

# **Franet National contribution to the Fundamental Rights Report 2022**

**LITHUANIA**

**Contractor's name:** Lithuanian Centre for Social Sciences,  
Human Rights Monitoring Institute and  
Development Diversity Group

**Authors' name:** Dr. Monika Frėjutė-Rakauskienė; Dr. Kristina  
Šliavaitė, Dr. Vita Kontvainė; Ilona Ivašauskaitė, Dr.  
Erika Leonaitė, Mėta Aduvavičiūtė, Goda Jurevičiūtė

Disclaimer: This document was commissioned under contract by the European Union Agency for Fundamental Rights (FRA) as background material for the project 'FRA Fundamental Rights Report 2022'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

## **Contents**

Franet country study: policy and legal highlights 2021 .....	3
Chapter 1. Equality and non-discrimination.....	5
Chapter 3. Roma equality and inclusion .....	18
Chapter 4. Asylum, visas, migration, borders and integration .....	24
Chapter 5. Information society, privacy and data protection .....	29
Chapter 6. Rights of the child .....	37
Chapter 7. Access to justice .....	50
Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities .....	57

## Policy and legal highlights 2021

Franet country study: policy and legal highlights 2021	
Issues in the fundamental rights institutional landscape	On 23 December 2021, <a href="#">the Law on Intelligence Ombudspersons of the Republic of Lithuania</a> approved the establishment of a separate independent Intelligence Ombudspersons' institution. Two intelligence ombudspersons will be responsible for the oversight of intelligence institutions to ensure that their activities are independent, lawful and compliant with fundamental human rights and freedoms.
EU Charter of Fundamental Rights	On 7 July 2021, the Minister of Finance issued <a href="#">an order</a> on the temporary procedure of implementation of projects financed through 2021-2027 EU funds and Recovery and Resilience Facility. The order states that any public body whilst adopting funding conditions for projects needs to set out the criteria of selection of the projects that must be in line with <i>inter alia</i> the Charter of Fundamental Rights.
Equality and non-discrimination	The Minister of Health adopted <a href="#">amendments to the Order</a> on the procedure for vaccination from Covid-19 from the state budget and included the EU citizens when they have acquired the right to reside in Lithuania
Racism, xenophobia & Roma integration	In September 2021 the Government of Lithuania introduced amendments to the articles on hate crime and hate speech of the Criminal Code ( <a href="#">LR baudžiamasis kodeksas</a> ) supplementing the basis of hate crime and hate speech with colour of skin and ethnic origin. The amendments have to be approved by Seimas of the Republic of Lithuania to come into force.  As of January 1, 2022, Lithuania has not yet approved a national Roma integration strategy and does not comply with the EU Roma strategic Framework for equality, inclusion and participation for 2020-2030.
Asylum & migration	Lithuanian Red Cross Society as the border monitoring body informed that the mass influx of migrants has led to a significant increase in the number of border monitoring operations compared to previous years
Data protection and digital society	A new version of the <a href="#">Law on Electronic Communications</a> was adopted. This law expands the traffic data retention grounds for which traffic data retained might be used.

Rights of the child	On 1 January 2021, amendments to the <a href="#">Law on Child Benefits of the Republic of Lithuania</a> came into force, which increased the universal child benefit and additional benefits to children with disabilities and children from large families. On 14 January 2021, Parliament passed a <a href="#">Law on Support to Victims of Crime</a> , which entered into force on 1 <sup>st</sup> of March 2021. One of the purposes of the law is to ensure the protection of a child who has been a victim of crime, and to provide real and effective support
Access to justice, including victims of crime	<a href="#">Law on Mediation</a> was amended, abolishing mandatory mediation in civil (family) disputes, where party initiating the case is a victim of domestic violence and the other party is the perpetrator. An <a href="#">amendment to the Criminal Code</a> was adopted, introducing criminal responsibility for stalking.
Convention on the Rights of Persons with Disability	<a href="#">The action plan to implement the amendments to the Law on Education</a> that enforced inclusive education for children with disabilities established the concrete measures in order to achieve the objective by 2024. <a href="#">The personal assistance institute was introduced into the law</a> and the service became available for people with disability.

# Chapter 1. Equality and non-discrimination

## 1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination against EU citizens based on their nationality and against LGBTI people

The Parliament of the Republic of Lithuania (*Seimas*) adopted amendments to the Law on the Protection of Minors against the Detrimental Effect of Public Information<sup>1</sup> on 14 January 2021. The amendments introduced a few changes to the current regulation mostly related to the protection of personal data at depiction of minors. However, these amendments, according to the National LGBT rights organisation Lithuanian Guy League (LGL) 'did not address the most controversial provision under which LGBT-related content, even of educational and social character, may be regarded as detrimental to minors'<sup>2</sup>.

On 31 December 2021, the Minister of Justice issued an order<sup>3</sup> which aims to improve the legal position of transgender persons. According to the new regulations, transgender persons would be able to change their personal names without the approval of factual medical gender reassignment, but only with a certificate about diagnosed transsexuality issued by Lithuanian or European Union health care institution<sup>4</sup>.

On 19 February 2021, the Signatory of the Independence Act Algirdas Endriukaitis held a [press conference](#) in the Lithuanian Parliament 'Regarding the resignation of the Chairman of the Seimas Human Rights Committee T. Raskevičius'. The chair of the Human Rights Committee Tomas Raskevičius is openly homosexual and this was the main reason for the call for his resignation by supporters of 'traditional family values'<sup>5</sup>. The petition for his resignation allegedly signed by 365 440 people was passed to the Chair of the Lithuanian Parliament, Viktorija Čmilytė-Nielsen. In addition, Lithuanian MP Petras Gražulis registered a [draft resolution](#)<sup>6</sup> on replacing the chairperson of the Human Rights Committee on 9 March 2021, where he stated that the reason for the resignation was the chairman's activity

---

<sup>1</sup> Lithuania, Law amending Art. 2, 5, 6, 7, 8, 9, 10 of the Law on the Protection of Minors against the Detrimental Effect of Public Information No. IX-1067 and amendment to Annex ([Lietuvos Respublikos Nepilnamečių apsaugos nuo neigiamo viešosios informacijos poveikio įstatymo Nr. IX-1067 2, 5, 6, 7, 8, 9, 10 straipsnių ir priedo pakeitimo įstatymas](#)), No. XIV-181, 14 January 2021. (Came into force on 1 February 2021; the Art. 9 (part 2 on 27 January 2021).

<sup>2</sup> Antanaitytė, M., National LGBT rights organisation LGL (2021). '[Lithuanian Anti-Gay Propaganda Provision Remains Intact](#)', 25 January.

<sup>3</sup> Lithuania, Amendment of Order of the Minister of Justice of the Republic of Lithuania of 28 December 2016 No. 1R-333 "On the approval of the rules for changing a name and surname" amendment ([Dėl Teisingumo ministro 2016 m. gruodžio 28 d. įsakymo Nr. 1R-333 "Dėl asmens vardo ir pavardės keitimo taisyklių patvirtinimo" pakeitimo](#)), No. 1R-453, 31 December 2021 (Came into force on 1 February 2022).

<sup>4</sup> Lithuania, Ministry of Justice (2021). '[Gerės translyčių asmenų teisinė padėtis](#)', press release, 31 December 2021.

<sup>5</sup> National LGBT rights organization LGL (2021). '[Recent homophobic attacks unite human rights opponents \(Updated\)](#)', 22 February 2021.

<sup>6</sup> Lithuania, Seimas of Republic of Lithuania, Resolution on the Chairman of the Seimas Human Rights Committee ([Rezoliucija Dėl Seimo Žmogaus Teisių Komiteto Pirmininko](#)), 9 March 2021, No. XIVP-244(2).

solely related with LGBT-community issues. The LGBT rights organisation LGL said such activities were a classic item of homophobia via LGBTI scapegoating<sup>7</sup>.

Since 1 January 2021 the procedure of the declaration of the place of residence of foreigners who have had the legal proofs to reside in the Republic of Lithuania has changed and became easier<sup>8</sup>. This existing procedure was enshrined on March 1, 2021, by the amendments to the Law "On the Legal Status of Aliens"<sup>9</sup> of the Republic of Lithuania. According to the amendments, an alien may choose when to declare residence in Lithuania - in the Migration Department, when applying for a residence permit or in the eldership, already after collecting a residence permit<sup>10</sup>. In addition, these amendments enshrined the requirement to employers to report about their foreign workers, regardless whether they came from the third countries or EU countries. The Employment Service Under the Ministry of Social Security and Labour has explained that this provision, will help to ensure more accurate calculation of employed foreigners, monitor and assess the labor market situation and its changes<sup>11</sup>.

On 18 May 2021 the amended Order of the Minister of Health<sup>12</sup> provides the opportunity to vaccinate citizens of the European Union and European Free Trade Association member states and their family members if they plan to stay in Lithuania for more than three months in a half year and have acquired the right to reside in Lithuania or changing their place of residence in the Republic of Lithuania<sup>13</sup>.

On 5 May 2021 the Employment Service and EURES Lithuania organized a virtual event "Career in Lithuania". The event invited to participate Lithuanian employers, employees and EU citizens who search for job in Lithuania regardless of their place

---

<sup>7</sup> National LGBT rights organisation LGL (2021) '[Recent homophobic attacks unite human rights opponents \(Updated\)](#)', press release, 22 February 2021.

<sup>8</sup> Lithuania, MIGRIS (Electronic migration services) of Migration Department under the Ministry of the Interior (2021) '[Foreigners can also declare their place of residence at the Migration Department](#)', press release, 6 January 2021.

<sup>9</sup> Lithuania, Law amending the "Law on the Legal Status of Aliens" No. IX-2206 ([Lietuvos Respublikos įstatymo „Dėl užsieniečių teisinės padėties“ Nr. IX-2206 pakeitimo įstatymas](#)), No. XIII-3412, 10 November, 2020. (Came into force on 1 March 2021 (The article 29 and paragraph 6 of the article 61 came into force on 21 November 2020).

<sup>10</sup> Lithuania, Migration Department under the Ministry of the Interior (2021) '[Declaration of the place of residence will be easier for aliens](#)', press release, 1 March 2021.

<sup>11</sup> Lithuania, Employment Service Under the Ministry of Social Security and Labour (2021) "Innovation: employers will have to report all foreigners working in Lithuania" (["Naujovė: darbdaviai turės pranešti apie visus Lietuvoje dirbančius užsieniečius"](#)), press release, 24 February 2021.

<sup>12</sup> Lithuania, Amendment of Order of the Minister of Health of the Republic of Lithuania of 23 December 2020 No. v-2997 "On the approval of the description of the procedure for the organization of vaccination of the population from covid-19 disease (coronavirus infection) purchased from the state budget" ([Lietuvos Respublikos Sveikatos apsaugos ministro įsakymas dėl Lietuvos Respublikos Sveikatos apsaugos ministro 2020 m. gruodžio 23 d. įsakymo nr. v-2997 „dėl gyventojų skiepavimo valstybės biudžeto lėšomis įsigyjama covid-19 ligos \(koronaviruso infekcijos\) vakcina organizavimo tvarkos aprašo patvirtinimo“ pakeitimo](#)), No. V-1111, 17 May 2021.

<sup>13</sup> Lithuania, Ministry of Health (2021) "Foreigners living in Lithuania are already vaccinated against COVID-19 disease" (["Lietuvoje gyvenantys užsieniečiai jau vakcinuojami nuo COVID-19 ligos"](#)), press release, 19 May 2021.

of residence. The Employment Service reported that this event received a lot of attention from the EU citizens, mainly Spanish, Italian, Dutch and Portuguese<sup>14</sup>.

The service centre "International House Vilnius" was opened at the end of the 2021 in Vilnius aiming at inviting highly qualified employees to work in Lithuania. This Centre unites representatives of state institutions, such as Migration Department, State Tax Inspectorate, Employment Service, State Health Insurance Fund and others, which take care of faster integration of highly qualified employees from abroad: help to obtain a residence permit and compulsory health insurance, consult on tax issues, declare place of residence, register children in educational institutions, etc.<sup>15</sup>

## **1.2 Findings and methodology of research, studies, or surveys on experiences of discrimination against EU citizens on the grounds of nationality and against LGBTI people**

On 15–19 January 2021, the survey company, Baltic Surveys, carried out a representative public opinion poll to analyse the attitudes of Lithuanian residents towards the same-sex family and their rights<sup>16</sup>. Altogether 529 Lithuanian residents (18 years and older – up to age 74) 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 4.4 %, while the confidence interval is 95 %. The method applied for the research was the online survey (CAWI).

The survey results show that more than half of respondents (58 %) would support the initiative to strengthen the family consisting of a man and a woman. Only 8 % of respondents agree that the legal definition of family should include same-sex relationships. As many as 41 % of respondents agreed that laws regulating the rights of same-sex partners, regardless of their disapproval of the concept of family based on a same-sex relationship, must be adopted; 17 % of respondents supported the concept of gender-neutral partnership, while 23 % were of the opinion that homosexual couples already have all the necessary legal protection and 19 % had no opinion on this question<sup>17</sup>.

The National LGBT rights organisation LGL, together with nine partners in nine EU countries such as Belgium, Croatia, Greece, Hungary, Lithuania, Poland, Portugal, Slovenia and Spain, implemented the project 'Diversity and Childhood' funded

---

<sup>14</sup>Lithuania, Employment Service Under the Ministry of Social Security and Labour (2021) "Career in Lithuania - an event for those offering and looking for work" (["Karjera Lietuvoje" – renginys darba siūlantiems ir jo ieškantiems](#)), press release, 20 April 2021; "Employment Service: Foreigners are more interested in job offers than Lithuanians" (["Užimtumo tarnyba: darbo pasiūlymai užsieniečius domina labiau nei lietuvius"](#)), press release, 6 May 2021;

<sup>15</sup> Lithuania, Ministry of the Economy and Innovation (2021). ["International House Vilnius" jau aptarnavo 1000 iš užsienio atvykusių darbuotojų](#), press release, 8 December, 2021.

<sup>16</sup> Rimaitė, V. (2021). ["Seimui kaupiantis vienos lyties asmenų partnerystės įstatymui, apklausė gyventojus: ar keičiasi požiūris į šeimą"](#), [www.DELFI.lt](#), 22 February.

<sup>17</sup> National LGBT rights organisation LGL (2021). ["LGBTI families still lack public support, survey results show"](#), press release, 22 February 2021.

under the EU's Rights, Equality and Citizenship programme (2014-2020)<sup>18</sup>. The project addressed the analysis and prevention of violence and discrimination against LGBTI+ and gender non-conforming children and youth. The project carried out research (desk research, an online survey and interviews) to assess the needs of LGBTI+ and gender non-conforming children with a specific focus on the consequences of gender-based violence experienced in childhood.

The research also aimed at mapping the good practices between gender, sexuality and childhood in 5 key spheres: school, health, family, public spaces and media. An online survey was conducted with a total of 50 participants: stakeholders from child protection agencies, equality bodies, teachers/educators, health professionals, journalists, family associations. The survey was conducted in February 2020 via the LimeSurvey survey engine. In addition, LGL conducted 10 interviews with representatives of the Office of the Ombudsman for Children Rights, Office of the Equal Opportunities Ombudsperson, journalists from the main media portals 15min.lt and Irt.lt, representatives of emotional support helplines, Child Line and Youth Line, hospital and pharmacy employers, teacher and school employers.

Analysis of the research data was presented in the project report ('National analysis on violence against LGBTI+ children. Lithuania')<sup>19</sup>. Based on the research data, the project partners released [training and workshop modules](#) (Guidelines for facilitators' workshop with children on LGBTI+ and gender diversity; Guidelines for facilitators' training module for professionals working with children); massive open online course ([MOOC: Tools to prevent and combat violence against LGBTI+ children and youth](#)) which started on 21 June 2021; Handbook ([Lithuanian version](#))<sup>20</sup>, designed for professionals in a variety of fields who work with LGBTI+ children.

The research findings show that LGBTI+ children in Lithuania face a variety of challenges in five key spheres: school, health, family, public spaces and media. A hostile school climate (homophobic, sexist, racist, and other types of biased language) impacts an LGBTI+ student's ability to fully engage and participate in the school community. Healthcare professionals in Lithuania are not aware of the specific needs of LGBTI+ persons and children in healthcare. Parents of LGBTI+ people in most cases do not support their LGBTI+ children. In this way, they contribute to social exclusion, pathologisation and victimisation of an LGBTI+ child. The 'anti-LGBTI+ propaganda law': Law on the Protection of Minors against the Detrimental Effect of Public Information continues to be used to further discrimination, with detrimental effects on LGBTI+ people, mostly under the pretext of protecting the wellbeing and healthy development of children<sup>21</sup>.

---

<sup>18</sup> Kuktoraitė, E., National LGBT rights organisation LGL, Lithuania (2021) "The project "DIFFERENT CHILDHOOD" is nearing completion" ([Projektas „IVAIRI VAIKYSTĖ" artėja prie finišo](#)), press release, 2 June 2021.

<sup>19</sup>Eglė Kuktoraitė, National LGBT rights organization LGL, Lithuania (2020). ['National analysis on violence against LGBTI+ children. Lithuania'](#), December 2020.

<sup>20</sup> Bea Sándor (2021). ['Kaip užkirsti kelią įvairių formų smurtui prieš LGBT vaikus?'](#)

<sup>21</sup> Eglė Kuktoraitė, National LGBT rights organisation LGL, Lithuania (2020). ['National analysis on violence against LGBTI+ children. Lithuania'](#), December 2020, pp. 23-28.



The recommendations based on research data draw attention to including LGBTI+ related issues in the school curriculum in order to make a change in developing a more positive school climate for everyone. In addition, it is recommended to provide trainings on LGBTI+ and LGBTI+ children issues and human rights to healthcare professionals, employees of public institutions, service providers<sup>22</sup>.

In October 2021, The Lithuanian Centre for Social Sciences in cooperation with the Lithuanian Center for Human Rights published a research report "Analysis of the Possibilities of Legalizing a Gender-Neutral Partnership and a Qualitative Study on the Needs of LGBTQIA + Individuals"<sup>23</sup>. An analysis of the legal and social situation of the LGBTQIA + community in Lithuania was performed, as well as a qualitative study (in-depth interviews) with LGBTQIA + couples. A total of 10 in-depth interviews (20 individuals) were conducted with 5 lesbian and 5 gay couples aged 21 to 65 and living in Lithuania (Vilnius, Kaunas, Klaipėda and Šiauliai cities). Interview data were collected from 21 January till 2 April 2021.

Research findings have shown that the current legal regulation does not correspond to the real situation and expectations of LGBTQIA + couples living in Lithuania. The absence of a partnership institute is perceived as a direct restriction to privacy, equality, the subjective well-being and happiness of LGBTQIA + individuals. Research shows that LGBTQIA + couples perceive legal and social inequalities and vulnerabilities disproportionately higher compared to heterosexual couples. Absence of legal, institutional and social support for same-sex couples and widely spread stigma and discrimination have negative psychosocial consequences for them. Research concluded that the law on partnership could bring a significant benefits for the same-sex couples to solve various legal and social issues of the everyday life. Additionally, it has a potential to bring certain changes and transform homophobic attitudes in society.<sup>24</sup>

## **Chapter 2. Racism, xenophobia and related intolerance**

### **2.1. Findings and methodology of research, studies, or surveys on experiences of ethnic discrimination, racism and hate crime**

---

<sup>22</sup> Eglė Kuktoraitė, National LGBT rights organisation LGL, Lithuania (2020). ['National analysis on violence against LGBTI+children. Lithuania'](#), December 2020, pp. 23-28.

<sup>23</sup> Labanauskas, L. (2021) '[Lyčiai neutralios partnerystės įteisinimo galimybių analizė ir kokybinis tyrimas apie LGBTQIA+ asmenų poreikius](#)', Vilnius: Lietuvos socialinių mokslų centras, Lietuvos žmogaus teisių centras.

<sup>24</sup> Labanauskas, L. (2021) '[Lyčiai neutralios partnerystės įteisinimo galimybių analizė ir kokybinis tyrimas apie LGBTQIA+ asmenų poreikius](#)', Vilnius: Lietuvos socialinių mokslų centras, Lietuvos žmogaus teisių centras, pp. 55-56.

The criminal liability for hate speech and hate crime is mainly foreseen under articles 170 (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons), 170(1) (Activity of groups or organizations with the aim to discriminate or incite against some group of people), 170(2) (Public approval, denial or gross mitigation of international crime, crimes towards Republic of Lithuania or its residents by USSR or nacist Germany) of the Criminal Code of the Republic of Lithuania (*Lietuvos Respublikos Baudžiamasis Kodeksas*)<sup>25</sup>. Between January and December 2021, 82 criminal acts (32 more than in 2020) under Article 170 (Incitement against any National, Racial, Ethnic, Religious or Other Groups of Persons) (*Lietuvos Respublikos Baudžiamasis Kodeksas*) were registered 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*) and of these, 3 refer to incitement against racial groups and 6 – against national groups, 67 – on the grounds of sexual orientation, 1 – religion, and 5 – other groups of people<sup>26</sup>.

The Article 169 of the Criminal Code of Lithuania (Discrimination on Grounds of Nationality, Race, Sex, Descent, Religion or Belonging to Other Groups) foresees criminal liability in the cases of discrimination of a person or group because of age, gender, sexual orientation, disability, race, nationality, language, and other belongings<sup>27</sup>. Between January and December 2021 no criminal offenses were registered under Article 169 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*)<sup>28</sup>.

Between January and June 2021, the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) received 87 inquiries (25 inquiries more than during the same period of the previous year) regarding possible

---

<sup>25</sup> Lithuania, the Criminal Code of Lithuania ([Lietuvos Respublikos Baudžiamasis Kodeksas](#))

<sup>26</sup> 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*) (2021) "Register of criminal offenses (open access data). Data on criminal activities that were conducted with the aim to discriminate or express hate against group of people or individuals belonging to some group in the Republic of Lithuania in January – November 2021, 8 December 2021, Nr. (6-2) 24 St-452" ([Nusikalstamų veikų žinybinio registro \(atviri duomenys\) paslaugos](#))

<sup>27</sup> Lithuania, the Criminal Code of Lithuania ([Lietuvos Respublikos Baudžiamasis Kodeksas](#)),

<sup>28</sup> 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*) (2021) "Register of criminal offenses (open access data)" ([Nusikalstamų veikų žinybinio registro \(atviri duomenys\) paslaugos](#))

discrimination on the grounds of race, nationality, language, ethnicity, origin, citizenship or language<sup>29</sup>.

In the period 9-18 October 2020, a representative survey 'Hate incitement online' (*Neapykantos kurstymas internete*) was carried out by the Vilmorus public opinion and market research company at the request of the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*). The survey was conducted among 1 001 residents of Lithuania who are 18 years old and older in 27 urban and 44 rural areas of Lithuania<sup>30</sup>. Of the 1 001 respondents, 68 indicated that during the last 12 months they had written a negative comment(s) online themselves and 6 respondents (out of 68) had written negative comment(s) about individuals who belong to some ethnic or national group<sup>31</sup>. In total, 126 respondents (12.6 % of the sample) 'agree' or 'absolutely agree' that negative comments about some groups (e.g. Roma, homosexual individuals, Jews) do not offend anybody, and 703 respondents (70.3 %) 'do not agree' or 'absolutely do not agree' with this statement<sup>32</sup>. Almost 65.1 % or 652 respondents 'agree' or 'absolutely agree' that negative comments about any group online must be treated as a form of discrimination<sup>33</sup>.

The Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) and the Office of the Inspector of Journalist Ethics (*Žurnalistų etikos inspektoriatas tarnyba*) in their study on 'Institutional response towards hate speech in Lithuania: independent review' (*Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga*) refer to the representative survey 'Hate incitement online' mentioned above' (*Neapykantos kurstymas internete*)<sup>34</sup>. The study emphasises that negative comments online are often misinterpreted as a form of self-freedom (31.6 % of respondents) and this indicates that society in general does not have enough information about hate

---

<sup>29</sup> Lithuania, the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*) (2021) "During half a year – more than 500 inquiries about discrimination" ([Per pusę metų – daugiau nei 500 kreipimųsi dėl diskriminacijos](#))

<sup>30</sup>Lithuania, Public opinion and market research company Vilmorus (*Visuomenės nuomonės ir rinkos tyrimų centras Vilmorus*) (2020) Hate incitement on line ([Neapykantos kurstymas internete](#)), p. 4.

<sup>31</sup>Lithuania, Public opinion and market research company Vilmorus (*Visuomenės nuomonės ir rinkos tyrimų centras Vilmorus*) (2020) Hate incitement on line ([Neapykantos kurstymas internete](#)), p. 5, 8.

<sup>32</sup>Lithuania, Public opinion and market research company Vilmorus (*Visuomenės nuomonės ir rinkos tyrimų centras Vilmorus*) (2020). Hate incitement on line ([Neapykantos kurstymas internete](#)), p. 24.

<sup>33</sup>Lithuania, Public opinion and market research company Vilmorus (*Visuomenės nuomonės ir rinkos tyrimų centras Vilmorus*) (2020). Hate incitement on line ([Neapykantos kurstymas internete](#)), p. 34.

<sup>34</sup>Lithuania, Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektoriatas tarnyba (2021). 'Institutional response towards hate speech in Lithuania: independent review' ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#))

speech<sup>35</sup>. The study provides recommendations for different institutions on response towards hate speech. Recommendations for law enforcement authorities emphasise the need to follow the recent practice of the European Court of Human Rights (ECHR) such as *Beizaras and Levickas vs Lithuania* or *Carl Jóhann Lilliendahl vs Island* to make sure that hate speech is recognized and punished as serious crime<sup>36</sup>. The study emphasizes that in the case *Beizaras and Levickas vs Lithuania* ECHR came to conclusion that institutional response towards hate speech was not adequate and demonstrates that seriousness of hate crime is not comprehended properly since institutions did not conduct proper investigation whether negative comments on sexual orientation of applicants was incitement to hatred and violence<sup>37</sup>. The case *Carl Carl Jóhann Lilliendahl vs Island* is referred to as an example which stands in contrast with Lithuanian practices due to acknowledging the seriousness of hate speech online and as a case where the limits of self-expression were set by the ECHR<sup>38</sup>. Simultaneously the authors of the study formulate recommendations for the government – to establish a special service for individuals who have suffered from hate incitement, for media – to apply measures that aim to increase the social responsibility of media towards society<sup>39</sup>.

An online survey among 88 prosecutors and 474 police officers was carried in the period 12-25 March 2021<sup>40</sup>. The survey (N=562) investigated the challenges encountered by police officers and prosecutors in addressing hate crime. The research participants were asked to indicate what groups from the presented list are the most vulnerable to hate crime in Lithuania and the answers were spread as follows: 64.2 % of research participants indicated LGBT+ persons, 34.2 % – persons of different race or belonging, 30.6 % – Roma people, people with disabilities – 19.8 %, 16.2 % – Muslims, 11.9 % – Jews, 10.5 % – people of other

---

<sup>35</sup>Lithuania, Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektorius tarnyba (2021). „Institutional response towards hate speech in Lithuania: independent review“ ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#)), p. 16.

<sup>36</sup> Lithuania, Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektorius tarnyba (2021). „Institutional response towards hate speech in Lithuania: independent review“ ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#)), p.33.

<sup>37</sup> Lithuania, Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektorius tarnyba (2021). „Institutional response towards hate speech in Lithuania: independent review“ ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#)), p.25.

<sup>38</sup> Lithuania, Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektorius tarnyba (2021). „Institutional response towards hate speech in Lithuania: independent review“ ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#)), p.24-25.

<sup>39</sup>Lithuanian Lygių galimybių kontrolieriaus tarnyba, Žurnalistų etikos inspektorius tarnyba (2021). „Institutional response towards hate speech in Lithuania: independent review“ ([Institucinis atsakas į neapykantos kalbos reiškinių Lietuvoje: nepriklausoma apžvalga](#))

<sup>40</sup> Labanauskas, L. (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: Žurnalistų etikos inspektorius tarnyba.

nationality<sup>41</sup>. The author of the study indicates that hate crimes against people with disabilities, Jews and people who have visible racial or background signs were recognized the best by police officers and prosecutors<sup>42</sup>. The study points out that the research participants are better acquainted how to recognize hate speech and hate crime in comparison with general society, however at the same time 9.6 per cent of research participants 'agree' or 'absolutely agree' that negative comments online about some societal groups do not harm anyone<sup>43</sup>. The research participants were reserved in evaluating the need for education in the sphere of hate crime and hate speech, also need to cooperate with vulnerable groups and the author of the study uses this as indicator that such education, also necessity to increase effectiveness of legal regulations, cooperation with vulnerable communities are especially in need<sup>44</sup>. There is a discrepancy between evaluation of effectiveness of legal regulations on hate speech and hate crime between those participants who occupy leading posts and other police officers: younger and not leading police officers were more critical than their senior colleagues<sup>45</sup>. The survey was carried in the framework of the project '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' (#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje) which was implemented in the period March 2020–April 2022 by the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) and the Inspector of Journalist Ethics (*Žurnalistų etikos inspektoriatas tarnyba*)<sup>46</sup>.

The online focus group discussion with 10 police officers from 28 till 50 years old from different urban places of Lithuania who had previous experience in investigating hate motivated crime was conducted in March 2021<sup>47</sup>. The main aim was to identify the main challenges faced by police officers in investigation of hate crime, discuss the needs for information on assessing hate crime, identify causes

---

<sup>41</sup> Labanauskas, L (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: žurnalistų etikos inspektoriatas tarnyba, p. 9.

<sup>42</sup> Labanauskas, L (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: žurnalistų etikos inspektoriatas tarnyba, p. 44.

<sup>43</sup> Labanauskas, L (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: žurnalistų etikos inspektoriatas tarnyba, p. 44.

<sup>44</sup> Labanauskas, L (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: žurnalistų etikos inspektoriatas tarnyba, p. 45.

<sup>45</sup> Labanauskas, L (2021). 'Report of the survey among police officers and prosecutors' ([Policijos pareigūnų\(ių\) ir prokurorų\(ių\) apklausos ataskaita](#)). Vilnius: žurnalistų etikos inspektoriatas tarnyba, p. 45.

<sup>46</sup> Lithuania, the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolieriasu tarnyba*) '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' ([#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje](#))

<sup>47</sup> Labanauskas L. (2021) 'The analysis of discussion of focus group with police officers' ([Policijos pareigūnų \(ių\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, p. 3.

of latency of such crimes and influence of personal opinions for such investigations<sup>48</sup>. One of the issues indicated during discussion is that the police officers lack systematic training on hate crime and participants emphasized need for such systematic training on various themes<sup>49</sup>. The discussion was carried in the framework of the project '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' (#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje) which was implemented in the period March 2020–April 2022 by the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) in cooperation with the Inspector of Journalist Ethics (*Žurnalistų etikos inspektoriatas tarnyba*) and social advertising agency Nomoshiti<sup>50</sup>.

In March 2021 the online focus group discussion with 11 prosecutors who are from 37 till 53 years old and had more than 15 years experience of work at law enforcement institutions and work experience in investigating hate crime was conducted<sup>51</sup>. The main aim was to identify the main challenges faced by prosecutors in investigating hate crime, discuss the needs for information on assessing hate crime, identify causes of latency of such crimes and influence of personal opinions for such investigations<sup>52</sup>. The discussion revealed such challenges in investigation of hate crime as the lack of initiative from the side of law enforcement institutions to start pre-trial investigations, as well as the clarification of line between 'expression of opinion' and 'hate crime'; the need for better training was voiced<sup>53</sup>. The discussion was carried in the framework of the project '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' (#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje) which was implemented in the period March 2020–April 2022 by the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) in cooperation with the Inspector of Journalist Ethics (*Žurnalistų etikos inspektoriatas tarnyba*) and social advertising agency Nomoshiti<sup>54</sup>.

---

<sup>48</sup>Labanauskas L. (2021) 'The analysis of discussion of focus group with police officers' ([Policijos pareigūnų \(iu\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, p. 3.

<sup>49</sup> Labanauskas L. (2021) 'The analysis of discussion of focus group with police officers' ([Policijos pareigūnų \(iu\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, p.6-7.

<sup>50</sup> Lithuania, the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierė tarnyba*) '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' ([#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje](#))

<sup>51</sup>Labanauskas L. (2021) 'The analysis of discussion of focus group with prosecutors' ([Prokurorų \(iu\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, <https://lyqybe.lt/data/public/uploads/2021/07/prokuroru-tikslines-grupes-diskusijos-analize.pdf> .

<sup>52</sup> Labanauskas L. (2021) 'The analysis of discussion of focus group with prosecutors' ([Prokurorų \(iu\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, p. 2.

<sup>53</sup> Labanauskas L. (2021) 'The analysis of discussion of focus group with prosecutors' ([Prokurorų \(iu\) tikslinės grupės diskusijos analizė](#)). Žurnalistų etikos inspektoriatas tarnyba, p. 3, 5.

<sup>54</sup> Lithuania, the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierė tarnyba*) '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' ([#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje](#))

In March 2021 the survey on perceptions of human rights and equal opportunities was conducted by Spinter research (*Spinter tyrimai*) on behalf of Human Rights Monitoring Institute (*Žmogaus teisių stebėjimo institutas*). The sample included 1012 respondents of 18-75 years old from different locations in Lithuania. The method - computer assisted web interview. The absolute majority of respondents (89 %) agree that the word freedom has to be restricted if a person incites for violence against some group or persons, 75 % agree that it has to be restricted in the cases of incitement against immigrants and 68 % if a person mocks publicly religious symbols<sup>55</sup>.

On 17 September – 3 October 2021 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 1001 adult residents of Lithuania. The survey demonstrates increase of negative attitudes towards refugees: 47.1 % of respondents (to compare with 27 % in 2020) indicated that they would not like to live in neighbourhood with refugees, 27.7 % (19 % in 2020) indicated that they would not like to work at the same work place with refugees, 48.3 % (27% in 2020) answered that they would not like to rent apartment to refugees<sup>56</sup>.

## **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 9 June 2021 the European Commission issued decisions on infringements in 'Combating racism and xenophobia' where indicated that the Lithuanian legal framework "*still fails to criminalise hate speech and hate crime when based on the grounds of ethnic origin and/or colour. Moreover, Lithuania criminalises the conduct of condoning, denial, and gross trivialisation of international crimes and the Holocaust only when public order is disrupted. Finally, the Lithuanian legal*

---

<sup>55</sup>Human Rights Monitoring Institute (*Žmogaus teisių stebėjimo institutas*), Lithuania (2021) 'Sociological research of county population on perceptions and evaluation of human rights' (Sociologinis šalies gyventojų tyrimas dėl žmogaus teisių suvokimo ir vertinimo), [http://hrmi.lt/wp-content/uploads/2021/06/Ataskaita-ZTSI\\_202103.pdf](http://hrmi.lt/wp-content/uploads/2021/06/Ataskaita-ZTSI_202103.pdf), 8 June, 2021.

<sup>56</sup>Diversity Development Groups. Institute of Sociology at the Lithuanian Center for Social Sciences. Blažytė Giedrė. (2021) Public attitudes about ethnic and religious groups: 2021 (Visuomenės nuostatos etninių ir religinių grupių atžvilgiu: 2021), 16 November 2021, <https://www.diversitygroup.lt/2021/11/16/pristatyti-2021-m-atliktu-visuomenes-nuostatu-tyrimo-ir-ziniasklaidos-stebesenos-rezultatai/>

*framework criminalises those conducts with regard to the Holocaust only when perpetrated in the territory of Lithuania or against Lithuanian citizens*<sup>57</sup>.

In September 2021 the Government of Lithuania (*LR Vyriausybė*) approved amendments to the articles addressing hate crime and hate speech of the Criminal Code of the Republic of Lithuania (*LR baudžiamasis kodeksas*) initiated by the Ministry of Justice (*LR Teisingumo ministerija*) which supplement such present basis 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<sup>58</sup>. The amendments apply to the 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) that include hate motivated circumstances. The amendments to the Article 170(2) (Public approval, denial or gross mitigation of international crime, crimes towards Republic of Lithuania or its residents by the USSR or Nazi Germany) address the infringements indicated by the European Commission on 9 June 2021<sup>59</sup>. These amendments still have to be approved by the Seimas of the Republic of Lithuania (*LR Seimas*) to come into force.

On 21 April 2021, Lithuania delivered a report to the Committee on the Elimination of Racial Discrimination (CERD)<sup>60</sup>. The report addresses the 'Concluding observations on the combined ninth and tenth periodic reports of Lithuania' by CERD issued on 7 June 2019<sup>61</sup>. The recent information presented to CERD by Lithuania overviews the steps in drafting and processing the Law on National Minorities<sup>62</sup>.

The Department of National Minorities under the Government of the Republic of Lithuania (*Tautinių mažumų departamentas prie Lietuvos Respublikos*

---

<sup>57</sup>European Commission (2021) 'June Infringements package: key decisions', 9 June 2021, [https://ec.europa.eu/commission/presscorner/detail/en/inf\\_21\\_2743](https://ec.europa.eu/commission/presscorner/detail/en/inf_21_2743)

<sup>58</sup> Lithuania, the Ministry of Justice of the Republic of Lithuania (LR Teisingumo ministerija) (2021) Lithuania, following the EC suggestions, broaden list of criteria of hate crime' (*Lietuva, atliepdama EK raginimus, praplės neapykantos nusikaltimų kriterijų sąrašą*), 22 September 2021; LR Seimas (2021) 'The project of the Law amending the Articles 60, 129, 135, 138, 169, 170, 170(1), ir 170(2) of the Criminal Code of Republic of Lithuania' (*Lietuvos Respublikos baudžiamojo kodekso 60, 129, 135, 138, 169, 170, 170(1), ir 170(2) straipsnių pakeitimo įstatymas' projektas*).

<sup>59</sup> European Commission (2021) [June Infringements package: key decisions](#), 9 June 2021.

<sup>60</sup>United Nations. CERD (2021). [Information Received from Lithuania on Follow-up to the Concluding Observations on its Combined Ninth and Tenth Periodic Reports.](#)

<sup>61</sup>United Nations, CERD (2019). [Concluding observations on the combined ninth and tenth periodic reports of Lithuania.](#)

<sup>62</sup> United Nations. CERD (2021). [Information Received from Lithuania on Follow-up to the Concluding Observations on its Combined Ninth and Tenth Periodic Reports.](#)



vyriausybės) in cooperation with other institutions submitted the Fifth Report on the Implementation of the Council of Europe's Framework Convention for the Protection of National Minorities in the Republic of Lithuania<sup>63</sup>. The report covers the period 2016-2021. As regards policy measures/initiatives to combat hate speech and hate crime the report indicates the virtual police patrol to prevent cybercrime launched in April 2021 by the Police Department<sup>64</sup>. The virtual patrol is designed to prevent diverse forms of cybercrime and is not focused particularly on hate speech and hate crime and during period 6 April-31 December 2021 it registered 15 incidents of possible hate incitement online<sup>65</sup>.

In 2021 the online platform 'Nepyka.lt' was launched by the the Office of Equal Opportunities Ombudsperson (*Lygių galimybių kontrolierės tarnyba*) in the framework of the project '#NoPlace4Hate: Improving Institutional Response to Hate Speech in Lithuania' (#NoPlace 4Hate: tobulinant institucijų atsaką į neapykantos kalbos reiškinių Lietuvoje)<sup>66</sup>. The online platform 'Nepyka.lt' provides information on hate crime for victims and experts and redirects visitors to the sites where hate crime can be reported<sup>67</sup>.

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*) established by the order of the Minister of the Interior of the Republic of Lithuania in 2020 continues its work in 2021<sup>68</sup>. The meetings during the first half of year were devoted to the questions of legal regulation to ensure liability for hate speech<sup>69</sup>, questions of criminal liability for hate crime and discussion of positive practices of Poland; questions on system of registration and investigation of hate crime<sup>70</sup>, hate crime against people

---

<sup>63</sup> Council of Europe. Advisory Committee on the Framework Convention for the Protection of National Minorities (2021). [Fifth Report submitted by Lithuania. Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities](#), p. 22.

<sup>64</sup> Council of Europe. Advisory Committee on the Framework Convention for the Protection of National Minorities (2021). [Fifth Report submitted by Lithuania. Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities](#)

<sup>65</sup> The Police Virtual Patrol ([Policijos virtualus patrulis](#))

<sup>66</sup> Lithuania, Office of the Equal opportunities ombudsperson (2021) '2021 as the year of confronting hate speech and bias-motivated crimes', <https://www.lygybe.lt/en/2021-as-the-year-of-confronting-hate-speech-and-bias-motivated-crimes>

<sup>67</sup> Ibid.

<sup>68</sup> Lithuania, Ministry of the Interior of the Republic of Lithuania (*Vidaus reikalų ministerija*) (2021). Work group for promotion of efficient response to the hate crime and hate speech ([Darbo grupė veiksmingam atsakui į neapykantos nusikaltimus ir neapykantos kalbą Lietuvoje skatinti](#))

<sup>69</sup> Lithuania, Ministry of the Interior of the Republic of Lithuania (*Vidaus reikalų ministerija*) (2021). [The protocol of meeting of work group for promotion of efficient response to the hate crime and hate speech](#) on 11 February, 2021

<sup>70</sup> Lithuania, Ministry of the Interior of the Republic of Lithuania (*Vidaus reikalų ministerija*) (2021). [The protocol of meeting of work group for promotion of efficient response to the hate crime and hate speech](#) on 6 May, 2021

with disabilities and experience of United Kingdom in addressing this problem<sup>71</sup> On 9 June 2021 the online seminar 'Fostering recognition and response to hate crime' (*Neapykantos nusikaltimų supratimo ir atsako į juos gerinimas*) was organised by the Office for Democratic Institutions and Human Rights together with a group of experts to address hate crime and hate speech alongside the Ministry of the Interior of the Republic of Lithuania. Research participants included police officer and prosecutor representatives<sup>72</sup>

## Chapter 3. Roma equality and inclusion

### 3.1. Policy developments in regards to the application of the EU Roma strategic Framework for equality, inclusion and participation for 2020-2030

Please put down the name of the national Roma framework/Roma strategy/integrated set of policy measures and the link	<i>Working title</i> "Action Plan for Integration of Roma into Lithuanian Society 2022–2023" "Romų integracijos į Lietuvos visuomenę 2022–2023 metų veiksmų planas"	NA
Please add a hyperlink if the strategy is publicly available.	The plan is not publicly available (only for members of the working group)	NA
Did an evaluation of the previous Roma inclusion strategy take place? If yes, please provide reference	No	No
Does the strategy use the (headline) indicators as suggested in the new portfolio of indicators?	No	NA
Was Roma civil society involved in the development of the	Yes, two meetings of the working group preparing the new Roma	NA

<sup>71</sup> Lithuania, Ministry of the Interior of the Republic of Lithuania (*Vidaus reikalų ministerija*) (2021). [The protocol of meeting of work group for promotion of efficient response to the hate crime and hate speech](#) on 26 May, 2021

<sup>72</sup> [https://vrm.lrv.lt/uploads/vrm/documents/files/LT\\_versija/Viesasis\\_saugumas/LT-2021-06-11\\_Workshop\\_Report\\_v3.pdf](https://vrm.lrv.lt/uploads/vrm/documents/files/LT_versija/Viesasis_saugumas/LT-2021-06-11_Workshop_Report_v3.pdf)

<p>strategy? Please provide examples?</p>	<p>integration plan took place in December 2021 and January 2022 and representatives of Roma NGOs were present in both meetings. In these working group meetings the discussions focused mainly on allocation of budget provided by the Department of National Minorities (approx. 60 000 EUR per year), which is available for various cultural events.</p>	
<p>Were NHRIs and/or equality bodies involved in the strategy development? Please provide example?</p>	<p>Yes, partially. The Office of the Equal Opportunities Ombudsperson (<i>Lygių galimybių kontrolieriaus tarnyba</i>) participated in a meeting of the working group and voiced criticism that the plan under preparation lacks strategic dimension and does not comply with the requirements of the EU Roma strategic Framework for equality, inclusion and participation for 2020-2030. The Office of the Equal Opportunities Ombudsperson has not offered measures to be implemented in the plan due to the lack of allocated funding.</p>	<p>NA</p>
<p>Does the new strategy link to the operational programmes for the new EU funding period 2021-2027?</p>	<p>No</p>	<p>NA</p>

In 2020, the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie LR Vyriausybės*, hereinafter – the Department of National Minorities) was preparing a new State-level Roma integration action plan for the period 2021–2023. The Action Plan for Integration of Roma into Lithuanian Society 2015–2020 (*Romų integracijos į Lietuvos*

*visuomenę 2015–2020 metų veiksmų planas*)<sup>73</sup> ended in December 2020 and the new plan was expected to be adopted in early 2021. Yet, as of January 2022, there is no national Roma integration plan. The prepared draft of the national Roma integration plan, submitted to the Ministry of Culture (*Kultūros ministerija prie LR Vyriausybės*) by the Department of National Minorities in February 2021, was eventually evaluated as not meeting the standards of the new strategic governance methodology (*Strateginio valdymo metodologija*), which was adopted by the Government of Lithuania on 28 April 2021<sup>74</sup>. The drafted national Roma integration plan was evaluated as lacking the newest data on Roma group in Lithuania despite the fact that a survey of Lithuanian Roma (N=431), commissioned by the Department of National Minorities, was carried out in 2020<sup>75</sup>. The Department of National Minorities stated that they plan to analyse the data of Census 2021 (the data is expected to be released for analysis at the end of 2021) to supplement the situation analysis<sup>76</sup>.

The Department of National Minorities relayed that they plan to prepare a new Roma integration plan by the end of December 2021 and submit its draft to the Ministry of Culture, which is in charge of approving it. On December 7, 2021 a meeting of the working group that included representatives from Roma NGOs and NGOs working with Roma took place at the Department of National Minorities.<sup>77</sup> The draft is currently being prepared and is not yet publicly available.

It must be noted, that there has been a lack of political will to create a comprehensive national Roma integration plan. The Ministry of Education, Sport and Science (*Švietimo, sporto ir mokslo ministerija prie LR Vyriausybės*) communicated in November 2020<sup>78</sup> that they do not plan to have targeted

---

<sup>73</sup> Lithuania, Ministry of Culture (*Kultūros ministerija*), Approval of Action plan for integration of Roma to Lithuanian society 2015–2020 ([Isakymas dėl romų integracijos į Lietuvos visuomenę 2015–2020 metų veiksmų plano patvirtinimo](#)), 29 January 2015.

<sup>74</sup> Lithuania, Government of Lithuania (*Lietuvos Vyriausybė*), Decision regarding implementation of the Law on Strategic Governance, Law on Regional Development (Article 4 Part and 5), and Law on Budget Structure (Article 141 Part 3) ([Nutarimas dėl Lietuvos Respublikos strateginio valdymo įstatymo, Lietuvos Respublikos regioninės plėtros įstatymo 4 straipsnio 3 ir 5 dalių, 7 straipsnio 1 ir 4 dalių ir Lietuvos Respublikos biudžeto sandaros įstatymo 141 straipsnio 3 dalies įgyvendinimo](#)), 28 April 2021.

<sup>75</sup> Kontvainė, V., Diversity Development Group, Lithuania (2020). [Situation of Roma people in comparison with other inhabitants of the country](#).

<sup>76</sup> Communication of f LCSS with the Department of National Minorities under the Government of Lithuania (23 November 2021).

<sup>77</sup> Communication of LCSS with the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie LR Vyriausybės*) (07 December 2021).

<sup>78</sup> On 20 November 2020 the Department of National Minorities under the Government of Lithuania together with 10 organisations (Roma NGOs and organisations working with the Roma) addressed the Ministry of Education, Sport and Science asking to include Roma specific issues in the strategic Development Programme for Education 2021–2030 ([Švietimo plėtros programa 2021–2030 m.](#)). Communication of LCSS with the Department of National Minorities under the Government of Lithuania (*Tautinių mažumų departamentas prie LR Vyriausybės*) (23 November 2020 and 24 September 2021).

integration measures for the Roma community in Lithuania. Despite the efforts by the Roma NGOs and organisations working with the Roma, the issues of Roma integration have not been addressed in the project of the 2021–2030 Education development programme (*2021–2030 m. Švietimo plėtros programos projektas*<sup>79</sup>). Furthermore, the Ministry of Social Affairs and Labour (*Socialinės apsaugos ir darbo ministerija prie LR Vyriausybės*) and the Ministry of Health (*Sveikatos apsaugos ministerija prie LR Vyriausybės*) did not propose measures to be included in the national Roma integration plan. There were only a few secondary administrative agencies that participated in the preparation of the rejected draft of the National Roma Integration Plan – the Department of National Minorities under the Government of Lithuania, the Drug, Tobacco and Alcohol Control Department under the Government of the Republic of Lithuania (*Narkotikų, tabako ir alkoholio kontrolės departamentas prie LR Vyriausybės*) and the Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania (*Užimtumo tarnyba prie Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos*).

### **3.2. Legal and policy developments or measures directly or indirectly addressing Roma/Travellers inclusion**

The Vilnius Roma Integration Programme 2020–2023 approved by the Council of Vilnius City Municipality (*Vilniaus miesto savivaldybės taryba*) in 2020<sup>80</sup> had been welcomed by the NGOs that work with the Roma community in Vilnius, but its implementation in 2021 has been met with disappointment. Despite the wide scope of measures in the areas of education, health care, culture, labour market, and the right to housing, the programme has been poorly financed, especially in the areas of education and housing<sup>81</sup>. The funding, allocated for the implementation of the programme, has been sporadic (i.e. covering only some of the measures) and mainly short-term (for example, in 2021, financing of projects aimed at social inclusion of women was given for the period of 6 months). The representatives of NGOs pointed out that in 2021 the Vilnius Roma Integration Programme 2020–2023 has failed to provide targeted measures for the Roma community, which could have alleviated the negative impact of the demolition of

---

<sup>79</sup> Lithuania, Ministry of Education, Science and Sport (*Švietimo, mokslo ir sporto ministerija*) Project of 2021–2030 Education development programme ([2021–2030 m. Švietimo plėtros programos projektas](#)), 31 May 2021.

<sup>80</sup> Council of Vilnius City Municipality (*Vilniaus miesto savivaldybės taryba*). Approval of Programme for Integration of Vilnius Roma into Society 2020–2023 (*Sprendimas dėl Vilniaus romų integracijos į visuomenę 2020–2023 metų programos tvirtinimo*), 26 April 2019.

<sup>81</sup> Communication of LCSS with the Roma Community Centre (*Romų visuomenės centras*) (22 September 2021) and multicultural children day centre *Padėk pritapti* (29 September 2021).

the Kirtimai Roma settlement and the negative impact of the COVID-19 pandemic. The NGOs that work with Roma in Vilnius have repeatedly addressed these issues in a joint working group, which is monitoring the implementation of the programme, yet the funds required have not yet been provided.

The area where Roma experienced most challenges (especially in Vilnius) remained the right to housing. Access to housing has been hindered by discriminatory practices of rental property owners, administrative shortcomings of legal acts regulating the right to compensation for part of the rental costs, and failures of the Municipality to adopt proper measures and clear procedures to address these issues. After the demolition of the Kirtimai Roma settlement, most of Vilnius's Roma had to look for housing in the private rental sector, as there is a shortage of social housing in Vilnius City. The Law on Support for Acquisition or Lease of Housing (*Paramos būstui įsigyti ar išsinuomoti įstatymas*)<sup>82</sup> provides principles for compensation of rental costs, detailing its subsidies from the State budget. In the case of Vilnius Roma, there are two important principles that hindered their access to rent compensations: (1) compensation can be provided for rent of a property that is in the same municipality, where a claimant has declared their residency; (2) the rented property has to have at least 14 square metres per person (family members) in order to be eligible for rent compensation.

Having experienced difficulties in finding available and affordable rental property in Vilnius City, some Roma decided to move to the neighbouring municipality of Vilnius Region and found housing there. But this move meant that they were ineligible to receive rent compensations from the State budget. Vilnius City Municipality, realising the difficulties that Roma experience in finding housing in Vilnius City, adopted a measure in the Vilnius Roma Integration Programme 2020–2023 to provide rent compensations from the municipal budget for former Vilnius Roma Kirtimai settlement residents, who rent their housing in other municipalities. Yet, the Municipality failed to provide clear and well-defined eligibility criteria for these municipal rent compensations, mainly, who is considered a former resident of the Vilnius Roma Kirtimai settlement (i.e. which documents prove the eligibility for municipal rent compensation). As a result, in 2021 there have been six court proceedings in the Vilnius Regional Administrative Court (*Vilniaus apygardos administracinis teismas*), all of which addressed the same issue – contested rejections of applications for rent compensations and the lack of eligibility criteria for municipal rent compensations for former residents of the Vilnius Roma Kirtimai settlement.

---

<sup>82</sup> Lithuania, Parliament of Lithuania (*Lietuvos Respublikos Seimas*) Law on Support for Acquisition or Lease of Housing ([Lietuvos Respublikos paramos būstui įsigyti ar išsinuomoti įstatymas](#), 9 October 2014).

On November 17, 2021 the Vilnius City Municipality announced that it will no longer accept applications for rent compensations from the municipal budget for former Vilnius Roma Kirtimai settlement residents, who rent their housing in other municipalities.<sup>83</sup> The measure that foresaw such compensation has been crossed out from the Vilnius Roma Integration Programme 2020–2023.

There are other loopholes in the Law on Support for Acquisition or Lease of Housing that provide difficulties for Roma applying for compensation of rental costs. The requirement for the rented property to have at least 14 square metres per person (family member) in order to be eligible for rent compensation has led some Roma to losing their compensation and, consequently, housing after the birth of a new child (the property was deemed too small for the larger family)<sup>84</sup>. The Law on Support for Acquisition or Lease of Housing stipulates that rent compensations can be paid to families (the definition of what constitutes a family is provided in the Law) or to single persons. This provision meant that grandparents (usually grandmothers) were excluded from the definition of the family and were ineligible to receive the compensation as a member of a family, leaving them to search for housing on their own. The rent compensation for a single person (about EUR 70 / per month) meant that many of older Roma people were unable to find housing in Vilnius due to the high rent prices in Vilnius. These issues remained largely unaddressed by the Vilnius Roma Integration Programme 2020–2023.

---

<sup>83</sup> Council of Vilnius City Municipality (*Vilniaus miesto savivaldybės taryba*). Amendment of the Council decision No. 1-609 28 August, 2020 on “Approval of Programme for Integration of Vilnius Roma into Society 2020–2023” and approval of the list of Roma that rent housing outside of Vilnius city municipality ([\*Sprendimas dėl tarybos 2020-08-28 sprendimo Nr. 1-609 „Dėl Vilniaus romų integracijos į visuomenę 2020–2023 metų programos tvirtinimo“ pakeitimo ir romų, besinuomojančių būstą ne Vilniaus miesto savivaldybėje, sąrašo patvirtinimo\*](#)), No. 1-1236, 17 November 2021.

<sup>84</sup> Communication of LCSS with the Roma Community Centre (*Romų visuomenės centras*) (22 September 2021).

## Chapter 4. Asylum, visas, migration, borders and integration

### 4.1. Number of beneficiaries of international protection whose protection status was revoked in 2021

Country	Cessation of refugee status		Cessation of subsidiary protection	
	Number of refugee status revoked	Main reasons	Number of subsidiary protection status revoked	Main reasons
Lithuania	1	There are serious reasons for considering that his/her staying in Lithuania constitutes a threat to the security of the state. <sup>85</sup>	1	The circumstances under which the foreigner was granted subsidiary protection no longer exist and he/her can return to his/her country of origin. <sup>86</sup>

---

<sup>85</sup> Migration Department under the Ministry of Internal Affairs of Republic of Lithuania (*Migracijos departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Email communication of LSTC, 6 October 2021.

<sup>86</sup> Migration Department under the Ministry of Internal Affairs of Republic of Lithuania (*Migracijos departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Email communication of LSTC, 21 December 2021.



## 4.2. National border monitoring mechanisms

Country	Legal source providing for border monitoring	Organisation(s) responsible for monitoring	Is the monitoring body at the at same time the National Preventative Mechanism? (Y/N)	Are reports publicly available? [if yes, please add hyperlink]	Number of monitoring operations in 2021	Is monitoring (at least partially) funded by the EU? If so, under which modalities?
Lithuania	Border monitoring is carried out by the Lithuanian Red Cross Society under two agreements: 2010 agreement between Lithuanian Red Cross	Lithuanian Red Cross Society	No No. This function is carried out by The Seimas Ombudsmen ( <i>Seimo kontrolierius</i> ). However, because of the mass influx of migrants (in	The reports of the visits are not public, however every year the Lithuanian Red Cross Society prepares a summary of all monitoring	During 2021 there were 116 operations <sup>90</sup> . Because of quarantine restrictions some of the monitoring operations were done remotely <sup>91</sup> . 24	From March 2017, the border monitoring is partly funded from the Asylum, Migration and Integration Fund. It covers approximately 50 % of the costs of border monitoring <sup>96</sup> .

<sup>90</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 5 January 2022.

<sup>91</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), phone communication of LSTC, 4 October 2021.

<sup>96</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), phone communication of LSTC, 4 October 2021.

	<p>Society, the United Nations High Commissioner for Refugees Regional Office for the Baltic and Nordic Countries and the State Border Guard Service; 2020 agreement between Lithuanian Red Cross Society and the Refugee Reception Centre.<sup>87</sup></p>		<p>the second half of the year) a lot of irregular migrants were not accepted to the Lithuanian territory and they were accommodated without the right to leave those facilities in a various camps. The Seimas Ombudsmen visited those places and on 21<sup>st</sup> of October, 2021 issued a report were various</p>	<p>operations, which is available publicly on the Lithuanian Red Cross Society website <a href="https://www.redcross.lt/leidiniai">https://www.redcross.lt/leidiniai</a><sup>89</sup> A summary report for 2021 is also published on the Red Cross website <a href="https://www.redcross.lt/sites/redcross.lt/files/2021_metine_lrk_ste">https://www.redcross.lt/sites/redcross.lt/files/2021_metine_lrk_ste</a></p>	<p>operations were done remotely and 92 operations were done live.<sup>92</sup> Border monitoring activities include monitoring of interviews and monitoring of reception conditions at the border crossing points, accommodation facilities of asylum seekers and</p>	
--	--	--	---	--	--	--

<sup>87</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 4 October 2021.

<sup>89</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 4 October 2021.

<sup>92</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 29 November 2021 and 5 January 2022.

			violations related to the reception conditions were identified. <sup>88</sup>	<a href="#">besenos at askaita.pdf</a>	detention facilities of asylum seekers. <sup>93</sup> Most of the operations were monitoring of reception conditions and only 9 operations were monitoring of interviews. <sup>94</sup>  The mass influx of migrants has led to a significant increase in the number of border	
--	--	--	---	--	--	--

<sup>88</sup> Lithuania, the Seimas Ombudsmen's Office (*Seimo kontrolierių įstaiga*) (2021), "Report On Ensuring the Human Rights and Freedoms in a Temporary Accommodation places of Aliens who Crossed the Border of the Republic of Lithuania and the Republic of Belarus" ([Ataskaita "Dėl užsieniečių, kirtusių Lietuvos Respublikos sieną su Baltarusijos Respublika, žmogaus teisių ir laisvių užtikrinimo užsieniečių laikino apgyvendinimo vietose"](#)), 7 October, 2021.

<sup>93</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 17 November 2021

<sup>94</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), email communication of LSTC, 29 November 2021.

					monitoring operations compared to previous years. <sup>95</sup> .	

---

<sup>95</sup> Lithuanian Red Cross Society (*Lietuvos Raudonojo Kryžiaus draugija*), phone communication of LSTC, 29 November 2021.

## Chapter 5. Information society, privacy and data protection

### 5.1. Legal and policy developments or measures that have been implemented related to data protection and private life with regards to security issues

During the first half of 2021, the National Cyber Security Centre at the Ministry of National Defence (*Nacionalinis kibernetinio saugumo centras prie Krašto apsaugos ministerijos*) registered 1 780 cyber incidents, which was 2 % higher than the same period of 2020. This increase was related to “Microsoft Exchange” email services’ vulnerabilities which effected the whole world and was also connected to several major data leaks in Lithuania (CityBee, LIEMIS, Kilobyte, etc.)<sup>97</sup>. National Data Protection Authority (State Data Protection Inspectorate, *Valstybinė duomenų apsaugos inspekcija*) recorded 177 personal data breaches during the first half of this year. NDPA noticed a sharp increase in social engineering threats and ransomware<sup>98</sup>.

For example, on 11 March 2021 personal data of students from Vilnius University of Applied Science (*Vilniaus kolegija*), including name, date of birth, sex, nationality, personal identification code, home address, city, secondary school and year of graduation, study programme, dates of entering the university and graduation date were published in a restricted access hackers’ forum. In the course of investigating this incident, the National Cyber Security Centre established that theft of the students’ personal data may have happened due to unlimited and online access to the Lithuanian science and studies information system LIEMIS and due to the inadequate cyber security of this system. It was established that among the leaked data of 7 000 students, personal identification codes were stored in plain texts This incident was particularly relevant due to the fact that the LIEMIS system was used by four universities of the country, including Vilnius University – the largest higher

---

<sup>97</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), “In the first half of the year, a large number of cyber hacking was recorded in Lithuania” ([Lietuvoje pirmą pusmetį fiksuotas didelis kibernetinių įsilaužimų skaičius](#)), press release, 5 August 2021.

<sup>98</sup> Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2021), “Overview of Personal Data Security Breaches during the 1<sup>st</sup> half of 2021” ([Pranešimų apie asmens duomenų saugumo pažeidimus \(ADSP\) apžvalga – 2021 m. I pusmetis](#)), press release, 29 July 2021.

education institution in Lithuania<sup>99</sup>. Following this incident, specific recommendations, aimed at ensuring cyber protection, were adopted. In particular it was recommended to: 1) legalise the LIEMIS information system in accordance with the provisions of the Law on the management of state information resources and the Law on Cyber Security; 2) to implement the requirements of Governmental Decree No. 818 "On the Implementation of the Law on Cyber Security"; 3) to perform an external audit and to determine the sources of cyber security risks in higher education institutions and the effectiveness of risk control measures; 4) not to store excess personal data; 5) encrypt stored sensitive data with reliable cryptographic algorithms, etc<sup>100</sup>.

Other major personal data leaks affected customers of the short-term car rental platform CityBee (111 052 CityBee customers affected) and customers of the former betting company Orakulas (more than 257 000 consumers affected)<sup>101</sup>. Both incidents took place in February 2021. Concerning CityBee, the State Data Protection Inspectorate carried out an investigation on its own initiative and on 29 November 2021 imposed an administrative fine of EUR 110,000 on the operator of the CityBee platform. The company was fined for breach of Article 32(1)(a), (b), (d) of the GDPR, which governs the obligation to ensure the security of processing of personal data<sup>102</sup>.

On 23 August 2021, the National Cyber Security Centre published an assessment of cybersecurity of mobile devices produced by Huawei, Xiaomi and OnePlus, supporting 5G technology sold in Lithuania. Decomposition analysis performed on mobile devices manufactured by Huawei, Xiaomi and OnePlus identified 10 instances of increased cybersecurity risk. In the assessment, 4 cybersecurity risks related to the general security of factory-installed applications in the devices, threats of

---

<sup>99</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), "The results of the NKSC survey on the data of leaked Vilnius College students are presented" ([Pristatyti NKSC tyrimo dėl nutekėjusių Vilniaus kolegijos studentų duomenų rezultatai](#)), press release, 4 June 2021.

<sup>100</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), "The results of the NKSC survey on the data of leaked Vilnius College students are presented" ([Pristatyti NKSC tyrimo dėl nutekėjusių Vilniaus kolegijos studentų duomenų rezultatai](#)), press release, 4 June 2021.

<sup>101</sup> Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2021), "Incidents in CityBee, Orakulas.lt and Širvintos district municipality" ([Incidentai „CityBee“, „Orakulas.lt“ ir Širvintų rajono savivaldybėje](#)), press release, 18 February 2021.

Article I. <sup>102</sup> Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2021), "[Car rental company fined for data breach under the General Data Protection Regulation](#)", press release, 1 December 2021.

leakage of personal data, and restrictions on freedom of expression were analysed in detail and users were advised to take into account the results of the assessment<sup>103</sup>.

On 1 December 2021, the National Cyber Security Centre, based on growing number of incidents relating to “Linux” operating systems, issued recommendations for users of these systems on additional security measures<sup>104</sup>. On 13 December 2021, the Centre issued recommendations for users of Log4j library due to a security gap (called Log4Shell) identified in the library.<sup>105</sup>

No adopted legislative measures specifically related to cybercrime, online terrorist content and e-evidence were identified. Following the adoption of the amendments to the Law on Cyber Security<sup>106</sup>, Lithuania has taken the necessary legal steps to implement the provisions of the EU Cybersecurity Act and, together with other EU states, as of 28 June 2021 joined a common space for European cybersecurity certificates. Functions of a national cybersecurity certification authority were entrusted to the National Cyber Security Centre<sup>107</sup>.

Throughout 2021, the National Cyber Security Centre conducted trainings for public sector employees on basic cyber security which included over 2 thousand participants from more than 20 public agencies. The training participants could also participate in the practical exercise „Cybernetic Shield 2021”, which attracted 92 organisations.<sup>108</sup>

---

<sup>103</sup> Lithuania, National Cyber Security Centre, [Assessment of cybersecurity of mobile devices supporting 5G technology sold in Lithuania. Analysis of products made by Huawei, Xiaomi and OnePlus](#), 23 August 2021.

<sup>104</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), “For Linux users, the NKSC recommends additional security measures” ([„Linux“ naudotojams NKSC rekomenduojama papildomas saugumo priemonės](#)), press release, 1 December 2021.

<sup>105</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), „Critical security gap in the popular Log4j library”. ([„Kritinė saugumo spraga populiarioje Log4j bibliotekoje](#)), 13 December 2021.

<sup>106</sup> Lithuania, Law Amending Articles 1, 2, 6, 8, 9, 13, title of Chapter V and the Annex, and Supplementing of the Law with Article 17 and Chapter VI ([Kibernetinio saugumo įstatymo Nr. XII-1428 1, 2, 6, 8, 9, 13 straipsniu, V skyriaus pavadinimo, priedo pakeitimo ir įstatymo papildymo 17 straipsniu ir VI skyriumi įstatymas](#)), 17 June 2021.

<sup>107</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021), “The NCSC will act as the national cyber security certification authority” ([NKSC vykdys nacionalinės kibernetinio saugumo sertifikavimo institucijos funkcijas](#)), press release, 18 June 2021.

<sup>108</sup> Lithuania, National Cyber Security Centre (*Nacionalinis kibernetinio saugumo centras*) (2021) “Employees remain the weakest link in cybersecurity” ([„Darbuotojai išlieka silpniausia kibernetinio saugumo vieta“](#)), 21 December 2021.

Concerning data retention, on 11 November 2021, a new version of the Law on Electronic Communications was adopted<sup>109</sup>. This law expands the traffic data retention grounds for which traffic data retained might be used. The previous version of the law provided that electronic communications service providers must retain traffic data for the purposes of disclosure, investigation and prosecution of grave and very grave crimes, as well as for the purpose of predicting, identifying and eliminating threats to national security<sup>110</sup>. Meanwhile, the new Law on Electronic Communications extended the purposes of traffic data retention to include disclosure, investigation and prosecution of any criminal act. In addition, the purpose of prevention of criminal acts was added<sup>111</sup>.

Concerning the Digital Services Act, the Ministry of the Economy and Innovation informed that final decisions on the adoption of any necessary national legislation will only be taken after the conclusion of the negotiations on the Digital Services Act Regulation and when the final text is available<sup>112</sup>.

## 5.2 Artificial intelligence and big data

Please highlight **in the table below** any important initiatives and key developments\* in relation to the use of artificial intelligence (AI),<sup>113</sup> big data related techniques and/or the 'Internet of Things' – paying specific attention to:

---

<sup>109</sup> Lithuania, Law on Electronic Communications ([Elektroninių ryšių įstatymas](#)), 11 November 2021.

<sup>110</sup> Lithuania, Law on Electronic Communications ([Elektroninių ryšių įstatymas](#)), 15 April 2004 (with later amendments), Art. 65(2), 77(1).

<sup>111</sup> Lithuania, Law on Electronic Communications ([Elektroninių ryšių įstatymas](#)), 11 November 2021, Art. 77(2), 96(1).

<sup>112</sup> Lithuania, Ministry of the Economy and Innovation, written communication of 27 September 2021 with the Institute of Sociology at the Lithuanian Centre for Social Sciences following a freedom of information request.



- a. any national responses/comments from government offices and other relevant actors concerning [the draft AI Regulation](#), and
- b. any development regarding the implementation of COVID-19 vaccinations certificates.

For each of the initiatives and documents, please clarify whether or not fundamental rights are mentioned and, if it is the case, which rights are discussed and to what extent (e.g. whether the fundamental rights are superficially mentioned or whether these are subject to in-depth analysis, for instance going beyond the need for respecting data protection to include specific references on how to address potential biases or discrimination, etc.).

<b>M S</b>	<b>Actor*</b>	<b>Type**</b>	<b>Description</b>	<b>Are Human Rights issues mentioned?</b> <b>(please clarify briefly which ones, and how these rights are mentioned in the initiative)</b>	<b>Reference</b>
<b>LT</b>	Parliamentary	Adopted Act	New version of the law regulating the implementation of the right to receive information from state and municipal institutions was adopted in order to transpose EU Directive 2019/1024 on open data and reuse of public-sector information.	Yes, personal data protection, right to privacy. In particular, it is stated that the law is not applicable, <i>inter alia</i> , to data to which access is not permitted or restricted due to protection of personal data, as well as to data, the secondary use of which would violate a person's right to privacy under EU law or national law (Article 2(1(6))).	Law Amending Law No. VIII-1524 on the Right to Receive Information from State and Municipal Institutions ( <a href="#">Lietuvos Respublikos teisės gauti informaciją iš valstybės ir savivaldybių institucijų ir įstaigų</a> )

					<a href="#">įstatymo Nr. VIII-1524 pakeitimo įstatymas</a> ), 30 June 2021
<b>LT</b>	Government (Ministry of the Economy and Innovation)	Adopted Act	Privacy policy of the National Certificate ( <i>Galimybių pasas</i> ) identifies for collecting data, what data are being collected and what data are being displayed on the pass.	Yes, rights set out in Articles 15, 16, 18 and 22 of the GDPR are enumerated. Procedure to exercise the right not to be subject to a decision based solely on automated processing, including profiling, is provided.	Privacy policy of the National Certificate, <a href="https://eimin.lrv.lt/uploads/eimin/documents/files/GP_Privacy_policy.pdf">https://eimin.lrv.lt/uploads/eimin/documents/files/GP_Privacy_policy.pdf</a>
<b>LT</b>	Government / Parliamentary	National Draft Act	Draft Law on Secondary Use of Health Data. The draft law aims to regulate the secondary use of health data for the purposes of public interest, at the same time ensuring the right to privacy and the protection of personal data. It contains provisions on the following aspects: a) the prerequisites and procedure for granting the right to secondary 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.	Yes, protection of personal data are mentioned in relation to requirements of GDPR (obligation to conduct Data Protection Impact Assessment, requirement to obtain consent of data subject for the use of non-anonymised data, etc.).	Draft Law on Secondary Use of Health Data ( <a href="#">Pakartotinio sveikatos duomenų naudojimo įstatymo projektas</a> ), 30 November 2021

<b>LT</b>	Government (Ministry of Education, Science and Sports)	Adopted Act	Order approves the long-term institutional research and experimental development programme for 2021–2025 “Challenges for the implementation of individual rights in modern society: dilemmas of new and changing rights” prepared by the Lithuanian Centre for Social Sciences	Yes. Approved research programme focuses on the impact that technologies (including artificial intelligence) have on human rights. One of the topics: the right to privacy and the protection of personal data in the digital society, prohibition of discrimination, the individual's right to information, new generation rights. Legal issues related to the use of AI are planned to be addressed during the second research stage (2022–2023).	Order of the Minister of Education, Science and Sports “Regarding the approval of the long-term institutional research and experimental development programme of the Lithuanian Centre for Social Sciences for 2021–2025” ( <a href="#">Dėl Lietuvos socialinių mokslų centro ilgalaikės institucinės mokslinių tyrimų ir eksperimentinės plėtros 2021–2025 metų programos patvirtinimo</a> ), 25 May 2021.
<b>LT</b>	Government	National Draft Act	This integrated strategic territorial planning document identifies guidelines for the implementation of spatial development, the spatial structure of the state territory, the mandatory provisions for the use of the state territory and other solutions for the sustainable development of territories. The use of	Yes, but only on a very strategic level. It is stated that in implementing the principles of sustainable development, the conception of general planning and the National Progress Plan, certain prioritised activities are determined, one of which is public security based on respect for constitutional human rights and freedoms, secure residential and cyber (virtual)	Draft Government resolution “On the Approval of the General Plan of the Territory of the Republic of Lithuania” ( <a href="#">Dėl Lietuvos Respublikos Vyriausybės</a>

			artificial intelligence is promoted in agriculture, protection of cultural heritage and nature.	environment, and qualified assistance during emergencies.	<a href="#"><u>nutarimo „Dėl Lietuvos Respublikos teritorijos bendrojo plano patvirtinimo“ projekto</u></a> , 15 September 2021
--	--	--	---	---	--

## Chapter 6. Rights of the child

### 6.1. Measures taken during the COVID 19 to ensure the well-being of children living in poverty and the protection of children from violence

Please fill in the table below on measures taken in your Member State during 2021 to ensure the well-being of children living in poverty and the protection of children from violence taking into account the impact of the COVID-19 pandemic, including online abuse and any other challenges due to increasing digitalisation. Include any developments regarding the national implementation of the [EU Child Guarantee](#).

<b>Measures to address the vulnerabilities of children living in poverty</b>	<b>Income support</b>  On 1 January 2021, amendments to the Law on Child Benefits of the Republic of Lithuania came into force <sup>114</sup> . The amendments increased the monthly universal child benefit to EUR 70 (before the amendments – EUR 60), and increased the additional child benefit to children from low-income families, children with disabilities and children from large families to EUR 41,2 (before – EUR 40). The latter is paid in addition to the universal child benefit of EUR 70. According to the statistical data of 2020, the universal child benefit reached 518 000 children, and additional benefit reached 143 460 children (27.7 % of all children receiving child benefit) <sup>115</sup> .  On 8 June 2021, Parliament passed the amendments to the Law on the Social Insurance of Illness and Maternity, which established a more favourable procedure for calculating the allowance for people whose income has decreased during the
--	--

---

<sup>114</sup> Lithuania, Law on the Amendment of Article 2 of Law No. XIII-2693 on the Amendment of Articles 2, 6, 10, 15, 17, 18, 20 and 21 of the Law on Child Benefit No. I-621 ([Lietuvos Respublikos išmokų vaikams įstatymo Nr. I-621 2, 6, 10, 15, 17, 18, 20 ir 21 straipsnių pakeitimo įstatymo Nr. XIII-2693 2 straipsnio pakeitimo įstatymas](#)), 23 December 2020.

<sup>115</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

	<p>pandemic and the subsequent quarantine<sup>116</sup>. Under the amendments, the allowance for this group of people has been calculated by taking into account the level of pre-pandemic income.</p> <p>On 29 September 2021, the Ministry of Social Affairs and Labour registered draft law amendments of the Law on Child Benefits, with the purpose to increase the care-giving benefits (benefits aimed for children who are in care)<sup>117</sup>. Currently, this benefit is EUR 160 EUR per child, and EUR 160 for former wards up until 24 years of age if they are studying. The amendments propose the following increases: a) for children up to 6 years of age – EUR 213; b) for children from 6 to 12 years of age – EUR 246; c) for children from 12 to 18 and children with disabilities – EUR 266; d) for former wards up to 24 years who are studying – EUR 266. If approved by Parliament, the amendments are expected to come into force from 1 January 2022. The parliament passed the law on 7 December 2021, it came into force on 1 January 2022.<sup>118</sup></p> <p><b>Free meals</b></p> <p>From 1 September 2021, free school meals were extended to include second graders<sup>119</sup>. Previously, free meals were provided to pre-school children and first-graders only. The Ministry of Social Security and Labour noted that free meals will be introduced for all primary school children (up to fourth grade) on a phased basis. On 1 July 2021, a provision came into force that pre-schoolers, first-graders</p>
--	---

<sup>116</sup> Lithuania, Law on the amendment of articles 11prim, 14, 18, 21, 24, 33 and supplementation with article 6prim of the Law on Illness and Maternity Social Insurance of the Republic of Lithuania No. XIV-375 ([Lietuvos Respublikos ligos ir motinystės socialinio draudimo įstatymo Nr. IX-110 11prim, 14, 18, 21, 24, 33 straipsnių pakeitimo ir įstatymo papildymo 6prim straipsniu įstatymas Nr. XIV-375](#)), 8 June 2021.

<sup>117</sup> Lithuania, Draft law on the amendment of articles 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 and the annex of the Law on Child Benefit ([Lietuvos Respublikos išmokų vaikams 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 straipsnių ir priedo pakeitimo įstatymo projektas](#)).

<sup>118</sup> Lithuania, Law No. XIV-720 on the amendment of articles 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 and the annex of the Law on Child Benefit No. I-621 ([Lietuvos Respublikos išmokų vaikams įstatymo Nr. I-621 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 straipsnių ir priedo pakeitimo įstatymas Nr. XIV-720](#)), 7 December 2021.

<sup>119</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

	<p>and second graders are provided with free meals without the need for their parents to provide a separate (written) request<sup>120</sup>. According to the statistical data from 2020, 69,700 school children received free meals (20 % of all children in pre-school and general education). It is planned that from 1 September 2021, 26 000 second graders will receive free meals.</p> <p>Monitoring of the provision of free meals in pre-school and first grade has been conducted from the 1st quarter of 2020 until the 1st quarter of 2021. The analysis was performed based on the information received from school administrations, parents and care givers in all 60 municipalities, excluding information on the effects on income, and the following positive effects were identified:</p> <ul style="list-style-type: none"> <li>a) Social inequality and differentiation is being reduced (56 municipalities indicated this effect, or 93.3 %);</li> <li>b) Schoolchildren's social skills, healthy living skills and eating culture are being developed (59 municipalities, 98.3 %);</li> <li>c) Healthier nutrition: food is better for health and more diverse (59 municipalities, 98.3 %);</li> <li>d) Less food is being thrown away (42 municipalities, 70 %);</li> <li>e) Better conditions for work-family balance for parents (49 municipalities, 81.7 %)<sup>121</sup>.</li> </ul> <p>During the quarantine, free meals for school children, including pre-schoolers, was being provided in all 60 municipalities, either in schools, or by providing food rations to homes.</p> <p><b>Learning assistance</b></p> <p>On 21 January 2021, a Government decision, which provided for conditions for children to learn through online means from educational institutions, child</p>
--	---

<sup>120</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

<sup>121</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

	<p>day centres and other municipal premises came into force<sup>122</sup>. This decision applies to all children whose families „do not have enough money, social skills or motivation to ensure appropriate conditions for education from home.” The Ministry of Education, Science and Sports has conducted a survey of school students from all schools of general education and found that 25 000 children require learning assistance: additional consultations, computer equipment, internet connection, strengthening of motivation<sup>123</sup>. Approximately half of these children receive free meals, and some of their families receive social benefits. On 20 January 2021, the Minister of Education, Science and Sports issued an order on the support package for learning with a budget of EUR 7.5 million<sup>124</sup>. With the order, a plan for 2021 was approved for compensation of „learning losses”, which includes such measures as ensuring access to computer equipment, internet connection, additional consultations etc.</p> <p>From 1 September 2021, municipalities are receiving financial support from the Government to ensure pre-school education for children from the families, which are at the so-called social risk.<sup>125</sup> The additional funding is provided for their education, free meals and transportation, including accompanying persons. In total, there are around</p>
--	--

<sup>122</sup> Lithuania, Government (*Vyriausybė*), news release [“Educational institutions will be able to accommodate children who do not have appropriate conditions for education from home”](#), 20 January 2021.

<sup>123</sup> Lithuania, Government (*Vyriausybė*), news release [“Educational institutions will be able to accommodate children who do not have appropriate conditions for education from home”](#), 20 January 2021.

<sup>124</sup> Lithuania, Minister for Education, Science and Sports, Order on the approval of the 2021 plan for compensation of learning losses due to the COVID-19 pandemic and composition of the working group for the implementation of the actions of the 2021 plan for the compensation of learning losses due to COVID-19 pandemic No. V-85 ([Lietuvos Respublikos švietimo, mokslo ir sporto ministro įsakymas dėl mokymosi praradimų dėl COVID-19 pandemijos kompensavimo plano 2021 metais patvirtinimo ir projekto darbo grupės mokymosi praradimų dėl COVID-19 pandemijos kompensavimo plano 2021 metais veikloms įgyvendinti sudarymo](#)), 20 January 2021.

<sup>125</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021. A social risk family is a family where there are children under 18 years of age and in which at least one of the parents has substance abuse problems, is dependent on gambling, lacks social and other skills to take care of children, is abusive towards the children, and therefore a threat arises to the children’s physical, mental, spiritual, moral development and safety. The social risk family is also a family whose children are placed in temporary care.



	<p>4 000 such children, however, before the start of the initiative, only 100 of them were in compulsory pre-school education.</p> <p><b>Housing</b></p> <p>One of the measures related with housing for families with children are subsidies to cover part of bank credits or the initial contribution towards purchasing first accommodation. This measure is implemented under the <i>Law of the Republic of Lithuania on financial incentives to young families purchasing first accommodation</i><sup>126</sup> and the 30 August 2018 <i>Order of the Minister of Social Security and Labour on the Approval of the procedure for the provision of financial incentives to young families purchasing first accommodation</i>.<sup>127</sup> No changes were made to the law or the procedure with regards to the COVID-19 pandemic.</p> <p>In the first half of 2021, 747 young families received subsidies for this purpose, whilst 165 families received additional subsidies due to the increased number of children in the family<sup>128</sup>.</p> <p>To qualify for the subsidies, both spouses must be under the age of 36. The amount of subsidies depends on the number of children in the family: with no children – 15 per cent of the credit to purchase first accommodation; 1 child – 20 %; 2 children – 25 %; 3 or more children – 30 %. If the family qualifies for subsidies, and over time the number of children in the family increases, the family can receive additional subsidies. If the number of children increases to 3 or more, the</p>
--	--

<sup>126</sup> Lithuania, Law on financial incentives to young families purchasing first accommodation No. XIII-1281 ([Lietuvos Respublikos finansinės paskatos pirmąjį būstą įsigijantioms jaunoms šeimoms įstatymas Nr. XIII-1281](#)), 21 June 2018.

<sup>127</sup> Lithuania, 30 August 2018 Order of the Minister of Social Security and Labour on the Approval of the procedure for the provision of financial incentives to young families purchasing first accommodation No. A1-448 ([Lietuvos Respublikos socialinės apsaugos ir darbo ministro 2018 m. rugpjūčio 30 d. įsakymas „Dėl finansinės paskatos pirmąjį būstą įsigijantioms jaunoms šeimoms teikimo organizavimo tvarkos aprašo patvirtinimo](#)).

<sup>128</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

	<p>family qualifies for additional subsidies if both spouses are under the age of 40.</p> <p>On 21 September 2021, during the inter-institutional consultations, the Government approved the amendments to its ordinance on the acquisition and lease of land, property and other unmovable objects, which simplified the procedures for municipalities for purchasing property for social housing<sup>129</sup>. The amendments would allow municipalities to follow a more flexible and faster procedure. The amendments are yet to be formalised by Government resolution.</p> <p>On 21 December 2021 the Parliament adopted a series of amendments to the Law on Support to Purchasing or Renting Accomodation, which simplified the procedures for young families to acquire first housing credit, increased the cap for the surplus of the income under which the persons cease to have the right to social housing (up to 35 per cent to everyone and up to 50 per cent to single persons, single parents with children and people with disabilities or families with people with disabilities), and provided that social housing is being rented under the market rates except for the cases of <i>inter alia</i> large families with three or more children, single parents with one or more children and people with disabilities or families with people with disabilities.<sup>130</sup> Single parents with one or more children were also included into the priority list for social housing, that is, they might be eligible for social housing without waiting in the general queue, if the municipality so decides. During the extraordinary situation or a quarantine, the</p>
--	--

<sup>129</sup> Lithuania, Government 21 September 2021 interinstitutional meeting agenda ([Lietuvos Respublikos vyriausybės 2021 m. rugsėjo 21 d. tarpinstitucinio pasitarimo darbotvarkė](#)).

<sup>130</sup> Lithuania, Law No. XIV-809 on the Amendment of Articles 8, 9, 10, 11, 12, 13, 14, 16, 18, 20, 21 and 25 of the Law on Support for Purchase or Rent of Accomodation No. XII-1215 ([Lietuvos Respublikos paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 8, 9, 10, 11, 12, 13, 14, 16, 18, 20, 21 ir 25 straipsnių pakeitimo įstatymas Nr. XIV-809](#)), 21 December 2021; Lithuania, Law No. XIV-810 on the Amendment of Articles 3, 6, and 8 of the Law No. XIII-2885 on the Amendments of Articles 2, 5, 10, 12, 14, 16, 17, 18 and 29 of the Law on Support for Purchase or Rent of Accomodation No. XII-1215 ([Lietuvos Respublikos paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 2, 5, 10, 12, 14, 16, 17, 18 ir 29 straipsnių pakeitimo įstatymo Nr. XIII-2885 3, 6 ir 8 straipsnių pakeitimo įstatymas Nr. XIV-810](#)), 21 December 2021.

	<p>contracts for social housing will not be discontinued even when persons' income exceeds the cap of the income to qualify for social housing.</p> <p><b>Health</b></p> <p>On 13 May 2021, the Ministry of Health renewed an inter-institutional action plan on reducing long-term negative effects of the COVID-19 pandemic on mental health 2021-2022<sup>131</sup>. A budget of EUR 11.3 million has been allocated for the implementation of the plan in 2021. One of the main objectives of the plan is to strengthen the mental health of children, youth, their parents and school staff. The plan includes the following measures designed directly for children: educate children and youth on mental health difficulties and how to overcome them; fund summer camps for children aimed at developing social and emotional competences; implement the programme of Well-Being; expand the support services for child victims of violence.</p> <p>(Health services for children under the age of 18 are generally free of charge in Lithuania. Free services include primary health services, specialised health services, stationary services (e.g. hospital treatment), rehabilitation, nursing. Some medicines are compensated as well as medical aids, orthopaedic equipment; various tests such as blood or glucose tests and necessary vaccines are also free of charge).</p>
<p><b>Measures to protect children from violence (including online abuse)</b></p>	<p>On 14 January 2021, Parliament adopted a Law on Support to Victims of Crime<sup>132</sup>, which entered into force on 1<sup>st</sup> of March 2021. One of the purposes of the law is to ensure the protection of a child who has been a victim of crime, and to provide real and effective support. Together with the law, working</p>

<sup>131</sup> Lithuania, Minister of Health Order on the approval of the 2021–2022 action plan on reduction of long-term negative effects of COVID-19 pandemic on individual and public health No. V-1596 ([Lietuvos Respublikos Sveikatos apsaugos ministro įsakymas dėl ilgalaikių neigiamų COVID-19 pandemijos pasekmių asmenų ir visuomenės psichikos sveikatai mažinimo veiksmų 2021-2022 plano patvirtinimo Nr. V-1596](#)), 13 May 2021.

<sup>132</sup> 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.

	<p>regulations on the provision of support, which outline the functions of support services, were approved.</p> <p>On 19 July 2021, the Minister of Social Security and Labour approved the procedure for the provision of accredited support to victims of crime.<sup>133</sup> The procedure details the functions of support services and specific services they are obliged to provide to all victims of crime, e.g. individual needs assessment, compiling of a support plan, providing information on the rights of victims and the criminal procedure, providing emotional support and psychological counseling, and others. In 2021, 25 organisations have registered with the Ministry of Social Security and Labour as accredited support services providers under this law.</p> <p>In 2021, the number of accredited children's day centres increased from 426 in 2020 to 445. The majority of the centres are funded from the state budget by organising a tender for children's day centres for 2020–2021. During the quarantine, the centres provided services remotely, distributed food, social workers maintained contacts with children<sup>134</sup>.</p> <p>Integrated support for families is being funded in 2021 from the European Social Fund under the 2014–2020 EU Funds Investment Programme, measure „Integrated support to families“, implemented in all 60 municipalities. The measure includes such services as (no less than three): positive parenting courses, psychosocial support, family skills development and sociocultural services, mediation, childcare services (up to 4 hours a day) for all parents for children over the age of 3 until primary school, transportation to reach services, personal assistant services to</p>
--	--

<sup>133</sup> Lithuania, Order of the Minister of Social Security and Labour on the Approval of the procedure for providing accredited support to victims of crime No. A1-528 ([Lietuvos Respublikos socialinės apsaugos ir darbo ministro įsakymas dėl akredituotos pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims teikimo tvarkos aprašo patvirtinimo Nr. A1-528](#)), 19 July 2021.

<sup>134</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

	<p>people with disabilities from the age of 16 until the age of retirement (4 hours a day 7 days a week)<sup>135</sup>.</p> <p>To support families, the Ministry of Social Affairs organised tender for funding projects on family welfare for 2020-2021.</p> <p>The Ministry also funds open youth centres, mobile work with youth and work with youth on the streets. During the quarantine, the Ministry urged the centres to continue working with youth by remote means and maintain the contacts, ensure emotional support and referral services.</p> <p>In 2021, EUR 200,000 were allocated for projects of organisations providing integrated support to child victims of violence. A total of 11 organisations were funded; in the first half of 2021, 513 children received integrated support, in total 2 882 integrated services were provided to children and their family members<sup>136</sup>.</p> <p>The Ministry also funds and supports the Support Centre for child victims of sexual abuse. The centre provides all the necessary services in one place: psychological assessment, psychological support, expertise of the court medical expert, consultations provided by a social worker, and others. In 2021, the centre organised training for 69 social work professionals „Sexual violence against children: identification and response“<sup>137</sup>.</p> <p>On 12 March 2021, the Ministry of Education, Science and Sports together with the Ministry of Interior organised a conference „The dark side of the pandemic: violence against children in close environment. We need to talk about this so that we can help and encourage children to seek help“<sup>138</sup>.</p>
--	---

<sup>135</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

<sup>136</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

<sup>137</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), written communication with the contractor, 17 September 2021.

<sup>138</sup> Link to the video conference: <https://www.emokykla.lt/nuotolinis/naujienos/lr-svietimo-mokslo-ir-sporto-ministerija-vaizdo-konferencija-niurioji-pandemijos-puse-smurtas-pries-vaikus-artimoje-aplinkoje/44689>

	<p>The conference was aimed at school directors, their deputies, members of child welfare commissions, head teachers, psychologists, social teachers, coordinators of inter-institutional cooperation in municipalities.</p> <p>On 22 and 29 April 2021, the Office of the Prosecutor General in partnership with the Children's Support Centre held a two-day international conference „Prevention of violence against children: possibilities of a legal process and psychological aid“<sup>139</sup>. During the conference, best practices on prevention of violence against children, provision of legal, psychological and social support were shared as well as recommendations with regards to the conduct of the criminal procedure to ensure the safeguarding of children's rights.</p>
--	---

## 6.2 Legal and policy developments or measures relating to criminal proceedings

Please provide information through the table below on measures taken during 2021 in relation to [Directive 2016/800 on procedural safeguards for children](#) who are suspects or accused persons in criminal proceedings (entry into force June 2019). If there have been any changes that can be related to the COVID-19 pandemic, please mark this in addition.

<p><b>Legislative changes</b></p>	<p>No legislative changes in 2021 in relation to Directive 2016/800 have been introduced. In 2019, the Ministry of Justice prepared a package of legislation to transpose the Directive and it is considered to be fully transposed, therefore, according to the Ministry, there was no reason to initiate additional legislation in 2021<sup>140</sup>.</p>
-----------------------------------	--

<sup>139</sup> Links to the video conference: <https://www.youtube.com/watch?v=H4t6865a6HY>; <https://www.youtube.com/watch?v=uHxJKY602tc>.

<sup>140</sup> Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 17 September 2021.

	<p>On 22 April 2021, amendments to the Criminal Procedure Code were adopted, allowing the use of information and communication technologies to conduct the criminal process during quarantine when direct contacts are not allowed<sup>141</sup>. The amendments do not contain any specific provisions with regards to children in criminal procedure.</p>
<p><b>Policy developments</b></p>	<p>No actions plans and policy initiatives have been implemented by the Ministry of Justice to adapt to COVID-19 restrictions, because, according to the Ministry, procedural guarantees foreseen in the Criminal Procedure Code, have not been restricted, annulled or otherwise not ensured during the pandemic<sup>142</sup>.</p> <p>On 3-4 March 2021, the National Courts Administration organised trainings for judges on the following topics, related with the implementation of the Directive:</p> <ul style="list-style-type: none"> <li>a) „Core concept of violence against children, identification and assessment. Psychological peculiarities of different ages of children. Understanding violence against children and its harmful effects on child development. Consequences of short-term and long-term violence against children and harm to the child. Psychological factors of participation of a child in legal proceedings and their assessment. Factors having influence on children’s testimonies”.</li> <li>b) „Conducting interviews with children. Effective means of listening to a child’s opinion and methods of cooperation with a court psychologist, taking into account individual circumstances related with the child’s age, development, maturity, etc. Interviews in complicated cases, children</li> </ul>

<sup>141</sup> Lithuania, Law on the amendment of Articles 8<sup>1</sup>, 210, 263, 269 and 277 and supplementation with article 8<sup>2</sup> of the Code of Criminal Procedure No. XIV-270 ([Lietuvos Respublikos baudžiamojo proceso kodekso 8<sup>1</sup>, 210, 263, 269 ir 277 straipsnių pakeitimo ir kodekso papildymo 8<sup>2</sup> straipsniu įstatymas Nr. No. XIV-270](#)), 22 April 2021.

<sup>142</sup> Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 17 September 2021.

	<p>with special needs, children with intellectual, development, cognitive and other impairments".</p> <p>c) „Court psychiatric and psychological expertise for children in criminal cases“<sup>143</sup>.</p> <p>In the second half of 2021, the number of court psychologists, assisting judges in the interviews of children, has increased to 18. In 2020, the court psychologists conducted 867 interviews in pre-trial investigation, 201 – in the judiciary procedure<sup>144</sup>.</p> <p>In 2021, the Police Department under the Ministry of Interior plans to conduct training for 100 officers under the programme „Tactical aspects of interviewing children, when a psychologist participates in the interview“. It also plans to train 3 267 officers under the programme „The work of police officers with children at the scene“<sup>145</sup>.</p> <p>The Police School curriculum includes the topic „Participants of criminal procedure, their rights and obligations, and juvenile participants of the procedure and implementation of their rights“.</p> <p>According to the research on legal aid to children, suspects and accused, conducted in the framework of the project "Legal aid for children in criminal proceedings: developing and sharing best practices (LA CHILD)", the attorneys who participated in the research indicated that there was a lack of specialised training on working with suspected or accused children<sup>146</sup>.</p>
--	---

<sup>143</sup> Lithuania, National Courts Administration (*Nacionalinė teismų administracija*), written communication with the contractor, 27 August 2021.

<sup>144</sup> Lithuania, National Courts Administration (*Nacionalinė teismų administracija*), written communication with the contractor, 27 August 2021.

<sup>145</sup> Lithuania, Police Department under the Ministry of Internal Affairs (*Policijos departamentas prie Vidaus reikalų ministerijos*), written communication with the contractor, 26 August 2021.

<sup>146</sup> La Child, „[Legal aid for children in conflict with the law. National report on Lithuania May-October 2020](#)“, 2020-2021.



<p><b>Other measures or initiatives</b></p>	<p>In 2019, after the transposition of the Directive, the Ministry of Justice issued a press release, however, no press releases or other public communications in relation to the Directive were issued in 2021<sup>147</sup>.</p> <p>On 18 February 2021, the National Audit Office (<i>Valstybės kontrolė</i>) published a report of the audit into the effectiveness of police work<sup>148</sup>. The report emphasised that it is not ensured in full that in cases where the suspect or victim is a child, they would be considered as priority cases as is required by the Criminal Procedure Code. It was also established that in around 10 % of cases psychologists do not participate in the interviewing of children. It was also found that for the majority of police commissariats and municipalities it was not clear what role each institution should play in the prevention of crimes conducted by juveniles.</p> <p>In May 2021, State Guaranteed Legal Aid Office issued a leaflet on the accessibility of legal aid for children under the age of 18<sup>149</sup>. The leaflet provides information on how to request legal aid and also gives information on cases where the participation of an attorney is mandatory, and the procedure by which the attorney is appointed, including in the cases where the suspect and accused is a child.</p>
---	---

---

<sup>147</sup> Lithuania, Ministry of Justice (*Lietuvos Respublikos teisingumo ministerija*), written communication with the contractor, 17 September 2021.

<sup>148</sup> Lithuania, National Audit Office, State Audit Report: Crime prevention and investigation by the police ([Valstybės kontrolė. Valstybinio audito ataskaita: policijos vykdoma nusikaltimų prevencija ir tyrimas](#)), 18 February 2021.

<sup>149</sup> State Guaranteed Legal Aid Office's (*Valstybės garantuojamos pagalbos tarnyba*) [leaflet for children on access to legal aid](#), May 2021.

## Chapter 7. Access to justice

### 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

*Briefly describe major legal and policy developments or measures adopted in your country in 2021 concerning the rights of victims of crime. In particular, please provide information on any recent developments concerning the implementation of [Victims' Rights Directive](#) and the [EU Strategy for Victims' Rights 2020-2025](#). Attention should also be paid to any special measures related to the COVID-19 pandemic (i.e. measures put in place by governments to respond to the COVID-19 pandemic that had a direct or indirect effect on the rights of crime victims).*

Following the infringement proceedings initiated by the European Commission, the Law on Assistance to Victims of Crime was adopted on 14 January 2021<sup>150</sup>. This law introduces the concept of 'victim' corresponding to that used in the Victims' Rights Directive and not limited to "aggrieved party" (*nukentėjusysis*), i.e. persons who are officially recognised as victims in criminal proceedings. It also establishes the duty of first-contact institutions (police, prosecution offices, courts, municipalities, education, healthcare and social support institutions) to provide information to victims required by Article 4 of the directive. The main step, however, was the creation of preconditions for introducing a system of generic victim support services. The law provides that organisations, corresponding to accreditation requirements, can apply for accreditation and be accredited as victim support organisations for a renewable period of three years<sup>151</sup>. The accreditation procedure and detailed requirements were approved in April 2021<sup>152</sup>, (Rules on provision of accredited assistance to victims of crime), the rights and obligations of assistance services were approved in July 2021<sup>153</sup>. Accreditation entitles organisations providing assistance services to state funding. For provision of

---

<sup>150</sup> Lithuania, Law on Assistance to Victims of Crime ([Pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas](#)), 14 January 2021.

<sup>151</sup> Lithuania, Law on Assistance to Victims of Crime ([Pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas](#)), 14 January 2021, Article 13.

<sup>152</sup> 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 tarnybu teikiamos pagalbos akreditavimo tvarkos aprašo patvirtinimo](#)), 21 April 2021.

<sup>153</sup> 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.

accredited assistance EUR 500 000 was allocated from the state budget in 2021, and it is planned to allocate a yearly sum of EUR 1 million in the following years<sup>154</sup>.

Support organisations should fulfil similar functions to those currently provided to victims of domestic violence, including assessing the needs of the victim, drawing up a plan of support measures and organising the provision of required support<sup>155</sup>. The support should be provided both to victims, irrespective of whether they reported a crime, and their family members. In September 2021, 25 organisations were accredited as generic victims support organisations<sup>156</sup>. The majority of these organisations are already providing specialised victim support services to victims of domestic violence or human trafficking.

## 7.2. Measures addressing violence against women

*Please, describe measures taken in your country in 2021 to address violence against women. In addition, identify negative developments or critical aspects in this area stemming from legislative, policy or other type of measures, e.g. about victims' rights in relation to gender and sexual violence. Attention should also be paid to any special measures related to the COVID-19 pandemic (i.e. measures put in place by governments to respond to the COVID-19 pandemic that had a direct or indirect effect on the rights of victims of gender and sexual violence).*

According to the official statistics, in 2021 (January – December), 5802 criminal offences related to domestic violence have been registered in the national crime register<sup>157</sup>. During the same period of the previous year (2020), 7133 domestic violence related criminal offences were registered, thus the number dropped by 18,7%<sup>158</sup>. The number of registered offences during the quarantine (both stricter

---

<sup>154</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), "A network of assistance services for victims of crime is being created in Lithuania" (*Lietuvoje kuriamas pagalba nuo nusikalstamos veikos nukentėjusiems žmonėms tarnybu tinklas*), press release, 28 April 2021.

<sup>155</sup> Lithuania, Law on Assistance to Victims of Crime (*Pagalbos nuo nusikalstamos veikos nukentėjusiems asmenims įstatymas*), 14 January 2021, Article 4.

<sup>156</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), "Assistance Services 2021" (*2021 m. Pagalbos tarnybos*), press release, 23 September 2021.

<sup>157</sup> Lithuania, Information Technology and Communications Department under the Ministry of Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Report on registered criminal offences, related to domestic violence, 2021. This number does not reflect the number of reports received by the police nor the outcome of criminal proceedings. No court statistics concerning the dynamics of criminal offences related to domestic violence is available.

<sup>158</sup> Lithuania, Information Technology and Communications Department under the Ministry of Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Report on registered criminal offences, related to domestic violence, 2021.

version applied in Winter and beginning of Spring 2021, and more lenient version applied until the end of June) saw a similar decrease of registered offences to up to 20%, compared to the period of 2021<sup>159</sup>.

Out of 6137 registered victims in 2021, 75,3 % (4624) were women, and 24,7 % (1 513) were men. When it came to perpetrators, 87,1% (3900) were men and 12,9 % (578) were women. The dynamics of perpetrators and victims is similar to previous years:

2018		2019		2020		2021	
Men: 5 072 (90.3 %)	Wome n: 546 (9.7 %)	Men: 4 520 (89.8 %)	Women : 516 (10.2 %)	Men: 5 118 (88 %)	Women: 697 (12 %)	Men: 3900 (87, 1%)	Women : 578 (12,9% )
<b>Total: 5 618</b>		<b>Total: 5 036</b>		<b>Total: 5 815</b>		<b>Total: 4478</b>	

Dynamics of registered perpetrators of criminal offences related to domestic violence 2017–2021.<sup>160</sup>

2018		2019		2020		2021	
Men: 2 359 (22.3 %)	Wome n: 8 198 (77.7 %)	Men: 2 122 (22.9 %)	Wome n: 7 160 (77.1 %)	Men: 1 701 (23.2 %)	Women: 5 637 (76.8%)	Men: 1513 (24, 7%)	Women : 4624 (75,3% )
<b>Total: 10 557</b>		<b>Total: 9 283</b>		<b>Total: 7 338</b>		<b>Total: 6137</b>	

Dynamics of registered victims of criminal offences related to domestic violence 2018–2021<sup>161</sup>

The year 2021 was marked with heated political and public debates concerning possible ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). Tensions began to rise at the end of 2020, as this issue was included in the

<sup>159</sup> Lithuania, Information Technology and Communications Department under the Ministry of Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Report on registered criminal offences, related to domestic violence, [2021](#).

<sup>160</sup> Lithuania, Information Technology and Communications Department under the Ministry of Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Report on registered perpetrators of domestic violence, [2021](#).

<sup>161</sup> Lithuania, Information Technology and Communications Department under the Ministry of Interior of the Republic of Lithuania (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos vidaus reikalų ministerijos*), Report on registered perpetrators of domestic violence, [2021](#)

programme of the Freedom party (*Laisvės partija*), which after the 2020 October parliamentary elections joined the ruling centre-right coalition. In January 2021, the Ministry of Social Security and Labour planned to submit the draft law on Protection against Domestic Violence to the Seimas, introducing a protection order, for adoption in the spring session. The Ministry suggested that the issue of the Istanbul Convention should also be addressed, which would have led to systemic changes in the field of protection against domestic violence<sup>162</sup>. This development was followed by a strong backlash from conservative politicians, the Lithuanian Catholic Church and other religious communities, opposing the so-called ideology of genderism. Even though it became clear in March that the ratification of the Istanbul Convention would not be included in the Seimas agenda for the spring session, the backlash lasted, as Speaker of the Seimas Viktorija Čmilytė-Nielsen asserted that the question of the Istanbul Convention would be included in autumn session<sup>163</sup>. For example, on 9 March 2021, leaders of Lithuania's five traditional Christian religious communities submitted a joint petition to the Seimas, urging it not to ratify the Istanbul Convention<sup>164</sup>. On the same day, President Nausėda congratulated the Seimas on the postponement of the ratification of the Istanbul Convention; a suggestion was made that this issue could be considered by the Citizens' Assembly, for example, and then later by the Seimas<sup>165</sup>. The question of ratification of the Convention was not included in the Seimas agenda for the autumn session either. The Speaker of the Seimas stated that the reason behind this decision was a wish to secure a majority, because should the ratification fails, another decree of the President concerning submission of the Convention would be required (currently a decree of a former President is in force)<sup>166</sup>.

In April 2020 an exception to the requirement of mandatory mediation in civil (family) disputes was established, under which mandatory mediation is not applicable when a person wishing to apply to the court is a victim of domestic violence, and the other party is the perpetrator. This exception is applicable in

---

<sup>162</sup> Lithuania, Lrt.It news portal, Andrukaitytė, M., 'The Ministry of Social Security and Labour proposes to decide on the Istanbul Convention at the spring session' ([SADM siūlo dėl Stambulo konvencijos spresti pavasario sesijoje](#)), 24 January 2021.

<sup>163</sup> Lithuania, Lrt.It news portal, 'The Seimas will not consider the Istanbul Convention, which has caused a heated debate, in the spring' ([Seimas pavasari nesvarstys aštrių diskusijų sukėlusios stambulo konvencijos](#)), 3 March 2021.

<sup>164</sup> Lithuania, Lithuanian Bishops' Conference (*Lietuvos Vyskupų Konferencija*). Address of Lithuanian traditional Christian communities ([Lietuvos tradicinių krikščioniškujų bendrijų kreipimasis](#)), 9 March 2021.

<sup>165</sup> Lithuania, Lrt.It news portal, Pankūnas, G., 'Nausėda welcomes the decision of the Seimas not to discuss the Istanbul Convention yet: there is a lack of cultural discussions' ([Nausėda sveikina Seimo sprendimą kol kas nesvarstyti Stambulo konvencijos: trūksta kultūrinių diskusijų](#)) 9 March 2021.

<sup>166</sup> Lithuania, Lrt.It news portal, Skėrytė, J., BNS, Marcinkevičius, L., ELTA, 'The speaker of the Seimas promises to present a package of family-related proposals at the autumn session' ([Seimo pirmininkė rudens sesijoje žada teikti su šeima susijusių pasiūlymų paketą](#)), 8 September 2021.

situations, where a pre-trial investigation concerning domestic violence is initiated, or a case concerning domestic violence is pending before the court, or a perpetrator has been convicted for domestic violence, or the victim provides confirmation from the specialised support centre that specialised support was provided in relation to allegedly experienced domestic violence<sup>167</sup>.

On 30 July 2021 the Regulation on the provision of personal healthcare services to women who may have experienced sexual violence was approved by the Minister of Health.<sup>168</sup> The regulation, which will enter into force on 1 January 2022, sets out the requirements for personal healthcare professionals providing services to patients who have experienced sexual violence, the premises and medical devices of personal healthcare institutions providing these services, and the procedure for organising and providing these services.

On 14 October 2021 an amendment to the Criminal Code was adopted, criminalizing stalking as a separate criminal offence. The provision reads as follows: "Anyone who systematically stalks a person against the latter's express will without legitimate grounds, leading to the victim being forced to change their place of residence or work or educational institution, or leading to any other negative impact on their social life or emotional state, commits a criminal offense and is punishable with community service, a fine, a restriction of liberty or detention."<sup>169</sup> It should be noted that in this provision stalking was qualified not as a crime, but as an offence of less serious nature, "criminal misconduct". (*baudžiamasis nusizengimas*) or, to use an analogy, a misdemeanor. It was also established that individuals will be prosecuted for stalking if there is a complaint from the victim, a request from a prosecutor, or a pre-trial investigation concerning domestic violence has been launched<sup>170</sup>. Taking into account that stalking as a misdemeanor requires proof of rather intense consequences on the victim, in court practice the relation between stalking as a minor criminal offence and a crime of "threatening to kill a person or inflict serious damage to health, as

---

<sup>167</sup> Lithuania, Law amending article 20 and 21 of the Law on Mediation ([Mediacijos įstatymo nr. X-1702 20 ir 21 straipsnių pakeitimo įstatymas](#)), 22 April 2021.

<sup>168</sup> Lithuania, Minister of Health (*Sveikatos apsaugos ministras*), Order on approval the Regulation of the provision of personal health care services to women who may have experienced sexual violence (*Dėl Asmens sveikatos priežiūros paslaugų teikimo galimai seksualinį smurtą patyrusiems moteriškosios lyties asmenims aprašo patvirtinimo*), 30 July 2021.

<sup>169</sup> Lithuania, Law amending the title of Chapter XX of the Criminal Code and Supplementing the Code with Article 148-1 ([Baudžiamojo kodekso XX skyriaus pavadinimo pakeitimo ir Kodekso papildymo 148-1 straipsniu įstatymas](#)), 14 October 2021.

<sup>170</sup> Lithuania, Law amending the title of Chapter XX of the Criminal Code and Supplementing the Code with Article 148-1 ([Baudžiamojo kodekso XX skyriaus pavadinimo pakeitimo ir Kodekso papildymo 148-1 straipsniu įstatymas](#)), 14 October 2021.

well as terrorising a person"<sup>171</sup>, which can be punished with imprisonment for up to four years, will have to be established by the courts.

The draft law on "Protection from Domestic Violence", the initial draft of which was prepared in 2020, was updated and registered on 5 November 2021<sup>172</sup>. The law does not contain references to violence against women, thus emphasizing gender-neutral nature of domestic violence and protection against domestic violence. The new law should introduce a protection order, which should be applied outside the scope of criminal proceedings. The protection order would oblige the alleged perpetrator to move out of the place of residence where the victim lives, not to visit the victim's place of residence, not to seek contact and not to communicate with the victim. According to the draft law, if there is data on domestic violence, but this data is not sufficient to initiate pre-trial investigation, following assessment of the risk of domestic violence by the police officers, the police will have the possibility to impose a protection order for up to 72 hours (extension of the order up to 12 days would be possible, based on a decision of a district court)<sup>173</sup>. The draft law also contains provisions on the functions of different institutions in the field of prevention of domestic violence and provision of specialized comprehensive assistance to victims of domestic violence.<sup>174</sup>

After being submitted to the Parliament, the draft law sparked heated discussions, and as of December 2021 has not yet been adopted. The duration of 72 hours for which the protection order could be imposed without court decision, was perceived as too short in order to provide support to the victim. Organisations providing specialized comprehensive support to victims of domestic violence criticized the provisions aimed at imposing an unrealistic legal obligation on these organizations to contact a victim and conduct a detailed assessment of the risk of repeated violence within 48 hours<sup>175</sup>. On 29 November 2021, an alternative proposal has been registered by a social democrat member of the parliament suggesting the application of the protection order by a police officer for up to 15 calendar days without the sanction of the court and introducing an easier procedure for alleged perpetrators to challenge the application of the order before the court.<sup>176</sup> Whereas conservative politicians criticized, among other things, a provision obliging Ministry of Education, Science and Sports of the Republic of Lithuania to ensure

---

<sup>171</sup> Lithuania, Criminal Code ([Baudžiamasis kodeksas](#)), 26 September 2000 (with later amendments).

<sup>172</sup> Lithuania, Draft Law on Protection from Domestic Violence ([Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projektas](#)), 20 September 2021.

<sup>173</sup> Lithuania, Draft Law on Protection from Domestic Violence ([Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projektas](#)), 20 September 2021, Article

<sup>174</sup> Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), On the Draft Law amending the Law on Protection against Domestic Violence ([Dėl apsaugos nuo smurto artimoje aplinkoje įstatymo pakeitimo projekto](#)), 28 April 2020.

<sup>175</sup> Lithuania, [Hearing of Parliamentary Human Rights Committee](#), 3 December 2021.

<sup>176</sup> Lithuania, proposal to the Draft law on protection from domestic violence ([Pasiūlymas dėl apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 projekto](#)), 29 November 2021.

mandatory topics on non-stereotypical roles of women and men<sup>177</sup>.<sup>178</sup>. As of 31 December 2021, the law has not yet been adopted.

On 12 January, 2022, parliamentary Human Rights Committee registered an updated draft Law on Protection from Domestic Violence.<sup>179</sup> The draft law provides for the application of protection order by a police officer for up to 15 days without the sanction of the court and a simplified procedure for filing a complaint regarding the application of the order. The Committee's draft also included a concept of „gender based violence“, which was not included in the previous version of the draft. Gender-based violence was defined as „intentional physical, mental, sexual, economic or other impact based on a person's gender, because of which the person suffers physical, material and (or) immaterial damage, (and) which is disproportionately often experienced by women and which is a form of women's discrimination based on power and control“.

On 13 of January, two conservative MPs registered a proposal to remove the concept of gender-based violence from the draft law stating that the concept was „obviously politicized and based on a neomarxist theory of struggle between genders“, and that the law should not include „ideoological concepts“.<sup>180</sup>

The draft law has been considered by the parliament on 18 and 20 of January 2022. The parliament approved the proposal to remove the concept of gender based violence from the draft law by 54 votes „for“, 35 „against“ and 17 abstentions. The parliament also voted to approve the draft law after consideration, including the provisions on the application of the protection order for 15 days, by 91 votes „for“, 8 votes „against“ and 15 abstentions. The final voting on the adoption of the law will take place in the spring session.

---

<sup>177</sup> Lithuania, Proposal to Draft Law on Protection from Domestic Violence ([Pasiūlymas dėl Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projekto](#)), 24 November 2021.

<sup>178</sup> Lithuania, Proposal to Draft Law on Protection from Domestic Violence ([Pasiūlymas dėl Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projekto](#)), 24 November 2021.

<sup>179</sup> Lithuania, Draft Law on Protection from Domestic Violence ([Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projektas](#)), 12 January 2022.

<sup>180</sup> Lithuania, Proposa to Draft Law on Protection from Domestic Violence ([Pasiūlymas dėl Apsaugos nuo smurto artimoje aplinkoje įstatymo Nr. XI-1425 pakeitimo įstatymo projekto](#)), 13 January 2022.



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

## 8.1. CRPD policy & legal developments National action plans and strategies

The measures of the “Implementation Plan of the UN Committee on the Rights of Persons with Disabilities Recommendations for the years 2016–2020” adopted by the Order of the Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*)<sup>181</sup> ended in 2020. On 28 October 2020, the Government (*Lietuvos Respublikos Vyriausybė*), by Protocol Decision No 47<sup>182</sup>, approved the “Report on the implementation of the joint second and third periodic reports of the Republic of Lithuania on the implementation of the 2006 United Nations Convention on the Rights of the Persons with Disabilities”<sup>183</sup>, prepared by responsible state authorities on the progress of the implementation of the Convention and 2016 Recommendations to the Republic of Lithuania provided by the United Nations Committee on the Rights of Persons with Disabilities. The report was submitted to the United Nations Committee on the Rights of Persons with Disabilities in February 2021<sup>184</sup>.

On 9 September 2020 the Government (*Lietuvos Respublikos Vyriausybė*) approved the National Progress Plan for the years 2021–2030 (hereinafter referred to as the Plan)<sup>185</sup>, which aims to identify the main changes to be achieved in the country in the next decade, ensuring progress in the social, economic, environmental and security fields. The plan sets out long-term

---

<sup>181</sup> Lithuania, Minister of Social Security and Labour of the Republic of Lithuania (*Lietuvos Respublikos Socialinės apsaugos ir darbo ministras*) (2016) Order on Approval of the Implementation Plan of the Recommendation of the UN Committee on the Rights of Persons with Disabilities for the years 2016–2020 ([Isakymas Dėl Jungtinių Tautų neįgaliųjų teisių komiteto rekomendacijos įgyvendinimo 2016–2020 metų priemonių plano patvirtinimo](#)) No. A1-596, 9 November 2016.

<sup>182</sup> Government of the Republic of Lithuania (2021), [Meeting on 28 October, 2021](#).

<sup>183</sup> Government of the Republic of Lithuania (2020), Report on the joint second and third periodic reports of the on the implementation of the 2006 the United Nations Convention on the rights of persons with disabilities in Republic of Lithuania ([Lietuvos Respublikos Vyriausybės 2020 m. spalio 23 d. pasiūlymo projektas dėl Lietuvos Respublikos sujungtų antrosios ir trečiosios periodinių ataskaitų dėl 2006 m. Jungtinių Tautų neįgaliųjų teisių konvencijos įgyvendinimo ataskaitos](#)) No. 20-9786(3), 23 October 2020.

<sup>184</sup> [Report on the joint second and third periodic reports on the implementation of the United Nations Convention on the Rights of Persons with Disabilities \(2006\) in the Republic of Lithuania, 4 February, 2021](#).

<sup>185</sup> Government of the Republic of Lithuania (2020), Decree on Approval of National Progress Plan for the years 2021-2030 (*Lietuvos Respublikos Vyriausybės 2020 rugsėjo 9 d. nutarimas dėl 2021-2030 m. Nacionalinis pažangos planas*), No. 998, 9 September 2020 (came into force on 17 September 2020)

strategic goals, progress targets and quantified indicators to measure progress with targets for 2030. Within the plan, specific indicators are foreseen for persons with disabilities. These are related to an increase in physical and information accessibility, reduction in poverty, increase in the number of persons with disabilities in employment, increase in the number of children with disabilities in inclusive education settings, etc.

Based on this plan, in 2021 the Ministries started to prepare the development programmes. The Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*), in order to achieve the 2nd strategic goal of the Plan (“to enhance the social welfare and inclusion among the population, to strengthen health and to improve the demographic situation”) started to prepare 5 long-term (for the years 2021-2030) development programmes: on reducing income inequality, on reducing social exclusion, on inclusive labour market, on family politics and on accessible environment for people with disabilities<sup>186</sup>.

The “2021-2030 development programme of the suitable environment for the people with disability in every area of life by the development programme administrator, the Ministry of Social Security and Labour”<sup>187</sup>, is set to achieve the objective 2.6 of the Plan (“to develop suitable environments for people with disabilities in every area of life”). In order to achieve this objective, the measures 1) to increase physical and 2) information accessibility and 3) to promote accessibility of services and goods are identified. According to this document, the initial figure for the accessibility of physical infrastructure for persons with a disability is 30 % and the objective is to reach 70 % by 2030. The figure for information accessibility is 5 % with an objective to reach 50 % by 2030. Accessibility of services and goods is measured by two indicators: 1) by the satisfaction of persons with disabilities; the starting figure is 0 with an objective to reach 35 % by 2030 and 2) by the level of manufacturers’ attitudes (intentions) to make accessible goods which at the starting point is 0 with an aim to reach 25 %. Financial projections for this programme are EUR 2 million from the state budget. On the 10<sup>th</sup> of November 2021 the Government approved the “2021-2030 development programme of the suitable environment for the people with disability in every area of life by the development programme

---

<sup>186</sup> Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), Development Programmes ([Plėtros programos](#)).

<sup>187</sup> Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), 2021-2030 development programme of the suitable environment for the people with disability in every area of life by the development programme administrator, the Ministry of Social Security and Labour ([2021-2030 m. plėtros programos valdytojo Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos neįgaliesiems tinkamos aplinkos visose gyvenimo srityse plėtros programa](#)).

administrator, the Ministry of Social Security and Labour”<sup>188</sup>, as well as other development programmes of this ministry. The specific indicators for people with disabilities are also foreseen in other development programmes as well. For example, “2021-2030 development programme of social cohesion by the development programme administrator, the Ministry of Social Security and Labour” is set to achieve the objective 2.2 of the Plan (“to increase the well-being of people with disabilities and their families, the elderly and other vulnerable and socially excluded groups”). It is foreseen that the index of the quality of life of people with disabilities will increase from 52 % in 2019 to 57 % by 2025 and 63 % by the year 2030<sup>189</sup>.

On 8 September 2020 the Minister of Social Security and Labour also confirmed the Action Plan for Social Integration of Persons with Disabilities for 2021-2023<sup>190</sup>. The aim of the action plan is to create a favourable environment and conditions for persons with disabilities to live in dignity and enjoy a full life in Lithuania, to ensure them equal opportunities and quality of life. The action plan is written in accordance with the Law on Social Integration of Persons with Disabilities and the Law on Ratification of the United Nations Convention on the Rights of the Persons with Disabilities. However, in this action plan there are no references to the National Progress Plan or development programmes.

#### **Legal framework amendments**

Since 1 January 2021 the social assistance pension base increased from EUR 140 to EUR 143. It is estimated that after the increase of this base, social assistance benefits will increase by EUR 1.5–6.75, depending on the type and category of beneficiaries. It will affect about 60 000 people receiving social assistance pensions, among them children with disabilities, adults with disabilities from childhood and other people with disabilities.

There was also an increase in 2021 in the base (from EUR 117 to 120) for targeted compensation paid to people with special needs. This is a supplementary benefit that can be paid together with a social security or social

---

<sup>188</sup> Government of the Republic of Lithuania (2021), Decree on Approval of 2021-2030 development programme of the suitable environment for the people with disability in every area of life by the development programme administrator, the Ministry of Social Security and Labour ([Lietuvos Respublikos Vyriausybės nutarimas dėl 2021-2030 metų plėtros programos valdytojos Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos neįgaliesiems tinkamos aplinkos visose gyvenimo srityse plėtros programos patvirtinimo](#)), Nr. 933, 10 November 2021.

<sup>189</sup> Government of the Republic of Lithuania (2021), Decree on Approval of 2021-2030 development programme of social cohesion by the development programme administrator, the Ministry of Social Security and Labour ([Lietuvos Respublikos Vyriausybės nutarimas dėl 2021-2030 metų plėtros programos valdytojos Lietuvos Respublikos socialinės apsaugos ir darbo ministerijos socialinės sutelkties plėtros programos patvirtinimo](#)), No 931, 10 November 2021.

<sup>190</sup> Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*) (2020), Order on Approval of the Action Plan for Social Integration of Persons with Disabilities 2021-2023, ([Įsakymas dėl Neįgalųjų socialinės integracijos 2021-2023 metų veiksmų plano patvirtinimo](#)), Nr. A1-817, 8 September 2021.

assistance pension. Altogether 93 000 thousand people receive targeted compensations<sup>191</sup>.

In 2021, child benefit increased from EUR 60 to EUR 70. Children with disabilities, as well as children from large or low-income families receive a premium of EUR 41, thus child benefit for children with disabilities and children from large or low-income families is EUR 111 per month.

Child benefit is paid to all children from birth to 18 years of age or to 21 years of age if the child (this is related specifically to children with disabilities) is enrolled in a general education programme, including those in vocational training institutions where the education includes a general education programme<sup>192</sup>.

On 25 March 2021 Parliament adopted the changes to the Law on Social Integration of Persons with Disabilities<sup>193</sup>, which introduced the personal assistance institute into the law. It is regulated by law as one of the types of special needs, and the provision of personal assistance to a person with a disability as a means of meeting special needs. The law entered into force in July 2021. It was planned that in the first six months a service of personal assistance would be provided to approximately 600 people with disabilities, and from 2022 to approximately 1 500 people with disabilities annually. It was estimated that in 2021 EUR 2 million would be needed from the State budget, and from 2022, EUR 10 million would be needed annually.

All disabled people with a special need for a personal assistance will be eligible to receive the service, regardless of age, severity or nature of the disability. The need for such assistance will be determined individually for a one-year term by social workers following the procedure established by the Minister of Social Security and Labour<sup>194</sup>. Those who are studying, working or searching for work or who live alone will be considered as priorities for personal assistance. If the income of a person with a disability who needs personal assistance is less than EUR 256, then the service is free. However, if the person's income is higher than EUR 256, they will have to pay up to 20 % of the costs of providing the service.

---

<sup>191</sup> Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), From the beginning of the year – bigger social benefits ([Nuo metų pradžios – didesnės socialinės išmokos](#)), 4 January 2021.

<sup>192</sup> Ministry of Social Security and Labour (2021), [Relevant for residents affected by pandemic: what state support you can use](#), 5 January 2021.

<sup>193</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending articles 2, 16, 18 and 20<sup>1</sup> of the law of social integration of persons with disabilities I-2044 ([Lietuvos Respublikos Neįgaliųjų socialinės integracijos įstatymo Nr. I-2044 2, 16, 18 ir 20<sup>1</sup> straipsnių pakeitimo ir įstatymo papildymo 25<sup>1</sup> straipsniu įstatymas](#)), XIV-215 (came into force on 1 July 2021, Art 6 part 4 came into force 1 April 2021 ).

<sup>194</sup> Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*) (2021), Order of Implementation of Article 25<sup>1</sup> of the law of social integration of persons with disabilities ([Įsakymas dėl Lietuvos Respublikos neįgaliųjų socialinės integracijos įstatymo 25<sup>1</sup> straipsnio įgyvendinimo](#)), A1-478, 1 July 2021.

It is stipulated that the payment should not exceed the 20 % of the person's income.

The 25 March 2021 amendments to the Law on Social Integration of Persons with Disabilities also eliminated the concept of the level of minor special needs for people with disabilities who have reached retirement age, leaving only two types of special needs instead of three: the level of average special needs and the level of severe special needs. Previously determined level of minor special needs will be equated to the level of average special needs. The reason behind this change was the fact that previously pensioners with a level of a minor special needs could not use the same privileges as people with the level of average special needs. For example, people with the level of average special needs could not use the 50 % discount for public transportation or change their passport or identity card for free. The amendments came into force on 1 July 2021.

On 27 May 2021 Parliament (*Lietuvos Respublikos Seimas*) adopted the Law on Single Person's Benefits<sup>195</sup>. According to this law, from 1 July 2021, among people who are entitled to this benefit of EUR 28.63 are those single persons who receive a social assistance disability pension (except children with disabilities under 18 years of age); social assistance compensation awarded and paid to an individual who has reached retirement age or recognised as having lost 60 % or more of his/her working capacity; and those who receive pension supplement. A pension supplement is paid to beneficiaries of social insurance old-age pensions, to beneficiaries of social insurance invalidity pensions, who have lost 60 % or more of their working capacity, and to beneficiaries of social insurance invalidity pensions, having reached retirement age, who lost 45-55 % of their working capacity, if the amount per month of pensions or pension benefits they receive is less than EUR 260. From 1 January 2022, all single people with disabilities will be eligible for single person's benefits.

On 23 of November 2021 Parliament (*Lietuvos Respublikos Seimas*) adopted the amendments to the Law on Single Person's Benefits<sup>196</sup>. Therefore, from 1 January 2022, single person's benefits will increase to EUR 32 and will be paid automatically without the person's separate request as it was in 2021. It is estimated that approximately 280 thousand single people with disabilities and people of retirement age will receive the benefits.

---

<sup>195</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law on Single Person's Benefits ([Lietuvos Respublikos vienišo asmens išmokos įstatymas](#)), No. XIV-352, 27 May 2021.

<sup>196</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law on amending the articles 2, 3, 5 and 8 of the Law of Single Person's Benefits No. XIV-352 ([Lietuvos Respublikos vienišo asmens išmokos įstatymo Nr. XIV-352 2, 3, 5 ir 8 straipsnių pakeitimo įstatymas](#)), No. XIV-679, 23 November 2021 (comes into force 1 January 2022).

On 27 May 2021 changes to the Law on Unemployment Social Insurance were introduced and came into force on 1 July 2021<sup>197</sup>. With these changes, persons with disabilities are now entitled to the full amount of unemployment insurance benefit; previously, in the case of the loss of employment, a person with a disability could only receive the benefits that exceeded the benefits paid due to their disability.

On 29 September 2021, Ministry of Social Affairs and Labour registered the draft law amendments of the Law on Child Benefits, with a purpose to increase the care-giving benefits (benefits aimed for children who are in care) at Parliament<sup>198</sup>. Currently, this benefit is EUR 160 per child, and EUR 160 for former wards up until 24 years of age if they are studying. Among the proposed amendments it is suggested to increase the benefit for children aged 12 to 18 and children with disabilities to – EUR 266 and for former wards up to 24 years who are studying – EUR 266. If approved by Parliament, the amendments are expected to come into force from 1 January 2022. On 15 December 2021 the Parliament adopted the law<sup>199</sup>.

On June 30 2021, Parliament (*Lietuvos Respublikos Seimas*) adopted amendments to the Law on Education<sup>200</sup> which allowed students with severe and very severe special education needs in general schools (classes) that are dedicated to students with severe and very severe special education needs, to study till the end of the school year even after they reach the age of 21 years. Before the amendments, students with special education needs who reached the age of 21 years in the middle of the school year had to leave school because their contracts with the school lasted till their 21st birthday. The amendments also introduced the possibility for students, with very severe and severe special education needs, who, due to their illness, had been studying with breaks and who were able to provide documents proving the reason for their absences, to study till the end of school year in which they become 23 years old.

---

<sup>197</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending article 13 of the Law on Unemployment Social Insurance XIV-360 ([Lietuvos Respublikos nedarbo socialinio draudimo įstatymo Nr. XIV-360 13 straipsnio pakeitimo įstatymas](#)), 27 May 2021 (came into force 1 July 2021).

<sup>198</sup> Lithuania, Draft law on the amendment of articles 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 and the annex of the Law on Child Benefit ([Lietuvos Respublikos išmokų vaikams 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 straipsnių ir priedo pakeitimo įstatymo projektas](#)).

<sup>199</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law on the amendment of articles 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 and the annex of the Law on Child Benefit ([Lietuvos Respublikos išmokų vaikams įstatymo Nr. I-621 6, 9, 11, 12, 13, 14, 15, 17, 18, 19, 21 straipsnių ir priedo pakeitimo įstatymas](#)), 7 December 2021.

<sup>200</sup> Lithuania (2021), Law amending the articles 14, 21, 23 of the Law on Education No. I-1489 ([Lietuvos Respublikos Seimo švietimo įstatymo Nr. I-1489 14, 21 ir 23 straipsnių pakeitimo įstatymas](#)), XIV-484, 30 June 2021 (Came into force on 1 September 2021).

On 20 May 2021 Parliament adopted the amendments and supplementation of the Law on Construction<sup>201</sup>. The new article of the law 52<sup>1</sup> introduced provisions on public interest in construction, and one of them is “an accessibility of environment, including the accessibility of the environment according to the special needs of persons with disabilities”. With these changes the Department for Disability Affairs under the Ministry of Social Security and Labour or its authorised institution will no longer be in charge of evaluating if the design of the building is in compliance with the special needs of persons with disabilities. This task is now entrusted to the experts. If there are changes in accessibility during the construction, it is mandatory to re-evaluate if it is still in compliance with the special needs of persons with disabilities.

On 1 June 2021, the Ministry of Transport and Communications (*Lietuvos Respublikos susisiekimo ministerija*) together with several organisations uniting people with disabilities and enterprises under the Ministry’s control, signed a “Memorandum to make the means of transport and physical and information infrastructure of transport accessible to people with individual needs”<sup>202</sup>. The parties to the memorandum recognised that Lithuanian infrastructure involving road, rail, air, internal waters and marine transport is only partially adapted to the needs of people with disabilities. Therefore, the memorandum states the following obligations: to ensure that all newly acquired means of transport (buses, trolleybuses, trains, ferries, entertainment vessels, etc.) and carriage services are made accessible to people with individual needs, and that newly equipped or reconstructed transport infrastructure objects and their environment are adapted to the said needs. For this purpose, the Ministry pledged to allocate EUR 500 million over the period 2021-2027<sup>203</sup>.

---

<sup>201</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Law amending articles 2, 3 8, 10, 12, 19, 22, 24, 27, 28, 33, 34, 42, 46, 49, 53 and 1 Annex of the Law on Construction I-1240 and its Supplementation with Articles 27<sup>1</sup>, 52<sup>1</sup> ([Statybos įstatymo Nr. I-1240 2, 3, 8, 10, 12, 19, 22, 24, 27, 28, 33, 34, 42, 46, 49, 53 straipsnių, 1 priedo pakeitimo ir įstatymo papildymo 27<sup>1</sup>, 52<sup>1</sup> straipsniais įstatymo](#)), No. XIV-340, 20 May 2021 (comes into force 1 November 2021 (part 6 of Art. 21 came into force 5 June 2021, part 1 of Art. 9 is valid until 1 January 2027. Part 2 of Art. 9 comes into force 1 January 2027. Part 13 of Art. 13 is valid until 1 November 2022. Part 12 of Art. 9 will come into force 1 November 2022).

<sup>202</sup> Memorandum to make the means of transport and physical and information infrastructure of transport accessible to the people with individual needs ([Memorandumas dėl transport priemonių ir transport fizinės ir informacinės infrastruktūros pritaikymo individualių poreikių turintiems žmonėms](#)), 1 June 2021.

<sup>203</sup> Ministry of Transport and Communications (*Susisiekimo ministerija*), [The Ministry of Transport and Communications plans to allocate at least EUR 0.5 billion for making the public transport infrastructure more accessible to people with special needs in the context of the Green Transition](#), press release published on 1 June 2021.

On 20 May 2021, with the amendments and supplement to the Statute of the Seimas of the Republic of Lithuania<sup>204</sup>, the Commission of Rights of Persons with Disabilities became one of the permanent commissions in Parliament. According to the new provisions, the Commission prepares and submits to the Seimas for consideration draft laws and other legal acts on the implementation of the rights of persons with disabilities and people raising and caring for persons with disabilities, it also exercises parliamentary control in this area, and coordinates the cooperation among the state institutions and other organisations on matters related to the implementation of the rights of persons with disabilities and people raising and caring for persons with disabilities.

On 29 September 2021, the Government (*Lietuvos Respublikos Vyriausybė*) decided to double the bonus payments to reward athletes and their trainers for high achievements at the 2020 Tokyo Paralympic Games<sup>205</sup>. Furthermore, Ministry of Education, Science and Sports undertook to review and systematically evaluate the amount of all state bonuses awarded to athletes by December of this year and submit proposals for necessary amendments to the Government. This decision came after the public discussions on the difference between the bonuses allocated to high achieving sportspeople without the disabilities and those with disabilities.

On 25 May 2020 the Minister of Social Security and Labour established a working group for transposing the Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services into national law (hereinafter – the Working Group)<sup>206</sup>. According to the Ministry of Social Security and Labour, the Working Group prepared an initial project of the draft law on the accessibility requirements for products and services, and there are plans to draft the amendments for various other laws, such as the Law on the Electronic Communications, Law on Services, Law on Development of

---

<sup>204</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), Statute amending the Article 25 and supplementing the Statute of Seimas of Republic of Lithuania No. I-399 with article 80<sup>4</sup>, ([Lietuvos Respublikos Seimo statutas dėl Lietuvos Respublikos Seimo statuto Nr. I-399 25 straipsnio pakeitimo ir statuto papildymo 80<sup>4</sup> straipsniu](#)), XIV-328, 20 May 2021.

<sup>205</sup> Government of the Republic of Lithuania (2021), [Government decided: bonus payments for the Paralympians twice](#), 29 September 2021. Resolution of the Government of the Republic of Lithuania [on the matter](#).

<sup>206</sup> Minister of Social Security and Labour (*Socialinės apsaugos ir darbo ministras*), 2020, Order on establishing the working group for transposing the Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services into national law ([Lietuvos Respublikos Socialinės apsaugos ir darbo ministro įsakymas "Dėl darbo grupės 2019 m. balandžio 17 dienos Europos parlamento ir Tarybos direktyvos \(ES\) 2019/882 dėl gaminių ir paslaugų perkėlimo į nacionalinę teisę sudarymo"](#)), Nr. A1-453, 26 May 2020.



Small and Medium Businesses, Law on Consumer Rights Protection, Law on Public Information, etc.<sup>207</sup>

On 28 October, 2021 the Minister of Social Security and Labour established a working group on improving the system of information accessibility for people with disabilities<sup>208</sup>. The working group consists of representatives from the state institutions and disability NGOs. The group has a task to develop long-term strategic guidelines on increasing access to information for people with disabilities according to the nature of their disability. The task has to be accomplished till the 31 December 2021. By the end of the year, the guidelines have not been yet published.

On June 30 2020 the Parliament (*Lietuvos Respublikos Seimas*) adopted amendments to the Law on Education that eliminated discriminatory provisions for children with disabilities and special educational needs<sup>209</sup>. According to these provisions, children with disabilities and special educational needs will be able to attend a general education school in their place of residence and schools will no longer be able to refuse to admit them and refer them to special schools. The new provisions are to be implemented gradually and will enter into force from 1 September 2024. Therefore, on the 14 October 2021 the Minister of Education, Science and Sport confirmed the Action Plan for 2021-2024 on preparation to implement the abovementioned provisions of the Law on Education<sup>210</sup>. The plan foresees the measures to better adapt the environment of kindergartens and schools for children with various educational needs, employ more educational support specialists, introduce a counselling system in municipalities and on the national level, provide schools with teaching and technical assistance equipment and improve the qualifications of teachers and educational support staff.

On 4 November 2021 the Parliament voted to commence the procedure of consideration of the draft law on the amendments to the Law on Support for the

---

<sup>207</sup> Lithuania, Ministry of Social Security and Labour, a response to the Human Rights Monitoring Institute following a freedom of information request.

<sup>208</sup> 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.

<sup>209</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), 2020, Law amending articles 5, 14, 21, 29, 30, 34 and 36 of the Law on Education No. I-1489 and its Supplementation with Article 45<sup>1</sup> ([Lietuvos Respublikos Seimo Švietimo įstatymo Nr. I-1489 5, 14, 21, 29, 30, 34 ir 36 straipsnių pakeitimo ir įstatymo papildymo 45<sup>1</sup> straipsniu įstatymas](#)), (comes into force 1 September 2024), No. XIII-3268, 30 June 2020.

<sup>210</sup> Minister of Education, Science and Sport (*Švietimo, mokslo ir sporto ministras*) (2021), Order on Preparation of Implementation the Provisions of the Law amending articles 5, 14, 21, 29, 30, 34 and 36 of the Law on Education No. I-1489 and its Supplementation with Article 45<sup>1</sup> ([Lietuvos Respublikos švietimo, mokslo ir sporto ministro įsakymas dėl pasirengimo įgyvendinti švietimo įstatymo Lietuvos Respublikos Seimo Švietimo įstatymo Nr. I-1489 5, 14, 21, 29, 30, 34 ir 36 straipsnių pakeitimo ir įstatymo papildymo 45<sup>1</sup> straipsniu nuostatas 2021-2024 metų veiksmų plano patvirtinimo](#)), No. V-1879, 14 October 2021.

Rental or Purchase of Housing, prepared by the Ministry of Social Security and Labour<sup>211</sup>. The aim of the amendments is to make the housing more available for certain groups, among them people with disabilities. On 21 December 2021 the Parliament adopted the law<sup>212</sup>.

On 9 November 2021 the draft law on the amendments to the Law on Social Integration of Persons with Disabilities and the accompanying draft laws on the amendments to the Law on Transport Privileges and to the Law on Animal Welfare and Protection were submitted to the Parliament<sup>213</sup>. The Members of the Parliament voted to commence the procedure of consideration of the draft laws. The set of these laws aims to introduce the institute of the assistance dog into the legislation, regulate its registration, training procedures, set the rules of access of the person with an assistance dog to the public space and public buildings, use the public transportation, etc.

On 15 December, 2021 the Government (*Lietuvos Respublikos Vyriausybė*) approved reference indicators of social assistance for 2022<sup>214</sup>. They determine the benefits paid to residents or their entitlement to social assistance. It is estimated that in 2022, the base social pension will increase from EUR 143 to EUR 150. It determines social assistance benefits for disabled persons incapable for work and disabled children. Special-purpose compensation base, which determines special-purpose benefits for disabled persons with special needs, will increase from EUR 120 in 2021 to EUR 126 in 2022.

## **COVID-19-related policy and legal amendments**

---

<sup>211</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), 2021, Draft law amending articles 2, 5, 10, 12, 14, 16, 17, 18 and 29 of the Law on Support for the Rental or Purchase of Housing No. XII-1215 ([Lietuvos Respublikos Paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 2, 5, 10, 12, 14, 16, 17, 18 ir 29 straipsnių pakeitimo įstatymo Nr. XIII-2885 3, 6 ir 8 straipsnių pakeitimo įstatymas](#)), 4 November 2021.

<sup>212</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), 2021, Law amending articles 2, 5, 10, 12, 14, 16, 17, 18 and 29 of the Law on Support for the Rental or Purchase of Housing No. XII-1215 ([Lietuvos Respublikos Paramos būstui įsigyti ar išsinuomoti įstatymo Nr. XII-1215 2, 5, 10, 12, 14, 16, 17, 18 ir 29 straipsnių pakeitimo įstatymo Nr. XIII-2885 3, 6 ir 8 straipsnių pakeitimo įstatymas](#)), 21 December 2021.

<sup>213</sup> Lithuania, Parliament of the Republic of Lithuania (*Lietuvos Respublikos Seimas*), 2021, Draft law amending article 2 of the Law of social integration of persons with disabilities I-2044 and its Supplementation with article 25(2), No XIVP-1019 ([Lietuvos Respublikos Neįgaliųjų socialinės integracijos įstatymo Nr. I-2044 2 straipsnio pakeitimo ir įstatymo papildymo 25<sup>2</sup> straipsniu įstatymas](#)), Draft law amending article 2, 3, 7, 18 and 20 of the Law on Animal Welfare and Protection, No. XIVP – 1020, Draft law amending 2, 4, 5 (1) Law on Transport Privileges, 9 November 2021.

<sup>214</sup> Government of the Republic of Lithuania (*Lietuvos Respublikos Vyriausybė*), 2021, Resolution of the Government of the Republic of Lithuania No. 1077 amending the Resolution of the Republic of Lithuania No. 1206 "On the approval of reference indicators of social assistance" ([Nutarimas dėl Lietuvos Respublikos Vyriausybės 2014 m. lapkričio 5 d. nutarimo Nr. 1206 "Dėl socialinės paramos išmokų atskaitos rodiklių dydžių patvirtinimo" pakeitimo](#)), 15 December, 2021.

During 2021, sickness benefits could be paid to parents, guardians and working grandparents when they had to look after a child in a grade lower than Grade 4 or a disabled child studying under a general or special education curriculum during the emergency and quarantine declared by the Government. A certificate of incapacity for work could also be issued and sickness benefits paid when it was necessary to look after a child in a grade lower than Grade 4 and a disabled child due to compulsory isolation or the declared procedure restricting the spread of infections. The sickness benefit is 65.94 % of the wage "on paper"<sup>215</sup>.

At the end of 2020 and at the beginning of 2021 the situation in the social care institutions was dire. Based on the data of 28 December 2020, 1 744 residents of social care institutions and 734 staff members were sick with COVID-19. On 12 January 2021, COVID-19 vaccinations began at the social care institutions<sup>216</sup>. About 13 000 people live in social care institutions, among them elderly and people with disabilities, and more than 8 000 work there. Since the start of the pandemic, approximately 40 % of all residents (more than 5 000) have had COVID-19. By 4 October 2021, 392 residents of social care institutions had died from the COVID-19 (as a main cause of death)<sup>217</sup>.

On 6 September 2021, based on the order of Minister of Health, the residents of social care institutions and the staff became eligible for COVID-19 vaccine booster shots. Among other groups eligible for the booster shots are personal assistants of people with disabilities, sign language interpreters, etc<sup>218</sup>.

## 8.2. CRPD monitoring at national level

Since July 2019, based on amendments to the Law on Equal Opportunities<sup>219</sup>, 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

---

<sup>215</sup> Ministry of Social Security and Labour (2021), [Relevant for residents affected by pandemic: what state support you can use](#), 5 January 2021.

<sup>216</sup> Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), Start of vaccination of residents and staff of social care institutions ([Socialinės globos įstaigose pradedami skiepyti globotiniai ir darbuotojai](#)), 12 January 2021.

<sup>217</sup> Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2021), Covid-19 cases in social care institutions ([Covid-19 atvejai socialinės globos įstaigose](#)).

<sup>218</sup> Minister of Health (*Sveikatos apsaugos ministras*) (2021), ([Lietuvos Respublikos sveikatos ministro įsakymas dėl Lietuvos Respublikos sveikatos ministro 2020 m. gruodžio 23 d. įsakymo Nr. V-2997 "Dėl gyventojų skiepavimo valstybės biudžeto lėšomis įsigyjama COVID-19 ligos \(Koronaviruso infekcijos\) vakcina organizavimo tvarkos aprašo patvirtinimo"](#) pakeitimo), V-1998, 6 September 2021.

<sup>219</sup> Lithuania (2018), Law Amending Articles 1, 16 and 17 and Supplementing with Article 15-1 the Law on Equal Opportunities (*Lietuvos Respublikos Seimo 2018 m. gruodžio 11 d. LR Lygių galimybių įstatymo 1, 16 ir 17 straipsnių pakeitimo ir Įstatymo papildymo 15-1 straipsniu įstatymas*), No. XIII-1760, 11 December 2018. (Came into force on 1 July 2019 (Art. 5 par 2 came into force on 19 December 2018).

of Persons with Disabilities (*Žmonių su negalia teisių stebėsenos komisija*). Officially, the Commission is composed of 4 representatives from disability NGOs and 1 representative from the Office of the Equality Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*)<sup>220</sup>. However, as in the previous years, in 2021 no additional funding was provided for the Office of the Equality Ombudsperson for the work of the Commission from the state budget. In 2021, EUR 22 000 were allocated for the Commission to compensate the work of the members of the Commission (4 NGOs representatives) and related services (for example, paying for the commissioned research)<sup>221</sup>. Since allocated funding is not allowed to be used for the salary of the representative of the Office of the Equality Ombudsperson, the work of the Commission, since 2020 and through 2021, was implemented mostly by 4 representatives from disability NGOs with the occasional participation of the representative of the Office of the Equality Ombudsperson. During meetings, the Commission discussed the need for the services of a secretary (previously provided by the Office of the Equality Ombudsperson) and a lawyer to help the members of the Commission to cope with the work<sup>222</sup> and wrote about this issue to the Seimas' Committee on Human Rights.

In 2021, the Commission was preparing a separate Report on the implementation of United Nations Convention on the Rights of the Persons with Disabilities which will be submitted to the United Nations Committee on the Rights of Persons with Disabilities by the end of 2021. In 2020 the Commission initiated two pieces of research on specific areas of the Convention that were under way in 2021: one on the experiences of families with people with disabilities during the pandemic, and the other on lifelong learning of adults with a disability. The Commission also held meetings with various municipalities in order to collect data on their efforts to implement the Convention. Based on these meetings, the Commission is planning to prepare recommendations to improve the implementation of Convention<sup>223</sup>.

---

<sup>220</sup> The Regulations of the Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equality Ombudsperson

<https://lygybe.lt/data/public/uploads/2019/12/komisijos-nuostatai.pdf>

<sup>221</sup> Interview with the Member of the Commission for the Monitoring of the Rights of Persons with Disabilities, 30 September 2021.

<sup>222</sup> Protocol of the meeting of Commission for the Monitoring of the Rights of Persons with Disabilities the Office of the Equality Ombudsperson (2021) (*Žmonių su negalia teisių stebėsenos komisijos prie Lygių galimybių kontrolieriaus tarnybos 2021 m. kovo 12 d. posėdžio protokolas*), No-NKP2, 12 March 2021.

<sup>223</sup> Interview with the Member of the Commission for the Monitoring of the Rights of Persons with Disabilities, 30 September 2021.

In addition to the Commission, according to the Law on Social Integration of Persons with Disabilities<sup>224</sup> art. 16, the Department for Disability Affairs under the Ministry of Social Security and Labour also 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 2021, it initiated separate research on specific areas of the Convention. The results of the research/surveys together with other data and information from different stakeholders and institutions are compiled each year in the overall “Monitoring Report of the Implementation of the Activity Results of Social Integration of the Disabled and the Convention on the Rights of Persons with Disabilities”. The Report is prepared by the NGO in consultation with the Department for Disability Affairs under the Ministry of Social Security and Labour and other state institutions and Ministries. There is still no publicly available report on the implementation of the Convention for 2020. However, the first draft was submitted to the Department for Disability Affairs by the end of June. The latter, together with other state institutions and Ministries, reviewed the report and made some suggestions. It is expected that the final report will be available in October 2021. After final revisions, the report was published in November 2021<sup>225</sup>

---

<sup>224</sup> 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.

<sup>225</sup> U. Grigaitė, G. Jurevičiūtė, I. Laugalytė, Human Rights Monitoring Institute, “Monitoring Report of the Implementation of the Activity Results of Social Integration of the Disabled and the Convention on the Rights of Persons with Disabilities” ([\*Žmonių su negalia socialinės integracijos veiklos rezultatų bei Jungtinių Tautų neįgaliųjų teisių konvencijos ir jos fakultatyvaus protokolo įgyvendinimo 2020 m. stebėsenos ataskaita\*](#)), 2021.

## Annex 1 – Promising Practices

Thematic area	<p style="text-align: center;"><b>EQUALITY AND NON-DISCRIMINATION</b></p> <p style="text-align: center;"><b>Please provide one example of a practice to tackle nationality-based discrimination, or discrimination against LGBTI people, 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 2021 relevant to equality and non-discrimination of EU citizens or LGBTI people, preferably one conducted by a national equality body.</b></p>
Title (original language)	'Šamoningumo didinimas dėl vaivorykštės šeimų Europoje priėmimo įtraukiose visuomenėse'
Title (EN)	'Raising awareness for Inclusive Societies to Embrace rainbow families in Europe (R.I.S.E.)'
Organisation (original language)	Nacionalinė LGBT teisių organizacija LGL (Lietuva) su partneriais 'Mozaika' (Latvija); 'MNW' (Lenkija), 'ACCEPT' (Rumunija) and 'Iniciativa Inakost' (Slovakija)
Organisation (EN)	National LGBT rights organization <a href="#">LGL</a> (Lithuania) and their partners Association <a href="#">Mozaika</a> (Latvia); Love Does Not Exclude Association <a href="#">MNW</a> (Poland), LGBTI Organisation <a href="#">BILITIS</a> (Bulgaria), Association <a href="#">ACCEPT</a> (Romania), <a href="#">Iniciativa Inakost</a> (Slovakia)
Government / Civil society	Civil society
Funding body	Co-funded by the Rights, Equality and Citizenship (REC) Programme of the European Union

Reference URL, (incl. where available)	<a href="https://www.lgl.lt/en/?page_id=23073">https://www.lgl.lt/en/?page_id=23073;</a> <a href="https://www.lgl.lt/en/?p=23966">https://www.lgl.lt/en/?p=23966</a> <a href="https://www.lgl.lt/lgl/veikla/projektai/vykdomi-projektai/samoningumo-didinimas-del-vaivorykstes-seimu-europoje-priemimo-itraukiose-visuomenese-r-i-s-e-2019-09-2021-09/">https://www.lgl.lt/lgl/veikla/projektai/vykdomi-projektai/samoningumo-didinimas-del-vaivorykstes-seimu-europoje-priemimo-itraukiose-visuomenese-r-i-s-e-2019-09-2021-09/</a>
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2019 09 – 2021 09
Type of initiative	Raising awareness and dissemination on LGBT families’ discourse and fostering non-discriminatory social acceptance of LGBT families in Lithuania, Latvia, Poland, Romania, Bulgaria and Slovakia
Main target group	LGBT families in Lithuania, Latvia, Poland, Romania, Bulgaria and Slovakia
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The Awareness Raising for Inclusive Societies to Embrace rainbow families in Europe (R.I.S.E) project seeks to promote diversity, improve social acceptance of LGBT families and to ensure the full enjoyment of the right of freedom of movement within the EU of LGBT citizens by increasing civic understanding on consequences of existing national legislation in socio-economic conditions and quality of life of same sex couples in six countries (Lithuania, Latvia, Poland, Romania, Bulgaria and Slovakia) of the EU where the legal and social regulation of family relationships between homogeneous couples is absent. The project unites six LGBT organizations in these countries which many years of experience in facilitating social and legal conditions for family diversity.

	<p>The main activities of the project was: daily life of same-sex families assessment in six EU countries; recommendations and advocacy for the recognition of LGBT family rights (work and meetings with the officials); role models campaign (LGBT families shared their daily experience through personal stories calling for development of the same standard of protection, legal recognition and social acceptance in society); raising awareness of the discourse of LGBT families (encouraging positive discourse on LGBT families rights). The project activities consisted of: the discussion on the problems of LGBT families on 22 September 2020; a group discussion for LGBT families on 16 July 2021; the first meeting of the project partners which took place in Bratislava on 9 September 2020; LGL (National LGBT rights organization in Lithuania) Positive Role Model Campaign that encouraged LGBT family acceptance on April 2021; and the final international conference "Family Protection and Diversity in a Democratic Society: Problems and Perspectives" in Lithuania, Ministry of Justice, on the legal and social issues for the recognition of LGBT family rights, as well as the role of the private sector in creating an inclusive environment for diverse families on 29 September 2021.</p> <p>By these activities the project aims at promoting diversity and improving social acceptance of LGBT families and ensuring the full enjoyment of the right of freedom of movement within the EU of LGBT citizens: to increase awareness on non-discriminatory portrayal of LGBT families among the general population and support from LGBT community and allies on same-sex couple issues'; improve knowledge of government officials on the daily life challenges of LGBT families; better equipped LGBT people with information on the right to respect for family life and free movement in EU.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>'Daily Life Challenges' Assessment; Advocacy and Lobbying interventions; Positive Role Model campaign; Dissemination and awareness raising on LGBT families discourse</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>This initiative could: 'Increase awareness on non-discriminatory portrayal of LGBT families among the general population and support from LGBT community and allies on same-sex couple issues'. Furthermore, it could: 'Improve knowledge of government officials on the daily life challenges of LGBT families; LGBT people better equipped with information on the right to respect for family life and free movement in EU' (LGL National LGBT Rights Organization (2019), '<a href="#">Raising awareness for Inclusive Societies to Embrace rainbow families in Europe (R.I.S.E) 2019 09–2021 09</a>', press release published on 01 July 2019).</p>



Give reasons why you consider the practice as having concrete measurable impact	Personal stories allow the issues of family rights' recognition to be seen through the eyes of LGBTI people and the same standard of protection for all families to be recognised (LGL National LGBT Rights Organization (2021), ' <a href="#">LGL Positive Role Model Campaign Encourages LGBTI Family Acceptance</a> ', press release published on 23 April 2021).
Give reasons why you consider the practice as transferable to other settings and/or Member States?	The project has already set up certain activities (practices) in different EU countries (Lithuania, Latvia, Poland, Romania, Bulgaria and Slovakia).
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	Not applicable.
Explain, if applicable, how the practice provides	Not applicable.

for review and assessment.	
-------------------------------	--

Thematic area	<p style="text-align: center;"><b>RACISM, XENOPHOBIA AND RELATED INTOLERANCE</b></p> <p style="text-align: center;"><b>Please provide one example of a promising practice to address racism and xenophobia. Please give preference to a promising practice about either: active cooperation with CSOs in addressing racism and hate crime; or combating racism and unequal treatment in the context of the COVID-19 pandemic. Where no such practice exists, please provide one example of a promising practice related more generally to combating racism, xenophobia, and related intolerances.</b></p>
Title (original language)	'BE HATE FREE: laisvų nuo neapykantos bendruomenių kūrimas Lietuvoje'
Title (EN)	'Be hate free: creation of communities free from hate in Lithuania'
Organisation (original language)	Lietuvos žmogaus teisių centras, Vytauto Didžiojo universitetas, Europos žmogaus teisių fondas, Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės
Organisation (EN)	Lithuanian Center for Human Rights Vytautas Magnus University European Foundation for Human Rights Department of National Minorities under the Government of the Republic of Lithuania
Government / Civil society	Civil (Lithuanian Center for Human Rights, European Foundation for Human Rights), Government (Department of National Minorities under the Government of the Republic of Lithuania) and academic (Vytautas Magnus University)
Funding body	Project is partly funded by the Rights, Equality and Citizenship Programme (European Commission).

<b>Reference (incl. URL, where available)</b>	<a href="https://ztcentras.lt/be-hate-free-laisvu-nuo-neapykantos-bendruomeniu-kurimas-lietuvoje/">https://ztcentras.lt/be-hate-free-laisvu-nuo-neapykantos-bendruomeniu-kurimas-lietuvoje/</a> <a href="https://www.vdu.lt/en/a-tool-for-hate-speech-detection-on-the-internet-is-being-developed/">https://www.vdu.lt/en/a-tool-for-hate-speech-detection-on-the-internet-is-being-developed/</a> <a href="https://tmde.lrv.lt/lt/naujienos/atnaujinta-tautiniu-mazumu-departamentas-kviecia-registruotis-i-mokymus-tautiniu-bendruomeniu-lyderiams-bendruomeniu-veiksmi-neapykantos-kalbos-atvejais-kaip-atpazinti-ir-pranesti">https://tmde.lrv.lt/lt/naujienos/atnaujinta-tautiniu-mazumu-departamentas-kviecia-registruotis-i-mokymus-tautiniu-bendruomeniu-lyderiams-bendruomeniu-veiksmi-neapykantos-kalbos-atvejais-kaip-atpazinti-ir-pranesti</a>
<b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b>	March 2021–February 2023.
<b>Type of initiative</b>	Civil society in cooperation with government and academic bodies
<b>Main target group</b>	Youth, teachers, police officers
<b>Indicate level of implementation: Local/Regional/National</b>	National

<p><b>Brief description (max. 1000 chars)</b></p>	<p>The project addresses the problem of hate speech online.</p> <p>The main aims include development of legal means to address the problem of hate speech online, to foster abilities of vulnerable groups to recognise hate speech and report of such cases to responsible institutions; to increase awareness of society in general about the importance of a tolerant online culture. The main activities include analysis of the literature on hate speech; creation of a prototype able to indicate hate speech online; development of educational means on the prevention of hate speech online; organisation of workshops for teachers and for youth on hate speech online; teaching the representatives of vulnerable communities on how to recognise hate speech; the creation of three documentary films, to be available also in Russian and Polish languages; preparing volunteers to monitor digital space, and other relevant media.</p>
<p><b>Highlight any element of the actions that is transferable (max. 500 chars)</b></p>	<p>The cooperation of academic, governmental and civic sectors is important aspect of initiative. The creation of prototype which enables to recognize hate speech online is transferable, as well as the idea to disseminate information and knowledge via such means as documentary films on important cultural platforms.</p>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>The products created (the prototype, the films) will be used after the end of the project, as will the the skills gained by youth or educators.</p>

<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>Because of its orientation towards various groups (youth, educators, vulnerable groups, police officers) and the cooperation of institutions from different sectors, the project will have a concrete measurable impact.</p>
<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>The general ideas of the project – cooperation of institutions from different sectors, involvement of different target groups, as well as spread of the knowledge and methodologies via well known cultural events (such as film festivals) – could be successfully implemented in other contexts.</p>
<p><b>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</b></p>	<p>Not applicable.</p>

<b>Explain, if applicable, how the practice provides for review and assessment.</b>	Not applicable.
---	-----------------

<b>Thematic area</b>	<b>INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION</b> Please, provide one example of a promising practice related to any of the topics addressed in the chapter – i.e. in relation to data protection, and/or artificial intelligence systems - in 2020.
<b>Title (original language)</b>	„Gaminu, neišmetu“
<b>Title (EN)</b>	„I cook, not throw away“
<b>Organisation (original language)</b>	UAB „Rimi Lietuva“
<b>Organisation (EN)</b>	JSC „Rimi Lietuva“
<b>Government / Civil society</b>	Private sector
<b>Funding body</b>	Private sector

<b>Reference (incl. url, where available)</b>	<a href="https://www.rimi.lt/gaminu-neismetu">https://www.rimi.lt/gaminu-neismetu</a>
<b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b>	21 July 2021, still continuing
<b>Type of initiative</b>	Using AI to save food and environment
<b>Main target group</b>	Consumers
<b>Indicate level of implementation: Local/Regional/National</b>	National and regional (Baltic countries)
<b>Brief description (max. 1000 chars)</b>	The initiative is an online application which provides the service of the so called „AI chef“. The consumers can choose the produce they currently have in the fridge, and the application generates a list of healthy recipes that contain those ingredients. The initiative aims to diminish food waste, promote healthy eating and contribute to the protection of environment by empowering consumers. The application is available free of charge to the consumers in Lithuania, Latvia and Estonia. The application was developed in partnership with Danish start up „Plant Jammer“. According to the JSC „Rimi Lietuva“, in half a year this application helped the consumers to save 2 tons of food, the application was used more than 18 thousand times. The company estimates that around 50 percent of generated recipes were actually used. The application also allows identifying certain trends in the food consumption culture, for example, large part of the app’s users used a filter „vegetarian“ or „low carbohydrate“, which indicates that certain segments of society are moving towards higher consumption of plant based foods.



<p><b>Highlight any element of the actions that is transferable (max. 500 chars)</b></p>	<p>The idea and the application itself are easily transferable to any other country and any sector that works with food and consumer service.</p>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>It is an application that is designed for a long term use.</p>
<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>The application already helped save 2 tons of food in half a year of its launch, and the JSC „Rimi Lietuva“ estimates that 50 percent of the generated recipes were actually used.</p>
<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>The idea and the application itself are easily transferable to any other EU Member State and any sector that works with food and consumer service (private, public, NGO). The application is also available in Latvian and Estonian languages and is accessible to the consumers in these countries.</p>

<p><b>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</b></p>	<p>The application allows for the identification of certain trends in consumer habits which can help to update and improve the application to better meet the needs of the consumers and the larger sustainability goals.</p>
<p><b>Explain, if applicable, how the practice provides for review and assessment.</b></p>	<p>No information available.</p>

<b>Thematic area</b>	<b>RIGHTS OF THE CHILD</b> <b>Please provide a promising practice related to the topics addressed in the chapter.</b>
<b>Title (original language)</b>	„Padėsiu mokyti(s)!”
<b>Title (EN)</b>	“I will help you learn!”
<b>Organisation (original language)</b>	Lietuvos jaunimo organizacijų taryba Lietuvos skautija Nacionalinis švietimo NVO tinklas Nacionalinė NVO koalicija Nacionalinis skurdo mažinimo organizacijų tinklas Paramos vaikams centras Švietimo, mokslo ir sporto ministerija Socialinės apsaugos ir darbo ministerija
<b>Organisation (EN)</b>	Council of Lithuanian Youth Organisations Scouts of Lithuania National Network of Education NGOs National NGO coalition National network for reduction of poverty Children support centre Ministry of Education, Science and Sports Ministry of Social Security and Labour

<b>Government / Civil society</b>	Initiated by civil society organisations, implemented in partnership with the government.
<b>Funding body</b>	The initiative collects private donations to cover the costs of volunteers' travel and subsistence.
<b>Reference (incl. URL, where available)</b>	<a href="https://www.facebook.com/PadesiuMokytis/">https://www.facebook.com/PadesiuMokytis/</a>
<b>Indicate the start date of the promising practice and the finishing date if it has ceased to exist</b>	15 March 2021
<b>Type of initiative</b>	Provision of voluntary learning support to school children.
<b>Main target group</b>	Children in need of assistance with learning during the pandemic and quarantine.
<b>Indicate level of implementation: Local/Regional/National</b>	The initiative operates in the whole territory of the country. It publishes maps with places where volunteers are most needed.

<p><b>Brief description (max. 1000 chars)</b></p>	<p>The initiative „I will help you learn!“ was launched by a group of civil society organisations in partnership with the government with a purpose to provide learning assistance to school children who have difficulties in adjusting to the new learning environment and requirements. The learning support is provided during contact, distance and hybrid learning. The support includes help with accessing and navigating online learning environment, aid with home work, emotional support, and specific support to children with special needs.</p> <p>The support is provided by volunteers only. The volunteers who provide in person support need to be from 16 to 60 years of age. Volunteers over 60 years of age can volunteer and provide support by distance means. To become a volunteer, one needs to fill out an online form and indicate in what specific place they would like to provide learning support. Before starting, all volunteers are provided with a mandatory training to prepare them to respond to various needs of children. Contact assistance can be provided only by vaccinated volunteers.</p> <p>In the first half of 2021, 80 volunteers provided support; they volunteered for a total of around 3000 hours.</p>
<p><b>Highlight any element of the actions that is transferable (max. 500 chars)</b></p>	<p>The initiative is easily transferable to any other country that uses hybrid or online learning during the pandemic, because many school children in various countries have had to adjust to new ways of learning and might require various support.</p>
<p><b>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</b></p>	<p>The practice is sustainable because of a wide involvement and commitment of various civil society NGOs, that work with children and youth. It is implemented essentially by volunteers who are motivated to work with children and provide them the necessary support in adjusting to the new learning environment. The initiative could also be extended beyond the period of pandemic to provide voluntary learning and emotional support in contact learning for all children in need of such support.</p>

<p><b>Give reasons why you consider the practice as having concrete measurable impact</b></p>	<p>The initiative helps address the very real challenges that children are facing because of the pandemic and the subsequent disruptions to their routines and the usual way of learning. Having regular contact with a volunteer who helps to adjust to the online and hybrid learning environment, aids in addressing other learning difficulties, and provides emotional support helps children to concentrate better, feel more at ease with the learning process as well as sustain the motivation to learn. The volunteers also help children with special needs who attend children day centres.</p>
<p><b>Give reasons why you consider the practice as transferable to other settings and/or Member States?</b></p>	<p>The initiative is transferable because it can meet the needs of school children in various EU Member States who had to move, at least for a certain period, to an online or hybrid learning. The initiative became one of the finalists of the „Innovation in Politics Awards 2021“, in the category „Covid-19 strategies“. The finalists were selected by a jury of 1032 European citizens.  <a href="https://innovationinpolitics.eu/awards/awards-2021-finalists/">https://innovationinpolitics.eu/awards/awards-2021-finalists/</a>  <a href="https://innovationinpolitics.eu/showroom/project/i-will-help-you-learn/">https://innovationinpolitics.eu/showroom/project/i-will-help-you-learn/</a></p>

<p><b>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</b></p>	<p>The initiative involves a group of civil society organisations who are youth-based or work with children and youth.</p>
<p><b>Explain, if applicable, how the practice provides for review and assessment.</b></p>	<p>It does not provide for a formal review or assessment, but is evaluated by the feedback received from the school children and volunteers themselves.</p>

## **Annex 2 – Case Law**



<b>Thematic area</b>	<b>EQUALITY AND NON-DISCRIMINATION</b> Please provide one high court decision addressing discrimination against EU citizens based on nationality or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
<b>Decision date</b>	3 September 2021
<b>Reference details</b>	Supreme Administrative Court of Lithuania, Administrative case No. eA-3907-556/2021.

**Key facts of the case**

**(max. 500 chars)**

Kaunas City Municipality Administration twice refused to coordinate and approve the route of the march with its organiser – Trade Union 1st May. The march aimed to support the LGBTQ + community and its claims for equal rights, legal and social protection. Kaunas City Municipality did not deny the right to freedom of assembly. However, it justified its decision to refuse permission for the march by arguing that the location of the planned march was not safe and therefore, it would be difficult to ensure protection of march participants. Additionally, the municipal officials claimed that the planned march might have the potential to lead to public disorder.

Then, the organiser, namely, Trade Union 1st May, filed a complaint with the Regional Administrative Court requesting it to annul both decisions of Kaunas City Municipality Administration, dated 28th of May and 4th of June 2021 and oblige the Administration immediately, but not later than three days before the planned march on 4 September 2021 from 12 a.m. until 5 p.m., to coordinate with it on the location indicated by the organisers of the march. The court of first instance ordered Kaunas City Municipality Administration to coordinate with the organisers on the location indicated (Laisvės Avenue) of the march. Kaunas City Municipality Administration disagreed with the decision of the Regional Administrative Court and appealed to the Supreme Administrative Court of Lithuania.

In its turn, the Supreme Administrative Court of Lithuania rejected the appeal of Kaunas City Municipality Administration and ruled that it coordinate the organisation of the march with its organiser by 3 September 6 p.m. along the route (Laisvės Avenue) as indicated by the applicant on 4 September 2021 from 12 a.m. until 3 p.m.

(Supreme Administrative Court of Lithuania (2021), '[LVAT įpareigojo Kauno savivaldybę suderinti rugsėjo 4-osios eitynių maršrutą Kaune](#)', press release published on September 2021;

Supreme Administrative Court of Lithuania, Administrative case No. eA-3907-556/2021, available at: <http://liteko.teismai.lt/viesasprendimupaiaska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278>).

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>The Supreme Administrative Court of Lithuania stated that the right to freedom of assembly along with the freedom of expression are fundamental rights in a democratic society, therefore they should not be interpreted narrowly. The Court investigated whether the refusal of Kaunas City Municipality Administration to coordinate the route of the march with the organiser had been duly justified.</p> <p>The defendant (Kaunas City Municipality Administration) in its appeal did not deny the applicant's right to a meeting, but argued that by proposing a different location, the safety of march participants and people in general would be better ensured. In addition, the defendant argued that the planned march might provoke disagreements in society. However, the Court considered these arguments of the defendant as subjective, too abstract, based on assumptions and opinions. The Supreme Administrative Court of Lithuania after examining the case, supported the conclusion of the court of first instance that the defendant had failed to fulfill the obligation to substantiate the restriction of the applicant's right to freedom of assembly.</p> <p>(Supreme Administrative Court of Lithuania (2021), '<a href="#">LVAT įpareigojo Kauno savivaldybę suderinti rugsėjo 4-osios eitynių maršrutą Kaune</a>', press release published on 3 September 2021;</p> <p>Supreme Administrative Court of Lithuania, Administrative case No. eA-3907-556/2021, available at: <a href="http://liteko.teismai.lt/viesasprendimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278">http://liteko.teismai.lt/viesasprendimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278</a>).</p>
---	---

<p><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The appeal hearing took place after the expired deadline (on 1 September 2021 at 11a.m.) set by the court of first instance for agreeing on the location of the march between the organiser Trade Union 1st May and Kaunas City Municipality Administration. The Supreme Administrative Court of Lithuania changed the decision of the court of first instance only in terms of timing and obliged Kaunas City Municipality Administration to coordinate the organiser's chosen route (Laisvės Avenue) and to hold the march on 4 September 2021 from 12 a.m. until 3 p.m.</p> <p>(Supreme Administrative Court of Lithuania (2021), '<a href="#">LVAT įpareigojo Kauno savivaldybę suderinti rugsėjo 4-osios eitynių maršrutą Kaune</a>', press release published on 3 September 2021;</p> <p>Supreme Administrative Court of Lithuania, Administrative case No. eA-3907-556/2021, available at: <a href="http://liteko.teismai.lt/viesasprendimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278">http://liteko.teismai.lt/viesasprendimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278</a>).</p>
<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The march, aimed at supporting the LGBTQ + community and its demands for equal rights, legal and social protection took place on the desired route of the organiser i.e. on Laisvės Avenue – the main pedestrian street of Kaunas on 4 September 2021 from 12 a.m. until 3 p.m.</p>

<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>'By the notification on 28 May 2021 the municipal administration refused to coordinate the organisation of the march on 4 September 2021 from 12 a.m. until 5 p.m. in Laisvės Avenue, and as such violated the constitutional right of the applicant, enshrined in Article 36 of the Constitution of the Republic of Lithuania, to a peaceful assembly, which forms the basis to declare document No. (33.205) R-1560 issued on 4 June 2021 as illegal and unfounded, obliging the defendant to agree on the location indicated by the organisers of the planned march on the route in accordance with its request on 28 May 2021. However, the Court concluded that a shorter period of time was sufficient to achieve the planned goals of the applicant's march. In the applicant's request on 28 May 2021 the desired march time was shortened and the defendant was ordered to agree to the applicant's request of 28 May 2021 on the specified location of the march according to the route indicated by the applicant, determining the time of the march on 4 September 2021 from 12a.m. until 3 p.m."</p> <p>"Savivaldybės administracija, atsisakiusi suderinti 2021 m. gegužės 28 d. pranešimo dėl leidimo organizuoti eitynes 2021 m. rugsėjo 4 d. 12–17 val. Laisvės alėja, pažeidė pareiškėjo konstitucinę teisę, įtvirtintą Lietuvos Respublikos Konstitucijos 36 straipsnyje, į taikų susirinkimą, tai sudaro pagrindą Savivaldybės administracijos 2021 m. birželio 4 d. priimtą raštą Nr. (33.205)R-1560 panaikinti kaip neteisėtą ir nepagrįstą, įpareigojant atsakovą suderinti planuojamo susirinkimo organizatorių nurodytą vietą pagal 2021 m. gegužės 28 d. pranešime išdėstytą maršrutą. Tačiau teismas padarė išvadą, kad pareiškėjo eitynių metu planuojamiems tikslams įgyvendinti pakanka trumpesnės trukmės laiko, todėl 2021 m. gegužės 28 d. pareiškėjo pranešime pageidaujamas eitynių laikas buvo sutrumpintas, ir atsakovas įpareigotas suderinti pareiškėjo 2021 m. gegužės 28 d. pranešime apie eitynių organizavimą nurodytą vietą pagal pareiškėjo nurodytą maršrutą, nustatant eitynių laiką 2021 m. rugsėjo 4 d. nuo 12 val. iki 15 val."</p> <p>(Supreme Administrative Court of Lithuania, Administrative case No. eA-3907-556/2021, available at: <a href="http://liteko.teismai.lt/viesaspresnimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278">http://liteko.teismai.lt/viesaspresnimupaiska/tekstas.aspx?id=976b7af5-3cc4-4e78-bf9e-e2305ddb3278</a>)</p>
--	--

<b>Thematic area</b>	<b>ROMA EQUALITY AND INCLUSION</b> <b>Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.</b>
<b>Decision date</b>	10 May 2021
<b>Reference details</b>	Administrative court case No. eI2-2216-816/2021
<b>Key facts of the case</b>  <b>(max. 500 chars)</b>	<p>The applicant seeks to receive partial rent compensation from Vilnius City Municipality for a property rented in Vilnius Region Municipality and contests the rejection of their application for rent compensation by the municipal enterprise Vilnius City Housing (Vilniaus miesto būstas). The applicant – a person who has declared residency in the former Vilnius Roma Kirtimai settlement – bases their claim on a measure, included in the Vilnius Roma Integration Programme 2020–2023, to provide rent compensations from the municipal budget for former Vilnius Roma Kirtimai settlement residents, who rent their housing in other municipalities. The municipal enterprise Vilnius City Housing rejects the claim, stating that the claimant was not included in any of the lists of the Roma Kirtimai residents that municipal institutions have compiled since 2016. The Vilnius City Municipality (a third party in the court proceedings) points out that no legislation provides for a mechanism to improve the living conditions of Roma people.</p>

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>The applicant argues that they lived in the Vilnius Roma Kirtimai settlement and moved out from the settlement when they found out that illegal housing would be demolished. The applicant did not cooperate with the municipal institutions which were compiling lists of the Kirtimai residents, because it was unclear what was the purpose of such lists and why they were being compiled. The applicant argues that the residents were not informed whether they were included in the list or not, what were the criteria for being included in the list and how their data was being processed. The defendant argued that the application has been rejected on the grounds that the claimant was not included in any of the lists of the Roma Kirtimai residents that municipal institutions have compiled since 2016. The defendant also argued that the list of the former Vilnius Roma Kirtimai settlement residents, eligible for partial rent compensations, has been finalised and will not be changed, but conceded that the list has not been officially approved.</p>
<p style="text-align: center;"><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The Court noted that the Vilnius City Municipal Council, taking into account the living conditions of Roma people in the Vilnius Roma Kirtimai settlement, adopted decisions on improvement of the living conditions of Roma people, approving the Vilnius Roma Integration Programme. At the time of this decision, the programme has been partially implemented, i.e. illegally constructed buildings have been demolished in the settlement, and the people, who lived in the settlement, had to find other housing. Therefore, in order to achieve the principles of access to and equal access to social assistance, the defendant must provide partial rent compensation for all residents of the former Vilnius Roma Kirtimai settlement or reject such requests based on the legal regulation and a detailed examination of the circumstances of a factual situation. The Court decided that the contested decision of the municipal enterprise Vilnius City Housing does not with the requirements for public administrative documents and is therefore unlawful and unreasonable.</p>
<p style="text-align: center;"><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The decision by the municipal enterprise Vilnius City Housing "Regarding the granting of partial rent compensation" (No. 1.35-21/215, January 15, 2021) is annulled.</p>

<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>“[...] siekiant socialinės pagalbos prieinamumo ir lygiateisiškumo ją gaunant principų realizavimo, atsakovas turi visiems išsikėlusiems iš Vilniaus taboro asmenims jų prašymu suteikti būsto nuomos mokesčio dalies kompensaciją, arba priimti visapusiškai išanalizavus faktinę situaciją pagrįstą teisiniu reguliavimu ir išsamiu faktinės situacijos aplinkybių tyrimu motyvuotą sprendimą atmesti tokį prašymą.”</p> <p>“ [...] in order to achieve the principles of access to and equal access to social assistance, the defendant must provide partial rent compensation for all residents of the former Vilnius Roma Kirtimai settlement or reject such requests based on the legal regulation and a detailed examination of the circumstances of the factual situation.”</p>
--	--

<p><b>Thematic area</b></p>	<p><b>ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION</b>  <b>Please provide the most relevant high court decision – or any court ruling – relating to the implementation of the right to an effective remedy in the context of storing data in national large-scale databases and in EU IT systems (Eurodac, VIS, SIS) delivered in 2021.</b></p>
<p><b>Decision date</b></p>	<p>3 February 2021</p>
<p><b>Reference details</b></p>	<p>The Supreme Administrative Court of Lithuania (hereinafter – the SACL) decision of 3 February 2021 in administrative case No. eA-2444-822/2021</p>



<p><b>Key facts of the case</b> <b>(max. 500 chars)</b></p>	<p>The applicant submitted a request to be issued with a temporary residence permit, based on the grounds that his profession is on the list of occupations for which there is a shortage of suitable employees. Together with the request, the applicant attached documents proving his professional education. During the examination procedure, the Migration department established that the documents submitted to support the applicant's professional education were forged. Because of this, the Migration department terminated the applicant's visa, refused to issue a residence permit, and banned him from entering Lithuania for 3 years. They also made a record in C.SIS as described by SIS II regulation.</p>
<p><b>Main reasoning/argumentation</b> <b>(max. 500 chars)</b></p>	<p>During the appeal procedure the applicant contested only the entry ban and record in the C.SIS. The SACL reasoned that there was no risk of illegal migration, as the applicant's aim on arrival in Lithuania corresponded with his actions in Lithuania: he was working and studying according to his declared profession. In addition, the applicant did not commit any crimes during his stay in Lithuania. Furthermore, the SACL stated that the criteria established in law regarding the entry ban<sup>226</sup> are guidelines and should not be applied automatically. Thus the entry ban should be evaluated according to the principle of proportionality.</p>
<p><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The SACL stated that the authorities according to Article 21 of SIS II regulation<sup>227</sup> must determine whether the case was adequate, relevant and important enough to warrant entry of the alert. Further, the SACL stated that the alert refusing entry or permission to stay is adequate, relevant and important when it relates to terrorism, as established in part 2 of Article 24 of SIS II regulation. The court concluded, that a 3-year entry ban would restrict freedom of movement of the applicant too severely and it was sufficient to refuse to issue the residence permit and to terminate the visa.</p>
<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The SACL decided to terminate the 3-year entry ban and to make a record in SIS II. The SACL further developed the case law that the entry ban should correspond to the principle of proportionality (see the SACL decision of 6 January 2021 in administrative case eA-5091-624/2020).</p>

---

<sup>226</sup> Director of the Migration Department Order No 3K-33 of 14-04-2014 on Approval of a Procedure for Assessing the Criteria for Determining or Shortening the Length of an Entry Ban Prohibiting an Alien's Entry into the Republic of Lithuania or Deleting Data on the Alien from the National List of Aliens Refused Entry to the Republic of Lithuania.

<sup>227</sup> Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II)

<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>According to the circumstances established in the case, the panel of judges decided that the part of the disputable Decision regarding the warrant alert in the SIS II system could not be considered as proportional, thus does not correspond to the requirements of Article 8 of the Law on Public Administration and thus terminated it.</p> <p>(original language: „Įvertinusi byloje nustatytas aplinkybes, teisėjų kolegija konstatuoja, kad ginčijamo Sprendimo dalis dėl perspėjimo įrašymo į SIS II sistemą nelaikytina proporcinga, todėl neatitinka Viešojo administravimo įstatymo 8 straipsnio reikalavimų ir yra naikintina (ABTĮ 91 str. 1 d. 1 p.)“).</p>
<p><b>Thematic area</b></p>	<p><b>ASYLUM, VISAS, MIGRATION, BORDERS AND INTEGRATION</b>  <b>Please provide the most relevant high court decision – or any court ruling – relating to the implementation of the <u>right to an effective remedy</u> in the context of storing data in national large-scale databases and in EU IT systems (Eurodac, VIS, SIS) delivered in 2021.</b></p>
<p><b>Decision date</b></p>	<p>3 February 2021</p>
<p><b>Reference details</b></p>	<p>The Supreme Administrative Court of Lithuania (hereinafter – the SACL) decision of 3 February 2021 in administrative case No. eA-2444-822/2021</p>
<p><b>Key facts of the case (max. 500 chars)</b></p>	<p>The applicant submitted a request to be issued with a temporary residence permit, based on the grounds that his profession is on the list of occupations for which there is a shortage of suitable employees. Together with the request, the applicant attached documents proving his professional education. During the examination procedure, the Migration department established that the documents submitted to support the applicant’s professional education were forged. Because of this, the Migration department terminated the applicant’s visa, refused to issue a residence permit, and banned him from entering Lithuania for 3 years. They also made a record in C.SIS as described by SIS II regulation.</p>

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>During the appeal procedure the applicant contested only the entry ban and record in the C.SIS. The SACL reasoned that there was no risk of illegal migration, as the applicant's aim on arrival in Lithuania corresponded with his actions in Lithuania: he was working and studying according to his declared profession. In addition, the applicant did not commit any crimes during his stay in Lithuania. Furthermore, the SACL stated that the criteria established in law regarding the entry ban<sup>228</sup> are guidelines and should not be applied automatically. Thus the entry ban should be evaluated according to the principle of proportionality.</p>
<p style="text-align: center;"><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The SACL stated that the authorities according to Article 21 of SIS II regulation<sup>229</sup> must determine whether the case was adequate, relevant and important enough to warrant entry of the alert. Further, the SACL stated that the alert refusing entry or permission to stay is adequate, relevant and important when it relates to terrorism, as established in part 2 of Article 24 of SIS II regulation. The court concluded, that a 3-year entry ban would restrict freedom of movement of the applicant too severely and it was sufficient to refuse to issue the residence permit and to terminate the visa.</p>
<p style="text-align: center;"><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The SACL decided to annul the part of the decision, where was decided to enter record of 3-year entry ban in the C.SIS. The SACL decided to terminate the 3-year entry ban and to make a record in SIS II. The SACL further developed the case law that the entry ban should correspond to the principle of proportionality (see the SACL decision of 6 January 2021 in administrative case eA-5091-624/2020).</p>
<p style="text-align: center;"><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>According to the circumstances established in the case, the panel of judges decided that the part of the disputable Decision regarding the warrant alert in the SIS II system could not be considered as proportional, thus does not correspond to the requirements of Article 8 of the Law on Public Administration and thus terminated it.</p> <p>(original language: „Įvertinusi byloje nustatytas aplinkybes, teisėjų kolegija konstatuoja, kad ginčijamo Sprendimo dalis dėl perspėjimo įrašymo į SIS II sistemą nelaikytina proporcinga, todėl neatitinka Viešojo administravimo įstatymo 8 straipsnio reikalavimų ir yra naikintina (ABTĮ 91 str. 1 d. 1 p.)“).</p>

---

<sup>228</sup> Director of the Migration Department Order No 3K-33 of 14-04-2014 on Approval of a Procedure for Assessing the Criteria for Determining or Shortening the Length of an Entry Ban Prohibiting an Alien's Entry into the Republic of Lithuania or Deleting Data on the Alien from the National List of Aliens Refused Entry to the Republic of Lithuania.

<sup>229</sup> Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II)

<b>Thematic area</b>	<b>INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION</b> <b>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.</b>
<b>Decision date</b>	2 July 2021
<b>Reference details</b>	Lithuania, Supreme Administrative Court of Lithuania, Decision in administrative case No. eA-745-261/2021 of 2 Jul 2021, <a href="http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=cbd71f0c-10c2-49f4-967f-ea8634ebeb67">http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=cbd71f0c-10c2-49f4-967f-ea8634ebeb67</a>
<b>Key facts of the case</b> <b>(max. 500 chars)</b>	The dispute arose because of the NDPA's decision, adopted in 2019, to impose an administrative fine of EUR 61,500 on electronic money institution JSC MisterTango for infringements of Art. 5 (1) (a), (c), (e) and (f), Art. 32 and Art. 33 of the GDPR. The NDPA (State Data Protection Inspectorate) established that the applicant's payment initiation service system through intercepting user screen data (screen scrapping) created screenshots, while electronic banking users were not informed of this. On 8-10 July 2018, a link to a website with a list of payments processed by the applicant and users' personal data was available for at least 2 days, but this personal data breach was not notified to the NDPA. The court of first instance upheld the decision of the NDPA. The applicant lodged an appeal, arguing that violations of GDPR were not sufficiently proved.

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>The Court held that the principle of accountability, enshrined in Art. 5(2) of the GDPR, presupposes that the data controller has a duty to provide evidence in support of the proper processing of data. Thus, the case-law formulated in cases of administrative violations, or legal doctrine on issues that are not related to data protection or requirements of GDPR, do not constitute a ground for eliminating the data controller's burden of proof. At the same time the supervisory authority has an obligation to carry out a thorough investigation and adopt a reasoned decision.</p> <p>In order to prove that screenshots of the user's accounts were not made, the applicant had to provide evidence, such as part of the program code or extracts from IT system logs, however, no such evidence was provided. NDPA did however, provide examples of screenshots, revealing, what data was recorded, and how long it was stored (some data was stored for 216 days instead of the 10 minutes as argued by the applicant). The Court upheld the finding of the first instance court that the applicant did not provide evidence that data gathered (including information about previous operations, pension funds, etc.) was necessary for executing payment transactions. In addition, users were not informed about the extensive collection of their data. The applicant also provided no evidence allowing to ascertain whether and how the applicant actually carried out the internal investigation concerning the data breach. The applicant also did not provide any evidence supporting his claim that he did not have the obligation to report the personal data breach, as he had reasonable grounds to believe that this breach was unlikely to result in a risk to the rights and freedoms of natural persons.</p> <p>The circumstance that the same incident led to investigation by the Central Bank (Bank of Lithuania) did not amount to a violation of the principle of <i>non bis in idem</i> by the NDPA. Investigations were carried out by different authorities and for compliance with different regulatory provisions. In addition, the Bank of Lithuania ordered the applicant to eliminate the established violations of legal acts and operational shortcomings, but did not impose any economic sanctions on the applicant. Thus, the Supreme Administrative Court rejected the applicant's appeal.</p>
---	---

<p><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The principle of accountability, enshrined in Art. 5(2) of the GDPR, presupposes that data controller has a duty to provide evidence in support of the proper processing of data. Personal data visible on an electronic banking user's screen while executing a payment and captured by a payment initiation service programme are financial customer data that constitute bank secrecy and are also of a more sensitive nature, as a set of various personal data from which the data subject can be directly identified and significant harm to the data subject can be caused. Under the provisions of the GDPR, it is not necessary to impose a fine for a breach of each provision of the GDPR, and the fine is, in principle, imposed on the applicant for a single infringement which presupposes non-compliance with different provisions of the GDPR. The principle of <i>non bis in idem</i> does not preclude the NDPA from imposing a fine for infringement of the provisions of GDPR, where the same incident is investigated by another institution and compliance with different legal regulation is assessed.</p>
<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The Court held that the fine of EUR 61,500 (corresponding to 2.5% of the applicant's total annual worldwide turnover for the financial year 2018) imposed by the NDPA is effective, proportionate and dissuasive. When choosing the amount of the fine, the NDPA took into account both mitigating (allocation of funds for ensuring and monitoring compliance with GDPR) and aggravating circumstances (including intentional character of the infringement).</p>



<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>"Kadangi teisinis reguliavimas, konkrečiai – BDAR 5 straipsnio 2 dalyje įtvirtintas atskaitomybės principas – suponuoja, kad duomenų valdytojas turi pareigą pateikti tinkamą duomenų tvarkymą pagrindžiančius įrodymus, t. y. šį klausimą išsamiai reglamentuoja BDAR, pareiškėjo nurodoma Lietuvos vyriausiojo administracinio teismo praktika, suformuota nagrinėjant administracinių teisės pažeidimų bylas, ir nurodoma teisės doktrina, kurioje aptariami klausimai yra susiję ne su duomenų apsauga ar BDAR reikalavimais, nesudaro pagrindo keisti vertinimo dėl duomenų valdytojo pareigos sugebėti įrodyti, kad asmens duomenys galėjo būti tvarkomi ir kad dėl to nebuvo pažeisti BDAR 5 straipsnio 1 dalyje įtvirtinti su asmens duomenų tvarkymu susiję principai."</p> <p>"The legal framework, in particular the principle of accountability enshrined in Article 5(2) of the GDPR, presupposes that data controller has a duty to provide evidence justifying the proper processing of the data, i.e. this issue is regulated in detail by the GDPR. Thus, the case-law of the Supreme Administrative Court in cases concerning administrative violations, relied on by the applicant, as well as the legal doctrine on issues not related to data protection or requirements of the GDPR, do not justify changing the position that the data controller bears the burden of proof to show that personal data could be processed and that principles on the processing of personal data set out in Article 5(1) of the GDPR have not been infringed."</p>
--	--

<b>Thematic area</b>	<b>RIGHTS OF THE CHILD</b> <b>Please provide the most relevant high court decision related to the topics addressed in the chapter.</b>
<b>Decision date</b>	18 February 2021
<b>Reference details</b>	Judgment of the Supreme Court of Lithuania in criminal case No. 2K-24-1073/2021 <a href="http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=e14b9b1b-7a58-44ea-88c0-cc7b19957f7d">http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=e14b9b1b-7a58-44ea-88c0-cc7b19957f7d</a>
<b>Key facts of the case</b> <b>(max. 500 chars)</b>	The cassator S.B. has been convicted by the lower instance courts for sexual assault on a minor (Article 150 Part 4 of the Criminal Code). In his appeal to the Supreme Court of Lithuania he argued that his defence rights in the proceedings have not been guaranteed: he claimed that the interview of the minor by the pre-trial judge was conducted without him participating and being able to pose questions; he claimed that the interview was conducted by a psychologist and not the pre-trial judge directly, therefore data from the interview should not be admitted as evidence; he claimed that he did not have an opportunity to review the audio and video recording of the interview and pose questions to the pre-trial judge; he also claimed that he did not have an opportunity to address questions to the victim in trial hearings. He further claimed that the victim prior to the interview in the pre-trial investigation has allegedly been interviewed by care centre employees and psychologists, and thus the testimony of the victim has been affected and cannot be held reliable.
<b>Main reasoning/argumentation</b> <b>(max. 500 chars)</b>	The Supreme Court dismissed the cassator's complaint. The court concluded that according to the Code of Criminal Procedure, in all cases when a minor victim is being interviewed, a psychologist must participate in the interview; they are not just present, but also aid in conducting the interview. The court also found that psychological aid provided for the victim prior to the investigation helped identify the signs of potential sexual abuse, that the psychologist immediately notified the authorities, and that further psychological aid was provided without talking of the painful events, but helping to express and name feelings as well as preparing the child for the criminal procedure to decrease the risk of further psychological trauma.

<p><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The court concluded that in cases when a minor is involved as well as when the case concerns sexual abuse, the victim not only should, but must be protected in the criminal procedure, on the condition that defence rights are also observed. The court found that the attorney of the cassator had participated in the pre-trial interview and posed one question, however, the cassator himself did not participate, although he was notified of the interview. Based on the conclusions of the psychologists, the lower instance courts decided not to invite the victim to the trial hearings to avoid repeated trauma, and the cassator or his attorney did not request the victim's presence nor provided any reasons with regards to its necessity. The court found that the testimony of the victim was consistent and sufficient, and saw no need for repeated questioning.</p>
<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The court dismissed the cassator's complaint as it found that there had been no substantial violations of the criminal procedure in this case. The court clarified in detail the procedural guarantees for victims of crime, especially minor victims of sexual crimes, discussing the relevant provisions of the Criminal Code and relying on the European Convention of Human Rights as well as the relevant judgments of the European Court of Human Rights.</p>
<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>"Taigi, pripažįstama, kad baudžiamojoje byloje dėl seksualinės prievartos ne tik gali, bet ir turi būti imamasi tam tikrų priemonių siekiant apsaugoti nukentėjusį su sąlyga, kad tokios priemonės gali būti suderintos su tinkamu ir veiksmingu gynybos teisių įgyvendinimu."</p> <p>„Therefore, it is recognised, that in the criminal cases related with sexual violence, [one] not only can, but also must take certain measures to protect the victim on the condition that those measures are in line with the appropriate and effective implementation of the rights of the defence“.</p>

<b>Thematic area</b>	<b>ACCESS TO JUSTICE</b> <b>Please provide the most relevant high court decision related to the topics addressed in the chapter.</b>
<b>Decision date</b>	23 March 2021
<b>Reference details</b>	Lithuanian Supreme Court, judgment in criminal case No. 2K-63-511/2021, <a href="http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=f8caa826-8cfe-497a-963b-784bbe45976d">http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=f8caa826-8cfe-497a-963b-784bbe45976d</a>
<b>Key facts of the case</b> <b>(max. 500 chars)</b>	The defendant was sentenced for several incidents of domestic violence, including infliction of physical pain and terrorising (threatening to commit an act dangerous to life and health). Main evidence in the case were testimonies of the victim and her secretly made recordings. Before the Supreme Court (court of cassation) the defence, inter alia, argued that recordings could not be admitted as evidence, as they were not sanctioned by the court and thus were made in violation of Art. 8 of the European Convention on Human Rights.

<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>The Court noted that in cases where data are collected by state institutions or officials (pre-trial investigation officer, prosecutor, pre-trial investigation judge, court), it is necessary to check whether they have been obtained in the manner prescribed by law (principle “only what is provided for by law is allowed”). In this case, the Code of Criminal Procedure and other laws strictly regulate the procedure and conditions for collecting data. However, persons participating in criminal proceedings, including the victim, may submit evidence on their own initiative. When such data is collected without the participation of pre-trial investigation institutions or officers, the provisions of the CCP, including those requiring authorisation by a pre-trial judge, are not applied. In such cases, the court must verify that the data were obtained in a way which is not directly prohibited by law (the principle of “what is not prohibited by law is allowed”).</p> <p>It is apparent from the present case that the victim provided to a pre-trial investigation institution a CD with audio recordings of conversations between her and the defendant and the sound recording device (telephone) on which the recordings were made. The recordings were made before pre-trial investigation was initiated. The courts of first and appellate instance found that the content of the conversation recorded revealed that the defendant threatened the victim with physical violence and coping. The contents of these recordings were verified by performing a phonoscopic expertize and examined during the court hearing.</p> <p>Moreover, It is also clear from the case-law of the European Court on Human Rights that the application of different procedural rules in assessing the admissibility evidence collected by public authorities and private individuals is not incompatible with the ECHR, provided all the requirements for a fair trial are met.</p> <p>However, as the defendant and the victim, who were former partners and lived in the same house, no longer maintained common household and were no longer bounded by loyalty and emotional bonds, the lower courts erred in qualifying the infliction of physical pain as domestic violence (which is a more serious crime than just infliction of physical pain). Definition of domestic violence as enshrined in the Law on Protection against Domestic Violence and encompassing former partners, is not applicable for the purposes of criminal responsibility for crimes against a person’s life or health. In the latter case the concept of “close relatives or family members” as established in the Criminal Code, and not encompassing former partners, has to be applied. Thus, episodes of infliction of physical pain have to be re-qualified as those not related to domestic violence.</p>
---	---

<p><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>Definition of domestic violence as enshrined in the Law on Protection against Domestic Violence and encompassing former partners, is not applicable for the purposes of criminal responsibility for crimes against a person's life or health.</p> <p>In cases where the victim, in order to defend his/her rights and legitimate interests, records and submits to the law enforcement authority records of conversations between him/her and the perpetrator, or other data collected on his/her own in a manner not prohibited by the law, this shall not be considered a disproportionate restriction of perpetrator's right to respect for private life guaranteed in Article 22 of the Constitution, Article 8 of the Convention [on the Protection of Human Rights and Fundamental Freedoms], and Paragraph 9 of Article 44 of the CCP [Code of Criminal Procedure].</p>
---	---

<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The cassational appeal by the defence was partially upheld, the element of domestic violence was eliminated from the conviction and the imposed sentence was mitigated.</p>
<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>Teisėjų kolegija taip pat atkreipia dėmesį, kad kai kurių kategorijų nusikalstamos veikos, pvz., dėl žmogaus seksualinio apsisprendimo, smurto artimoje aplinkoje, yra latentiškos, vyksta dažnai tik dviejų asmenų – kaltininko ir nukentėjusiojo akivaizdoje. Nuo jų nukentėję asmenys dėl įvairių priežasčių bijo arba vengia kreiptis į teisėsaugos institucijas pagalbos, neturėdami jų pareiškimus patvirtinančių duomenų, o tokius duomenis surinkti su teisėsaugos pagalba sunku ar kartais net neįmanoma. Todėl tokiais atvejais, kai nukentėjęs asmuo, siekdamas apginti savo teises ir teisėtus interesus, fiksuoja ir teisėsaugos institucijai pateikia savo ir kaltininko pokalbių įrašus ar kitus savo paties įstatymo neuždraustu būdu surinktus duomenis, patvirtinančius kaltininko nusikalstamą veikimą, kaip ir šioje byloje nagrinėjamu smurto artimoje aplinkoje atveju, tai nelaikytina neproporcingu kaltininko teisės į privataus gyvenimo gerbimą, garantuojamą <a href="#">Konstitucijos 22</a> straipsnyje, Konvencijos 8 straipsnyje, <a href="#">BPK 44</a> straipsnio 9 dalyje, suvaržymu.</p> <p>The panel of judges also notes that some categories of crime, such as sexual crimes or domestic violence, are latent and often take place in the presence of only two individuals – the perpetrator and the victim. Victims of such crimes due to various reasons are afraid or avoid seeking help from law enforcement authorities without having data to substantiate their statements, while it is difficult or sometimes even impossible to collect such data with the assistance of law enforcement authorities. Therefore, in cases where the victim, in order to defend his/her rights and legitimate interests, records and submits to the law enforcement authority records of conversations between him/her and the perpetrator, or other data collected on his/her own in a manner not prohibited by the law, as in the current case concerning domestic violence, this shall not be considered a disproportionate restriction of perpetrator’s right to respect for private life guaranteed in Article 22 of the Constitution, Article 8 of the Convention [on the Protection of Human Rights and Fundamental Freedoms], and Paragraph 9 of Article 44 of the CCP [Code of Criminal Procedure].</p>

<b>Thematic area</b>	<b>DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD)</b> <b>Please provide the most relevant court judgment, which quoted the CRPD or prominently referred to the CRPD in the reasoning.</b>
<b>Decision date</b>	27 January 2021
<b>Reference details</b>	Supreme Administrative Court of Lithuania (Lietuvos vyriausiosios administracinės teismas), case No. TA-92-968/2021, <a href="http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=6288e43a-cf83-464e-b823-a0837fb8743d">http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=6288e43a-cf83-464e-b823-a0837fb8743d</a>
<b>Key facts of the case</b> <b>(max. 500 chars)</b>	The case reached the Supreme Administrative Court of Lithuania after the respondent, the Lithuanian State, represented by Marijampole Correction House (hereinafter – Marijampole CH), appealed the decision of the Regional District Administrative Court ( <i>Regionų apygardos administracinės teismas</i> ) to partially satisfy the applicant's, who served a sentence in Marijampole CH from 14 March 2015 till 27 August 2019, complaint and award the applicant EUR 1 200 for non-pecuniary damage due to unsuitable conditions. The applicant has a disability, however the premises of Marijampole PN were not accessible for people with disabilities.



<p style="text-align: center;"><b>Main reasoning/argumentation</b></p> <p style="text-align: center;"><b>(max. 500 chars)</b></p>	<p>Marijampole CH appealed the decision of the Regional District Administrative Court arguing that the Court did not take all of the facts into account. For example, there were sufficient sanitary facilities in the premises contrary to what the applicant stated and he never complained about it while serving the sentence. Moreover, Marijampole CH also claimed that during his time in the correction house, the applicant received assistance that helped him to move about the premises, and, while serving the sentence, he never complained about these circumstances to the administration of Marijampole CH either. However, the Supreme Administrative Court of Lithuania decided in favour of the applicant.</p> <p>The Court relied on a case-law and repeated its position that if the correctional institution is unable to refute the applicant's allegations of violations of the conditions of detention, they shall be deemed to have been established. It also stated that, according to Art. 173 (5) of the Code of Execution of Sentences, pregnant women, breastfeeding mothers, minors, people with disabilities as well as convicts who are being treated in prison hospitals, should be provided with better housing and household conditions. The Court also referred to Art. 15 of the Convention on the Rights of Persons with Disabilities which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. States' Parties shall take all effective legislative, administrative, judicial or other measures to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment. It also referred to the practice of the European Court of Human Rights (<i>Semikhvostov v. Russia</i>) which emphasised that in similar cases, public authorities must act appropriately and safely, taking into account the person's disability, allow them the possibility to access some areas of the premises independently, including the canteen and showers, toilets, and to provide help. Failure to ensure such conditions of detention may, in a particular case, constitute a violation of Article 3 of the Convention.</p>
<p style="text-align: center;"><b>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</b></p>	<p>The Supreme Administrative Court of Lithuania upheld its practice that if the correctional institution is unable to refute the applicant's allegations of violations of the conditions of detention, they shall be deemed to have been established. Moreover, by upholding the Regional District Administrative Court decision which states that Marijampole CH, having information provided by the competent authorities about the applicant's state of health, was obliged to create conditions for detention in accordance with the state of health of the convict, and referring to the European Court of Human Rights case <i>Semikhvostov v. Russia</i>, the Court, even without stating explicitly, said that premises in the correction facilities should be made accessible to people with disabilities.</p>

<p><b>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</b></p>	<p>The Supreme Administrative Court of Lithuania rejected the appeal of the State of Lithuania, represented by Marijampole Correctional House, and upheld the decision of the Regional District Administrative Court to partially satisfy the applicant's complaint and award the applicant EUR 1 200 for non-pecuniary damage.</p>
<p><b>Key quotation in original language and translated into English with reference details (max. 500 chars)</b></p>	<p>Atsakovo atstovo apeliaciniame skunde nurodomos aplinkybės nepaneigia fakto, jog pareiškėjas (neįgalus asmuo), kalėdamas neįgaliesiems nepritaikytose Marijampolės PN patalpose, patyrė nepatogumus, išgyvenimus, diskomfortą, teisės aktais garantuotos minimalios gyvenimo kokybės pablogėjimą, kurių jis nebūtų patyręs, jei būtų buvęs laikomas sąlygomis, pritaikytomis pagal jo sveikatos būklę, taip pat nukentėjo pareiškėjo orumas. Visa tai lėmė būtent neteisėti atsakovo atstovo veiksmai (neveikimas).</p> <p>The circumstances referred to in the respondent's appeal do not negate the fact that the applicant (person with disability), while serving in Marijampole Correction House, which premises were not made accessible to persons with disabilities, suffered inconvenience, unpleasant experience, discomfort, deterioration of the statutory minimum quality of life, which he would not have suffered if he had been held in conditions based on his state of health, the dignity of the applicant was also affected. All this was due to the illegal actions (inactions) of the respondent's representative.</p>