



**Convention on the Rights  
of Persons with Disabilities**

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**Committee on the Rights of Persons with Disabilities**

**Concluding observations on the initial report of Lithuania**

**Addendum**

**Information received from Lithuania on follow-up to the  
concluding observations\***

[Date received: 24 May 2017]

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\* The present document is being issued without formal editing.



1. On 6-7 April 2016, the United Nations Committee on the Rights of Persons with Disabilities (hereinafter referred to as “the Committee”) convened in Geneva and considered the initial report of Lithuania on the implementation of the United Nations Convention on the Rights of Persons with Disabilities (hereinafter referred to as “the Convention”) and on 20 April 2016 submitted its recommendations to Lithuania.
2. In recommendation 69, the Committee requests that the State party, within 12 months and in accordance with Article 35, paragraph 2, of Convention, provide information on the measures taken to implement the Committee’s recommendations as set forth in paragraph 58 (giving everyone with a disability the right to vote and stand for election) and 68(b) (creating a monitoring mechanism in accordance with the Paris Principles).
3. Seeking to implement the Committee’s recommendation 69, we hereby submit the following information.

### **Regarding the implementation of recommendation 58 (a) and (b)**

4. Please note that in order to implement the provisions of the Convention to the full extent and in view of the Committee’s recommendations to Lithuania, the Ministry of Justice of the Republic of Lithuania plans to initiate amendments to legal acts of the Republic of Lithuania in order to eliminate the concept of full incapacity. With regard to the fact that organisational preconditions for persons with disabilities to exercise their rights must also be ensured (provision of professional assistance, enhancing supported decision-making), follow-up monitoring of legal regulation of the restriction of legal capacity of persons is expedient. Presently we have a transitional period of the application of new legal regulation, i.e. from 1 January 2016 until 1 January 2018 the review of judgments recognising legal incapacity of persons adopted before 1 January 2016 is conducted, and there are also plans to evaluate the practice of application of new legal regulation after the transitional period is over, i.e. after 1 January 2018. With regard to the above, amendments to legal regulation regarding elimination of the concept of full incapacity as well as other necessary amendments to legal regulation are planned to be initiated in 2019. It should be noted that the Programme of the Government of the Republic of Lithuania 2016-2020 also stipulates the empowerment of persons with disabilities to protect their rights, by gradually developing a supported decision-making model.

### **Regarding the implementation of recommendation 58 (d)**

5. Please note that in April 2017, the Ministry of Justice of the Republic of Lithuania submitted an improved draft Law on the Creation and Implementation of the Online Voting System of the Republic of Lithuania (hereinafter referred to as “the Draft Law”) to the concerned authorities and society for coordination. The Draft Law provides that the online voting information system must be adapted to the needs of persons with disabilities. The creation of an online voting system is among the priority tasks included in the Implementing Plan of the Programme of the Government of the Republic of Lithuania 2016-2020. After the Draft Law is adopted, an online voting information system will be established and legitimated. Preparation and adoption of all draft laws amending the laws on elections is scheduled by 31 December 2019.
6. In February 2017, the Ministry of Social and Labour of the Republic of Lithuania formed an inter-institutional working group for the preparation of draft legal acts related to the implementation of Article 29 (a) of the Convention (hereinafter referred to as “the Working Group”). The Working Group was composed of the representatives from the Ministry of Social Security and Labour of the Republic of Lithuania, the Ministry of Justice of the Republic of Lithuania, the Department of Disabled Affairs under the Ministry of Social Security and Labour, the Office of the Equal Opportunities Ombudsperson, the Central Electoral Commission of the Republic of Lithuania, the Association of Local Authorities in Lithuania, and the Society for the Physically Disabled of Lithuania.
7. Having evaluated the problems of application of the following laws on elections: the Republic of Lithuania Law on Elections to the Seimas, the Republic of Lithuania on

Presidential Elections, the Republic of Lithuania law on Elections to the European Parliament, and the Republic of Lithuania Law on Elections to Municipal Councils, arising due to inefficiency of existing legal regulation in practice, the Working Group prepared draft amendments to the Republic of Lithuania law on Elections to the Seimas, the Republic of Lithuania Law on Presidential Elections, the Republic of Lithuania law on Elections to the European Parliament, the Republic of Lithuania law on Elections to Municipal Councils, and the Code of Administrative Offences of the Republic of Lithuania.

8. After the Government of the Republic of Lithuania approves and the Seimas adopts the prepared draft laws, persons with disabilities will be able to effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives including the right and opportunity for persons with disabilities to vote and be elected, inter alia, by ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use: protecting the right of persons with disabilities to vote by secret ballot without intimidation, facilitating the use of assistive and new technologies where appropriate; guaranteeing the free expression of the will of persons with disabilities as electors, allowing them to use the most suitable way of their own choice.

### **Regarding the implementation of recommendation 68 (b)**

9. The Ministry of Social Security and Labour of the Republic of Lithuania, having regard to the Committee's recommendation 68(b) — to remove the Council for the Affairs of the Disabled (hereinafter referred to as "the Council") from the independent monitoring framework and in consultation with organisations of persons with disabilities, expedite the establishment of an independent monitoring mechanism complying with the Paris Principles with the required expertise and with access to sufficient resources in accordance with article 33 (2), revised legal acts governing the activities of the Council. With regard to the above, an amendment to the Republic of Lithuania Law on Social Integration of the Disabled was adopted on 1 September 2016, which sets forth that the Council is a public advisory body composed of the representatives from state institutions, associations of persons with disabilities, municipalities, and the academic sector, In order to ensure comprehensive examination of the issues of social integration of the disabled on the expert level, while observing the originality principle, representatives from the academic sector and municipalities have been included in the composition of the Council.

10. While implementing the amendments to the Republic of Lithuania on Social Integration of the Disabled, the Regulations of the Council were approved by Resolution No: 1042 of the Government of the Republic of Lithuania of 19 October 2016 (hereinafter referred to as "the Regulations"). The Regulations lay down that the key objective of the Council is to exam the issues of social integration of the disabled and submit proposals to the Government of the Republic of Lithuania, ministries, other state and municipal institutions and agencies regarding the policy of social integration of the disabled, its implementation, draft legal acts regulating social relations of the disabled, as well as monitoring reports on the implementation of the Convention and its Optional Protocol. Furthermore, Order No. A1-145 of the Minister of Social Security and Labour of the Republic of Lithuania of 28 March 2017 approved the institutional and personal composition of the Council. It is composed of nine representatives from state institutions, one representative form the municipalities, nine representatives from the associations of persons with disabilities, and one representative from the academic community. The Equal Opportunities Ombudsperson was recommended by Resolution No: 1739 of the Government of the Republic of Lithuania of 8 December 2010 to control the implementation of the Regulations of the Convention related to ensuring equal opportunities.

11. Seeking to ensure continuity of the policy of social integration, with regard to the Committee's recommendations to Lithuania, as well as fulfilling the assumed international commitments regarding a more effective implementation of the Convention, the Ministry of Social Security and Labour of the Republic of Lithuania, being a coordinating authority for the implementation of the Convention, took into consideration the proposals of

organisations representing the disabled and adopted a decision to initiate the preparation of a plan of implementation of the Committee's recommendations to Lithuania. Upon receipt of proposals from ministries and the concerned authorities on measures for the implementation of the committee's recommendations, the Plan of Implementing Measures of the Committee's Recommendations 2016-2020 was approved by Order No: A1-596 of the Minister of Social Security and Labour of the Republic of Lithuania of 9 November 2016.

12. In accordance with the provisions of the Republic of Lithuania Law on Social Integration of the Disabled, the Department of Disabled Affairs under the Ministry of Social Security and Labour organises, within its competence, the implementation of the policy of social integration of the disabled and, with the associations of the disabled involved, organises monitoring of the performance results of social integration of the disabled and prepares monitoring reports on the implementation of the Convention and its Optional Protocol. Funds for the monitoring of implementation of the Convention have been envisaged in the state budget.

13. The provisions of the Convention are also implemented through the National Programme for Social Integration of the Disabled 2013-2019, approved by Resolution No. 1408 of the Government of the Republic of Lithuania of 21 November 2012, and the 2016-2018 Plan of Implementing Measures of the National Programme for Social Integration of the Disabled 2013-2019, approved by Order No: A1-381 of the Minister of Social Security and Labour of the Republic of Lithuania of 25 June 2015.

14. Social integration of the disabled and the quality of their public life are ensured through measures such as adaption of housing, payment of target compensations, support for disabled students, provision of technical aids, and promotion of tolerance. The projects of social rehabilitation services in the community and support of association activities, targeted at the integration of the disabled, are financed. When implementing the projects, accessibilities of services to the disabled is developed, self-sufficiency of the disabled is enhanced, and the role of the non-governmental sector is strengthened.

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