

APPROVED
by Order No IV-1
of the Seimas Ombudsmen's Office
of 2 January 2018

**ACTION PROGRAMME OF THE SEIMAS OMBUDSMEN'S OFFICE OF THE
REPUBLIC OF LITHUANIA, ACCREDITED NATIONAL HUMAN RIGHTS
INSTITUTION, FOR THE YEAR 2018-2022**

1. General provisions

The origin and scope of the National Human Rights Institution (NHRI) is closely linked to the international mechanism for the protection of human rights. The concept of the work of the NHRI is formulated in Resolution No. 48/134 of the United Nations (UN) General Assembly in 1993, which encourages the Member States to set up an NHRI, emphasising the need for such institutions to adhere to the principles governing their status, operational guidelines and the main requirements (Paris Principles)[\[1\]](#). The adopted document provides that the status of the NHRI is granted to national institutions provided that they are independent and able to ensure the provision of objective human rights insight (opinion) on the progress of human rights in the country to international human rights organizations, participation in consideration of the state prepared reports on the requirements of the provisions of the UN Human Rights Protection conventions independently from the state executive authorities.

The encouragement to the Seimas Ombudsmen's Office to seek the status of an NHRI was formulated in Article 2 of Resolution No XII-527 of the Seimas of the Republic of Lithuania of 1 October 2013 “On the activity report of the Seimas Ombudsmen of the Republic of Lithuania of 2012” and Article 2 of the Government Resolution No XII-911 of 3 June 2014 “On the activity report of the Seimas Ombudsmen of the Republic of Lithuania of 2013”. In this context, the Seimas Ombudsmen's Office has set the strategic goal of becoming an accredited NHRI at A status in the Strategic Action Plan[\[2\]](#) of 2015-2017. The Seimas Ombudsmen's Office has prepared all necessary documents and has submitted an application for accreditation to the Sub-Committee on Accreditation of the UN Human Rights Committee. In the light of the comments of the Subcommittee on Accreditation of the UN Human Rights Committee, the Seimas Ombudsmen's Office has revised the application for accreditation. The Global Alliance of National Human Rights Institutions (GANHRI) (formerly International Coordinating Committee of National Human Rights Institutions), in its letter No. 1D-993 of 23 March 2017 informed that the application for accreditation by the Seimas Ombudsmen's Office was considered, evaluated and the Seimas Ombudsmen's Office of the Republic of Lithuania is accredited as the NHRI (A status), which complies with the principles of Paris.

According to the Paris Principles, the powers granted to the NHRI must be clearly set out in the Constitution or in the law, and therefore amendments to the law on Seimas Ombudsmen (hereinafter the Law) were adopted at the Seimas, defining the scope of competence of the

Seimas Ombudsmen in the performance of the functions of the NHRI.^[3] The main goals of the NHRI are to speak on various human rights issues and, in cooperation with the public, to raise urgent issues of human rights, to carry out other main functions of the NHRI as defined by the resolution adopted by the UN General Assembly. Investigation of complaints from individual applicants and the national prevention of torture (NPM) are attributable to the functions of the NHRI, but are not mandatory. The Seimas Ombudsmen, in accordance with the Constitution of the Republic of Lithuania and the Law on Seimas Ombudsmen, investigate applicant's complaints about the abuse of office by, bureaucracy of officials or other violations of human rights and freedoms in the sphere of public administration, and carry out the national prevention of torture; therefore, these functions are an integral part of the activities of the Seimas Ombudsmen's Office, the accredited NHRI. The main functions of the NHRI, formulated in the Paris Principles, include: a) monitoring of human rights; b) advice to authorities on human rights issues; c) public education and information on human rights, dissemination of human rights information; d) presentation of the human rights situation assessment at international organisations; e) prepare reports on the human rights situation; f) seeking to bring national legislation in line with international human rights commitments.

At the international level, the NHRI participates in the activities of the UN and the relevant regional human rights organisations in Europe – the Council of Europe (CoE), and other international organisations by preparing alternative reports, giving advice on various human rights issues at international organisations, providing them with information, taking care of the transposition of international human rights standards, urging the state to fulfil its international commitments in the field of human rights and promoting the respect for human rights in the country.

2. CONTENT OF THE NHRI ACTIVITIES, PRIORITY OBJECTIVES AND MEASURES

Promoting the respect for human rights and freedoms and in cooperation with state and municipal institutions, agencies, civil society, social partners, international organisations on the issues of human rights and freedoms the Seimas Ombudsmen perform the following functions:

- 1) carry out monitoring of human rights in the country and prepare reports on human rights situation;
- 2) disseminate information on human rights and raise public awareness on human rights issues;
- 3) present the evaluation of the human rights situation in Lithuania at international organisations and provide them with information in accordance with the obligations laid down in international agreements;
- 4) submit proposals to state and municipal institutions and bodies on human rights issues;
- 5) seek harmonisation of national legislation with the international commitments of the state in the field of human rights;
- 6) initiate investigations into fundamental human rights problems.

Accredited NHRI face geopolitical challenges at the international and national levels, and therefore, in the context of many challenges and limited resources, NHRI is required to strategically prioritise its activities. The agency's strategic plan, which is prepared taking into account the granted financial resources, provides for the priority tasks and means of implementing these functions.

Human rights monitoring in the state and reporting on human rights situations (Article 19²(2)(1) of the Law). Preparation of human rights situation reports is distinguished as an essential function of the NHRI. There are several types of reports on human rights situations: annual activities, thematic and specific issues. The most important document that describes the activities of the NHRI are the annual activity reports, as they review the human rights situation in the country and the effectiveness of the NHRI activities. The Seimas Ombudsmen's Office, as an NHRI, will extend the annual report of the Seimas Ombudsmen submitted to the Seimas of the Republic of Lithuania every year, by providing its opinion on human rights issues, will submit evaluation of the implementation of recommendations as well as assessment of state position (response) regarding implementation of the provided recommendations. Moreover, the Seimas Ombudsmen's Office, as an NHRI, will submit alternative reports^[4] that will analyse the changes in the human rights situation in the country, advocating for compliance with the standards of protection of human rights and the implementation of various international conventions ratified by the state.

Dissemination of information on human rights and raising public awareness on human rights issues (Article 19²(2)(2) of the Law). The Paris Principles provide that the NHRI must promote respect for human rights by organising events, other human rights initiatives, and promoting public awareness of human rights. In accordance with the Paris Principles, the Seimas Ombudsmen's Office, as an NHRI, will inform the public about human rights and engage in public education on human rights issues. Informing the public about human rights will cover a wide range of activities: collection, production and dissemination of information material on human rights; conducting research, organizing educational and information dissemination events and trainings, promoting community initiatives; ensuring the visibility of the institution and its efforts; as well as the organisation of seminars for various groups of society in order to create a national culture of tolerance, equality, mutual respect and human rights.

Presentation of the evaluation of the human rights situation in Lithuania at international organisations and the provision of information to them in accordance with the obligations laid down in international agreements (Article 19²(2)(3) of the Law). The participation of the NHRI in the international system for the protection of human rights is of paramount importance. NHRI institutions are encouraged to participate actively in the UN and regional human rights mechanisms by presenting alternative reports, providing an overview of the human rights situation in the country, addressing human rights standards, and implementing international obligations. One of the most important commitments of the NHRI is to participate in the Universal Periodic Review of the UN Human Rights Council, as well as in the deliberations of other state reports under international conventions, which assess the country's progress in fulfilling its international obligations. Cooperation with the United Nations, the Council of Europe (CoE), the European Union (EU), the Organization for Security and Cooperation in Europe (OSCE), as well as the regional EQUINET, ENNHRI human rights mechanisms for addressing various human rights issues, is also an important role of the NHRI.

Provision of proposals to state and municipal institutions and bodies on human rights issues (Article 19²(2)(4) of the Law). The Seimas Ombudsmen's Office as an NHRI will encourage state and municipal institutions to respond to situations that directly or indirectly violate human rights, help identify human rights violations, and provide proposals (recommendations) to strengthen and improve the protection of human rights in the country.

Towards harmonisation of national legislation with the state's international commitments in the field of human rights (Article 19²(2)(5) of the Law). The NHRI advises the Seimas, the Government, other competent authorities and institutions, on the basis of its authority, to initiate discussions on proposed legislative or political initiatives in the field of human rights. The NHRI can influence the harmonisation of national law with international commitments when asking the national legislature and the executive bodies, whether the state has made every effort to implement its international obligations, whether the requirements of the national legislation are properly respected in the fulfilment of international commitments, and what steps have to be taken towards the harmonisation of national legislation with international law. The Seimas Ombudsmen's Office, as an NHRI, will provide advice and comments on the compliance of laws with the human rights principles enshrined in international agreements and will assess the compliance of the adopted legislation with human rights standards and recommend to improve them or change the potentially flawed approach to their practice.

Initiating investigations into fundamental human rights issues (Article 19²(2)(6) of the Law). The Seimas Ombudsmen's Office, as an NHRI, will defend human rights by systematically collecting and analysing information about human rights issues and initiating investigations into human rights violations. The main feature of these investigations is to prepare the research and define the steps to solve the problem. The Seimas Ombudsmen's Office, as an NHRI, will, on the basis of its authority expertise and consistent work, by engaging in constructive discussions will propose to the national legislative and executive authorities to take the necessary decisions in order to address possible violations of human rights and to fulfil international commitments. Aiming to achieve more effective implementation of such decisions and Seimas Ombudsmen's proposals (recommendations), the Seimas Ombudsmen's Office, as an NHRI, will use international and regional mechanisms for the protection of human rights.

3. IMPLEMENTATION MECHANISM OF THE NHRI NATIONAL PROGRAMME

The action programme of the Seimas Ombudsmen's Office, as an NHRI, will be implemented by the Seimas Ombudsmen and the employees of the Seimas Ombudsmen's Office. The implementation of this function will be coordinated by the structural division of the Seimas Ombudsmen's Office – the Human Rights Division. This division was set up in 2013 to bring the activities of the Seimas Ombudsmen's Office closer to the activities of the human rights institution in line with the Paris Principles and to engage in broader human rights dissemination, education, international and national cooperation on the issues of human rights, human rights situation monitoring, human rights consultations, etc.

The Human Rights Division, to the extent indicated in its regulations will carry out extensive monitoring of human rights throughout the country and will prepare human rights reports, will publish statistical information about the human rights situation on the institution's website, cooperate with international organizations in presenting an assessment of the human rights situation and providing information, as well as conducting research on substantive problems of

human rights, will carry out monitoring of relevant legislation on the implementation and protection of human rights and will evaluate the compliance of laws with international human rights standards, will promote public education about the human rights situation, organise human rights dissemination and educational events, present proposals for the ratification of new conventions on the protection of human rights, etc.

Acting in accordance with its competence, employees performing the national prevention of torture, advisers investigating complaints and other staff of the institution will contribute to the functions of the NHRI, by systematising the information obtained during inspections in places of deprivation of liberty, from complaints submitted to the Seimas Ombudsmen's Office and during their investigations, making summaries and conclusions, providing proposals for amendments to legislation, as well as making proposals to state and municipal institutions and bodies on human rights issues, organizing discussions with them, delivering reports, contributing to the preparation of human rights reports, etc.

With an aim to ensure effective solution of the human rights protection and violation prevention problems relevant to the public, cooperation with various representatives of the government and the society, namely representatives of all ombudsmen institutions (the Office of the Ombudsperson for Children's Rights and the Office of the Equal Opportunities Ombudsperson), representatives of other non-state institutions established by law, representatives of non-governmental organizations (NGOs) active in the field of human rights, members of academic society, as well as experts in the field of human rights, and representatives of the Seimas and other public authorities. Such collaboration will ensure the participation of representatives from various sectors of society, thus detecting possible human rights violations, seeking solutions to new problematic situations and raising the awareness of specific target groups.

4. FINAL PROVISIONS

The programme of implementation of the functions of the Seimas Ombudsmen's Office of the Republic of Lithuania accredited as the NHRI may be amended, supplemented and improved in the light of priorities of the Seimas Ombudsmen's Office, and changes in the legal regulation. The NHRI is evaluated every five years, during re-accreditation, in accordance with the General Recommendations on Accreditation of NHRI, approved on 6 March 2017 at the meeting of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI).