



# General Assembly

Distr.: General  
17 August 2016

Original: English

---

## Human Rights Council

Working Group on the Universal Periodic Review

Twenty-sixth session

31 October–11 November 2016

### National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\*

#### Lithuania

---

\* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

GE.16-14251(E)



\* 1 6 1 4 2 5 1 \*

Please recycle



## Contents

|                                                                                                                                 | <i>Page</i> |
|---------------------------------------------------------------------------------------------------------------------------------|-------------|
| I. Reporting methodology and consulting process.....                                                                            | 3           |
| II. Changes in the legal and institutional framework .....                                                                      | 3           |
| III. National initiatives for the protection of human rights and implementation of international human rights obligations ..... | 4           |
| A. Programming documents for the protection of human rights .....                                                               | 4           |
| B. Cooperation with international organizations for the protection of human rights .....                                        | 4           |
| C. Public education on human rights.....                                                                                        | 5           |
| IV. Implementation of the recommendations from the first cycle.....                                                             | 5           |
| A. Undertaking international obligations.....                                                                                   | 5           |
| B. Gender equality, family policy .....                                                                                         | 5           |
| C. Rights of persons belonging to national minorities.....                                                                      | 7           |
| D. Rights of the child.....                                                                                                     | 9           |
| E. Rights of persons with disabilities .....                                                                                    | 11          |
| F. Prevention of torture at detention facilities.....                                                                           | 14          |
| G. Combating human trafficking.....                                                                                             | 15          |
| H. Rights of persons belonging to sexual minorities .....                                                                       | 16          |
| I. Combating hate crime.....                                                                                                    | 17          |
| J. Protection of the rights of victims of crime .....                                                                           | 18          |
| K. Implementation of other recommendations .....                                                                                | 19          |
| V. Analysis, achievements, best practice, challenges, obstacles .....                                                           | 19          |
| A. Achievements and best practice.....                                                                                          | 19          |
| B. Challenges and obstacles .....                                                                                               | 19          |
| VI. National priorities for protection of human rights.....                                                                     | 20          |
| VII. Importance of technical assistance .....                                                                                   | 20          |

## **I. Reporting methodology and consulting process**

1. Lithuania's report was drafted in accordance with the guidelines from the UN HRC. It was drafted by a panel formed by the Minister of Justice, consisting of representatives from ministries, the Department of National Minorities and Vilnius Municipality Administration. The draft received approval at a Government sitting.
2. Drafting was closely related to coordination of the implementation of the first cycle recommendations. The coordinator – Ministry of Justice – held annual meetings of national authorities with NGOs. Meetings were also held with institutions acting as a NHRI (ombudspersons). In addition, the Ministry of Justice organised thematic meetings with NGOs and encouraged other ministries to do so. In 2016, ministries hosted meetings concerning the rights of the persons with disabilities, in 2015, the Ministry of the Interior hosted a meeting on hate crimes, while the Ministry of Social Security and Labour held meetings on gender equality, domestic violence against women, Roma integration. The implementation of the first cycle recommendations was also discussed at Government sittings.
3. Civil society was involved in drafting. The panel-prepared draft report was made available to NGOs whose opinion was later reflected in the report. E.g., information on social enterprises was omitted from the description of efforts to integrate persons with disabilities into labour market, since employment in such enterprises does not qualify as employment in the open market and, therefore, cannot contribute to the implementation of the CRPD; the comments received from NGOs were used to amend the description of challenges and obstacles in the implementation of human rights. The draft was also presented to institutions performing the functions of a NHRI, and their comments were received. The draft was published in the information system of legislative proposals of Seimas (parliament), and on the website of the Ministry of Justice, for the public feedback during the official coordination of the draft with other authorities.

## **II. Changes in the legal and institutional framework**

4. International obligations have been further assumed over the reference period. E.g., Lithuania became party to additional Protocols No. 15 and 16 to the ECHR. Laws necessary for the implementation of international treaties and EU legislation were adopted. E.g., the necessary legislation passed to implement Directive 2012/29/EU on the rights of victims of crime strengthened protection of rights of persons with special needs who fell victims of crime. Legislation necessary to address the relevant human rights challenges was adopted. E.g., in 2012–2015, amendments aimed at reducing the number of prisoners and thereby addressing the issue of overcrowded prisons were adopted (more frequent application of probation and non-custodial sentences, introduction of a more efficient re-socialisation process at the places of confinement, incorporation of mother and child homes and halfway houses into the penal system were foreseen).
5. In 2015, the Seimas Ombudsperson's Office applied to the UN for its accreditation as a NHRI under the Paris principles. Even before its accreditation, the Office has been involved in the activities of the European Network of National Human Rights Institutions since 2012 and has been a member of the network since 2014. Since 2013, the Office has been acting as a national torture prevention institution under the UN OPCAT.
6. The Department of National Minorities under the Government was established in 2015. Following the closure of the Department of National Minorities and Emigration in 2010, its functions were divided and transferred to the Ministry of Culture, Ministry of

Education and Science, and Ministry of Foreign Affairs. Following this distribution of the functions, the representatives of national communities voiced their concerns about declining attention to issues of national minorities and called for re-establishment of a single institution to implement the State policy for national minorities. The Department of National Minorities serves that purpose.

### **III. National initiatives for the protection of human rights and implementation of international human rights obligations**

#### **A. Programming documents for the protection of human rights**

7. Human rights issues were included in the 2012–2016 Government Programme. It identifies the key objective of pursuing the path towards a welfare State. It also sets out the main values: 1) work as the main value and source of well-being; 2) social dialogue, based on solidarity and social justice; 3) solidarity; 4) promotion of creativity (area of education and science, innovation and innovation-based technologies); 5) equal opportunities for all people in Lithuania; ensuring of equal rights; 6) inviolability of the human person and protection of dignity; 7) responsible business and corporate social responsibility; 8) an appropriate, universally accessible health care system protecting the greatest asset, the human being; 9) development of the Lithuanian culture and preservation of cultural heritage; 10) culture of respect for the Constitution and laws of Lithuania. In the light of these values, areas and priorities of the Government's activities were identified and the programme implementing measures were planned.

8. Individual, more detailed programming documents were adopted at the national level to address separate groups of human rights issues. In 2015 the Government adopted the Interinstitutional Action Plan on Non-discrimination to reduce discrimination on the grounds enumerated in the Law on Equal Treatment. The Minister of Culture approved the Action Plan for Roma Integration for 2015–2020.

9. Programming documents to reinforce human rights protection for separate groups of people are also adopted by municipalities. In 2016, the Vilnius Municipality Council approved the Programme for Social Integration of the Community of the Vilnius (Kirtimai) Roma Settlement for 2015–2019. The programme aims to curb the spread of drug addictions; to promote Roma integration into the education system; to provide Roma people with better access to health care services; to increase the openness of the unique Roma culture; to seek reduction of social exclusion; to improve the living standards for Roma people.

#### **B. Cooperation with international organizations for the protection of human rights**

10. Cooperation with international human rights protection organizations continued. The progress achieved in implementing individual UN human rights protection treaties was presented at the supervisory treaty bodies, and the treaty implementation challenges were discussed together with the issues arising during the implementation of the recommendations from the UPR. Cooperation with supervisory bodies of the Council of Europe took place. E.g., the CPT made a periodic visit to Lithuania in 2012, and Lithuania's report on the implementation of recommendations received was published in 2014.

## C. Public education on human rights

11. As of 2014, public education on human rights was entrusted to the Minister of Justice. The 2014 public survey revealed the interest of 35% of citizens to receive more information on human rights, while young people were the least interested in their rights and freedoms. In 2014, the Minister of Justice and the Minister of Education signed a memorandum for cooperation in legal education of the public, undertaking to update the curriculum of the optional course 'Law' for schools of general education as well as the general curriculum of the fundamentals of citizenship. In 2014 and 2015, the Ministry of Justice organised training in basic legal education, "I know my rights", in 30 Lithuanian schools of general education. For eight years already, the Ministry of Justice has been organising a legal knowledge-testing event, the Constitution Examination. In 2015, the Ministry organised a project for free legal advice in 15 Lithuanian cities and towns as well as legal education information campaign in national press and television. The Ministry of Justice publishes information publications and administers the portal of legal information for the public at [www.teisingumas.lt](http://www.teisingumas.lt). In cooperation with NGOs, the draft programme for legal education of the public for 2017–2024 is in the final stages of coordination.

12. The Description of the Accomplishments of Pre-School Children, intended as a guide for pre-school educators, sets out the basic faculties necessary for harmonious personality development. Self-esteem, self-consciousness and abilities of communicating with peers and adults are developed, as basis for understanding human rights. Development of the above capabilities is part of pre-school education, whereas in primary education, human rights issues are incorporated in the ethics and world knowledge curricula. In basic education, human rights are integrated into the curricula of the fundamentals of citizenship, ethics, religion, history and other classes, while in secondary education – into the curricula of knowledge of society, history, philosophy and other classes. A separate course in the fundamentals of citizenship is a mandatory discipline in forms 9 or 10 (depending on the school's choice). Civic education covers the entire school life, including through the incorporation of civic ideas in different disciplines, mandatory social activities for forms 5 to 10 and other informal activities.

## IV. Implementation of the recommendations from the first cycle

### A. Undertaking international obligations

13. Lithuania has become party to the CED (89.1, 89.5, 89.8) and the OPCAT (89.9–89.4, 89.6, 89.7, 89.9).

### B. Gender equality, family policy

14. **Equality between women and men. Awareness raising (88.28–29, 89.27–30.).** The fourth National Programme on Equal Opportunities for Women and Men for 2015–2021 is being implemented. In 2015, various seminars and awareness raising campaigns were held under the Programme. A seminar "Gender roles and stereotypes" was held by the Education Development Centre in cooperation with the Office of the Equal Opportunities Ombudsperson; training in gender equality planning at the workplace was organised for employers in private and public sector, where participants analysed their companies in terms of gender equality, identified critical areas and formulated proposals on corporate gender equality planning. Advisory training was organised at companies to discuss the application of the Law on Equal Opportunities for Women and Men, particularly as regards equal pay for equal work and work of equal value. The "Smart Woman" project aimed

helping women developing their ideas and businesses. In cooperation with mentors, project participants were advised on business, team building, strategic planning, finance management, external financing opportunities etc. Informational events were held on the issues of local employment initiatives, project development and implementation to promote economic activity of women and men, independent employment, growth in the number of female executives. Local labour exchange offices hosted presentations of completed local employment initiative projects as well as informational events.

15. **Equal wages for women and men (89.28–30).** In 2014, Lithuania surpassed many EU countries in terms of implementation of equal wages for women and men, according to Eurostat. The difference in wages between women and men in Lithuania is about 14.8%, while the EU average is 16.1%. With a view to reducing the wages gap, the draft Labour Code currently considered by Seimas proposes the provisions for equal pay for equal or equivalent work for women and men, and also, proposes that the wage system shall be established by collective agreement and that employer who employs on average more than twenty workers shall submit to the works council or trade union, at least once a year, up-to-date information on the depersonalized data of employees, excluding employees holding leading positions, concerning average wages by occupational groups and gender. Payment system should specify categories of employees by position and qualification as well as form of payment and wages rates (minimum and maximum) for each of said categories, the grounds and procedure for awarding additional pay (allowances and supplements) and wages indexation procedure. Labour Code of Lithuania already provides for equal pay for men and women for equal or equivalent work but the proposed draft Labour Code is expected to ensure wage transparency.

16. **Fighting violence against women and domestic violence. Improvement of legislation, more efficient assistance to violence victims (88.3, 88.14, 89.21, 89.40–44).** Amendments to the Criminal Code and the Criminal Procedure Code adopted in 2015 enabled a more efficient response by the police to domestic violence by providing for pre-trial investigation to be initiated in the absence of victim's complaint or statement of his/her legal representative in all cases of domestic violence (i.e. even when the act was committed against an ex-spouse or person related by common-law partnership, marriage or other close ties).

17. In 2015, a system of technical personal protection measures was launched within the police force intended to protect persons who may become or who become victims of crimes, including purchase of urgent assistance equipment and its distribution to the potential and current violence victims who, in the event of danger, would be able to make a call and summon assistance by pressing a single button.

18. The network of specialized assistance centres (hereinafter – SACs), operative since 2012 and administered by non-governmental organizations, plays an important role in reducing domestic violence in Lithuania. SACs aim to ensure the provision of specialized integrated assistance to victims of violence (victims are assisted to overcome crisis, advised what kind of help and where they can access it, helped by mediation and representation in other institutions, provided with psychological and legal support and helped to rebuild interpersonal ties with family members). Network is financed by the State. NGOs are funded through competition. In 2015, 11,432 victims of domestic violence were registered at SACs, including 1,138 persons who asked help themselves (10% of the total number of violence victims registered over 2015), while 10,294 victims (90% of the total number of violence victims registered over 2015) were reported by the police. Assistance was provided to 10,591 persons (93%), of whom 8 208 (77%) were women, 862 men (8%) and 1,521 children (14%). 812 people (0.7%) refused help or failed to be contacted. 9,171 individual assistance plans were developed for victims of violence. The most frequent

services were information and consultation (in 17,018 cases), psychological support (in 4,226 cases) and legal assistance (in 2,540 cases).

19. **Fighting violence against women and domestic violence. Awareness raising (89.40, 89.44).** Training is provided to professionals who directly contact victims of gender-based violence. In 2015, a relevant professional development programme of 16 academic hours was developed, 30 police instructors and 376 police officers were trained. The Office of the Prosecutor General, at its own expense and initiative, held seminars in the regional prosecutor's offices of Vilnius and Panevėžys attended by 40 prosecutors, 20 court representatives (judges, judge's assistants), 20 pre-trial investigation officers. Training was offered to the staff of the specialized assistance centres, representatives of child's welfare commissions of schools and health care specialists.

20. Public awareness efforts are ongoing (e.g., seminars for journalists on specific issues related to public awareness on domestic violence). The implementation of the National Programme for the Prevention of Domestic Violence in 2014–2015 entailed an information campaign which raised awareness of the manifestations of domestic violence, prevention measures and assistance to violence victims. Furthermore, a representative survey of the Lithuanian population was conducted to collect and analyse data on domestic violence. In 2015, EUR 61,000 was allocated to the projects of NGOs and institutions aimed at domestic violence prevention and victim assistance and EUR 23,170 was granted to NGOs working with the perpetrators of violence. The same level of funding is envisaged for 2016.

21. In 2014–2015, the Equal Opportunities Ombudsperson's Office, together with the Equal Opportunities Centre and the Vilnius City Crisis Centre, implemented a project which gave impetus for emphasizing the perpetrator's responsibility, launching a discussion about masculinity, including men in an active fight against domestic violence against women. During implementation of the project, guidelines of coordinated institutional response to domestic violence were developed and incorporated into the 2014-2016 Action Plan of the National Programme for the Prevention of Domestic Violence for 2014-2020. An informational and social campaign "Men for Women" was organized, intended to draw the public's, and in particular men's, attention to the problem of violence against women as well as the culture of violence stemming from sexist and women-demeaning jokes.

22. **Family planning and availability of contraceptive methods (88.32, 89.51).** Reproductive health-care services are integrated into the health care system. Services for pregnant and postpartum women are being provided, prophylaxis of cervical cancer and HIV prevention is being offered. A wide choice of contraceptive methods is available, these methods are accessible to young people. Guidelines were prepared as part of implementation of the project "Creation of a Model of Youth-Friendly Health Care Services Provision", financed under measure of the Norwegian financial mechanism Programme "Public Health Initiatives".

## C. Rights of persons belonging to national minorities

23. **Adoption of the Law on National Minorities (90.8).** Preparation of this law is envisaged in the Programme of the Government of Lithuania for 2012-2016. Currently, the draft law has passed through two of the three steps of the adoption procedure at Seimas, i.e. it was considered at the Committee of Human Rights and at a plenary session. What remains is the final step, that of adoption. It should be noted that rights of persons belonging to minorities in Lithuania are guaranteed by the Constitution and other legislative acts.

24. **Roma community integration measures (88.42, 89.22, 89.26, 89.52).** After the implementation of the 2012–2014 Action Plan, a sociological survey was conducted aimed

at analysing changes in the situation of Roma ethnic minority since 2000 and evaluating the results of all programmes of Roma integration implemented since 2000. The decreasing illiteracy rate marks a positive change – in 2011, the number of illiterate persons and persons with incomplete elementary education in Roma group has fallen several times (from 26% in 2001 to 10%) and the share of persons with elementary education has increased (from 31 to 42%). The number of persons with basic education was also increasing (from 15 to 29%). However, negative trends are also being observed – compared to 2001 data, the share of persons with secondary or college education among Roma has decreased in 2011 (from 28 to 20%). For the first time, the 2014 survey examined the situation of Roma women. Insignificant differences in education between Roma women and men are recorded, i.e. the number of illiterate women or those with incomplete elementary education (the difference is 1%) or have only elementary education (the difference being 3%) is a little higher, and there is a slightly higher number of men with basic education (the difference being 4%). In terms of employment, the situation of women is worse than that of men. Women's integration into the labour market is hindered by early marriage – nearly a quarter (25%) of girls have their first child while being a minor (under 18 years old). One of the positive indicators of implementation of Roma integration programme is decreasing negative attitudes towards Roma. In 2012, 66% of the population were unwilling to live in the neighbourhood of Roma; in 2013 – 62.6%; in 2014 – 58%. In view of the results of the 2014 survey, a new Action Plan for Roma Integration for 2015–2020 has been developed.

25. **Roma education, culture, health care (88.35, 88.36, 88.41, 89.22).** In 2015, under the abovementioned Plan for 2015-2020, the Ministry of Education started preparing training programme to improve competencies of teachers, heads of schools, education support specialists, specialists of education units of municipal administrations and organized a professional development seminar for general education teachers working with Roma children. The Ministry of Culture and the Department of National Minorities organized non-formal education sessions for Roma children at the Roma Public Centre, summer camp, State language and computer literacy courses, financed the provision of intercultural mediation services for the Roma community living in Kirtimai area in Vilnius and allocated funds for dissemination of Roma culture. The Vilnius City Public Health Bureau provided 5 lectures for Roma women and girls on sanitary and hygiene issues and 6 lectures on healthy lifestyle.

26. **Roma access to the labour market (88.40, 88.42, 89.22, 89.26).** To implement the Plan for Roma Integration, the Ministry of Social Security provides labour market integration services to Roma. The measure is implemented with the European Structural Funds following the procedure for State project planning. Eligible activities include individual or group motivation, personal needs assessment, development, maintenance and renewal of social and working skills; sociocultural services; vocational guidance, information, consultation; development of general skills (e.g., digital literacy, languages, entrepreneurship); vocational training; development of practical working skills at a workplace; mediation or other assistance in finding work and after entering into employment. The project will be implemented by an NGO “Roma Public Centre”, in partnership with the Lithuanian Roma Association “Gypsy Fire”, Lithuanian Roma Community, Roma Integration House and the Roma Integration Centre. The amount planned to be available for the four-year project is EUR 868,860.

27. As at 1 March 2016, from the total registered figure of unemployed 382 were of Roma ethnicity. The total number of the unemployed Roma registered with the territorial labour exchange offices in January–February 2016 was 72. During this period, 14 people were employed for an indefinite term and 1 person was employed temporarily. 45 persons of Roma nationality started working under a business licence. During 2015, 389 Roma people took part in consultation sessions, among them 156 persons who were registered

with a territorial labour exchange office; in 2015, information was offered to 359 Roma people. Over 2015, the total 55 Roma persons took part in active labour market measures, including 28 in public works, 14 in vocational training, 11 in subsidized employment, 1 in job creation support, and 1 person was granted compensation to cover business license costs. Over 2015, 118 Roma people were employed, including 104 in permanent job.

28. The Ministry of Social Security, together with the Lithuanian Labour Exchange, in 2016–2017 envisages organization of training and educational events for employers on encouragement of equal opportunities and non-discrimination in labour market (including training on Roma culture and customs). The planned annual allocation for implementation of this measure is EUR 6,000.

29. **Compensations for the immovable property of Jewish religious community (89.10).** To implement the Law on Goodwill Compensation for Jewish Religious Community Immovable Property, the Government in 2012 nominated the public institution Foundation for Disposal of Goodwill Compensations for Jewish Religious Community Immovable Property as a foundation for disposal of compensations. Compensation payment to the Foundation in instalments began in 2013, taking into account the State's financial ability and will continue to 2023 (the due monetary compensation is EUR 37,071,362.37). By 1 March 2016, a one-off amount of EUR 868,860.06 was paid to the Foundation in support of the Jewish people who lived in Lithuania during WWII and suffered from the occupational totalitarian regimes during the said period and an amount of EUR 14,480,750.46 – for religious, cultural, health care, sports, educational and scientific goals pursued by Lithuanian Jews in Lithuania.

30. **Dialogue with national minorities about language education (88.41).** In 2016, an Advisory Committee under the Department of National Minorities under the Government of Lithuania was set up to address issues relating to national minorities. The Committee is chaired by Head of the Department of National Minorities, Vice-Chairman is Vice-President of the Association of Teachers of Polish Schools in Lithuania. The first meetings of the Committee focused on native language maturity examination.

## D. Rights of the child

31. **Improvement of the system for the protection of the rights of the child (88.12, 88.13, 88.35, 88.37, 89.19).** Seimas is examining draft amendments to the Law on the Rights of the Child aimed to establish a model of targeted preventive and social activities for child and family. Necessary assistance, including precautionary, will enable a family to raise a child on its own, reduce the number of children raised under the childcare system, ensure provision of educational, healthcare and social services and access to such services, improve inter-institutional cooperation, coordination and provision of combined assistance to a child and a family. The amendments aim to prohibit all forms of violence against a child, including physical punishment, and to define violence against a child. In addition, the draft aims to change the procedure of taking away a child from parents or insecure environment and make it subject to judicial authorisation.

32. In 2016, Lithuania started implementing the Action Plan on the Provision of Combined Services to a Family (2016–2020). The Plan includes an objective to provide coordinated educational, social, healthcare and legal services for a child and a family assisting the family in problem solving and child care, improving the socialization of children as well as reducing social exclusion by ensuring the quality of services and availability of such services as closely as possible to the place where such a child/family resides. The provision of combined services will be funded from European Structural Funds from the 2016–2020 period. During 2016–2020, combined services will be available for 15,000 children and families.

33. Currently, the Ministry of Social Security is implementing the Action Plan for the Transition from Institutional Care to Family and Community-Based Care for Children with Disabilities and Children Deprived of Parental Care for 2014-2020. The strategic aim of the reform is to establish a system of combined services that will allow a child, a disabled child or his/her family (carers or guardians) to receive targeted services and assistance in the community and will ensure the possibility for a child deprived of parental care to grow in secure and friendly environment in a biological family or adoptive/foster family. The primary aim is to ensure harmonious environment and possibility for a child to be raised in his/her own family and possibility for a child deprived of parental care to be raised in foster family, adoptive family or group homes, as well as to receive support within the community.

34. The Council of Child Welfare was established under the Ministry of Social Security. Representatives from the Parliament of Lithuanian Schoolchildren and the Lithuania's Schoolchildren Association are involved in its activities. The Council prepares and submits to the Government proposals on the improvement of work of State and municipal institutions and interinstitutional cooperation in the field of child welfare, encourages cooperation with NGOs and takes into consideration the opinion of children on issues of relevance to them.

35. The Ministry of Education prepares amendments to the Law on Minimum and Medium Care of the Child. The draft Law explicitly relies on the principle of human dignity to emphasise that in the course of any procedure or court proceedings children must be treated in a thoughtful, sensitive, fair and respectful manner giving special attention to their personal situation, wellbeing and special needs as well as ensuring their full physical and psychological integrity. The draft establishes stricter rules regulating application of medium care of a child and stipulates that this measure should be applied only in exceptional cases, for a period as short as possible and taking into account the interests of a child. The purpose is to ensure that children are not sent to socialization centres because of ineffective work in the field of minimum care, non-attendance at school and the like. The draft Law suggests defining the exceptional case as a situation when medium care is applied to a child below 14 years of age. This would prevent children below 14 years of age from being sent to a socialization centre without any good reason.

36. **Sexual education in schools (89.51).** In 2012, the Health Education Framework Programme was approved. It is implemented in all general secondary schools. In 2014, a decision was taken to merge the above programme and the optional Preparation for Family Life and Sexuality Education Programme prepared in 2007 and prepare the Health and Sexuality Education Framework Programme obligatory for all general secondary schools. In 2016, a draft of the Programme is to be submitted for public consideration.

37. **Fight against sexual exploitation of children (89.20, 89.50).** In 2015, Seimas adopted the Law Amending the Law on the Rights of the Child implementing the Council of Europe Lanzarote Convention and Directive 2011/93/EU on combating sexual abuse of children and child pornography. Under the law, persons who have previously been convicted of violating another person's sexual self-determination and integrity are prohibited from work or volunteering at establishments, enterprises and organizations that provide social, educational, sports and healthcare services to children.

38. One of the key priorities of the Strategic Action Plan for 2016-2018 of the Office of the Prosecutor General is strengthening of prosecution in criminal matters concerning sexual exploitation of children.

39. Methodological Recommendations on Identification of Violence against Children were updated and can be accessed on the website of the Ministry of Health.

40. **Juvenile justice. Improvement of measures protecting rights of children who have become victims of crime (88.12, 89.20).** In 2015, amendments to the Criminal Procedure Code were adopted that transpose the provisions of Directive 2012/29/EU on the rights of victims of crime that concern the rights of juvenile victim.

41. In 2014, Seimas adopted amendments to the Criminal Procedure Code stipulating that in criminal matters involving criminal acts against person's health, violation of freedom, sexual self-determination and integrity, harm to a child, family or morals when a victim is juvenile and also when in the absence of authorised representative the rights and legitimate interests of a juvenile victim would not receive proper protection, pre-trial officers, prosecutor and court are obliged to acknowledge by a grounded decision the necessity for a juvenile victim to be represented by an authorised representative (attorney) in the criminal proceedings.

42. In 2015, the Prosecutor General amended and supplemented Recommendations on Examination of Juvenile Witness and Victim aiming to oblige prosecutors and officers performing pre-trial investigation to take account of protection of child's legitimate interests in criminal proceedings.

43. In 2015, the Office of the Prosecutor General held a seminar "Children in Criminal Proceedings" with the participation of 20 prosecutors, 10 representatives of the court (judges, their assistants), 40 police officers.

44. **Better access for children to health services (88.35).** The 2012-2016 Government Programme focuses on children's health, disease prevention, diagnosis and treatment. During the abovementioned period all the newborns are screened for two additional inborn metabolic disorders, undergo eye red reflex examination, hearing tests, mature newborns undergo examinations on congenital heart defects.

45. In 2015, new children health check procedure requiring preventive children health checks as well as psychomotor development checks on young children (up to 4 years of age) came into effect.

46. As from 2014, funding for services provided in day-care centres that specialize in early rehabilitation of child's developmental disorders was increased.

47. In 2015, the Ministry of Health implemented the project "Improvement of quality of health care by establishing diagnostic and treatment protocols that pose most risk for patient safety", prepared 43 model diagnostic and treatment protocols and made them public on its website. All Lithuania's health care institutions can introduce and use them in everyday practice.

48. Suicide Prevention Centre, which is a subdivision of the State Mental Health Centre under the Ministry of Health, became operational in 2015. Municipalities also participate in suicide prevention. In 2016, the Vilnius City Council in line with the Mental Health Strategy adopted by Seimas, Lithuania's Health Programme for 2014-2025 and Memorandum on Suicide Prevention of the Vilnius City Municipality adopted the 2016–2019 Suicide Prevention Strategy for Vilnius and Strategy Implementation Action Plan for 2016 that includes allocation of funding from the Vilnius City Municipality budget.

## **E. Rights of persons with disabilities**

49. **Access to labour market for persons with disabilities (89.31, 89.32).** The new Social Model currently discussed by Seimas envisages important reforms in the fields of social security, employment and labour relations. The aim is to establish an overall, economically reasonable and harmonised framework to ensure higher employment, improve labour relations, stimulate investments and creation of new jobs.

50. The extended list of types of job contracts, more flexible organization of work and regulation of working time stipulated in the Model will be beneficial for employers as well as for workers with disabilities. The Model facilitates people's access to the labour market as well as more active participation in it (tele-working, individual working hours). The application of a more efficient mechanism that covers many sectors in the future will contribute to involvement of persons with disabilities into employment system.

51. **Adjusting housing and environment for persons with disabilities (89.33, 89.34).** Adjustments of housing and environment for persons with disabilities with limited mobility and self-care receive funding within the framework of the Programme of Social Integration of Persons with Disabilities. The Programme plans to adjust approximately 350 housings for persons with disabilities by the end of 2016. Expenditure incurred is covered by funds from State and municipal budgets. In 2016, adjustments of housing and environment will receive around 1.5 million EUR from the State budget. Representatives of NGOs are invited to participate in the work of housing adjustment commissions set up by municipalities. In 2015, such commissions were set up in all municipalities.

52. Each year the measure 'Provision of Technical Assistance Aids to Persons with disabilities' under the Programme of Social Integration of persons with Disabilities is implemented. Persons with disabilities may receive technical assistance aids free of charge or a partial compensation for them from 10 territorial units of the Technical Assistance Centre under the Ministry of Social Security or from municipal institutions.

53. Persons with disabilities receive 50% or 80% discount on a single ticket for using distant or local communication buses.

54. Projects concerning provision of social rehabilitation services to persons with disabilities in communities, activities of associations of persons with disabilities as well as promotion of mobility also receive funding. Their implementation involve participation of NGOs. According to the plans for 2016, such activities will receive approx. 6.2 million EUR; in 2015 the amount made up 5.8 million EUR. Activities and services constituting permanent social rehabilitation are financed. In 2015, projects on provision of social rehabilitation services to persons with disabilities were beneficial to 36 thousand of persons (persons with disabilities and their family members).

55. Within the framework of the National Programme on Social Integration of Persons with Disabilities, in 2016, special means of transport will be purchased to provide services in the territory of municipalities. 20 vehicles that meet the needs of the persons with disabilities will be purchased and given for the disposal of NGOs.

56. **Facilitating transport accessibility to persons with disabilities (89.33, 89.34).** In compliance with National Programme for Social Integration of Persons with Disabilities for 2013-2019, the Minister of Transport and Communications in 2013 approved a Manual for the Improvement of Transport Accessibility for Persons with Special Needs, aimed at road, rail, air, water, as well as urban and rural road transport. The Ministerial Order binds transport enterprises Lithuanian Railways, State Enterprise Lithuanian Airports, Smiltynės perkėla, and State Enterprise Klaipėda State Seaport Authority. These enterprises have adapted, and continue to improve, their infrastructure to persons with disabilities in compliance with the Manual.

57. In 2015, the Minister approved Guidelines for Drafting Plans on Sustainable Urban Mobility, including on transport universality and integration of persons with special needs. In compliance with the Plan on Sustainable Urban Mobility, funding will be available for implementation of projects aimed at adapting infrastructure and public transport to persons with special needs. Descriptions for calculation of national monitoring indicators, as set in the Implementation Plan for the EU Funds' Investments in 2014–2020, approved by the Minister in 2015, provide for specific requirements for infrastructure for persons with

special needs. Notably, newly-acquired environmentally-friendly public transport means shall ensure that wheelchair users can get on/off via a side-door (by ramps, elevators, or other specially designed equipment), edges of the floor and stairs shall be marked in contrast strips, and means of information provision (visual and auditory) to persons with hearing and visual impairments shall be installed. At least 120 transport vehicles will be acquired through the funding from the EU's structural funds.

58. In addition, the Minister approved measure "Easing Urban Transport Services Accessibility", whereby funding is planned, through the ERDF, to adaptation of regular long-distance buses to persons with special needs. Funding is available to private carriers, too. EUR 868,860 have been earmarked to this measure; projects will be selected by way of competition.

59. **Adapting informational environment to persons with disabilities.** In 2014, the Director of the Information Society Committee under the Ministry of Transport and Communications approved Methodology for Management of State Information Systems Life Cycle, which provides for a requirement to adapt the e-services environment of the newly-created information systems to persons with disabilities. Also, the requirement for accessibility to people with disabilities has been set for all e-services development projects, funded from the 2007–2013 EU's Structural Funds Financial Framework. A Lithuanian speech synthesizer has been created under the project financed by the EU's Structural Funds, and, in cooperation with the Lithuanian Library for the Blind, it was adapted to screen reader used by the blind.

60. **Implementation of the right to vote by persons with disabilities (89.33).** On the initiative by the Ministry of Justice, a draft law on the online-voting system was submitted to Seimas. The law will provide legal preconditions for online voting in Lithuania. Voting will be adaptable to the disability of a specific individual. It is planned that the online voting information system will be established by 2018, and online voting will be available for the 2019 elections. Online voting will reduce social exclusion and will increase integration into the democratic election process of persons with disabilities and senior citizens, who cannot arrive at an electoral district due to a disability or health problems. Matters of access to information on elections to persons with disabilities are also addressed. E.g., it has been planned that debates broadcast on national television of candidates to the 2016 Seimas elections will be interpreted into sign language.

61. **Involuntary hospitalization (89.33).** Lithuanian legal acts provide for a possibility to involuntarily hospitalize a person in a psychiatric hospital. Legal acts on involuntary hospitalization are being revised.

62. **Implementation of international standards on the rights of persons with disabilities at the local governance level.** Municipalities take action to ensure the rights of persons with disabilities by adopting planning documents and earmarking funds to finance the required activities. E.g., Vilnius Municipality is drafting a Programme for Social Integration of Persons with Disabilities for 2016-2020. The Programme aims to ease accessibility to public and private physical environment; to ease and encourage mobility; to create opportunities to participate in public life and to engage in shaping positive public opinion on persons with disabilities; to encourage participation in labour market; to develop services network to children and adults with disabilities. Training on implementation of the CRPD is provided for municipal servants, too. In 2016, the Ministry of Justice is organising a seminar on the right of equal recognition before the law under Article 12 CRPD. Judges, lawyers, notaries, and municipality representatives, whose tasks are related to assessment of capacity of persons, as well as representatives of NGOs representing persons with disabilities, are invited. Municipalities themselves organise the required training, too. In 2016, Vilnius Municipality held training to employees and other persons on the application of the universal design principle while taking environment and product design decisions.

63. **Participation of persons with disabilities in decision-making.** Council for the Affairs of Persons with Disabilities under the Ministry of Social Security is a collegial body, formed as a voluntary service on the basis of equal partnership, and includes representatives of State institutions and NGOs representing persons with disabilities. Council members, representing associations of persons with disabilities, are delegated by the Lithuanian Association of the Blind and Visually Impaired, the Lithuanian Deaf Society, the Lithuanian Society of Persons with Disabilities, the Lithuanian Association of People with Disabilities, the Lithuanian welfare society for persons with mental disability VILTIS, the Lithuanian Welfare Society for Persons with Mental Disorders, and the Lithuanian Paralympic Committee, who have one representative each: President, Vice-President, Association Chairman, or Council Chairman, accordingly. Ministry of Social Security, Ministry of Health, Ministry of Education, Ministry of Environment, Ministry of Transport, Ministry of the Interior, and Ministry of Economy delegate one Vice-Minister each to represent State institutions at the Council. The aim of the Council is to examine major issues of social integration of persons with disabilities, and to assist the Minister of Social Security, as well as other Ministers, in the implementation of social integration policy.

## F. Prevention of torture at detention facilities

64. **Detention conditions in police custody (89.35).** Following implementation of the Programme for Optimisation of Police Detention Facility Performance for 2009-2015, and closure of the worst-standard police detention facilities, their number came down from 46 to 25, and detention conditions therein have markedly improved. Two new police detention facilities were built in 2015.

65. Upon implementation of another phase of cutting down the number of police detention facilities as of 2016, 7 police detention facilities were closed down as of 1 April 2016, and another one is going to be closed as of 1 August 2016. Two more police detention facilities, whose closure timelines are linked to renovation of other police detention facilities, are planned to be closed down in the future. All this will result in 15 police detention facilities operating in Lithuania.

66. **Improving prison conditions (89.36–89.39).** In 2012, when amendments to the Law on Probation, the Criminal Procedure Code, and the Penal Sanctions Enforcement Code came into force, alternative punishment to imprisonment started to be applied more frequently and application of electronic monitoring was legalized. Policy changes have helped reduce the number of prisoners by 40%. The decrease in number of prisoners has improved living conditions.

67. In 2015 and 2016, amendments to the Criminal Procedure Code, the Penal Sanctions Enforcement Code, and the Law on Execution of Arrest came into effect, whereby procedure for application of conditional release was specified, conditions were provided for convicts to see their families more often, opportunities for short-term leaves from penitentiary facilities and relocation of convicts to halfway houses were granted. At the same time, additional measures to consolidate security of convicts and efficiency of application of resocialization measures were set.

68. The detention facility modernization process continues. In compliance with the Programme approved by the Government, the Prison Hospital will be relocated to the newly-equipped premises in Pravieniškės in 2016; a new-generation prison, a 600 places Šiauliai Interrogation Facility, was designed (360 single cells, 120 double cells) and infrastructure development works started in 2016 (EUR 1,398,000 were allocated in 2015, EUR 3,653,000 were allocated in 2016).

69. Support from the Norwegian Financial Mechanism for 2009-2014 has speeded up implementation of some large infrastructure projects. In 2016, part of living premises at Pravieniškės Correction House – Open Prison Colony will be reorganized into cell-type premises; 2 new open-type correctional facilities (halfway houses) have been opened in Alytus and Marijampolė, while other 2, in Vilnius and Pravieniškės, will be opened in 2016. As of 1 April 2016, female convicts bringing up pre-teen children at the correctional facility have been relocated to special premises outside the facility, and a new Rehabilitation Centre for convicts suffering from substance abuse was opened in Pravieniškės in 2015. The Centre is going to serve an example while opening centres in other facilities as well (Kybartai and Marijampolė Correction Houses). A modern electronic monitoring system is going to be launched in probation services, which will allow further increasing the release of convicts under intensive supervision. The process of officer training is being radically changed. As of 2016, a 10-month vocational training for new prison officers has been started. The dynamic security model has been successfully taken over from Norway. Particular attention is given to ensuring that even ordinary prison officer has social work skills highly required in the correctional process. Mediation model has been implemented in the sanctions enforcement process as of 2015.

70. **Implementation of recommendations by the European Committee for the Prevention of Torture (89.35).** Report by the Government of Lithuania on implementation of recommendations was submitted to the CPT and published on the CPT's website. In 2015, amendments to the Penal Sanctions Enforcement Code and the Law on Execution of Arrest were adopted, thereby implementing the CPT recommendations. Notably, convicts were granted a right to long-term visits by their spouse or cohabitant, opportunities for temporary relocation of convicts from interrogation facilities to police custody were markedly limited, the maximum time for such relocation was markedly shortened, a possibility for application of electronic monitoring during the sentence period was provided.

71. **Secret CIA prisons (90.18).** A pre-trial investigation was launched in the Office of the Prosecutor General in 2014 on alleged illegal rendition of persons across the state border. The pre-trial investigation is related to the alleged rendition of prisoners detained by the US CIA and their incarceration in the territory of Lithuania. Previously, after Seimas Resolution of 2010 approving the conclusion of the parliamentary inquiry by the Committee on National Security and Defence, a pre-trial investigation was launched by the Office of the Prosecutor General in 2010 and closed in 2011. In 2015, a decision was taken to join both investigations. They are conducted by a group of prosecutors of the Office of the Prosecutor General. During the investigation, legal cooperation requests for data were sent to the USA, Romania, Afghanistan and Poland. A similar case *Abu Zubaydah v. Lithuania* is in progress in the ECtHR. Lithuania provided the ECtHR with the material of the investigation by the Office of the Prosecutor General, except for those requested documents that are classified.

## **G. Combating human trafficking (89.45, 89.46, 89.47, 90.20)**

72. **Support to victims.** From 2002 projects dedicated to provision of complex support to victims and potential victims of human trafficking are financed (information and advisory services, psychological and legal assistance, provision of necessary items, training and maintaining of social skills, emergency health and psychological care, vocational training, job search and job entry assistance, etc.). During 2002–2015 EUR 900,000 were allocated for the implementation of these projects, having provided social assistance to over 2.5 thousand persons. Where victims of human trafficking contact the law enforcement, they are in all cases referred to a specialised NGO as well.

73. Financing from EU structural funds was allocated in 2013–2015 for projects on prevention of human trafficking. In 2016–2020, the funding of projects from the EU structural funds foreseeing provision of various social integration services (psychosocial support, training and maintaining of social skills, vocational training, employment intermediation, support in the place of work, etc.) is planned for social risk persons.

74. With a view to systemic impact, in 2015, a reference model of the coordination of support to victims and potential victims of human trafficking in municipalities was prepared and training on its application was organized. Over 100 experts from different municipalities participated.

75. **Prevention.** In 2012–2014, during the implementation of an international project, sociological survey was conducted on methods of recruitment for human trafficking and forced labour and the role of employment agencies and employees in this area. Recommendations on the Prevention of Abuse of Migrant Workers and Human Trafficking of Migrant Workers in the Baltic Sea Region were then prepared. They contain practical guidance to State institutions, businesses, employment agencies, trade unions and NGOs for detecting and preventing human trafficking and forced labour.

76. **Improvement of legal acts.** In 2012, Seimas ratified the Council of Europe Convention on Actions against Trafficking in Human Beings. In order to implement the Convention, the Criminal Code was amended to ensure that acts of human trafficking and sale or purchase of a child are qualified as criminal activities not only where they are committed for the purpose of exploitation of the prostitution, pornography or other forms of sexual exploitation, slavery, forced labour or services, but also where they are committed for other purposes of exploitation of begging or committing other criminal offences. The Criminal Code now also directly indicates that an individual consent to the exploitation shall not remove the responsibility of the perpetrator of human trafficking. Furthermore, criminal responsibility is foreseen for the use of labour or services of a victim of human trafficking, including prostitution, where the perpetrator knew, or ought to have known, that a person performs this work or provides services because physical violence, threats, deception or other means of breaking the will of a person were used against him.

77. **Case investigation.** In 2015, recommendations were adopted by the joint Order of the Minister of the Interior, the Minister of Social Security, and the Prosecutor General, aimed to improve the quality of pre-trial investigation and ensure better provision of support to victims of human trafficking. The main NGOs providing support to victims of human trafficking signed a Declaration of Cooperation in support of these recommendations and committed to follow them.

78. Since 2013, the number of cases of human trafficking detected by law enforcement authorities is growing: 11 pre-trial investigations on human trafficking were launched in 2012, 23 in 2013, 24 in 2014, and 27 in 2015. In 2015, charges were brought against 53 persons in pre-trial investigations on human trafficking (40 in 2014, 68 in 2013, and 25 in 2012), 14 persons were sentenced by the courts of first instance (18 in 2014, 11 in 2013, and 7 in 2012).

79. **Training.** Police officers undergo annual training on prevention of human trafficking (20 officers – in 2012, 32 – in 2013, 16 – in 2014, and 160 – in 2015). Professional development courses on fight against human trafficking were also organised for the State border guard officers (50 officers – in 2014, and 30 – in 2015).

## H. Rights of persons belonging to sexual minorities

80. **Assessment of situation (88.24, 88.25, 88.27).** In implementing the Inter-Institutional Action Plan on Non-discrimination, the Equal Opportunities Ombudsperson is

planning to conduct survey and analyse its results regarding social position and protection of private life of transsexual persons residing in Lithuania in 2017. This will contribute to the visibility of problems faced by transsexual persons and their solution in Lithuania and other EU Member States, especially regarding equal opportunities and non-discrimination in the field of employment and profession.

81. **Awareness raising (88.20, 88.23).** In 2016, the campaign #TRANS\_LT dedicated to increasing social visibility was nominated in the category of “Breakthrough of the Year Award” in the National Equality and Diversity Awards. It was an opportunity for the transsexual persons to tell their personal stories in a sensitive and subtle manner for the first time on what it means to be a transsexual person in Lithuania. The campaign was launched in 2015 with the encouragement of international partners ILGA-Europe and TGEU. Videos on YouTube were watched over 30,000 times and shown on TV. The project managed to draw attention to this social group and encouraged high-ranking officials and the public to discuss their situation.

82. **Freedom of expression and assembly (88.26, 88.33, 88.34).** Lithuanian authorities take measures to ensure these rights of LGBT persons. Vilnius city municipality authorised the Pride parade taking place in June 2016.

## **I. Combating hate crime (88.2, 88.7, 88.18, 88.19, 88.20 and 88.31)**

83. **Improvement of legal acts.** In order to improve protection against hate crime by means of criminal law, draft Criminal Code amendments prepared in 2016 added disability and age among prohibited grounds of discrimination and incitement.

84. **Training.** Implementing the Memorandum of Understanding between the Police Department under the Ministry of the Interior and the OSCE, a training programme tailored for the Lithuanian police officers on combating hate crime was prepared. The goal of the training programme is to improve the knowledge and skills of police officers in response to hate crime and training of the police officers on the recognition of hate crime and understanding of its impact on the victims; understanding and application of the relevant provisions of the Criminal Code; application of acquired skills in response to hate crime and its investigation. 24 police instructors were trained in 2015 who are obliged to transfer the acquired skills to other officers. Prosecutors specialising in the investigation of hate crime and discriminatory activities also participated in the training. 377 police officers participated in the mentioned training before 11 April 2016.

85. A project “Innovative development of intercultural competences for police officers” financed from the EU support funds was implemented in 2013–2014 by the IOM Vilnius Office and the Police Department, resulting in the preparation of a professional development programme aiming to provide knowledge on equality and non-discrimination and promote tolerance; over 150 police system employees participated in training under this programme.

86. In 2011–2011, 177 police officers participated in professional development course “Peculiarities of communication with victims” focusing on possible manifestations of discrimination in Lithuania, 26 police officers participated in the professional development course “Promotion of non-discrimination. Implementation of equal opportunities policy”.

87. The Office of the Prosecutor General, in cooperation with the Lithuanian Bar Association organised and implemented the HELP programme financed by the Council of Europe in 2013 and 2014 providing interactive training of prosecutors and lawyers on anti-discrimination in accordance with the relevant case law of the ECtHR. 15 prosecutors specialising in the investigation of hate crime and discriminatory activities participated in the training, as well as 15 lawyers and lawyer assistants.

88. **Activities of the Inspector of Journalist Ethics (88.23).** The Inspector of Journalist Ethics implementing the provisions of the Law on Provision of Information to the Public and following the conclusions of the experts establishes whether public information published in the media causes discord on the grounds of gender, sexual orientation, race, nationality, language, origin, social status, religion, beliefs or views, i.e. investigates cases of incitement of discord (hate, discrimination, bullying) in the public information. Between 2012 and 2015, at the request of pre-trial investigation authorities the total amount of 400 content examinations of public information were conducted (129 in 2012, 123 in 2013, 46 in 2014, and 103 in 2015).

89. In order to protect the public space from hate manifestations, the Office of the Inspector of Journalist Ethics also provides training. In 2014, this Office participated in the training by the international journalist community, the NGO “Media4change” for representatives of regional media. During this event, journalists were trained to recognise hate speech and avoid it in journalistic activities. In 2014, training was organised for representatives of the Lithuanian Journalists' Union on the journalist ethics, providing recommendations on how to avoid dissemination of hate speech when reporting on events and quoting other information sources and ways to properly respond to it. Furthermore, with the cooperation between the Inspector of the Journalist Ethics and the Police Headquarters of Utena County, training was organised in 2014 for the staff of police offices in Anykščiai, Ignalina, Molėtai, Visaginas and Zarasai, *inter alia* on investigation of online incitement to hatred. In 2016, the Office participated in a conference in which bullying among minors in Lithuania and measures for its reduction were discussed.

## **J. Protection of the rights of victims of crime (88.12, 89.20, 89.43–44, 89.46–47)**

90. **Implementation of EU Directive on Victims' Rights.** Lithuania has implemented Directive 2012/29/EU on the rights of victims of crime. The Directive is conceptually new in terms of its recognition of the rights of victims, and emphasis on the vulnerability of victims (at least some of them) and their needs. Among other things, this Directive aims at an individual assessment of victim's needs, providing for substantial improvements in the protection of the rights of persons with special needs.

91. In 2015, amendments to the Criminal Procedure Code and the related laws (Law on Execution of Arrest, and Penal Sanctions Enforcement Code) transposed the provisions of the Directive regarding victims' rights in criminal proceedings, e.g., as to what information and guarantees (the right to be heard, the right to support, etc.) they should be provided with. The Criminal Procedure Code also provides for the obligation to assess all the victims of crime in terms of special protection measures they may require, with a view to ensuring adequate prevention of psychological trauma, criminal effect or other negative consequences. Juvenile witnesses or victims are subject to additional guarantees.

92. This was followed by the adoption of the implementing legislation, which details the implementation of the legal provisions of the above laws (e.g. the Recommendations of the Prosecutor General Regarding the Assessment of Victims' Needs for Special Protection Measures). According to these recommendations, victims' needs for special protection measures shall be personal characteristics or/and the nature or the circumstances of the crime-based needs for guarantees provided by the Criminal Procedure Code, protecting the victim from psychological trauma, criminal effect or other negative effects in criminal proceedings. These needs shall be assessed by the pre-trial officer or prosecutor not later than during the first questioning. The assessment of the abovementioned needs as well the social status, gender, age and other individual or group adherence features may lead to granting special protection measures in criminal proceedings. 18 special protection

measures have been provided for, including non-public court proceedings; questioning by same-sex officer; questioning by specializing officer; right to an interpreter/translator for crime victims who do not know the Lithuanian State language or who have speech, hearing or mental impairments, or for their representatives, etc.

93. Specialized assistance to victims has also been provided for in the laws and the implementing legislation.

## **K. Implementation of other recommendations**

94. National Human Rights Institution (89.11–89.18). See paragraph 5 of the report.

95. **Protection of human rights defenders (89.24).** For the purpose of the implementation of the UN Declaration on Human Rights Defenders and other international instruments, Lithuania continues to take measures to ensure the protection of human rights defenders and to facilitate their free and safe operation. Back in the second half of 2011, an inter-institutional cooperation mechanism was created and put to practice with a view to better protecting personal and financial information of the international human rights defenders and activists who take refuge in Lithuania. This mechanism has been effective until now.

96. Promoting tolerance and shaping public opinion (88.22). See III (C) of the report.

## **V. Analysis, achievements, best practice, challenges, obstacles**

### **A. Achievements and best practice**

97. To ensure that the issue of implementation of recommendations received during the UPR stays on the agenda of the Government and individual institutions and to ensure cooperation with NGOs, regular practice has been worked out as regards UPR coordination meetings (see the description of the report preparation process).

98. In order to improve the mechanism for the cooperation between State and local authorities in implementing international commitments on human rights, Vilnius municipality was involved in coordination of the implementation progress of the recommendations received during the first cycle of the UPR and the preparations for the second cycle. It is expected that other Lithuanian municipalities will follow suit.

### **B. Challenges and obstacles**

99. There are still open challenges in the activities of State institutions as regards human rights policy-making, implementation, coordination and leadership. The difficulty is posed by considerable diversity of views on how to deal with human rights issues, which leads to problems in making legislation. Different views are partially responsible for problems related to the protection of rights of vulnerable persons (e.g. according to NGOs, dissemination of positive information about LGBT people is limited, and sexual orientation hate offences and their investigation still pose a problem).

100. Cooperation mechanisms between the central and local levels of Government are not sufficiently effective (therefore, the municipal level partially fails the implementation of laws, e.g. providing for easily accessible polling stations for persons with disabilities). Implementation of recommendations of international human rights organizations was hindered by a flawed perception at the municipal level of recommendations being too

general and therefore irrelevant. This attitude should be overcome by giving greater attention from central government institutions. Furthermore, municipalities identify a number of problems related to inter-institutional coordination and cooperation. Vilnius Municipality has encountered these problems while trying to prevent drug dealing in Vilnius Roma settlement in Kirtimai, so it plans to pay extra attention to the impact assessment, implementation and monitoring of the 2016-2019 programme for Vilnius Roma settlement integration into society, and envisaging additional measures.

101. As pointed out by civil society representatives, although human rights protection measures are included in the institutional planning documents, a systematic and comprehensive assessment of progress achieved in human rights is still absent.

## **VI. National priorities for protection of human rights**

102. Human rights are mainstreamed in government programmes to ensure continuity of efforts regarding respect, protection and promotion of human rights. An emerging action priority is strengthening central-local government cooperation in the implementation of international human rights standards. The remaining action priority is a more effective involvement of NGOs in making decisions on human rights. The NGO Council is expected to help achieve this.

103. In 2013, Seimas adopted the Law on NGOs aimed at building favorable environment for NGOs, ensuring appropriate conditions for their operation and development as an important element of civil society. According to the law, the NGO Council shall act as an advisory body ensuring NGO involvement in identifying, formulating and implementing NGO-related policy. The Council has two years term. It brings together nine State institutions – President's Office, Office of the Government, Ministry of Defence, Ministry of Culture, Ministry of Social Security, Ministry of Education, Ministry of Justice, Ministry of Internal Affairs, Ministry of Agriculture and Association of Local Authorities in Lithuania, as well as representatives of ten NGOs, delegated to the Council by national umbrella NGO associations through mutual agreement. Since 2014, the NGO Council has taken active efforts to raise NGO issues at organized meetings. To achieve close and constructive cooperation between non-governmental and public sectors, the Council initiates meetings with representatives of government institutions, makes written proposals and holds consultations on important issues.

## **VII. Importance of technical assistance**

104. To further promote protection of human rights, funds have been allocated from State budget, European and international funds, as well as support from individual countries. E.g., programme LT 14 “Correctional Services including Non-custodial Sanctions“ has been implemented under 2009-2014 Norwegian Financial Mechanism. The programme aims to improve the Lithuanian correctional services system to comply with relevant international human rights instruments, with a view to reducing the number of the sentenced to imprisonment and prison overcrowding, providing for more alternatives to imprisonment, improving conditions for most vulnerable inmates, and improving competences of both inmates and prison staff. The programme budget was 9.05 million Euros, including 85% (7.7 million Euros) from the Norwegian Financial Mechanism and 15% (1.35 mln. Euros) co-financed by Lithuania. There are plans to continue improving the penal system in Lithuania from the new financial period 2014–2021 of the Norwegian Financial Mechanism.

105. Lithuania is also actively involved in providing technical assistance on human rights issues in other countries. In 2014–2016, Lithuania has focused on bilateral support to the EU Eastern Partnership countries and the Islamic Republic of Afghanistan. E.g., under the Development Cooperation and Democracy Promotion Programme, Lithuania has implemented the following development cooperation projects. During the project of economic and social empowerment of women implemented in Georgia in 2014–2015, 60 Pankisi and Akhlagori region women were trained in small business start up and administration, and another 30 Khashuri town women will, following implementation of 2016 project, have better opportunities of access to education and employment, and become socially and economically active and independent. Camps for women, youth, persons with disabilities, and other socially vulnerable people have been organised in Armenia for a number of years now with a view to increasing their independence, self-confidence and public involvement in an active, healthy, civic life as well as mutual tolerance. In 2016, a project has been running in Ukraine involving about 1,000 persons (mainly women) relocated internally from Eastern Ukraine, who take part in integration and empowerment programme “A New Beginning”, which is expected to provide them with information necessary for an active participation in the labour market. The development cooperation policy represents an integral part of Lithuania’s foreign policy aimed at peace, economic growth and social stability in the world.

---