



Convention on the Rights of Persons with Disabilities

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Consideration of reports submitted

by parties to the Convention under article 35

List of issues in relation to the initial report of Lithuania

Addendum

Replies of Lithuania to the list of issues*

[Date received: 19 November 2015]

A. Purpose and general obligations (arts. 1-4)

Purpose (art. 1)

Reply to the issues raised in paragraphs 1 and 2 of the list of issues (CRPD/C/LTU/Q/1)

1. According to the Law on Social Integration of Persons with Disabilities of the Republic of Lithuania, disability is a long-term deterioration of health due to the disorder of bodily structure and functions, and adverse environmental factors, resulting in diminished participation in public life and decreased possibilities of functioning.

2. For the definition of disability to embrace all types of disabilities, including psychosocial and mental disability, and to comply with the model of rights of persons with disabilities established in the Convention on the Rights of Persons with Disabilities, implementing guidelines of the World Health Organisation, assessment of disability was elaborated in the Republic of Lithuania. Legal acts regulating establishment of the levels of disability and incapacity to work were developed by integrating elements of the International Classification of Functioning, Disability and Health (hereinafter referred to as ICF), applying the bio-psychosocial model in assessment process. The new model on assessment of disability level introduced from 1 June 2012 based on the conceptual model adopted in 2007. WHO regulated classification (International Classification of Functioning,

* The present document is being issued without formal editing.



Disability and Health for Children and Youth) (hereinafter referred to ICF-CY). Implementation of the new model on disability level assessment added more objectivity to the procedures determining disability level, by considering not only medical criteria of children, i.e. functional disorders, but also special education needs and abilities to participate in daily physical, social and educational life with regard to the age groups of children.

3. Starting from 1 July 2005, when the new system on assessment of person's disability level came into effect, when determining working capacity level integrated approach is applied, by assessing not only medical (health condition) but also functional, professional and other criteria (such as, educational background, professional qualification, working experience and working skills, age and necessity for adaptation of physical, working and information environment) of a person, which affect person's working capacity. Starting from 1 July 2014, a questionnaire based on ICF is included into person's working capacity assessment, which ensures application of integrated approach to assessment of working capacity level — not only health condition of a person reflects his/her working capacity level but also its impact on daily activities, person's independence and ability to keep social contacts, key activities of a person, such as: mobility, cognition, communication, self-care, daily activities.

4. In order to improve the procedure of determining special needs, a working group was formed in 2012 at the initiative of the Ministry of Social Security and Labour of the Republic of Lithuania, which prepared a draft procedure on determining the level of functioning of a person (LFP) and the description of criteria based on ICF elements. The proposed model on determining level of functioning of a person would essentially change the system of determining general initial special needs that is currently in effect.

General obligations (art. 4)

Reply to the issues raised in paragraph 3 of the list of issues

5. Action plan 2016-2018 of the implantation of the National Programme for Social Integration of Persons with Disabilities 2013-2019 was adopted by the Order of the Minister of Social Security of Labour of 25 June 2015. Action plan covers all main governmental sectors. Most of measures are of ministerial level (education, health care, public procurement, environment, culture, etc.) and some of them like e.g. social rehabilitation services, housing adaptation, sports belong to municipal level, while some, e.g. social rehabilitation, physical activity are actions attributed to nongovernmental organisations level. All actions in all sectors were discussed with representatives of different sectors and agreed to be implemented according to the action plan approved by the Minister of Social Security and Labour. The Ministry of Social Security and Labour is co-ordinating the implementation of the National Programme for Social Integration of Persons with Disabilities 2013-2019. Each year, ministries have to submit their progress reports on the implementation of measures under the action plan to Department for the Affairs of the Disabled under the Ministry of Social Security and Labour (co-ordinating institution of the implementation of the Action plan).

Reply to the issues raised in paragraph 4 of the list of issues

6. This is to inform that the Minister of Health of the Republic of Lithuania passed the Order No. V-800 on 25 June 2015 forming a working group to prepare a draft amendment to the Law on Mental Health Care of the Republic of Lithuania. In order to secure rights of persons with disabilities, a representative of the Lithuanian Forum of the Disabled is included into the above-mentioned working group and submits her recommendations. The working group also deals with compulsory hospitalisation matters.

Reply to the issues raised in paragraph 5 of the list of issues

7. About 31 per cent of the total funds allocated for social protection and about 14 per cent from the State Social Insurance Fund expenses are allocated for the financing of the needs of persons with disabilities. It should be noted that the municipalities and other authorities budgets here are not included, as they are planned and used individually without distinction of the persons with disabilities. The needs of people with disabilities are met in accordance with the principle of universal design.

Appropriations from the National Budget for Social Integration of the Disabled 2009-2015

	2009 thous. LTL	2010 thous. LTL	2011 thous. LTL	2012 thous. LTL	2013 thous. LTL	2014 thous. LTL	2015(plan) thous. EUR
Total funds used for professional rehabilitation:	9,289,5	11,539,26	10,928,9	12,441,8	10,446,87	6,900,0	2,241,0
For professional rehabilitation services	8,209,8	9,831,88	8,873,3	10,091,7	8,352,07	5,400,0	1,303,0
Professional rehabilitation benefits	1,079,7	1,707,38	2,055,6	2,350,1	2,094,8	1,500,0	938,0
Incapacity for work (disability) pensions	1,809,400	1,724,700	1,692,800	1,732,500	1,656,400	1,632,500	473,700
Social assistance pensions for disabled	154,986,1	157,105,8	159,252,5	162,128,7	165,138,0	168,194,0	50,040
Social assistance pensions for disabled child	93,623,9	92,388,4	90,688,3	90,284,1	89,751,3	91,822,0	26,716
Target nursing compensations	435,390,2	395,786,8	360,673,8	359,207,7	360,697,6	426,820,0	128,142
Target care compensations	210,318,2	169,785,0	147,524,8	133,957,1	126,895,1	148,928,0	43,182
Development of services for persons with disabilities	21,227,0	19,038,6	11,172,0	19,557,8	19,634,2	19,145	5,835
Improvement of information environment for persons with disabilities	713,9	897,0	1,175,3	825,2	642,5	1,612,0	467,0
Adaptation of environment and housing	3,710,3	2,742,7	3,217,4	2,884,5	2,921,2	2,768,0	1,091
Assistance to students with disabilities	2,007,2	1,963,5	1,822,3	1,713,8	1,776,1	1,750,0	516,0
Compensations for public utilities	58,9	59,5	45,4	38,9	28,0	30,0	30,0
Compensations for transport expenses	50,192,8	36,127,1	26,891,89	26,025,9	29,259,4	28,211,0	8,405
Provision with technical aids	6,127,5	7,730,0	8,050,97	7,038	7,038	7,634	2,143

	2009 thous. LTL	2010 thous. LTL	2011 thous. LTL	2012 thous. LTL	2013 thous. LTL	2014 thous. LTL	2015(plan) thous. EUR
Total funds used to support social enterprises:	6,326	6,573,2	8,513,8	10,754,1	18,344,4	25,318,1	6,251,6*
Wage subsidy	5,399,7	5,532,4	7,509,4	10,320,6	18,015,9	24,472,4	5,841,3*
Subsidies for job creation	926,3	1,040,8	1,002,2	4,334	289,6	845,6	410,3*
Subsidies for workplace adaptation	-	-	-	-	-	-	-
Subsidies for staff training	-	-	2,146,6	-	38,771,2	-	-
Total funds used to support social enterprises of persons with disabilities:	14,681,6	17,637,1	23,958,9	25,810,8	25,693,8	28,527,8	6,385,2*
Wage subsidy	11,839	13,309,5	19,669,2	24,496,4	24,524,6	27,488,8	6,057,5*
Subsidies for adaptation of workplaces for persons with disabilities	152,9	133,5	25,3	58,7	39,2	20,4	3,8*
Subsidies for job creation	1,207	2,883	2,765,7	395,7	652,8	538,1	217,8*
Subsidies for staff training	300,9	37,3	63,1	4,7	4,8	-	*
Subsidies for adaptation of working environment, industrial and recreational premises	20,0	13,1	-	-	-	-	11,5*
Subsidies for additional administrative expenses	12,3	12,9	11,0	5,1	3,0	2,8	0,7*
Subsidies for transport expenses	130,8	147,9	148,9	193,9	164,6	173,6	30,8*
Subsidies for assistant's expenses	1,138,5	1,115,4	1,338,5	655,9	304,4	303,8	62,9*
Subsidies for job creation	4,822,3	2,343,3	1,932,9	4,725,1	4,382,5	4,714,3	1,596,5
Self-employment support	2,326,6	1,280,9	1,084,8	804,5	979,2	967,7	387,7

* Statistics of January-December 2015.

8. Other active labour market policy measures (including: vocational training, subsidised employment, support for acquisition of working skills, public works, job rotation, territorial mobility, reimbursement of business certificate acquisition expenses) are also organised for persons with disabilities, but funds are no distinguished by target groups, in this case — by target group of persons with disabilities.

Reply to the issues raised in paragraph 6 of the list of issues

9. According to the Law on Public Administration Article 7 Paragraph 1 public administration entities regarding administrative decisions related to general legitimate public interest, have the obligation to consult the representative organisations especially in the field of public interest (associations, trade unions, non-governmental organisations), and in cases provided by the law — with the residents or their groups. The above-mentioned

Article Paragraph 2 provides for consultation methods (such as: stakeholders' conference, interviews, meetings, public invitations to representatives of other opinions, detection techniques), unless otherwise established by the law, to be selected by public administration bodies. According to Paragraph 3, information on consultation mode, participants and the results must be published in the administrative decision of the promoting entity of public administration website.

10. According to Article 57.11 of the Government regulation, entities when submitting draft legal acts to the Government must include information on public consultation method (techniques) and to the public offer, the following assessment of the proposals, provided that the draft act has consulted with the public and that the public assessment of the proposals is not described in harmonization certificate.

11. According to Article 10.1 of the Regulations of the Council for the Affairs of the Disabled under MSSL, the latter Council participates in preparation of draft legal acts regulating public relations of persons with disabilities. Recently, members of the Council for the Affairs of the Disabled together with the representatives of NGOs of people with disabilities were engaged in intense discussions of the Law on Construction and Law on Social Enterprises.

12. It must be repeatedly noted that all draft legal acts prepared by the ministries which concern rights of persons with disabilities, to receive comments and suggestions from all interested organisations, society and organisations uniting persons with disabilities are published on the legislation information system.

B. Specific rights

Equality and non-discrimination (art. 5)

Reply to the issues raised in paragraph 7 of the list of issues

13. State Labour Inspectorate under the Ministry of Social Security and Labour is supervising companies in observing the labour law and satisfying the requirements established by the legal acts on occupational health and safety. Working Environment Division under the Ministry of Social Security and Labour does not contain any data on breaches in the companies concerning ensuring occupational health and safety for employees with disabilities.

14. Please note that gender equality and discrimination prohibition are among the key principles in labour relations.

15. On 12 June 2015, draft law No. XIIP-3234 on Approval, Entry into Effect and Implementation of the Labour Code of the Republic of Lithuania was registered in the Seimas of the Republic of Lithuania, and on 15 October 2015, it was approved after its presentation to the Seimas of the Republic of Lithuania. The above-mentioned principles are established when regulating parties to labour agreement and their general duties and in separate institutes of the draft, including: wages, employment agreement, etc.

16. Gender equality of employees and non-discrimination on other grounds are established in the draft Labour Code Article 25. Paragraph 1 of the latter Article establishes the employer's duty to implement the principles of gender equality and non-discrimination on other grounds. It means that in employer's relations with employees, direct and indirect discrimination, harassment, instruction to discriminate on the grounds of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion, intention to have a child (children)

regarding circumstances unrelated to the occupational properties of employees or on other grounds established by the laws are prohibited.

17. It must be further noted, that draft Labour Code Article 25, Paragraph 6 establishes that employer, the average age of whose employees is over fifty, must adopt and announce in the usual modes of the company the tools of the implementation of the principles of gender equality and non-discrimination on other grounds.

18. When regulating the institute of employment agreements in the draft, the requirements of gender equality and non-discrimination on other grounds must be observed both in contractual and contractual legal labour relations. Draft Labour Code Article 40 Paragraph 1 states that parties to employment agreement prior to entering into the employment agreement, and when employment agreement is not signed yet must perform the duties of gender equality and non-discrimination on other grounds, fairness, provision of information needed for signing and fulfilling the agreement and preservation of confidential agreement. It is prohibited to request employees to provide information other than concerning their medical condition, qualification or other circumstances related with their direct employment function.

19. Office of the Equal Opportunities Ombudsman has not received any complaint on the breach of rights of persons with disabilities, by refusing reasonable accommodation to them in the field of labour relations.

Reply to the issues raised in paragraph 8 of the list of issues

20. On 28 January 2015, the Government of the Republic of Lithuania adopted the Resolution No. 46 approving the Inter-institutional Non-discrimination Action Plan. (Implementation term of the Plan is 2015-2020).

21. The Inter-institutional Non-discrimination Action Plan is aimed to reduce discrimination in respect of gender, race, nationality, language, origin, social status, religion, belief or opinion, age, sexual orientation, disability, ethnic origin and religion, to raise public awareness of discrimination and to build respect for human.

22. Regarding discrimination on the ground of sexual orientation, “research of social status of transsexuals residing in Lithuania and protection of private life and its results analysis” was planned to be carried out in 2016, and activities aimed at non-discrimination on the grounds of sexual orientation are planned to be carried out during the implementation of the measure aimed at “carrying out educational activities in the fields of prevention of discrimination on the grounds laid down in the Law on Equal Opportunities and of respect for human”.

23. According to Law on Equal Opportunities Article 2 Paragraph 1, discrimination is direct and indirect discrimination, harassment and instruction to discriminate on the basis of sex, race, nationality, language, origin, social status, religion, faith, convictions or opinions, age, sexual orientation, disability, ethnic origin and religion. Thus, the Service while supervising the implementation of this Law conducts researches regarding discrimination on all the above-mentioned grounds. If a person is being discriminated not only on the ground of disability but also on other ground(s) (*intersectional discrimination*), the Service investigates all circumstances considering different grounds of discrimination.

Women with disabilities (art. 6)

Reply to the issues raised in paragraph 9 of the list of issues

24. No study was conducted. The measure was not implemented due to lack of financing.

Reply to the issues raised in paragraph 10 of the list of issues

25. Considering the recommendation of the United Nations Committee on the Elimination of Discrimination Against Women to adopt temporary special measures to promote participation of women, in particular from rural areas, including women from ethnic minorities and women with disabilities in political and public life and to exert measures to eliminate gender stereotypes, specific measures implementing the latter recommendation are planned to be included into the action plan of the next National Programme on Equal Opportunities for Women and Men for 2015-2021.

Children with disabilities (art. 7)**Reply to the issues raised in paragraph 11 of the list of issues**

26. Attention should be given to the approved succession of the National Programme on the Prevention of Violence against Children and Support for Children, following the Order No. A1-2 of the Minister of Social Security and Labour of the Republic of Lithuania of 3 January 2011. Within the framework of the above-mentioned Programme, complex support (psychological, medical, social and legal) has been provided since 2005 to victims of sexual exploitation and child sexual abuse, children with disabilities as well as to their family members. It should be also mentioned regarding the provision of long-term assistance that the Ministry of Social Security and Labour of the Republic of Lithuania, while elaborating the programme Children and Youth at Risk to be implemented within the framework of the European Economic Area Financial Mechanism, is planning to implement the measure of Establishment of Support Centre for Child Victims of Sexual Abuse in 2016. Once such centre is established in Lithuania, specialized complex assistance to child victims of sexual exploitation and sexual abuse, as well as to their family members will be provided, including quality interviews and other services. The purpose of the centre is to prevent repeated traumatizing of child victims of sexual exploitation and sexual abuse, by reducing repeated possibility of harm to minimum and assisting in overcoming the consequences of the experienced trauma, provide efficient complex services to child victims of sexual exploitation and sexual abuse and to their family members. A rehabilitation system would also be developed providing for long-term and short-term measures of social and psychological support to child victims of sexual exploitation and sexual abuse, as well as to their family members.

27. Non-governmental organisation Children Support Centre provides complex assistance (psychological, social and legal) to child victims of sexual exploitation and sexual abuse, as well as to their family members through the implementation of national and international projects. On average, every kind of complex long-term assistance is provided to over 160 children every year, one third of them being child victims of sexual exploitation and sexual abuse. In the established interview room for children approximately 50 interviews carried out with child victims of sexual exploitation and sexual abuse every year.

28. In the Educational system, provision of psychological assistance to victims of violence against children and sexual exploitation of children is regulated by the Description of Procedures for providing psychological assistance to pupils, which among other activities defines a psychologist working in the municipality pedagogical psychological service, i.e. "counselling: identifying personality and educational problems of a pupil (child), spotting the direct methods of influence, working with a pupil (child) with the help of psychological counselling techniques, cooperation with parents (guardians), teachers and other individuals involved in the development of a child and giving recommendations to them, as well as group counselling of pupils (children), who have experienced traumas (loss, violence, suffering from addictions, etc.)".

29. At present, Lithuania has four social care homes providing long-term social care for children and youth with disabilities. Currently, the latter services are being provided to 346 people, including 150 children.

30. Social Care Standards approved by Order No. A1-46 of the Minister of Social Security and Labour of the Republic of Lithuania of 20 February 2008 stipulate the duty to provide a child with an opportunity to express his/her opinion a form acceptable to him/her on the choice of the social care institution, prior to starting providing social care, as well as with an opportunity to visit social care institutions and express his/her opinion about the suitability of the social care institution. When preparing and reassessing child's individual social care plan, in addition to all specialists and child's relatives, the child concerned is also involved, provided he/she can express his/her opinion because of his/her age and maturity. Considering child's age and maturity, child must be provided with a possibility to freely express his/her opinion, views or requests on the matters concerning his/her, as a full-fledged personality, development, he/she also takes part in the processes related with satisfaction of his/her needs, i.e. in acquisition of goods, necessities, planning visits to doctors, etc.

Vaikai ir jaunuoliai su negalia¹ globos įstaigose – Disabled children and youth¹ in care institutions (At the end of the year)

	2011	2012	2013	2014	
Kūdikių namai	5	5	5	5	Infant homes
Gyventojai su negalia	112	83	54	75	Disabled residents
iš bendro gyventojų su negalia skaičiaus, vaikai iki 3 m. amžiaus	87	59	26	41	of the total number of disabled residents, children under 3 years old
Home help for disabled children and youth	5	4	4	4	Care institutions for the disabled children and youth
Vietos	745	702	672	647	Places
Gyventojai su negalia	709	677	666	646	Disabled residents
iš jų mergaitės	298	273	268	267	of them girls
Vaikų globos namai (valstybės ir savivaldybių)	56	56	55	56	Children care homes (state and municipal)
Gyventojai su negalia	470	484	492	438	Disabled residents
iš bendro gyventojų su negalia skaičiaus, vaikai iki 3 m. amžiaus	18	8	7	10	of the total number of disabled residents, children under 3 years old

¹ Statistics on disabled children and youth at care homes are collected by the type of disability and age groups. The total number of care home residents is divided by gender.

Pagalbą į namus ir socialinę globą asmens namuose gavę vaikai su negalia – Disabled children who received home help and social care at home

	2011	2012	2013	2014	
Pagalbos į namus ir socialinės globos gavėjai	167	134	153	169	Recipients of home help and social care at home

Socialines paslaugas dienos centruose gavę vaikai su negalia – Disabled children who received social services in day centres – Tūkst (Thousand)

	2011	2012	2013	2014	
Socialinių paslaugų gavėjai	2,6	2,7	2,4	2,4	Recipients of social services

Awareness-raising (art. 8)

Reply to the issues raised in paragraph 12 of the list of issues

31. On 28 January 2015, the Government of the Republic of Lithuania adopted the Resolution No. 46 approving the Inter-institutional Non-discrimination Action Plan. Paragraph 1.3 of the Plan implementation measures stipulates a measure of keeping society informed on equal opportunities and non-discrimination. The following activities are planned to be carried out during the implementation of the latter measure: writing articles on equal opportunities, non-discrimination promotion and respect for human, providing up-to-date information about legislation in the field of equal opportunities, publishing and distributing publications, booklets, posters fostering respect for human and reducing discrimination, producing television and radio programmes, organising advertising campaigns, meetings with representatives of non-governmental organisations to discuss certain aspects of discrimination prohibition, regarding which guidelines were received from international human rights protection institutions. One of the measure promoters is the Ministry of Justice.

32. Paragraph 1.4 of the Plan stipulates a measure of organising a seminar to deal with the problems of securing equal opportunities to persons with legal incapacity or restricted capacity, and the Ministry of Justice is appointed to be the responsible promote of the measure. The following activities are planned in the course of the implementation of this measure: organising a seminar to raise public awareness of the situation of persons with disabilities ensuring proper implementation of the clauses of the Convention, under which persons with disabilities in all cases have to be considered legal entities (on actions to be taken to prevent discrimination and abuse according to the international human rights law). The latter seminar is planned for 2016.

33. In the course of the implementation of the following measure under the Inter-institutional Non-discrimination Action Plan: Organising seminars on non-discrimination on the ground of disability for individuals working in the field of public information Seminars on non-discrimination on the ground of disability were held in 2012, 2013 and 2014. The aim of the seminars was to encourage individuals working in the field of public information to pay more attention to protection and publicity of the rights of persons with disabilities, to increase tolerance and openness of society to persons with disabilities, to inform society about manifestations of discrimination and its negative impact on the opportunities of certain groups of society to take active participation in social activities on equal conditions, to reduce disability stigmatisation.

34. The seminars were held in Vilnius, one seminar each year (EUR 867 funds were assigned every year).

35. In 2012, the seminar received 20 participants. The following topics were discussed to the participants: “Legal aspects of spreading public information about persons with disabilities”, “Effects of featuring persons with disabilities in mass media”, “Issues of disabilities in mass media: Analysis of Lithuanian and foreign experience”.

36. In 2013, the seminar received 20 participants. The seminar consisted of two parts: theoretical (legal aspects of spreading public information about persons with disabilities:

copyright, public information regulation) and theoretical combined with practical (Effects of featuring persons with disabilities in mass media).

37. In 2014, the seminar received 30 participants. The following topics were discussed: Legal aspects of spreading public information about persons with disabilities were discussed in the context of human rights to privacy, honour and dignity. Most common mistakes when presenting public information about persons with disabilities were analysed, expressing opinions, commenting on data, facts, discussing breaches of non-property rights of persons with disabilities. The information activity situation in public sector was introduced by discussing the aspects of the importance and the quality of information, information resources used to ensure procedural activities, analysing the situation of information spread and information services provided, assessment of information activity maturity in public sector was introduced. Furthermore, the situation of libraries and information services for people with visual impairment in our country.

Accessibility (art. 9)

Reply to the issues raised in paragraph 13 of the list of issues

38. Please note that the Ministry of Environment drafted and the Government of the Republic submitted to the Seimas of the Republic of Lithuania the law on amendment and supplement to the Law on Construction No. I-1240 of the Republic of Lithuania Articles 1, 2, 5, 6, 8, 10, 11, 12, 14, 141, 15, 18, 181, 20, 22, 23, 24, 25, 29, 30, 32, 34, 35, 36, 38, 381, 39, 40, 41, 42, 431, 45, 47, 49, 52, 541, 542, 543, 55, in which the concept of universal design is suggested to be established; and a new amendment stipulating the requirement for buildings not adapted for persons with disabilities and undergoing renovation (modernisation) to be adapted for special needs of persons with disabilities is suggested. Regulation of environment adjustment for the needs of the disabled is continuously monitored by conducting periodic revisions of the regulatory technical documents on construction, and including measures to improve appropriate clauses into the action plan on the implementation of the programme for social integration of persons with disabilities.

39. The Construction Completion Commission is set up, replaced or revoked by specific documentation by the Head or authorised representatives of the State Territorial Planning and Construction Inspection in accordance with Paragraph 9 of Technical Requirements STR 1.11.01:2010.

40. Completion of construction approved by the Order No. D1-828 of the Minister of Environment of Lithuania of 28 September 2010. The head or an authorised representative of the Department for the Affairs of the Disabled, in pursuance of Paragraph 10 of Annex 1 of the Technical Requirements, participates in the Construction Completion Commission, and inspects the conformity of the design solutions of the buildings for the needs of the disabled, with the exception of renovated (modernized) buildings, in terms of accessibility to the disabled. The Department for the Affairs of the Disabled has entrusted inspection to the non-governmental organisation — Association of Environment Adjustment to the Needs of the Disabled. The national allocation for this activity amounted to EUR 124,5 thousand in 2015. The Construction Completion Commission issues Construction Completion Certificate to confirm that the building was constructed or reconstructed or a block of flats or public building was renovated (modernised) in compliance with the building design solutions. If building is not in compliance with the building design solutions and technical requirements it may not be registered and put into exploitation.

41. Article 6(3) of the Law on Construction states that the design, construction, reconstruction or overhaul of buildings (with the exception of renovation (modernization) of blocks of flats) and civil engineering works must be carried out in such a way that they

will accommodate the specific needs of the disabled in compliance with the Law on Social Integration of the Disabled. Draft law on Construction was submitted to the Government. There is deleted exception exempting reconstructed or overhauled buildings from the obligation to accommodate the specific needs of the disabled. Furthermore, the draft Law on Construction contains new clause on universal design. Draft Law Article 3 (amending Article 5, Paragraph 1 Point 6) states that one of the essential building architectural requirements is that the architecture of the building must ensure satisfaction of the universal design requirements laid down in regulatory technical construction, building safety and destination documents.

42. Action plan 2016-2018 for the implantation of the National Programme for Social Integration of Persons with Disabilities 2013-2019 was adopted by the Order of the Minister of Social Security of Labour of 25 June 2015. In 2017, amendments to the *Technical Requirements STR 2.03.01:2001 Buildings and territories. Requirements related to the needs of persons with disabilities* (approved by the Order No. 317 of the Minister of Environment of 14 June 2001) are foreseen according to the latest trends in building and environment adaptation for people with special needs, including concept of universal design.

43. Public Procurement Law Article 25 Technical Specification Part 1 provides for supplies, services or works subject to procurement to be described in the technical specifications contained in contract documents. Certain definitions of technical specifications will be given in Appendix 3 of this Law. Whenever possible, these technical specifications should be defined to ensure that accessibility criteria for people with disabilities or design for all users are taken into consideration.

44. Action plan for 2016-2018 foresees preparation of recommendations on the descriptions of technical specifications of the public procurement for the purchase of goods and services in compliance with all users principles. It will be done by the Public procurement authority under the Government together with the Department for the Affairs of the Disabled under the MSSL in 2017.

45. Many other measures are foreseen in the Action plan to be implemented in the period of 2016-2018, including: organising training for design professionals, local authorities and non-governmental organisations regarding universal design principles in the field concerned; adaptation of housing and environment for the disabled; developing and restoring mobility of persons with disabilities and independent living skills; subtitling Lithuanian national radio and television programs; publishing and distributing periodicals for disabled; adapting physical and informational environment for disabled people in vocational schools; optimising and upgrading physical and information infrastructure of cultural institutions (cultural centres, museums, public libraries and other); assessing accessibility of police buildings; assessing level of adaptation of municipal primary health care, social welfare departments, social services centres, long-distance bus stations for the needs of the disabled and drawing conclusions and recommendations. Funds of EUR 12,5 million are planned to be appropriated for all accessibility measures.

46. According to the regulation on funding housing adaptation for the needs of disabled approved by the Minister of Social Security and Labour on 10 August 2015, municipalities are obliged to establish commissions for housing adaptation for the needs of the disabled and to include into the activities members of umbrella non-governmental organisations of the disabled delegated by Department for the Affairs of the Disabled under MSSL. Four nongovernmental organisations delegated 56 persons in all 60 municipalities. Their work was rewarded from national budget in the total amount of EUR 18,3 thousand.

47. Law of the Minister of Education and Science of the Republic of Lithuania On the approval of the action plan of the Programme for the Development of Primary and Basic

Education at General education schools 2014-2016 No. V-808 of 5 September 2014. Municipalities are advised to get involved into the implementation of the action plan of strengthening and inclusive education development of general schools providing primary and basic education 2014-2016 and to appropriate funds from the municipal budget for its implementation.

48. General clauses define the action plan as an agreement on joint actions in order to improve the quality of primary, basic education quality, by developing inclusive education accessibility, reducing early withdrawal from education system, by providing conditions to use sign language, providing integrated education assistance to schools, children and families, creating schools–multifunctional centres, pre-school and pre-primary education groups at general education schools, ensuring safe transportation of children residing at the distance of over 3 kilometres from the closest school and children with special education needs, who are incapable to arriving to school on their own, and making purpose-oriented distribution of financial, material and intellectual resources. The action plan was drawn in accordance with the Strategic planning methods approved by the Resolution No. 827 of the Government of the Republic of Lithuania of 6 June 2002 On approval of strategic planning methods. Measures of the action plan are planned to be further implemented in 2017-2022.

49. Education of pupils with special education needs because of their disabilities, disorders, learning difficulties and unfavourable environment in the education system together with their peers brings positive results for the whole school community, by developing tolerance to differences, promoting social cohesion, solidarity. In Lithuania, only about 1.2% of pupils with special education needs attend special schools or special classes (European Union average is 2.3%), others attend in general classes of the general education schools. Inclusive education is a process ensuring quality education (self-education) to all its participants, when expectations, peculiarities of educational needs, required assistance and services are considered of every single pupil, his/her parents (guardians, carers), by preventing “dropout” from education system. The main prerequisites for inclusive education accessibility, quality assurance and prevention of early withdrawal from education system are as follows: application of effective models of inclusive education, organising attractive education (self-education) process for pupils with different educational needs, provision of timely and special pedagogical, psychological, social pedagogical and special assistance. Schools still lack experience in organising education for pupils of different abilities and interests in general classes (groups).

Reply to the issues raised in paragraph 14 of the list of issues

50. European Union fund investments action programme 2014-2020 stipulates the following measures intended for financing creation and improvement of services and infrastructure.

<i>Measure of the European Union fund investments action programme 2014-2020</i>	<i>EU funds assigned in 2014-2020, EUR</i>
Measures for persons with disabilities only	
<i>Support to persons with disabilities in social companies</i>	
Financed activities:	
<ul style="list-style-type: none"> • Support to employment of persons with disabilities in social companies by subsidising part of a salary and state social insurance contributions; • Employment of an assistant (sign language interpreter) by subsidising expenses related with the help that is needed for the person with disability to perform his/her work functions. 	35,333,642
<i>Professional rehabilitation of persons with disabilities</i>	
Financed professional rehabilitation services for persons with disabilities	17,377,200

<i>Measure of the European Union fund investments action programme 2014-2020</i>	<i>EU funds assigned in 2014-2020, EUR</i>
<i>Provision of social services to persons suffering from epilepsy</i>	
Provision of social services to persons suffering from epilepsy	1,737,720
Measures that are aimed not only at persons with disabilities, i.e. every measure is intended for several target groups, including people with disabilities	
<i>Integral home assistance</i>	
Financing provision of integral assistance (social care and nursing) and consulting services (assistance to families taking care of persons with disabilities) to family members taking care of children with disabilities, working age people with disabilities and elderly people.	11,584,801
<i>Institutional care reorganisation</i>	
Financing the complex of various activities needed for institutional reorganisation. Target groups: persons with mental and/or psychic disability and children without parental care	31,392,330
<i>Institutional care reorganisation (infrastructure)</i>	
Financing of the missing infrastructure that is needed for institutional care reorganisation. Target groups: persons with mental and/or psychic disability and children without parental care	32,699,139
<i>Development of social services infrastructure</i>	
Financing of the modernisation and/or development of infrastructure of social services providing institutions, establishment of new institutions. Target groups: elderly people, persons with disabilities (other than mental and (or) psychic disability), social risk persons).	17,232,391
Measures stipulating adjustment of the financed infrastructure for the needs of the disabled (universal design solutions are applied)	
<i>Social housing fund development</i>	
Financing of the development of social housing fund of municipalities: construction, reconstruction, renovation, acquisition and adjustment for the needs of the disabled.	49,931,530

Equal recognition before the law (art. 12)

Reply to the issues raised in paragraph 15 of the list of issues

Incapacity institute reform

51. On 26 March 2015, the Seimas of the Republic of Lithuania adopted the Law No. XII-1566 on Amendment of the Civil Code of the Republic of Lithuania, the Law No. XII-1567 on Amendment of the Civil Procedure Code of the Republic of Lithuania, Law No. XII-1568 on Amendment of Articles 12, 13 and 22 of the Law No. VIII-1591 on State-Guaranteed Legal Assistance of the Republic of Lithuania, Law No. XII-1569 on Amendment of Articles 8, 9, 11 and 12 of the Law on the Prevention and Control of Communicable Diseases in Humans of the Republic of Lithuania, and the Law No. XII-1570 on Amendment of Article 7 of the Law on Local Self-Government No. U-533 of the Republic of Lithuania. The above-mentioned laws will come into effect from 1 January 2016.

52. The latter laws implement Article 12 of the Convention regarding securing rights of persons with disabilities, changed the legal regulation of person's capacity restriction institute. It must be noted that key principles to be implemented by the above-mentioned

laws are related with the fact that person's capacity must be minimum restricted, measures restricting person's capacity, when they need to be applied, must be individualised, adjusted for the situation of every person and reasonable in all aspects. If expedience and validity of person's capacity restriction are questioned, all doubts must be considered in favour of the person, who is requested to be declared incapable in certain field. This can be achieved by applying new substantive law rules and special clauses of procedural law. Thus, the laws essentially changed the concept of person's capacity restriction and highlighted person's capacity restriction as the last resort, while the goal should be preservation of person's full capacity, creating conditions for a person to receive necessary assistance in order to exercise his/her rights.

53. New legal institutes of (1) assistance provision in decision-making and (2) of advance instruction were established in the Civil Code of the Republic of Lithuania (hereinafter referred to as the CC). Legal institutes of physical incapacity and restricted capacity of a person were also amended in the CC. Prerequisites for individualisation of capacity restriction measures applied to a specific person were created, and it was established that person's capacity can be restricted or a person can be declared incapable only in certain fields, thus aspiring maximum protection of human rights and minimum restriction of person's capacity, as well as proportionality and validity of such restriction.

54. Additional procedural guarantees for exercising and protecting rights of persons declared incapable or of restricted capacity were established in the Civil Procedure Code of the Republic of Lithuania (hereinafter referred to as the CPC).

55. The procedure of secondary legal assistance provision for persons hospitalised and treated by force, suffering from severe mental illnesses was specified in the Law on State-Guaranteed Legal Assistance of the Republic of Lithuania, the right to secondary legal assistance was stipulated for persons who need compulsory hospitalisation and/or isolation due to communicable diseases. Clauses on the right to receive secondary legal assistance when dealing with the matters related to declaring a person physically incapable in a certain field, revision of his/her care and adopted decision were specified. In such events, secondary legal assistance is provided disregarding person's property and incomes.

56. The Law on Amendment of the Law on Local Self-Government of the Republic of Lithuania expressly established a new state function (delegated by the state to municipalities): ensuring review of incapable person's condition, the same function is established in the CC as well.

57. It must be noted that when preparing draft laws mentioned above, the Ministry of Justice actively co-operated with competent state institutions and non-government organisations acting in the field of protection of rights of persons with disabilities, and representatives from municipalities. Draft laws were submitted to the latter stakeholders asking for conclusions, meetings were organised to discuss suggested changes to legal regulation. The laws represent a compromise achieved during preparation, co-ordination, discussion in the Government and Seimas of the suggested legal regulation changes.

Main clauses of the new legal regulation

Advance directive

58. Advance directive is a new measure to realise person's capacity which sometimes is also called living will or advance directive. This measure could be used by capable natural persons, e.g. whose capacity can be restricted or they can be declared incapable in the future due to progressing illness or other circumstances.

59. A capable adult natural person will be able to give an advance directive. A person could define how matters should be dealt regarding implementation of his/her property and

non-property rights in case his/her capacity would be restricted or he/she would be declared incapable in the future. CC contains a model (incomplete) list of cases which can be discussed by a person in advance directive. Advance directive for interested parties would come into effect by a court decision, declaring the person incapable or restricting his/her capacity. Once an advance directive comes into effect, it would become binding for all persons and institutions carrying out actions related with the implementation of property and personal non-property rights of the issuer of the advance directive in the fields established in the advance directive.

Assistance in making decisions

60. CC has a new institute of providing assistance in decision-making established. Capable adult natural person can sign a written agreement with the other capable adult natural person he/she trust for assistance in making decisions in certain fields of life. Agreement on assistance in decision-making can be signed when a person because of psychic disorder or for any other circumstances (e.g. age or illness) finds it difficult to make the best decisions meeting his/her interests or to express them. Assistance provided under the agreement could include, for example: collection of information needed for making a decision; information presentation to a person in acceptable modes and form; indication of potential alternatives of the decision and discussion of their results, etc. A person providing assistance must avoid conflict of interests of his/her own and of the person, to whom the assistance is being provided. In order to reduce the probability of conflicts of interests and abuse, agreements on assistance provision in decision-making and their amendments will be subject to notary's certification.

Restricted capacity in certain areas

61. According to the new legal regulation established, not only persons abusing alcohol, drugs, narcotic or toxic substances but also persons with other psychic disorders, which prevent them from complete understanding of the meaning of their actions or their control, can be declared of restricted capacity. Two criteria apply: medical and legal, medical criterion is a psychic disorder, while legal criterion is person's inability to have full understanding of the meaning of their action and to control them, which is caused by the psychic disorder. The purpose of this amendment is to create a possibility for application of person's limited capacity institute to a broader circle of people suffering from psychic disorders and thus to reduce the number of people recognised incapable.

62. Person's limited capacity is not related with the restriction to dispose property only, but if needed restricted capacity in certain fields could be recognised for a person. Based on the whole of evidences provided, the court will indicate the final list of fields, in which the person is declared having restricted capacity, in its decision. In the fields where person is declared to have restricted capacity, the person will be able to conclude transactions or otherwise act only with the consent of the guardian.

Incapacity in certain areas

63. Considering the fact that the CC contains measures helping persons with psychic disorders to express their will (assistance in decision-making, advance directive) and reformed the institute of restricted capacity, the institute of person's recognition incapable is expected to be applied in exceptional cases only, when a person is not capable of full understanding of the meaning of his actions and cannot control them, or express his/her will.

64. Despite the clause in Paragraph 2, Article 12 of the Convention stating that persons with disabilities have legal capacity equally with other persons in all fields of life, but there might be cases when decision on person's behalf might need to be taken by the other

person. Therefore, the institute of incapacity was not completely revoked by the laws, but rather procedural guarantees of persons facing the possibility to be declared incapable and of incapable persons were enhanced; additional safety measures to prevent abuse of the incapacity institute were introduced.

65. It is established in the CC and CPC, that a person is declared incapable by the court decision not in general but in certain field only. When making a decision to declare a person incapable, the court will have to draw the final list of fields in which the person is recognised incapable. Carer will act on behalf of the person in the fields, where the person will be declared incapable.

66. Considering the practice of the European Human Rights Court, a person declared incapable is provided with an opportunity to apply by himself/herself to court for declaring him capable maximum once a year.

67. It must be noted that the court is given the right by the laws, after considering all evidences on the case, in some fields to restrict capacity for the same person, and in some fields to declare him incapable, furthermore the court is provided with a possibility to suggest a person signing an agreement on provision of assistance in decision-making.

Commission for Reviewing Incapable Persons' Condition

68. In order to implement Article 12 of the Convention, establishing that restricted capacity measures applied to a person would be regularly reviewed by a competent, independent and objective institutions or court, the CC stipulates Commission for Reviewing Incapable Person's Condition (hereinafter referred to as the Commission), which would review the condition of an incapable person and decide on the need to apply to court for the revision of the court decision declaring the person in question incapable in a certain field. The Commission would consist of independent representatives and would operate in the territory of every municipality.

69. Condition of a person declared incapable in a certain field will have to be reviewed by the Commission if within one year from the day of entry into effect of the court decision recognising the person incapable in certain field, persons named in Paragraph 4, Article 2.10 of the CC or a person recognised incapable in a certain field does not apply for cancellation of the court decision declaring the person incapable in a certain field. After reviewing the condition of a person declared incapable in a certain field, the Commission would decide if the court should be applied for reviewing the court decision, which declared the person incapable. It must be noted that the Commission in its activities will have to observe the principles of objectivity, independence, minimum capacity restriction, individualisation and validity of measures restricting capacity. When reviewing incapable person's condition, the Commission will have to listen to the opinion of the incapable person.

70. It must be noted that in any case it will be the court only that can decide to change the status of the person declared incapable. It must be further noted that once the new legal regulation comes into effect, the status of all persons declared by court incapable before the new legal regulation came into effect will be reviewed by the court for the first time within two years from the day of entry into effect of the amendments to the CC, since the amendments of the laws essentially changed legal regulation of incapacity.

71. The new clauses are expected to ensure that rights of a person declared incapable will not be restricted for inadequately long term, and to prevent situations when guardian of a person declared incapable, by abusing his rights or improperly fulfilling his duties, even after the improvement in the person's medical condition fails to apply to court for declaring the person capable.

Access to justice (art. 13)

Reply to the issues raised in paragraph 16 of the list of issues

72. The Ministry of Justice in co-operation with the National Court Administration Training Centre in 2012 organised training for judges, lawyers providing state-guaranteed legal assistance and servants of the institutions organising state-guaranteed legal assistance provision on legal regulation of mental health care, and in 2014 the Ministry of Justice organised training for persons providing state-guaranteed legal assistance on communicating with persons with disabilities, modes to be applied to provide necessary information.

73. Judges' qualification improvement programme "Communicating with Persons with Disabilities" 2015 was approved by the Resolution No. 13P-137-(7.1.2) of the Judicial Council of 31 October 2014, which consists of the following topics: peculiarities of communication with persons suffering from different disabilities, practical tips to be observed when communicating with persons with disabilities during the procedure, securing rights for disabled actors of the procedure, main Convention requirements and specifics of questioning people with disabilities, peculiarities of considering their testimonies.

74. The plan of notaries' qualification improvement seminars 2016 stipulates two seminars to be held on assurance of rights for persons with disabilities and legal regulation of the institute of person's capacity restriction.

75. For more specific information about specific judges and training organised for other clerks of the judicial system on the rights of persons with disabilities, the National Court Administration should be contacted.

76. In 2012, the Lithuanian Police organised training "Communicating with Victims" (nine training sessions were attended by 126 officers) and "Promoting Non-discrimination. Implementing the Policy of Equal Opportunities" (one training was attended by 26 participants); in 2013 "Behaviour of Police Officers with People Suffering from Mental Disorder" (one training was attended by 12 officers) and in 2014 "Promoting Non-discrimination. Equality of genders at work" (two training sessions were attended by 29 officers).

77. According to the possibilities, Office of the Equal Opportunities Ombudsman every year organises training and seminars to employees, officers of the Ministry of the Interior of the Republic of Lithuania and its subordinate institutions and participates in them. Participants of such events are introduced to legal acts in the field of assuring equal opportunities, investigations of discrimination cases. The Council believes that training for law enforcement officers on the rights of persons with disabilities should be developed in the future.

Liberty and security of the person (art. 14)

Reply to the issues raised in paragraph 17 of the list of issues

78. According to the data of 1 November 2010, the number of persons hospitalized under the court decision in Rokiškis Psychiatric Hospital was 338. In 2014, the number of newly admitted was 138; 123 patients left the hospital.

Freedom from exploitation, violence and abuse (art. 16)

Reply to the issues raised in paragraph 18 of the list of issues

79. Criminal records (in card 50) kept by the Department of Information Technology and Communications under the Ministry of the Interior contain lines to be marked as “Disable 1-2 Group” and that person suffers from disability, but for example, in pre-trial investigations of human trafficking (Articles 147 and 157 of the Criminal Code of the Republic of Lithuania) no such cases were marked in 2014 and in 9 months of 2015. Register of incidents kept by the police do not distinguish disable persons but there is a possibility to indicate special needs of a person next to every incident registered. Statistics related with people with disabilities only are not separately processed.

Protecting the integrity of the person (art. 17)

Reply to the issues raised in paragraph 19 of the list of issues

80. Please note that persons with disabilities, same as other Lithuanian nationals, have access to assistive reproductive means. Arrangements for artificial insemination have been approved by Order No. 248 of the Minister of Health of 24 May 1999 providing for artificial insemination for only a capable adult woman, under 45, whose health condition is fit for this procedure. This also requires a written consent by herself and her capable spouse. No one can force or otherwise convince a woman to have artificial insemination. Artificial insemination shall not be applied in cases where the pregnancy or delivery could endanger the life or health of the woman or a future child.

81. It is established in Paragraph 2, Article 2.25 of the Civil Code of the Republic of Lithuania, that bodily intervention, removal of body parts or organs require person’s consent. Consent to surgical operation must be expressed in writing. If a person is incapable, such consent may be given by his/her guardian, but in order to castrate, sterilise, terminate pregnancy, operate, remove an organ of an incapable person, court permission is required. Such permission is not required in the cases of emergency in order to save person’s life, when he/she is in real danger, and the person cannot express his/her will.

Living independently and being included in the community (art. 19)

Reply to the issues raised in paragraph 20 of the list of issues

82. In order to support people with disabilities to continue living in the community, appropriations were made from state budget (up to 90 percent of the budget) and municipal budgets (minimum 10 percent of the total expenditure) to support community based social rehabilitation services for persons with disabilities under the projects run by nongovernmental organisations. Social rehabilitation services for disabled persons are activities and services of permanent nature and include the following: people with disabilities and independent living skills training, support and recovery, through practical training (disabled people, their family members) and activities (services) for the care of people with disabilities in the family, at home, in public life, knowledge and management of disease and disability, learning to look after (the disabled) and yourself (himself a disabled person), learning to move around and in the environment, and technical assistance measures to deal with disability arising due to psychological problems and teaching healthy living. Self-support groups of the disabled, their family members and relatives, care support and skills training, and learning to look after themselves at home everyday skills, training technical assistance measures, psychological assistance, etc. This kind of services were provided to 23,198 people, including 19,898 persons with disabilities, including 1,043

disabled children and 3,300 family members in 2014. A personal assistant helping people to stay in employment, education, rehabilitation, health care, law enforcement and other public-service authorities and providing information to persons with hearing and visual impairments in accessible formats and technologies. The services were received by 10,516 persons, including 494 disabled children in 2014.

**Socialinių paslaugų asmens namuose gavėjai su negalia
– Persons receiving social services at home**

	2011	2012	2013	2014	
Pagalbą į namus ir socialinę globą asmens namuose gavę asmenys	14,855	15,768	16,026	17,914	Persons who received home help and social care at home
darbingo amžiaus su negalia	2,626	2,823	2,627	3,925	disabled of working age
senyvo (pensinio) amžiaus	12,229	12,945	13,399	13,989	elderly (of retirement age)
Pagalbos pinigų gavėjai	292	267	147	128	Recipients of social care benefit
working age persons with disabilities	31	36	24	16	disabled of working age
senyvo (pensinio) amžiaus	261	231	123	112	elderly (of retirement age)

Asmenų su negalia, socialines paslaugas gavusių dienos centruose, skaičius – Number of disabled persons who received social services in day centres – Tūkst (Thousand)

	2011	2012	2013	2014	
Darbingo amžiaus asmenys	15,7	13,4	12,9	14,3	Persons of working age
Senyvo (pensinio) amžiaus asmenys	25,7	19,0	19,7	20,3	Elderly (of retirement age) persons

Globos įstaigos ir savarankiško gyvenimo namai seniems žmonėms ir suaugusiems neįgaliesiems – Care institutions and continuing care retirement communities for the elderly and disabled adults – Metų pabaigoje (End of the year)

	2011	2012	2013	2014	
Globos įstaigos suaugusiems neįgaliesiems	36	38	39	41	Care institutions for disabled adults
Vietos	6,115	6,190	6,116	6,124	Places
Gyventojai	6,061	6,118	6,052	6,055	Residents
iš jų – ikipensinio amžiaus gyventojų	3,512	3,548	3,488	3,492	of them disabled residents under retirement age
Globos įstaigos seniems žmonėms	100	104	102	108	Care institutions for the elderly
Vietos	4,695	4,885	4,947	5,158	Places
Gyventojai	4,414	4,514	4,665	4,829	Residents
iš jų – ikipensinio amžiaus gyventojų su negalia	458	479	507	493	of them disabled residents under retirement age
Savarankiško gyvenimo namai	10	14	21	20	Continuing care retirement communities
Vietos	221	342	518	467	Places
Gyventojai	212	262	449	402	Residents
iš jų – ikipensinio amžiaus gyventojų su negalia	66	111	194	194	of them disabled residents under retirement age

Information about care institutions, continuing care retirement communities, day centres and recipients of home care services

	<i>Number of institutions</i>	<i>Disabled persons</i>
Stationary social services institutions and their services		
Care home for disabled adults	41	6,055
Home help for disabled children and youth	4	646
Non-stationary social services institutions and their services		
Continuing care retirement communities	20	402
Services of day centres	-	16,700
Home help	-	4,170

83. In Lithuania, 6,701 persons are receiving stationary social care, i.e. 23.9% of the total number of recipients of all services, recipients of non-stationary social services amount to 21,272, i.e. 76% of the total number of recipients of all services.

Reply to the issues raised in paragraph 21 of the list of issues

84. The action programme of the European Union fund investments 2014-2020 does not stipulate financing of the infrastructure of stationary services (residences for persons with disabilities) for the disabled.

85. Organisations representing the disabled are members of the monitoring committee of the action programme of European Union fund investments 2014-2020. Every year, draft list of clauses of financing projects in the framework of the action programme of the European Union fund investments 2014-2020 is co-ordinate with social partners in public. Organisations representing the disabled (Forum of the Disabled, Lithuanian welfare society for people with intellectual disability “Viltis”, Lithuanian care society for people with mental impairment) are members of the Institutional care reorganisation monitoring group and attend the latter group’s meetings.

Respect for home and the family (art. 23)

Reply to the issues raised in paragraph 22 of the list of issues

86. The system of financial social support provided by the state to families and children, *including persons with disabilities*, consists of two major parts: categorical benefits paid to families with children irrespective of family’s property and incomes (with the exception of child benefit which is based on family’s incomes) and support provided to deprived residents after assessing their property and income.

87. Legal acts regulating financial social support (Law of the Republic of Lithuania on Financial Assistance to Low-Income Families, Law of the Republic of Lithuania on Child Benefits and Law of the Republic of Lithuania on Social Assistance to Pupils) *do not regulate provision of assistance to separate social groups of people*. Assistance to separate social groups is regulated by special legal acts.

88. Furthermore, financial social assistance to low-income residents is provided following the principles established in the Law on Financial Assistance to Low-Income Families, one of which is the principle of equal opportunities, establishing that social assistance is provided to ensure equality of low-income residents irrespective of their gender, race, nationality, language, origin, social status, religion, beliefs or views, age, sexual orientation, *disability*, ethnic origin, religion. Pursuant to the above-mentioned law,

after assessing property and incomes of low-income residents, *including persons with disability*, social benefit is paid to them guaranteeing minimum funds to satisfy basic physiological needs (food and clothes money), as well as compensations to cover housing heating expenses, drinking water and hot water, which are aimed to cover at least part of housing maintenance costs.

89. Pursuant to the Law on Child Benefits, families upbringing and/or taking care of children, including persons with disabilities, are entitled to the following benefits: a single pay of 11 basic social benefits (hereinafter referred to as BSB) (EUR 418) paid upon child's birth or adoption; child benefit of 0.75 BSB (EUR 28.5) or 0.4 BSB (EUR 15.2) (its amount depends on child's age and is paid after assessing family incomes), guardianship (care) allowance of 4 BSB (EUR 152); target-oriented premium to guardianship (care) allowance of 4 BSB (EUR 152); single settlement benefit of 75 BSB *EUR 2,850) paid to persons to whom child's guardianship (care); single benefit to a pregnant woman of 2 BSB (EUR 76); benefit to a child of compulsory initial military service soldier of 1.5 BSB (EUR 57).

90. Families with children, *including persons with disabilities*, are supported not only by state benefits, but also other social assistance is available (free catering at school and support to buy school goods, reduced pay for nursery, etc.)

Education (art. 24)

Reply to the issues raised in paragraph 23 of the list of issues

Specialiosios paskirties ikimokyklinio ugdymo įstaigos – Special pre-school establishments – Financial year (End of the year)

	2011	2012	2013	2014	
Specialiosios paskirties ikimokyklinio ugdymo įstaigos (įskaitant kitų tipų įstaigas, kuriose yra specialiosios paskirties grupių)	84	52	77	77	Special pre-school establishments (including other pre-school establishments with special groups incorporated)
iš jų –vaikams, turintiems sutrikimų:					of which meant for children:
klausos	7	4	8	7	with impaired hearing
kalbos	35	18	22	20	with impaired speech
regos	5	1	2	2	with impaired vision
intelekto	3	3	6	8	mentally impaired
judesio ir padėties	4	2	3	2	with movement and posture disorders
kompleksinių	30	24	29	33	with complex disorders
sveikatos problemų	7	5	with health problems

Vaikai ugdomi specialiosios paskirties ikimokyklinio ugdymo įstaigose
– Children in special pre-school establishments – Metų pabaigoje (End of the year)

	2011	2012	2013	2014	
Iš viso vaikų, turinčių specialiųjų ugdymosi poreikių	2,398	1,555	1,538	1,801	Total number of children with special needs
iš jų turi sutrikimų:					of whom:
klausos	97	85	73	74	with impaired hearing
kalbos	1,014	694	712	836	with impaired speech
regos	170	32	20	18	with impaired vision
intelekto	83	78	34	69	mentally impaired
judesio ir padėties	213	72	46	35	with movement and posture disorders
kompleksinių	821	594	487	589	with complex disorders
sveikatos problemų	166	180	with health problems

Specialiųjų ugdymosi poreikių turintys vaikai, integruoti į ikimokyklinio ugdymo įstaigų grupes – Children with special needs integrated into general groups of pre-school establishments – Metų pabaigoje (End of the year)

	2011	2012	2013	2014	
Specialiųjų ugdymosi poreikių vaikai ikimokyklinio ugdymo įstaigų bendrojo ugdymo grupėse	17,936	13,362	14,813	15,549	Number of children with special needs integrated into general groups of pre-school establishments
palyginti su bendru ugdomų vaikų skaičiumi, %	18,3	12,8	13,5	13,7	Proportion, compared to the total number of children, %

Mokiniai, turintys specialiųjų ugdymosi poreikių, bendrojo ugdymo mokyklose
– Students with special needs in general schools – Mokslo metų pradžioje
(Beginning of the academic year)

	2011-2012	2012-2013	2013-2014	2014-2015	
Iš viso mokinių, turinčių specialiųjų ugdymosi poreikių	46,618	40,348	39,690	39,218	Total number of students with special needs in general schools
iš jų:					of whom:
specialiosiose mokyklose ir specialiojo ugdymo centruose	3,864	4,083	3,597	3,663	those attending special schools
specialiosiose ir lavinamosiose klasėse	820	814	1,055	959	those attending special and catch-up classes in general schools
integruoti į bendrojo ugdymo klases	41,934	35,451	35,038	34,596	those integrated into general classes of general schools
Palyginti su visais mokiniais, %	11,9	10,8	11,1	11,4	Proportion, compared to the total number of students, %

Mokiniai, turintys specialiųjų ugdymosi poreikių, specialiosiose mokyklose ir specialiojo ugdymo centruose – Students with special needs in special schools – Mokslo metų pradžioje (Beginning of the academic year)

	2012-2013	2013-2014	2014-2015	
Specialiosios mokyklos ir specialiojo ugdymo centrai	60	49	48	Special schools
Juose mokinių	4,083	3,597	3,663	Number of students
Merginos	1,630	1,363	1,376	Females
Vaikinai	2,453	2,234	2,287	Males
Mokiniai, turintys negalių				Students with disabilities
Intelektų sutrikimai	1,395	1,604	1,650	Mentally impaired
Regos sutrikimai	75	75	68	Vision impaired
Klausos sutrikimai	236	220	202	Hearing impaired
Kochleariniai implantai	17	21	24	With cochlear implants
Judesio ir padėties bei neurologiniai sutrikimai	95	133	92	With movement, posture and neurological disorders
Įvairiapusiai raidos sutrikimai	15	25	31	With pervasive developmental disorders
Kurčneregystė	3	2	4	Blind deaf-mutes
Kompleksinės ir kitos negalės	1,774	1,241	1,319	With complex and other disabilities
Mokiniai, turintys sutrikimų				Students with disorders
Mokymosi sutrikimai	22	7	-	With learning disorders
Elgesio ar (ir) emocijų sutrikimai	2	22	71	With behavioural or/and emotional disorders
Kalbėjimo ir kalbos sutrikimai	129	88	1	With speech and language disorders
Kompleksiniai	318	145	2	With learning disorders
Kiti mokymosi sutrikimai	-	11	197	Other disorders
Mokiniai, turintys mokymosi sunkumų				Students with learning difficulties
Mokymosi sunkumai	2	3	2	With learning difficulties

Specialiųjų mokyklų ir specialiojo ugdymo centrų mokiniai pagal amžių – Students with special needs in special schools by age – Mokslo metų pradžioje (Beginning of the academic year)

	2012-2013		2013-2014		2014-2015	
	<i>Iš viso</i> <i>Total</i>	<i>iš jų merginos</i> <i>of whom</i> <i>females</i>	<i>Iš viso</i> <i>Total</i>	<i>iš jų merginos</i> <i>of whom</i> <i>females</i>	<i>Iš viso</i> <i>Total</i>	<i>iš jų merginos</i> <i>of whom</i> <i>females</i>
Iš viso mokinių						
Number of students	4,083	1,630	3,597	1,363	3,663	1,376
5 metų	1	-	-	-	1	1
6 metų	5	2	7	2	4	1
7 metų	224	94	173	56	173	55

	2012-2013		2013-2014		2014-2015	
	<i>iš jų merginos</i>		<i>iš jų merginos</i>		<i>iš jų merginos</i>	
	<i>Iš viso</i>	<i>of whom</i>	<i>Iš viso</i>	<i>of whom</i>	<i>Iš viso</i>	<i>of whom</i>
	<i>Total</i>	<i>females</i>	<i>Total</i>	<i>females</i>	<i>Total</i>	<i>females</i>
8 metų	267	115	217	81	235	79
9 metų	303	115	206	73	248	88
10 metų	305	123	247	71	227	75
11 metų	283	109	271	103	265	85
12 metų	304	114	292	110	293	114
13 metų	354	142	296	109	318	123
14 metų	394	148	371	152	335	125
15 metų	332	129	380	141	366	148
16 metų ir vyresni aged 16 and over	1,311	539	1,137	465	1,198	482

Vaikai ir jaunuoliai su negalia specialiosiose mokyklose ir specialiojo ugdymo centruose su apgyvendinimu¹ – Disabled children and youth in special schools and special education centres with accommodation – Metų pabaigoje (At the end of the year)

	2011	2012	2013	2014	
Specialiosios mokyklos ir specialiojo ugdymo centrai	37	30	30	29	Special schools and special education centres
Gyventojai	1,753	1,315	1,247	1,099	Residents
iš jų mergaitės	726	510	479	418	

¹ Institutions providing social services with accommodation were included. Majority of children and youth with disability stayed at special schools and special education centres during weekdays, coming back to their families on weekends.

Mokiniai, turintys specialiųjų ugdymosi poreikių, specialiosiose ir lavinamosiose klasėse (dalinė integracija) – Students with special needs in special and catch-up classes of general schools – Mokslo metų pradžioje (Beginning of the academic year)

	2012-2013	2013-2014	2014-2015	
Iš viso	814	1,055	959	Total number of students
Mokiniai, turintys negalių				Students with disabilities
Intelektu sutrikimai	401	595	495	Mentally impaired
Regos sutrikimai	1	1	1	Vision impaired
Klausos sutrikimai	19	16	17	Hearing impaired
Kochleariniai implantai	-	1	-	With cochlear implants
Judesio ir padėties bei neurologiniai sutrikimai	2	5	7	With movement, posture and neurological disorders
Įvairiapusiai raidos sutrikimai	8	15	13	With pervasive developmental disorders
Kurčneręgystė	-	-	-	Blind deaf-mutes
Kompleksinės ir kitos negalės				With complex and other disabilities
	373	375	382	

	2012-2013	2013-2014	2014-2015	
Mokiniai, turintys sutrikimų				Students with disorders
Mokymosi sutrikimai	-	-	-	With learning disorders
Elgesio ar (ir) emocijų sutrikimai	-	-	-	With behavioural or/and emotional disorders
Kalbėjimo ir kalbos sutrikimai	10	7	11	With speech and language disorders
Kompleksiniai sutrikimai	-	34	31	With complex disorders
Kiti mokymosi sutrikimai	-	4	1	Other disorders
Mokiniai, turintys mokymosi sunkumų				Students with learning difficulties
Mokymosi sunkumai	-	2	1	With learning difficulties

Mokiniai, turintys specialiųjų ugdymosi poreikių, integruoti į bendrojo ugdymo klases (visiška integracija) – Students with special needs integrated into general classes of general schools (full integration) – Mokslo metų pradžioje (Beginning of the academic year)

	2012-2013	2013-2014	2014-2015	
Total	35,451	35,038	34,596	Total number of students
Mokiniai, turintys negalių				Students with disabilities
Intelektu sutrikimai	3,051	2,657	2,553	Mentally impaired
Regos sutrikimai	69	105	85	Vision impaired
Klausos sutrikimai	189	186	177	Hearing impaired
Kochleariniai implantai	48	50	50	With cochlear implants
Judesio ir padėties bei neurologiniai sutrikimai	526	556	551	With movement, posture and neurological disorders
Įvairiapusiai raidos sutrikimai	187	191	232	With pervasive developmental disorders
Kurčnerėgystė	20	-	-	Blind deaf-mutes
Kompleksinės ir kitos negalės	...	944	759	With complex and other disabilities
Mokiniai, turintys sutrikimų				Students with disorders
Mokymosi sutrikimai	9,334	7,050	6,482	With learning disorders
Elgesio ar (ir) emocijų sutrikimai	624	465	451	With behavioural or/and emotional disorders
Kalbėjimo ir kalbos sutrikimai	17,224	17,345	17,228	With speech and language disorders
Kompleksiniai sutrikimai	3,744	5,090	5,624	With complex disorders
Mokiniai, turintys mokymosi sunkumų				Students with learning difficulties
Mokymosi sunkumai	435	399	404	With learning difficulties

Mokiniai, turintys specialiųjų ugdymosi poreikių, integruoti į bendrojo ugdymo klases pagal specialiųjų ugdymosi poreikių lygius – Students with special needs integrated into general classes of general schools by levels of special needs
 – Mokslo metų pradžioje (Beginning of the academic year)

	2012-2013	2013-2014	2014-2015	
Iš viso mokinių, integruotų į bendrojo ugdymo klases	35,451	35,038	34,596	Total number of students integrated into general classes of general schools
iš jų turi specialiųjų ugdymosi poreikių:				of whom with special needs:
nedidelių	21,284	20,639	19,616	minor
vidutinių	10,536	10,641	10,992	moderate
didelių ir labai didelių	3,631	3,758	3,988	major and severe

Mokiniai ir studentai su negalia profesinio mokymo įstaigose, kolegijose ir universitetuose – Students with a disability in educational institution
 – Mokslo metų pradžioje (Beginning of the academic year)

	2011-2012	2012-2013	2013-2014	2014-2015	
Profesinio mokymo įstaigose	994	1,108	1,332	1,334	Vocational school
Kolegijose	352	520	597	410	College
Universitetuose (pagrindinėse studijose)	467	459	423	367	University (Bachelor's programmes)

91. According to statistics of 2015-16, all general education schools together had 344,721 pupils. Including 36,705 pupils with special educational needs (about 10.6% of all pupils).

92. Today, there are 47 special purpose schools in Lithuania. The number of special schools is gradually reduced (e.g. in the beginning of 2010-2011 school year, there were 62 special schools) by opening special classes. In order to provide pupils with special educational needs with a possibility to study with their peers, they attend general education schools near their place of residence. According to the statistics of 2015/16 school year, pupils with special educational needs attending special schools amount to 3,138 (about 1% from the total number of pupils): in pre-school education - 84; in years 1-4 – 1,027; in years 5-10 – 1,977, in years 11-12 – 50.

Health (art. 25)

Reply to the issues raised in paragraph 24 of the list of issues

93. Please note that the Ministry of Health conducted analysis by polling personal health care institutions (hereinafter referred to as the PHCI) based on the prepared questionnaire on the need to improve physical accessibility for persons with disabilities. Information was received on central factors limiting physical accessibility in each of such institutions or their environments. The greatest need is to improve access into PHCI and to move inside them (slopes, lifts, lift installation, adjustment of parking grounds and bathrooms, etc.) for persons with physical disabilities.

94. Paragraph 23.2 of Annex 6 Description of the Improvement of Effective Health Care Accessibility for Persons with Disabilities of the Action Plan for Reducing Health Inequalities in Lithuania, in 2014-2023 approved by the Order No. V-815 of the Minister of Health of the Republic of Lithuania of 16 July 2014 On the approval of the action plan for reducing health inequalities in Lithuania in 2014-2023 establishes the necessity to provide with/install necessary infrastructure and means improving physical accessibility of health care services to persons with disabilities (crossings, sound signals for blind people, information accessibility initiatives (for elder people or people with impaired vision, blind) etc.). Personal health care institutions with less funds available for adjusting physical, information infrastructure to special needs of the disabled (first of all, institutions providing primary outpatient health care services, rural and regional hospitals, and other personal health care institutions according to financial possibilities) are planned to be supported. Regional development councils will select Primary health care institutions eligible to financing.

95. We would also like to note that Article 11 of the Law on Health Insurance of the Republic of Lithuania establishes that 100% of the basic price of medical rehabilitation, including health restoring treatment, is reimbursed to persons who have been recognised as having incapacity for work, or persons who have reached the old-age pension age retirement age, in respect of which a high level of special needs has been recognized in accordance with the procedure established by legal acts; 90% of the basic spa (anti-recurrence) treatment price is reimbursed to persons under 18, who have been recognised as having disability following the procedure established by the laws.

96. The description of the procedure of Adults selection and referral to medical rehabilitation health care institutions approved by the Order No. V-50 of the Minister of Health of the Republic of Lithuania of 17 January 2008 On the organisation or medical rehabilitation and spa (anti-recurrence) treatment and Stages of the provision of medical rehabilitation services provide that during the first 2 or 3 years after the establishment, by the Service of the Establishment of Disability and Capacity for Work under the Ministry of Social Security and Labour, of the decrease in capacity for work or increase in special needs, repeated rehabilitation is prescribed (for special reasons indicated (caused by the reasons specified in the tenth amended and supplemented edition Systematic Classification of Diseases Australian modification (TLK-10-AM) of the International Statistical Classification of Diseases and Health-Related Problems). Subsequently, starting with the fourth year after the recognition of disability, due to special reasons indicated in this Annex, according to the amended and supplemented tenth edition Systematic Classification of Diseases Australian modification (TLK-10-AM) of the International Statistical Classification of Diseases and Health-Related Problems, supportive rehabilitation is prescribed to the disabled according to their indications.

97. The Description of special requirements for provision of medical rehabilitation services to adults approved by the above-mentioned order stipulate that repeated and supportive rehabilitation can be prescribed to persons who have been recognised as having incapacity for work, whose level of capacity for work in accordance with the procedure laid down in legal acts is established at 0-25 per cent; individuals who have reached old-age pension age and in respect of whom in accordance with the procedure laid down in legal acts a high level of special needs has been recognised; and individuals who have partial capacity for work whose level of capacity for work in accordance with the procedure laid down in legal acts is established at 30-40 per cent.

98. It must be noted that with the Ministry of Health involved, other matters relevant to persons with disabilities are handled, including: treatment of impaired hearing in newborn babies and specialists' assistance to families, quality of compensated hearing aids, availability of dental help to people with impaired mentality, availability of gynaecologist's

services to women with physical disability, improvement of qualification of personal health care specialists in providing services to people with different disabilities, on compensated medical assistance aids.

Work and employment (art. 27)

Reply to the issues raised in paragraph 25 of the list of issues

99. On 1 January 2015, there were 11,074 persons with disabilities registered in the territorial labour exchange offices. In January-December 2014, 2,854 persons with disabilities, or 5% of all disabled persons, were referred to take part in active labour market policy measures. During 2014, 5,253 persons with disabilities found job, 84% of all employed persons with disabilities found permanent employment.

100. The Law on Support for Employment provides for active measures of the labour market policy aimed at providing possibilities for persons with disabilities willing to integrate into open labour market to receive necessary support and help, and to promote employers' social responsible and self-awareness.

101. Subsidised employment is organised for persons with disabilities in order to create special conditions for them to sustain their employment or to consolidate their positions on labour market. Employers who have recruited the disabled are paid a monthly subsidy for partial compensation of the work pay of every employed individual as well as of employer's mandatory state social insurance contributions calculated with regard to this work pay.

102. During 2014, 963 persons with disabilities were employed through subsidising, the average expenses per person were LTL 3,075.5.

103. Subsidised job creation is organised to support indefinite term employment of people with disabilities, by creating new or adjusting existing workplaces for people with disabilities. Support is granted to employers by paying subsidy and compensating a part of job creation (adjustment) expenses.

104. During 2014 the support in the amount of 4,714.3 was granted to subsidised job creation, 142 jobs were created.

105. Self-employment support. For people with the severe disability, who are willing to start their own business, self-employment support is organised and all self-employment creation expenses are covered. Subsidy is also granted to cover partially business certificate acquisition expenses.

106. During 2014, LTL 1,354.80 was granted to support self-employment, including LTL 1,062.80 to people with disabilities, 42 jobs were created, including 30 for persons with disabilities with maximum 40% working level established. The amount of LTL 236,400 was assigned to cover business certificate acquisition expenses. .

107. In addition to the above-mentioned active labour market policy measures, people with disabilities have an opportunity to take part in the measures supporting vocational education and training, acquisition of occupational skills, supporting job rotation, public works, and territorial mobility of unemployed.

108. Special measures aimed to assist integration of the disabled into labour market are stipulated in the Law on Social Enterprises. Social enterprise with the employees belonging to the target group of the disabled is entitled to all types of state support, including: partial compensation of wages and state social insurance contributions; subsidised employment, adjustment of working places for disabled employees and acquisition and adaptation of their labour aids; subsidies to training of employees belonging to target groups. Additional

state support is granted to a social enterprise of the disabled: subsidised adjustment of working environment, industrial and rest rooms for the disabled; subsidised additional administrative and transport expenses; subsidy to cover assistant's (sign language interpreter) expenses.

109. Differently from the Law on Support for Employment, state support provided for in the Law on Social Enterprises is granted also to the disabled of retirement age.

110. In 2014, Lithuania had 141 social enterprises, including 66 social enterprises ran by persons with disabilities. During 2014, 2,635 workers with disabilities were newly-employed in social enterprises. In 2014, the total number of persons with disabilities employed in social enterprises was 5,078. State support granted to social enterprises in 2014 amounted to EUR 15,6 million.

111. Social rehabilitation services include services for active life and being occupied of persons with disabilities. People are occupied in various crafts societies and clubs. Sewing, knitting, floral arrangement, embroidery, decoupage, handicraft production and etc. This kind of activities were attended and services were received by 5,430 persons with disabilities, including 311 disabled children. Artistic and other skills training, art, cultural societies, collectives, clubs. Various song, dance, music, drama, reading, comedy, collectives, ensembles, chapels, art, art therapy, photography, composition, etc. Workshops and circles were attended and services were received by 5,057 persons, including 4,612 persons with disabilities, including 322 disabled children and 445 families. Sports skills training sports societies and clubs. Various sports trainings, workshops, competitions, sports events were attended and services were received by 4,222 persons, including 3,808 persons with disabilities, including 410 disabled children and 414 families. Projects of social rehabilitation services providing employed 1,930 people 774 of whom were persons with disabilities.

15-64 metų amžiaus gyventojų, turinčių ilgalaikių sutrikimų, dalis pagal amžiaus grupes 2011 m – Proportion of the population aged 15-64 having longstanding health problems and/or difficulties in basic activities by age group, 2011 – Procentais (Per cent)

	<i>Iš viso/Total</i>	<i>Vyrai/Males</i>	<i>Moterys/Females</i>	
Iš viso				Total
iš jų pagal amžiaus grupes	24,5	21,7	27,2	of whom by age group
15-24	6,6	6,9	6,3	15-24
25-34	10,0	10,0	10,1	25-34
35-44	20,6	20,1	21,0	35-44
45-54	33,7	29,2	37,7	45-54
55-64	58,7	53,5	62,6	55-64

15-64 metų amžiaus gyventojų, turinčių ilgalaikių sveikatos sutrikimų, dalis pagal ekonominį aktyvumą 2011 m – Proportion of the population aged 15-64 having longstanding health problems and/or difficulties in basic activities by economic activity status, 2011 – Procentais (Per cent)

	<i>Iš viso/Total</i>	<i>Vyrai/Males</i>	<i>Moterys/Females</i>	
Užimtieji	20,1	17,1	22,9	Employed persons
Bedarbiai	25,0	21,5	30,2	Unemployed persons
Neaktyvūs gyventojai	34,0	33,0	34,9	Inactive persons

Ilgalaikių sutrikimų įtaka 15-64 metų amžiaus gyventojams dalyvaujant ar norint dalyvauti darbo rinkoje 2011 m – Influence of longstanding health problems and/or difficulties in basic activities on labour market participation of the population aged 15-64, 2011 – Procentais (Per cent)

	<i>Ilgalaikiai sutrikimai riboja (ribotų)</i> <i>Longstanding health problem and / or difficulties in basic activities limited (Would limit)</i>			
	<i>dirbamų valandų skaičių</i> <i>number of hours worked</i>	<i>darbo pobūdį</i> <i>type of work</i>	<i>atvykimą į darbą ir grįžimą iš jo</i> <i>getting to and from work</i>	
	Iš viso	29,1	43,1	
užimtieji	9,7	29,0	2,1	employed persons
bedarbiai	26,0	45,6	2,6	unemployed persons
neaktyvūs	55,1	60,6	27,4	inactive persons

15-64 metų amžiaus gyventojų, turinčių ilgalaikių sutrikimų, specialios pagalbos ar priemonių poreikis dalyvaujant ar norint dalyvauti darbo rinkoje 2011 m – Need for personal assistance or special equipment of the population aged 15-64 having longstanding health problems and/or difficulties in basic activities in order to work or participate in the labour market, 2011 – Procentais (Per cent)

	<i>Naudojasi (būtų reikalinga (-os))</i> <i>Use or would need</i>			
	<i>kito asmens pagalba</i> <i>personal assistance</i>	<i>specialia (-i) įranga ar</i> <i>pritaikyta darbo vieta</i> <i>special equipment or workplace adaptations</i>		
		<i>specialiomis (-ios) darbo sąlygomis</i> <i>(-os) special working arrangements</i>		
Iš viso	9,4	9,6	26,2	Total
užimtieji	0,7	1,6	7,0	employed persons
bedarbiai	2,2	4,9	34,6	unemployed persons
neaktyvūs	22,7	21,4	48,6	inactive persons

Adequate standard of living and social protection (art. 29)

Reply to the issues raised in paragraph 26 of the list of issues

112. Implementing the legislation of the EU, all EU Member States have surveys containing questions about persons with disabilities conducted. Questionnaires are prepared and surveys are conducted following the Eurostat methodical guidelines. European survey methods, findings, meta descriptions and other information about statistics on persons with disabilities are published on <http://ec.europa.eu/eurostat/web/health/disability/data/database>.

113. Persons who indicated that in the last minimum 6 months their activities, compared to usual human activities, were limited (to a slight or great extent) by health-related problems are considered to be persons with disabilities. According to such assessment, in 2014 persons with disabilities accounted for 25.4% of all adults aged 16 and over.

114. The at-risk-of-poverty rate of persons with disabilities aged 16 and over in 2013, if compared with the previous year, increased by 3.1%, i.e. from 21.7% up to 24.8%. In 2013, the overall poverty rate was experiencing growth in the country up to 20.6% (18.6% in 2012). In 2014, the at-risk-of-poverty rate of persons with disabilities hardly changed and accounted for 24.5%. The overall at-risk-of-poverty rate in the country dropped by 1.5%, down to 19.1% (see Table 3).

115. Working age persons with disabilities are in the most complicated situation, the at-risk-of-poverty rate among persons with disabilities aged 16-64 is significantly higher than among the disabled aged 65 and over, in 2013 it was 29% and 21.3%, respectively (see Table 1).

116. This age group shows the greatest gap (11.2%) if compared the at-risk-of-poverty rate of persons with disabilities and persons without disabilities.

117. Social insurance benefits (see Tables 1 and 2) play significant role in reducing the at-risk-of-poverty rate for persons with disabilities (see Tables 1 and 2).

118. Despite growing at-risk-of-poverty rate in 2013, Lithuanians with disabilities aged 16 and over suffering from material deprivation accounted for 24.4%, i.e. 5% fewer than in 2012. Nevertheless, it is still high if compared with the EU average, which was 12.6% in 2013.

Table 1

Skurdo rizikos lygis pagal amžių, lytį ir požymį, ar veikla dėl sveikatos sutrikimų buvo apribota 6 mėn. ar ilgesnį laikotarpį (procentais) – People at risk of poverty by level of activity limitation, sex and age (Percentage of total population)

Age group	Disability	2012			2013		
		Total	Females	Males	Total	Females	Males
16 metų ir vyresni 16 years or over	Vidutinis ir smarkus Some and severe	21,7	23,2	19,4	24,8	27,0	21,1
	Nėra None	17,4	17,1	17,8	17,7	18,1	17,3
Nuo 16 iki 64 m. From 16 to 64 years	Vidutinis ir smarkus Some and severe	24,6	25,9	23,2	29,0	29,3	28,7
	Nėra None	17,4	16,7	18,2	17,8	17,7	18,0
65 m. ir vyresni 65 years or over	Vidutinis ir smarkus Some and sever	19,3	21,6	14,5	21,3	25,6	11,5
	Nėra None	17,7	20,5	13,2	16,6	20,8	10,3

Eurostat statistics.

Table 2

Lentelė Skurdo riziką patiriantys asmenys prieš socialines išmokas (pensijos įskaičiuotos į socialines išmokas) pagal amžių, lytį ir požymį, ar veikla dėl sveikatos sutrikimų buvo apribota 6 mėn. ar ilgesnį laikotarpį (procentais) – People at risk of poverty before social transfers (pensions included in social transfers) by level of activity limitation, sex and age (Percentage of total population)

Age group	Disability	2012			2013		
		Total	Females	Males	Total	Females	Males
16 metų ir vyresni 16 years or over	Vidutinis ir smarkus Some and severe	77,4	78,8	75,0	77,7	79,0	75,5
	Nėra None	35,9	36,7	34,9	36,3	38,2	34,1

Age group	Disability	2012			2013		
		Total	Females	Males	Total	Females	Males
Nuo 16 iki 64 m. From 16 to 64 years	Vidutinis ir smarkus Some and severe	61,3	60,1	62,5	63,9	63,2	64,5
	Nėra None	30,6	30,3	30,8	30,8	32,2	29,3
65 m. ir vyresni 65 years or over	Vidutinis ir smarkus Some and sever	90,6	90,6	90,8	89,0	88,8	89,5
	Nėra None	82,7	84,7	79,5	82,1	82,2	81,8

Eurostat statistics.

Table 3
At risk-of-poverty-level rate of persons aged 16 and over, whose activities were limited by health-related conditions for the period of 6 months or longer in 2014 (Per cent)

	<i>At-risk-of-poverty rate</i>
Total population	19,1
Persons aged 16 and over, whose activities were limited by health-related conditions for the period of 6 months or longer in 2014	24,5
In city	20,2
In rural area	32,2
Males	19,4
Females	27,4
Age groups:	
16-39 year old	30,7
40-54 year old	28,2
55-64 year old	23,7
65 year old and over	22,7

Data of the Statistics Lithuania.

Table 4
Persons aged 16 and over at risk of poverty or social exclusion, whose activities were limited by health-related conditions for the period of 6 months or longer in 2014

<i>Persons at risk of poverty or social exclusion (%)</i>	2010	2011	2012	2013
Total	40,7	41,4	44,7	42,2
Males	40,9	40,3	42,8	39,8
Females	40,5	42,1	45,8	43,7

Eurostat statistics.

Participation in political and public life (art. 29)

Reply to the issues raised in paragraph 27 of the list of issues

119. Universal suffrage is established in the Republic of Lithuania. Article 34 of the Constitution of the Republic of Lithuania sets forth the electoral right for all citizens who on the day of election have turned the age of 18. The right to be elected is established by the Constitution of the Republic of Lithuania and election legislation. Persons who have

been recognised as incapable by court are banned from election. From 2011, the Register of Legally Incapacitated Persons and Persons of Limited Capacity has been operating in Lithuania and ensures registration of all persons who have been recognised as incapable by court. When drawing voting lists, the Central Electoral Commission refers to the data contained on the latter register and persons who have been recognised as incapable must be removed from the voting lists.

120. The voting right is guaranteed and specified in details in the Law on Elections to the Seimas of the Republic of Lithuania, Law on Presidential Elections of the Republic of Lithuania, Law on elections to the European Parliament of the Republic of Lithuania, Law on elections to municipal councils of the Republic of Lithuania. The above-mentioned laws establish the equal suffrage, i.e. every year a national of the Republic of Lithuania has one vote each and all votes are equal. Apart from certain direct or indirect limitations on the right to stand as candidates in elections of nationals of the Republic of Lithuania or other European Union Member States, any other limitations on the citizens' rights on the basis of origin, political views, social and financial status, ethnic origin, gender, education, language, religion, type and sort of activities are prohibited by law.

121. At present, possibility to vote at home is provided for persons with disabilities, they can also vote in advance at administrative premises of municipalities adapted to the needs of persons with mobility disability. Persons with impaired vision are provided with a possibility to have their voter's card printed by themselves on internet.

122. Please note, that draft amendments to the Law on elections to the Seimas of the Republic of Lithuania and the Law on Referendum of the Republic of Lithuania have been submitted to the Seimas of the Republic of Lithuania, which are aimed at establishing legal and organisational measures for electronic voting terminal use when voting in advance at Seimas elections and during referendums. One of the reasons for initiating preparation of law drafts was to make the voting process more convenient for persons with disabilities. Voting process at the electronic voting terminal will have a feature allowing to adjust it to specific disabled person. For example, the electronic voting terminal will have the following features: changing fonts for people with impaired vision, having electronic ballot and citizen's choice read out loud by using headphones, persons who have no control of their limbs and therefore unable to mark their choice on the ballot can be offered other ballot marking means that suit them. Electronic voting terminal is expected to be available for advance voting to the nearest election to the Seimas in 2016 and at referendum.

123. Draft law on development and implementation of online voting system of the Republic of Lithuania has been submitted to the Government of the Republic of Lithuania. Once the draft is approved, legal prerequisites and technical possibilities for legalisation of a new form of online voting in Lithuania will be created. It must be noted that voting via electronic means is fitted with a possibility to make adjustments to specific disabled person. This will help to reduce social exclusion and increase inclusion of persons with disabilities or elderly persons, who are prevented from voting at polling stations by their disabilities or health-related problems, into the process of democratic election.

124. In the Lithuanian election system, legally incapable people are deprived from the right to vote and stand for elections. There is a non-public state Register of Legally Incapacitated Persons and Persons of Limited Capacity. The Central Electoral Commission invites using Call Service 1855, which provides voters with the information about the current Elections. Information is provided under the Law on Legal Protection of Personal Data, therefore the proclamation of voter's personal address is undisclosed. Also a new platform called "Voter's page" is being developed and introduced to the voters and it is fully accessible to people with disabilities.

Statistics and data collection (art. 31)

Reply to the issues raised in paragraph 28 of the list of issues

125. Ministry of Social Security and Labour conducted a survey on adaptation of its labour exchange offices, social insurance offices in 2015. The Minister of Social Security and Labour instructed the authorities to allocate necessary funds for adaptation of their buildings and facilities. Department for the Affairs of the Disabled under MSSL conducted a survey of all general schools regarding their adaptation for the needs of the disabled in 2015. Online questionnaire were developed for schools. Questions were prepared according to the requirements established for buildings under construction. Organisations implementing community based social rehabilitation services, housing adaptation, mobility and independent living skills training, for disabled and others running projects funded from the national budget usually submit data about beneficiaries grouped by age (kids and adults).

126. Please note that the draft Labour Code, apart from the types of employment agreements established in the present Labour Code (of indefinite term, term-fixed, temporary employment agreement) establishes new types of employment agreements: apprenticeship, employment agreement of indefinite scope, project work agreement, employment agreement on workplace sharing, agreement on employment by several employers). Diversity of possible employment agreements (in particular, employment agreement on workplace sharing) will ensure greater flexibility of persons with disabilities and their adaptation to the needs of labour market and industries. Possibility to work on individual working time scheme rather than full time, in distance work regime should also be relevant for persons with disabilities. But it must be noted, that in case of employment agreement cancellation at the employer's initiative without employee's fault, three times longer notice terms are provided for in the new Labour Code for persons with disabilities.

127. Draft Labour Code together with other draft legislation regulating employment relations, state social insurance and employment (job creation) were published on 18 May 2015 of Project Registration subsystem of the legislative information system of the Seimas of the Republic of Lithuania, by submitting them for co-ordination to all ministries, authorities under the Ministry of Social Security and Labour, social partners and society. A big number of comments and suggestions were received from social partners, which are partly reflected in the draft laws submitted to the Seimas of the Republic of Lithuania.

128. Information System of Social Support for Families is in operation in Lithuania (hereinafter referred to as the SPIS). SPIS is operating under co-operation agreements between the Ministry of Social Security and Labour (hereinafter referred to as the MSSL) and all municipalities in the country. The purpose of the SPIS is uniform registration and collection of information about social support provided in municipalities (social benefits and compensations, social support to school children, social services, support to persons with disabilities, activities in the field of children rights protection, etc.), analysis of such information by municipalities, types of support and support beneficiaries thus preventing claiming support in several municipalities at the same time. The system has been recently extended to the collection of 23 electronic public services.

129. From 2012, SPIS reporting model SPIS Displays have been introduced, where statistics about provided services and support is contained. SPIS Displays contain data about support to disabled beneficiaries by their gender, age group, territory and type of support (catering, transport, housing and environment management, information, home help, short-term social care, organising teaching and social skills development, support money, daytime social care, supply of technical aids, social rehabilitation services to persons with disabilities, etc.).

International co-operation (art. 32)

Reply to the issues raised in paragraph 29 of the list of issues

130. Representatives of the Ministry of Social Security and Labour participate at the high-level group of representatives of Member States (European Commission) meetings of High-level Group on Non-discrimination, Equality and Diversity (European Commission), meetings of the Committee of Experts on the Rights of Persons with Disabilities (Council of Europe) and exchange information on fulfilment of international commitments, national legal base creation, share good practices.

131. Since 2014, the Department for the Affairs of the Disabled under the Ministry of Social Security and Labour is a member of the European Social Network uniting institutions engaged in planning, financing, researching, managing, regulating and delivering local public social services, including health, social welfare, employment, education and housing. ESN is a network of over 100 member organisations in 34 countries which comprise national associations of directors, departments of social welfare of government, regions, counties and municipalities, funding and regulatory agencies, universities and other research and development organisations. Representatives of the Department participate in working groups and seminars organised by ESN.

132. Department for the Affairs of the Disabled is paying fees for 12 non-governmental organisations for membership in 23 international non-governmental organisations.

133. Disability and Working Capacity Assessment Office under the Ministry of Social Security and Labour maintains bilateral relations with foreign institutions, attends the meetings, events, conferences, round table discussion, training organised for representatives of foreign and international institutions and organisations.

134. Partnership relations with foreign countries are maintained, i.e. with the National centre of scientific practical medical examination and rehabilitation of the Ministry of Health of Belarus, State Commission of Physicians for Health and Work Capacity Examination of the Republic of Latvia. Partnership relations have been established with Austria, Switzerland, Moldova, Armenia, Azerbaijan, Slovenia.

135. Disability and Working Capacity Assessment Office and adequate competence services in Ukraine, Belarus and Moldova operating under the bilateral agreements on social protection make decision on persons' working capacity level or possibilities and working capacity restriction level, their causes, time and duration.

National implementation and monitoring (art. 33)

Reply to the issues raised in paragraph 30 of the list of issues

136. Following analysis of the suggestions of non-governmental organisations representing persons with disabilities on improvement of institutional mechanism engaged in promoting, protecting and monitoring the implementation of the United Nations Convention on the Rights of Persons with Disabilities and the Optional Protocol to make it satisfy the requirements laid down in Paragraph 2, Article 33 of the Convention, a draft amendment to the Law on Social Integration of the Disabled of the Republic of Lithuania was prepared. The draft is aimed at reviewing legal regulation of the activities of the Council for the Affairs of the Disabled under the Ministry of Social Security and Labour (by changing the composition of the Council, reviewing its functions, improving control and efficiency of the implementation of suggestions submitted to the Minister of Social Security and Labour, etc.) thus ensuring independence of the activities (monitoring) carried

out by the Council and effective fulfilment of the functions of separate structures forming the institutional mechanism.

137. The draft is aimed to establish the Council as public advisory institution consisting of representatives of state authorities, associations of persons with disabilities, municipalities, academic community. In order to ensure thorough examination of matters on social integration of the disabled at the expert level and in accordance with the principle of regionalism, representatives of academic community and municipalities are suggested to be included into the Council.

138. To minimise impact on the Council's work by disruptions caused by rotation of Council's members, as in the event of a change of one member of the Council the Government must adopt a decision on the approval of the personal composition of the Council, and until the latter decision comes into effect, the Council is prevented from performing its duties, it is suggested the procedure of formation, composition and statute of the Council to be approved by the Government, while personal composition of the Council by the Minister of Social Security and Labour.

139. Once the latter proposal is approved, efficient operation organisation of the Council would be ensured.

140. The aim of the draft law is to establish that the Council would deal with the most important matters on social integration of persons with disabilities and would submit its proposals not only to the Minister of Social Security and Labour but also to the Government, other ministries, state and municipal institutions and authorities regarding implementation of the policy on social integration of the disabled, draft legal acts regulating social relations of persons with disabilities and reports on monitoring of the Convention implementation.

141. Once the proposal is approved, legal prerequisites would be created for more effective implementation of the Convention, more thorough assessment and solution of problems faced by persons with disabilities in the field controlled not only by the Minister of Social Security and Labour but also in the fields within the competence of other ministers, e.g., accessibility of physical and information environment, education, health care, assurance of human rights, etc.
