26-08-2022

**Information provided by the Republic of Lithuania**

**to the report of the United Nations High Commissioner for Human Rights**

**pursuant to UN Human rights Council resolution 49/12**

**The Office of the United Nations High Commissioner for Human Rights (OHCHR) questionnaire**

**1(a). Does your country have laws, policies, plans, strategies or programmes at any level of government relating to individualized support for persons with disabilities?**

The Lithuanian legislation, programmes and plans relating to individualized support for persons with disabilities are the following:

1. The Constitution of the Republic of Lithuania;
2. Law on Equal Opportunities of the Republic of Lithuania;
3. Law on the Social Integration of the Disabled of the Republic of Lithuania;
4. Law on the Fundamentals of the Protection of the Rights of the Child of the Republic of Lithuania;
5. Law on the Social Services of the Republic of Lithuania;
6. Personal Assistant Law of the Republic of Lithuania;
7. Labour Code of the Republic of Lithuania;
8. Program for the Creation of a Suitable Environment for the Disabled in all Areas of Life developed by the Ministry of Social Security and Labour (in relation to the National Progress Plan for 2021-2030);
9. Action Plan for the Social Integration of People with Disabilities for 2021–2023;
10. Social Cohesion Development Programme for 2021-2030;
11. The Programme of the 18th Government of the Republic of Lithuania and its Implementation Plan;
12. Strategic Guidelines for the Deinstitutionalisation of Social Care Homes for Children with Disabilities, Children without Parental Care and Adults with Disabilities.

Disabled people receive the following assistance: interpretation into the sign language, provision with compensatory equipment, assistants, guides, housing adaptation, social services (information, counselling, mediation and representation, transport organisation, sociocultural services, meals, provision with basic necessities, home assistance services; day social attendance for children, development, maintenance or restoration of social skills, psychosocial assistance, intensive crisis intervention, social rehabilitation for people with disabilities in the community, accommodation in sheltered housing, day or short-term or long-term social care, preventive social services (complex services for families, etc.), and other social services based on a person’s individual needs), also integral home care (nursing and social care services).

In particular initiatives related to:

1. **Communication: Support to overcome barriers that limit the ability to communicate and be understood (e.g., sign language interpretation, tactile interpretation, assistive technology and software, easy-to-read and plain language, captioning, augmentative and alternative communication, among others);**

In Lithuania, increasing the accessibility of electronically provided public services to people with disabilities is one of the priorities of the current government. Concrete steps are already being taken. One of them is the Personal Assistant Law, which provides assistance in the field of information accessibility. There are funds planned for the creation of an information accessibility system, the installation of information technology tools for the hearing and visually impaired, and the use of easy-to-read text.

The Lithuanian Sign Language Translation Centre (hereinafter referred to as the Centre) is a budget institution under the Department of Disability Affairs under the Ministry of Social Security and Labour, whose purpose is to provide sign language translation services in the counties and to improve the accessibility of information for the deaf. The services of sign language interpreters are paid from the budget of the Republic of Lithuania. The Centre provides sign language translation services in 10 counties of the country.

The Lithuanian Society of the Deaf (LKD) has introduced a 24/7 sign language translation service. The 112 emergency app allow people who are deaf or hard of hearing to call for help more easily.

All official governmental as well as presidential announcements are interpreted in Lithuanian Sign Language. The Lithuanian Association of the Deaf also managed to ensure that remote sign language interpreting services are available 24/7 via Skype during the quarantine period.

More information on the accessibility of the websites:

<https://ivpk.lrv.lt/en/activities/the-accessibility-of-the-websites>

1. **Decision-making: Support to make decisions and exercise legal capacity. This includes assistance to: (a) obtain and understand information, (b) evaluate the possible alternatives and consequences of a decision, (c) express and communicate a decision, and/or (d) implement a decision (e.g., support agreements, peer support, self-advocacy support, advance directives, crisis support, financial management assistance, among others);**

Since 2014, the Ministry of Social Security and Labour has been implementing the de-institutionalisation of care for people with disabilities, with the aim of creating a system of comprehensive services that would enable every person with disabilities or his/her family (guardians, carers) to receive personalised services and the necessary support in the community. Investments in infrastructure are being used to develop a range of alternative services to institutional care in terms of accommodation and employment, while investments in service provision are being used to develop services that promote the independence of persons with disabilities and their relatives, including support to make decisions. Since May 2020, the Department of Disability Affairs under the Ministry of Social Security and Labour has been coordinating the European Social Fund-funded project "From Care to Opportunities: the Development of Community-Based Services", which has launched a decision-making support. The aim of the support to make decision is to strengthen the person's ability to take care of himself or herself and to make everyday decisions, with the help of a decision-making assistant, in order to live independently and participate in all areas of life. The decision-maker benefits from the support of a professional or a team of professionals to help him/her to make decisions about his/her health, social participation, personal property and non-property issues, based on the will, preference and right to choose of the person making the decision.

1. **Mobility: Support for personal mobility and access to affordable and available quality mobility assistance (e.g., mobility aids, assistive technologies and products (prostheses, orthotics, wheelchairs), animal assistance, point-to-point and paratransit transport, among others);**

By the funds of the state budget persons are provided with technical aids (technical aids for movement, vision, hearing, communication and sensory) through the Technical Assistance Centre for the Disabled under the Ministry of Social Affairs. In terms of mobility equipment, individuals are provided with various wheelchairs, walkers, parking supports, etc. that help the person to move. However, individuals are provided with individual means to meet their needs, but not the owners of the institution, organization or buildings. Also, in order to help a person with housing, the adaptation of housing and its environment can be organized from the state budget and municipal budget (redevelopment of spaces inside the housing so that the person can move freely, installation of a lift to enter the housing, etc.). however, it is organized for the individual.

According to the Law on the Social Integration of the Disabled, the owners of these facilities are responsible for the adaptation of public buildings, public transport facilities intended for passenger service and their infrastructure.

1. **Assistance with daily living activities: Support to assist persons with disabilities in a one-to-one human relationship to perform daily life activities like getting up, bathing, dressing, grooming, going out, cooking, cleaning, guiding, shopping, or doing laundry (e.g., full or part time professional personal assistance, third person support allowance, informal personal assistance, household cleaner, among others);**

A new type of assistance for the disabled – a personal assistant – was introduced in Lithuania in July 2021. A personal assistant is available to all disabled people for whom this need is identified, regardless of age, severity or nature of the disability. A personal assistant can provide assistance at home or in a public space. For example, it can help to get food, get to the right place, help with communication, manage financial resources, orientate oneself, organize leisure and recreation, accompany and help with a job interview, find a suitable vehicle, help to move where there is no suitable environment. A person has the right to choose a suitable personal assistant who cannot be a family member or close relative of a person with a disability.

The need for personal assistance is determined individually for each disabled person, assessing the state of health or functional disorders of the body, the ability to perform work and perform activities that are necessary to live independently and operate in all areas of life. This need shall be identified by municipal social workers. The decision regarding the granting, suspension, renewal, extension and termination of personal assistance shall be made by the municipal executive body upon the provision of a social worker who has determined the need for personal assistance. The need for personal assistance is determined for one year from the date of the decision to grant personal assistance.

The law stipulates that municipal institutions are responsible for organizing the provision of personal assistance and ensuring its quality. Pursuant to the law, assistance provided by a personal assistant will not be fully free of charge. A disabled person will have to cover up to 20 percent of the costs of such a service but the amount cannot exceed one-fifth of his or her income.

After a comprehensive assessment of the person's/family's need for social services, taking into account the person's/family's individual interests and needs, social services can be provided. Such services as

* *home assistance services* up to 10 hours per week, the services include: information, counselling, mediation and representation, communication, organisation of meals (if delivered by other services) or the purchase, delivery and assistance with the preparation of meals, assistance with household and domestic chores, accompaniment to various institutions, organisation of other assistance in the event of a flare-up of an illness or in case of a crisis, and any other services needed to enable the person to live in his/her home. );
* *day social care* 2 to 10 hours a day, up to 7 times a week in the family home; form 3 hours a day, up to 5 days a week in a day social care centre, social care home;
* short-term social care at least 8 hours a day for up to 1 month at home; at least 12 hours a day for up to 6 months a year, or up to 5 days a week for an indefinite period in a day social care centre or a group home or social care home;
* and only when community based services do not meet the person's needs *then long-term social care* can be provided. These and other social services are determined in the Social Services Catalogue.

In order to establish and develop *quality integral home care* (social care and home nursing services) for disabled children, disabled persons of working age and elderly persons, and to provide counselling support to family members caring for them, integral home care projects financed by the EU Structural Funds are being carried out in municipalities across the country. Integral home care– nursing and social care services are provided in a person's home to meet their nursing and social service needs (2 to 10 hours a day, up to 7 times a week).

A person's need for social services is determined on an individual basis, based on the person's lack of independence and the possibility of developing or compensating for that independence with social services appropriate to their interests and needs. The person's lack of independence shall be assessed in a comprehensive manner according to the person's age, functional impairment of the body, social risk and the ability and motivation to solve his/her own social problems and the family's ability to care for the person, and other characteristics affecting the person's ability to care for his/her personal/family life or to take part in society.

According to the Law on Social Services, municipalities are responsible for ensuring the provision of social services to the inhabitants of their territory - they are responsible for planning (assessing and analysing the needs of the population for social services, and according to these needs, forecasting and defining the scope and types of provision of social services), and for organising the provision of social services to individuals/families, etc.

1. **Housing and accommodation: Support in relation to housing and living arrangements in the community, including home modifications (e.g., housing information and assistance, home support, supported living services, financial support for housing, among others);**
2. **Family and household support: Support to families and households with members with disabilities (e.g., informal support for persons with disabilities, including care-related work leave and capacity building for informal care and support, community-based network and community mobilization programmes, peer-support groups, localized intervention programmes, circle of support, early childhood support, respite care, among others); and**

From the beginning of July 2022, a new type of social services - *preventive social services* are provided, which offer people high-quality complex assistance in solving problems that arise in life, before they become a social risk. Preventive social services (complex services for the family, search for potential recipients of social services, work with the community, family conference services) are included in the Social Services catalogue.

Each municipality has to ensure that at least one communal family home operates in its territory and that comprehensive preventive family services are available to everyone who needs them. Preventive social services will be available free of charge to all individuals and families. From 1 July 2022, communal family homes are financed from the state budget funds, which are distributed to the country's municipalities according to the number of inhabitants.

The Development Programme for Strengthening Family Policy, under the measure "Improving the family environment to increase fertility and quality of life and to enable reconciliation of work and family responsibilities", provides for the activity "Strengthening social assistance for families with young children and children with disabilities” - in order to strengthen social assistance for families in difficulty, from 2022 onwards, additional funding is foreseen for the municipal budgets from the special earmarked grants from the State Budget for the creation of posts of individual care workers. These workers provide social assistance to families to help them care for their children under 3 years of age (including those with disabilities).

In the new 2021-2027 integral home care period, it is planned to provide psychological support to the relatives (informal carers) of beneficiaries of integral home care.

The Parliament of the Republic of Lithuania (Seimas) adopted the amendments to the legislation proposed by the Ministry of Social Security and Labour. Therefore people who care for a child with a severe level of disability due to mental or behavioural disorders at home, and after the child turns 18 years old, are able to receive the status of a disabled care provider for 36 months. The provider is granted the right to be covered by state-funded pension and unemployment social insurance and mandatory health insurance.

Relatives of children with disabilities, disabled adults or elderly people who are in care or require constant care can submit requests to municipalities for *temporary respite services*. The service can be provided at home, in a day centre or in a social care institution.

As of 2019, large families and families that care for children with disabilities (despite their age), can enjoy the Privileges of the Family Card, which offers Privileges for partner goods and services. The Family Card offers special Privileges: preferences, additional services, discounts, benefits, gifting and/or other types of promotion initiatives for goods and services, but does not replace a banking card. Family Cardholders acquire an opportunity to use one-time or multiple Privileges for partner offers both in public and private sector.

1. **Disability-related extra costs: Financial support to pay services and goods, including personalized budgets and direct payments (e.g., cash transfers beyond income replacement, additional funds to cover support services, among others).**

The social integration system for the disabled is funded from the national budget, municipal budgets, State Social Insurance Fund, Compulsory Health Insurance Fund, Employment Fund, Structural Funds of the European Union and other legitimate financial resources.

Each child in Lithuania is paid a monthly child allowance of 80.5 euros, or in other words, child money. They belong until the child turns 18. An additional payment of EUR 47.38 is paid to all children from rich or poor families, as well as to all children with disabilities, in addition to the child allowance. It can be paid until the child turns 18 or up to 23 at the latest.

**1(b). What are the government institutions, departments and ministries in charge of budgeting, financing and implementing the above?**

In Lithuania, the policy of social integration of persons with disabilities is formed and implemented in this systematic manner:

1) The Government of the Republic of Lithuania establishes strategic goals and / or progress targets for the policy of the social integration of persons with disabilities through the adoption of the National Progress Plan and the National Development Programs implementing the objectives, which include measures for these objectives to be achieved;

2) The Ministry of Social Security and Labour forms the policy for social integration of persons with disabilities, participates in the preparation of the National Progress Plan on the National Integration of Persons with Disabilities setting national strategic objectives and / or targets for progress, preparing national development programs, planning, organizing, coordinating and controlling the implementation of progress targets; formulates, organises, coordinates and monitors the implementation of social services policy, analyses and evaluates the state of social services in the country and makes proposals to municipalities on the planning and organisation of social services, prepares and finances state social services programmes and projects.

3) Ministries, in particular the Ministry of Transport and Communications of the Republic of Lithuania and the Ministry of Environment of the Republic of Lithuania, under their competence participate in the formation of social integration of persons with disabilities policy, organize, coordinate and control implementation;

4) The Department of Disability Affairs under the Ministry of Social Security and Labour, in cooperation with associations of persons with disabilities and in accordance with its competence, organizes the implementation of the social integration policy of persons with disabilities, also coordinates the implementation of integration policies’ measures and projects, organizes the monitoring of the results of the social integration activities of persons with disabilities, and participates in the preparation of reports on the implementation of the United Nations’ Convention on the Rights of Persons with Disabilities;

5) Disability and Working Capacity Assessment Service under the Ministry of Social Security and Labour, in accordance with its competence, participates in the formulation and implementation of policies for the social integration of individuals on the assessment of the level of disability, the level of working capacity, the need for vocational rehabilitation services, and special needs.

6) Department of Supervision of Social Services under the Ministry of Social Security and Labour assesses, supervises and monitors the quality of social services, etc.

6) Municipalities carry out social integration of persons with disabilities and are responsible for establishing the level of special needs of the disabled. They take care of the integration of persons with disabilities into the community. They also plan measures and implement projects in cooperation with associations of persons with disabilities. Municipalities are responsible for ensuring the provision of social services to the inhabitants of their territory - they are responsible for planning and for organising the provision of social services to individuals/families, they monitor the quality of general social services and social assistance provided in its territory, etc.

7) Associations of persons with disabilities represent the interests of persons with disabilities and assist in the implementation of measures and projects for the social integration of persons with disabilities: organizes the provision of social rehabilitation services, recreation, sports, tourism, cultural activities, and international cooperation. Associations of persons with disabilities cooperate with the state and municipal institutions and bodies in organizing their activities and may receive financial support from these institutions and bodies.

**1(c). How is the social and solidarity economy (third sector, non-profit sector), particularly the disability sector, involved in budgeting, financing and implementing the above (1(a))?**

Social services may be provided by a legal entity or other organisation, or a subdivision thereof, that meets the requirements set out in the Law on Social Services.

Since 2007, the legislation allows municipalities to finance social care directly by concluding direct funding contracts with a social service provider, if a person chooses the social care institution. Following the success of this model, the amendments to the Law on Social Services were adopted in 2020, legalising the accreditation of social services and allowing the direct financing of institutions providing social assistance, regardless of their subordination or legal form. Direct funding was introduced for day-care centres for children in 2021 and for other social assistance services from 2022.

**1(d). How are persons with disabilities and their representative organizations involved in the design and monitoring of the above (1(a))?**

The involvement of non-governmental organisations and associations working in the field of disability in working groups and public consultations on issues related to the social inclusion of people with disabilities is a priority.

According to the Social Service Planning Methodology, one of the objectives of the social service planning process is to inform and involve stakeholders and organisations representing users of social services or defending the interests and rights of social groups of people in the planning and monitoring of social services. The methodology also stipulates that the municipality shall involve community members and representatives of organisations in the preparation of the draft social services plan.

**2(a). Does your country have legislation or policies, at any level of government, regulating and coordinating a care and support system that considers the areas mentioned in 1(a) above? Please provide references to the documentation.**

The legislation or policies in the Lithuanian language are:

1. The Law on the Social Services <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.270342/asr>
2. The Catalogue of Social Services <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.274453/asr>
3. The Social Cohesion Development Programme for 2021-2030

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/c581fd14438311eca8a1caec3ec4b244?jfwid=rivwzvpvg>

1. The Programme of the 18th Government of the Republic of Lithuania and its Implementation Plan

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/973c87403bc311eb8c97e01ffe050e1c>

<https://www.e-tar.lt/portal/lt/legalAct/d698ded086fe11eb9fecb5ecd3bd711c>

**2(b). If yes, please describe how the care and support system is financed and what is the percentage of the eligible population covered.**

Social services are financed from the state and municipal budgets, social services institutions, the European Union structural funds, foreign funds, donations, personal/family payments for social services and other funds. The methodology for financing social services and calculation of funds shall be approved by the Government or its authorised body.

General social services and social assistance for the elderly, adults with disabilities, children, adults at social risk and their families are financed from the municipal budget.

Social day care for children is financed from the municipal budget and state budget grants to municipal budgets. Complex family services, their organisation and provision shall be financed from the funds of the European Union Structural Funds and/or state budget grants to municipal budgets and/or municipal budgets.

Social care for the elderly, adults with disabilities and children with disabilities (except those with severe disabilities) is financed from the municipal budget. Social care for people with severe disabilities is financed from special earmarked grants from the state budget to municipal budgets.

The municipality directly finances social assistance and social care institutions, which are chosen by the recipient of social services in accordance with the procedure laid down by the municipality, by concluding contracts with an accredited social assistance institution or an institution providing social care to finance the costs of the social services provided to the person. Municipalities can fund social services through social services programmes. The municipality procures social services for the inhabitants of its territory in accordance with the procedure laid down by the legal acts governing public procurement. The price of the social service is approved by social service institutions. The specific amount a person (family) pays for social services is set by municipalities. Preventive social services, some general social services (information, counselling, mediation and representation), social rehabilitation for people with disabilities in the community are free of charge. The amount of the payment for the social services is based on a person's income. The payment for services is regulated by law on Social Services and the Procedure for Payment for Social Services.

**3. Does your country have a strategy to develop legislation, policies and programmes to enable the development of support systems as described in 1(a) above which includes targets, indicators and an accountability mechanism? Please provide references to the documentation.**

These strategic documents are the Programme of the 18th Government of the Republic of Lithuania and its Implementation Plan and the Social Cohesion Development Programme for 2021-2030.

**4. Please provide data on persons with disabilities and families and households accessing care and support systems as described above in 1(a) and 2(a).**

Support to make decisions was provided to 392 persons (data of December 2021).

Home assistance services: 830 children with disabilities, 2223 working-age persons with disability, 11442 elderly persons (data of 2020).

Day social care at home/integral home care: 101 children with disabilities, 834 working-age persons with disability, 3701 elderly persons (data of 2020).

Day social care at day care centres: 780 children with disabilities, 1936 working-age persons with disability, 853 elderly persons (data of 2020).

Social assistance at day social assistance centre: 1738 children with disabilities, 6008 working-age persons with disability, 2773 elderly persons (data of 2020).