



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

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

**Combined second and third periodic reports  
submitted by Lithuania under article 35 of the  
Convention, due in 2020<sup>\*</sup>, <sup>\*\*</sup>**

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

\*\* The annexes to the present report may be accessed from the web page of the Committee.



## I. Introduction

1. The Republic of Lithuania ratified the United Nations Convention on the Rights of Persons with Disabilities (hereinafter – the Convention) and its Optional Protocol on 27 May 2010. In accordance with Article 35(2) of the Convention and paragraph 73 of the Concluding Observations of the United Nations Committee on the Rights of Persons with Disabilities on the Initial Report of Lithuania (hereinafter – CRPD/C/LTU/CO/1), the Republic of Lithuania submits the 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) (hereinafter – the Report).

2. The Report contains the information on the measures put into effect by the state in 2016–2019 with a view to implementing the provisions of the Convention in law and practice and ensuring the proper protection of the rights of persons with disabilities.

3. This Report is accompanied by the Annex “Statistical and Thematic Review” (hereinafter – the Annex) containing statistics and additional data relating to the implementation of individual articles of the Convention.

4. The Report was drawn up following the Guidelines on Periodic Reporting by States Parties of the United Nations Committee on the Rights of Persons with Disabilities and taking account of CRPD/C/LTU/CO/1 by the Commission for Drafting Joint Second and Third Periodic Reports of the Republic of Lithuania under the United Nations Convention on the Rights of Persons with Disabilities (2006) formed by Order of the Minister of Social Security and Labour of the Republic of Lithuania of 21 January 2020 (the composition of the Commission is set out in Table 19 of the Annex).

5. This Report was approved by Protocol Decision No 47 of the Government of the Republic of Lithuania of 28 October 2020. It is available in Lithuanian and English and is published on the websites of the Ministry of Social Security and Labour of the Republic of Lithuania and the Ministry of Foreign Affairs of the Republic of Lithuania.

## Abbreviations

6. Abbreviations used in this Report:

Annex – Annex “Statistical and Thematic Review” to the Report

BSB – Basic Social Benefit (basic rate for defining and calculating social assistance benefits and other amounts established in legislation) (amount in EUR is presented in Table 1 of the Annex)

CAD – Council for the Affairs of the Disabled

CC – Civil Code of the Republic of Lithuania

CCP – Code of Civil Procedure of the Republic of Lithuania

CCRP – Code of Criminal Procedure of the Republic of Lithuania

Commission – Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equal Opportunities Ombudsperson

Convention – United Nations Convention on the Rights of Persons with Disabilities

CRP – Criminal Code of the Republic of Lithuania

CRPD/C/LTU/1 – Initial Report of the Republic of Lithuania on the Implementation of the United Nations Convention on the Rights of Persons with Disabilities

CRPD/C/LTU/CO/1 – Concluding Observations of the United Nations Committee on the Rights of Persons with Disabilities on the Initial Report of Lithuania

DAD – Department for the Affairs of the Disabled under the Ministry of Social Security and Labour

Description – Description of general requirements for websites of state and municipal institutions and bodies

DL – disability level

DWCAO – Disability and Working Capacity Assessment Office under the Ministry of Social Security and Labour

Equal Opportunities Plan – 2018–2021 Action Plan Implementing the National Programme on Equal Opportunities for Women and Men for 2015–2021 approved by the Order No A1-331 of the Minister of Social Security and Labour of the Republic of Lithuania of 27 July 2018 on the approval of the 2018–2021 Action Plan Implementing the National Programme on Equal Opportunities for Women and Men for 2015–2021

ERC – Emergency Response Centre

ES – Employment Services under the Ministry of Social Security and Labour

First Programme – Programme for the Adaptation of Housing for Persons with Disabilities implemented by the Ministry of Social Security and Labour of the Republic of Lithuania

FSAIS – Family Social Assistance Information System

Government – Government of the Republic of Lithuania

Government Programme – Programme of the Seventeenth Government of the Republic of Lithuania approved by Resolution No XIII-82 of the Seimas of the Republic of Lithuania of 13 December 2016 on the Programme of the Government of the Republic of Lithuania

ISDC – Information Society Development Committee

LET – Law of the Republic of Lithuania on Equal Treatment

LFPRC – Law of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child

LSGLA – Law of the Republic of Lithuania on State-Guaranteed Legal Aid

LSID – Law of the Republic of Lithuania on Social Integration of the Disabled

MC – Ministry of Culture of the Republic of Lithuania

ME – Ministry of Environment of the Republic of Lithuania

MESS – Ministry of Education, Science and Sport of the Republic of Lithuania

MFA – Ministry of Foreign Affairs of the Republic of Lithuania

MH – Ministry of Health of the Republic of Lithuania

MJ – Ministry of Justice of the Republic of Lithuania

MSSL – Ministry of Social Security and Labour of the Republic of Lithuania

MTC – Ministry of Transport and Communications of the Republic of Lithuania

NGOs – non-governmental organisations

Non-discrimination Plan – Action Plan for the Promotion of Non-discrimination for 2017–2021 approved by Order No A1-250 of the Minister of Social Security and Labour of the Republic of Lithuania of 15 May 2017 on the approval of the Action Plan for the Promotion of Non-discrimination for 2017–2021

NP – National Programme for Social Inclusion of Persons with Disabilities for 2013–2020 approved by Resolution No 1408 of the Government of the Republic of Lithuania of 21 November 2012 on the approval of the National Programme for Social Integration of Persons with Disabilities for 2013–2020

OEOO – Office of the Equal Opportunities Ombudsperson

Patient with MBD – patient with mental and behavioural disorders

Reorganisation Plan – Action Plan for 2014–2020 on the transition from institutional care to family and community services for persons with disabilities and children left without parental care approved by Order No A1-83 of the Minister of Social Security and Labour of the Republic of Lithuania of 14 February 2014 on the approval of the Action Plan for 2014–2020 on the transition from institutional care to family and community services for persons with disabilities and children left without parental care

Report – Report on the Joint Second and Third Periodic Reports of the Republic of Lithuania on the Implementation of the United Nations Convention on the Rights of Persons with Disabilities

SAPB – Social Assistance Pension Base (basic rate used for defining and calculating the amount of social assistance benefits associated with the social assistance pension base) (amount in EUR is provided in Table 1 of the Annex)

Second Programme – Programme for the Adaptation of Housing and Living Environment to Families Raising Children with Severe Disabilities implemented by the Ministry of Social Security and Labour of the Republic of Lithuania since 2017

Seimas – Seimas of the Republic of Lithuania

SL – Lithuanian Department of Statistics

SN – special needs

SOORL – Seimas Ombudsmen’s Office of the Republic of Lithuania

SSI – State Supported Income (amount used for assessing income and/or assets of a person and establishing whether he/she is entitled to receive social assistance, and for defining and calculating the amounts of social assistance) (amount in EUR is presented in Table 1 of the Annex)

TCB – Target Compensation Base (basic rate used for defining and calculating the amount of target compensations for nursing and care (assistance) costs) (amount in EUR is presented in Table 1 of the Annex)

WCL – working capacity level

## **Demographic situation**

7. According to the LSID, a person with disability means a person for whom a DL (for persons under 18 years) or a WCL of 55% and lower (for persons of working age) or a level of SN (for persons of retirement age) is established.

8. The breakdown of the number of persons with disabilities by age, severity of disability, municipalities, and disability establishment trends is given in the Annex (Figures 1–5 and Table 17).

9. According to the data of the MSSL, in 2016, there were 244 698, in 2017 – 241 861, in 2018 – 230 609 and in 2019 – 236 000 persons with disabilities, accounting for about 8% of the total population. In 2019 the number of children with disabilities under 18 was 15 327 and accounted for 3% of the total number of children.

10. According to the data of the DWCAO, in 2017, the number of persons of working age with a lower WCL established for the first time increased. In 2018, the number of such persons decreased by 3.1% compared to 2017 and in 2019 – by 5.6% compared to 2018. In 2018, the number of children who were first diagnosed with disability declined by 2.7% compared to 2017; in 2019 – by 2.6% more compared to 2018.

## **II. General measures implementing the Convention**

### **A. Legal acts**

11. The fundamental legal act ensuring equal rights and opportunities for persons with disabilities in society, laying down the principles of their social inclusion, definitions, social inclusion system, its prerequisites and conditions, institutions implementing social inclusion, establishing DL, WCL, SN level and SN and criteria applied in relation thereto, provision of the professional rehabilitation services is the LSID.

12. The NP approved by the Government is one of the most important documents as the implementation of its measures directly contributes to improving the quality of life of persons with disabilities. See also paragraph 24 of the Report.

13. The Government Programme focuses on the implementation of the provisions of the Convention and on improving the quality of life of persons with disabilities and their family members by creating new individualised and complex services, improving the disability related system, promoting employment of persons with disabilities, adapting public and private environment and other measures.

14. In order to implement one of the key recommendations on the full involvement of NGOs representing persons with disabilities in the process of making political decisions relevant for all persons with disabilities in all sectors from the first stages, the LSID was amended. It sets the main task for the CAD acting as a public advisory institution to examine issues of the social inclusion of persons with disabilities.

15. In order to qualitatively reorganise the system for disability assessment and meeting individual needs, the project “Improvement of the Disability Assessment System” has been implemented in cooperation with the EC and World Bank experts since 2019.

16. In 2016, provisions of Article 12 of the Convention were implemented and the regulation on general access to facilities was improved.

17. In 2017, criminal liability for discrimination on the grounds of disability entered into force.

18. In 2018, paragraphs 6 and 8 of CRPD/C/LTU/CO/1 were implemented and the system of disability detection and assistance measures was improved.

19. In 2019, the right to vote and stand as a candidate was reserved and an independent Commission was set up to monitor the implementation of the Convention.

20. The Plan on the promotion of children’s emotional well-being in 2020 was approved.

21. In 2020, the CRPD/C/LTU/CO/1 recommendation on an integrated strategy for inclusive education in the general education system was implemented. For more information regarding paragraphs 16–21 of the Report see Table 24 of the Annex.

### **B. Policy and strategy on the rights of persons with disabilities**

22. The policy on persons with disabilities is developed and implemented by the Government, the MSSL, other ministries within their remit, the DAD, the DWCAO, municipalities and NGOs. The implementation of the Convention is coordinated by the MSSL.

23. The Government Programme pays special attention to social policy and to ensuring the rights of persons with various disabilities. For that purpose a system for adapting housing to persons with disabilities was established, prioritising families with children with disabilities; family and community services for children, persons with disabilities and their families are developed; the network of vocational training institutions is upgraded by adapting the physical and information environment to persons with disabilities in order to meet labour market needs and ensure lifelong learning opportunities; persons with disabilities are empowered to protect their rights; a model of assistance in decision-making is gradually

developed; specialised programmes for social inclusion of institutionalised groups are designed and developed in municipalities; art related competences of persons with disabilities and socially excluded persons are strengthened by developing their creativity via innovative NGOs cooperation models.

24. The NP aims at creating a sustainable environment and conditions for efficient development of the processes of social inclusion of persons with disabilities and ensuring the implementation of the provisions of the national legislation on social inclusion and equal opportunities of persons with disabilities and the Convention. The NP covers public education, health care, medical, professional and psychosocial rehabilitation, independent life skills development, social services, education, social protection, employment, culture, sport, recreation, family life. Its objectives are achieved by improving laws, state, regional programmes and measures, training staff and updating the qualifications thereof, cooperating and holding consultations with NGOs, collecting and analysing statistical and other information on persons with disabilities, their problems and solutions to these problems, organising and supporting socio-economic research programmes.

25. In order to implement the NP, inter-institutional action plans are created to provide funding to NGOs active in the field of social inclusion of persons with disabilities and providing social rehabilitation services for persons with disabilities in the community, promoting mobility and independent life skills, publishing and distributing periodical and information publications for persons with disabilities and supporting NGO activities.

26. The Reorganisation Plan, which aims to identify consistent and coordinated actions promoting the development of a system of transition from institutional social care to family- and community-based services for disabled adults with mental and/or psychiatric disabilities, children and youth with mental and/or psychiatric disabilities, children without parental care including infants, and families as well as of support for families and foster parents. The strategic goal of the Action Plan is to develop a system focused on integrated provision of services enabling every child, disabled person or his/her family (guardians or carers) to receive individual services tailored to their needs and required community support, and ensuring that every child left without parental care grows in a safe environment conducive to the child's development – either in a biological family or, in the absence of such family, a family of foster parents.

27. Taking into account CRPD/C/LTU/CO/1, the Plan on the implementation of recommendations of the UN Committee on the Rights of Persons with Disabilities for 2016–2020 specifies measures to be implemented by various institutions which submit annual reports to the MSSL.

### **C. Funds**

28. The system of integration of persons with disabilities is financed from the state and municipal budgets, State Social Insurance Fund, Compulsory Health Insurance Fund, EU structural funds and other funds.

29. Lithuania provides various benefits to persons with disabilities through social insurance, social assistance, social services, health insurance and labour market programmes. Assistance programmes include various measures from cash benefits to services, including medical and professional rehabilitation, employment support, reimbursement of care costs, housing support, etc. Cash benefits predominate, in particular social insurance work incapacity pensions (87% of all adults with disabilities receive these benefits), social assistance disability pensions (19% of all persons with disabilities receive these benefits) and care benefits (41.0% of all persons with disabilities receive these benefits). Most cash benefits are provided at national level, while municipalities are responsible for providing services and some cash benefits. Lithuania spends about 15.5% of gross domestic product on social security, of which disability benefits account for about 9% or 1.4% of gross domestic product (2018). The report prepared by the Joint Team of the World Bank, the EC and the MSSL notes that, compared to other EU countries, Lithuania's share of all social security funds allocated to disability benefits is higher than the EU average.

30. Taking into account paragraph 10 of CRPD/C/LTU/CO/1, financial measures envisaged by Lithuania to implement the inclusion of persons with disabilities are set out in Table 3 of the Annex.

31. All state institutions implement, within their remit, measures focused on persons with disabilities (adaptation of the physical and information environment, facilitation of education, treatment and access to services), they are targeted at the general public, making it impossible to accurately calculate the total amount of funds allocated to the social inclusion of persons with disabilities.

## **D. International commitments**

32. For more information on international obligations and international cooperation, see paragraphs 264–268 of the Report.

### **Independent human rights institutions**

33. Monitoring of human rights is carried out by the OEOO and the SOORL. In 2017, the SOORL was accredited as the national human rights authority in line with the Paris Principles enshrined in UN General Assembly Resolution 48/134, at level A. Since 2018, the SOORL has been granted the status of the National Human Rights Authority.

### **Dissemination of information on the rights of persons with disabilities**

34. Aspects related to the matters of public awareness on persons with disabilities are enshrined in the NP:

- rising of public awareness on the process of social inclusion of persons with disabilities;
- focusing on the measure “changing public attitudes on mental and psychiatric disabilities through public measures”.

35. Each year, NGO activities that directly contribute to rising public awareness are supported, and the publication of periodicals for persons with disabilities is funded.

36. Each year, a project on preparation and dissemination of information on the internet is selected by tender. The selected news website has the section “I can” where information on disability issues is published.

37. See also the information in paragraphs 77–82 of the Report.

### **Cooperation with NGOs**

38. In 2019, the amendments to the Law on the Development of Non-governmental Organisations strengthening the role of the NGO Council were adopted (the Council consists of nine representatives of state institutions and agencies, one representative of the Association of Local Authorities and ten representatives of non-governmental organisations (one of the NGOs represents persons with disabilities). The representatives of NGOs participate in the Monitoring Group of the Reorganisation Plan. The procedure for setting up and operation of municipal NGO councils was improved, as well as the legal basis for setting up the NGO Fund was established. The NGO Fund serves as basis for targeted and constant state incentives to improve the quality of institutional capacity and services provided by NGOs and communities.

39. The regulations and composition of the CAD were updated providing that the CAD comprises 20 members: 9 representatives of public authorities, 9 representatives of associations of persons with disabilities and one representative of the academic community. The tasks of the CAD are to examine issues of social inclusion of persons with disabilities and to submit proposals to the Government, ministries, other state and municipal institutions and agencies concerning the policy of social inclusion of persons with disabilities, its implementation, and draft legislation.

40. In implementing the NP, NGOs representing persons with disabilities may participate via tender or in accordance with the procedure laid down by the Law on Public Procurement. NGOs are consulted on all issues when developing measures to improve the social inclusion of persons with disabilities. Various joint activities (e.g., training, projects, etc.) are implemented in cooperation with NGOs. Funding of activities related to the rights and well-being of persons with disabilities carried out by NGOs from the state budget is ensured.

41. NGOs are entrusted with providing social rehabilitation services in the community (paragraphs 208–209 of the Report), organising physical training and sport activities for persons with disabilities in municipalities (paragraphs 245–246 of the Report), and providing complex social rehabilitation services for persons who are blind (paragraph 210 of the Report).

42. Umbrella NGOs of persons with disabilities whose primary purpose is to protect the rights of persons with disabilities and their family members and adequately represent them are financed from the state budget.

43. The MSSL initiated the creation of the equal opportunities network involving public authorities, local authorities, NGOs and other social partners. The network is designed to share useful information in the areas of non-discrimination, domestic violence and equal opportunities.

## **E. General statistics on persons with disabilities**

44. General statistics is presented in the “Demographic situation” part of the Report.

45. The SL carries out social statistical surveys (population surveys) of different periodicity according to the EU uniform methodologies and publishes statistical information in the Official Statistical Portal.

46. The DWCAO and municipalities enter data on persons with disabilities in the FSAIS. Data on persons with the established DL, WCL and SN is compiled. Since 2018, information on whether a child was disabled when placing him/her in foster care is provided in the FSAIS. The FSAIS has additionally started collecting data on children experiencing domestic violence (both witnesses and those growing in the environment of domestic violence), and the number of children experiencing violence who are placed in foster care or have a disability.

## **III. Overview of the implementation of the rights of persons with disabilities according to the articles of the Convention**

### **Article 2 Definitions**

### **Article 3 General principles**

47. The OEOO handles complaints concerning discrimination against persons with disabilities in accordance with the concept of disability provided both in the LSID, the Convention and in the case-law of the ECHR and the Court of Justice of the EU, with regard to the medical definition of disability and to the social concept of disability, taking into account external barriers preventing persons with disabilities from fully participating in social life.



## **Article 4**

### **General obligations**

48. Subject to points (a) and (b) of paragraph 12 of CRPD/C/LTU/CO/1, Lithuania involves NGOs representing the interests of persons with disabilities in decision-making processes, including the implementation and monitoring of the UN Sustainable Development Goals. Every year, funding is provided for NGO activities aimed at protecting the rights of persons with disabilities. The main legal acts on social matters relating to persons with disabilities are coordinated with NGOs. For more information, see “G. Cooperation with NGOs” of the Report.

## **Article 5**

### **Equality and non-discrimination**

49. General information on the prohibition of discrimination is provided in paragraphs 17–21 of the CRPD/C/LTU/1.

50. In 2017–2019, the Non-discrimination Plan was implemented. On the basis of the Non-discrimination Plan, proposals were drawn up to ensure effective and full participation of persons with disabilities in political life on equal terms with others, including the exercise of their right to vote. The legislative amendments on the extension of functions of the OEEO were drafted to implement the mechanism for coordinating and monitoring of the Convention and its Optional Protocol.

51. In 2019, the study “Analysis of possible discrimination on grounds of denial of accommodation” was carried out in accordance with point (b) of paragraph 14 of CRPD/C/LTU/CO/1. The recommendations of this study are currently being evaluated seeking to establish the denial of accommodation as a form of discrimination in its legal framework. In 2019, in line with paragraph 14 of CRPD/C/LTU/CO/1, the amendment to the Law on Support for the Acquisition or Rental of Housing improving the conditions for the provision of support to persons with disabilities and their families was adopted; the right to a state-reimbursed housing loan, social housing rent, compensation for part of the housing rent was extended.

52. In order to implement the principles of equality, non-discrimination and accessibility in practice, the MFA and the MSSL joined the international Duo Day initiative for the first time in 2019. The aim of this initiative is to ensure that companies and organisations familiarise persons with disabilities with activities of the workplace, give them the opportunity to carry out practical tasks and involve them in the activities of the organisations in any other way.

53. In 2017, the amendments to the CRP were adopted that expanded the composition of offences by additional indications of disability and age, henceforth to be considered as autonomous grounds for discrimination, disdain, incitement to violence or hatred. The amended CRP ensures higher legal protection for persons with disabilities, as a more vulnerable group in society, by imposing stricter criminal liability in cases where any crime is committed in order to express hatred towards a group of persons or a person belonging to it on grounds of disability. Such cases, in accordance with the CRP, constitute an aggravating circumstance increasing criminal liability.

54. In 2019, the OEEO was contacted 126 times for possible discrimination on the grounds of disability. This accounts for 13% of all referrals. In 2019, the OEEO conducted 41 investigations into possible discrimination on the grounds of disability. In 2019, advice on possible disability-based restrictions of rights was sought by and consultations were provided to as many as 352 persons. In 2019, 11 persons applied for disability related advice via the OEEO Facebook page. Compared to 2017 and 2018, in 2019, the number of investigations carried out by the OEEO in this area decreased, but there was a significant increase in the number of persons who applied to the OEEO for advice and consultations. Areas under examination when handling complaints on the grounds of disability are set out in the Annex (Table 4).

55. In practice, persons with disabilities still often face inadequate conditions. Having regard to the provisions of Articles 5 and 9 of the Convention and taking into consideration paragraphs 13, 21 and 22 of CRPD/C/LTU/CO/1, the Government proposed to the Seimas to include in the discrimination grounds listed in the draft amendment to the LET the refusal to provide adequate conditions for persons with disabilities.

## **Article 6**

### **Women with disabilities**

56. In 2018, the Equal Opportunities Plan was approved. The Plan provides measures to tackle equality problems of women and men and related tasks. In line with paragraph 16 of the CRPD/C/LTU/CO/1, the Equal Opportunities Plan includes the measure to support initiatives that encourage women and girls with disabilities to participate in public life or help to reduce multiple discrimination.

57. In 2018, the study “Analysis of the situation of women with disabilities, assessing the effectiveness of the implementation of the provisions of the Convention in Lithuania” was conducted. The study found that women with disabilities feel more discriminated in many areas than women without disabilities, they feel more discriminated than men with the same disability. On the basis of the recommendations of this study, Lithuania intends to continue its efforts to eradicate multiple discrimination. In 2019, in order to investigate multiple discrimination faced by women with disabilities and the ways of overcoming it, a desk study was conducted. In 2019, the meeting of a focus group was held with the participation of women with disabilities, during which they were encouraged to identify the obstacles they face and how they succeed in engaging in public life despite the obstacles. A forum was organised to raise awareness among active women of the obstacles faced by women with disabilities due to multiple discrimination and to enhance the ability to recognise gender discrimination. Active women, leaders in their field, gender equality experts, NGO representatives and women with disabilities were invited to the event. During the forum, participants shared their experiences, were acquainted with the results of the desk study and discussed solutions.

## **Article 7**

### **Children with disabilities**

#### **Legal acts**

58. Provisions of the Convention were incorporated into the LFPRC. According to Article 19 of the LFPRC, children with disabilities have the right to enjoy all human rights and fundamental freedoms on equal basis with other children. Children with disabilities and their legal representatives must be guaranteed adequate assistance and full participation in all areas of society; access to all programmes for children which include coordinated and/or integrated services from early intervention to community-based services; the right to participate fully in all levels of education and in non-formal education, self-education, creative activities together with other children; adaptation of public buildings, streets and vehicles to the needs of children with disabilities.

59. The amendments to the LFPRC aim to ensure a higher level of care for children with disabilities, i.e., a provision is made that the child’s parents or other legal representatives of the child shall ensure that the child under the age of 6, as well as the child with a disability, taking into account his/her SN and maturity, shall not be left, without the objective necessity, without care of persons older than 14 years.

60. With the entry into force of the amendments to the LFPRC in 2020, there has been even more focus on access to child and family assistance in order to address the risks in the family without separating the child from the family, which is becoming the key aspect of the child rights protection system. Efforts are made to ensure that the removal of the child from the family is a last resort applied only in cases where the most serious violations of the rights of the child are encountered, where there is a real risk to the child’s physical or mental safety, health or life in the family or where all available possibilities, methods and means of family

assistance have really been exhausted, but the situation has not improved. Thus, the procedure for assessment of possible violations of the rights of the child was changed by abandoning the threat levels that identify threats, risks and challenges, and expanding the assessment to include not only the situation of the child but also the situation of the family. i.e., what kind of help, services a family needs, what challenges it faces, what are its strengths, how its potential to help itself and the child can be exploited.

61. The Description of the procedure for assessing the situation of the child was approved. This Description states that if there are suspicions that the child has suffered violence or if the child has SN, developmental and/or other disorders, a psychologist should participate in child's interviewing, if necessary. During the assessment of the situation of a child with SN, developmental and/or other disorders, child rights protection specialists have the right to initiate the involvement in the assessment of other relevant specialists (psychologists, special education teachers, etc.) who have relevant knowledge and competences and are capable of assisting in listening to the child.

62. It is important that from 2020 case management can be applied to families not only when violations of the rights of the child are detected (as previously), but also when a family needs complex assistance. The aim is to strengthen families, help them meet their challenges in a timely manner focusing on prevention.

63. The CCRP provides that, not later than during the first interview of the victim, a pre-trial investigation officer or prosecutor shall carry out the assessment of the victim's special protection needs (paragraphs 123–128 of the Report). Special protection needs are the needs of the victim, determined by personal characteristics, nature of offence or circumstances in which it was committed, and imply the necessity to use the guarantees provided for in the CCRP to protect the victim from mental injury, criminal impact or other negative consequences.

64. The right of the child to be heard is regulated in Book 3 of the CC. When deciding on the appointment of a guardian (custodian) or adoption, the wishes of the child must be taken into consideration exclusively. A dispute arising out of the determination of the child's place of residence shall be resolved by the court in the best interests of the child, having regard to the child's wish. The child's wish may be disregarded only if the child's wish is in conflict with the child's best interests. The court is required to hear the child capable of expressing his/her views and to ascertain the wishes of the child when hearing disputes concerning children. When deciding on the restriction of parental authority, the court shall hear and take account of the opinion of the child capable of formulating his/her views. The adoption of the child aged 10 or over requires the child's written consent. The child shall give his/her consent to the court and the child may not be adopted without this consent. When the child under ten years of age capable of expressing his/her opinion is adopted, he/she shall be heard in the court and the court shall take into account the wish of the child when making its decision, provided that it is not in conflict with the child's best interests.

65. In addition, the CCP provides that, when any child-related issue is dealt with, the child capable of expressing his/her views must be heard directly and, if this is not possible, through the representative; the child's views must be taken into account when making the decision, provided that they are not contrary to the child's best interests. Child's opinion may be expressed orally, in writing or by other means the child prefers.

66. The CC as well as the CCP highlight that when a child who is ten years old or older is adopted, he/she must be heard in the court. A child under ten years of age must be heard too, if he/she is capable to express his/her opinion and formulate his/her views; the opinion may be expressed in oral, written form or in other ways the child prefers. An expert psychologist may be invited to determine whether a child is capable of expressing his/her opinion and to clarify the child's expressed opinion. A child who is capable to express his/her opinion and formulate his/her views must be heard at a hearing regarding the establishment of permanent care or guardianship and/or the appointment of a guardian or caregiver. An expert psychologist may be invited too. The child's opinion may be expressed orally, in writing or in any other manner the child prefers.

67. The CCP provides that, when interviewing a minor witness under sixteen years of age and, at the discretion of the court, a minor witness under eighteen years of age, legal

representatives of the witness shall be summoned to attend. An educator or child rights protection specialists may be summoned to attend. In this context, the CCP provides for a wide range of possibilities for hearing the child, his/her wishes, determination and expression of will, taking into account the age, maturity of the child, and, where appropriate, providing the necessary assistance.

### **Services**

68. The MSSL finances projects providing integrated services to child victims of violence or indirect domestic violence (witnesses) and members of their families. The aim is to provide effective assistance to children potentially affected by psychological, physical violence, sexual exploitation and neglect, and their families. In 2018, 884 children received such specialised complex assistance, including 32 children with disabilities, and in 2019 – 756 children, including 5 children with disabilities.

69. The Support Centre for Child Victims of Sexual Abuse was opened in Vilnius in 2016. Every child who has experienced sexual abuse and his/her family are guaranteed access to the necessary complex assistance in a child-friendly environment. This assistance is available to children with disabilities.

70. At the end of 2016, the provision of pilot temporary respite services for families the members of which have mental and/or psychiatric disabilities was started. The services are provided to all persons in need, regardless of their age. Temporary respite service is a short-term social care service provided to a person with disability, foster child, where parents raising such persons, caring family members or guardians (carers) are temporarily unable to take care of them for certain reasons. By 1 May 2020, 240 persons had received temporary respite services, including 64 children with mental and/or psychiatric disabilities. This is in accordance with paragraph 20 of CRPD/C/LTU/CO/1.

71. Since the end of 2018, children with disabilities have been provided with communication technical assistance aids. Communication technical assistance aids are intended to compensate for loss of attention, perception, writing, reading, communication and memory functions of a person with mobility, intellectual and other disabilities. By 1 January 2020, about 100 children with disabilities had been provided with the communication technical assistance aids; the share of children with disabilities who received communication technical assistance aids was 83% of the total number of applicants. This is in accordance with paragraph 18(b) of CRPD/C/LTU/CO/1.

72. In 2017, the Second Programme was launched. It ensures that housing and living environment is adapted to children with severe disabilities by using the state budget funds (paragraph 104 of the Report).

### **Children with disabilities in care system**

73. A new training and counselling programme for foster parents (custodians), professional foster parents, adoptive parents and staff of community-based child care homes was approved which includes a new complementary measure for children with disabilities. The aim is to provide knowledge and skills to persons who wish to become foster parents (custodians) of a child, foster/members parents, on-call carers or founders of foster care households, to raise their awareness and understanding of the needs of a child with a disability and of the possibilities to meet those needs, and the necessary skills of communication with children with speech disabilities, visual, hearing, developmental, physical and mental disabilities.

74. Methodological documents on new community-based services for children and their families (descriptions of the service provision procedure) were developed to include social care and specialised nursing services in social care and specialised nursing homes; services in day care centres for children (including children with disabilities); early rehabilitation services for children with disabilities; temporary respite services; case management for families raising a child with a mental and/or psychiatric disability.

75. Training was provided for employees working with persons with disabilities and their families (800 employees trained), employees of care institutions under restructuring (2 905

employees trained), employees of structural units of municipal administrations responsible for organising and providing social services (192 employees trained).

### **Protection against abuse**

76. The definition of sexual abuse established in the LFPRC applies to all children without exception. Recommendations to prevent violence and sexual abuse against children with disabilities and adults in care institutions were developed, which will be implemented in social care institutions. This is in accordance with paragraph 18(a) of the CRPD/C/LTU/CO/1. In order to provide the knowledge and practical skills necessary for the provision and organisation of services and assistance to children, including children in foster care, adopted or placed under care of professional foster carers, and their families, including professional foster carers, foster parents, adoptive parents, founders/members of foster care households, staff of community-based child care homes, the training “Recognition of sexual abuse against children, including children with disabilities, identification of cases and organisation of assistance” was organised. 317 professionals in the field of child well-being took part in the training.

## **Article 8**

### **Awareness-raising**

77. In 2018 the amendments to the Law on the Provision of Information to the Public were adopted and a ban on publication of information which incites hatred, ridicule or stigmatisation, discrimination, violence or physical assault on a group of persons or a person belonging to that group on various grounds, entered into force. The disability as one of the grounds was not included in the previously applied version of this Law.

78. In 2020, the amendment to the Law on the National Radio and Television entered into force, obliging the Lithuanian radio and television to ensure that: (a) at least 50% of the total broadcasting time is devoted to programmes with the Lithuanian subtitles; (b) at least 20% of the total broadcasting time is devoted to production with interpretation into the Lithuanian sign language; (c) at least 10% of the total broadcasting time is devoted to production adapted to persons with visual disabilities.

79. As part of the Non-discrimination Plan, measures to inform the public about equal opportunities and non-discrimination were implemented.

80. In 2016, the MJ organised the seminar “Ensuring equal opportunities for persons declared legally incapable or having limited legal capacity. Requirements of the Convention and practical aspects of the application of legal regulation to inform the public about the situation of persons with disabilities and ensure that the provisions of the Convention are properly implemented.

81. In implementing the NP a separate measure “to educate and raise awareness of the public on the process of social inclusion of persons with disabilities” has been implemented since 2018, aimed at disseminating information to the public about the process of social inclusion of persons with disabilities. Every year, at least 365 units of information, such as original articles, not previously published, video reports, are made public and interactive campaigns are organised. The published articles are republished in an easy-to-read language.

82. The DAD provides funding for projects selected by tender procedure which are partly or directly related to public education. For more information see Table 20 of the Annex.

## **Article 9**

### **Accessibility**

#### **Adaptation of buildings to special needs of persons with disabilities**

83. The Law on Construction of 2017 stipulates that the architecture of a construction work must meet the requirements of universal design set forth in normative technical construction documents, normative documents on safety and intended use of construction

works. If construction operations in buildings and engineering structures are carried out in line with projects of construction, reconstruction, renovation (modernisation), overhaul, simplified construction, simplified reconstruction, description of overhaul, simple repair project or description of simple repairs in construction works the list of which is approved by the Government or an institution authorised by it, or the intended use of construction works is changed to the use specified in this list, such buildings and engineering structures must be adapted to the SN of persons with disabilities in compliance with the requirements of normative technical construction documents. The compliance of project solutions with the established requirements is verified by the NGO selected by the DAD through tender procedure. The selected NGO participates in the work of the commission assessing the completion of construction of buildings of importance to persons with disabilities. On average, each year 2 240 construction projects of importance to persons with disabilities are verified, 686 commissions assessing the completion of construction are set up and 563 consultations on construction project development are provided.

84. The Law on Architecture passed in 2017 stipulates that the application of the principles of adapting the environment to all members of society (design for all (universal design), ensuring the mobility of people flows and accessibility (availability) of the objects being designed, is one of the criteria applied to the quality of architecture.

85. Legal regulation was supplemented by provisions laying down the mandatory principles of universal design to be applied when designing buildings and environment. They stipulate that the general part of the project must contain a description of design solutions for adaptation of the environment and buildings to persons with disability; the architectural part of the design must provide solutions for meeting special needs of persons with disabilities; the land plot management part of the design must contain information and data on the mobility of persons with disabilities, parking and movement of their vehicles. A regulation based on the ISO standard was adopted in 2019 which establishes the application of universal design principles to buildings.

86. In 2018, 7 short films about the principles of universal design were produced. In 2019, the survey of manufacturers, service providers and users with disabilities, was conducted. Based on the results obtained, the universal system of assessment criteria was set up on behalf of the DAD to assess the level of accessibility and suitability of products (products and services) for everyone and the algorithm and instruction for completing the checklist were developed. This is in accordance with paragraph 22 of CRPD/C/LTU/CO/1.

87. In 2016–2019, the National Courts Administration reconstructed 6 court buildings in order to meet the requirements of the universal design.

88. By the end of 2019, 82 administrative buildings managed by police bodies, i.e. 68% of all such buildings, were adapted to persons with disabilities.

89. For more relevant information, see paragraphs 135, 237–239 of the Report.

#### **Accessibility of transport for persons with disabilities**

90. In 2019, the project “Adaptation of railway services according to the universal design principles” was launched.

91. Environment was adapted for persons with disabilities at Lithuanian airports.

92. Adaptation works of crossings for persons with disabilities were performed in Vilnius municipality.

93. Public transport accessibility works were performed in Šiauliai municipality.

94. Audible signals are installed at crossings in Kaunas municipality. For more information regarding paragraphs 90–94 of the Report see Table 26 of the Annex.

#### **Access to education**

95. Since 2018, the Education Management Information System has been compiling data on the adaptation of general education schools to persons with disabilities. Anyone interested can see how educational institutions are adapted to persons with disabilities in different

aspects in the country as well as in each municipality. The MESS has no data on the adaptation of higher education institutions to persons with disabilities, noting, however, that the founders of these institutions do not invest enough into adaptation of the environment and understand the adaptation of the environment too narrowly. In 2019 the study commissioned by the DAD on the assessment of accessibility of physical environment in the institutions of higher education and VET for persons with disabilities assessed 79 institutions and 237 buildings and areas around them and concluded that only 12.2% of the objects assessed are adapted to persons with disabilities.

96. Currently, 10% of schools are fully adapted to pupils with physical disabilities (moving in wheelchairs). About 60% of schools are partly adapted to such children. 3% of schools are fully adapted to persons with visual disabilities. For more information on the adaptation of general education schools to persons with disabilities, see Annex (Table 8).

97. Relevant information on access to education is also provided under paragraphs 178–196 of the Report.

#### **Access to information environment**

98. In 2018 amendments to the Law on the Right to Obtain Information from the State and Municipal Institutions and Agencies were adopted and introduced an obligation to make websites and mobile applications of public sector institutions accessible to all users. The Description was amended and is binding on all state and municipal institutions and agencies. The Description was supplemented not only with the provisions on accessibility requirements for websites and mobile applications but also with the provisions governing the handling of complaints about the absence of or improper adaptation of the institutions' websites or mobile applications to meet the accessibility requirements, as well as complaints about improper assessment by the institution or compliance with the accessibility requirements and dissemination of information on accessibility requirements for websites and mobile applications of the institutions.

99. The Procedure for monitoring websites and mobile applications of state and municipal institutions and agencies was approved in 2019. The purpose of this Procedure is to establish the procedure for the preparation and submission to the EC of a report on the results of monitoring the compliance of websites and mobile applications of state and municipal institutions and agencies with accessibility requirements. The ISDC monitors the compliance of websites and mobile applications with the established requirements.

100. The ISDC carries out annually the conformity assessment of the more than 1200 websites of state and municipal institutions and agencies, including assessment of the compliance of these websites with accessibility requirements. The shortcomings identified in the websites of state and municipal institutions and agencies during the assessment are communicated to the institutions and the methodological recommendations and consultations on the improvement of relevant websites are provided to them. The results of the surveys carried out by the ISDC over the last three years on compliance of the websites of state and municipal institutions and agencies with the general requirements show that the number of websites accessible in the country is declining, and in 2019 they accounted only for 3.4% (complied with level AA<sup>1</sup>). For more information, see Annex (Table 14). The first analysis of the status of mobile applications is scheduled only for June 2021.

#### **Adaptation of housing to persons with disabilities**

101. The First Programme and the Second Programme for adapting individual dwellings of persons to their physical needs is implemented.

102. In the framework of the First Programme, since 2019, housing is adapted not only to persons with reduced mobility, but also to persons with mental and/or psychiatric disabilities by installing safety measures. In total, in 2016–2019, 1 634 dwellings were adapted under

<sup>1</sup> The prescribed minimum contrast ratio is respected, when the orientation of the display changes, the content adapts and continues to be displayed correctly, subtitles are synchronously displayed for live audio broadcasts, etc.

the First Programme with EUR 5 653.3 thousand allocated from the state budget and EUR 4 632.2 thousand – from the municipality.

103. Since 2017, the Second Programme has been launched. Under the Second Programme, housing is adapted to children with severe disabilities and, in addition to adaptation of housing and environment, may include the purchase of sensory technical aids for children with sensory disabilities. In 2017–2019, 504 dwellings were adapted as part of the Second Programme and EUR 1 133.4 thousand were allocated from the state budget.

#### **Access to services**

104. In many cases, access to services is directly linked to access to physical environment. Recommendations on the provision of services to persons with disabilities in public and private service sectors for state and municipal institutions and enterprises, persons providing services in public and private sectors, institutions, including medical, educational, cultural institutions, and organisations were approved. Their aim is to help professionals in public and private service sectors prepare to meet, communicate and serve persons with disabilities. These recommendations can be used by all other members of the public. They are sufficiently detailed but not mandatory.

105. When handling complaints of persons with disabilities concerning discrimination related to service provision, the OEOO very often identifies irregularities resulting from failure to adapt the physical environment to persons with disabilities. In cases where irregularities are detected, the OEOO applies to the public or private service provider or the product seller proposing to eliminate obstacles to equal opportunities, i.e. to take measures to eliminate physical barriers, and, where appropriate, makes recommendations on legal acts restricting the rights of persons with disabilities to properly use public services due to failure to adapt the physical environment. The OEOO research for 2016–2019 is presented in Table 4 of the Annex.

106. Following the adoption of Directive (EU) 2019/882 of the EP and of the Council of 17 April 2019 the study on the accessibility requirements commissioned by the MSSL was conducted.

107. The lack of a mechanism for monitoring the adaptation of public buildings and transport, websites and mobile applications and environment to persons with disabilities is still a major problem. The ME and the MTC have no direct obligation to collect data and assess the accessibility of all public buildings and transport facilities. The National Audit Office presented recommendations in the national audit report of 2020 “Social Inclusion of Persons with Disabilities”. For more information see Table 23 of the Annex.

### **Article 10**

#### **Right to life**

108. The right to life and its effective protection is guaranteed to all persons by the same effective means. In cases where any crime (including life-threatening crimes) was committed against a person who, because of his/her disability, was in a helpless state (without the person’s request) or with the aim of expressing hatred against a group of persons or a person belonging to it because of the disability of that person (group), the CRP provides for stricter criminal liability for the perpetrator, since such elements constitute aggravating circumstances.

### **Article 11**

#### **Situations of risk and humanitarian emergencies**

109. Persons with hearing or speech disabilities may call for emergency assistance at their address of residence by calling the ERC providing the “Silent Call” service, submit in advance to the ERC their personal data necessary to provide them with emergency assistance which are automatically displayed to the ERC operator when answering such persons calling 112 or send an SMS to 112 when help is needed.



110. On 1 July 2020, 112 emergency call mobile application of the Emergency Services was launched enabling persons with hearing disabilities to connect to the ERC by two-way real-time video with the help of on-call sign language interpreters and text communication, to report a sudden threat to life, health, safety, environment or property, and to call emergency services (police, fire rescue forces, ambulance or environmental protection services). This is in accordance with paragraph 24 of CRPD/C/LTU/CO/1.

111. Lithuanian residents may be warned and informed of an emergency not only by sirens, but also by using modern Cell Broadcast technology, sending SMS to residents' mobile phones.

112. Institutions providing services to persons with disabilities must assess potential threats and prepare for them, thereby ensuring that persons in these institutions, including those with disabilities, are adequately cared for in imminent or actual emergency situations.

113. Existing legislation stipulates that when organising the evacuation of residents in imminent or actual emergency situations persons with disabilities and persons caring for them must be evacuated first. When determining the need for collective protection structures in the territory of a municipality, account must be taken of the number of persons with disabilities in the municipality.

## **Article 12**

### **Equal recognition before the law**

114. In 2016, amendments to the CC, the CCP, the Law on Prevention and Control of Communicable Diseases in Humans and the Law on Local Self-Government entered into force implementing the provisions of Article 12 of the Convention and amending the legal regulation of the institute of limitations on the legal capacity of a person. The CC establishes new legal institutes of assistance in decision-making and advance instructions. Legal institutes of the natural person's legal incapacity and limited legal capacity were amended.

#### **Advance instructions and assistance in decision-making**

115. Advance instructions, their registration, amendment, supplement and withdrawal are regulated by the CC. Advance instruction is a new means of exercising a person's legal capacity, also known as the "living will" or "advance directives". An adult legally capable natural person may draw up an advance instruction and define how matters relating to the exercise of his/her property and personal non-property rights should be dealt with if he/she becomes of limited legal capacity or is denied of legal capacity in the future.

116. The CC regulates the institute of assistance in decision-making. An adult legally capable natural person may enter into a written agreement with another adult legally capable natural person whom he/she trusts on assistance in decision-making in certain areas of life. An agreement on assistance in decision-making may be concluded if it is difficult for a person due to his/her psychiatric disorder or other circumstances (such as age or illness) to make or express decisions best suited to his/her interests. Statistics on the number of advance instructions and agreements on assistance in decision-making is given in the Annex (Table 17).

#### **Limited legal capacity in certain areas**

117. The CC regulates the limitation of civil legal capacity of natural persons in a particular area. A natural person who, because of a mental disorder, is partially unable to understand the meaning of his/her actions in a particular area or control them may be declared, by a judicial procedure, as having limited legal capacity in that area. It was established that if a person's legal capacity is limited in a particular area, the person shall be placed under care. The court shall include in the order the exhaustive list of areas in which a natural person is declared as having limited legal capacity. A natural person may not enter into transactions or otherwise act in the areas where he/she is declared as having limited legal capacity without the consent of the carer. The court may not restrict the person's right to appeal to the court for annulment of the order declaring him/her as having limited legal capacity and, in addition,

the court may not restrict the right to the inviolability and integrity of the human body and the right to the inviolability of the freedom of a natural person when declaring a person as having limited legal capacity. The CC regulates the declaration of a natural person as being legally incapable in a particular area. A natural person who, due to a mental disorder, is unable to understand the meaning of his/her actions in a particular area or control them may be declared legally incapable in that area by a court. A person who is legally incapable in a particular area shall be placed under care in respect of such area. The court shall include in the order the exhaustive list of areas in which the person is declared legally incapable. Transactions on behalf of the person declared legally incapable in a particular area shall be concluded in that area by a person's carer.

### **Legal proceedings**

118. The CCP provides that, when applying for declaring a person legally incapable or having limited legal capacity in a particular area, the following additional evidence must be produced: a certificate from the personal health care institution, a social worker's conclusion on the ability of the person for whom the declaration of limited legal capacity is sought to take care of himself/herself and to make daily decisions independently or with assistance. The applicant must indicate areas in which he/she proposes the court to declare the person legally incapable or having limited legal capacity. Maximum once a year a natural person who was declared legally incapable in a particular area shall have the right to apply to court for declaration of his/her full legal capacity or legal capacity in a particular area in which the person was declared legally incapable.

119. The CC stipulates that all court rulings without any exceptions issued before 1 January 2016, by which persons have been declared legally incapable, must be reviewed within two years from the date of entry into force of this Law. The aggregate data on pending cases concerning the review of court rulings declaring persons as legally incapable is presented in the Annex (Table 16). The CC was supplemented by the provisions on the review of condition of persons declared legally incapable by the Commission for the Review of the Condition of Legally Incapable Persons. The aforementioned Commission has the obligation to assess the condition of legally incapable persons and, following the adoption of appropriate decisions, must apply, where appropriate and justified, to court for the review of court rulings issued in respect of those legally incapable persons. If the review of a person's condition is carried out not by the aforementioned Commission, the court must be provided with the social worker's conclusion on the ability of the person, who is requested to be declared legally incapable in a particular area, to take care of himself / herself and make daily decisions independently or with the assistance in specific areas. The requirement to present a certificate from a health care institution and a conclusion of a social worker is aimed at allowing the court to take the decision based on a full set of detailed evidence in order to achieve the main goals of ensuring that measures restricting legal capacity of a person, if they are necessary, are as individualised as possible, tailored to the situation of a particular person and fully justified. This is in accordance with paragraph 26 of CRPD/C/LTU/CO/1.

120. The effectiveness and adequacy of legal regulation of the institute of limitations of legal capacity of a person established in the CC and the CCP is monitored annually by the MJ.

121. A model of assistance in decision-making is currently developing. The development of a model of assistance in decision-making and implementation thereof is a necessary practical prerequisite for drafting legislative amendments to remove the institute of full legal incapacity. Steps will be taken to abandon the institutes of limitations on legal capacity by developing alternative mechanisms ensuring assistance in decision-making.

122. As a part of the Reorganisation project, the Description of service provision depending on a person's ability to take care of himself/herself and make daily decisions was prepared. For the purposes of this Description, assistance in decision-making is understood as a social service aimed at strengthening person's abilities to take care of himself/herself and make daily decisions so that the person could live independently and take part in all spheres of life with the help of a decision-making assistant or specialist team.

## Article 13

### Access to justice

123. The state guarantees access to legal aid to persons with disabilities or their representatives. The LSGLA enshrines the provision on legal aid provided to persons who are unable to adequately defend on their own their violated or contested rights and interests protected by law. Such persons have access to primary and secondary legal aid. All residents of Lithuania have the right to primary legal aid (provision of legal information and legal advice, preparation of non-procedural documents intended for state and municipal institutions) irrespective of their property and income. Secondary legal aid (assistance of a lawyer in drafting procedural documents, defending or representing in pre-trial and judicial institutions) is provided to persons who meet the established property and income levels or persons who belong to a socially vulnerable group (such as persons with severe DL, DL of 0–25%, high level SN, guardians (trustees) thereof, persons whose involuntary hospitalisation and treatment or extension of involuntary hospitalisation and treatment are under consideration, persons in respect of whom the declaration of legal incapacity is sought in a particular area). A decision to provide secondary legal aid to a person with disabilities may be taken on other grounds not related to the disability (for example, taking into account the property and income, as compensation for damage caused by a criminal offence or because a person is a beneficiary of social assistance, etc.).

124. Lawyers providing secondary legal aid were provided with additional information on issues relating to the representation of the rights and interests of legally incapable persons or persons of limited legal capacity, as well as recommendations on more effective and high-quality protection of the rights and interests of persons. The form of a decision on the provision of secondary legal aid, where secondary legal aid is provided in a civil case concerning the declaration of a natural person as legally incapable in certain areas, was supplemented by a note that the advocate must meet with the applicant in the shortest possible time and agree on the course of the provision of secondary legal aid. In 2017, one of the topics of training organised for the providers of state-guaranteed legal aid was “What you need to know when working with persons with disabilities, the elderly and victims of violence”.

125. The institute of assessment of special protection needs of a victim was established in the CCRP. This provision stipulates that not later than during the first questioning of a victim, a pre-trial investigation officer or prosecutor shall carry out an assessment of the victim’s special protection needs. If necessary, a psychologist or other persons with specialist knowledge or skills may be involved for this purpose. Data collected during the assessment of special protection needs of a victim are taken into account when organising criminal proceedings and, in cases specified in the CCRP, when deciding whether a victim needs to be provided with one or more guarantees established by the CCRP due to his/her special protection needs. The documents in a case-file delivered to the suspect, accused or convicted person, as well as other participants in the proceedings, must be translated into the language they understand.

126. In 2017, the CCRP was amended to abandon the institute of private prosecution, i.e. victims of a criminal offence are no longer required to uphold the charge in court for committing certain offences. The CCRP provides for the protection of private life by establishing that the pre-trial investigation data is sensitive. In addition it provides for wide possibilities to hold non-public proceedings of cases relating to criminal acts involving accusations to minors or minors who are recognised as victims, cases relating to offences and criminal offences against the freedom and integrity of a person’s sexual self-determination, as well as other cases to prevent the publication of information about the private life of participants in proceedings or to ensure, where necessary, the victim’s special protection needs, as well as to protect the private life when questioning a witness or victim who are subject to anonymity.

127. Persons with intellectual or psychiatric disability may find themselves in situations where special regimes regulated by the rules of criminal or civil procedure are applied to them following the prescription of a psychiatric examination, application of compulsory medical treatment measures or involuntary hospitalisation and treatment in a psychiatric

institution. For more information about cases of involuntary placement of persons to a health care institution and an appropriate procedure for appealing against decisions see Table 27 of the Annex and paragraphs 131–134 of the Report.

128. In 2016–2019, training was organised for the judicial personnel, including judges, prosecutors, police and prison staff. For more information see Annex (Table 5). This is in accordance with paragraph 28 of CRPD/C/LTU/CO/1.

## **Article 14**

### **Liberty and security of a person**

129. The CRP provides for criminal liability for unlawful deprivation of person's liberty (including unlawful placement of a person to a psychiatric hospital for reasons other than illness) and liability for restricting the freedom of action of a person (which means requiring a person to commit unlawful acts or abstain from lawful acts, or to otherwise behave according to instructions of the offender using mental coercion in respect of a victim or persons close to him/her).

130. Persons with mental and/or psychiatric disorder may be subject to restriction of freedom according to the procedure laid down by laws in the following cases:

(a) when, in the course of investigation or hearing of a criminal case, a forensic or forensic psychiatric examination of a suspect is required, a suspect may, by ruling of a pre-trial investigation judge or court, be referred to an expert examination institution and held there until the expert examination act is submitted to the prosecutor or court;

(b) when according to criminal procedure the persons are subject to in-patient compulsory medical treatment measures (under general, enhanced or strict observation conditions), provided that when committing a criminal offence the persons were non compos mentis or of diminished capacity, or after committing a criminal offence or imposition of a sentence started to suffer from a mental disorder rendering them incapable of understanding the nature of their actions or controlling them;

(c) when a person is subject to involuntary hospitalisation. In such cases, they may be temporarily confined: in the first case, pending the expert examination, within the time limits laid down in the rules regulating the custodial sentence; in the second case, the court does not prescribe the time limit for the application of compulsory medical treatment measures. These measures shall apply until a person recovers or his/her state of mind improves and he/she is no longer dangerous. At least once every six months the court must, on the basis of the findings of the health care institution, decide on the extension, changes in type or lifting of the imposed compulsory medical treatment measures. In the third case persons may be temporarily confined for 3 business days until the court allows extending involuntary hospitalisation.

### **Involuntary hospitalisation and compulsory treatment**

131. Involuntary hospitalisation and compulsory treatment as a measure restricting a person's autonomy are strictly regulated by legal acts. Under the Law on Mental Health Care a patient with MBD who refuses hospitalisation may be involuntarily hospitalised (and treated) for a period not exceeding 3 working days, and only if the patient's behaviour and/or other objective data clearly indicate that there is a real risk that he/she may cause substantial damage to his/her health, life and/or property by his/her actions or failure to act. Such measures may be imposed only in case of a specific mental health condition defined by law where there is a real risk that a person may cause substantial damage to his/her health or life and property by his/her actions or failure to act. From 1 May 2019 the Law on Mental Health Care provides for certain conditions related to the protection of rights during involuntary hospitalisation:

(a) following the assessment of the mental health condition of the patient with MBD a reasoned decision on the need for involuntary hospitalisation and/or compulsory treatment of a patient with MBD for more than 3 working days shall be taken jointly by 3 persons: 2 doctors psychiatrists of a mental health care institution and 1 administrative

employee of the institution authorised by the head of the mental health care institution. If these 3 persons take a reasoned decision that the patient with MBD must be subject to involuntary hospitalisation and/or compulsory treatment for more than 3 working days, the mental health care institution in which the patient with MBD is involuntarily hospitalised and/or compulsorily treated must apply to court for involuntary hospitalisation and/or extension of compulsory treatment within 48 hours of the initiation of the involuntary hospitalisation and/or compulsory treatment. Upon considering the application of the mental health care institution regarding the extension of involuntary hospitalisation and/or compulsory treatment, the court may take a decision on the extension of involuntary hospitalisation and/or compulsory treatment of the patient with MBD, but for a period not exceeding one month from the beginning of involuntary hospitalisation and/or compulsory treatment;

(b) Where the issues of involuntary hospitalisation and/or compulsory treatment of patients with MBD are addressed, if the patient has not chosen his/her lawyer, the mental health care institution must apply for the provision of secondary legal aid to the patient in accordance with the established procedure;

(c) The doctor psychiatrist must immediately, but not later than within 3 working days from the start of involuntary hospitalisation and/or compulsory treatment, inform the patient with MBD, in oral and written form and manner understandable to him/her, as well as the patient's representative or the person providing assistance in decision-making about the legal basis, reasons, objectives, duration of hospitalisation, the rights of the patient with MBD, the treatment applied and the fact of application to the court for extension of involuntary hospitalisation and/or compulsory treatment of the patient with MBD;

(d) The patient with MBD and his/her representative or the person providing assistance in decision-making shall have the right to participate and be heard by all persons who make the decision on involuntary hospitalisation and/or compulsory treatment or by one of them and by the court when the issue of his/her involuntary hospitalisation and/or compulsory treatment is addressed;

(e) The presence of the patient with MBD at the court hearing on the issue of his/her involuntary hospitalisation and/or compulsory treatment is mandatory. If the presence of the patient with MBD at the court hearing is not possible due to the patient's physical and/or mental health condition, the person must be given the opportunity to be heard by a judge in a mental health care institution or by way of remote questioning;

(f) The patient with MBD shall have the right to additional assessment of his/her mental health condition performed by three doctor psychiatrists unrelated to the mental health care institution where the patient with MBD is involuntarily hospitalised and/or compulsorily treated. This assessment shall be organised at the request of the patient with MBD or his/her representative;

(g) From 2019 onwards, mental health care institutions furnish the MH with annual reports on monitoring of involuntary hospitalisation cases for the previous year. According to information from 9 health care institutions there were 765 involuntary hospitalisations (399 men, 366 women) in 2019.

132. Since 2016, the CCP provides for oral hearing of cases concerning involuntary hospitalisation and compulsory treatment of persons and mandatory attendance of the lawyer.

133. In order to fully assess whether it is appropriate to establish, in addition to the procedural guarantees for hospitalised persons already established by the CCP, the possibility of appealing against the court ruling authorising the extension of involuntary hospitalisation and compulsory treatment, the MJ has also referred this matter for consideration to the CCP Supervisory Committee set up by the MJ. The CCP Supervisory Committee has thoroughly analysed the proposal and the majority of members thereof expressed the view that considering the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, the case law of the ECHR, as well as the procedural guarantees provided for persons subject to involuntary hospitalisation by the current legal regulation, it would not be appropriate to additionally provide for a possibility to appeal against the court ruling authorising the extension of involuntary hospitalisation and compulsory treatment. The

Law on Mental Health Care also provides for a subsequent periodic review of the expediency of involuntary hospitalisation in court. It should be noted that, in order to ensure the effectiveness of such case-law, an appeal against the court ruling on authorisation normally is not envisaged.

134. All cases relating to the restriction of person's liberty are provided for in laws, taking into account the need to protect the public interest, including the individual himself/herself. Thus, national legal regulation is in compliance with the content of Article 14 of the Convention. This is in accordance with paragraph 31 of CRPD/C/LTU/CO/1.

135. In implementing Article 14(2) of the Convention, the infrastructure of 5 establishments belonging to the network of places of imprisonment was adapted to persons with disabilities. The adaptations of the Central Prison Hospital are as follows: three medical buildings were equipped with ramps, departments were provided with appropriate sanitary units (showers, WC). One building was equipped with an elevator and another medical building was equipped with a lift.

## **Article 15**

### **Freedom from torture and cruel, inhuman or degrading treatment or punishment**

136. The right of all persons to freedom from torture or cruel, inhuman or degrading treatment is effectively protected by criminal law measures. Acts of torture or cruel treatment are in principle a qualification attribute to the composition of all major violent crimes.

137. The CRP criminalises separately the element qualifying the causing physical pain or minor health impairment – where physical pain or minor health impairment is caused by torturing a victim. The CRP provides separately for criminal liability for prohibited biomedical research involving a human being or a human embryo. If any crime (including all other violent crimes) is committed by torturing or taunting a victim, that circumstance is considered to be a circumstance aggravating criminal liability and such an act would be punishable more severely.

## **Article 16**

### **Freedom from exploitation, violence and abuse**

138. Since 2016, important steps have been taken to strengthen the fight against trafficking in human beings: an interdepartmental and intersectional Commission for the Coordination of the Fight against Trafficking in Human Beings was set up; an interinstitutional Action Plan against Trafficking in Human Beings was established; the National Association against Trafficking in Human Beings was established bringing together five NGOs; and preventive activities were intensified and expanded. This is in accordance with paragraph 36 of CRPD/C/LTU/CO/1.

139. In 2019–2020, in implementing the project “Strengthening response to hate crimes and hate speech in Lithuania”, recommendations on criminal prosecution for hate crimes and hate speech for law enforcement officers were prepared and 17 joint two-day training sessions for police officers, prosecutors and judges (132 police officers, 109 prosecutors and 76 judges participated) were held. In addition, roundtable discussions were held where local police officers and prosecutors discussed with vulnerable communities and NGOs the needs and expectations of vulnerable communities and hate crime victims related to the work undertaken by law enforcement officers, problems of cooperation, as well as opportunities (41 police officers, 14 prosecutors and representatives of 60 vulnerable communities and NGOs participated). The practical guide “Cooperation with communities vulnerable to hate crime” was drafted for law enforcement officers containing information on the communities that are most vulnerable to hate crime, including persons with disabilities, aimed at raising the officers' awareness of these communities and hate crimes against them.

140. Information on other training of police officers and prosecutors is given in the Annex (Table 5).

141. Paragraphs 138–140 are in accordance with paragraph 28 of CRPD/C/LTU/CO/1.

142. The CCRP guarantees that the arrested person or his/her advocate shall have the right to file a complaint with the higher court concerning the imposition of arrest, the extension of the term of this supervision measure, the refusal to impose arrest and the imposition of another supervision measure. The complaint must be submitted within twenty days. Attendance of the prosecutor at this hearing is considered necessary. The participation of the arrested person in the hearing may be ensured by remote communication. The ruling issued by the three-judge panel of the higher court shall be final and not subject to appeal. Article 100 of the Code of Execution of Sentences provides that convicts (it should be noted that this refers to persons sentenced to imprisonment) shall have the right to apply with proposals, applications (statements), petitions and complaints to officials and civil servants of state and municipal institutions, NGOs and international institutions. Replies to the proposals, applications (statements), petitions and complaints of the convicted persons shall be delivered to the convicted persons against signature within two working days from the receipt thereof. The convicted persons shall have the right to apply directly to the President, a member of the Seimas or Government, a prosecutor, the ombudsperson appointed by the Seimas or a representative of the MJ during their visits to correctional institutions. This is in accordance with paragraph 33(b) of CRPD/C/LTU/CO/1.

143. In implementing paragraph 33(a) of CRPD/C/LTU/CO/1, in 2019, recommendations on the prevention of violence and sexual abuse against children and adults with disabilities were drawn up.

144. Information on protection against domestic violence is given in paragraph 108 of CRPD/C/LTU/1. In 2016–2019, activities of specialised assistance centres continued focusing on the provision of assistance in overcoming the critical condition as well as assistance provided by a specialised psychologist, legal and other assistance. All victims of domestic violence, including persons with disabilities, have access to assistance. This is in accordance with paragraph 33(c) of CRPD/C/LTU/CO/1.

### **Pupils' well-being**

145. In 2016, the amendment to the Law on Education regarding the prevention of bullying and violence in educational institutions was adopted. It contains a ban on all forms of violence in educational institutions; obliges the head of an educational institution to take measures to ensure that both pupils who are perpetrators of violence and their victims as well as their parents, teachers who perpetrated and/or suffered violence receive free psychological assistance; lays down a requirement that an educational institution must create conditions for every pupil to participate regularly in at least one coherent, long-term preventive programme that develops social and emotional competences; obliges pedagogical staff every 4 years to improve qualification in the field of development of social and emotional competences of pupils.

146. Recommendations on the implementation of violence prevention in schools were adopted. They provide an algorithm for responding to violence and bullying, highlight the role of the school in adopting specific agreements on pupils' behaviour standards, the responsibility of school staff for responding to bullying, and define concrete steps to create a positive microclimate at school.

147. Schools are offered over 20 prevention programmes in the fields of bullying, violence, abuse of psychoactive substances, tobacco, alcohol, sexual exploitation, conflict prevention, improvement of social and emotional competences, etc.

148. The availability of psychological assistance services in schools was increased. In 2017–2020, EUR 5.514 million were allocated for the development of psychological assistance capacities which included the increase in the number of psychologists or purchase of psychological services for schools and pedagogical psychological and education assistance services of municipal institutions.

149. Recommendations on criteria for identifying domestic violence and actions to be taken in the event of suspicion of possible domestic violence were drawn up for schools.

They are aimed at identifying as early as possible a child who may have experienced domestic violence and taking the necessary steps to prevent any recurrence of violence.

150. In 2019, the MESS together with the Centre for Special Pedagogy and Psychology, prepared and distributed posters for pupils of pre-school as well as general education and initial vocational training institutions and methodological material (information to educators) on the signs of domestic violence and assistance to children who have been affected by domestic violence.

151. The Programme on health, sexuality education and preparation for family was approved, one of the components of which is the strengthening of pupils' mental health, suicide prevention and social-emotional learning. The Programme is focused on developing pupils' abilities, recognising physical, emotional, sexual violence against them, protecting themselves from such violence, and shaping values of respectful treatment of others.

## **Article 17**

### **Protecting the integrity of the person**

152. The protection of the integrity of a person, including persons with disabilities, is ensured by effective criminal law measures.

153. The CC stipulates that intervention into a human body, removal of parts of the body or organs shall be possible only with a written consent of a person. Where a person has no capacity to act in a particular area, his/her guardian shall give consent, however, in the event of castration, sterilisation, abortion, operation, removal of organs of an incapable person, authorisation of the court shall be necessary. A consent of a person shall not be necessary in emergency cases when person's life is endangered and has to be saved while the person himself/herself is unable to express his/her will.

154. In the light of the established legal regulation, courts decide cases concerning the authorisation of involuntary hospitalisation and/or compulsory treatment of a person. According to the data of the Lithuanian Judicial Information System, on 10 March 2020, there were 470 cases in Lithuanian courts concerning the issue of the court authorisation for involuntary hospitalisation and/or treatment of a person. Detailed information is given in the Annex to the Report (Table 15).

155. In 2016, training on the recognition of the legal capacity of persons with disabilities and assistance in decision-making regimes was organised for judges and health care professionals. For more information see Annex (Table 5).

## **Article 18**

### **Liberty of movement and nationality**

156. The Law on Identity Card and Passport provides the possibility for a citizen with disability to submit the documents required for the issue or replacement of a document confirming his/her identity and nationality by himself/herself: if a citizen due to his/her disability is unable to appear in person at the institution concerned, an official or employee authorised by that institution must visit such citizen, confirm his/her identity and signature, accept his/her application for the issuance of a personal document and other documents and scan the person's biometric data.

157. In 2019, amendments to the Law on Identity Card and Passport were drafted proposing that restrictions on applications in person for the issuance of a document confirming identity and nationality should apply to citizens who have been declared as legally incapable only in a given area.



## **Article 19**

### **Living independently and being included in the community**

#### **General situation**

158. At the end of 2019, there were 6 267 adults living in social care facilities for adults with disabilities including both old-age pensioners and persons of working age with disabilities (5 959 of them stayed in state care homes, 165 – in municipal care homes and 143 – in private care homes and care homes of public organisations). Of these, 343 persons with disabilities lived in 29 group living homes, and 565 persons lived in 30 independent living homes.

159. The structure and diversity of the country's social and community services are set out in the Annex (Figure 7). The Social Services Directory regulates the services for which persons with disabilities may apply to the municipality of their place of residence. Other community services are usually organised through project activities.

160. In 2015–2020, the project “Enabling a sustainable transition from institutional care to a system of services provided in a family and community in Lithuania” was implemented, the main aim of which was to prepare properly for the process of deinstitutionalisation. For more information see Table 25 of the Annex.

161. As a result of cooperation between the MH and the MSSL, a project on the concept of long-term care services was prepared and submitted to the Government. A long-term care service is provided at several levels depending on the extent of the person's social and health care needs. The concept aims to meet, as far as possible, the needs of those who have lost their ability to take care of their private lives independently, and of their families, to use budget resources efficiently and to reduce the administrative burden on service providers.

162. In order to increase the availability of long-term care services (nursing and social services), to ensure the integrated development of home assistance during the transitional period, the MH and the MSSL provide for the following measures: modernisation and adaptation of infrastructure for the provision of these services, qualification improvement and retraining of mobile teams, provision of work equipment to assist in the provision of services or ensure greater independence of a person in the community.

163. At the end of 2019, the MSSL set up a working group involving representatives of the MJ, the MH, municipalities, NGOs and families looking after persons with disabilities. The objective of the working group is to develop a model of assistance in decision-making.

164. There is an increasing focus on training to improve the role of social work in providing services related to a person's independence. In 2018, training “Dilemmas of social workers in assessing a person's ability of self-care and independent or assisted daily decision-making in specific areas” was carried out for 91 workers in the field of social services. In 2019, training focused on professional competence improvement was organised for municipal social services workers, who will assess the independence level of a person when establishing special needs (the training was attended by 132 social workers and employees of municipal administrations). In addition, in 2019, training focused on professional competence improvement “Assistance in decision-making to persons with intellectual and/or mental disabilities” was carried out for staff from 109 institutions providing social services.

165. There is still a problem with insufficient assurance of independent living of persons with disabilities and their inclusion in the community. At the end of 2020, the National Audit Office prepared recommendations which can be found in Table 23 of the Annex.

## **Article 20**

### **Personal mobility**

166. With regard to ensuring this right for persons with disabilities, reference should be made to the relevant information contained in paragraphs 83–107 of the Report on ensuring accessibility.

167. The provision of technical aids is another means of improving the mobility of persons with disabilities. From 2017 a person with disabilities has the right to purchase technical aids in any foreign country and receive reimbursement of their purchase costs. In 2017–2019, the list of technical aids was expanded. The list of technical aids that individuals can purchase and receive reimbursement was extended. Reimbursement of the purchase costs of certain aids was increased. A possibility was provided for persons to submit an advance invoice for purchase of a technical aid and to settle with the sellers of the aid after receiving the reimbursement. Since 2018, persons are provided with communication technical aids. Persons with visual disabilities are provided with Daisy players for reading audio books, Lithuanian-talking watches, clocks, body thermometers and kitchen scales. Persons with hearing disabilities are provided with motion indicators, smoke and fire and gas detectors and are eligible to reimbursement of the purchase costs of a smart watch, mobile phone or tablet computer.

168. A project aimed at promoting the mobility and independence of persons with physical disabilities is carried out. Around 90% of the participants pass a state exam and acquire a driving licence.

## **Article 21**

### **Freedom of expression and opinion and access to information**

169. In order to encourage private companies to provide information and services in formats accessible and appropriate to persons with disabilities, Methodological recommendations on the development, testing and evaluation of websites adapted to the persons with disabilities were adopted and became mandatory for public sector institutions and as guidance for the private sector.

170. In order to make information more accessible to persons with hearing disabilities, in September 2019, the Lithuanian Sign Language Interpreting Centre was established which organises the provision of sign language interpretation services across the country. The duration of services is unlimited, they are provided free of charge. On average, 103 sign language interpreters provide 56 079 sign language interpretation services per year to 3 900 users.

171. The relevant information is also provided in paragraphs 99–101 of the Report.

## **Article 22**

### **Respect for privacy**

172. The information relevant in this regard is also provided in CRPD/C/LTU.

## **Article 23**

### **Respect for home and the family**

173. In 2017, amendments to the CC on access to child care homes for children under 3 years of age, and their exclusive placement in care homes entered into force, which provide that only in exceptional cases, where there is no possibility to take care of a child in a family or foster care households, the child left without parental care shall be placed in a state or non-governmental child care institution.

174. From 2020, long-term (short-term) social care (except short-term social care for up to 3 months) may not be provided to children left without parental care and to children at social risk in child care homes.

175. In 2019, a package of basic services to families was approved to provide the family with psychosocial, social skills development and support, childcare and education, health, education, and socio-cultural services that ensure the assistance necessary to strengthen the family's ability to address the challenges on its own and facilitate the development of a safe, healthy and harmonious environment in one's own family. The package of basic services to

families consists of fourteen basic services provided to persons of different age groups (family members).

176. Every year, work is organised to adapt housing to persons with disabilities and to adapt housing to children with severe disabilities (paragraphs 102–104 of the Report).

177. Amendments to the CC which entered into force in 2016, establish that a person may be declared legally incapable, not in general, but only in certain areas. For example, if the court ruling declaring a person legally incapable in a particular area does not expressly state that he/she is legally incapable in the area of entering into marriage, he/she is legally capable in this area and has the right to enter into marriage in accordance with the procedure laid down by law.

## **Article 24**

### **Education**

178. The Child Welfare Commissions in schools perform initial assessment of children with special educational needs and submit proposals to the school head on providing special education to these children in accordance with the procedure laid down by the MESS. Taking into account special educational needs of the pupil, schools must ensure his/her education in the adapted educational environment, provision with necessary education assistance in a timely matter, supply with special teaching aids and technical aids for education at school.

179. Since 2013, the number of pupils with special educational needs has increased among integrated learners under pre-primary, basic and secondary education programmes. However, in 2019, there were still 44 special purpose general education schools (for pupils with special educational needs) where 3,800 pupils were educated.

180. Most pupils with special educational needs attend general classes of general education schools. They account for 89% of all pupils with special educational needs. The assessment of learning progress and achievements in education of a pupil learning according to the adapted general curricula are discussed with the pupil, his/her parents (guardians, carers), specialists providing educational assistance. Due to the specificity and severity of disability, some pupils receive individualised and specialised learning assistance.

181. Since 2000, the Programme for Providing Schools with Yellow Buses has been implemented. Yellow buses are used to transport pupils living more than 3 km from school and studying under pre-school education curricula, as well as pupils with special educational needs who are unable to come to school themselves to study under pre-school or general education curricula. In 2017, 6.21% of children with special educational needs (due to disability) studying in general education schools and 94.21% of children with special educational needs (due to disability) attending special schools were using transport services.

182. In 2018, the project of the Education Development Centre was launched to implement the National Education Strategy and measures of integration of children with behavioural, emotional and other developmental disorders into the education system. On the basis of this project, the network of autism spectrum schools is being built.

183. In 2019, a new counselling unit for children with developmental disorders was set up at the Lithuanian Centre for the Development of Persons who are Blind or have Low Vision, which aims to facilitate the development of children with special educational needs due to multiple developmental disorders together with their peers in the environment which is familiar and adapted to them, offers assistance to all educational institutions of the country and encourages cooperation.

184. The National Education Strategy for 2013–2022 provides for the effective pedagogical and psychological support for pupils experiencing learning difficulties. General education plans provide that when drawing up the education plan the school must ensure the inclusion of all pupils in education, remove obstacles to providing the necessary learning and education assistance, and adapt the learning environment. Assistance to a pupil in general education schools is provided by a speech and language therapist, special education teacher, tiflopedagogues, surdopedagogues, social pedagogues, psychologist and other professionals.

The number of pupils with special educational needs (due to disability) in general education schools per educational assistance specialist is as follows: 14 pupils for one speech therapist, 16 pupils for one psychologist, 15 pupils for one special education teacher, and 10 pupils for one social pedagogue.

185. In 2018, there was an average of just 0.7 specialists per hundred pupils in general education schools. About a tenth of schools in the country still do not have any education assistance specialist, more than half (53%) of schools in the country did not have a psychologist, 28% of schools in the country did not have a special education teacher or speech therapist. In most cases, pupil assistance specialists are not available in schools in small municipalities where due to small numbers of pupils it is difficult to offer specialists a full-time work. On the other hand, schools are assisted by pedagogical-psychological services which, among other functions, provide psychological, social pedagogical, special pedagogical assistance in educational institutions where there are no pupil assistance specialists. They coordinate the provision of education assistance to pupils (children), their parents (guardians, carers), teachers, other employees of the educational institution and education providers. The legislation stipulates that a child must receive assistance at the place which he/she has chosen for education. If the institution does not have specialists of the required specialisation, special pedagogical assistance for children with disabilities may and is provided on a contract basis. For more information on the number of pupil assistance specialists in general education schools, see Annex (Table 10).

186. According to the current Description of the procedure for provision of special assistance at schools (except higher education institutions), a teacher's assistant, sign language interpreter, attendant and reader provide special assistance to a pupil with moderate, high or very high special educational needs. Although there is an annual increase in the number of teacher's assistants in schools, the assistance provided by these specialists is not sufficient, especially in pre-school education.

187. In 2018, the Code of Ethics for Educators was adopted setting out the principles (respect, justice, recognition of human rights, responsibility, fairness, mindfulness and solidarity) which must be followed by every educator.

188. The MESS devoted great attention to improving the competences of educators. For example, in 2018–2019, 250 pupil assistance specialists working in various educational assistance institutions in the country were trained under qualification improvement programmes. Teachers had a possibility to choose from five specialised training programmes if they considered it necessary to improve the competences needed in work with pupils with high or very high special educational needs (due to multiple developmental disorders, visual, hearing or other disabilities).

189. Paragraphs 178–188 conform to paragraphs 46–47 of CRPD/C/LTU/CO/1.

### **Vocational training**

190. Students with intellectual disability study according to general education curricula which are adapted, i.e. these students study according to individualised programmes they choose taking into account their special educational needs predetermined by intellectual abilities. Students, who have studied under the individualised primary, basic education curricula due to intellectual disability, after 10 years of learning, are issued a Certificate of learning achievements certifying their learning achievements, which allows them to continue their studies under vocational training programmes or under the Programme for the Development of Social Skills (3 years). Programmes will be gradually replaced by Lithuanian Qualification Level II modular vocational training programmes intended for all persons who have not acquired basic education. Modular vocational training programmes will be adapted to persons with special educational needs – 27 hours for 1 credit and 22 hours for 1 credit in case of persons without special educational needs.

191. In 2018–2019, there were 71 vocational training institutions with 34 thousand students. The students with special educational needs accounted for 5.5% of the total number of students of vocational schools (Table 11). According to preliminary data, about 56% of students with special educational needs studied in an inclusive way together with their peers. Individual groups of students are formed on the basis of the nature of disability (e.g.

intellectual disability) and assessment of requirements set out in the vocational training programme.

192. From now on, educators who work under vocational education and training programmes and programmes supplementing formal education, as well as those working under pre-school, pre-primary and general education programmes, are required to have completed the courses of at least 60 hours on the subjects of education and inclusion of pupils with special educational needs. It is expected to improve the inclusion of students with special educational needs (in particular due to disability) in vocational education and training programmes and programmes supplementing formal education and to improve their education quality.

### **Higher education**

193. Statistical information on persons with disabilities studying at 42 higher education institutions (universities and colleges) is provided in the Annex (Table 12).

194. Best-performing students with 45% or lower WCL established for them in accordance with the procedure laid down by legal acts are eligible to a targeted allowance (EUR 152 per month) aimed at ensuring access to studies.

195. All students of higher education institutions with 45% or lower WCL or with a severe or moderate DL established for them in accordance with the procedure laid down by legal acts are eligible to a social scholarship of EUR 126.75 per month.

196. The targeted allowance for special needs was EUR 82.29 per month in 2019 and EUR 90.47 per month in 2020. The targeted allowance for partial reimbursement of study costs was EUR 121.6 per semester in 2019 and EUR 124.8 per semester in 2020. In implementing these measures in 2019, 620 students of higher education institutions received financial support which amounted to the total of EUR 435.9 thousand.

197. Paragraphs 193–196 are in accordance with paragraph 48 of CRPD/C/LTU/CO/1.

## **Article 25**

### **Health**

198. In 2018 the MH and the Compulsory Health Insurance Council took a decision to increase the level of reimbursement of the basic price of reimbursable medicines (the percentage of reimbursement of the basic price) from 80% to 90%, and from 90% to 100% for some medicines. As a result, the amount of premiums paid by all patients, including persons with disabilities, for reimbursable medicines continues to decline since 2019. This complies with paragraph 50(a) of CRPD/C/LTU/CO/1.

199. In 2018, the MH provided training to 404 health professionals.

200. The study programmes of the Faculty of Medicine of Vilnius University includes subjects related to the needs of persons with disabilities.

201. Students of the Faculty of Public Health of the Lithuanian University of Health Sciences are provided with 338 academic hours for classes analysing various issues of persons with disabilities. Students and resident physicians of physical medicine and rehabilitation of the Rehabilitation Clinic of Nursing Faculty are provided with 127 academic hours for classes dedicated for analysing various issues of prevention and rehabilitation of biopsychosocial impairments of persons with disabilities; in 2017, the educational book “Assessment of a patient’s temporary loss of working capacity, disability and remaining working capacity and identification of special needs” was prepared at the Rehabilitation Clinic for doctors, social workers and students of the Faculties of Medicine, Nursing and Public Health.

202. In the course of continuing (post-graduate) training of doctors organised by universities, 38 academic hours are devoted to informing family doctors, physical medicine and rehabilitation and DWCAO doctors about issues related to disability establishment and biopsychosocial rehabilitation.

203. Reproductive health care services are integrated in the health care system.

## **Article 26**

### **Habilitation and rehabilitation**

204. Several types of rehabilitation are distinguished: medical rehabilitation, social rehabilitation and professional rehabilitation.

#### **Medical rehabilitation**

205. The Law on Health Insurance stipulates that the total basic cost of medical rehabilitation is compensated to persons with 0–25% WCL, or persons who have reached the retirement age, for whom a high level of SN has been established in accordance with the procedure laid down by legal acts; 90% of the basic cost of sanatorium (anti-relapse) treatment is compensated to persons under the age of 18 for whom the DL has been established in the manner prescribed by legal acts.

206. The Description of the procedure for selection and referral of adults to medical rehabilitation health care institutions and the Stages of medical rehabilitation services provide that, in the event of a disability, in the first 2 or 3 years the repeated rehabilitation is prescribed when the DWCAO establishes lower WCL or higher SN. Thereafter, starting with the fourth year following the establishment of disability for persons with disabilities, the supportive rehabilitation is prescribed.

#### **Professional rehabilitation**

207. The ES is implementing the project “Professional rehabilitation” co-financed from the EU structural funds and the state budget. During the implementation of the project, professional rehabilitation programmes were attended by persons with the established WCL of 0–45% and persons who applied to the DWCAO for the first time for the establishment of the WCL. The aim of the project is to increase the employment of persons with disabilities by providing professional rehabilitation services. The project runs from 27 April 2018 until 31 July 2020. The project value is EUR 3 840 000. During the project implementation period until 31 December 2019, 632 persons participated in professional rehabilitation programmes. 48.4% of persons with disabilities who completed professional rehabilitation programmes started working, including self-employment.

#### **Social rehabilitation**

208. Every year, tenders are announced and funding is provided for social rehabilitation service projects for persons with disabilities in the community aimed at improving social inclusion of persons with disabilities into society by involving municipal administrations and by encouraging NGOs active in the field of social inclusion of persons with disabilities to provide the necessary social rehabilitation services to restore or maintain social and independent life skills of persons with disabilities, increase their independence and employability as well as facilitate their participation in the life of society at those municipalities. About 26 thousand persons with disabilities benefit from social rehabilitation services every year.

209. Activities carried out under projects supporting activities of associations of the disabled are supported activities directly related to social rehabilitation and include independent life skills development training, workshops and camps. For more information on training topics, camps, number of participants in the independent life skills development training, see Annex (Table 9).

#### **Other competence and function development areas**

210. Since 2017, complex social rehabilitation services for persons who are blind have been provided every year. These services are used by 16 persons who are blind during a year. Persons who are blind are provided with the services of up to 238 hours.

## Article 27

### Work and employment

211. The LET provides that, in implementing equal treatment, the employer must take appropriate measures to help persons with disabilities to have access to, participate in, or advance in employment, or to undergo training, including adaptation of premises, unless such measures would impose a disproportionate burden on the employer.

212. The Law on Employment regulates priority application of active labour market policy measures to persons with disabilities and establishes subsidising job creation for persons with disabilities as a priority.

213. The Labour Code regulates gender equality and non-discrimination of employees on other grounds, and provides appropriate measures to enable persons with disabilities to get a job, to work, to seek career or to study, including appropriate adaptation of premises, provided such measures do not impose a disproportionate burden on the employer; also regulates a part-time employment agreement.

214. In order to ensure equal opportunities for persons with disabilities to participate in the open labour market, the ES organised educational events and training for employers on equal opportunities and promotion of non-discrimination in the labour market. In 2018, 18 such training sessions were organised for employers.

215. The employer must implement the principles of gender equality and non-discrimination on other grounds. This means that, in the event of any employer's relationship with employees, direct and indirect discrimination, harassment, sexual harassment, instruction to discriminate on the ground of disability (among other grounds) is prohibited.

216. Amendments to the Law on Employment adopted in 2019 introduced new labour market services for persons with disabilities (assisted employment: assistance in employment procedures; accompanying assistance after getting employed) to provide them with individual assistance in getting a job and/or establishing themselves at the workplace in an open labour market.

217. In 2019–2020, as part of the project “Enabling a sustainable transition from institutional care to a system of services provided in a family and community in Lithuania”, persons with intellectual or mental disabilities were provided with the assisted employment service to help people find a job in a free labour market according to their skills and market opportunities and to provide them with further assistance in establishing themselves in the workplace. The service was provided in Vilnius and Kaunas regions. 26 persons received this service. The assisted employment service was of two types: the service focused on employers and the community, and the service focused on individual recruitment of a person.

218. In 2019, the amendment to the Law on Social Enterprises was adopted, which improved and revised the legal regulation of social enterprises in order to ensure efficiency and control of the provision of state aid to social enterprises, to create legal preconditions to encourage employers to employ persons who are unable to compete on equal terms with other persons in the labour market. The measures provided for in this Law promote the employment of the persons with most severe disabilities in social enterprises, while at the same time requiring social enterprises to allocate part of their profits to persons willing to return to the labour market, social inclusion thereof and social exclusion reduction.

219. The employment of persons with disabilities is still a sensitive problem, as the number of the workers with disabilities of working age account only for 29% of all workers with disabilities of working age. The audit of social inclusion of persons with disabilities carried out by the National Audit Office at the end of 2020 noted that employment support services and measures were insufficient, making it difficult for persons with disabilities to find a suitable job and integrate into the labour market. With a view to maximising the participation of persons with disabilities in the open labour market and the involvement of employers, the MSSL and the ES were tasked with introducing the most effective measures (carrying out an assessment of the open labour market measures for persons with disabilities regarding their improvement, termination or expediency of development of new measures; promoting more active acquisition of persons' working skills in the workplace; helping employers to create

or adapt jobs for persons with disabilities seeking employment or already employed in the entities controlled on legal basis) and taking measures to identify the needs and improve recruitment processes.

220. The OEEO actively encourages employers to apply the principles of equal treatment in workplaces. The initiatives of Equal Opportunity Ruler and Equal Opportunity Wings should be mentioned here. The Equal Opportunity Ruler initiative is a tool based on employee and employer surveys, which helps to establish culture of communication in an organisation, (in)tolerance to discrimination by employees, etc. The Equal Opportunity Wings initiative is a system of assessment of entities in terms of equal opportunities and access to expert advice when seeking for equal opportunities. Both the private sector and the public sector are encouraged to join these initiatives.

221. Paragraphs 211–220 correspond to paragraph 52 of CRPD/C/LTU/CO/1.

## **Article 28**

### **Adequate standard of living and social protection**

222. The findings of the study performed allow to predict, taking into account individuals' income assessed since 2017, that the level of absolute and relative poverty will decline. This is due to improving overall employment situation, increase in the minimum wage and other wages, increased benefits, in particular pensions and additional family benefits, etc. However, poverty among persons with disabilities, especially relative poverty, remains high.

223. Absolute poverty in 2020 is projected to be higher than before the COVID-19 crisis, and, in case the crisis continues, it may almost double compared to the pre-crisis situation.

224. From 2018 one of the parents (foster parents) of a person with disabilities who has a special need for permanent nursing or a special need for permanent care (assistance) or a person appointed as guardian or carer of such person, nursing or regularly caring at home for this person (providing assistance at home to this person) before reaching retirement age is insured with state funds under pension and unemployment social insurance scheme.

225. To reduce the risk of poverty or social exclusion, in 2017, Lithuania adopted legislative amendments which resulted in the increase of the amount of state supported income from EUR 102 to EUR 122 starting from 2018, and in 2020 this amount was EUR 125. The minimum monthly wage has increased.

### **Benefits**

226. Social insurance work incapacity pensions are granted to persons who have been recognised as having lost 45% or more of their working capacity and who meet the established length-of-service requirements of pension social insurance. The requirements of a minimum length of service are applied to a work incapacity pension which depend on a person's age. For more information see Table 1 of the Annex.

227. The social insurance work incapacity pension comprises a general and an individual part. The general part of the pension depends on the person's length of service and the established WCL, while the individual part depends on the units of account acquired by the person and the established WCL.

228. The social insurance pension indexation mechanism introduced in 2017 has led to a consistent increase in the average old-age pension: compared to 2016, the average old-age pension increased by 34% in 2019. Between 2016 and December 2019, the average work incapacity pension increased by 28%. In 2018–2019, the number of recipients decreased as the change in the formula for calculating social insurance old-age pensions made it more advantageous for some of the recipients of work incapacity pensions who reached the old-age age to receive a social insurance old-age pension instead of a work incapacity pension.

229. Social assistance disability pensions are paid to children with disabilities and persons of working age who have lost 45% or more of their working capacity. These pensions are paid from the state budget funds to a person only if he/she does not receive a social insurance pension or another pension benefit. Measure of the amount of social assistance pensions is



the SAPB (EUR 140 in 2020) which may not be less than 56% of the amount of minimum consumption needs (EUR 257 in 2020). Social assistance disability pensions range from 1 to 2.25 SAPB (EUR 140–315). In 2016–2019, more than 43 000 persons received social assistance disability pensions. For more information on the recipients see Annex (Table 13).

230. In order to reduce child poverty and income inequality and provide financial support to all families with children, a universal benefit was introduced, i.e. a flat-rate monthly child benefit of 1.32 BSB (EUR 50.16) (child's money) for all children from their birth to the age of 18 and over, if the children study under the general education programme, but no longer than until 21 years of age. An additional child benefit is granted to families raising children with disabilities (0.52 BSB, EUR 39.90). The amount of additional child benefit (irrespective of the child's age) was fixed at 0.53 BSB (EUR 20.14) per month. Families raising and/or caring for children were entitled to greater state financial support: since 2019 the amount of universal child benefit has been increased by 67% and the amount for children with disabilities – by 133%.

231. In 2020, universal free meals for pupils (pre-school and first-form pupils) were introduced. About 49.6 thousand children are projected to receive free meals in 2020.

232. Paragraphs 226–231 correspond to paragraphs 54–56 of CRPD/C/LTU/CO/1.

## **Article 29 Participation in political and public life**

233. General information on the political system is provided in paragraphs 282–284 of CRPD/C/LTU/1.

234. Citizens of Lithuania who are 18 years of age on the election day have the right to vote. Citizens declared legally incapable by the court in the area of elections do not participate in the elections. There are no disability or health condition related restrictions on becoming a candidate.

235. Data on voters and candidates with disabilities is collected by the Central Electoral Commission. This complies with paragraph 58(c) of CRPD/C/LTU/CO/1.

236. Since 2019, the laws regulating elections have entered into force banning restrictions on elections on grounds of disability. This complies with paragraph 58(d) of CRPD/C/LTU/CO/1.

### **Ensuring access to polling stations**

237. From 2019, the laws regulating elections stipulate that the municipal administration must assess whether polling stations are adapted to the needs of voters with disabilities. Upon assessing that polling stations are not suitable, the municipal administration must adapt them or lease adapted polling stations. The assessment of the suitability of polling stations may involve NGOs.

238. In 2019, the Central Electoral Commission updated the Description of procedure for furnishing polling stations which sets out additional requirements to ensure the right of persons with disabilities to vote. Representatives of NGOs representing persons with disabilities together with representatives authorised by municipal administrations and the Central Electoral Commission, will assess the furnishing and adaptation of polling facilities to the needs of voters. This complies with paragraph 58(d) of CRPD/C/LTU/CO/1.

239. In 2019, even before the entry into force of the aforementioned laws, municipalities focused on adapting the premises to the needs of voters with disabilities. As a result, premises in 67% of polling districts were adapted to persons with disabilities for the elections to municipal councils in March 2019.

### **Voting procedures. Access to electoral material**

240. General information on voting procedures is provided in paragraph 283 of CRPD/C/LTU/1.

241. At the elections of the President and of the EP in 2019, the Central Electoral Commission provided voters with printed information publications with basic information about elections, election programmes of candidates and their lists, and ballot papers in Braille, and voters could use magnifying glasses in polling stations to better see the text of the ballot paper. For voters with intellectual disabilities, the Central Electoral Commission, at each election, submits the publication “Easy to Read” with easily understandable text. Election programmes of parties and candidates are provided in printed and in audio form. Broadcasts of debates of candidates and parties are interpreted into the sign language and subtitles are displayed. All information video clips prepared by the Central Electoral Commission are interpreted into the sign language, and press conferences of the Central Electoral Commission broadcasted on the election day are provided with the interpretation into the sign language too. On the election day, voters with hearing disabilities can contact a sign language interpreter via Skype to help them talk to members of the electoral committees. In addition, information posters for voters with disabilities indicating their polling districts are displayed in all polling districts.

242. Members of electoral committees are familiarised before the elections with the Recommendations on the service of voters with disabilities in polling districts, so that members of the electoral committees are prepared to meet voters with disabilities in polling districts and help them exercise their right to vote. This complies with paragraph 58(d) of CRPD/C/LTU/CO/1.

243. In 2020, amendments to the laws regulating elections were adopted stipulating that ballot papers and other electoral materials specified by the Central Electoral Commission must be adapted to the needs of voters with disabilities. Such legal regulation shall include publicly available audio, video information about elections, election programmes, debates of candidates, information about election procedures, etc., as well as provision of electoral materials to voters with disabilities in an easily understandable language and accessible form. This complies with paragraph 58(a) of CRPD/C/LTU/CO/1.

244. Suffrage of legally incapable persons. Amendments to the CC which entered into force in 2016 provide that a person may be declared legally incapable not in general, but only in certain areas. If the court ruling does not explicitly state that a person is legally incapable in the area of elections, voting, he/she shall have the right to participate in elections in accordance with the procedure laid down by legal acts.

## **Article 30**

### **Participation in cultural life, recreation, leisure and sport**

245. In order to implement the Law on Sport, the Government established proportions of the allocation of funds of the Sport Support Fund. 10% of the funds of the Sport Support Fund is allocated for the implementation of projects promoting the development of sport for persons with disabilities (in 2019, the allocation of at least EUR 1 million 300 thousand was planned for the implementation of projects promoting the development of sport for persons with disabilities). The supported activities aimed at integrating persons with disabilities through physical training and sport organised by NGOs in 2016–2020 include permanent activities (training in various sports, physical training exercises, active physical activity) and non-permanent activities. Around 80 projects are funded annually and about 6 500 persons with disabilities participate in physical training and sports activities.

246. In implementing the NP, the following activities were organised in 2016–2019: skills upgrading for tourism, leisure, event organisation professionals aimed at improving the accessibility of services for persons with disabilities by promoting innovation and development (a total of 258 professionals of leisure, tourism, cultural sectors participated in the skills upgrading), optimisation and modernisation of physical and information infrastructure (11 buildings) of cultural institutions (cultural centres, museums, public libraries, etc.), regular promotion of artistic activities of persons with disabilities through co-financing of the projects selected by tender (each year, 8 000 of persons with disabilities take part in these activities). The National Library issues for persons who are blind publications for persons unable to read the usual printed text (475 such publications were issued in 2019).

247. The DAD, in cooperation with NGOs, developed the recommendations and a questionnaire allowing the institution to assess whether its premises conform to the universal design principles.

248. When organising social rehabilitation services in the community, NGOs organise artistic self-expression and cultural activities for persons with disabilities, involving around 3 500 adults and 300 children with disabilities each year.

249. The legal acts regulating construction ensure that the requirements on access to persons with disabilities are observed when constructing buildings for sports, educational and scientific purposes funded from the state budget. This corresponds to paragraph 58(a) of CRPD/C/LTU/CO/1.

250. The MC and the MESS are implementing the measure “Cultural Passport” intended to develop the habits related to the knowledge of culture of pupils studying under general education curricula and to develop their cultural experience by providing them with appropriate cultural and artistic services. When selecting cultural and artistic services, it is important that they are adapted to children with SN.

251. Public libraries pay particular attention to the integration of persons with disabilities and the development of cultural and information services for persons of this group. The national project “Promoting the smart use of the internet in the updated public internet access infrastructure” aimed at upgrading the information and communication infrastructure of the country’s public libraries is being implemented by the National Library and the MC in 2018–2020. It includes the provision of technical equipment and software intended for persons with special disabilities to libraries and organisation of computer literacy training for users. Since 2017, the MC has been financing the activities of Lithuanian libraries serving persons who are blind and libraries of 5 counties every year in order to provide them with equipment and facilities to be used by groups of people experiencing social and information exclusion. Targeted funding by the MC made it possible to increase the audience served by public libraries and involve persons with disabilities who have not previously used library services in cultural activities, enabled the libraries to test new activities such as sensory reading, release fairy tales in sign language and create animated fairy tale videos for children.

252. In order to ensure access for persons with disabilities to cultural events or cultural services such as theatre, museum, cinema, library and tourism services and, to the extent possible, enable them to visit monuments and national cultural objects, the MC and the DAD supported cultural events organised by NGOs representing persons with disabilities. 8 222 persons with disabilities participated in cultural and artistic activities financed through the Lithuanian Council of Culture in 2018 (in 2019 11 712 persons with disabilities participated).

## **Article 31**

### **Statistics and data collection**

253. In implementing paragraph 64 of CRPD/C/LTU/CO/1, in 2016 and 2019, the SL organised meetings with representatives of NGOs representing persons with disabilities and other institutions concerned during which the up-to-date statistical information on persons with disabilities was presented and the need for statistical information was discussed.

254. Statistical information on one's health assessment, health care needs not fulfilled, housing, economic difficulties is prepared and published annually. More information is provided in Annex (Table 21).

255. Data on health data collection is provided in Annex (Table 21).

256. The SL annually conducts the statistical survey on social services. It serves as basis for statistical information on the provision of social services to persons with disabilities at home, day centres and residential care institutions to be published. More information is provided in Annex (Table 21).

257. The SL annually compiles and publishes statistics on income and expenditure of social security programmes, including statistics by risk factors (functions). One of them is disability. More information is provided in Annex (Table 21).

258. The Official Statistics Portal publishes statistics on persons with disabilities from administrative sources managed by other institutions. More information is provided in Annex (Table 21).

259. According to the information provided by the DWCAO, statistics on children for whom the disability was established for the first time and on working-age persons for whom reduced WCL was established for the first time is published. More information is provided in Annex (Table 21).

260. Data collected by the DWCAO is provided in Annex (Table 21).

261. Data collected by the SSIFB is provided in Annex (Table 21).

262. Statistics on persons with disabilities by gender, age, severity of disability, place of residence is compiled and analysed by the MSSL. More information is provided in Annex (Table 21).

263. Since 2010, the Pupils' Register has compiled data on the child's SN and disability. More information is provided in Annex (Table 21).

## **Article 32**

### **International cooperation**

264. The Development Cooperation and Democracy Assistance Programme is an integral part of measure implementing official development assistance.

265. NGOs are encouraged to participate in international organisations, by covering their membership fees in international organisations either through projects supporting the activities of the associations of the persons with disabilities supported by the DAD or by co-financing the costs of participation in the international conferences.

266. At the 74th session of the Third Committee of the General Assembly of the UN (2019), Lithuania supported and co-sponsored resolutions aimed at ensuring the rights of persons with disabilities. In this context, reference is made to the Resolution on the inclusive development for and with persons with disabilities and the Resolution on the implementation of the Convention, which aims to prevent discrimination against persons with disabilities, in particular girls and women.

267. In 2011–2014 and 2017–2019, 8 projects were implemented with the funds of the Development Cooperation and Democracy Assistance Programme of the MFA (more than EUR 118 thousand were allocated to these projects), which supported the involvement of Belarusian young persons with hearing disabilities in society and cultural life in Belarus, provided entrepreneurial knowledge and skills. Up to EUR 27 thousand are earmarked for the continuation of these projects in 2020.

268. In 2019, the MFA joined the EC's Diversity Charter, the initiative promoting the creation of an inclusive non-discriminatory working environment in the EU Member States for individuals, including persons with disabilities, both in public institutions and in the private sector.

## **Article 33**

### **National implementation and monitoring**

269. The DAD, within its remit, organises the implementation of social inclusion policies for persons with disabilities and monitoring of the results of social inclusion activities by involving NGOs representing persons with disabilities. Funds for monitoring the implementation of the Convention are provided for in the state budget. NGOs representing persons with disabilities are involved in monitoring the implementation of the Convention and in conducting surveys on the implementation of the Convention.

270. In 2019, an independent Commission was set up under the OEEO to monitor the implementation of the Convention. The Commission consists of 5 members: 4 representatives of associations of persons with disabilities and 1 representative of the OEEO.

The names of the Commission members are approved by the Equal Opportunities Ombudsperson. The Commission is formed for a term of 4 years. The same person may be a member of the Commission for a maximum of two consecutive terms. The main function of the Commission is the monitoring of the implementation of the Convention. During the first six months of its activities, the Commission participated in conferences, meetings with representatives of the state and NGOs engaged in the protection of the rights of persons with disabilities, provided recommendations on the compliance of the established group living homes for persons with intellectual and mental disabilities with the provisions of the Convention as well as on the provisions of the Social Services Directory developed by the MSSL and their compliance with the Convention. This corresponds to paragraph 68(b) of CRPD/C/LTU/CO/1.

#### **COVID-19 crisis**

271. In order to mitigate the negative effects of the epidemiological crisis caused by the pandemic and to provide assistance to persons with disabilities, Lithuania has envisaged state aid measures. More information is provided in the Annex (Table 22).

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