

Questionnaire:

1. Which judicial and non-judicial remedies are available in your Member State:

a. In criminal, civil and administrative cases;

The aim of criminal procedure is to detect the criminal acts in a speedy and detailed manner and to apply the law in a due manner by defending human and civil rights and freedoms, interests of the public and the State, in order to ensure that any person who has committed a criminal act is given a fair punishment and that no one who is innocent is convicted. Article 2 of the Code of Criminal procedure of the Republic of Lithuania (hereinafter – CPC) states that in each case, where the indications of a criminal act become evident, the prosecutor and the pre-trial investigation bodies must take all statutory measures within the limits of their competency to carry out an investigation and to detect a criminal act within the shortest possible period of time. Article 28 of the CPC states that a victim shall be a natural person who has suffered physical, property or non-property damage caused by a criminal act or a family member or a close relative of a natural person who died as a result of criminal act who suffered physical, property and non-property damage due to a death of that person. A person shall be declared as a victim by a resolution of a pre-trial investigation officer, a prosecutor or by a ruling of a court. Paragraph 2 of the Article 28 of the CPC states that a victim and his representative shall have a right to: receive information about the status of a criminal procedure related thereto; give evidence; lodge petitions; exercise the recusal right; be present in assessment of his special needs for protection; get access to the case during pre-trial investigation and in the court; be present during the examination of the proceedings before the court; appeal against the actions of a pre-trial investigation officer, a prosecutor, a pre-trial investigation judge and a court as well as appeal against a judgement or a ruling of a court; give the closing speech. A victim shall also have a right to refuse to receive information about the status of the criminal procedure related thereto, unless such refusal breaches the rights of a suspect or an accused person.

Article 109 of the CPC states that a person who has incurred pecuniary or non-pecuniary damage as a result of a criminal act shall have a right to bring a civil action against a suspect or an accused person or against other persons bearing material liability for the acts of a suspect or an accused person in the criminal procedure. The court shall hear such civil action in combination with the criminal case. Where a civil action is brought at the stage of pre-trial investigation, data shall be collected in a pre-trial investigation to confirm the ground for and size of the civil action brought. Article 110 of the CPC establishes that a natural or a legal person who requests, in a criminal case, compensation for damage caused to his property, physical or moral damage caused to him by the act of a suspect, or the accused person shall be held a plaintiff in a civil action. The person shall be held a plaintiff in a civil action by a resolution of a pre-trial investigation judge, a prosecutor or by a court ruling. The plaintiff in a civil action shall be entitled: 1) to submit explanations on the substance of a civil action; 2) to provide evidence; 3) to file petitions and claim recusals; 4) to examine, at the stage of pre-trial investigation and at the court, the material of the case, to have extracts or copies of the necessary documentation; 5) to be present in the hearing of the case at the court of primary

jurisdiction; 6) to lodge a complaint against the actions and to appeal against the decisions of a pre-trial investigation officer, a prosecutor, a judge or a court to the extent they relate to the civil action; 7) to be present during the appeal hearing of the case (Paragraph 2).

According to Article 5 of the Code of Civil Procedure of the Republic of Lithuania, every interested person has the right to apply to the court in accordance with the procedure established by law in order to defend a violated or contested right or an interest protected by law.

According to Article 5 of the Law on Administrative Cases of the Republic of Lithuania, every interested entity has the right to apply to the court in accordance with the procedure established by law in order to defend a violated or contested right or an interest protected by law.

The laws distinguish individual cases when a person must or can use a pre-trial dispute resolution procedure before applying to court.

For example, in accordance with the Law on the Procedure for Pre-trial Administrative Disputes of the Republic of Lithuania, complaints (requests) regarding individual administrative acts or actions (inaction) adopted by public administration entities in the field of public administration are examined in a pre-trial procedure by the Lithuanian Administrative Disputes Commission and its territorial divisions. According to Article 6 of the Law on the Procedure for Pre-trial Administrative Disputes of the Republic of Lithuania, persons, as well as entities of public administration, who believe that their rights have been violated have the right to apply to the Lithuanian Administrative Disputes Commission or its territorial division (hereinafter referred to as the Administrative Disputes Commission) on matters assigned to their competence.

Moreover, there are other pre-trial dispute review commissions in Lithuania, for example, Tax Dispute Commission, whose purpose is to objectively examine the taxpayer's complaint and make a legal and reasonable decision.

Regarding consumer rights, pursuant to the Law on Consumer Rights Protection of the Republic of Lithuania the following public bodies deal with consumer disputes in the role of alternative dispute resolution (hereinafter – ADR) entities:

- the Communications Regulatory Authority;
- the Bank of Lithuania (central bank);
- the National Energy Regulatory Council;
- the Bar Association;
- the State Consumer Rights Protection Authority;

Firstly, during the ADR procedure these consumer ADR entities have to try to conciliate parties of the dispute. If a settlement is not reached, a decision on the substance of the dispute

is adopted. The decision is binding, unless a party commences proceedings in a court. The exception is applied for the decisions of the Bank of Lithuania which are not binding.

According to the Law on Mediation of the Republic of Lithuania, mediation means a procedure for the settlement of civil or administrative disputes in the course whereof one or several mediators assist the parties to the dispute in their efforts to reach an amicable settlement of the dispute. Judicial and non-judicial mediation is established in Lithuania. Thus, mediation can be carried out both in civil and administrative disputes. Mediation can be judicial or non-judicial.

According to Article 25 of the Law on Mediation of the Republic of Lithuania, parties to an administrative dispute pending before the Disputes Commission or the Administrative Court may request that the administrative dispute be referred for resolution by either out-of-court mediation or judicial mediation respectively.

Out-of-court mediation of administrative disputes can be conducted by one of the members of the Disputes Commission entered in the List of Mediators. Mediation can undertake by other persons who meet the requirements for mediators and are in the List of Mediators.

According to Article 15 of the Law on Mediation of the Republic of Lithuania, mediation in civil disputes shall be applied by a written agreement between the parties to a civil dispute (hereinafter in this Chapter and Chapters IV, V and VI: the parties to the dispute). The parties to the dispute may agree on mediation either after the dispute has arisen or prior to it. The parties may agree to apply mediation only concerning a civil dispute in respect of which the parties to the dispute are permitted to conclude a settlement agreement.

In certain civil cases, when an amicable resolution of the dispute is likely, mandatory mediation may be ordered by a court (Article 231, paragraph 1 of the Code of Civil Procedure of the Republic of Lithuania). From 1 January 2020 legal provisions of the Law on Mediation of the Republic of Lithuania came into force, according to which the parties to the dispute must try to resolve the family dispute through mandatory mediation before going to court. However, an exception from mandatory mediation in family cases is provided for victims of domestic violence – in this case, it is possible to apply to a court to resolve the dispute without following a general obligation to participate in a mandatory mediation procedure.

b. in cases of discrimination;

The Constitution of the Republic of Lithuania provides the principle of equality for all people and the inherent right to be treated equally with others. Lithuanian Parliament adopted the Republic of Lithuania Law on Equal Opportunities for Women and Men on the 1st of December 1998.

Since 1st of January 2005 persons are guaranteed the right to file complaints to the Equal Opportunities Ombudsperson in cases of discrimination on 13 prohibited grounds of discrimination: gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin or religion.

c. in the field of consumer legislation;

In the field of consumer protection, consumers have a wide range of remedies. Consumers can defend their rights both out of court (using consumer ADR procedures) and in court. Consumer rights and legitimate interests can be defended both individually and collectively. Lithuanian legal acts provide for two forms of protection of collective interests of consumers: group actions and protection of the public interest of consumers.

d. in the field of employment legislation;

In the field of employment employees and employers can defend their rights at the Labour Disputes Commission as well as in courts. The Labour Disputes Commission is a mandatory pre-trial labour dispute settlement body that resolves individual and collective labour disputes.

e. in other fields, including as regards non-judicial remedies.

In the field of personal data protection, data subjects have access to both judicial and non-judicial (i.e. the right to lodge a complaint with a supervisory authority – the State Data Protection Inspectorate or the Inspector of Journalist Ethics) remedies according to Art. 77 and 79 of the GDPR and Art. 52 and 54 of the Directive (EU) 2016/680 that is transposed into national law. Detailed rules are laid down in national law.

2. Does your Member State provide information on the available remedies, and the steps to be taken during a judicial process / when accessing non-judicial remedies:

a. To parties of criminal proceedings;

The Prosecutor General's Office has publicly provided information on the criminal process and the functions performed by the prosecution - <https://www.prokuraturos.lt/lt/veiklos-sritys/baudziamasis-persekiojimas/53>. Every participant in criminal proceedings, regardless of his or her status in the criminal proceedings, is informed of his or her rights in writing. Article 44 of the CPC states that everyone suspected or accused of a criminal act shall have a right to be informed promptly and in detail, in a language he understands, of the nature and cause of the accusation against him, to be provided with sufficient time and facilities for the preparation of his defence, to question witnesses or have them questioned, and to have a free assistance of a translator/interpreter, if he cannot understand or speak Lithuanian (Paragraph 7). Furthermore, everyone suspected or accused of a criminal act may defend himself in person or through legal assistance of a defence counsel chosen by him or, if he has no sufficient funds to pay for legal assistance, to be given free legal aid in accordance with the procedure provided for by the law regulating the provision of legal assistance guaranteed by the State. It shall be prohibited to control the communication of a suspect, an accused, a convicted, an acquitted person and their defence counsel – meetings, correspondence, phone conversations and communication of other forms (Paragraph 8). Article 45 of the CPC states that a judge, a prosecutor and a pre-trial investigation officer must explain to the participants

of the proceedings their procedural rights and to ensure a possibility to exercise them.

The Ministry of Justice has also prepared an electronic publication on the rights of victims, which has been distributed to all interested institutions and is permanently available on the electronic website of the Ministry of Justice. The electronic information publication is translated into foreign languages, accessible in an easy-to-read language and adapted to persons with hearing and visual impairments ([What you need to know if you are a victim of a crime? | Ministry of Justice of the Republic of Lithuania \(Irv.lt\)](#)).

b. To parties of civil proceedings;

The electronic portal www.teismai.lt publishes information relevant to the public, related to courts and legal proceedings. For example, portal publishes templates of procedural documents, schedules of court hearings, statistical information, etc.

In accordance with the Code of Civil Procedure of the Republic of Lithuania, during the court session, when the parties do not have a representative, their rights and obligations are explained to them.

Pursuant to Article 231 of the Code of Civil Procedure of the Republic of Lithuania, the court during the preliminary court hearing, offers the parties to reach an agreement acceptable to both parties and conclude a settlement agreement, and also informs *the parties of the possibility of resolving the dispute through judicial mediation and offers the parties to use this opportunity.*

According to Article 231(1) of the Code of Civil Procedure of the Republic of Lithuania, the transfer of a dispute to judicial mediation can be initiated by the judge (panel of judges) hearing a civil case or by any party. The dispute is referred to be resolved by judicial mediation by the decision of the judge (panel of judges) hearing the civil case, *when the court explains the essence of judicial mediation to the parties*, the consent of the parties is obtained, or a request is made to refer the dispute to be resolved by judicial mediation. The judge (panel of judges) hearing the case, having determined (has determined) a high probability of a peaceful settlement of the dispute, may refer the dispute to mandatory judicial mediation.

c. To parties of administrative proceedings;

As mentioned in part b., the electronic portal www.teismai.lt publishes information relevant to the public, related to courts and legal proceedings including administrative proceedings.

According to Article 12 of the Law on Administrative Cases of the Republic of Lithuania, the court must explain to the participants in the process their procedural rights and obligations, warn about the consequences of performing or not performing procedural actions and help these persons to exercise their procedural rights.

According to Article 67 of the Law on Administrative Cases of the Republic of Lithuania, the president of the court or the judge who accepted the complaint (request, statement)

having determined that there is an opportunity to resolve the dispute by means of judicial mediation, proposes to use it.

According to Article 79¹ of the Law on Administrative Cases of the Republic of Lithuania, referral of a dispute to be resolved through judicial mediation can be initiated by the court or any party of the dispute. The dispute is referred to judicial mediation by a court order, when the court explains the essence of judicial mediation to the parties to the dispute, the consent of the parties to the dispute or a request to refer the dispute to judicial mediation is received.

d. Persons accessing non-judicial remedies.

The electronic portal www.teisis.lt of the legal aid information system TEISIS publishes relevant information about types and services of mediation. It also publishes an updated list of mediators. Residents who wish to receive state-funded mediation services can submit applications and other documents directly through this system. Ordering this service electronically is simpler and faster because system indicates which documents must be submitted and residents can monitor the status of service provision and see when this service will be provided.

Please provide more information, including examples of good practice you consider effective.

3. Does your Member State use digital tools to facilitate access to justice?

- a. Yes
- b. No

If yes, please provide more information on the tools available and your experience on their relevance. Please provide examples of good practice you consider effective.

The use of modern digital technology in courts improve accessibility and availability of our justice systems. In the beginning of 2022, the Minister of Justice of the Republic of Lithuania adopted the amendments to the orders of the Minister of Justice of the Republic of Lithuania aiming at ensuring the publicity of distant court hearings in civil, administrative and criminal proceedings. The new regulation allows to ensure effective public scrutiny of the proceedings as well as to protect private life and personal data of the participants to the proceedings. Furthermore, numbers show that the use of video and tele conferences for organising distant court hearings is constantly growing.

E-services portal of Lithuanian courts is also widely used to communicate with Lithuanian courts. In addition, the publicity of courts is directly linked to public trust in justice institutions, therefore, Lithuania will further strive to ensure the same level of publicity for remote court hearings as in the court room.

By using this E-services portal, a party of the proceedings can acquaint with the trial and material, deliver the court procedural documents, deliver the documents confirming the payments.

The access to portal allows to: listen to the audio records of the court hearings; familiarize with the court processes; form and deliver the procedural documents to the court; fill in the

documents according to the prepared forms; receive notices about: the admission of the documents, the discovered errors, the hearings of the case; pay for the services of the court and ect.

Thus, the E-Service portal of Lithuanian Courts improves access to justice as all documents can be submitted to the court promptly, there is no need to bring documents to the court physically, what is especially important when a case is of large volume or in situations when the party does not have the opportunity to physically come to the court. In addition, Lithuania's procedural rules stipulate that when documents are submitted to the court only by means of electronic communication and when a person expresses that he or she wants to receive procedural documents only by means of electronic communication, 75 percent of the amount of the stamp duty payable for the relevant procedural document is paid.

4. Which of the following measures are available in your Member State to remove language/ cultural/ physical/ financial/ other barriers for people accessing remedies:

a. Interpretation and translation services;

b. Measures to facilitate access by persons with disabilities, such as measures relating to accessibility of court houses and other resources for people with disabilities;

We also believe that it is necessary to continue optimising the functioning of the courts in order to ensure that the judiciary could efficiently respond to the changing needs of the society. It is also one of the priorities in the Programme of the 18th Government of the Republic of Lithuania. Recently the Parliament of Republic of Lithuania has adopted the reform of the courts (judicial map changes). The reform aims to enable to equalize the workload of district courts throughout Lithuania and to increase the efficiency of the hearing of cases. It is expected that people will be guaranteed justice of the same quality and speed both in big cities and regions. The existing infrastructure of the courts will not fundamentally change, while the quality of the administration of justice will improve, as judges will be able to specialize, and the distribution of cases heard according to the written procedure throughout Lithuania will ensure that the cases will be heard more quickly. Furthermore, the regulatory changes provide for the possibility for judges to go to hear cases in courthouses closer to the parties to the proceedings, that could be also beneficial for the persons with disability.

The provision of appropriate training for judges also contributes to increasing the specialisation of judges and to ensuring more effective communication between judges and individuals in court proceedings. The Ministry of Justice monitors the trends in case law and international practice regarding the defence of the rights and interests of persons with disabilities and annually proposes to initiate relevant training of judges. For example, in 2023, a training program on communication with people with disabilities is included for judges.

In court proceedings all persons, who do not know the official language, are guaranteed the right to use the services of an interpreter (including sign language interpreter) in Lithuania.

Sign language interpreters' services provided during court proceedings are funded from the state budget and are free of charge for persons with disability.

c. Legal aid:

The provision of state-guaranteed legal aid is established by the Law on State-guaranteed Legal Aid (available in English: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD>).

State-guaranteed legal aid in Lithuania includes primary legal aid (the provision of legal information, legal advice, drafting of the documents to be submitted to state or municipal institutions and drafting of certain simple procedural documents), secondary legal aid (legal aid provided by an advocate – drafting of procedural documents, defence and representation) and out-of-court mediation. State – guaranteed legal aid is available in all types of cases (administrative, administrative offences, civil (except for arbitration proceedings), criminal, constitutional justice proceedings). Primary legal aid is provided by 60 municipalities across the territory of Lithuania, which means that this type of legal aid could be received in person (if needed) close to the place of residence. State-guaranteed legal aid is also available using online means. Legal Aid Information System (TEISIS) is used to organize state-guaranteed legal aid in Lithuania. TEISIS makes it easier and faster to receive state-guaranteed legal aid. TEISIS provides a possibility to request legal aid online with just a few clicks without the need to submit large sets of paper documents as all necessary information from other information systems is received directly. A person requesting state-guaranteed legal aid may choose legal aid provider according to his availability, areas of expertise and spoken languages, make a reservation for an in-person legal consultation or choose to consult remotely. The latter possibility might be more attractive to persons in need of legal services in more sensitive situations, such as domestic violence or human trafficking cases. When state-guaranteed legal aid is granted the legal aid beneficiary can follow the course of legal aid provision (for example, see the requests or legal documents prepared by the appointed advocate). If a person is not satisfied with the legal aid services, TEISIS provides him with a possibility to request a change of legal aid provider. After the end of the case and legal aid provision, the legal aid beneficiary is asked to evaluate the legal aid he received. This possibility to receive legal aid quickly and in a simple manner using TEISIS ensures that minor legal issues are addressed in a timely manner and do not escalate into serious legal problems.

Primary legal aid is granted free of charge to every resident and secondary legal aid services are granted free of charge for vulnerable persons (for example, victims of crimes, children) or after evaluation of the financial means (when the exception to receive secondary legal aid regardless of income and assets is not applicable).

d. Arrangements to refer vulnerable victims, such as victims of domestic or gender-based violence, to support services;

On 1st of December 2021 the Minister of Social Security and Labour of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Justice of the Republic of Lithuania signed the order “On the approval of the procedure for the provision of assistance by the first responders and emergency services authorities to victims of crime”. This order establishes the procedure for cooperation between the institutions of the first responders and institutions providing assistance to victims of criminal offences.

e. Fast-track proceedings available for certain vulnerable parties, such as in cases involving sexual violence or children;

There are no provisions in the CPC to speed up proceedings in cases where the victim is a child, but there is a provision for the pre-trial investigation to be prioritised in cases where the suspect is in custody and in cases where the suspect or victim is a juvenile.

f. Other measures.

Please provide more information on the measures available and your experience on their relevance. For instance, please provide examples of good practice you consider effective.

5. Which measures has your Member State taken to ensure the justice system's responsiveness to the needs of vulnerable and marginalised groups? Please provide examples of good practice you consider effective.

The Ministry of Justice has also prepared an electronic publication on the rights of victims, which has been distributed to all interested institutions and is permanently available on the electronic website of the Ministry of Justice. The electronic information publication is translated into foreign languages, accessible in an easy-to-read language and adapted to persons with hearing and visual impairments.

The volunteers provide practical information related to the court proceedings and its conduct (but do not advise on legal matters), they help court visitors feel bolder and safer in court, to orient themselves in the judicial environment, to familiarise themselves with the rights and duties of a witness or victim. There are no educational requirements for a court volunteer, but he/she has received special training and has the necessary knowledge of the judicial system and court proceedings, the rights and obligations of witnesses and victims. A court volunteer knows the court premises, knows how to communicate with people who had difficult experiences and provides the necessary assistance to court visitors.

6. Does your Member State have in place arrangements to facilitate access to justice by children? Please provide examples of good practice you consider effective.

Lithuania ensures child friendly criminal proceedings. If a child is victimized by a criminal act, the following special protection measures are mandatorily applied during the pre-trial investigation: closed hearing of the case in court, <...> video and audio recording is made during the interrogation¹. Article 186 of the CPC establishes a special procedure for questioning child witnesses or victims. Part 1 of this article provides that a child witness or victim is interrogated by a judge of a pre-trial investigation. A child witness or victim is interviewed during the pre-trial investigation in premises adapted for the interrogation of children and usually no more than once. In cases where repeated questioning is necessary, they are usually interviewed by the same person. Their interrogation must be recorded by both video and audio means. Also, they are summoned to a court hearing only in exceptional cases. In the questioning of a child witness or victim regarding: crimes against human life,

¹ February 29 2016, order No. I-63 of the General Prosecutor of the Republic of Lithuania "On the Approval of Recommendations on the Assessment of Victims' Special Protection Needs".

health, freedom, freedom of sexual decision and inviolability, profiting from child prostitution or involvement of a child in prostitution or in other cases, when requested by the participants of the process or at the initiative of the pre-trial investigation officer, prosecutor or pre-trial investigation judge, a psychologist must be invited to help interview the child, taking into account his/her social and psychological maturity. A representative of the State Child Rights Protection and Adoption Service in these instances observes the interview from another room and evaluates whether the rights of a child are not violated. Child witness and victim's representative has the right to participate in the interrogation only if it is established that they will not affect the minor. The suspect and other participants in the process, except for the psychologist and the representative of the child, are not allowed to be in the room where the interrogation is conducted.

As part of the first interview with the victim, the pre-trial investigation officer or prosecutor carries out an assessment of the victim's special protection needs. Special protection needs are the victim's needs, determined by personal characteristics, the nature of the offence or the circumstances in which it was committed, to benefit from the guarantees laid down in the CPC in order to protect the victim from psychological trauma, criminal influence or other adverse effects (Article 362 of the CPC). The data gathered during the assessment of the victim's special protection needs shall be taken into account in the organisation of the criminal proceedings and, in the cases provided for in the CPC, in deciding whether the victim's special protection needs make it necessary for him or her to be subject to one or more of the safeguards laid down in the CPC (Article 1861(1) of the CPC). Moreover, every victim has the right to receive protection, to participate in the assessment of special protection needs and to receive special protection measures (paragraphs 2, 13 of the Annex to the Order of the Prosecutor General of the Republic of Lithuania of 27 August 2020 No. I-271 "On the Approval of the Form of the Annex to the Protocol of Clarification of the Rights of the Victim" (Annex to the Protocol of Clarification of the Rights of the Victim)). After compulsory assessment of the victim's special needs, pre-trial investigation officers may apply one or more of the provisions of the Order of the Prosecutor General of the Republic of Lithuania of 29 February 2016 No I-63 "On Approval of the Guidelines on the Assessment of the Special Protection Needs of Victims" (hereinafter – Order No. I-63), e.g. closed hearings in court, the presence of an accompanying person, interrogation by means of audio-visual remote transmission, interrogation of children in rooms adapted for interrogation of children, interrogation no more than once, interrogation in the absence of the suspect etc. The aim of these measures is to reduce the negative impact of the criminal proceedings or other traumatic events on the victim. The list of special protection measures is not exhaustive and officials of the competent authority may apply special protection measures for the victim other than those provided for in Order No I-63, as appropriate in a particular case.

At the same time, it should be noted that an authorized representative is mandatorily appointed for the child victim in cases when a minor has suffered from of criminal acts against human health, freedom, freedom of sexual decision and inviolability and other cases when without the help of an authorized representative the rights and legitimate interests of the minor would not be adequately protected (Article 55, paragraph 4 of the CPC).

Furthermore, the national laws of the Republic of Lithuania fully ensure that every victim who has suffered damages from a criminal offence can effectively exercise their right to compensation. ensures that every victim (including minors), regardless of the crime committed, is awarded both pecuniary and non-pecuniary damages. Article 117 of the CPC envisages that the prosecutor, supporting the prosecution, must file a civil lawsuit in court, if this has not been filed yet, in cases where the criminal act has caused damage to the state or to a person who, due to minor age, illness, dependence on the defendant, or for other reasons, cannot defend his/her legitimate interests in court. Furthermore, Article 118 of the CPC states that if the accused or persons materially responsible for his/her actions do not have the funds to compensate for the damage, in the cases and procedures provided for by law, the damage may be compensated from funds allocated by the state.

The list of violent crimes for which the caused damages are compensated is approved by order of the Minister of Justice of the Republic of Lithuania and is published in the public register of legal acts. The Ministry of Justice of the Republic of Lithuania is responsible for compensation of damages caused by violent crimes, as well as for compensation in advance including compensation for damages caused to children (minors) by violent crimes when crimes are of a sexual nature (exploitation of a child for pornography, rape, coercion in sexual relations, sexual assault, molestation of a person under the age of sixteen).²

After examining the applications received from minors or their representatives, the Ministry of Justice makes decisions on the compensation or compensation in advance for damages caused by violent crimes and monetary compensation is paid in accordance with the procedure established by the Republic of Lithuania Law on Compensation for Damage Caused by Violent Crimes (hereinafter – Law on Compensation). It should be noted that the Law on Compensation provides higher monetary compensations for children who have suffered from violent crimes (including crimes of a sexual nature) than it is foreseen for adults.

7. Does the justice system provide the possibility for stakeholders to bring cases on behalf or in support of victims? If yes, in which areas of law is this possible? Please provide examples of good practice you consider effective.

Yes, Article 117 of the CPC envisages that the prosecutor, supporting the prosecution, must file a civil lawsuit in court, if this has not been filed yet, in cases where the criminal act has caused damage to the state or to a person who, due to minor age, illness, dependence on the defendant, or for other reasons, cannot defend his/her legitimate interests in court. Furthermore, Article 118 of the CPC states that if the accused or persons materially responsible for his/her actions do not have the funds to compensate for the damage, in the cases and procedures provided for by law, the damage may be compensated from funds allocated by the state.

² Number of children who have been awarded compensation for damages caused by a violent crime: 2020 – 23 children, 2021 – 8, 2022 (as of 1st of October 2022) – 6.