

# National Plans of Action for the Promotion and Protection of Human Rights - Lithuania

## TABLE OF CONTENTS

### I. AIM, PURPOSE AND PREPARATION CRITERIA OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

1. **General provisions**
2. **The project of the national action plan for the promotion and protection of human rights of the SEIMAS of the republic of Lithuania and the United Nations development programme**
3. **Aims and objectives of the national action plan for the promotion and protection of human rights**
4. **The main requirements for the preparation and implementation of the plan**
5. **The notion of human rights in the plan**
6. **Lithuania's international commitments as regards the protection of human rights as one of the main criteria of the plan**
7. **Human rights-related actions and Lithuania's integration into the EU**
8. **Human rights situation in Lithuania**
9. **The purpose of implementing the plan**

### II. STRUCTURAL PECULIARITIES OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

1. **General provisions**
2. **Continuous (constant) plan actions**
3. **Temporary plan actions**
4. **Measures for ensuring the implementation of the plan actions**

### III. IMPLEMENTATION OF THE RIGHT TO WORK AND THE RIGHT TO SAFE AND HEALTHY WORKING CONDITIONS

1. **On the increased speed and quality as regards the settling of labour disputes**
2. **On the participation in the European Union Employment Policy coordination and coordination of the employment strategy of the Republic of Lithuania with the European Union employment policy guidelines**
3. **On the implementation of the employment enhancement programme**

4. **On the occupational safety and health programme**

IV. IMPLEMENTATION OF THE RIGHT TO HEALTH PROTECTION

1. **On ensuring healthcare quality and safeguarding the patients' rights**
2. **On reducing the spread risk of contagious diseases**

V. PROTECTION OF THE RIGHTS OF ELDERLY AND DISABLED PEOPLE

1. **On the protection of the rights of the elderly**
2. **On the protection of the rights of the disabled**

VI. IMPROVING THE PROTECTION OF THE RIGHTS OF CONSUMERS

1. **On the strategy for the state protection of consumer rights**
2. **On the quality of services and guarantees to consumers**
3. **On raising consumer awareness and increasing impact of consumer opinion**

VII. IMPLEMENTATION OF WOMEN'S RIGHTS IN THE CONTEXT OF GENDER EQUAL OPPORTUNITIES. PREVENTION OF VIOLENCE AGAINST WOMEN. ENSURANCE OF WOMEN'S REPRODUCTIVE RIGHTS

1. **On enhanced legal instruments for the protection of women's rights**
2. **On the prevention of violence against women**
3. **On the protection of women's reproductive rights**

VIII. MEASURES FOR THE PROTECTION OF THE RIGHTS OF THE CHILD

1. **On more effective functioning of institutions for the protection of the rights of the child**
2. **On other measures for improving the protection of the rights of the child**

IX. ACTIONS FOR SAFEGUARDING THE RIGHTS OF THE ACCUSED AND THE IMPRISONED

1. **On increased responsibility and better qualification of law enforcement officials (officers)**
2. **On more effective protection of the rights of the accused and the imprisoned**

X. PROTECTION OF THE RIGHTS OF CRIME VICTIMS. PREVENTION OF TRAFFICKING IN PERSONS

1. **On enhanced legal preconditions for protecting the rights of crime victims**
2. **On measures aimed at preventing trafficking in human beings.**

XI. ACTIONS AGAINST DISCRIMINATION. PROTECTION OF THE RIGHTS OF SEXUAL MINORITIES. STRENGTHENING OF THE PROTECTION OF THE RIGHTS OF MIGRANTS AND REFUGEES

1. **Actions against discrimination**
2. **On protection of the rights of sexual and national minorities**
3. **On increased protection of the right to refuge**
4. **On strengthening the protection of the rights of refugees and migrants**

XII. IMPLEMENTATION OF THE RIGHT TO RECEIVE AND DISSEMINATE INFORMATION. PROTECTION OF PRIVATE LIFE

1. **On increased possibilities for the public to obtain information from state and municipal institutions**
2. **Measures for improving the protection of private life**

XIII. IMPLEMENTATION OF THE RIGHT OF CITIZENS TO PARTICIPATE IN STATE GOVERNANCE. STRENGTHENING OF SELF-GOVERNANCE BY THE PUBLIC

1. **Measures for increased awareness of citizens as regards possibilities to participate in state governance**
2. **On the development of self-governance by the public**

XIV. ACTIONS IN RELATION TO THE IMPLEMENTATION OF THE NATIONAL STRATEGY IN THE AREA OF HUMAN RIGHTS PROTECTION AND THE IMPLEMENTATION OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

1. **On the improvement of the institutional system, including the increased effectiveness of the SEIMAS ombudsman institution**
2. **On the involvement of the public in implementing justice**
3. **On the monitoring of human rights in Lithuania**
4. **On raising public awareness about human rights and their protection ways**
5. **On ensuring the implementation of the national action plan for the promotion and protection of human rights in the Republic of Lithuania**

I. AIM, PURPOSE AND PREPARATION CRITERIA OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

## 1. General provisions

The World Conference on Human Rights that took place in Vienna in 1993 invited all the states to prepare their national action plans for the promotion and protection of human rights. The Action Plan and Declaration of the Conference declare:

"The World Conference on Human Rights recommends for each state to consider preparing its national action plan by identifying the specific steps to promote human rights and enhance their protection."

The main aim of the national actions plans is to identify the key problems as regards human rights, establish their reasons and take specific practical measures to enhance the protection of those rights, including the rights of the most vulnerable groups.

## 2. The project of the National Action Plan for the Promotion and Protection of Human Rights of the Seimas of the Republic of Lithuania and the United Nations Development Programme

While implementing the ideas raised by the 1993 World Conference, Arturas Paulauskas, the Chairman of the Seimas of the Republic of Lithuania, and Cihan Sultanoglu, the Resident Representative of the United Nations Development Programme, signed a project of UNDP support to the development of the National Action Plan for the Promotion and Protection of Human Rights (hereinafter referred to as the Plan) on 2 April 2001. This project was prepared within the framework of a global programme entitled HURIST (Human Rights Strengthening) launched in April 1999 by the United Nations Development Programme together with the Office of the High Commissioner for Human Rights.

## 3. Aims and objectives of the National Action Plan for the Promotion and Protection of Human Rights

The Plan has to create the following preconditions:

- 1) enhance the protection of human rights;
- 2) ensure that legislation is in line with international standards;
- 3) develop public awareness about human rights, their protection ways and encourage persons to protect their rights as effectively as possible;
- 4) establish and strengthen national as well as regional human rights institutions;
- 5) identify vulnerable social groups, establish their problems and take up effective measures to improve their position;

6) develop the activities of non-governmental organizations as well as their co-operation with public authorities;

7) encourage public authorities to fulfil their obligations in the area of human rights under international universal and regional agreements.

#### 4. The main requirements for the preparation and implementation of the Plan

The preparation, implementation and assessment procedures in regard of the National Plan have to meet the following requirements:

1) the process has to involve as many state, non-governmental organizations and other civil society institutes as possible;

2) the state has to give priority to the preparation of the Plan, its contents and implementation;

3) measures of Plan preparation and implementation have to be transparent;

4) there has to be a standing possibility to review the Plan depending on any changes in the situation;

5) the Plan has to take account of international and national legal regulation as well as the actual situation as regards the activities of the national human rights institutions;

6) provisions should be made for resources to implement the Plan and institutions responsible for its implementation.

#### 5. The notion of human rights in the Plan

Human rights have a wide philosophical, political, moral, and legal meaning. The legal definition of human rights relates to the provision contained in the Universal Declaration of Human Rights adopted by a resolution of the General Assembly of the United Nations on 10 December 1948 (hereinafter referred to as the Declaration), which states that "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." The Declaration granted human rights to "everyone". The ideas enshrined in the Declaration, which underline that every person's rights are inseparable from his/her personality, that a person's rights are inborn and no-one has the right to restrict a person's exercise of his/her rights and freedoms or deprive him/her of them, have to be used as a basis for every democratic society. Human rights are societal values. Every person may demand them as "his/her rights" from the state in the society where he/she lives.

The 1992 Constitution of the Republic of Lithuania enshrines the principle of an open, fair, harmonious civil society and the rule of law that cannot be

separated from respect to human rights and their protection. Article 18 of the Constitution of the Republic of Lithuania provides that human rights and freedoms are inborn, while Article 29 establishes the principle of equality and prohibits discrimination on the grounds listed therein.

While developing and implementing this Plan, it is necessary to stress that in the Plan human rights are related to the theory of innate human rights, the principle of equality and prohibition of discrimination in regard of the exercise of all human rights and fundamental freedoms. In the Plan human rights are viewed in their entirety, as a common system, and particular attention is paid to the fact that the society and individual himself/herself find important not only political and civil rights but also economic, social and cultural rights that have a particular impact on the creation of every person's welfare in the society.

#### 6. Lithuania's international commitments as regards the protection of human rights as one of the main criteria of the Plan

The Republic of Lithuania is a signatory to many crucial international conventions (both universal and regional) on human rights, it is actively involved in the efforts of the United Nations as well as the Council of Europe aimed at enhancing the protection of human rights and raising awareness about human rights.

As early as on 12 March 1991, the Supreme Council of the Republic of Lithuania passed a Resolution On the Accession of the Republic of Lithuania to the Documents of the International Charter on Human Rights, that is to the international instruments that are essentially regarded as the legal grounds for the United Nations in carrying out its activities in the area of the protection of human rights (these include the International Covenant for Economic, Social and Cultural Rights of 1996; the International Covenant for Civil and Political Rights of 1966; the Facultative Protocol to the International Covenant for Civil and Political Rights of 1966 on the right to petition).

On 14 May 1993, the Republic of Lithuania became a member of the Council of Europe and on the same day it signed the European Convention on Human Rights which was ratified by the Seimas of the Republic of Lithuania on 27 April 1995 along with the Fourth, Seventh and Eleventh Protocols to the Convention. This created legal preconditions for persons under Lithuania's jurisdiction to exercise the rights and freedoms listed in the Convention as well as to address the European Court of Human Rights in cases of their violation. It was an extremely important step in the life of the young state when it was admitted into the family of the European democracies and undertook an obligation to ensure that the protection standards of human rights established in the Convention will become standards and guidelines in the area of the protection of human rights in Lithuania.

On 7 December 1995 Lithuania ratified the First Protocol to the Convention and on 22 June 1999 it also ratified the Sixth Protocol to the Convention on the Abolishment of the Death Penalty.

The Republic of Lithuania is vigorously seeking membership in the European Union and NATO. One of the political criteria regarding the accession to the European Union is the ensurance of human rights as well as the rights of national minorities in a candidate country.

## 7. Human rights-related actions and Lithuania's integration into the EU

The objectives related to the European integration in the country's policy inspired Lithuania to pay greater attention to the ratification and implementation of the agreements of the Council of Europe. As it has been mentioned above, the ensurance of the principle of the protection and respect of human rights as well as the rights of national minorities in a candidate country is one of the political criteria as regards the accession to the European Union. Considering the readiness of the Republic of Lithuania for EU membership, the European Commission, in its 1998 Regular Report on Lithuania's progress towards the membership in the European Union, concluded that situation in Lithuania was in line with the Copenhagen political criteria and that human rights and freedoms, despite certain related problems, were respected in Lithuania.

The European Law Department inspects whether the legislation under consideration in either the Seimas or the Government complies with the requirements of EU law and international agreements. Lithuania made a great progress in further securing and increasing the stability of institutions ensuring democracy, the rule of law, human rights and respect to national minorities as well the protection of their rights. The 2001 Regular Report of the European Commission on Lithuania's progress towards EU accession specified that Lithuania remained in compliance with the political membership criterion and made a substantial progress in adopting the law of the European Union.

The problem in relation to the application of international agreements in Lithuania is also the fact that not all the international agreements, to which Lithuania is a signatory, have been officially translated into the official language and duly published in the Official Gazette "Valstybes zinios". However, the process is currently underway and this problem is likely to be solved in the near future. Another problematic aspect is that the issue of legal power of the international agreements to which Lithuania is a signatory but has not ratified them yet has not been completely solved, which cannot be solved by the Law on International Agreements of 1999 either.

## 8. Human rights situation in Lithuania

After the restoration of its Independence Lithuania demonstrated its will to adopt the principles of Western democracy and the rule of law as soon as possible. Lithuania quickly joined the efforts of international organizations, ratified key international agreements on human rights, and started taking steps towards realizing these agreements in its national law.

Elections in Lithuania are democratic, they are based on the multi-party system; there are no complaints about any restrictions of election rights.

The state provides conditions for actually implementing the right to petition, although there is no effective implementation mechanism for self-government right yet. Municipal politicians fail to take account of the fact that according to Article 119 of the Constitution the right to self-government is exercised by municipality as an administrative unit and its residents rather than by the officials of municipal authorities.

In many cases the country's authorities take into account reports of the international community about human rights in Lithuania and attempt to solve the raised problems. The state evaluated and expressed its disapproval of the holocaust and other genocide actions carried out in the country's territory in the past.

However, the national programmes and projects are not always based on adequate assessment of the fact that in Lithuania, just like in other post-soviet countries, the protection of human rights was the area that suffered most out of all public life areas during the soviet totalitarian period.

There a lot of non-governmental organizations operating in the area of the protection of human rights in Lithuania. Only some of them have a substantial impact on the position of the public, public authorities and international organizations. Public authorities insufficiently rely on the activities of non-governmental organizations in the area of the protection of human rights.

Public polls show that the public does not trust legal institutions and the majority of people are afraid to defend human rights owing to the following main reasons: 1) they think that nobody can help; 2) they do not know whom to address; 3) they are afraid to lose their jobs. Two thirds of the respondents say that there is a lack of information about human rights and possibilities of their protection.

The state makes insufficient efforts and allots insufficient funds to raise public awareness about human rights and their protection ways.

The 2001 Regular Report of the European Commission indicated the following drawbacks in the area of human rights in Lithuania:

- 1) remaining problem of trafficking in human beings;
- 2) remaining doubts in regard of pre-trial detention;
- 3) remaining certain outstanding issues concerning the granting of refuge.

Until April 2002 the European Court of Human Rights had passed 12 rulings in cases against the Republic of Lithuania. Ten cases stated violations of the Convention; one case was finished by a peace agreement; one case did not contain any violations. Most often the European Court of Human Rights identifies violations of the right to freedom, right to trial, and criminal procedure guarantees (Articles 5 and 6 of the Convention).

The Court of Human Rights, which is based in Geneva and was established in 1966 under the Covenant for Civil and Political Rights, had not passed any rulings against Lithuania before initiating the preparation of this Plan.

Article 67 of the European Association Agreement states that Lithuania must improve the protection of intellectual property rights, seek the protection level similar to that existing in the European Union (including effective implementation measures of these rights).

## 9. The purpose of implementing the Plan

The implementation of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania will:

- 1) ensure national strategy for human rights;
- 2) facilitate the introduction of a continuous monitoring system in regard of human rights in Lithuania;
- 3) strengthen the institutions operating in the area of human rights;
- 4) guarantee constant accountability of these institutions before the public about their activities and implementation of the Plan;
- 5) create preconditions for on-going public and explicit discussions about human rights;
- 6) help the Lithuanian people better understand their rights, defend them more effectively, and exercise them in a wider manner.

## II. STRUCTURAL PECULIARITIES OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

### 1. General provisions

The National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania (hereinafter referred to as the Plan) has to be designed to meet the following requirements: first, it has to be clear; second, it has to be functional and achievable; third, if necessary, it should be possible to supplement or amend it; and fourth, other countries should be able to use it in preparing their national action plans for the promotion and protection of human rights. Owing to the above reasons, the Plan provides not only for *ad hoc* measures to eliminate specific drawbacks but also for other continuous actions important not only to the Republic of Lithuania. Each chapter, which sets forth such actions, usually indicates two types of actions: continuous and temporary.

Chapters 3-13 of the Plan deal with the measures for the implementation of human rights in specific areas. These chapters are designed in the light of the Report on Human Rights in Lithuania and the findings of public opinion polls. Each chapter specifies a problem and provides for measures to resolve it along with deadlines and responsible institutions.

## 2. Continuous (constant) Plan actions

Continuous (constant) actions of the Plan are actions which have to be implemented continuously rather than temporarily. They ensure the continuity of the actions of this Plan, constant attention of public authorities and non-governmental organizations to the protection of human rights, monitoring and assessment of the state of human rights.

## 3. Temporary Plan actions

Temporary actions are such actions of the Plan which are aimed at solving a specific problem. These actions have to be implemented within a specific time frame. The implementation of temporary actions has to take place within a period not longer than four years, that is all of them have to be implemented before starting to prepare a new Report on Human Rights in Lithuania.

The list of temporary actions set forth in the Plan may be supplemented or amended upon the resolution of the Seimas of the Republic of Lithuania.

## 4. Measures for ensuring the implementation of the Plan actions

In each chapter, which sets forth actions, each measure is followed by the names of the institutions responsible for its implementation.

XIV provides that the implementation of the Plan will be coordinated by the National Commission for the Implementation of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania, which is to be composed of the representatives of public institutions and non-governmental organizations as well as the United Nations Development Programme. The Commission will be assisted by and the implementation of its decisions will be the responsibility of the National Executive Secretariat for the Implementation of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania.

## III. IMPLEMENTATION OF THE RIGHT TO WORK AND THE RIGHT TO SAFE AND HEALTHY WORKING CONDITIONS

### 1. On the increased speed and quality as regards the settling of labour disputes

**Action one:** To analyse the possibility of establishing labour courts, to find out the terms and other conditions, and submit proposals on this issue to

the Government of the Republic of Lithuania, which subsequently, after having considered all the proposals, shall present its conclusion to the Seimas of the Republic of Lithuania.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Social Security and Labour), National Courts Administration.

*Deadline :* 1 October 2003.

**Action two:** To analyse the conclusion presented by the Government of the Republic of Lithuania on the feasibility of establishing labour courts and a respective draft law, and to make a final decision.

*Implementing agent(s):* the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the parliamentary Committee on Human Rights and Committee on Social Affairs and Labour.

*Deadline :* 1 May 2004.

2. On the participation in the European Union employment policy coordination and coordination of the employment strategy of the Republic of Lithuania with the European Union employment policy guidelines

**Action :** To prepare a measures plan for the participation of the Republic of Lithuania in the European Union employment policy coordination and coordination of the employment strategy of the Republic of Lithuania with the European Union employment policy guidelines in the light of the EU PHARE Twinning Project, and start its implementation.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Social Security and Labour, European Committee under the Government of the Republic of Lithuania, and the European Law Department under the Government of the Republic of Lithuania).

*Supervising agent(s):* the parliamentary Committee on Social Affairs and Labour.

*Deadline :* the plan should be prepared by 31 December 2003 and subsequently implemented on an on-going basis until all the measures are implemented.

3. On the implementation of the employment enhancement programme

**Action :** Every six months to consider on a Tri-partite Council reports on the implementation of the Employment Enhancement Programme for 2001-2004 of the Republic of Lithuania approved by Resolution No. 529 of 8 May 2001 of the Government of the Republic of Lithuania, and, if necessary, to consider the necessity of additional actions (apart from the ones listed in the plan specified in 2 of II herein).

*Implementing agent(s)* : Tri-partite Council of the Republic of Lithuania under the control of the parliamentary Committee on Social Affairs and Labour with the participation of trade unions.

*Deadline* : continuously until the full implementation of all the measures of the programme.

#### 4. On the occupational safety and health programme

**Action** : To prepare the Occupational Safety and Health Programme for 2004- 2006.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Social Security and Labour, European Committee under the Government of the Republic of Lithuania).

*Supervising agent(s)*: the Committee on Social Affairs and Labour of the Seimas of the Republic of Lithuania.

*Deadline* : the programme should be prepared by 1 June 2003 and the implementation of the programme measures has to be subsequently supervised.

### IV. IMPLEMENTATION OF THE RIGHT TO HEALTH PROTECTION

#### 1. On ensuring healthcare quality and safeguarding the patients' rights

**Action one:** To prepare and submit to the Government for approval the National Strategy for Healthcare Quality as well as legal acts aimed at establishing healthcare standards and result indicators.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Health) in co-operation with non-governmental organizations.

*Deadline:* 1 October 2003.

**Action two:** To prepare and submit for adoption amendments and supplements to the Republic of Lithuania Law on the Rights of Patients and Compensation for the Damage to Their Health as well as related legal acts in order to harmonize the legal acts with the Civil Code of the Republic of Lithuania and establish a reasonable and effective mechanism for protecting the rights of patients.

*Implementing agent(s)*: the Committee on Human Rights of the Seimas of the Republic of Lithuania in co-operation with the parliamentary Committee on Health Affairs, the Government of the Republic of Lithuania (Ministry of Health) and non-governmental organizations.

*Deadline:* 1 April 2003.

**Action three:** To implement the measures provided for in the legal acts to ensure the quality of healthcare and patients' rights (to prepare and adopt the procedure of identifying damage inflicted on patients; to compose a commission for establish damage; to ensure that the healthcare institutions that do not meet the requirements of the Civil Code as regards their relations with patients and those that do not have civil liability insurance contracts are not operational).

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Health) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania in co-operation with the parliamentary Committee on Health Affairs.

*Deadline:* the preparation for implementing measures has to be completed by and their implementation has to be started on 1 January 2004; continuous implementation.

**Action four:** To develop, approve and start implementing the Programme for Raising Awareness of Patients, which would help patients to learn about their rights and duties. To identify what information necessary for patients has to be provided in healthcare institutions.

*Implementing agent(s):* the National Health Council, Government of the Republic of Lithuania (Ministry of Health) in co-operation with non-governmental organizations.

*Deadline:* the preparation has to be completed by 1 December 2003 while its implementation is continuous.

**Action five:** To develop, approve and start implementing the National Scheme for Restructuring Healthcare Institutions, paying particular attention to the fact that healthcare has to be better available in rural areas and for marginalized groups at the same time adapting the physical environment of healthcare institutions to the needs of the disabled.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Health), National Health Council, county governors, municipal councils in co-operation with non-governmental organizations.

*Deadline:* the preparation and adoption have to be completed by 1 July 2003 while implementation has to be carried out according to the approved National Scheme of Location of Healthcare Institutions.

## 2. On reducing the spread risk of contagious diseases

**Action one:** To develop and start implementing the Programme for Diagnosis, Monitoring and Control of Contagious Diseases.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Health).

*Deadline:* the preparation has to be completed by 1 February 2003 while the implementation is continuous.

**Action two:** To review legal acts regulating the rights, duties and responsibilities of public servants, personnel of healthcare institutions and other persons; to prepare amendments and supplements to these legal acts in order to make the prevention of contagious diseases more effective.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Health) in co-operation with non-governmental organizations.

*Deadline:* 1 November 2003.

## V. PROTECTION OF THE RIGHTS OF ELDERLY AND DISABLED PEOPLE

### 1. On the protection of the rights of the elderly

**Action one:** To develop, approve and start implementing the programme aimed at creating better conditions for elderly people to study, acquire qualifications and work (particular attention should be paid to the elimination of difficulties in relation to Lithuania's Employment Programme that is currently underway).

*Implementing agent(s) :* the Government of the Republic of Lithuania (Ministry of Social Security and Labour).

*Deadline:* the programme has to be approved by 1 October 2003 and subsequently continuously implemented.

**Action two:** To develop, submit for adoption and start implementing draft amendments and supplements to the legal acts providing for a possibility for the elderly to receive quality social services by creating a common mechanism for quality assessment, quality control and complaints handling in regard of social services. These measures have to cover the development of a monitoring programme for care institutions for the elderly (by either adopting a separate legal act or in the context of amended said legal acts) aimed at ensuring the rights of their inmates (to prevent humiliating conditions, to ensure their participation in decision-making, etc.).

*Implementing agent(s) :* the Government of the Republic of Lithuania (Ministry of Social Security and Labour).

*Deadline:* draft legal acts and amendments thereto have to be approved by 31 December 2004 and then subsequently continuously implemented.

### 2. On the protection of the rights of the disabled

**Action one:** To develop and adopt a teaching methodology tailored to the needs of disabled children, to adopt a concept of vocational training of disabled children along with respective teaching programmes, and start their implementation.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Education and Science, Ministry of Social Security and Labour, Council of the Disabled under the Government of the Republic of Lithuania) in co-operation with and non-governmental organizations.

*Deadline:* the preparation and adoption have to be completed by 1 January 2004 while the implementation has to be continuous.

**Action two:** To approve and start implementing the Procedure for the provision of services of an assistant teacher, reader, attendant, translator of the language of gestures to special needs persons in educational institutions and the Procedure for the provision of compensatory equipment intended for teaching to special needs persons at duly recognised as disabled. To implement the adaptation of physical environment in educational institutions to the needs of the disabled.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Education and Science, Ministry of Social Security and Labour, Council of the Disabled under the Government of the Republic of Lithuania) in co-operation with and non-governmental organizations.

*Deadline:* the approval has to take place before 1 January 2003 while the implementation has to be continuous.

## VI. IMPROVING THE PROTECTION OF THE RIGHTS OF CONSUMERS

### 1. On the strategy for the state protection of consumer rights

**Action:** To develop the Strategy for the State Protection of Consumer Rights which, *inter alia*, would provide for measures aimed at improving the pre-trial defence system for consumer rights by strengthening the status of the National Consumer Rights Protection Council and its powers in protecting consumer rights.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Finance, Ministry of Education and Science, National Consumer Rights Protection Council, European Law Department under the Government of the Republic of Lithuania) in co-operation with non-governmental organizations for consumer rights protection.

*Deadline:* the Strategy has to be developed and approved by 1 April 2003, the implementation of the measures provided for in the Strategy is continuous.

### 2. On the quality of services and guarantees to consumers

**Action one:** To develop and submit for approval draft amendments to the Republic of Lithuania Law on Tourism in order to establish better guarantees for the providers of tourism services and to provide, *inter alia*, for the establishment of a Travel Guarantee Fund.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Economy, State Tourism Department under the Ministry of Economy).

*Deadline:* 1 April 2003.

**Action two:** To present for ratification the Convention for Material Liability of Hotel Managers for the Belongings of Visitor.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Economy, State Tourism Department under the Ministry of Economy).

*Deadline:* 1 April 2003.

**Action three:** To develop and submit for adoption amendments and supplements to the Republic of Lithuania Law on Insurance, Law on Mandatory Insurance against Civil Liability of Transport Vehicles, Law on Telecommunications, Law on Construction, Law on Energy, Law on Heating to provide for requirements for the provision of respective services which would be in line with EU law and to establish the duty for certain institutions to defend consumer rights.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Economy, Ministry of Transport and Communications, the European Law Department under the Government of the Republic of Lithuania, National Consumers Rights Protection Council) in co-operation with non-governmental organizations.

*Supervising agent(s)*: The Republic of Lithuania Seimas Committee on Human Rights.

*Deadline:* 1 April 2004.

3. On raising consumer awareness and increasing impact of consumer opinion

**Action:** To prepare a procedure and methodology for monitoring consumer opinion, and regularly, at least once in two years, publish respective results.

*Implementing agent(s)*: the Government of the Republic of Lithuania (National Consumer Rights Protection Council) in co-operation with non-governmental organizations.

*Deadline:* the methodology has to be prepared by 1 March 2004 while the implementation is continuous.

VII. IMPLEMENTATION OF WOMEN'S RIGHTS IN THE CONTEXT OF GENDER EQUAL OPPORTUNITIES. PREVENTION OF VIOLENCE AGAINST WOMEN. ENSURANCE OF WOMEN'S REPRODUCTIVE RIGHTS

1. On enhanced legal instruments for the protection of women's rights

**Action one:** To consider Lithuania's accession to the Facultative Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women adopted by the General Assembly of the United Nations on 6 October 1999, and in case of an affirmative decision, to ratify or adopt this international instrument.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Foreign Affairs, Ministry of Justice).

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline:* 1 October 2003.

**Action two :** To develop and submit for adoption amendments and supplements to the Republic of Lithuania Law on Equal Opportunities in order to expand the application scope of this law and abolish discrimination on the grounds of religion or confession, language, disability, race and nationality, social status, etc., at the same time expanding the functions of the Ombudsman for Equal Opportunities by granting him/her the right to supervise the enforcement of the amended Law on Equal Opportunities and investigate applications in these areas.

*Implementing agent(s) :* the Government of the Republic of Lithuania (Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania), Ombudsman for Equal Opportunities.

*Supervising agent(s) :* the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights.

*Deadline:* 1 March 2003.

**Action three :** To be more effective in implementing the Republic of Lithuania Law on Equal Opportunities, develop a legal definition of sexual harassment and respective investigation methodology.

*Implementing agent(s) :* the Ombudsman for Equal Opportunities, Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Justice).

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline* : 1 March 2004.

**Action four:** To consider the possibility and expediency of carrying out a research in the area of salaries in order to establish the position of women in terms of the principle of equal pay for the same work. Based on the research, after having made an affirmative decision on its expediency, to prepare a methodology for job evaluation and approve a model salary system.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Department of Statistics under the Government of the Republic of Lithuania).

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Social Affairs and Labour.

*Deadline:* 1 January 2004.

**Action five:** The Labour Code should not only provide that the list of hazardous working conditions and harmful factors in regard of pregnant women and recent mothers or breast-feeding women is to be approved by the Government of the Republic of Lithuania, but it should also specify the works that are not recommended for such women, hazardous chemical, physical, physical and biological as well as other factors, in case of presence of which such women are not recommended to work.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Health).

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Social affairs and Labour together the parliamentary Committee on Health Affairs.

*Deadline:* the preparation and submission for adoption of legal acts has to be completed by 1 January 2004 while they have to be constantly followed.

## 2. On the prevention of violence against women

**Action one:** Considering the norms of the new Criminal Proceedings Code, to develop and submit for adoption amendments and supplements to the legal acts to harmonize the national legislation with the Resolution On the Prevention of Crime and Criminal Proceedings Measures to Eliminate Violence Against Women adopted by the General Assembly of the United Nations on 12 December 1997 in order to ensure that this Resolution is complied with in criminal proceedings.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice) and the General Prosecutor's Office in co-operation with non-governmental organizations.

*Supervising agent(s) :* the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline:* the preparation and submission for adoption of legal acts has to be completed by 1 January 2004 while they should be constantly followed.

**Action two:** To draft amendments to legal acts to create legal preconditions for women who are victims of violence to receive free legal aid and compensation for damage, and ensure the participation of a prosecutor in cases pertaining to violence against women and children.

*Implementing agent(s):* the General Prosecutor's Office of the Republic of Lithuania.

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Legal Affairs.

*Deadline:* the preparation and submission of draft legal acts has to be completed by 1 July 2003.

**Action three:** To develop and submit proposals regarding the expediency of social education programmes for persons committing acts of violence, their family members at the same time attempting to resolve the issue of state support to women and children who are victims of domestic or sexual violence (promotion of the Crisis Centre with hot lines, providing free temporary accommodation, etc.).

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Social Security and Labour) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Social Affairs and Labour.

*Deadline:* proposals regarding the expediency of the programme and possibilities of providing state support have to be completed by 1 February 2003 while the programme has to be developed by 1 November 2003 and the implementation is continuous.

**Action four:** To draft and submit for adoption legal acts which would create legal preconditions for initiating criminal or administrative proceedings against persons committing acts of violence and for isolating them from the affected family.

*Implementing agent(s) :* the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Social Security and Labour) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights.

*Deadline:* 1 May 2003.

### 3. On the protection of women's reproductive rights

**Action one:** To develop a Strategy for National Policy on Reproductive Health specifying priority goals in improving reproductive health, respective methods and trends.

*Implementing agents(s):* the Government of the Republic of Lithuania (Ministry of Health).

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Health Affairs.

*Deadline:* proposals regarding the programme have to be submitted by 1 January 2004 while the draft legal acts have to be submitted for adoption by 1 July 2004, and the implementation is continuous.

**Action two:** To draft and submit for adoption the Republic of Lithuania Law on Reproductive Health.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Health) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Health Affairs together with the parliamentary Committee on Legal Affairs.

*Deadline:* the law has to be drafted and submitted for adoption by 1 July 2004.

## VIII. MEASURES FOR THE PROTECTION OF THE RIGHTS OF THE CHILD

### 1. On more effective functioning of institutions for the protection of the rights of the child

**Action one:** To prepare and submit to the Commission for Family and Child Affairs of the Seimas of the Republic of Lithuania and the Government proposals regarding measures to improve the institutional protection system for the rights of the child; to establish the institution responsible for the central coordination of the implementation of the policy for the protection of the rights of the child. At the same time it should be provided that the implementing functions in regard of the policy for the protection of the rights of the child will be performed by the Ministry of Education and Science, Ministry of Health, Ministry of Justice and Ministry of Internal Affairs within their respective competence.

*Implementing agent(s) :* the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Education and Science, Ministry of Health, Ministry of Justice, Ministry of Internal Affairs).

*Supervising agent(s) :* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : institutional re-arrangements according to the amended ministerial regulations have to be completed by 1 July 2003.

**Action two** : To gather, accumulate and analyse information about the practices of municipal services for the protection of the rights of the child and the Ombudsman for the Protection of the Rights of the Child, encountered problems and drawbacks (on the national level, there is a lack of information about children, violations of their rights and right exercise-related problems); also, to systemize and collect all the information in relation to the protection of the rights of the child by accumulating it in the central institution for the rights of the child.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Social Security and Labour), municipal services for the protection of the rights of the child, Ombudsman for the Protection of the Rights of the Child, Ministry of Education and Labour, Department of Statistics).

*Supervising agent(s)*: the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline*: constantly, the information collected has to be analysed once per year by summarizing it and drawing conclusions regarding improvements.

**Action three**: To strengthen municipal authorities (services) for the protection of the rights of the child, their material-technical resources, improve qualification of their personnel.

*Implementing agent(s)*: municipal authorities.

*Supervising agent(s)*: the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Education and Science, Ministry of Health, Ministry of Finance).

*Deadline*: constantly, reports on measures undertaken in this area have to be delivered annually.

2. On other measures for improving the protection of the rights of the child

**Action one**: Developing a rehabilitation system for children who are victims of violence.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Health, Ministry of Justice, Ministry of Internal Affairs).

*Supervising agent(s)*: the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights.

*Deadline:* the legal acts necessary for developing this system have to be drafted and adopted by 1 July 2004 and subsequently followed on an on-going basis.

**Action two:** To prepare and submit to the Government of the Republic of Lithuania proposals regarding the application of diversity and mediation measures against juveniles by introducing more possibilities for a minor to make peace with the victim, understand the danger of his/her act, compensate for the damage himself/herself, also regarding the promotion of non-isolatory measures.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice Ministry of Internal Affairs) in co-operation with the Ombudsman for the Protection of the Rights of the Child.

*Supervising agent(s) :* the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights.

*Deadline:* 31 December 2003.

**Action three:** To review and revise the system of family benefits, criteria for their allocation and payment; to provide for a mechanism for the use and control of funds.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Social Security and Labour, Ministry of Justice).

*Supervising agent(s):* the Committee on Social Affairs and Labour of the Seimas of the Republic of Lithuania together with the parliamentary Committee on Legal Affairs.

*Deadline:* a project for re-structuring the benefit system has to be prepared and submitted to the Government of the Republic of Lithuania by 1 July 2003; respective decisions have to be made and the benefit system has to be re-structured by 31 December 2003.

## IX. ACTIONS FOR SAFEGUARDING THE RIGHTS OF THE ACCUSED AND THE IMPRISONED

1. On increased responsibility and better qualification of law enforcement officials (officers)

**Action:** To continue legal training and education of judges and other officials of law enforcement institutions, paying particular attention to the improvement of qualification of officers of the police, prosecution and Special Investigation Service.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice), Special Investigation Service, General Prosecutor's Office of the Republic of Lithuania.

*Supervising agent(s)*: the Committee on Legal Affairs of the Seimas of the Republic of Lithuania.

*Deadline* : constantly.

2. On more effective protection of the rights of the accused and the imprisoned

**Action one:** To provide for and start implementing measures to ensure proper distinction between the detained, arrested, defendants and convicts.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Internal Affairs).

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania.

*Deadline* : the new wording of the Statute of Internal Units Convoy has to be prepared and approved by 1 July 2003 at the same time considering its approval by law. Adherence to the Convoy Procedure and Regulations has to be constant.

**Action two:** To eliminate restrictions on long dates for co-habitants who are not officially married irrespective of whether they have common children or not.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s)* : the Republic of Lithuania Seimas Committee on Legal Affairs.

*Deadline:* 1 April 2003.

**Action three:** To take up specific measures to improve the rights of persons detained in confinement wards or lockups.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Internal Affairs).

*Supervising agent(s)*: the Committee on Legal Affairs of the Seimas of the Republic of Lithuania .

*Deadline* : continuous. The Ministry of Justice and the Ministry of Internal Affairs have to submit to the Government of the Republic of Lithuania a list of measures to improve the protection of the rights of persons detained in confinement wards or lockups by 1 July 2003.

## X. PROTECTION OF THE RIGHTS OF CRIME VICTIMS. PREVENTION OF TRAFFICKING IN PERSONS

### 1. On enhanced legal preconditions for protecting the rights of crime victims

**Action one:** To adopt and start implementing (set up a foundation for supporting victims, etc.) a draft Law on the Compensation for Damage Inflicted by Criminal Acts.

*Implementing agent(s):* the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights, the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Internal Affairs).

*Deadline:* the project has to be adopted by 1 November 2002 and subsequently implemented on an on-going basis.

**Action two:** To draw up and submit for adoption respective draft legal acts to provide for eliminating the prescription for economic-financial offences, so that their victims would not be deprived of the possibility to receive compensation for damage under filed civil claims.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline:* the project has to be adopted by 1 November 2002 and subsequently uninterruptedly implemented.

**Action three:** To consider the possibility and expediency of Lithuania's accession to the 1983 Convention of the Council of Europe On the Compensation of Damage to Victims of Violent Acts and, upon an affirmative decision, to ratify or adopt this Convention.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Foreign Affairs, Ministry of Justice).

*Supervising agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline:* 31 December 2003.

**Action four:** To draw up and submit for adoption draft legal acts to supplement Article 207 of the Criminal Proceedings Code with a provision prescribing that the investigator must inform about each passed decision to order expert analysis for victims or representatives thereof; also to supplement Articles 218 and 219 of the Criminal Proceedings Code with a provision that victims have to be delivered a reasoned decision on case

suspension and explained that such decision may be appealed as well as informed about the procedure of appeal.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s)*: the Republic of Lithuania Seimas Committee on Legal Affairs together with the parliamentary Committee on Human Rights.

*Deadline* : 1 May 2003.

2. On measures aimed at preventing trafficking in human beings

**Action one:** To consider the possibility and expediency of Lithuania's accession to the supplementing Protocol on the Prevention, Elimination of Trafficking in Human Beings, in Particular in Women and Children, and Penalizing for It to the United Nations Convention against International Organized Crime. Upon an affirmative decision on its expediency, ratify or adopt this international instrument.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Foreign Affairs, Ministry of Justice).

*Supervising agent(s)*: the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline*: 1 October 2003.

**Action two:** To draw up, submit for adoption and start implementing draft amendments and supplements to legal acts providing for a possibility to exempt victims of people trafficking from liability for prostitution, illegal immigration and stay in Lithuania in cases where they have suffered from the organizers and executors of trafficking in human beings (except in cases when they have crossed the Lithuanian border trying to reach a third country); also, providing for a possibility for victims of people trafficking to grant special resident status entitling them to stay in Lithuania for a period during which they have to decide on testifying in the criminal case, etc.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Internal Affairs, Ministry of Justice) in co-operation non-governmental organizations.

*Supervising agent(s)*: the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline*: the preparation and submission for adoption have to be completed by 1 May 2003.

XI. ACTIONS AGAINST DISCRIMINATION. PROTECTION OF THE RIGHTS OF SEXUAL MINORITIES. STRENGTHENING OF THE PROTECTION OF THE RIGHTS OF MIGRANTS AND REFUGEES

## 1. Actions against discrimination

**Action one:** To develop, approve and start implementing a national programme and action plan for fight against intolerance, racism, xenophobia and homophobia.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania), Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : for the development of the aforementioned programme and action plan, their submission to the Government of the Republic of Lithuania and approval - 1 July 2004, the implementation of the measures defined and the plan - constantly.

**Action two:** To consider whether it is possible and purposeful for the Republic of Lithuania to become a party to Protocol No. 12 to the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, which establishes the principle of general prohibition of discrimination in using any right stipulated in the state's internal laws. In case of an affirmative decision, to carry out the ratification and approval procedures of this international instrument.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Foreign Affairs, Ministry of Justice).

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 31 December 2004.

**Action three** : Participation in the Anti-discrimination Action Programme of the European Union for 2001-2006.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice, Department of National Minorities and Lithuanians Living Abroad) in co-operation with the Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on European Affairs of the Seimas of the Republic of Lithuania.

*Deadline* : 31 December 2005.

**Action four:** To review legal acts regulating labour guarantees for women and men raising children aiming at equalizing the rights and opportunities of mothers and fathers in child rearing.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Social Security and Labour) in co-operation with the Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the Committee on Social Affairs and Labour of the Seimas of the Republic of Lithuania.

*Deadline* : 31 December 2004.

## 2. On protection of the rights of sexual and national minorities

**Action one** : to prepare amendments and supplements to the Law on Equal Opportunities of the Republic of Lithuania aiming at prohibiting discrimination also **on the basis of sexual orientation and ethnic origin** in employment, provision of working conditions, career counselling and training of all levels, employment termination, and participation in the organizations of employees or employers, as well as in other areas; to enhance the functions of the Ombudsman for Equal Opportunities granting him/her the right to supervise the Law on Equal Opportunities that prohibits the discrimination also **on the basis of sexual orientation and ethnic origin** and to examine complaints in these areas; and to submit these amendments and supplements for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania), Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 March 2004.

**Action two:** To draft supplements to the Code of Administrative Infringements aiming at establishing administrative responsibility for discriminatory actions on the basis of sexual orientation, and submit them for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice) in co-operation with the Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 January 2005.

**Action three** : To draft supplements to the Labour Code and the Law on Public Service in order to affirm the equality of subjects of labour relations regardless of sexual orientation and ethnic origin, and to submit them for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Social Security and Labour) in co-operation with the Office of the Ombudsman for Equal Opportunities.

*Supervising agent(s)* : the Committee on Social Affairs and Labour of the Seimas of the Republic of Lithuania.

*Deadline* : 1 January 2005.

### 3. On increased protection of the right to refuge

**Action one** : To draft amendments and supplements aimed at integrating into a single legal act the Law on Legal Status of Foreigners of the Republic of Lithuania and the Law on Refugee Status of the Republic of Lithuania, also ensuring a uniform regulation of the institution of foreigners that would also include the regulation of granting refuge in the Republic of Lithuania, with regard to the main refuge regulation principles, such as: filing an appeal against preventing an alien to enter the state's territory suspends the enforcement of the decision to refuse such entrance into the state until the court passes its ruling, decision on the examination of application under emergency procedure (if it remained in the draft) may be appealed in a court, the right to appeal against the decision on expulsion suspends the enforcement of the expulsion procedure until the court passes its ruling, drafting the list of finite detention grounds, the right of an asylum seeker to initiate the reconsideration of lawfulness of the decision on his detention, and other guarantees; and submit these amendments and supplements for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Department of Migration under the Ministry of Internal Affairs of the Republic of Lithuania).

*Supervising agent(s)* : the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 March 2004.

**Action two**: To draft a supplement to Article 4 of the Law on the Seimas Ombudsmen of the Republic of Lithuania establishing that the Seimas Ombudsmen shall investigate not only the complaints of citizens but also those of foreigners (including asylum seekers) and non-governmental organizations; and to submit it for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in partnership with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 July 2003.

#### 4. On strengthening the protection of the rights of refugees and migrants

**Action one** : To draft amendments to the Code of Civil Procedure of the Republic of Lithuania and the Law on Administrative Proceedings of the Republic of Lithuania regarding the exemption of foreigners from the stamp duty and translation service fees aiming at safeguarding their right to address the court; and to submit them for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in partnership with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 July 2003.

**Action two** : To draft amendments and supplements to the Law on State Guaranteed Legal Assistance of the Republic of Lithuania to provide for foreigners who are not permanent residents of Lithuania having the right to legal assistance; and to submit them for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Justice).

*Supervising agent(s)* : the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 July 2003.

**Action three** : To draft provisions of the legal acts regulating social welfare and healthcare to provide for a possibility for foreigners who are not permanent residents of Lithuania to be subject to social welfare and healthcare guarantees; and to submit them for approval.

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Health, Ministry of Social Security and Labour).

*Supervising agent(s)* : the Committee on Health Affairs of the Seimas of the Republic of Lithuania in partnership with the Committee on Social Affairs and Labour of the Seimas of the Republic of Lithuania.

*Deadline* : 1 July 2004.

**Action four** : To consider whether it is possible and purposeful for the Republic of Lithuania to become a party to the following international conventions (in case of an affirmative decision, to carry out the ratification and approval procedures of these international instruments):

- 1) the 1949 Convention No. 97 and the 1975 Convention No. 143 of the International Labour Organization;
- 2) the 1977 European Convention On the Legal Status of Migrant Workers ;
- 3) the 1953 European Convention On Social and Medical Assistance ;
- 4) the 1990 International Convention On the Protection of the Rights of All Migrant Workers and their Families .

*Implementing agent(s)* : the Government of the Republic of Lithuania (Ministry of Foreign Affairs, Ministry of Justice).

*Supervising agent(s)* : the Committee on Foreign Affairs of the Seimas of the Republic of Lithuania in partnership with the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : 1 May 2004.

## XII. IMPLEMENTATION OF THE RIGHT TO RECEIVE AND DISSEMINATE INFORMATION. PROTECTION OF PRIVATE LIFE

1. On increased possibilities for the public to obtain information from state and municipal institutions

**Action one:** To draw up and start implementing a programme for informing the public about the functions of public institutions, types of their activities, procedure and terms for investigating applications of residents, the rights and duties of their officials, the rights and duties of persons addressing those institutions.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Internal Affairs) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline:* the programme has to be prepared and preparation for its implementation has to be completed by 1 January 2004; afterwards it has to be uninterruptedly implemented.

**Action two:** To prepare and submit for adoption amendments and supplements to the Republic of Lithuania Law on the Right to Receive

Information from State and Municipal Institutions to provide for a legal person's right to receive information.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Internal Affairs) in co-operation with non-governmental organizations.

*Supervising agent(s)* : the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline*: draft amendments to the said law have to be prepared by 1 November 2003.

## 2. Measures for improving the protection of private life

**Action**: To draw up and submit for adoption amendments and supplements to the Republic of Lithuania Law on the Provision of Information to the Public to harmonize this law with the Republic of Lithuania Civil Code, to classify the Internet as a media when the information being disseminated via the Internet has been collected for media purposes in order to ensure the protection of private life on the Internet.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Justice, Ministry of Internal Affairs) in co-operation with non-governmental organizations.

*Supervising agent(s)*: the Republic of Lithuania Seimas Committee on Human Rights.

*Deadline*: draft amendments and supplements to the said law have to be prepared and submitted for adoption by 1 November 2004; they have to be constantly followed afterwards.

## XIII. IMPLEMENTATION OF THE RIGHT OF CITIZENS TO PARTICIPATE IN STATE GOVERNANCE. STRENGTHENING OF SELF-GOVERNANCE BY THE PUBLIC

### 1. Measures for increased awareness of citizens as regards possibilities to participate in state governance

**Action**: To prepare a methodological publication on the constitutional right to participate in state governance, to approve and start implementing an educational programme aimed at informing in detail the youth and the adults on forms of participation in state governance and their implementation peculiarities.

*Implementing agent(s)*: the Government of the Republic of Lithuania (Ministry of Education and Science, Ministry of Interior) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline:* for the preparation of the aforementioned publication and programme and their submission for acceptance - 1 January 2005, for the implementation of the program - constantly.

## 2. On the development of self-governance by the public

**Action:** To draft amendments and supplements to the Law on Local Self-Government of the Republic of Lithuania aiming at establishing specific actions of self-government institutions in informing local residents about any draft decisions of municipal institutions concerning the interests of local residents, taking into account the opinion of local residents (polling mechanism and the like) in decision-making, and actual familiarization of local residents with any decisions made; and to submit these amendments and supplements for approval.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Internal Affairs) in co-operation with non-governmental organizations.

*Supervising agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline:* for drafting and submitting for approval the amendments to the aforementioned law - 1 November 2004, for its implementation - constantly.

## XIV. ACTIONS IN RELATION TO THE IMPLEMENTATION OF THE NATIONAL STRATEGY IN THE AREA OF HUMAN RIGHTS PROTECTION AND THE IMPLEMENTATION OF THE NATIONAL ACTION PLAN FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS IN THE REPUBLIC OF LITHUANIA

### 1. On the improvement of the institutional system, including the increased effectiveness of the Seimas Ombudsman institution

**Action one:** To carry out monitoring of all the institutions related to the protection of human rights and related legislation, to make an evaluation of such legislation and institutions in terms of the system, with identification of the system's drawbacks and gaps as well as measures for their elimination. To pay particular attention to improving the work of the Seimas Ombudsmen institution, particularly to the consideration of the issue of organizing complaint examination in regions, larger municipalities, and complex institutions, such as hospitals, prisons or the police and the like, also to consider the possibility of establishing regional information offices that would provide citizens with information, accept their complaints, etc. Alongside, to consider the issue of conducting an information campaign of the Seimas Ombudsmen.

*Implementing agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania in partnership with non-governmental organizations, the Seimas Ombudsman.

*Deadline:* 1 June 2004.

**Action two:** Following the first action, with regard to its outcome, to draft amendments and supplements to legal acts or new legal acts, if necessary, aimed at improving the institutional system of human rights protection.

*Implementing agents(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania, Seimas Ombudsman, Government of the Republic of Lithuania (Ministry of Justice, Ministry of Internal Affairs, Ministry of Social Security and Labour, Ministry of Health) in co-operation with non-governmental organizations.

*Deadline:* 1 April 2005.

## 2. On the involvement of the public in implementing justice

**Action one:** To set up an *ad hoc* Commission of the Seimas of the Republic of Lithuania to develop, with participation of representatives of educational institutions and non-governmental organizations, recommendations on the introduction of the institute of public assessors (its form, introduction time, phases, etc.) and to submit them to the Seimas for consideration.

*Implementing agent(s):* the Committee on Legal Affairs of the Seimas of the Republic of Lithuania in co-operation with the parliamentary Committee on Human Rights, Seimas Ombudsman, with the participation of non-governmental organizations.

*Deadline:* 1 June 2003.

**Action two:** Following the first action, with regard to its outcome, to draft amendments and supplements to legal acts or new legal acts, if necessary, aimed at implementing the concept approved by the Seimas and to submit such legal acts for adoption.

*Implementing agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania, Seimas Ombudsman institution, Government of the Republic of Lithuania (Ministry of Justice) in co-operation with non-governmental organizations.

*Deadline:* 1 April 2005.

## 3. On the monitoring of human rights in Lithuania

**Action:** To make a systematic evaluation of public attitudes towards the level of protection of various human rights in Lithuania. To evaluate personal experiences associated with human right violations (the victimological aspect). To evaluate personal activity in protecting human

rights and interacting with authorities and non-governmental organizations using quantitative and qualitative methodologies and assessing the human rights situation in various respondent groups, with specific questions asked when surveying each group:

a) In the area of women's rights - the woman's position on the labour market (career opportunities, salary, work safety, vacations, etc.), sexual harassment, protection of pregnant women, the woman's status in the family (including single women), violence against women, trafficking in human beings, prostitution, possibility to protect women's rights;

b) In the area of ethnic/national minority rights - diversity of national minorities and particularity of their problem, participation in social life, position on the labour market, possibility to receive information in the native language, religious life, education, cultural life, possibility to protect national minority rights;

c) In the area of the rights of disabled people - social security level, education, professional training, cultural life, medical rehabilitation, integration into social life, adaptation of public environment, housing, and information environment to the needs of disabled people, adaptation of work places to persons with special needs;

d) In the area of rights of elderly people - participation in social life, possibility to work, payment of pensions, social services and support, education and culture, living conditions, medical services;

e) In the area of children's rights - family situation, personality maturation, living conditions, education, state support, childcare, child protection from harmful effects of the environment, violence against children, juvenile justice;

f) In the area of patients' rights - disease diagnosis and prevention, possibility to get medical treatment and medication, rehabilitation, health insurance, quality of medical services, possibility to protect patients' rights;

g) In the area of the right to work - situation on the labour market, trade unions, unemployment insurance, state labour policy, information and consultations, cross-training and courses, social benefits;

h) In the area of criminal justice participants' rights - ensuring a fair trial, victims of "criminal justice", social security for victims, legal and financial support to victims, violence in law enforcement institutions, detention wards and prisons, conditions in imprisonment institutions (population of prisoners, living conditions, healthcare, etc.), rehabilitation;

i) In the area of sexual minority rights - conditions on the labour market, education and culture, participation in social life, possibility to protect sexual minority rights;

j) In the area of the rights of migrants and refugees - possibility to acquire the refugee status, humanitarian conditions of migrants and refugees, family life and children, social and economic life of migrants and refugees, possibility to protect the rights of migrants and refugees in Lithuania;

k) In the area of consumer rights - problems with quality of consumer goods, possibility to protect one's rights, situation awareness;

*Implementing agent(s)* : public opinion research agency selected through tender (organized by an institution authorized by the Government of the Republic of Lithuania).

*Supervising agent(s)* : the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline* : these surveys shall be started in October 2002 and completed by 30 October 2003.

*Quantitative indicators as per separate projects:*

a) "The General Public" A1. Representative survey: October 2002, N=1000, 60 questions-indicators; A2. Representative survey: October 2004, N=1000, 40 questions;

b) "Women" - B1. Focus groups (2); B2. Representative survey in two omnibus waves, N=500, 15 questions;

c) "National minorities" - C1. Focus groups (Russian and Polish minorities); C2. Representative survey of national minorities in Vilnius, N=400, 20 questions;

d) "Disabled people" - In-depth interviews, N=20, 20 semi-structured questions;

e) "Elderly people" - F1. Focus group, F2. Representative survey in three omnibus waves, N=600, 15 questions;

f) "Children" - Representative survey of adults ("the omnibus"), N=1000, 15 questions;

g) "Patients" - H1. Focus group, H2. Representative survey of adults ("the omnibus"), N=1000, 15 questions;

h) "Unemployed people" - I1. Focus group, I2. Representative survey in three omnibus waves, N=360, 15 questions;

i) "Victims/Suspects/Prisoners" - In-depth interviews, N=30, 20 semi-structured questions;

j) "Sexual minorities" - In-depth interviews, N=30, 20 semi-structured questions;

k) "Migrants and Refugees" - In-depth interviews N=30, 20 semi-structured questions;

l) "Consumers" - Representative survey N=1000, 8 questions.

4. On raising public awareness about human rights and their protection ways

**Action one:** To prepare an information publication on national and international institutions of human rights protection (their authority limits and the peculiarities of addressing them) and make this information available to a wide circle of the public.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice).

*Deadline:* 1 July 2004.

**Action two:** To prepare a publication on constitutional human rights and the specifics of their protection and make this information available for a wide circle of the public.

*Implementing agent(s):* the Government of the Republic of Lithuania (Ministry of Justice) in partnership with the Constitutional Court of the Republic of Lithuania.

*Deadline:* 1 July 2004.

5. On ensuring the implementation of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania

**Action one:** The Chairman of the Seimas of the Republic of Lithuania shall sign an agreement with the United Nations Development Programme Resident Representative regarding joint actions of the Republic of Lithuania and the United Nations Development Programme in implementing the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania, providing therein the main provision on the contribution of both the state of Lithuania and the United Nations Development Programme to the implementation of the Plan.

*Implementing agent(s):* the Chairman of the Seimas of the Republic of Lithuania (Committee on Human Rights of the Seimas of the Republic of Lithuania).

*Deadline:* following the approval of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania by the Seimas of the Republic of Lithuania, specific time shall be agreed with the United Nations Development Programme.

**Action two:** For the purposes of coordinating the implementation of the Plan, the Commission for the Implementation of the National Human Rights

Action Plan in Lithuania shall be set up, including representatives from state and non-governmental organizations and the United Nations Development Programme. The Executive Secretariat for the Implementation of the National Action Plan for the Promotion and Protection of Human Rights in the Republic of Lithuania shall be established to ensure the Commission's activities and to implement its decisions.

*Implementing agent(s):* the Committee on Human Rights of the Seimas of the Republic of Lithuania.

*Deadline:* upon signing by the Chairman of the Seimas of the Republic of Lithuania the agreement with the United Nations Development Programme regarding joint actions of the Republic of Lithuania and the United Nations Development Programme in implementing the National Action Plan for the Promotion and Protection of Human Rights in Lithuania.