs also propose to create a support system for survivors of sexual violence by establishing specialized support centres. On 24 November 2022, a group of MPs registered the draft amendment to Article 151 (1) of the Criminal Code that prohibits sexual abuse. The draft law aims to supplement the Article with the concept of voluntary consent and provides that “[a] person who, by threatening to resort to violence, using other mental coercion, by taking advantage of a person’s dependency or without the person’s **clearly expressed voluntary consent** compels the person to have sexual intercourse with or otherwise satisfy sexual desires of the offender or a third person, shall be punished by arrest or by a custodial sentence for a term of up to three years.”¹⁹⁶ The proposal regarding voluntary consent concerns only Article 151 (1) of the Criminal Code prohibiting sexual abuse. There is currently no proposal to amend Article 149 (rape) and / or Article 150 (sexual assault).

In 2022, no progress has been made towards the ratification of the Istanbul Convention. This question is also not included into the Parliament’s Autumn session agenda. The opposition to the Convention is rather active in Lithuania, which is often based on presumptions and sometimes incorrect reading of the text of the Convention, which supposedly would introduce „an infinite number of genders” and will cause a threat to traditional family values. In 2022, the opposition also used as an argument the Russia’s war against Ukraine, that is, claiming that the time is not appropriate to consider initiatives that „divide the society”.¹⁹⁷ However, in June 2022, Ukraine itself ratified the Convention. Since then, no wider public discussion has been identified on the issue of ratification of Istanbul Convention. The NGOs regularly remind policy and decision makers about the benefits of ratifying the Convention as it is the most comprehensive document prepared by experts, and is not only about support and prevention, but also sexual violence (there still is no support system for victims of sexual violence in

¹⁹⁵ Announcement of Seimas’s Freedom Fraction: the fraction proposes a package of actions on sexual violence ([Seimo Laisvės frakcijos pranešimas: frakcija siūlo veiksmų paketą apsaugai nuo seksualinio smurto](#)), 22 September 2022.

¹⁹⁶ Lithuania, Draft law No. XIVP-2292 on the amendment of Article 151 of the Criminal Code of the Republic of Lithuania ([Lietuvos Respublikos baudžiamojo kodekso 151 straipsnio pakeitimo įstatymo projektas Nr. XIVP-2292](#)), 24 November 2022.

¹⁹⁷ LRT.lt, ‘Parliament in conflict over spring works – opposition demands to forfeit the partnership and ‘forget the Istanbul Convention’ ([Seimas susikirto dėl pavasario darbų – opozicija reikalauja atsisakyti partnerystės ir „pamiršti Stambulo konvencija”](#)), 17 March 2022.

Lithuania).¹⁹⁸ Some politicians from the governing coalition hope that the Convention could be ratified during their term (until 2024)¹⁹⁹, however, there is still no wider political will and agreement at the moment to include the ratification into the agenda.

Policy measures

On 11 April 2022, the Action Plan for 2022–2023 on the Prevention of Domestic Violence and Provision of Support to the Victims was approved by order of the Minister of Social Security and Labour²⁰⁰. The action plan foresees various educational and awareness-raising measures such as educational events and community meetings on recognition of domestic violence as well as training for professionals. The important part of the plan is the provision of state funding to organisations working with victims and providing specialised integrated support. It is planned to allocate € 1.53 million from the state budget in 2022 and in 2023 for this purpose. The action plan also includes funding the work with perpetrators to achieve behavioural change as well as to develop a behavioural change programme. According to the statistics from the Ministry of Social Security and Labour, until 5 July 2022, 7165 persons received specialized integrated support provided to domestic violence victims.

On 29 September 2022, a new policy measure “Development of effective prevention of domestic violence and support system by strengthening inter-institutional cooperation” was approved by the order of the Minister of Social Security and Labour.²⁰¹ The measure is a part of the wider Social Cohesion Development programme. It provides for an integrated package of investment, communication and analytical activities aimed at combating the high level of domestic violence in the country and ensuring quality integrated services and support to survivors of domestic violence, persons at risk of domestic violence and

¹⁹⁸ Delfi.lt, ‘On the day of combating violence against women – special initiative: famous designer shares painful childhood memories’ ([Kovos su smurtu prieš moteris diena – speciali iniciatyva: skausmingais vaikystės prisiminimais dalinasi ir žinomas dizaineris](#)), 1 December 2022.

¹⁹⁹ 15min.lt, ‘Grown over with fears, Istanbul Convention stays in the drawer: after Ukraine’s ratification, here there are [still] fears’ ([Baubais apaugusi Stambulo konvencija dūla stalčiuje: Ukrainai ratifikavus, pas mus – būgštavimai](#)), 28 June 2022.

²⁰⁰ Lithuania, Order of the Minister of Social Security and Labour No. A1-264 on the Approval of the Action Plan for 2022–2023 on the Prevention of Domestic Violence and Provision of Support to Victims ([Lietuvos Respublikos socialinės apsaugos ir darbo ministro įsakymas Nr. A1-264 Dėl Smurto artimoje aplinkoje prevencijos ir pagalbos teikimo nukentėjusiems asmenims 2022–2023 metų veiksmų plano patvirtinimo](#)), 11 April 2022.

²⁰¹ Lithuania, Order of the Minister of Social Security and Labour No. A1-648 on the Approval of the Procedure of the progress measure No. 09-003-02-02-08 „Development of effective prevention of domestic violence and support system by strengthening inter-institutional cooperation” of the 2021-2030 Social Cohesion Development Programme administered by the manager of the 2021-2030 development programme manager Ministry of Social Security and Labour ([Lietuvos Respublikos socialinės apsaugos ir darbo ministro 2022 m. rugšėjo 29 d. įsakymas Nr. A1-648 „Dėl 2021-2030 metų plėtros programos valdytojos Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos socialinės sutelkties plėtros programos pažangos priemonės Nr. 09-003-02-02-08 „Plėtoti efektyvios prevencijos ir pagalbos smurto artimoje aplinkoje sistemą, stiprinant tarpinstitucinį bendradarbiavimą” aprašo patvirtinimo](#)), 29 September 2022.

perpetrators.²⁰² It is planned to provide trainings to specialists working at the specialized integrated support centres as well as empower survivors of domestic violence by increasing their economic, psychological and emotional independence from perpetrators. Wide communication campaigns are also planned on the prevention of domestic violence as well as on the availability of services and support. The measure also provides for surveys and research in the area of domestic violence to assess the changes in the level of intolerance to domestic violence and ensure the long term monitoring of the effectiveness of the support services and behavioural change programmes.

According to the Ministry of Social Security and Labour, currently it cooperates with the Ministry of Health and specialized integrated support centres to improve the support system to the victims of sexual violence.²⁰³

Awareness raising and trainings

In the first half of 2022, police officers held 866 domestic violence prevention meetings with communities across the country²⁰⁴. During the meetings, members of the communities were trained to recognise domestic violence, were informed who provides support and what kind of support is available, and were encouraged to report instances of domestic violence to the police²⁰⁵. Police officers also held 12 meetings with representatives of municipalities, other institutions and social partners on the promotion of intolerance to domestic violence. Also in the first half of 2022, a distance learning course on the topic of domestic violence was organised, which was attended by 16 police officers.

²⁰² Lithuania, Ministry of Social Security and Labour (*Lietuvos Respublikos socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 14 October 2022.

²⁰³ Lithuania, Ministry of Social Security and Labour (*Lietuvos Respublikos socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 14 October 2022.

²⁰⁴ Lithuania, Police Department under the Ministry of Interior (*Policijos departamentas prie Vidaus reikalų ministerijos*), written communication with the contractor, 1 September 2022.

²⁰⁵ *Ibid.*

8 Developments in the implementation of the Convention on the Rights of Persons with Disabilities

8.1 CRPD policy and legal developments & implementation of the European Accessibility Act

On 1 January 2022 the social assistance pension base increased from € 143 to € 150. It is estimated that after the increase of this base, social assistance benefits will also increase depending on the type and category of beneficiaries. The largest increase, by € 15.75, was the disability pension for persons who lost 100 % of their working capacity before the age of 24.

In 2022 there was an increase in the base (from € 120 to € 126) for targeted compensation paid to people with special needs²⁰⁶. This is a supplementary benefit that can be paid together with a social security or social assistance pension.

In 2022, money for children increased from € 70 to € 73.50. Children with disabilities, also children from large or low-income families receive a premium of € 43, thus the amount for children with disabilities and children from large or low-income families reached € 116.50 per month²⁰⁷.

2022 also saw an increase of the state-supported income (SSI) applied to the calculation of the compensation for home heating expenses. As the SSI doubled, the compensation for the heating of homes received by lower-income families increased, among them people with disabilities²⁰⁸.

²⁰⁶ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), Pensions and benefits in 2022: what is important for people with disabilities to know ([Pensijos ir išmokos 2022 metais: ką svarbu žinoti negalia turintiems žmonėms?](#)), 4 January 2022.

²⁰⁷ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), Childcare: what is important to know in 2022? ([Vaiko globa: ką svarbu žinoti 2022 metais?](#)), 25 January 2022.

²⁰⁸ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), Pensions and benefits in 2022: what is important for people with disabilities to know? ([Pensijos ir išmokos 2022 metais: ką svarbu žinoti negalia turintiems žmonėms?](#)), 4 January 2022.

Due to the inflation in the country benefits were increased again, starting on 1 June 2022. The social assistance pension base increased to € 173, while the based for targeted compensation increased to € 138²⁰⁹. The children's money was raised to € 80.50, while the premium benefit for children with disabilities reached € 47²¹⁰.

In 2022 the Law on Equal Treatment was changed several times and these changes affected the rights of people with disabilities. On May 19 2022, parliament (*Lietuvos Respublikos Seimas*) adopted the amendments²¹¹ that allowed the Office of the Equal Opportunities Ombudsperson to investigate complaints of harassment – among other grounds – due to disability, in the areas of consumer rights as well as organisations and associations. According to the Law on Equal Opportunities, harassment is defined as unwanted conduct where any of the protective characteristics, among them disability, is used for offending or serves for the insulting of the dignity of a person, or it is sought to create an intimidating, hostile, degrading or offensive environment, or one is created. On 28 June 2022 parliament (*Lietuvos Respublikos Seimas*) adopted another set of amendments²¹² to the Law on Equal Treatment that introduced the changes to Article 7 (Duty of the employer to implement equal treatment in the workplace, in the civil service). The amendments changed the wording of paragraph 9 of Article 7, which previously stated that when implementing equal treatment, the employer must take appropriate measures to enable disabled persons to have access to, participate in or advance in employment, or to undergo training, including adaptation of premises, unless such measures would impose a disproportionate burden on the employer. The amendments introduced the duty for the employer, instead of only adapting the premises, to also create the appropriate working conditions for the disabled persons; however, it left the wording “unless such measures would impose a disproportionate burden on the employer”.

On 30 June 2022, parliament (*Lietuvos Respublikos Seimas*) adopted the amendments to the Law on Social Integration of Persons with Disabilities²¹³, which introduced the concept of the provider for the disabled and related changes. The provider for the disabled is defined as a person appointed by the decision of the director of the Disability and Working Capacity

²⁰⁹ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), Increasing support for people with disabilities: what is important to know? ([Didėja parama žmonėms su negalia: ką svarbu žinoti?](#)), 6 June 2022.

²¹⁰ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), Increasing support for families in summer: what is new? ([Nuo vasaros didėja parama šeimoms: kas naujo?](#)), 1 June 2022.

²¹¹ Lithuania (2022), Law amending Articles 2, 4, 6, 7, 8, 9 and the Annex of the Law on Equal Treatment ([Lietuvos Respublikos lygių galimybių įstatymo Nr. XIV-1826 2, 4, 6, 7, 8, 9 straipsnių ir priedo pakeitimo įstatymas](#)), No. XIV-1109, 19 May 2022 (came into force 2 June 2022).

²¹² Lithuania (2022), Law amending Articles 2, 7 and the Annex of the Law on Equal Treatment ([Lietuvos Respublikos lygių galimybių įstatymo Nr. XIV-1826 2, 7 straipsnių ir priedo pakeitimo įstatymas](#)), No. XIV-1192, 28 June 2022 (came into power 1 August 2022).

²¹³ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending Articles 2, 3, 6, 16, 18, 20, 25¹, changing the title of Chapter 4 of the Law on Social Integration of Persons with Disabilities I-2044 and its Supplementation with Article 20², ([Lietuvos Respublikos Neįgalųjų socialinės integracijos įstatymo Nr. I-2044 2, 3, 6, 16, 18, 20, 25¹ straipsnių pakeitimo, ketvirtojo skirsnio pavadinimo pakeitimo ir įstatymo papildymo 20² straipsniu įstatymas](#)), XIV-1363 (came into force 1 September 2022).

Assessment Office under the Ministry of Social Security and Labour or their authorised person to temporarily provide for an adult disabled person who is cared for at home and who, before turning 18 years old, had been assessed to have a special need for permanent nursing or a special need for permanent care (assistance) due to mental or behavioural disorders and who due to their disability cannot take care of themselves, or authorise another person to represent them. The amendments enable people who take care of a child at home with a severe disability due to mental or behaviour disorders, after the child turns 18 years old, to receive the status of the provider for the disabled for the period of 36 months, until the court appoints them a custodian (guardian). The provider for the disabled is entitled to pension insurance, unemployment insurance and compulsory health insurance. These amendments addressed the situation when, according to the procedure that had been in force until then, after the child with a severe disability turned 18 years old, the process of determining capacity took up to 36 months. Until the person's capacity was determined, the family could not receive any benefits and compensations.

On 19 July 2022, parliament (*Lietuvos Respublikos Seimas*) adopted the amendments to the set of laws, among them the Law on Employment²¹⁴, Law on the Social Integration of Persons with Disabilities²¹⁵ and the Law Repealing the Law on Social Enterprises²¹⁶. The aim of these amendments was to increase the inclusion of people with disabilities into the labour market. One of the reasons to initiate the reform was the fact that only one third of the 147,500 working age people with disabilities in Lithuania are employed. The bigger part of the employed people with disabilities – 37,000 – work in the open labour market, and only 4,600 people with a disability work in social enterprises, even though they had received more funding. According to the Ministry of Social Security and Labour, the number of people included in the open labour market does not significantly change, while the number of people with a disability working in social enterprises decreases²¹⁷. At the same time, the existence

²¹⁴ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending Articles 2, 16, 20, 24, 25, 30², 35, 38, 41, 42, 43, 44, 45 and 47 of the Law on Employment No. XII-2470 ([Lietuvos Respublikos užimtumo įstatymo Nr. XII-2470 2, 16, 20, 24, 25, 30², 35, 38, 41, 42, 43, 44, 45 ir 47 straipsnių pakeitimo įstatymas](#)), No. XIV-1390, 19 July 2022 (comes into force 1 January 2023).

²¹⁵ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending Articles 16, 18, changing the title of Chapter 4 of the Law on Social Integration of Persons with Disabilities I-2044 and its Supplementation with Article 20³, ([Lietuvos Respublikos Neįgalųjų socialinės integracijos įstatymo Nr. I-2044 16, 18 straipsnių pakeitimo, ketvirtojo skirsnio pavadinimo pakeitimo ir įstatymo papildymo 20³ straipsniu įstatymas](#)), XIV-1395 (comes into force on 1 January 2023).

²¹⁶ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law repealing the Law on Social Enterprises No. IX-2251 ([Lietuvos Respublikos socialinių įmonių įstatymo Nr. IX-2251 pripažinimo netekusių galios įstatymas](#)), No. XIV-1391, 19 July 2022.

²¹⁷ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), M. Navickienė: for people with disabilities – more opportunities in the labour market ([M. Navickienė: žmonėms su negalia – platesnės galimybės darbo rinkoje](#)), 19 July 2022.

of social enterprises was criticised by the disability NGOs and human rights activists as a model that creates the segregation in the labour market²¹⁸.

The adopted set of laws abolishes the status of social enterprises, starting from 1 January 2023, and introduces measures to encourage the inclusion of people with disability into the open labour market. Among the measures are subsidies for the employers that partly cover the salary of the person with a disability, subsidies to adapt the working environment for the needs of the person with a disability, subsidies to cover the expenses for job assistant, as well as a complex set of active labour market policy measures that allow the combination of different measures depending on the individual needs of a person (the overall sum for the latter measures cannot exceed € 22,630). It is expected that these measures would help to increase the number of working people with a disability by approximately 3,300 a year. It is expected that by 2025, 39 % of people with a disability will be working in the open labour market, and by 2030 this number would reach 47 %²¹⁹.

In 2022 the Ministry of Social Security and Labour (*Lietuvos Respublikos Socialinės apsaugos ir darbo ministerija*) introduced an initiative to reform the disability assessment system and presented a set of draft laws that were adopted by the government on 14 September 2022²²⁰. Parliament (*Lietuvos Respublikos Seimas*) started the consideration of the draft laws on 22 September 2022²²¹. The reform seeks to move the model of assessing the disability from the one based on the medical model of disability, as currently in place in Lithuania, towards the one based on the social model of disability. It aims to create the system with case management for every person who applies for the assessment of their disability so they could, immediately

²¹⁸ For example, Dovilė Juodkaitė: 'the Seimas will decide to continue or stop the segregation of people with disability in the labour market' ([Seimas spres – testi ar ne žmonių su negalia segregacija darbo rinkoje](#)), 12 July 2022.

²¹⁹ Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2022), M. Navickienė: for people with disabilities – more opportunities in labour market ([M. Navickienė: žmonėms su negalia – platesnės galimybės darbo rinkoje](#)), 19 July 2022.

²²⁰ Lithuania, Government of the Republic of Lithuania (*Lietuvos Respublikos Vyriausybė*), Resolution on the submission of the draft laws of Law amending the Law on Social Integration of Persons with Disabilities No. I-2044, Law amending the Law on Target Compensations No. XII-2507, Law on amending Articles 2, 3, 5, 11, 13, 14, 20 and 21 of the Law on Pre-trial Settlement of Administrative Disputes, Law amending Articles 2, 5, 7 and 15¹ of the Law on Equal Treatment No. IX-1826 to the Seimas of the Republic of Lithuania ([Nutarimas dėl Lietuvos Respublikos neįgalųjų socialinės integracijos įstatymo Nr. I-2044 pakeitimo įstatymo, Lietuvos Respublikos tikslinių kompensacijų įstatymo Nr. XII-2507 pakeitimo įstatymo, Lietuvos Respublikos ikiteisminio administracinių ginčų nagrinėjimo tvarkos įstatymo Nr. VIII-1031 2, 3, 5, 11, 13, 14, 20 ir 21 straipsnių pakeitimo įstatymo, Lietuvos Respublikos lygių galimybių įstatymo Nr. IX-1826 2, 5, 7 ir 15¹ straipsnių pakeitimo įstatymo, Lietuvos Respublikos transporto lengvatų įstatymo Nr. VIII-1605 7 ir 7¹ straipsnių pripažinimo netekusiais galios įstatymo projektų pateikimo Lietuvos Respublikos Seimui](#)), No. 934, 14 September 2022.

²²¹ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Agenda of the Plenary Meetings ([Darbotvarkės klausimai, \(svarstyti kartu\)](#)), 22 September 2022.

after the assessment, receive the services for inclusion into society and the labour market that corresponds to their individual needs. Currently, the disability assessment system is not connected with the evaluation of the needs for social services and their provision. In order to achieve that, the drafted laws offer to create the system where the person with a disability would receive all the necessary services according to the principle of one-stop shop. Therefore, it is suggested that the institutions that currently coordinate and implement the measures of social inclusion of people with disabilities are combined and create one establishment – the Agency for the Protection of the Rights of People with Disability.

Among other suggested amendments, the draft laws aim at changing some concepts that are considered to be stigmatising persons with disability. For example, it is suggested to introduce “a person with disabilities” (*asmuo su negalia*) instead of “a disabled person” (*neįgalusis*). Additionally, it suggests changing the concept “special needs” (*specialieji poreikiai*) to “individual need of support” (*individualusis pagalbos poreikis*), “degree of working capacity” (*darbingumo lygis*) to “degree of participation” (*dalyvumo lygis*), etc.

Another issue this reform is trying to address is the accessibility of information for people with various disabilities. Therefore, one of the draft laws – the ‘Law Amending the Law on Social Integration of Persons with Disabilities that presents this law in a new version titled Law on Fundamentals of Protection of the Rights of People with Disabilities’ – introduces and defines the concepts of ‘accessible communication’, ‘easy to read’. It also provides for the right for the person with a disability to receive and spread information and ideas in their chosen way of accessible communication, among other ways, in Lithuanian sign language. It also foresees the duty for state and municipal institutions to acknowledge the way of accessible communication chosen by the person with a disability, including communication in sign language, and creates the conditions for the person with disability to use it in the area of public relations.

The set of laws aiming to reform the disability assessment system were adopted on 20 December 2022²²². The majority of the provisions implementing the reform will come into force on 1 January 2024. One of the main changes added to the new version

²²² Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending the Law on Social Integration of Persons with Disabilities No. I-2044 (new version) ([*Neįgaliųjų socialinės integracijos įstatymo Nr. I-2044 pakeitimo įstatymas*](#)), 20 December 2022; Law amending the Law on Target Compensations No. XII-2507 ([*Tikslinių kompensacijų įstatymo Nr. XII-2507 pakeitimo įstatymas*](#)), No. XIV-1723, 20 December 2022; Law on amending Articles 2, 3, 5, 11, 13, 14, 20 and 21 of the Law on Pre-trial Settlement of Administrative Disputes ([*Lietuvos Respublikos ikiteisminio administracinių ginčų nagrinėjimo tvarkos įstatymo Nr. VIII-1031 2, 3, 5, 11, 13, 14, 20 ir 21 straipsnių pakeitimo įstatymas*](#)), XIV-1724, 20 December 2022; Law amending Articles 2, 5, 7 and 15¹ of the Law on Equal Treatment No. IX-1826 ([*Lietuvos Respublikos lygių galimybių įstatymo Nr. IX-1826 2, 5, 7 ir 15-1 straipsnių pakeitimo įstatymas*](#)), No. XIV-1725, 20 December 2022; and the Law revoking Articles 7 and 7-1 of the Law on Transport

of the Law on Social Integration of Persons with Disabilities that is set to become Law on Fundamentals of Protection of the Rights of People with Disabilities during the hearings at the parliament committees were mandatory quotas for the state and municipality institutions to employ people with disabilities. According to the amendments that will come to force on 1 January 2024 and last till 1 January 2028, all state and municipality institutions, companies, whose shareholder is the state or municipality, in public institutions, whose founder or shareholder is the state or municipality, employees with disabilities must make up at least 5 percent of the total number of employees if these institutions have 25 or more employees.

The working group on improving the system of information accessibility for people with disabilities, established on 28 October 2021 by the Order of the Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*)²²³, has already prepared the Methodological Guidelines for the Organisation of the Provision of the Accessible Information and Increasing the Information Accessibility for People with Disability (*Prieinamos informacijos teikimo organizavimo ir informacijos prieinamumo didinimo asmenims su negalia metodinės gairės*), which will be made public after parliament embraces the reform²²⁴.

On 8 November 2022 Parliament (*Lietuvos Respublikos Seimas*) started the consideration of the Draft Law on the Accessibility Requirements for Products and Services²²⁵. The purpose of this law is to ensure that only products and services that meet accessibility requirements, if these products and services are subject to them, are placed on the market. The law aims to implement Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services. After the analysis of the existing legal regulation and readiness to implement the Directive, it was decided to adopt one main law to comply with the Directive²²⁶. The law establishes the main responsibilities

Benefits ([Lietuvos Respublikos transporto lengvatų įstatymo Nr. VIII-1605 7 ir 7-1 straipsnių pripažinimo netekusiais galios įstatymas](#)), XIV-1739, was adopted on the 22 December 2022.

²²³ Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*), 2021, Order on establishing the working group on improving the system of information accessibility for people with disabilities (*Lietuvos Respublikos socialinės apsaugos ir darbo ministro įsakymas 'Dėl darbo grupės informacijos prieinamumo neįgaliesiems sistemai tobulinti sudarymo'*), A1-766, 28 October 2021.

²²⁴ Interview with one of the experts of the working group improving the system of information accessibility for people with disabilities, who also shared the draft version of the Methodological Guidelines.

²²⁵ Lithuania, Draft Law on the Accessibility Requirements of Products and Services ([Gaminų ir paslaugų prieinamumo reikalavimų įstatymo projektas](#)), No. XIVP-2209.

²²⁶ Lithuania, Explanatory Note on the Draft Law on the Accessibility Requirements for Products and Services ([Lietuvos Respublikos gaminių ir paslaugų prieinamumo reikalavimų įstatymo projekto aiškinamasis raštas](#)).

for the different ministries in order to implement the objectives of the Directive. In order to make this cooperation effective and ensure the supervision of the market it is suggested to establish the Coordination Commission on the Accessibility of Products and Services (*Gaminių ir paslaugų prieinamumo klausimų koordinavimo komisija*). As the deadline to adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive was the 28 June 2022 and, therefore, it has already passed, the Government suggested to the Parliament to consider this law in the fast-track procedure. On 8 December 2022 the parliament adopted the Law on the Accessibility Requirements for Products and Services²²⁷. The law will come into force on 28 June 2025.

The parliament (*Lietuvos Respublikos Seimas*) started the consideration of the draft law amending the Law on Benefit Pensions on 10 November 2022²²⁸. The law aims to repeal the provision that stops the benefit pensions, currently amounting to 173 EUR, to people who became disabled after turning 24 years old and later without having accumulated the minimum work experience (15 years), once they find the employment.

On 24 November 2022 parliament (*Lietuvos Respublikos Seimas*) adopted the amendments to the Code on Administrative Offences²²⁹ which supplemented the article on the violation of the Road Traffic Rules with a specific provision on parking in places dedicated to people with disabilities without having a right to do that. The amendment also increased the fines for such a violation in comparison to other parking violations that range from 30 to 90 EUR to ranging from 60 to 180 EUR.

At the end of November, the parliament (*Lietuvos Respublikos Seimas*) approved the draft budgets of the state and municipalities, also of Sodra, the State Social Insurance Fund Board under the Ministry of Social Security and Labour. It was decided to increase the base rates of social benefits, starting from 1 January 2023. It is planned that next year the basic social benefit will be EUR 49 (from 46 EUR in January 2022), the base for benefit pensions will be EUR 184 (from EUR 173), the base for target compensations will be EUR 147 (from EUR 138), and the amount of state-supported income will be EUR 157 (from EUR 147). Therefore, benefit payments, depending on the type of benefit and the category of recipients, will

²²⁷ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law on the Accessibility Requirements for Products and Services ([Lietuvos Respublikos gaminių ir paslaugų prieinamumo reikalavimų įstatymas](#)), No. XIV-1633, 8 December 2022.

²²⁸ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Draft law repealing part 2 of article 7 of the Law on Benefit Pensions No I-675 ([Šalpos pensijų įstatymo Nr. I-675 7 straipsnio 2 dalies pripažinimo netekusia galios įstatymo projektas](#)).

²²⁹ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending the articles 417, 589 and 603 of the Code on Administrative Offences ([Lietuvos Respublikos administracinių nusižengimų kodekso 417, 589 ir 603 straipsnių pakeitimo įstatymas](#)), No. XIV-1567, 24 November 2022.

increase from EUR 5.5 (benefit orphan's pension) to EUR 24.75 (benefit disability pension for persons who lost 100% of working capacity before 24 years of age). Upon increase of the base rate for target compensations, the target compensation for people with first-level special permanent nursing needs would increase by EUR 23.4 and for people with second-level special permanent nursing needs would increase by EUR 17.1. The target compensation for people with first-level special permanent care (assistance) needs would increase by EUR 9.9 and for people with second-level special permanent care (assistance) needs would increase by EUR 5.6²³⁰.

Rights of displaced persons with disabilities fleeing Ukraine

According to the government resolution, from 4 March 2022 all Ukrainian war refugees were granted collective temporary protection for one year in Lithuania²³¹. Ukrainians with disabilities were eligible to access all social and health services provided by the Republic of Lithuania. They were also supported in accessing the labour market and were provided with disability benefits²³².

According to the statement by the Lithuanian delegation in the meeting held on 17 August 2022, by the Committee on the Rights of Persons with Disabilities on the situation of Ukrainian refugees with disabilities, by that time 26 persons had been provided with special needs services. Persons with disabilities were able to access housing support, and mobility assistance was provided to persons who needed it. Personal assistants were available to all persons with disabilities. Sign language interpretation services were provided, as were target compensations such as disability pensions. By 1 August, social care services had been provided to 65 children from Ukraine, and a social care centre had accommodated 35 children from Ukraine²³³.

²³⁰ Ministry of Social Security and Labour, "People's income in 2023: higher salaries, bigger pensions for seniors, increase in other benefits", 28 November 2022, <https://socmin.lrv.lt/en/news/peoples-income-in-2023-higher-salaries-bigger-pensions-for-seniors-increase-in-other-benefits>

²³¹ Lithuania, Government of the Republic of Lithuania (*Lietuvos Respublikos Vyriausybė*), Resolution on Granting Temporary Protection for Foreigners in the Republic of Lithuania (*Nutarimas dėl laikinosios apsaugos Lietuvos Respublikoje užsieniečiams suteikimo*), No. 224, 16 March 2022 (later amended).

²³² Ministry of Social Security and Labour, [Ukrainians who have escaped the horrors of the war will be able to receive social support](#), 17 March 2022.

²³³ The Office of the High Commissioner for Human Rights, [Committee on the Rights of People with Disabilities Holds Meeting with State Parties on the Situation of Persons with Disabilities in Ukraine and in the Countries where they Fled Following the Russian Aggression](#), 17 August 2022.

20 September 2022 it was announced that the Council of Europe Development Bank (CEB) and the Ministry of Social Affairs and Labour of Lithuania have signed a grant worth almost €419,000 from CEB's Migrant and Refugee Fund (MRF) to improve living and educational conditions for children with disabilities fleeing the war in Ukraine²³⁴. The grant will finance the renovation and equipping of the Social Care Centre Vija in the city of Kaunas, including the construction of an outdoor children's playground, purchase of a bus and the operational costs through the end of 2023. At the time the Vija Social Care Centre was already hosting 35 Ukrainian children with disabilities in partially adapted premises. The children were aged between nine months and four years, and they came from an orphanage in the Kharkiv region. It is expected that with the help of CEB's grant additional 30 to 40 places at the Vija Social Centre could be created.

8.2 CRPD monitoring at national level

According to the Law on Equal Opportunities²³⁵, monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities is assigned to the Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equal Opportunities Ombudsperson (*Žmonių su negalia teisių stebėsenos komisija prie Lygių galimybių kontrolieriaus tarnybos*). According to the law, the Commission should be composed of four representatives from disability NGOs and one representative from the Office of the Equality Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*).

At the beginning of 2022, the Commission was composed of four representatives from the disability NGOs²³⁶. As in the previous year, in 2022 € 22,000 was allocated for the Commission to compensate the work of the members of the Commission (NGO representatives) and related services (for example, paying for the commissioned research)²³⁷. However, this year the Office of the Equality Ombudsperson received additional funding to pay for the salary of a representative from

²³⁴ Council of Europe Development Bank, [New CEB grant to Lithuania to support children with disabilities fleeing Ukraine, 20 September 2022](#), 20 September 2022.

²³⁵ Lithuania, Law on Equal Treatment (*Lietuvos Respublikos lygių galimybių įstatymas*, No. IX-1826, 18 November 2003 (with all later amendments).

²³⁶ Protocols of the meetings of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson (2022) ([Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2022 metų protokolai](#)).

²³⁷ Protocol of the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson, ([Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2022 m. vasario 28 d. protokolas Nr. NKP-3](#)), No. NKP-3, 28 February 2022.

the office and, at the beginning of the year, started to search for a new employee one of whose functions would be to assist the work of the Commission²³⁸. This person joined the meetings of the Commission in May 2022²³⁹.

During the meetings, the members of the Commission expressed disappointment that since the beginning of 2020, there have been no lawyers in the Commission, therefore it is difficult to provide the analysis of the gaps in the existing laws in relation to the implementation of the CRPD and the drafted laws in this area. Moreover, the lack of proper funding and human resources were also among the issues that the members of the Commission discussed during the meetings²⁴⁰.

In August 2022, the Commission adopted the Findings and Recommendations on the Implementation of the Provisions of the United Nations Convention on the Rights of the Persons with Disabilities in Municipalities, which was based on the meetings held in 2021 with the representatives of the 24 municipalities and local NGOs²⁴¹. In October 2022, the Commission was working on a report on the implementation of the UN Convention on the Rights of the Persons with Disabilities²⁴². However, so far, the report has not been publicly available.

In addition to the Commission, according to the Law on Social Integration of Persons with Disabilities²⁴³ Article 16, the Department for Disability Affairs under the Ministry of Social Security and Labour (*Neįgaliųjų reikalų departamentas prie Socialinės apsaugos ir darbo ministerijos*) has a responsibility to participate in the preparation of monitoring reports on the implementation of the United Nations Convention on the Rights of Persons with Disabilities. In previous years, the Department for Disability Affairs would commission an NGO to prepare the Monitoring Report of the Implementation of the

²³⁸ Protocol of the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson, ([Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2022 m. sausio 28 d. protokolas Nr. NKP-2](#)), No. NKP-2, 28 January 2022.

²³⁹ Protocol of the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson, ([Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2022 m. gegužės 18 d. protokolas Nr. NKP-7](#)), No. NKP-7, 18 May 2022.

²⁴⁰ For example, the Protocol of the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson, ([Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2022 m. kovo 24 d. protokolas Nr. NKP-4](#)), No. NKP-4, 24 March 2022

²⁴¹ Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson, 'Findings and the Recommendations on the Implementation of the Provisions of the United Nations Convention on the Rights of the Persons with Disabilities in Municipalities' ([Išvados ir rekomendacijos dėl Jungtinių Tautų Neįgaliųjų teisių konvencijos nuostatų įgyvendinimo savivaldybėse](#)), adopted in the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson 3 August 2022.

²⁴² Interview with the Member of the Commission for the Monitoring of the Rights of Persons with Disabilities, 4 October 2022.

²⁴³ Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law on social integration of persons with disabilities ([Neįgaliųjų socialinės integracijos įstatymas](#)) No. XIII-1761, 11 December 2018.

Activity Results of Social Integration of the Disabled and the Convention on the Rights of Persons with Disabilities in consultation with the department and various ministries. However, in 2022, due to this role being assigned to the Commission for the Monitoring of the Rights of Persons with Disabilities, the Department for Disability Affairs decided not to prepare a separate report on the implementation of the CRPD²⁴⁴.

²⁴⁴ Email exchange with the representative of the Department for Disability Affairs under the Ministry of Social Security and Labour, 4 October 2022.

Annex 1 – Promising Practices

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one example of a promising practice to tackle discrimination against LGBTIQ people or discrimination on the grounds of socio-economic status, health status and physical appearance, such as awareness raising campaigns or training for relevant professionals. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2022 relevant to equality and non-discrimination of LGBTIQ people or on the other above-mentioned grounds, preferably one conducted by a national equality body.
Title (original language)	Projektas „Skurdo patirtį turinčių žmonių įtraukimas į viešosios politikos sprendimų priėmimus“ (darbinis pavadinimas „Pokyčių forumas“);
Title (EN)	Project “Involving people with experiences of poverty in public policy decision-making” (working title “Forum of Changes”);
Organisation (original language)	Nacionalinis skurdo mažinimo organizacijų tinklas
Organisation (EN)	Lithuanian National Anti-Poverty Network (EAPN Lithuania)
Government / Civil society	Civil society
Funding body	Active citizens fund, which is funded from EEE Grants. Project budget: € 79,914.21. www.apf.lt / www.eeagrants.org
Reference (incl. URL, where available)	https://www.smtinklas.lt/projektai/pokyciu-forumas/ ; https://ztcentras.lt/projektas-skurdo-patirti-turinciu-zmoniu-itrukimas-i-viesosios-politikos-sprendimu-priemimus/
Indicate the start date of the promising practice and the finishing	December 2020–May 2022

date if it has ceased to exist	
Type of initiative	Awareness-raising campaign; inclusion and empowering people from vulnerable groups (experiencing poverty and social exclusion)
Main target group	Vulnerable groups – people experiencing poverty and social exclusion
Indicate level of implementation: Local/Regional/National	Local and national
Brief description (max. 1000 chars)	<p>The project "Forum of Changes" aims to include vulnerable groups – people experiencing poverty and social exclusion – in the public policy decision-making process at the national and local level and enable them to represent their interests. These people often do not have real opportunities and capacities to express their opinion and attitudes based on their everyday experiences. Poverty creates difficult living conditions that negatively affect their dignity and reinforce their helplessness. The problem of inclusion of poor people can be solved by various methods. This project suggests the organisation of joint meetings between people experiencing poverty and social exclusion and representatives of decision-making institutions to create a public space to discuss and give the voice of people experiencing these problems.</p> <p>The project activities: meetings of persons experiencing poverty in all counties of Lithuania on the topic of human rights; awareness-raising campaigns in social media/media; short videos telling the stories about people experiencing poverty and social exclusion; discussion in the programme of film festival "Nepatogus kinas"; publication for further advocacy which presents the problems and the proposals discussed during the meetings; methodological material on the possibilities to apply the forum theatre method in meetings with people from vulnerable groups;</p> <p><i>The outcomes of the project:</i> The problems discussed during the meetings and the proposals were outlined in the publications "Skurdo patirtį turinčių žmonių susitikimai 2020" and "Skurdo patirtį turinčių žmonių susitikimai 2021" (Skurdo patirtį turinčių žmonių susitikimai 2021.pdf: https://www.smtinklas.lt/wp-content/uploads/simple-file-list/Skurdo-patirt%C4%AF-turin%C4%8Di%C5%B3-</p>

	<p>%C5%BEmoni%C5%B3-susitikimai/Skurdo-patirt%C4%AF-turin%C4%8Di%C5%B3-%C5%BEmoni%C5%B3-susitikimai-2021.pdf; Skurdo patirtj turinčių žmonių susitikimas 2020.pdf: https://www.smtinklas.lt/wp-content/uploads/simple-file-list/Skurdo-patirt%C4%AF-turin%C4%8Di%C5%B3-%C5%BEmoni%C5%B3-susitikimai/Skurdo-patirt%C4%AF-turin%C4%8Di%C5%B3-%C5%BEmoni%C5%B3-susitikimas-2020.pdf)</p> <p>These publications will be presented to ministries, municipalities, members of the Seimas and will be used for further advocacy.</p> <p>In addition, the methodological material about the possibilities to apply the forum theatre method was published.</p> <p>(https://www.smtinklas.lt/wp-content/uploads/simple-file-list/Skurdo-patirt%C4%AF-turin%C4%8Di%C5%B3-%C5%BEmoni%C5%B3-susitikimai/Metodinis-leidinys.pdf)</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p><i>Awareness-raising campaign:</i> the social media and media campaign will present the problems of vulnerable groups to the broader society; short videos telling the stories about people experiencing poverty and social exclusion; discussion on poverty problems in the programme of the “Nepatogus kinas” film festival;</p> <p><i>Meetings and discussions using the forum theatre method:</i> the forum theatre method as an opportunity to empower people of vulnerable group to express their problems and make suggestions; the identified problems and suggestions could shape the agendas of organisations and politicians in solving poverty problems in the country.</p> <p><i>Methodological material and publications:</i> the problems discussed during the meetings and the proposals were outlined in the reports; the reports will be presented to the ministries, municipalities, members of the Seimas and will be used for further advocacy; In addition, the methodological material about the possibilities of applying the forum theatre method could be a useful tool for future meetings and in other countries.</p>
<p>Give reasons why you consider the practice as sustainable (as</p>	<p>Organised meetings with people experiencing poverty and social exclusion empower vulnerable groups to represent their interests.</p> <p>During the project, a public awareness-raising campaign will be prepared and distributed on social networks and mass media.</p>

opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	<p>Awareness-raising campaign in (online) media, short videos with stories of people experiencing poverty and the discussion on poverty issues at the film festival could have an impact on the public awareness of the problems these people experience in their everyday life. The meetings with people from vulnerable groups will help in making social contacts with society in general, and for the organisations and politicians solving poverty problems in the country in particular; it is also an opportunity for these people to be heard and to participate in decision-making processes; the problems discussed during the meetings and the proposals outlined in the publications will be targeted at the ministries, municipalities, and members of the Seimas and used for further advocacy.</p> <p>Such practices could be tools for the prevention of discrimination against people who experience poverty and social exclusion in society on the grounds of socio-economic status.</p>
Give reasons why you consider the practice as transferable to other settings and/or Member States?	<p>The project idea and activities are already transferred from the experience of the Norwegian partners, therefore it could be successfully transferable to other Member States. Norwegian experience shows that the problem of inclusion of poor people can be solved by various methods and one of them already applied in many European countries is meetings with people experiencing poverty and social exclusion.</p>
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	<p>Not applicable.</p>
Explain, if applicable, how the practice provides	<p>Not applicable.</p>

for review and assessment.	
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Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide one example of a promising practice to address racism and xenophobia. Please give preference to a promising practice about participation and engagement of Equality bodies and CSOs in addressing racism and hate crime. Where no such practice exists, please provide one example of a promising practice related more generally to combating racism, xenophobia, and related intolerances.
Title (original language)	S4Change
Title (EN)	S4Change: Strategy for a change in anti-discrimination policies in Lithuania
Organisation (original language)	Lietuvos žmogaus teisių centras Lietuvos žydų (litvakų) bendruomenė Lietuvos sakaliukų sąjungos filialas „Padėk Pritapti“
Organisation (EN)	Lithuanian Human Rights Centre Jewish Community of Lithuania The sub-division of Lithuanian <i>sakaliukai Padėk pritapti</i> ('Help to adjust')
Government / Civil society	
Funding body	Citizens, Equality, Rights and Values programme
Reference (incl. URL, where available)	https://ztcentras.lt/projektas-s4change/
Indicate the start date of the promising practice	February 2022–January 2024

and the finishing date if it has ceased to exist	
Type of initiative	Non-governmental
Main target group	Roma, teachers, school pupils, state institutions
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	<p>The project aims to evaluate the policy of anti-discrimination in Lithuania and to provide extensive recommendations; to increase the ability of teachers and youth to resist antisemitic, romaphobic and xenophobic narratives.</p> <p>The project foresees such activities as:</p> <ul style="list-style-type: none"> • conducting research on the state response to current forms of antisemitism, romaphobia and xenophobia in Lithuania; • developing recommendations to state institutions and to promote a response to discrimination and xenophobia; • increasing the resistance of the Lithuanian Roma community towards hate narratives, organising workshops for members of the Roma community; • strengthening the resistance of teachers and school pupils towards hate narratives; • increasing critical thinking, organising educational activities and supplying additional methodological instruments for the online class of 'Inconvenient Cinema'; • organising international conferences to promote and strengthen the state response to antisemitism, romaphobia and xenophobia; <p>increasing awareness of antisemitism, romanophobia and xenophobia of society in general.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	Targeting such sectors as state institutions, the educational sector and the Roma community is important in promoting diverse actions and inclusion of different groups. Multi-target activities are an important approach that could be transferred to other contexts.
Give reasons why you consider the practice as	The recommendations based on research will have prolonged consequences. The activities oriented to schools (e.g. bettering the educational platform of <i>Nepatogus kinas</i> ('Inconvenient Cinema') have sustainable outcomes.

sustainable (as opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	The focus on the sector of education is of key importance to have a prolonged and measurable impact.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	The main target groups are well selected and this model can be transferred to other settings.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please, provide one example of a promising practice related to the topics addressed in the chapter, i.e., in relation to data protection, and/or artificial intelligence systems.
Title (original language)	„SolPriPa 2 WORK“ Sprendžiant privatumo paradoksą 2: aukštų duomenų apsaugos, kaip pagrindinės teisės, standartų skatinimas darbo vietoje
Title (EN)	"SOLPRIPA 2 WORK" Solving Privacy Paradox 2: Promoting High Standards of Data Protection as a Fundamental Right at the Workplace
Organisation (original language)	Valstybinė duomenų apsaugos inspekcija Mykolo Romerio universitetas
Organisation (EN)	State Data Protection Inspectorate (DPA) Mykolas Romeris University
Government / Civil society	Government University
Funding body	Rights, Equality and Citizenship Programme of the European Commission
Reference (incl. URL, where available)	https://vdai.lrv.lt/lt/naudinga-informacija/solpripa-2-work-projektas
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Start date: 1 February 2021 Estimated completion date: 31 January 2023
Type of initiative	Project
Main target group	Employees and employers of: - Lithuanian businesses, in particular small and medium-sized enterprises (SMEs), and - Lithuanian public sector entities (municipalities, courts, ministries, etc.)
Indicate level of implementation:	National

Local/Regional/National	
Brief description (max. 1000 chars)	<p>The project aims at empowering employers and employees to create a working environment in which employees' fundamental right to privacy and protection of personal data is guaranteed through an internal system of prevention, accountability and control measures.</p> <p>The following project deliverables have been completed or are in the process of being completed at the time of the writing:</p> <ul style="list-style-type: none"> • 3 research papers based on 30 in-depth expert interviews, an anonymous survey of 500 employers and an anonymous survey of 500 employees • 3 sets of training materials: 1 for the public sector, 1 for the business and 1 for the judiciary • 14 training sessions across Lithuania for the business representatives • 6 training sessions across Lithuania for the public sector representatives • 10 podcast episodes • 3 guidelines: 1 for the public sector, 1 for the business and 1 for the judiciary • 3 academic publications • Further development of the 'ADA Guide' mobile app • Closing conference <p>The project is expected to support SMEs and the public sector in changing their rules and practices to ensure sustainable GDPR compliance in the workplace. Also, the project seeks to empower employees by increasing their awareness of their right to data protection and the means to defend it in the workplace.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	<p>The action is set to create numerous practical tools to address the core problem identified in the needs assessment. The transferability of awareness-raising materials (e.g., mobile app set-up and content, guidelines) and training curricula and materials is particularly promising.</p>
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	<p>The direct participation of the State Data Protection Inspectorate (DPA) in the project design and implementation is likely to contribute to the sustainability and further re-use of the project outputs, e.g., by continuing to deliver training sessions to the target groups using the materials developed during the project beyond the project lifecycle. The 'ADA Guide' app, which has been already developed by the DPA in the previous project, and further improved by adding the new functionalities during the "SOLPRIPA 2 WORK", will</p>

	be available beyond the project and further promoted by the DPA at the numerous events and initiatives it regularly organizes.
Give reasons why you consider the practice as having concrete measurable impact	A measurable impact is likely to be achieved by training representatives of the business, public institutions and the judiciary who play the key roles in their respective organizations when it comes to GDPR compliance and employee privacy rights. The trained target groups' representatives are then likely to act as intermediaries by applying the knowledge obtained during the training and either changing or influencing the change of the data protection practices in their respective workplaces and thus creating a concrete positive impact resulting in the increased GDPR compliance and respect to employee privacy rights. Such impact could be measured by an increased number of employee inquiries into their data protection rights, reduced number of observed data protection violations at a specific workplace, and positive results of the GDPR inspections carried out by the DPA.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	According to Recital 132 of the GDPR, when undertaking awareness-raising activities addressed to the public, data protection authorities should include specific measures directed towards, among others, SMEs. The practical awareness-raising materials developed during the project will be based on the rules and requirements laid out in the GDPR which is binding and directly applicable in all the Member States. The data protection authorities across the EU can translate the developed materials into their local languages and disseminate them to their local SMEs as a part of their responsibilities under Recital 132 of the GDPR.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The target groups are involved in the project implementation by directly participating in the in-depth expert interviews, anonymous employer and employee surveys and training sessions.
Explain, if applicable, how the practice provides for review and assessment.	Not applicable.

Thematic area	RIGHTS OF THE CHILD Please provide a promising practice for the related topics addressed in the chapter (i.e., the impact of poverty and exclusion on children and children and justice).
Title (original language)	Teismų psichologo gerosios praktikos vadovas
Title (EN)	Guide of good practice of a court psychologist
Organisation (original language)	Lietuvos teismo psichologų kuratorės; apsvaistytą ir rekomenduota išleisti Vilniaus universiteto Filosofijos fakulteto tarybos.
Organisation (EN)	Curators of the Lithuanian court psychologists; considered and recommended for publication by the Council of the Faculty of Philosophy, Vilnius University
Government / Civil society	Individual academics and practitioners (psychologists)
Funding body	N/A
Reference (incl. URL, where available)	https://www.teismai.lt/data/public/uploads/2022/03/teismu-psichologo-gerosios-praktikos-vadovas.pdf
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Prepared at the end of 2021, published on the National Courts Administration's website on 28 March 2022.
Type of initiative	Methodological guide
Main target group	Court psychologists as well as judges and other participants of the criminal procedure who interview children in their work.
Indicate level of implementation:	National

Local/Regional/National	
Brief description (max. 1000 chars)	<p>A methodological guide prepared by two psychologists, curators of the Lithuanian court psychologists, aiming to provide guidance on good practice on interviewing children. According to the Criminal Procedure Code of the Republic of Lithuania, court psychologists help in interviewing child participants of the criminal procedure, including child victims and witnesses, as well as suspected and accused children. As of 29 August 2022, there were 15 court psychologists working in courts across the country.</p> <p>The guide is meant, first of all, for the court psychologists, but also for other participants of criminal procedure who might benefit from psychological insights into interviewing children in criminal proceedings in their line of work, e.g. judges. The guide provides information on the general requirements for the interviews, main principles of an interview, including preparation for and conducting of the interview, steps after the interview and separate questions, for example, repeated interview or interviewing children with special needs, or interviewing suspected or accused children. The guide also has as annex of practical recommendations of do's and don'ts in the interviews with children.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	<p>The guide itself and practical recommendations and advice could be transferable to other EU countries for various specialists working with children in criminal proceedings, e.g. specialists conducting interviews with children participants of these proceedings. The guide provides insights and advice that might be adjustable to other EU countries and various national contexts, however, it would also require adaptation of some parts, e.g. the part on national legal regulation, etc.</p>
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	<p>The guide can serve as a useful practical guidance for interviewing children for considerable time, and it can easily be updated with the latest information and knowledge.</p>
Give reasons why you consider the practice as having concrete measurable impact	<p>The guide might be useful in practice for current as well as future court psychologists, who will have a methodological guide as a learning tool to refer to for recommendations and advice on interviewing children. In 2021, the court psychologists helped 1537 participants of the proceedings and carried out 1629 actions in pre-trial investigation and court procedures involving children and vulnerable persons.</p>

<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The guide could be useful for other specialists in various EU Member States who interview children in criminal as well as civil or administrative procedure. The recommendations and advice provided in the guide can be easily adjusted to the national contexts, taking into account national legislation, policies and practice.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>In 2021, the authors of the guide organized 10 meetings with court psychologists to discuss the challenges of everyday activity and provide supervision.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>Before publishing, the guide was reviewed by two psychologists, PhD. It does not have a review or assessment mechanism, however, it could be updated by the authors by taking into account practical experiences and feedback of court psychologists in interviewing children.</p>

Thematic area	ACCESS TO JUSTICE – Victim’s Rights and Judicial Independence Please provide one example of a promising practice in relation to the topic address in the chapter: i.e. Victim’s Rights Directive, the EU Strategy for Victim’s Rights and violence against women.
Title (original language)	Projektas „Nauji kovos su smurtu lyties pagrindu būdai: Šiaurės ir Baltijos šalių požiūris 2021-2022“.
Title (EN)	Project "New ways of combating gender-based violence: the approach of Nordic and Baltic countries 2021-2022".
Organisation (original language)	Lietuvos Respublikos socialinės apsaugos ir darbo ministerija
Organisation (EN)	Ministry of Social Security and Labour of the Republic of Lithuania
Government / Civil society	Government
Funding body	Office of the Nordic Council of Ministers in Estonia
Reference (incl. URL, where available)	https://socmin.lrv.lt/lt/veiklos-sritys/es-investicijos/sadm-igyvendinami-projektai?lang=lt
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	1 January 2021 – 31 December 2022
Type of initiative	International project aimed at seeking new ways of combating gender-based violence.
Main target group	Policymakers and specialists, working with victims of domestic and gender-based violence.
Indicate level of implementation: Local/Regional/National	International

<p>Brief description (max. 1000 chars)</p>	<p>The project aims to empower a coordinated, data and practice based international response to domestic violence and gender-based violence, ensure effective prevention and support system for victims of violence as well as persons causing the threat of violence, and strengthen inter-institutional cooperation on the national and international levels.</p> <p>In the framework of project, an international round-table has been organised, where experts from the Nordic and Baltic countries shared useful information and good practices on tools, aimed at effective response to domestic violence. Most of the attention has been paid to the protection order, what are its benefits and what might be practical challenges of its implementation. During the discussion, a practical guide was developed, aimed at policymakers as well as specialists working with survivors. The guide will aid in ensuring effective legal measures and specialized integrated support for survivors, and strengthen the mechanism of inter-institutional cooperation. The project participants also conducted field visits to the Police Department under the Ministry of Interior and non-governmental organisation "Women's Information Centre" which provides specialized integrated support.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<ul style="list-style-type: none"> • Sharing of good practices and knowledge on practical tools aimed at responding to domestic and gender based violence; • Engagement of policymakers and specialists, providing integrated support to survivors; • Practical guide for policymakers and the specialists; • Field visits; • Strengthening of inter-institutional and international cooperation.
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The practice is sustainable because it is focused on engagement of some of the main actors in responding to domestic and gender-based violence – policymakers and specialists, providing integrated support. It also focuses on practical solutions such as protection order from intimate partner violence, which will come into force in Lithuania on 1 July 2023.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>In the framework of the project, a guide for policymakers and specialists providing integrated support to survivors was developed, which will aid in ensuring effective legal measures and specialized integrated support for survivors, and strengthen the mechanism of inter-institutional cooperation. This should have a concrete measurable impact as a useful tool of reference when the new edition of the Law on Protection from Domestic Violence will come into force, as the new edition of the law brings a considerable amount of changes to response to domestic violence, including the application of protection order, and increased inter-institutional cooperation on the national as well as municipal levels.</p>

<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The project activities are easily transferable to other Member States and international settings, as they enable the sharing of good practices, help develop tools of responding to domestic and gender-based violence, increase involvement of policymakers in designing of such measures as well strengthen international and inter-institutional cooperation.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>N/A</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>N/A</p>

Annex 2 – Case Law

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide the most relevant <u>high court</u> decision concerning the application of <u>either</u> the Racial Equality Directive or the Framework Decision on racism and xenophobia, addressing racism, xenophobia, and other forms of intolerance more generally.
Decision date	The decision was made by District Court of Kaunas, Chamber of Kėdainiai on May 18th 2022.
Reference details	Sources: a) Lithuania, Lithuanian Courts (2022) Courts' Announcements for Press. For incitement for hatred and violence a person from Kėdainiai ir sentenced for arrest (<i>Teismų pranešimai spaudai. Už neapykantos ir smurto kurstymą kėdainiečiui skirta arešto bausmė</i>), https://www.teismai.lt/lt/naujienos/teismu-pranesimai-spaudai/uz-neapykantos-ir-smurto-kurstyma-kedainieciui-skirta-aresto-bausme/10075 b) Anonymized criminal order of the case e1-1663-673/2022 accessed via https://liteko.teismai.lt/viesasprendimupaieska/detalipaieska.aspx?detali=2
Key facts of the case (max. 500 chars)	The perpetrator is punished for incitement to hatred against Lithuanians, Ukrainians and Roma people conducted from 2 nd to 4 th March and from 5 th -7 th April 2022. The perpetrator used his mobile phone and uploaded alive videos on his accounts in Facebook. During these video translations he used curse words, scorned and bullied Lithuanians and Ukrainians, honoured Putin's aggression to Ukraine, praised killing of people, urged Putin to invade to Lithuania and to kill half of Lithuanians. The Facebook blocked offender's account upon reports from other users.

<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The court stated that NN publicly humiliated, mocked, despised, incited to hatred and violence against Lithuanians, Ukrainians and Roma. The accused NN fully admitted his guilt. Additionally, the guilt was proved by the data of the pre-trial investigation. As the aggravating circumstance is seen the commitment of criminal acts under the influence of alcohol. The court takes into consideration the dangerousness of the criminal acts - they are estimated as light completed crimes, as well as personality of the perpetrator - he was convicted eight times for various offenses.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>This case might be revealing on how the courts addressed hate incitement in the context of Russia's war in Ukraine. However, this case is addressed at the District Court.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The court concluded that the activities of the defendant are prosecuted under the Part 2 and 3 of the Article 170 of the Criminal Code of Lithuania (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons). The court took into account information on previous criminal records of the defendant: he was convicted 8 times (for thefts, violence against his partner, violations of public order). Upon making final decision, the court took into consideration information that the defendant did not pay the fines he was punished for previously. The court decided that the perpetrator shall be sentenced to the maximum prison sentence for the crimes (Articles 49, 61 of the Criminal Code) by combining the sentences. The court' order in the case: arrest for 60 days and 364,76 EUR fine, as well as confiscation of his mobile phone as a measure of penal affect.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>„Kadangi kaltinamasis E. D. taip niekina Lietuvos valstybę, teismas jam išaiškina, kad kiekvienas Lietuvos pilietis turi teisę atsisakyti Lietuvos pilietybės ir ši jo teisė neturėtų būti varžoma, jis gali pasirinkti gyventi toje valstybėje, kurios įstatymus gerbtų, taip pat išaiškina, kad valstybė nieko jam – suaugusiam, sveikam ir darbingam, tačiau nuolat darančiam nusikaltimus ir nusižengimus, kurie kenkia Lietuvoje gyvenantiems žmonėms, duoti neprivalo“</p> <p>“Since the defendant E.D. despises the Lithuanian state so much, the court explains to him that every citizen of Lithuania has the right to renounce Lithuanian citizenship and this right should not be</p>

	<p>restricted, he can choose to live in the country whose laws he respects, and also explains that the state owes nothing to him - an adult, healthy and employable person, who constantly commits crimes that make harm to the people living in Lithuania”</p> <p>Source: Lithuania, Lithuanian Courts (2022) Courts’ Announcements for Press. For incitement for hatred and violence a person from Kėdainiai ir sentenced for arrest (Teismų pranešimai spaudai. Už neapykantos ir smurto kurstymą kėdainiečiui skirta arešto bausmė), https://www.teismai.lt/lt/naujienos/teismu-pranesimai-spaudai/uz-neapykantos-ir-smurto-kurstyma-kedainieciui-skirta-aresto-bausme/10075</p>
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Thematic area	ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION Please provide the most relevant high court decision – or any court ruling – relating to the processing of personal data by new technologies in asylum, migration and border management delivered in 2022 (on Eurodac, SIS and VIS).
Decision date	6 April 2022
Reference details	The Supreme Administrative Court of Lithuania Administrative Case No. eA-1897-415/2022
Key facts of the case (max. 500 chars)	An applicant, by the decision of the Migration Department, was not granted asylum and was forbidden to enter the EU for a five-year period. Department argued that that the maximum prohibition term has to be applied because an applicant arrived to Lithuania illegally and had no justifiable reason to cross the border, therefore, he poses a threat of illegal migration. The applicant argued that the defendant did not assess the proportionality and necessity of prohibition.
Main reasoning/argumentation	

(max. 500 chars)	The court stated that decision of the Migration Department to forbid entry to the EU for a five-year period was unreasonable. The court pointed out that Migration did not follow criteria set up in the law and did not assess the individual situation of the applicant. The court emphasised the importance of an obligation to follow the principle of good administration, which means that administrative decisions shall be taken carefully and in accordance with legislative acts.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The court clarified the notion of the principle of good administration and its importance. The Court noted that according to the principle of good administration, state institutions must carry out the procedure impartially and objectively, clarifying all the circumstances relevant to the issue.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The court overruled the decision of the Migration Department, and the ban on entering the EU was reduced to two years.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>“Pagal gero administravimo principą valstybės institucijos turi vykdyti procedūrą nešališkai ir objektyviai, išaiškinti visas klausimui spręsti reikšmingas aplinkybes”</p> <p>“According to the principle of good administration, state institutions must carry out the procedure impartially and objectively, clarifying all the circumstances relevant to the issue.”</p>

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide the most relevant high court decision related to the topics addressed in the chapter (i.e. data protection, and/or artificial intelligence systems).
Decision date	3 February 2022
Reference details	Judgment of the extended judicial panel of the Lithuanian Supreme Administrative Court in the case No eA-51-822/2022

<p>Key facts of the case (max. 500 chars)</p>	<p>On 27 December 2019, the news portal 'Atvira Klaipėda' published an article alleging corrupt practices in the public procurement. After the publication, the shareholder of the private company which had been awarded the public contracts and described in the article, complained to the Office of the Inspector for Journalist Ethics (<i>Žurnalistų etikos inspektorius</i>) (OIJE)²⁴⁵ that the news portal disclosed his name, family name, and family ties without his consent. The OIJE found that by failing to obtain the complainant's consent before the publication of his personal data, 'Atvira Klaipėda' violated Articles 5(1)(a) and 6(1)(a) of the General Data Protection Regulation (GDPR) and issued a reprimand against the news portal. After the series of appeals, the OIJE's decision was upheld by the Supreme Administrative Court (SACL). On 17 November 2021, the extended judicial panel of SACL (SACL panel; Court) reopened the proceedings in the case.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The SACL panel's judgment focussed primarily on the assessment of the applicability of Article 6(1)(f) GDPR to the processing of personal data undertaken by the news portal. From the outset, the Court referenced earlier CJEU judgments in <i>Rigas</i> and <i>M.I.C.M.</i> cases and reiterated three cumulative conditions to determine the applicability of the legitimate interests legal basis (a legitimate interests assessment). The Court then evaluated each condition separately to find if the data processing in question met them.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The SACL panel clarified that information about the potential violations of public procurement rules is a matter of legitimate concern and interest for the general public.</p> <p>The SACL panel also clarified the definition of 'public person' under Article 14(3) of the Law on the Provision of Information to Public. The Court found that even if the person does not have official public administration duties, he or she may still be considered a 'public person' if their activity has an impact on public affairs. In the Court's view, the degree of the person's notoriety has an impact on the level of protection of their personal data and their private life.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The SACL panel held that publication of the complainant's personal data by 'Atvira Klaipėda' met all three conditions under Article 6(1)(f) GDPR and should have been considered lawful without the need to obtain the complainant's consent. On that basis, the SACL's panel concluded that the regional news portal 'Atvira Klaipėda' did not violate the GDPR.</p> <p>Although the SACL panel's holding in the reopened case was not unexpected and generally followed from its previous case law in similar cases²⁴⁶ the reasoning of the Court provides the most systematic analysis to date of the legitimate interests as a legal basis for data processing in the</p>

²⁴⁵ An authority overseeing compliance with the Law on the Provision of Information to Public and the GDPR when personal data is processed for journalistic purposes.

²⁴⁶ See eg, Lithuania, Lithuanian Supreme Administrative Court, Nr. eA-2066-624/2021, 15 September 2021.

	context of a media publication. The reasoning of the Court will have to be followed by the lower courts in the similar cases.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Šioje byloje susiklosčiusiomis aplinkybėmis išplėstinė teisėjų kolegija sprendžia, kad teisė į saviraiškos laisvę ir informacijos laisvę gali būti kvalifikuojami kaip teisėtas interesas BDAR 6 straipsnio 1 dalies f punkto prasme.</p> <p>In the circumstances of the present case, the extended judicial panel decides that the right to freedom of expression and information can be recognized as legitimate interest within the meaning of Article 6(1)(f) of the GDPR.</p>

Thematic area	RIGHTS OF THE CHILD Please provide the most relevant high court decision for the related topics addressed in the chapter.
Decision date	2 June 2022
Reference details	Criminal case No. 1A-41-626/2022, Court of Appeal of Lithuania https://www.infolex.lt/tp/2086289
Key facts of the case (max. 500 chars)	<p>The case concerns procedural guarantees for children victims of sexual violence.</p> <p>The appellant was convicted for sexual assault of a young child and sexual abuse of a person under the age of sixteen. He appealed his conviction claiming that the testimonies of the victims were contradictory, and that he or his lawyers did not have a possibility to ask questions during one of the victim's interview with the pre-trial judge as they were not invited to this interview.</p>
Main reasoning/argumentation (max. 500 chars)	The Court of Appeal found that the first instance court has properly examined all the evidence and based its decision on the investigation of the entirety of them, which constituted a coherent and logical chain of evidence and were examined in accordance with the requirements of the criminal procedure.

As regards the victim's interview with the pre-trial judge, the Court found that the interview took place before the appellant has been given the status of a suspect in the case. The Court stressed the importance of ensuring defence rights in criminal cases under Article 6 of the Convention, however, it also stated that the case-law of the ECtHR recognises the difficulties which are dealt with by national courts when adjudicating sexual violence cases as in many instances the only or the decisive accusatory evidence is the testimony of the victim which can be challenged by the defence by interviewing her/ him. Based on the ECtHR case-law the Court also stated that the victim often sees this process as a difficult challenge, especially if she / he is required to meet the accused again. These victims often seek ways to avoid the painful confrontation by refusing to give oral evidence in court. This is especially evident in the cases where the victims are minors or young children. Whilst adjudicating whether the defence rights were ensured in this kind of case, the victim's right to private life under Article 8 needs to be taken into account.

According to the Court of Appeal, if the accused did not have an opportunity to interview the victim, and if the testimony of the victim is the decisive evidence to convict the accused, the court is required to ascertain whether there were other procedural opportunities to compensate this and whether such testimony is reliable enough. The Court stressed that under the Criminal Procedure Code underage witness shall be interviewed no more than once; that an audio and video recording has to be made; the underage witness or victim shall be called to the court hearing in exceptional cases.

The Court found that the first instance court, based on experts' recommendations, reasonably dismissed the request of the accused to call the victim to the court hearing for the questioning. The Court stressed that the accused and his lawyers had the opportunity to view the audio and video recording during the court hearing and the accused had the opportunity to speak on the circumstances recorded and the testimony of the victim. The Court of Appeal also interviewed a court psychiatry expert, who recommended not to interview the victim again as this would repeatedly cause her negative emotions.

The Court concluded that these circumstances confirm that the non-participation of the victim in the court hearing had a serious reason, and that the accused and his lawyers had the procedural opportunity to challenge the victim's testimony and other circumstances related with her interview with pre-trial judge. The Court concluded that the defence rights of the accused in this case were not unduly restricted. The Court also concluded that the account of the victim given to pre-trial judge, psychologist and court psychiatry experts was consistent.

	Based on these and other findings, the Court dismissed the applicant's appeal.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	The case clarifies procedural guarantees for children victims of sexual violence and the balance between the defence rights and the rights of the minor victims. The court found that the applicant's rights of defence were not unduly restricted without the opportunity to directly question the victim as the defendant had the opportunity to view the audio and video recording and speak on the testimony in the court hearing. The judgment stressed the need to properly balance the rights of defence with the rights of the victims, especially taking into account the victims' vulnerability.
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The conviction of the defendant was upheld by the Court of Appeal.
Key quotation in original language and translated into English with reference details (max. 500 chars)	Sprendžiant klausimą, ar tokioje byloje buvo užtikrinta kaltinamojo teisė į teisingą bylos nagrinėjimą, taip pat turi būti atsižvelgiama į nukentėjusiojo teisę į privataus gyvenimo gerbimą pagal Konvencijos 8 straipsnį (2015 m. gegužės 28 d. sprendimas byloje <i>Y. prieš Slovėniją</i> , peticijos Nr. 41107/10). Whilst adjudicating whether the accused' right to a fair trial has been ensured in such a case, the victim's right to respect for private life under Article 8 of the Convention needs to be taken into account (28 May 2015 judgement in the case of <i>Y v Slovenia</i> , application no. 41107/10).

Thematic area	ACCESS TO JUSTICE – Victim's Rights and Judicial Independence Please provide the most relevant high court decision related topics addressed in the chapter (i.e the Victim's Rights Directive, the EU Strategy for Victim's Rights and violence against women).
Decision date	11 November 2022
Reference details	Criminal Case No. 1-1112-667/2022, Kaunas District Court https://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=dd3f3834-55a2-4844-a638-cc66e155a204

<p>Key facts of the case (max. 500 chars)</p>	<p>The case concerns the stalking of a former intimate partner.</p> <p>The perpetrator has been accused of stalking under Article 148(prim) of the Criminal Code as he, against clearly expressed will of his former intimate partner, has been sending her numerous insulting and threatening messages through the phone and social platforms, has sent a picture next to her car, has been visiting her workplace, making pictures and videos and threatening and insulting her, has claimed he has been visiting the place of residence of her and her current partner. After the victim blocked his phone numbers and accounts, he created new ones and continued the stalking.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The court found that the evidence in the case confirmed that the messages sent by the accused were insulting, threatening, fear-inducing, vulgar and degrading her as a woman. It was evident that their content and systematic nature affected the victim's emotional state. The court found that the accused visited the workplace of the victim, where he insulted and threatened her to damage her car. The court also heard the testimonies of the witnesses, who told of the previous instances of threats and physical violence against the victim.</p> <p>The court stressed that in the case of stalking not only the content of the actions is threatening (threats to kill, impair health and others), but also persistent unwanted actions of the stalker. According to the court, the evidence in the case – testimony of the victim, the messages, their content and muber and other actions of the accused (visiting the workplace and threatening) confirm that the victim has been stalked by the accused.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The case deals with a relatively new criminal offence under the Criminal Code – unlawful persecution of a person or stalking. Stalking was criminalized in 2021, and the case is likely one of the first cases where the court adjudicated under this new regulation by clarifying the concepts and forming the case-law on this particular offence. In this particular case, a question can be raised, however, whether the perpetrator had to be prosecuted not for stalking, but for terrorisation of a person (Art 145 of the Criminal Code), given the threatening and fear-inducing nature of his actions. Terrorisation of a person is a more grievous crime, whereas stalking is considered a criminal offence.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The court found the accused guilty and sanctioned him with 9 months of restriction of liberty (electronic supervision) as well as 80 hours of public work.</p>

Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>Persekiojimo atveju baugina ne tiek veiksmų turinys (grasinimai nužudyti, sužaloti sveikatą ir kt.), o nesiliaujantys nepageidaujami persekiotojo veiksmai.</p> <p>In the case of stalking, not only the content of the actions is threatening (threats to kill, impair health and others), but also persistent unwanted actions of the stalker.</p>
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Thematic area	DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) Please provide the most relevant High Court decision, which quoted the CRPD or prominently referred to the CRPD in the reasoning.
Decision date	9 September 2022
Reference details	The Supreme Court of Lithuania, Civil Case No e3K-3-324-701/2022
Key facts of the case (max. 500 chars)	<p>The Supreme Court of Lithuania weighed in on the interpretation and application of legal norms governing the declaration of incapacity (limited capacity) of a natural person in a certain area. The case concerned a person who had been diagnosed with paranoid schizophrenia and was declared incapable in the certain areas of personal financial relations and of limited legal capacity in the certain areas of personal non-financial relations by the first instance and the appeal courts. The person concerned and her mother did not agree with the decisions. The Supreme Court sided with them and returned the case to the court of first instance.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The Court referred to the Art. 12 of the CRPD, stating that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life and States Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity. The Court also referred to the case law of the European Court of Human Rights, stating that depriving the person of legal capacity is particularly severe restriction of the rights enshrined in Article 8 of the European Convention on Human Rights, therefore a person may be recognized as incapacitated only in special cases. The issue of limiting a person's capacity cannot be resolved too formally, and the court cannot base its decision only on the results of medical examination.</p>

<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The Court once again reaffirmed that the institution of limitation of legal capacity of a natural person is an <i>ultima ratio</i> measure, applicable in exceptional cases in accordance with a strictly established procedure. There are 2 necessary criteria for determining incapacity (limited capacity): medical – a person's mental illness or mental disability, established or confirmed during a court-appointed forensic psychiatric examination to determine the person's mental state, and legal – a person's inability (partial inability) to understand the meaning of their actions or to manage them due to the mental illness or mental disability. Both the medical assessment of a person who has been declared incapacitated (of limited capacity) as well as the consideration of the person's (partial) inability to understand the meaning of their actions or to control them (legal criterion) are the components of the process of determining incapacity (limited capacity), which are necessary and equally important in each case regarding recognition of a person as incapacitated (of limited capacity).</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Supreme Court of Lithuania returned the case to the court of the first instance to rehear it anew. Moreover, the Supreme Court is a court of cassation, and it ensures uniform court practice of courts of general jurisdiction in the State by means of precedents formulated in cassation rulings or by other forms provided by law.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>"<...> kai teismui kyla abejonių dėl asmens pripažinimo neveiksniu tam tikroje srityje ar ribotai veiksniu tam tikroje srityje tikslingumo, visos abejonės turi būti vertinamos asmens, kurį prašoma pripažinti neveiksniu ar ribotai veiksniu tam tikroje srityje, naudai ir visais atvejais turi būti taikomos kuo mažiau asmens veiksnumą ribojančios priemonės."</p> <p>"<...> when the court has doubts about the expediency of declaring a person as incapacitated in a certain area or as of limited capacity in a certain area, all doubts must be evaluated in favor of the person who is requested to be recognized as incapacitated or of limited capacity in a certain area, and in all cases measures limiting the person's capacity must be applied as little as possible."</p>