

FRANET

**Victim Support Services in the EU:
An overview and assessment of
victims' rights in practice**

Lithuania, 2014

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1. Part A:

The information presented in this phase is primarily based on analysis of the country specific reports received in phases 1 and 2 of the project; the general overview of the situation of victim support in Member States (phase 1) and the more in depth exploration of the situation, including promising practices which offer support to victims of crime in different ways (phase 2). Information has also been taken from secondary sources such as the 2009 APAV study on Victims in Europe.¹ While phase 2 of the project was divided into two parts, focussing firstly on generic victim support services and secondly on specialised areas of victim support, this third phase of the project, comprised of Parts A and B, will focus principally on the structure or lack thereof of generic victim support services; although a limited number of questions relate to specialised areas of victim support. For this part, please provide detailed, concise answers. For guidance purposes, sample answers are often provided, which primarily draw on information provided in country-specific reports from phases 1 & 2 of the project. When returning your report to the FRA, please ensure that all sample answers have been deleted, as these are for guidance purposes only and should not form part of your response. In addition, in cases where your country is one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

In the following situations, please describe the referral system (from police to victim support organisation) in the current victim support structure in your country; including whether police routinely refer the victim to a support service; where is the victim referred and who deals with the case in the end (as a guideline, keep to 2 or 3 sentences (maximum) per question within each scenario. Please choose either 'Yes' or 'No' for questions a. and c of each scenario, in addition to questions 6-13 and provide comments in the 'Description' field. For questions b and d, please provide your comments directly in the 'Description' field).

¹ Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see http://www.apav.pt/vine/images/report_vine_eng.pdf).

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?	x		<p>Under Art. 9 of the Law on Protection Against Domestic Violence² police officers are obliged to inform the victim of domestic violence about the possibilities to receive comprehensive support from the specialised assistance centre.</p> <p>After the Law on protection against domestic violence came into force in 2011 the police routinely refer the victims to the support services and this could prove both governmental institutions (e.g. Municipal child rights protection) and NGOs (specialised assistance centres that perform public functions and provide specialised comprehensive assistance to victims of violence). For instance, Kaunas county women crisis centre indicated cooperation with the police as a part of the services that are provided for victims of domestic violence. The police inform organisation about the case by phone. Representatives of Kaunas county women crisis centre respond to such report immediately and contact victim of domestic violence.³</p>
		b. If yes, please name the service(s)	-	-	<p>Assistance to victims of domestic violence means providing psychological, legal, social, health care, educational, accommodation and other necessary services provided by the state, municipal institutions and non-governmental organisations. According to the Law on Protection against domestic violence specialised assistance centres are institutions that perform public functions and provide specialised comprehensive assistance to victims of violence. They have been established to implement this law.⁴</p>

² Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=410975&p_query=domestic%20violence&p_tr2=2.

³ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

⁴ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=410975&p_query=domestic%20violence&p_tr2=2.

		c. Do the police routinely contact this service on behalf of the victim?	x		Under the Art. 9 of the Law of Protection against domestic violence ⁵ , police officers shall inform a victim of violence of the possibilities of receiving assistance and, upon informing him/her (in practice – written agreement required), report the incident to a specialised assistance centre.
		d. Which support service would in the end deal with such a case?	-	-	According to the Law of Protection against domestic violence, upon receipt of a report from police officers, a specialised assistance centre shall contact a victim of violence and offer him specialised comprehensive assistance. ⁶
2	A teacher reports the sexual abuse of a child to the police	a. Do the police routinely refer the victim to a support service?		x	Police contacts pre-trial investigation officers who having assessed the social and psychological maturity, as well as to the need of assistance, get in touch with the Municipal child rights protection unit (<i>Vaiko teisių apsaugos skyrius</i>) (hereinafter Unit). The pre-trial investigation process and interrogation of the child are carried out in a special room for children's interrogations. Psychologist and/or inspector of the Unit participate in the interrogation process. After the interrogation a decision concerning assistance for the child is made.
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		x	Police do not contact support services. It is done by the representative of the Municipality child rights protection unit (<i>Vaiko teisių apsaugos skyrius</i>).
		d. Which support service would in the end deal with such a case?	-	-	All kinds of support services the child need in such a case are coordinated by the Municipal child rights protection unit (<i>Vaiko teisių apsaugos skyrius</i>). All kinds of support services include social, psychological, health and legal (etc.) assistance that the child who experienced sexual abuse needs.

⁵ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=410975&p_query=domestic%20violence&p_tr2=2.

⁶ *Ibid.*

3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?	x	<p>Police inform the victim about the possibilities to receive comprehensive (legal and/or social) support or contact the corresponding institution so that assistance would be provided for the victim.⁷</p> <p>In general, there is no such organization in Lithuania that would provide assistance for victims of burglary.</p> <p>There is no organisation in the country that provides assistance for the victims of burglary in their apartment.</p>	
		b. If yes, please name the service(s)	-	-	<p>In general, there is no such organization in Lithuania that would provide assistance for victims of burglary.</p> <p>Primary legal aid (legal consultation of 1 hour or more if necessary) is available without means testing for all persons.⁸</p>
		c. Do the police contact this service on behalf of the victim?	x		<p>Police officers shall inform the victim of the crime about the ability to contact an institution which would provide assistance.⁹</p> <p>Specialised assistance centres are informed about the case with the knowledge of the victim.¹⁰</p> <p>There is no specialised organisation in the country that provides assistance for the victims of burglary in their apartment.</p>
		d. Which support service would in the end deal with such a case?	-	-	<p>In general, there is no such organization in Lithuania that would provide assistance for victims of burglary.</p>

⁷ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

⁸ More information: <http://teisinepagalba.lt/lt/pirmine/tm/kamteikiamapirmine>.

⁹ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹⁰ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011. Art. 9(1) Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=410975&p_query=domestic%20violence&p_tr2=2.

4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?	x		Police officers inform the victim about the possibilities to receive comprehensive (legal and/or social) support, or else contact the corresponding institution so that assistance would be provided for the victim. ¹¹
		b. If yes, please name the service(s)	-	-	Police refers victim to legal and/or social services, it depends on the case and what kind of assistance is necessary to the victim. Primary legal aid (legal consultation of 1 hour, more if necessary) is available without means testing for all persons. ¹²
		c. Do the police contact this service on behalf of the victim?	x		Before contacting institution which would provide assistance, police officer shall inform the victim of crime about the intention of contact. ¹³
		d. Which support service would in the end deal with such a case?	-	-	It depends on the case and what kind of assistance (legal and/ or social) is necessary for the victim. Examples for legal assistance: primary legal aid (legal consultation of 1 hour, more if necessary) is available without means-testing for all persons. ¹⁴ Legal aid is provided to Lithuanians and EU nationals, private persons lawfully residing in EU member states, and other persons provided under international treaties. ¹⁵ Free legal aid is also available (with some exceptions foreseen in the laws of the Republic of Lithuania (please see more detailed information in 2.6.5 (2)). In the frame of the projects NGOs also provide free legal consultations. Examples for social services: consultations of social worker, psychological assistance, cooperation with other organisation that could provide relevant assistance for the victim.

¹¹ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹² More information: <http://teisinepagalba.lt/lt/pirmine/tm/kamteikiamapirmine>.

¹³ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹⁴ See: www.teisinepagalba.lt/lt/pirmine/tm/kamteikiamapirmine/.

¹⁵ Lithuania, Law on state-guaranteed legal aid (*Lietuvos Respublikos Valstybės garantuojamos teisinės pagalbos įstatymas*), No. VIII-1591, 20 March 2000. Art. 11.

5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?			Police informs victim about the possibilities to receive comprehensive (legal and/or social) support or contact the corresponding institution in order assistance would be provided for the victim. ¹⁶
		b. If yes, please name the service(s)	-	-	Police refers victim to legal and social services, it depends on the case and what kind of assistance is necessary for the victim. Primary legal aid (legal consultation of 1 hour, more if necessary) is available without means testing for all persons. ¹⁷
		c. Do the police contact this service on behalf of the victim?	x		Before contacting institution which would provide assistance, police officer shall inform the victim of crime about the intention of contact. ¹⁸
		d. Which support service would in the end deal with such a case?	-	-	It depends on the case and what kind of assistance (legal and/ or social) is necessary for the victim.
6a	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		x	There are no specialised measures for victims with disability. Assistance is provided according to laws of the Republic of Lithuania like for other victims of crime.	
6b	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		x	There are no specialised measures for victims with disability. Assistance is provided like for other victims of crime. ¹⁹	
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ²⁰ ? If yes, describe them. If no, please provide a justification/explanation.	x		In accordance to Lithuanian legal acts, there are not foreseen any measures of work in place for victims who are migrants with illegal residency status. However, in general, as soon as police receives information about victim of foreign national, officers inform about the case diplomatic mission of the country the victim came from. ²¹	

¹⁶ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹⁷ More information: <http://teisinepagalba.lt/lt/pirmine/tm/kamteikiamapirmine>.

¹⁸ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹⁹ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

²⁰ Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

²¹ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie Lietuvos Respublikos Vidaus reikalų ministerijos*) (21 March 2013).

7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status ²² ? If yes, describe them. If no, please provide a justification/explanation.		x	Victim support services are provided for all persons equally despite their social and legal status. However, the representatives of the contacted NGO underlined that they have not had any cases regarding assistance for migrants with illegal residency status during their working practice. ²³
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		x	Victim support services are provided for all persons equally despite their social and legal status. ²⁴
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		x	Access to victims support services is not dependent on a victim making a formal complaint; specialised assistance centres provide assistance straight after the call about the case of domestic violence ²⁵ . The same situation is regarding victims of human trafficking.
9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		x	Victim support services do not afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced ²⁶ .

²² Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

²³ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

10a	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? ²⁷		<p>In accordance with paragraph 1, art. 5 of Law on Legal protection of personal data²⁸, personal data may be processed only if the data subject has given his consent. Paragraph 2 of art. 5 states that it shall be prohibited to process special categories of personal data in case it is necessary for prevention and investigation of criminal offenses and data are necessary for court hearing. However, art. 9 underlines that providers of social services when performing their functions related to social insurance and other purposes of social care shall provide personal data to one another without the consent of the data subject.</p> <p>Under the art. 9 of the Law of Protection against domestic violence²⁹, police officers shall inform a victim of violence of the possibilities of receiving assistance and, upon informing him/her, report the incident to a specialised assistance centre. In practice – written agreement required.</p>
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?		In accordance with paragraph 1, art. 5 of Law on Legal protection of personal data ³⁰ , personal data may be processed only if the data subject has given his consent.
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?		<p>x</p> <p>There is no legal basis that defines transfer of victim's data. Proceeding of personal data including victims' data is underlined under the Law on Legal protection of personal data³¹.</p>

2.2 Institutional aspects: role of state in victim support structure

In the following section, please complete/verify the information requested in the following tables, placing your country in the appropriate category, or, where information is provided, checking the accuracy of the information and revising as necessary (i.e. by moving your country name from the incorrect column to the correct column along with a justification).

²⁷ For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.

²⁸ Lithuania, Law on Legal protection of personal data (*Lietuvos Respublikos Asmens duomenų teisinės apsaugos įstatymas*), No. I-1374, 11 June 1996, last amendment No. IX-1296, 21 January 2003. Available at: www3.lrs.lt/pls/inter3/oldsearch.preps2?a=205081&b=-

²⁹ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=410975&p_query=domestic%20violence&p_tr2=2

³⁰ Lithuania, Law on Legal protection of personal data (*Lietuvos Respublikos Asmens duomenų teisinės apsaugos įstatymas*), No. I-1374, 11 June 1996, last amendment No. IX-1296, 21 January 2003. Available at: www3.lrs.lt/pls/inter3/oldsearch.preps2?a=205081&b=-

³¹ *Ibid.*

2.2.1 Models of generic victim support

Generic victim support organisations are for the present purposes defined as “**not limited to helping a particular type of victim of crime**”. With the above definition in mind, please:

a) Review the list and short description of structure of generic victim support organisations operational in your country provided for in Annex 2 and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned. **Countries listed in Annex 2 shaded in green (and in category ‘A’ below) have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should provide a short list (in Annex 2) of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.**

b) Place your country in one of the following categories (A, B, C, D or E) and provide an explanation about why your country should be placed in that group. For each group, one example has been provided for guidance purposes. If your country is one of the examples provided, please review and revise the information as necessary, placing your country in a different group if the information provided is incorrect. **Please delete all examples from your response and insert your country name in only ONE column.** (Note: only country codes are listed. For full country names, please refer to Annex 1).

A: No generic victim support provider exists	B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded	C: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run but relies strongly on state funding	D: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run and does not rely strongly on state funding	E (OTHER) – if you cannot place your country in any of the other categories, please describe
EL, BG, IT, LT, LV, RO, and SI	HU	NL	DE	
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:
LT: There is no generic victim support organization run by the Government or NGO in Lithuania. There are state and municipal institutions responsible for providing legal aid for victims of crime and NGOs which provide social services for certain crime of victims. The Government is not				

<p>involved in the establishment of victim support organizations, except for state-guaranteed legal aid service.</p> <p>Yes: NGOs which provide social services for certain categories of crime victims.</p> <p>As it is already mentioned in the question 3.4 “(failed) attempts to establish national generic victim support service provider”, neither Ministry of Justice, nor Ministry of Social security and labour were able to explain the reasons why there is no national provider of such services in the country. Furthermore, Ministry of Social security and labour indicated that there are no plans to initiate the establishment of generic victim support organization that would provide a comprehensive assistance for victims of crime.³²</p>				
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³² Communication of NFP-Lithuania with Ministry of Social security and labour (*LR Socialinės apsaugos ir darbo ministerija*) (3 May 2013).

2.2.2 Public coordination of victim support services

Please answer the following questions by completing the tables. Two examples have been provided (for questions 1 & 2) for guidance purposes. **Please delete all examples from your response and insert your country name in only ONE column.** If your country is one of the examples provided, please review and revise the information as necessary. Please provide references to the full name of the Ministry or body in question in both English and the national language (Note: only country codes are listed. For full country names, please refer to Annex 1).

1. Please specify (by placing an 'X' in the relevant columns) which ministry or ministries have a role in victim support provision. In addition, please provide a short explanation in the comments field.						
	Ministry of Justice	Ministry of Health	Ministry of Labour/ Social Affairs	Ministry of Interior/	Any other	COMMENTS
LT	x		x	x		<p>a) Ministry of Social security and labour (<i>LR Socialinės apsaugos ir darbo ministerija</i>) prepares and executes state social services programmes and projects, other long-term and targeted state programmes, as well as is responsible for management of social services. It provides the catalogue of social services (including representation, information, consultation, mediation, etc.) and announces calls for funding under special programmes (trafficking in human beings, violence against women, etc.)</p> <p>b) Ministry of Justice (<i>LR Teisingumo ministerija</i>) accepts and analyses applications for compensation for damage caused by violent crime, as well as implements the state-guaranteed legal aid policy, organises and performs monitoring of state-guaranteed legal aid.</p> <p>c) Ministry of the Interior (<i>LR Vidaus reikalų ministerija</i>) implements national programme for crime prevention and control, juvenile</p>

						justice programmes, programme for prevention and control of human trafficking, etc.
2. Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.						
LT	There is no official body that has the overall coordinating role in organising victim support services at national level. However Ministry of Social security and labour is responsible for management of social services and preparing long-term and targeted state programmes. One of the main areas of the activities of the Department of Supervision of social services under the Ministry of Social security and labour (<i>Socialinių paslaugų priežiūros departamentas prie Socialinės apsaugos ir darbo ministerijos</i>) is implementation of state social programmes and projects for social services. The following functions of the department relevant for the organising victim support services should be mentioned: administration of social programmes and projects at the state and municipal level and control how the allocated funds are used; control of the process of assessment of an individual's (family's) needs of social services; issue of licenses for providing social care and provision of regular monitoring in order to ensure that licensees comply with the established regulations; establishment of common practice of application of social care norms and requirements for general social service and social care; provision of methodological assistance regarding application of social care norms and control of quality of general social services and social care; etc. ³³					
3. What is the legal basis for the type of victim support model that exists in your country (e.g. is it stipulated somewhere in a legal instrument that victim support services be state-run; state-funded etc.?)						
	There is no legal basis of victim support model that exist in the country. Provisions concerning establishment, financial support and activities of specialised assistance centres for victims of domestic violence are underlined the Order on the specialised assistance centres programme approval ³⁴ . In accordance of part IV of this legal document, activities in the frame of the programme are financed from the state budget of the country, municipalities' budget, financial means of the EU structural funds and other financial means received on the legal basis.					

³³ More information: www.sppd.lt/en/information/Activities/

³⁴ Lithuania, Minister of Social security and labour, Minister of the Interior and Minister of Health (2011), Order on the specialised assistance centres programme approval (*LR Socialinės apsaugos ir darbo ministro, LR Sveikatos apsaugos ministro ir LR Vidaus reikalų ministro įsakymas dėl specializuotos pagalbos centrų programos patvirtinimo*), No. A1-534/V-1072/1V-931, 19 December 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=415786&p_query=specializuotos%20pagalbos%20centr%F8%20programos&p_tr2=2.

2.2.3 Funding:

Please answer the following questions by completing the tables. Please note that countries that do not have generic victim support service providers (i.e. that fall within category 'A' under question 2.2.2) should not answer questions c & e. For questions g-k, if your country does not have a generic victim support structure in place, please respond to the question with respect to a specialised area of victim support. **Please select one of the two specialised areas of victim support you focused on in your phase 2 country report to the FRA (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'. If you choose to take another area, provide a short justification for why you have chosen that area.**

Important for all: Whether you answer questions g-k with respect to an organisation providing generic victim support or an organisation providing specialised victim support, please choose the biggest organisation (in terms of the organisation that receives most funding, helps most victims nationwide etc.).

For the year 2012, please specify the exact amount of funding:		Amount (in EURO)	
a Budgeted by the state for compensation		N/A	
b Paid out by the state for compensation		586 286 EUR ³⁵	
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)			
d Budgeted by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding. A list of organisations providing victim support in the area domestic violence and stalking is provided in Annex 3.		167 864 EUR ³⁶	
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).			
f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding. The provided amount is for the year 2012. Totally 16 organisations that provide victim support in the area domestic violence and stalking received state funding in 2012. A supplemented list of organisations is provided in Annex 3.		167 864 EUR ³⁷	
Reimbursement by the state of expenses incurred	Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.		x	Assistance provided by the specialised assistance centres for the victims of domestic violence is free of charge. Ministry of Social security and labour is responsible for provision of

³⁵ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

³⁶ Communication of NFP-Lithuania with Ministry of Social security and labour (*LR Socialinės apsaugos ir darbo ministerija*) (14 March 2013).

³⁷ *Ibid.*

		financial support for such centres. ³⁸
<p>h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?).</p>	x	<p>There is no direct reimbursement for expenses incurred through the provision of support victims. All expenses are included into the total amount of the budget which is prepared for the competition to receive support for the maintenance of the specialised assistance centres.</p> <p>Specialised assistance centres for victims of domestic violence are supported by the state. Expenses include not only direct support for the victim, but also maintenance of the building, salaries for social workers, psychologists and other staff. In the project proposal it is obligatory to foresee how many victims will receive the support, however such criteria as working experience of the organisation and outcomes from the previous projects play important role for receiving state's funding as well.</p>
<p>i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a</p>		Victim support services are

³⁸ Lithuania, Minister of Social security and labour, Minister of the Interior, Minister of Health (2011), Order on the specialised assistance centres programme approval (*LR Socialinės apsaugos ir darbo ministro, LR Sveikatos apsaugos ministro ir LR Vidaus reikalų ministro įsakymas dėl specializuotos pagalbos centrų programos patvirtinimo*), No. A1-534/V-1072/1V-931, 19 December 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=415786&p_query=specializuotos%20pagalbos%20centr%F8%20programos&p_tr2=2; Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?		provided for all victims equally regardless victim's social or legal status, nationality or the country where s/he came from. ³⁹
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.		Victim support services are provided for all victims equally regardless victim's social or legal status, nationality or the country where s/he came from. ⁴⁰
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.	x	There are no any factors that would discourage victim support organization from supporting third country nationals. However, organization has never had such cases during their working practice. ⁴¹

2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	322 ⁴²
b Received compensation from state sources.	241 ⁴³
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	Around 1500 ⁴⁴

2.2.5 Official/academic studies on victims

Have any official or academic studies been published in your country in the last 5 years on the following (note: please provide a full reference for the study (following the FRA style guidelines) and provide a link if available online):

³⁹ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

⁴³ *Ibid.*

⁴⁴ Number of cases of domestic violence that specialised assistance centres received from the police and proposed their assistance for. Communication of NFP-Lithuania with Ministry of Social Security and Labour (*LR Socialinės apsaugos ir darbo ministerija*) (14 March 2013).

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?		x		
Other national studies related to victims of crime (specify)	x		[Lithuania], Institute of Hygiene (<i>Higienos institutas</i>) (2013), Tyrimas: smurtą patyrusios moterys gėdijasi kreiptis pagalbos, Press release, 27 February 2013, available at: www.hi.lt/news/513.html .	<i>In the frame of the study 89 women, who have experienced violence from their intimate partner and currently are receiving support in the specialised centres for victims of domestic violence, were conducted. According to the study, psychological violence is the most widespread (98,5% of the respondents have experienced it during their lifetime), while 82% of women stated they have experienced more than one type of violence during the past year. However not every women apply for help because they feel shame (43,9%), are not aware, where they could apply for assistance (39%), furthermore 36,6% of the respondents do not believe that they will get any help.</i>
			[Lithuania], Justickis, V., Voropoj, K., Valickas, G. (2012), Terapinė jurisprudencija: naujas požiūris į nusikaltimo auką, Socialinių mokslų studijos/ Societal studies, issue 4(4): Mykolas Romeris University, [1645-1663].	<i>The paper presents the situation, legal status and role of crime victims in Lithuania, focusing on the approach of therapeutic jurisprudence to the solution for undesirable consequences of involvement in pre-trial and trial processes. In accordance to the principles of therapeutic jurisprudence the necessity to solve not only legal, but also psychological problems of crime victims, as well as training of law enforcement personnel to consider the psychological needs of those, who had suffered from crime, is emphasized.</i>
			[Lithuania], Babachinaitė, G. (2011), Kriminalinės viktimizacijos Lietuvoje pagrindinių statistinių rodiklių kriminologinė analizė, Jurisprudencija/ Jurisprudence, issue 18(3): Mykolas Romeris University, [1163-1176].	<i>This article refers to the criminological analysis of the state registration of victimological data about criminal victimization in Lithuania. The period of analysis is 2004-2009. Following the validation of new criminal laws on 1 May 2003, from 2004 a period of stable state registration of crime victims, i.e. a period without significant changes in criminal laws, commenced. The article deals with the analysis of spreading of criminal victimization among natural persons and juridical persons in Lithuania.</i>
			[Lithuania], Sakalauskas G., Dobrynina, M., Justickaja, S. (2011), Registruotas ir latentinis nusikalstamumas Lietuvoje: tendencijos,	<i>The aim of the study is to present the situation of the delinquency in Lithuania not only on the basis of the indicators of registered cases, but also of the latent ones. An overview of the situation covers</i>

		lyginamieji aspektai ir aplinkos veiksniai, Vilnius: Eugrimas, [328].	<i>the period from 1990 to 2009. According to the results of the study an increase and a decline of the criminality cases depend on the economic situation of the country. On the basis of the latent delinquency studies, annually at least 10% of Lithuanian citizens become victims of crime. The most hidden type of crime is sexual violence. As it is indicated in the study it could be tens of time more victims of this crime than official statistic show.</i>
		[Lithuania], Ministry of Social security and labour, UAB "BGI Consulting" (2008), Smurto prieš moteris šeimoje analizė ir smurto šeimoje aukų būklės įvertinimas. Tyrimo ataskaita, Vilnius: Ministry of Social security and labour, [100], available at: www.socmin.lt/index.php?1606775163 .	<i>The aim of the study – to analyse and evaluate the spread of the phenomenon of domestic violence against women in accordance with the various forms of violence, status of the victims and perpetrators, conditions of the victims of domestic violence, as well as to make a comparative analysis with the previous studies. 1000 women of the age 18-74 have been surveyed on the phone. As the results of the study show domestic violence is a latent phenomenon as 60% of the respondents have stated they never experienced violence in the public place. Even though almost 20% of the respondents have mentioned concrete organizations and their contacts, where assistance would be available, every second women claimed they never applied for the assistance. Furthermore, every second married women who have experienced domestic violence do not call it as violence.</i>

2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the 'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

		Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body who runs it, contact phone number etc.) under 'Comments'.		x	There is no national victim support helpline in Lithuania. However there are several helplines that provide information, emotional and psychological assistance for the specific target groups, such as: children and youth (e.g. <i>Vaikų linija</i> ⁴⁵ ;

⁴⁵ More information: www.vaikuliniija.lt/.

				<p><i>Jaunimo linija</i>⁴⁶, etc.); adults who generally need psychological support (<i>Vilties linija</i>⁴⁷); women who are victims of domestic violence or in general need emotional assistance (e.g. <i>Pagalbos moterims linija</i>⁴⁸). Lithuanian Association of Phone Psychological Assistance Services (<i>Lietuvos telefoninių psichologinės pagalbos tarnybų asociacija</i>) indicates Women help hotline (<i>Pagalbos moterims linija</i>) partly puts a contribution of providing assistance for victims of violence over the phone as women who experienced violence (domestic violence, human trafficking) apply (write messages or call) for the support.⁴⁹</p> <p>Ministry of Social Security and Labour did not indicate any plans to establish a nationwide generic helpline.⁵⁰</p>
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').			
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).			
4	Is the helpline free of charge?			
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.			
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')			
7	Is the helpline funded by the state?			
8	Is the international EU victim support telephone number 116-006 available? ⁵¹ If no, provide a justification and/or specify whether plans to implement this are underway.		x	<p>A public competition for the implementation of the international EU victims support telephone number in Lithuania was announced by the Communication Regulatory Authority of the Republic of Lithuania on the 5th of February 2013. However there was no institution that would have expressed</p>

⁴⁶ More information: www.jaunimolinija.lt/.

⁴⁷ More information: www.kpsc.lt/vilties_linija.html.

⁴⁸ More information: www.moters-pagalba.lt/linija.

⁴⁹ Communication of NFP-Lithuania with Lithuanian association of phone psychological assistance services (*Lietuvos telefoninių psichologinės pagalbos tarnybų asociacija*) (5 March 2013).

⁵⁰ Communication of NFP-Lithuania with Ministry of Social security and labour (*LR Socialinės apsaugos ir darbo ministerija*) (14 March 2013).

⁵¹ In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.

			the desire to gain the right to use this number. ⁵² Ministry of Social security and labour did not indicate if the call will be repeated/ renewed in the near future. ⁵³
		Comments	
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.		
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'		
11	How many people were employed to run the helpline in 2012?		
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins		
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?		
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)		
15	Please specify the number of times the helpline was contacted in applic. If this information is not available, please provide a reason under 'comments'.		

⁵² Communication of NFP-Lithuania with Ministry of Social security and labour (*LR Socialinės apsaugos ir darbo ministerija*) (14 March 2013).

⁵³ *Ibid.*

2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?	x		According to the Law on protection against domestic violence (Art. 9 part 1), police officers must inform the victim about the possibilities of receiving assistance and, upon informing the victim (in practice – written agreement is required), report the incident to a specialised assistance centre. ⁵⁴ The same practice is followed with regards to trafficking in human beings, ⁵⁵ although the law does not require this. It is done under a cooperation agreement of Police Department and NGO Missing Persons Family Support Centre for (<i>Dingusių žmonių šeimų paramos centras</i>), signed on 20 December 2004, and Police Department and NGO Caritas Lithuania, signed on 7 March 2006. ⁵⁶
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	x		Under art. 16 of the Law on Compensation of damage caused by violent crimes, ⁵⁷ the Ministry of Justice and its authorized institutions must provide information on compensation of damage caused by violent crimes. According to art. 46(2) of the Criminal procedure code ⁵⁸ , the information on such compensation must be provided by the prosecutor or pre-trial investigation officer, immediately after the recognition of the status of victim.
3	Are police legally obliged to provide all victims with information concerning their rights and role in criminal proceedings? If yes, what is the legal basis for this obligation (e.g. name of the law)?	x		According to art. 45 of the Criminal procedure code pre-trial investigation officers (as well as prosecutors and judges) have the obligation to explain the procedural rights to the parties and provide the possibilities for their implementation. ⁵⁹ Moreover, the police is obliged to provide information on the right to special assistance in domestic violence cases, ⁶⁰ and the right to compensation of damage inflicted by violent crimes. ⁶¹

⁵⁴ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011.

⁵⁵ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

⁵⁶ *Ibid.*

⁵⁷ Lithuania, Law on Compensation of damage caused by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No. X-296, 30 June 2005. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=332087.

⁵⁸ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Available at: http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=438015.

⁵⁹ *Ibid.*

⁶⁰ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje aplinkoje įstatymas*), No. XI-1425, 26 May 2011, Article 9 (1).

⁶¹ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Article 46 (2).

4	Are victims who do not understand or speak the language provided with free of charge interpretation in the language of their choice (e.g. during any interviews or questioning of the victim by the police)	x		Through Police electronic services system (<i>Policijos elektroninių paslaugų sistema</i>), ⁶² victims can address the police and receive information in Lithuanian, Russian, English and Polish languages. Moreover, the police departments have agreements with translation beauroes with the view of providing information for foreigners at any time. ⁶³ Upon inquiry, the Police department has confirmed that these services are free-of-charge to the victims. If no translation is available (during the night, cases of emergency), simple translation programs, like Google translate, are being used. ⁶⁴
5	Are victims notified about their right to receive information about:			
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;		x	According to art. 214(3) of the Criminal procedure code victim is informed about any decision to end investigation. ⁶⁵ The prosecutor responsible for pre-trial investigation is also responsible for providing such notification, and not the police.
	(b) the time and place of the trial, and the nature of the charges.		x	According to the Criminal procedure code, the court must notify victim on the date of trial and victims in general should participate in trials (art. 233, 319). If there are many victims or civil claimants, they can be informed on the time and place of appellate hearing by press and not later than 10 days before the hearing (art. 319). ⁶⁶ There is no duty of the police in this regard.
	(c) any final judgment in a trial		x	In first instance trials, according to art. 310 of the Criminal procedure code, the judgement is given to the defendant, and also upon request to persons who participated in trial, immediately after the decision, or 5 days after submitting such request (art. 319). ⁶⁷ Therefore, there is no duty under the law to inform about the judgement in first instance court, if victim does not request this information. There is no duty of the police in this regard.

2.5 Training of practitioners on dealing with victims of crime

Please complete the information in the following table, selecting either 'yes' or 'no' and providing a short explanation in the comments field. Where 'Yes' or 'No' answers are not applicable, 'NA' has been inserted. In these instances, please answer the question directly in the 'comments' field.

⁶² Available at: www.epolicija.lt.

⁶³ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013); (4 July 2013).

⁶⁴ *Ibid.*

⁶⁵ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):

		Yes	No	Comments (max 2-3 sentences)
1	Police	x		Annually around 6000 police officers improve their qualification and working skills in Lithuanian police school. In the period of 2011-2012 65 trainings were carried out on the following issues: domestic violence, human trafficking, sexual exploitation, violence against children and children welfare, communication with victims of violence. Trainings dealt both on working with certain categories of victims (e.g. victims of domestic violence, victims of trafficking in human beings, etc.) and all victims of crime. ⁶⁸
2	Prosecutors	x		According to the art. 32 of Law on the amendment of the law on the prosecutors' office prosecutors must improve their qualifications constantly. Trainings for prosecutors, judges and court staff are organized by the Training Centre of National Courts Administration (<i>Nacionalinės teismų administracijos mokymo centras</i>). 132 officers participated in 4 training seminars in 2011 and 163 in 4 training seminars in 2012. Trainings dealt both on working with victims of certain categories of crime (e.g. victims of domestic violence) and all victims of crime. ⁶⁹ Number of prosecutors trained in: 2011 – 29. 2012 – 47. ⁷⁰

⁶⁸ Communication of NFP-Lithuania with Lithuanian police school (*Lietuvos policijos mokykla*) (13 March 2013).

⁶⁹ Communication of NFP-Lithuania with Training centre of national courts administration (*Nacionalinės teismų administracijos mokymo centras*) (18 March 2013).

⁷⁰ *Ibid.*

3	Judges		x	<p>According to the art. 43 and art. 92 of Law on Courts⁷¹ judges must improve their qualification constantly. Trainings for prosecutors, judges and court staff are organized by the Training Centre of National Courts Administration (<i>Nacionalinės teismų administracijos mokymo centras</i>). 132 officers participated in 4 training seminars in 2011 and 163 in 4 training seminars in 2012. Trainings dealt both on working with victims of certain categories of crime (e.g. victims of domestic violence) and all victims of crime.⁷²</p> <p>Number of judges trained in: 2011 – 62 2012 – 89.⁷³</p>	
4	Court staff		x	<p>Trainings for prosecutors, judges and court staff are organized by the Training centre of national courts administration (<i>Nacionalinės teismų administracijos mokymo centras</i>). 132 officers participated in 4 training seminars in 2011 and 163 in 4 training seminars in 2012. Trainings dealt both on working with victims of certain categories of crime (e.g. victims of domestic violence) and all victims of crime.⁷⁴</p> <p>Number of court staff trained in: 2011 – 2 (judicial assistances) 2012 – 9 (judicial assistances) and 18 (other officers and specialists).⁷⁵</p>	
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)		x	<p>NGOs are directly involved in such trainings. Representatives read lectures and share their personal experience working with victims in practice.⁷⁶</p>	
6	Is systematic training of victim support staff carried out on how to deal with victims of crime? If yes, please indicate the nature of the training,			x	<p>There is no regular training of staff in organizations that provide victim support.</p>

⁷¹ Lithuania, Law on Courts (*Lietuvos Respublikos teismų įstatymas*), No. I-480, 31 May 1994, last amendment No. XI-1482, 21 June 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=440669&p_query=&p_tr2=2.

⁷² Communication of NFP-Lithuania with Training centre of national courts administration (*Nacionalinės teismų administracijos mokymo centras*) (18 March 2013).

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)	NA	NA	In the trainings organised by the Training centre of national courts administration (<i>Nacionalinės teismų administracijos mokymo centras</i>) also participated judge assistants, officers from Prison department under the Ministry of justice (<i>Kalėjimų departamentas prie LR Teisingumo ministerijos</i>) and officers from Police Department under the Ministry of the Interior (<i>Policijos departamentas prie LR Vidaus reikalų ministerijos</i>). ⁷⁷
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2.6 Rights of victims in criminal proceedings

Please complete the information in the following tables, choosing ‘Yes’ or ‘No’ and providing a short explanation or justification for each answer. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. ‘Yes’ or ‘No’) is accurate and revise if necessary.

2.6.1 Definition of victim

Please provide a definition of the term victim in your country:

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term ‘victim’ (as provided for in national legislation)?	Under art. 28 part 1 of the Criminal procedure code, victim is a private person who suffered physical, material or moral damage due to criminal activity, recognized as such by a decision of a pre-trial officer, prosecutor or court order. ⁷⁸
2	Is there a separate definition of ‘vulnerable victims’ (as separate from the main or generic definition of ‘victim’)?	<p>There is no such separate definition in the legislation, but victim support services are also provided to persons who are not recognized as “victims” because of their refusal to testify.</p> <p>The victim has the duty to testify, and in many cases, without the victim’s testimony, criminal procedure is not possible, because the victim is the source of information on factual circumstances of the case. However, it cannot be claimed that the status of victim in all cases will be connected to status of witness. The status of the victim relates to the actual (direct) damage to the person, and to the recognition as the victim by state agent (pre-trial investigator, prosecutor, or judge).⁷⁹</p> <p>Moreover, under Law on protection against domestic violence, victim of domestic violence is a person against whom domestic violence has been used, also a child who has become a witness of domestic violence or lives in an environment exposed to violence.⁸⁰</p>
3	Are parents, children, other family members, same sex partner & first responders included under the main definition of the term victim?	A child, who has become a witness of domestic violence or lives in an environment exposed to violence, is also considered a direct “victim.” Under Criminal procedure code and Law on Protection against domestic violence, the terms “family members” and “domestic environment” are rather wide and should include unmarried persons living together. They

⁷⁷ Communication of NFP-Lithuania with Training centre of national courts administration (*Nacionalinės teismų administracijos mokymo centras*) (18 March 2013).

⁷⁸ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002.

⁷⁹ [Lithuania], Jurka. R., Randakevičienė, I., Juzukonis, S. (2009), *Baudžiamojo proceso dalyviai*, Vilnius, Industus, p. 47.

⁸⁰ Lithuania, Law on Protection against domestic violence (*Lietuvos Respublikos Apsaugos nuo smurto artimoje įstatymas*), No. XI-1425, 26 May 2011.

	If not, are they included as 'indirect' victims or similar?	are not seen as victims, but they have special position in criminal procedure. Some victims' personality rights are only reserved for spouses, children, parents, and dependants (right to compensation under the Law on Compensation of damage caused by violent crimes, art. 8 ⁸¹).
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2.6.2. Decision not to prosecute

With regard to victims' rights to review a decision not to prosecute, please answer the following:

	Yes	No	Comments (Max word count 80 words)
If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?	x		Under the Criminal procedure code, victims have the right to appeal such decision to a higher prosecutor, who must review it in 20 days. Afterwards, if the decision is negative, victim can still appeal to pre-trial judge (art. 214). ⁸²
Who undertakes this review?			Higher-rank prosecutor and pre-trial judge. Moreover, the order of a pre-trial judge may also be appealed to higher court. The order of the appeal instance in this case is final (art. 442(2)) ⁸³ .
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?	x		Private proceedings may be instituted the Criminal procedure code. A written claim must be submitted by the victim, and if he/she cannot do it due to physical or psychological obstacles or minor age, by a representative. In such proceedings, pre-trial investigation is not undertaken, unless the status of the proceedings is changed to state prosecution. Another feature of private prosecution is the necessary reconciliation hearing (Chapter XXX). ⁸⁴
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		x	No, there is no hotline, but it is possible to call the responsible prosecutor on a work phone. ⁸⁵

2.6.3. Right to be heard

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Some examples have been provided.

	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	x		Victims under the Criminal procedure code have the duty to testify, and they can also make the final speech (art. 28). ⁸⁶
Do victims have a right to supply evidence during criminal proceedings?	x		Victims under the Criminal procedure code have the right to supply evidence. ⁸⁷

⁸¹ Lithuania, Compensation of damage caused by violent crimes (*Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No. X-1843, 14 November 2008. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=259415&p_query=&p_tr2=.

⁸² Lithuania, Criminal procedure code (*Baudžiamojo Proceso Kodeksas*), No. IX-785, 14 March 2002.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ Communication of NFP-Lithuania with Prosecutor General (*Generalinė Prokuratūra*) (18 March 2013).

⁸⁶ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 28.

⁸⁷ *Ibid.*

Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):	x	This is possible during pre-trial investigation and at court. First, if the victim has a status of protected witness, video or telephone conference may be used for witnessing, ⁸⁸ and second, identity of the witnessing victim may be fully or partially anonymous. ⁸⁹ The cumulative conditions for applying (full/partial) anonymity are: grave crime, important witness, and real threat to life/health of the witness or his/her family members, close relatives, business and other interests. ⁹⁰
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2.6.4 Rights of victims at trial

The International Criminal Court (ICC) has created a special unit for victims and witness to provide support before, during and after the trial. Services are delivered by professionals who are often salaried employees of the court, and includes persons with expertise in trauma, including trauma from sexual violence. When providing testimony victims may also have support from family members, psychologists or legal representatives. These specialists are also able to advise prosecutors on appropriate security arrangements for victims and the court must take measures to protect the safety, physical and psychological well-being, dignity and privacy of victims. The statute allows for identities not to be made public, testimony to be provided by electronic means and the hearing to be confidential. The statute also calls for the court to establish principles relating to “reparations to victims, including restitution, compensation and rehabilitation” and to establish a trust fund which “works for victims by mobilizing people, funding opportunities for the benefit of victims and implementing court-ordered reparations awards.”

With the example of the ICC special victims’ unit in mind, please answer the following questions, choosing ‘yes’ or ‘no’ and providing a short description. If the answer is no, please provide a justification. Where ‘Yes’ or ‘No’ answers are not applicable (i.e. questions 2-4), ‘NA’ has been inserted. In these cases, please answer the question directly in the ‘Description/justification’ field.

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?		x	No such special unit for victims is available.
2	Is there a separate waiting area for victims at court?		x	No, there is no special waiting area for victims. ⁹¹ Depending on available funds, construction of new court buildings includes separate waiting areas for victims. It is more difficult to arrange with regards to old court buildings, because of the limited space. ⁹²

⁸⁸ *Ibid.* Art. 279 part 6.

⁸⁹ *Ibid.* Art. 203; 282.

⁹⁰ *Ibid.* Art. 199.

⁹¹ Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (18 March 2013); (4 July 2013).

⁹² Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (18 March 2013); (4 July 2013).

3	Is special seating reserved for victims at trial?		x	<p>No, there is no special seating for victims, but the accused are sometimes separated by special barriers. This is true not for all courts, and there is no statistics on how many courts have these barriers.⁹³</p> <p>Depending on available funds, construction of new court buildings includes separate seating places for victims.⁹⁴</p>
4	What other services are available??	NA	NA	<p>There are no other services available yet. Although work-places of psychologists have been established at 5 courts, there was no funding, therefore such services are not provided.⁹⁵</p> <p>In June, the Judicial council of Lithuania (<i>Lietuvos Teisėjų Taryba</i>) addressed the Government of Lithuania, asking to allocate the funds for these psychologists work-places in the budget for 2014.⁹⁶</p>
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA	NA	<p>Victims can receive free legal, social and psychological support from NGOs or budgetary institutions.⁹⁷ Victims of specific crimes (domestic violence, human trafficking) receive help from specialized NGOs, which employ specialists, and also involve volunteers. By the “budgetary institutions”, legal aid services are implied, and professional lawyers (advocates) provide the aid in such cases (see 2.6.5).</p>
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?	NA	NA	<p>No, but there is a new project prepared, where cooperation with prosecutors and lawyers is envisaged, with the view of protection of witnesses.⁹⁸</p>
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		x	<p>There is no such system established, but under the project mentioned above, there is an idea to provide consultations and</p>

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

				trainings of judges on safety of victims. ⁹⁹
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		x	The Law on courts does provide for main principles of operation of courts, including the right to legal assistance, the right to be heard, but it does not mention victims rights specifically. ¹⁰⁰
9	Do victims have the right to be accompanied by support persons during the trial?	x		The current laws do not forbid accompanying persons, as long as the victim agrees. ¹⁰¹
10	Can victims access & copy trial records	x		Yes, victims have the right to access the case materials (personal data must be kept separately) during pre-trial investigation and court proceedings (art. 28, 237). Witnessing victims can access the relevant trial protocols and make verifications (art. 81(2)), ¹⁰² in 3 days from court hearing (it is up to the chair of the court whether to accept them) (art. 261(6)). ¹⁰³ Under the Law on courts, parties can make sound recordings of court hearings under procedure prescribed by laws (art. 38(4)). ¹⁰⁴

⁹⁹ Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (18 March 2013); (4 July 2013).

¹⁰⁰ Lithuania, Law on Courts (*Lietuvos Respublikos Teismų įstatymas*), No. I-480, 31 May 1994. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=440669.

¹⁰¹ Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (18 March 2013); (4 July 2013).

¹⁰² Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002.

¹⁰³ *Ibid.*

¹⁰⁴ Lithuania, Law on courts (*Lietuvos Respublikos Teismų įstatymas*), No. I-480, 31 May 1994.

2.6.5 Legal aid for victims:

Experts consider provision of legal advice the area where there is most room for improvement in the area of victim support activities, with significant advances needed to ensure free and easily accessible legal advice for all victims. With this in mind, please answer questions 1 -5 in the table below selecting only **one option** (a, b, c or d) for each question and providing a description under 'comments'. **Please specify what criteria, if any, entitle a victim to avail of certain categories of legal aid. There may be several criteria (as in the example below – please be as detailed as possible. If none of the descriptions match the situation in your country, please choose 'd' and provide a short explanation of the situation.**

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
1. Free legal advice	Place X in appropriate column		x		
	Comments:		<p>1. Primary legal aid (legal consultation of 1 hour, more if necessary) is available without means-testing for all persons.¹⁰⁵</p> <p>2. Legal aid is provided to Lithuanians and EU nationals, private persons lawfully residing in EU member states, and other persons provided under international treaties.¹⁰⁶</p>		
2. Free legal representation	Place X in appropriate column		x		

¹⁰⁵ See: www.teisinepagalba.lt/pirmine/tm/kamteikiamapirmine/.

¹⁰⁶ Lithuania, Law on state-guaranteed legal aid (*Lietuvos Respublikos Valstybės garantuojamos teisinės pagalbos įstatymas*), No. VIII-1591, 20 March 2000. Art. 11.

	Comments:		<p>1. Under the Law on State-guaranteed legal aid, some persons can receive it, regardless of the level of income or property: the aggrieved parties in the cases concerning compensation for the damage incurred through criminal actions, including the cases when the issue of compensation for damage is heard as part of a criminal case; the persons receiving a social allowance under the Republic of Lithuania Law on Cash social assistance for low-income families (single residents); the persons maintained in stationary care institutions; the persons who have been established a severe disability or for whom incapacity for work has been recognised or who have reached the pensionable age and for whom the level of considerable special needs has been established, also guardians (custodians) of these persons, where State-guaranteed legal aid is required for the representation and defence of rights and interests of a ward (foster-child); the persons who have presented a proof that they cannot dispose of their property and funds for objective reasons and that for these reasons, their property and annual income which they can freely dispose of do not exceed the established property and income levels; the persons suffering from serious mental disorders, when issues of their forced hospitalisation and treatment are being considered according to the Law on Mental health care, and their guardians (custodians), where state-guaranteed legal aid is required for the representation of rights and interests of a foster-child (ward); minor children, when they independently apply to a court for the defence of their rights or interests protected under law in the cases specified by laws, with the exception of those who have entered into a marriage in accordance with the procedure laid down by laws</p>		
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			<p>or have been recognised by the court as legal capable (emancipated).¹⁰⁷</p> <p>2. Moreover, persons whose income and property does not exceed established levels (first or second level), can also ask for secondary legal aid. First level of income means not exceeding 8 monthly minimal salaries per year and second level of income – not exceeding 12 monthly minimal salaries per year.¹⁰⁸ Regarding second level of income, a person must reimburse 50 % of costs.¹⁰⁹</p> <p>3. This applies to Lithuanians and EU nationals, and private persons lawfully residing in EU member states.</p>		
3. Exemption from court fees	Place X in appropriate column		x		
	Comments:		Persons eligible to state-guaranteed legal aid are exempted from court fees. ¹¹⁰		
4. Exemption from or reimbursement for expenses related to interpretation and/or translation	Place X in appropriate column		x		
	Comments:		The costs of state-guaranteed legal aid also include the costs of interpretation of communication between the lawyer and the applicant where, in the cases provided for in international treaties of the Republic of Lithuania, it is impossible to ensure that a person providing State-guaranteed legal aid communicates with the applicant in the language which the latter understands. ¹¹¹		

¹⁰⁷ Lithuania, Law on State-guaranteed legal aid (*Lietuvos Respublikos Valstybės garantuojamos teisinės pagalbos įstatymas*), No. VIII-1591, 20 March 2000. Art. 12.

¹⁰⁸ See: www.teisinepagalba.lt/antrine/tm/skaiciuokle/.

¹⁰⁹ Lithuania, Law on State-guaranteed legal aid (*Lietuvos Respublikos Valstybės garantuojamos teisinės pagalbos įstatymas*), No. VIII-1591, 20 March 2000. Art. 4(5).

¹¹⁰ *Ibid.* Art. 20(1).

¹¹¹ *Ibid.* Art. 14(6).

5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings	Place X in appropriate column			x		
	Comments:			1. Where the physical presence of an applicant is required by the law or by the court, the travel costs to be borne by an applicant are borne by the services from the state budget finds allocated for that purpose. ¹¹² 2. The travel costs and translation costs are also born in international disputes. ¹¹³		
		The state	A victim support service	Both	Other (explain)	
2. Who provides legal aid? place 'X' in one column only)		x			The institutions managing State-guaranteed legal aid are: 1) Government of the Republic of Lithuania; 2) Ministry of Justice of the Republic of Lithuania; 3) municipal institutions; 4) State-guaranteed legal aid services 5) Lithuanian Bar. ¹¹⁴ The legal aid is provided by advocates of the Lithuanian Bar, under agreements with the State guaranteed legal aid services. ¹¹⁵	

¹¹² *Ibid.* Art. 20(2).

¹¹³ *Ibid.* Art. 31(1)3.

¹¹⁴ *Ibid.* Art. 5.

¹¹⁵ *Ibid.* Art.9 (1)3.

2.7 Compensation

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer: e.g. for question 2.7 (2), please select 'Yes' or 'No' and under comments, specify what measures victims can ask for during criminal proceedings. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary; i.e. by moving your country from the 'Yes' column to the 'No' column and vice versa.

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?	x		Victims may demand compensation inflicted by crimes. ¹¹⁶ Victims of violent crimes may also ask for compensation from victims' fund during criminal proceedings (in advance) and after court decision. ¹¹⁷
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?	x		Under the Criminal procedure code, victims can ask for return of property (art. 108), reimbursement expenses (art. 103 part 1 and part 2). Measures for physical protection may also be applied. ¹¹⁸ The Law on Protection of criminal process and participants in operational activity, officers of criminal justice institutions from criminal impact provides in particular (<i>Baudžiamojo proceso ir kriminalinės žvalgybos dalyvių, teisingumo ir teisėsaugos institucijų pareigūnų apsaugos nuo nusikalstamo poveikio įstatymas</i>) (art. 4 part 1) that the measures of protection can be provided <i>inter alia</i> to witnesses and victims. Various types of protection measures apply under the Law, e.g. physical protection of the person and property; temporal re-location, change of personal identity; change of appearance (plastic surgery); financial support, etc.
3	Is compensation paid by the offender?	x		Yes, the offender may voluntarily compensate damage at any time of the proceedings, ¹¹⁹ and the victim may claim damage by civil claim. ¹²⁰

¹¹⁶ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 44(10).

¹¹⁷ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniai nusikaltimai padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 2(6).

¹¹⁸ Lithuania, Law on Protection of criminal process and participants in operational activity, officers of criminal justice institutions from criminal impact (*Baudžiamojo proceso ir kriminalinės žvalgybos dalyvių, teisingumo ir teisėsaugos institucijų pareigūnų apsaugos nuo nusikalstamo poveikio įstatymas*), No. I-1202, 13 February 1996, Art. 4(1).

¹¹⁹ Lithuania, Criminal Procedure Code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 118.

¹²⁰ Lithuania, Criminal Procedure Code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 109.

4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?	x		Yes, there is the Fund of Crime Victims (<i>Nukentėjusių nuo nusikaltimų asmenų fondas</i>). After compensation of damage from the fund, the state has the regress right to reclaim the sums paid for compensation of damage from the convicted persons. ¹²¹ The court may also order to pay contributions to the fund as a punitive measure. ¹²²
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?	x		The compensation paid by the offender under art. 14 of the Law on Compensation of damage inflicted by violent crimes goes to the special programme, ¹²³ i.e. the programme for the Fund of Crime Victims. ¹²⁴
6	Is compensation paid by the state?	x		If the accused or persons materially responsible for damage inflicted by the accused do not have the funds for compensation, it can be compensated by state. ¹²⁵
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?	x		Compensation for the damage caused by violent crimes shall be provided if all the following conditions are met: a court has awarded damage or damage provided for in a court order has not been reimbursed; the violent crime was committed on the territory of the Republic of Lithuania (also plane or ship under its flag); the damage caused by the violent crime was not compensated; the applicant filed the application for compensation within 10 years from the court decision, except when the deadline is overdue to serious reasons. ¹²⁶ The law also provides for a possibility of an advanced payment of compensation. ¹²⁷
8	Does a compensation order exist?		x	If the civil claim is satisfied, the court decides this question together with the criminal case. It may go beyond the demands of the claim, if the amount of the claim has no effect on

¹²¹ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005, Art. 14(1).

¹²² *Ibid.* Art. 15.

¹²³ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No. X-296, 30 June 2005. Art. 14(3).

¹²⁴ Communication of NFP-Lithuania with Ministry of Justice (Teisingumo ministerija) (2 May 2013).

¹²⁵ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 118.

¹²⁶ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 4(1).

¹²⁷ *Ibid.* Art. 8.

				qualification of the criminal activities and penalty. In exceptional cases, where additional material/calculations are needed, the court may rule on the “right to satisfaction of the claim” (<i>teisė į ieškinio patenkinimą</i>) by the civil claimant, and transfer the case for consideration on civil matters. ¹²⁸
9	Do prosecutors have the power to mediate between the offender and the victim?	x		In general, an institute similar to mediation in criminal proceedings is reconciliation (<i>susitaikymas</i>) ¹²⁹ but the prosecutors are not obliged to mediate. ¹³⁰ Extensive efforts with the view of mediation are put in case of juvenile delinquency. ¹³¹ Regarding compensation, prosecutors have the duty to obtain compensation, and if the offender compensates damage, prosecutors may ask for summary proceedings (no accusatory act, no court hearing) ¹³²
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	x		Prosecutors have the duty to obtain compensation in state-supported proceedings, if the civil claim is not filed and criminal activities affected the person who cannot protect his/her lawful interests due to lack of age, sickness, dependency relation to the accused, or other reasons. ¹³³
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.		Payment of compensation may influence the decision to prosecute. ¹³⁴ If the compensation is paid, the prosecutor may decide to end the process by criminal order (art. 418 on the Prosecutor’s right to end the process by criminal order). This order is adopted by the court upon prosecutor’s request.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	x		Payment of compensation may influence the court sentence (it is a mitigating factor). ¹³⁵

¹²⁸ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 115.

¹²⁹ *Ibid.* Art. 413 and art. 3(1)5.

¹³⁰ [Lithuania], Ažubalytė, R. Susitarimas (*susitaikymas*) viešojo kaltinimo bylose kaip viena iš diskrecinio baudžiamojo persekiojimo formų. *Jurisprudencija*, 2006 6(84), [38].

¹³¹ More information: <http://mediacija.policija.lt/en>.

¹³² Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 418.

¹³³ *Ibid.* Art. 117.

¹³⁴ *Ibid.* Art. 418.

¹³⁵ Lithuania, Criminal code (*Baudžiamasis kodeksas*), No. VIII-1968, 26 September 2000. Art. 59 (3), 62 (1).

13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	x		The applicant has to file the application for compensation within 10 years from the court decision awarding damage, except when the deadline is overdue to serious reasons. ¹³⁶
14	Do third country nationals have the right to apply for compensation?	x		Victims who have the right to apply for compensation are: Lithuanian nationals, EU member states nationals, other person domiciled in Lithuania or another EU member state, and other persons under Lithuanian treaties. ¹³⁷
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?		x	Illegal migrants have not right to compensation under the relevant legal regulation. ¹³⁸
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?		x	Violent crime is the crime provided in the Criminal code, which caused intentional deprivation of victim's life, intentional serious or non-serious health impairment or crime against freedom of sexual self-determination or immunity. ¹³⁹ Accordingly, intentional murder, intentional injury, rape, sexual abuses, human trafficking, genocide, etc. are violent crimes, while negligent injury, minor injury, theft and other crimes against property are not. ¹⁴⁰

2.8 Cross border support

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-12), please place your answer directly in the 'Description' field.

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?	x		As soon as police receives information about the victim of crime who is a resident in another state, it informs diplomatic missions (including embassies, consulates, etc.) about the case. Further assistance is organized by them. ¹⁴¹

¹³⁶ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniai nusikaltimai padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 4(1).

¹³⁷ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniai nusikaltimai padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 2(2).

¹³⁸ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

¹³⁹ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniai nusikaltimai padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 2(1).

¹⁴⁰ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

¹⁴¹ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

2	Can victims of crime report crimes in their own country if the crime was committed in another state?	x		Persons are able to use services of the website www.epolicija.lt in order to receive information, as well as to inform police about the committed crime. Such kinds of reports are investigated having regard to the circumstances of the incident. ¹⁴²
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	x		Regarding social services for victims of crime in accordance to the art. 5 of the Law on Social services ¹⁴³ the right to social services have also citizens of other states and individuals without citizenship, who have a permit of permanent residence in the Republic of Lithuania.
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			Persons are able to use services of the website www.epolicija.lt in order to receive information, as well as to inform police about the committed crime. Such kinds of reports are investigated having regard to the circumstances of the incident. ¹⁴⁴
5	Is information made available to victims in different languages by the police? If yes, which languages?	x		All information is provided in Lithuanian, English, Russian and Polish. However police also has agreements with the translation offices and is able to ensure that foreign citizens would receive the assistance they need. ¹⁴⁵
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	x		It depends on the organisation, but most of them would be able to provide assistance in English and Russian. Contacted NGO confirmed that specialist working in the organization can communicate in English and Russian fluently. ¹⁴⁶
7	Do victim support services offer interpretation or translation services? If yes, in which languages?		x	Contacted NGO informed that cases when assistance is provided for foreigner are very rare, however if such services were needed, they would be offered and provided. ¹⁴⁷
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)			
		Description (max 2-3 sentences per question)		
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			According to the Law on Compensation of damage inflicted by violent crimes (art. 2 (2)) victim of crime is defined a citizen of the Republic of Lithuania, citizen of

¹⁴² *Ibid.*

¹⁴³ Lithuania, Law on social services (*Lietuvos Respublikos Socialinių paslaugų įstatymas*), No. X-493, 19 January 2006. Available at: www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=270342&p_query=&tr2=

¹⁴⁴ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo ministerija*) (29 March 2013).

¹⁴⁵ *Ibid.*

¹⁴⁶ Communication of NFP-Lithuania with NGO Kaunas county women crisis centre (*Kauno apskrities moterų krizių centras*) (26 March 2013; 19 March 2013).

¹⁴⁷ *Ibid.*

		other EU Member State, other person who legally and permanently lives in the Republic of Lithuania or other EU Member State, who experienced violent crime. In order to receive a compensation a crime should be happened in the Republic of Lithuania and application for the compensation should be submitted no later than 10 years after the trial decision for the compensation, except the term was missed because of important reasons. Like other persons foreign citizen should submit the request in the frame of special form prepared by the order of the Minister of Justice. In addition passport, transcript of trial decision regarding compensation, act prepared by bailiff which confirm that caused criminal damage is not compensable. The decision to compensate the damage or not should be made no later than during one month from the day when request and all relevant documents were received. ¹⁴⁸
10	What is the number of victims accessing victim support services who are non-nationals of the state?	Police institutions do not collect data how many non-nationals of the state access victim support services. ¹⁴⁹
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	Persons are able to use services of the website www.epolicija.lt in order to receive information, as well as to inform police about the committed crime. Such kinds of reports are investigated having regard to the circumstances of the incident. ¹⁵⁰
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	All personal data of cross border victims are protected in the frame of Law on Legal protection of personal data. ¹⁵¹

2.9. The role of volunteerism in victim support

From the research carried out in phases 1 & 2, one of the most striking features of the more robust generic victim support systems in Europe is the crucial role played by volunteers.

- a. With this in mind, please provide an overview (max 500 words) of the tradition of volunteerism in the area of the victim of support in your country; i.e. outlining whether such a culture exists, what is the historical background for why it does or does not exist; how is the situation changing and focusing on any discernible trends; explaining also the typical profile of volunteers who work in the field - e.g. well educated? Professional background - working in a particular field (e.g. legal, social work); typical tasks? (E.g. provision of legal/psychological advice? Or restricted to informing victims of rights etc.). How many hours a week do volunteers typically give of their time? Are numbers of volunteers increasing or decreasing?**

¹⁴⁸ Communication of NFP-Lithuania with the Ministry of Justice (*LR Teisingumo Ministerija*) (29 March 2013). Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 5(5).

¹⁴⁹ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

¹⁵⁰ *Ibid.*

¹⁵¹ Communication of NFP-Lithuania with Police department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013); Lithuania, Law on Legal protection of personal data (*Lietuvos Respublikos Asmens duomenų teisinės apsaugos įstatymas*), No. I-1374, 11 June 1996, last amendment No. IX-1296, 21 January 2003. Available at: www3.lrs.lt/pls/inter3/oldsearch_preps2?a=205081&b=

Despite the fact that volunteering has relatively long historical roots (first charity organisations were established in the XVIII century), it is not widespread and widely accepted in Lithuania. Furthermore, information concerning volunteerism in the country is general and not singled out by the specific, such as victim support, areas. As it is stated in the study of Volunteerism in Lithuania carried out by Social information centre¹⁵² in 2010, only during the past years positive changes have been noticed in the development of volunteerism in the country: citizens are more aware what 'volunteerism' is (87%) and more often get involved into voluntary activities (61% in 2010, while in 2008 it was 48% of the respondents). The fact why volunteerism just now starts being widely accepted is explained by the 'voluntary' structures existed under the Soviet regime, where people of different ages were expected and forced to participate by the state. Thus, after the restoration of independence in 1990, volunteering developed against the background of mistrust and negative perceptions. The development of volunteering in Lithuania post-1989 has been also remarked by the revival of some voluntary organizations which were active in the independent inter-war Lithuanian state (1918-1940), especially religious organisations and groups, strongly supported by the Catholic Church (e.g. Caritas, A.C. Patria, etc.). Further developments of volunteerism in the country have been related to the initiatives from abroad, including the activities under the United Nation's International Year of Volunteers in 2001, the EU youth programmes and other activities supported by foreign donors. The latest developments of the volunteering in Lithuania have been related to European year of voluntary activities promoting active citizenship in 2011. Positive changes have been noticed both on practical and legislative level. From 2006 there was no legal act in the country that would include and emphasise voluntary activities, while in 2011 the Law on Volunteering¹⁵³ has been adopted. According to the study Volunteering in Lithuania (Savanorystė Lietuvoje)¹⁵⁴, mostly volunteer is 20-39 years old (32% of respondents), female (55%), has a degree of high education (35%) and works as a hired employee (41%). 60% of voluntaries are married or live in the cohabitation. According to the study 27% of respondents live in the rural area and 26% in the city with more than 200 thousand inhabitants. Female voluntaries mostly provide services for children and youth, disabled and elder people, as well as are involved into the organisations of psychological and social assistance, hotlines; meanwhile men are engaged in organizing massive sport events. It is essential to emphasise that volunteers mostly get involved into environment cleaning activities; meanwhile services that would be related to victim support organizations are not so popular. **Only 9% of the respondent of the survey indicated that they are involved into the activities of organisations that provide psychological and/or social services.** On average volunteers give few hours per month of their time for the volunteering (29% - less than one hour per month, 29% - up to four hours per month), 26% of respondents indicated from one to four hours per week. Statistical information on voluntary activities is not collected in a systematic way. According to the latest statistics, there have been 2935 voluntaries in the day centres in 2011 (2847 in 2010), 62 persons volunteer for the institutions for elder people (80 in 2010), 15 persons were engaged to services for disabled people (6 in 2010) and 169 persons worked as volunteers in the children foster institutions (107 in 2010)¹⁵⁵.

- b. If there is no tradition of volunteerism in the area of the victim of support in your country, please outline (in max 500 words) any recent initiatives or attempts in the area of victim support to encourage a greater culture of volunteerism.

¹⁵² [Lithuania], Social Information Centre (2010), Savanorystė Lietuvoje, available at: www.nisc.lt/lt/files/main/savanoryste_lietuvoje2010.pdf.

¹⁵³ Lithuania, Law on Volunteering (*Lietuvos Respublikos savanoriškos veiklos įstatymas*), No. XI-500, 22 June 2011. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=412533&p_query=voluntary%20&p_tr2=2.

¹⁵⁴ [Lithuania], Social Information Centre (2010), Savanorystė Lietuvoje, available at: www.nisc.lt/lt/files/main/savanoryste_lietuvoje2010.pdf.

¹⁵⁵ Statics Lithuania (*Lietuvos Statistikos Departamentas*) (2012), available at: <http://db1.stat.gov.lt/statbank/selectvarval/saveselections.asp?MainTable=M3161117&PLanguage=0&TableStyle=&Buttons=&PXId=6574&IY=&TC=&ST=ST&rvar0=&rvar1=&rvar2=&rvar3=&rvar4=&rvar5=&rvar6=&rvar7=&rvar8=&rvar9=&rvar10=&rvar11=&rvar12=&rvar13=&rvar14=>.

Information concerning volunteerism and its development in the country is general and not single out by the specific, such as victim support, areas. As an example of good practice engaging volunteers in the area of victim support, Caritas Lithuanian project 'Aid to the victims of trafficking and prostitution' could be mentioned. Project has a separate Volunteer programme¹⁵⁶ for coordination of the activities implemented by the volunteers. Volunteers of the project implement the following activities: visit the project's client-girls, communicate with them, listen to them and support them; help and teach them how to do their household, cook, look after their children; help to organise the leisure time of the client-girls: lead them to museums, exhibition halls, concerts, cinema once the social workers organise such activities. Volunteers can also participate in professional trainings conducted by psychologists, social workers, police officials, physicians, and other specialists. According to the latest data, 39 volunteers have been trained for the work with victims of human trafficking in 2011.¹⁵⁷

2.10. The tradition of social work

In max 400 words, please provide an overview of whether there is a tradition of social work in your country, and if so, in what way (if any) is it linked to the victim support services structure in your country. In your answer, please include the level of education of a typical social worker (e.g. is university or third level education necessary?).

The tradition of social work is relatively young in Lithuania. The beginning of it is remarked by the restoration of independence in 1990, when the reform of social security system started and the need of social work raised. Subsequently Lithuanian Social Workers Association (Lietuvos Socialinių Darbuotojų Asociacija) was established in 1994, Lithuanian social workers code of ethics was adopted in 1997, while the requirements for the social workers were approved in 2006. Victims of crime are not specifically mentioned as the group of clients that social worker works with.¹⁵⁸ However they are main social services providers in NGOs and governmental institutions. It confirms the art. 19 of the Law on Social services which indicates that "social services of general interest and social attendance shall be provided by the social services establishments which are engaged in the provision of social services".¹⁵⁹ In accordance with paragraph 1 art. 20 of this law "social work shall be carried out by the social workers and assistant social workers working at social services establishments"¹⁶⁰. As it is emphasised in the Law on Social services a right to work as social worker has only a person who has received a higher education in social work or equivalent education (art. 20, paragraph 4)¹⁶¹. There are three types of education programmes for social workers: 1) non-university degree (graduate receive vocational qualification); 2) basic studies at the university (bachelor degree); 3) Master studies at the university (master degree).

2.11. Promising practices in the area of victim support

From the following list of promising practices (detailed explanations found under Annex 1), please identify whether there is a similar practice in your country (yes or no) and provide a brief explanation/description. If you have identified other promising practices not similar to the ones presented here, please provide details under '16' – 'Other promising practices'.

Promising practice	Does a similar practice	Short description of the practice in your country, outlining similarities;
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¹⁵⁶ More information: www.anti-trafficking.lt/index.php?s_id=6&lang=en.

¹⁵⁷ More information: www.anti-trafficking.lt/index.php?s_id=182&lang=lt.

¹⁵⁸ Lithuania, Minister of Social security and labour (Lietuvos Respublikos Socialinės apsaugos ir darbo ministras) (2010), Order on the approval of the requirements for social workers and persons who work social work vocational qualification improvement (Isakymas dėl socialinių darbuotojų kvalifikacinių reikalavimų aprašo ir socialinį darbą dirbančių profesinės kvalifikacijos tobulinimo tvarkos aprašo patvirtinimo), No. A1-2, 5 April 2006. Available at: <http://tar.tic.lt/Default.aspx?id=2&item=results&aktoid=2E348563-AB40-4C1C-9A41-73078569BC8A>.

¹⁵⁹ Lithuania, Law on Social services (Lietuvos Respublikos Socialinių paslaugų įstatymas), No. X-493, 19 January 2006. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_e?p_id=277880&p_query=&p_tr2=2.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

		exist in your country?		differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région (LU, FR, DE, BE)</i> published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.		x	Basic information of cross border victims is provided in other ways. For instance, information about social services and relevant contacts were included into the "Manual of implementation of third country nationals' integration" published by International Organization for Migration Vilnius office in 2009. There is also some publications with relevant information for victims of human trafficking. Mostly information is provided not for victims directly, but for the officers working with them. (e.g. social workers, police officers, etc.)
2	Assistance to tourist victims of crime: e.g. In Ireland , the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.		x	There is no such practice in Lithuania, assistance for tourist victims of crime are provided by the police like for others victims of crime.
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).		x	The Crime Victims Fund (<i>Nukentėjusių nuo nusikaltimo asmenų fondas</i>) is administered by the Ministry of Justice and is accounted in a special program, which is used to compensate the damage caused by the violent crimes. As it is stated in the Law on Compensation of damages caused by violent crimes (<i>Lietuvos Respublikos smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas</i> ¹⁶²) victims have a right to get state guaranteed legal aid and compensation from the Crime Victims Fund. As administrator Fund accepts requests to compensate damages caused by violent crimes, collects necessary

¹⁶² Lithuania, Law on Compensation of damages caused by violent crimes (*Lietuvos Respublikos Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No. X-1843, 14 November 2008. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=259415&p_query=&p_tr2=

				information for decision making process, and recovers in court the amount of compensation paid to the victims from the persons responsible for damages. However it does not help fund support services and does not to generate money for victim support service.
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.	x		If victim of crime does not contradict, legal acts of the Republic of Lithuania do not prohibit accompanying victims by the representatives of victim support services. ¹⁶³
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.		x	Regarding psychological assistance, although workplaces of psychologists have been established at 5 courts, there was no funding, therefore such services are not provided. ¹⁶⁴ There is possibility to receive free legal aid in the 'legal clinics'. However they provide legal assistance concerning various kinds of legal questions, not specifically related to crime.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.		x	Practice of legal clinics exist in Lithuania, however it provides legal assistance concerning various kind of legal questions, not specifically related to crime. As an example, Legal clinic of Vilnius University (<i>Vilniaus Universiteto teisės klinika</i> ¹⁶⁵) provides free legal assistance concerning questions on the civil law, family law, administration law, social care and labour law.
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while		x	There is no such practice in Lithuania. Information for victims is provided by disseminating the leaflets, publishing posters and in other ways of prevention. Information is also provided on the websites of organizations which provide social services.

¹⁶³ Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (21 March 2013).

¹⁶⁴ *Ibid.*

¹⁶⁵ More information: <http://teisesklinika.lt/>.

	in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.			
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).		x	'Victim's Charter' does not exist in Lithuania. In 2004 Centre for Equality Advancement (<i>Lygių galimybių plėtros centras</i>) published a publication called Legal and practical advices for women victims of domestic violence (<i>Teisiniai ir praktiniai patarimai moterims, patyrusioms prievartą šeimoje</i> ¹⁶⁶). It aims to educate and inform victims of domestic violence about the rights and possibilities of their realization, available assistance for victims that is provided by the government and non-government organizations. However no similar publications have been published since the Law of Protection against domestic violence was adopted in 2011.
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.		x	There is no such practice in Lithuania. However it should be mentioned that most of organizations which provide assistance for victims of crime have a strong cooperation with the police (e.g. NGO Missing Persons Family Support Centre for (<i>Dingusių žmonių šeimų paramos centras</i>), has officially cooperation agreement with the police since December 2004, NGO Caritas Lithuania since March 2006 ¹⁶⁷).
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.		x	Organizations that work on the counter trafficking cooperate with each other both by providing assistance for victims and by implementing prevention campaigns. As well as an interdisciplinary working group under the Ministry of Interior is established, which mainly aims to take into consideration the gaps that still need to be

¹⁶⁶ [Lithuania], Centre for Equality Advancement (*Lygių galimybių plėtros centras*) (2004), *Teisiniai ir praktiniai patarimai moterims, patyrusioms prievartą šeimoje*, Vilnius, [75], available at: www.gap.lt/images/pdf/publikacijos/teisiniai_patarimai.pdf.

¹⁶⁷ Communication of NFP-Lithuania with Police Department under the Ministry of the Interior (*Policijos departamentas prie LR Vidaus reikalų ministerijos*) (21 March 2013).

				considered in order to improve situation in the country .
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.		x	There are some organizations that work on the issues of Roma community in Lithuania and involve volunteers to their activities as well. However, most of them work with Romani children.
13	Police forces in England and Wales have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998): Sample Extract from the policy: 1. Rationale 1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime. 1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative. 1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...]. ¹⁶⁸		x	It is a gap that still needs to be addressed.
14	Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge not to betray the interests of the victim).		x	If the victim has a status of protected witness, video or telephone conference may be used for witnessing. ¹⁶⁹ Moreover, identity of the witnessing victim may be fully or partially anonymous. ¹⁷⁰ The cumulative conditions for applying (full/partial) anonymity are: grave crime, important witness, and real threat to life/health of the witness or his/her family members, close relatives, business and other interests. ¹⁷¹ However, video-conferencing is not physically possible in all

¹⁶⁸ <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

¹⁶⁹ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 279 part 6.

¹⁷⁰ *Ibid.* Art. 203, 282.

¹⁷¹ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 199.

				<p>courts. The National court administration (<i>Nacionalinė teismų administracija</i>) currently undertakes a project on 'Establishment of the system of transmission of image, recording and protection in the courts' (<i>"Vaizdo perdavimo, įrašymo ir saugojimo sistemos sukūrimas ir įdiegimas teismuose"</i>) aimed at acquiring telephone and video conferencing equipment and installing it in courts.¹⁷² Another project on "Support for witnesses and victims and ensuring safety at courts" (<i>Parama liudytojams ir nukentėjusiesiems bei saugumo užtikrinimas teismuose</i>) is about to be launched, aimed at increased physical and psychological safety at courts.¹⁷³</p>
15	In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)		x	<p>There is no such practice in Lithuania. Trainings are dealt in other ways.</p> <p>According to the art. 32 of Law on the amendment of the law on the prosecutors' office prosecutors must improve their qualifications constantly. Trainings for prosecutors, judges and court staff are organized by the Training centre of national courts administration (<i>Nacionalinės teismų administracijos mokymo centras</i>), trainings for police officers are arranged by the Lithuanian police school (<i>Lietuvos policijos mokykla</i>).</p>
16	Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	NA	NA	N/A

2.12 Role of the victim in practice

When it comes to perceiving or conceptualising victims of crime, certain ideal types or models can be distinguished. Based on your research and responses so far, please choose one from the following 4 descriptions of the role of the victim in the criminal justice system of your country (if possible indicating the most common view of legal practitioners (judges, prosecutors, lawyers) in your country. (If you believe that there are

¹⁷² Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (2 May 2013).

¹⁷³ *Ibid.*

different perceptions of victims depending on various types of criminal offences, please consider cases of violent crimes.):

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.		
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.		
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.	x	<p>A comprehensive view of the victim is recognized in the criminal proceedings. According to the Criminal procedure code victim is also perceived as a witness of crime who might know any circumstances to resolve the case. Besides, victim has a constitutional right to claim the compensation* for the damage s/he experienced (Criminal procedure code, art. 28 and art. 109). Finally, victim is perceived as a person who is entitled to see that justice is done and participate in criminal proceedings. Victim and his/her representative have a right: to provide evidence, provide requests; to get an access to the criminal proceeding during the pre-trial process and in trial; to appeal against the judgement or order; to say the final speech (Criminal procedure code, art. 28(2)).¹⁷⁴</p> <p>* According to the Constitution of the Republic of Lithuania art. 30 "Compensation for material and moral damage inflicted upon a person shall be established by law".¹⁷⁵</p>

¹⁷⁴ Communication of NFP-Lithuania with National courts administration (*Nacionalinė teismų administracija*) (18 March 2013); Communication of NFP-Lithuania with Prosecutor General (*Generalinė Prokuratūra*) (18 March 2013).

¹⁷⁵ Lithuania, Constitution of the Republic of Lithuania (*Lietuvos Respublikos Konstitucija*), No. 33-1014, 25 October 1992. Art. 30.

In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria.¹⁷⁶ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.

	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The national system provides for a legal status as a party to criminal proceedings;	x		Throughout the Criminal procedure code, the recognized victim is a party to criminal proceedings. The victim is a private person who suffered physical, material or moral damage due to criminal activity, who must be recognized as such by a decision of a pre-trial officer, prosecutor or court order. ¹⁷⁷ The victim is seen as equal to the accused with regards to criminal proceedings (procedural equality). ¹⁷⁸
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness	x		The victim is required to witness under oath and is responsible for fraudulent witnessing. ¹⁷⁹
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.	x		If victim is not recognized as such, or loses this status, s/he can still be obliged to participate in the proceedings as a witness, but as a witness, s/he does not have any procedural possibilities to protect her/his rights (or use a representative to do that). ¹⁸⁰

¹⁷⁶ See Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

¹⁷⁷ Lithuania, Criminal Procedure Code (*Baudžiamojo Proceso Kodeksas*), No. IX-785, 14 March 2002. Art. 28(1).

¹⁷⁸ [Lithuania], Ažubalytė, R. (2006), Susitarimas (susitaikymas) viešojo kaltinimo bylose kaip viena iš diskrecinio baudžiamojo persekiojimo formų. *Jurisprudencija*, 2006 6(84), [38].

¹⁷⁹ Lithuania, Criminal procedure code (*Baudžiamojo proceso kodeksas*), No. IX-785, 14 March 2002. Art. 28(3).

¹⁸⁰ [Lithuania], Ažubalytė, R. (2006), Susitarimas (susitaikymas) viešojo kaltinimo bylose kaip viena iš diskrecinio baudžiamojo persekiojimo formų. *Jurisprudencija*, 2006 6(84), [38].

IMPORTANT:

In accordance with question 2.2.1b, if you have identified your country as belonging to category 'A'; please respond only to questions 3.3 and 3.4 of part B.

In accordance with question 2.2.1b, if you have identified your country as belonging to any category other than 'A'; please respond only to questions 3.1 – 3.3 of part B.

2 Part B:

3.1 Establishment of generic victim support organisations*¹⁸¹

3.1.1 Please outline who (i.e. state or non-state actor) took the initiative for first setting up victim support services.

Max 250 words

3.1.2 Where did the money come from to support this first attempt?

Max 150 words

3.1.3 What were the circumstances leading to the establishment of the victim support service(s)?

Max 200 words

3.1.4 Quality standards

	Yes	No	Description (max 3-5 sentences)
Do formally adopted key performance indicators exist in relation to the quality of services provided by generic victim support services? If yes, please describe them.			

3.2 Personnel (professional staff and volunteers)*:

Taking the below as an example, please provide information with regard to professional staff and volunteers working in the area of generic victim support in 2012 (if more than one organisation dealing with generic victim support please produce a separate table for each organisation).

¹⁸¹ Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work

3.3 Services provided by the state:

From the below list, please answer 'yes' or 'no' if the following general services are provided directly by the state free of charge to victims and provide a short description – **to be answered by all.**

Services provided to victims by the state (free of charge)	Yes	No	Description
a Free legal advice by courts or free legal assistance	x		Courts do not provide for legal advice, but state guarantees free legal advice (consultation) to everybody, and free secondary assistance to some victims. ¹⁸²
b Free health/psychological assistance (e.g. crisis intervention centres)		x	Regarding psychological assistance, although workplaces of psychologists have been established at 5 courts, there was no funding, therefore such services are not provided. ¹⁸³ There is possibility to receive free legal aid in the 'legal clinics'. However they provide legal assistance concerning various kinds of legal questions, not specifically related to crime. It should be mentioned that NGOs which provide assistance for victims of crime mainly provide comprehensive assistance including health and psychological assistance. All services that provide NGOs are free of charge.
c Emergency financial assistance		x	Emergency financial assistance is not provided for the victims; however the Law on Compensation of damage inflicted by violent crimes provides the possibility of an advanced payment of compensation. ¹⁸⁴
d Court accompaniment/support services	x		The state guarantees the services of representation at court to some victims, as explained under section 2.6.5 "Legal aid for victims." Only a recognized victim has the right to free representation (lawyer's accompaniment) at court. ¹⁸⁵ Representatives can be advocates or their assistants, or, upon permission of pre-trial officer, prosecutor or judge – any other <u>authorised person with legal education</u> . ¹⁸⁶
e Other (specify)	x		Special regulation of compensation is available for Holocaust victims, i.e. under the law on Compensation for Jewish Religious Communities, surviving Jewish victims are compensated for damage sustained due to totalitarian regimes. ¹⁸⁷

¹⁸² More information: www.teisinepagalba.lt.

¹⁸³ *Ibid.*

¹⁸⁴ Lithuania, Law on Compensation of damage inflicted by violent crimes (*Smurtiniais nusikaltimais padarytos žalos kompensavimo įstatymas*), No X-296, 30 June 2005. Art. 8.

¹⁸⁵ Lithuania, Criminal procedure code (Baudžiamojo proceso kodeksas), No. IX-785, 14 March 2002. Art. 55(4).

¹⁸⁶ *Ibid.* Art. 55(2).

¹⁸⁷ Lithuania, Seimas (2011), Law on Compensation for Jewish religious communities (*Geros valios kompensacijos už žydų religinių bendruomenių nekilnojama turta*) No. 80-3897. Available at: www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=402515&p_query=d%EBI%20kompensacij%F8%20%FEyd%F8&p_tr2=2. Art. 3(2).

3.4 (Failed) Attempts to establish national generic victim support service provider**188

Please describe whether there has ever been any attempt to establish a generic victim support service organisation in your country, specifying the year in which it was established and who attempted it (i.e. state or non-state actor). Why did it not succeed? If you cannot identify such an attempt, please explain the absence of the establishment of such an organisation (historical reasons etc.) and identify whether there is any discussion at government level/media etc. concerning the need to establish/improve services for victims.

Max 250 words

Regarding to the question of attempts to establish national generic victim support service it was contacted with the Ministries that work on the issue of criminal victim support. However neither Ministry of Justice, nor Ministry of Social security and labour were able to explain the reasons why there is no national provider of such services in the country. Ministry of Social security and labour indicated that there are no plans to initiate the establishment of generic victim support organization, which would provide a comprehensive assistance for victims of crime, in the future.¹⁸⁹

Annex 1 – Country codes

Code	Name of country
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania

¹⁸⁸ **This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

¹⁸⁹ Communication of NFP-Lithuania with Ministry of Social security and labour (*LR Socialinės apsaugos ir darbo ministerija*) (3 May 2013)

SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

Annex 2 –list of generic victim support organisations by country

In accordance with question 2.2.1a, please review the list and short description of structure of generic victim support organisations operational in your country and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned.

Countries shaded in green have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should please provide a short list of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.

	Name/short description of organisation(s)
AT	In every of Austria’s nine provinces (<i>Bundesländer</i>), branches of national organisations and local victim support organisations are operative. Weisser Ring (NGO) is currently the largest general victim support organisation operating in Austria. Today, the White Ring operates out of a federal office in Vienna and nine branches in all Austrian provinces, as well as 14 representation offices at regional level.
BE	Bureaux d’assistance aux victimes; Victim’s reception service in each of the 27 judicial districts and at the community level, assistance to victims is organized through Centres for Victims of Crime;
BG	
CY	The Social Welfare Services which is the only umbrella service providing support to various victim “groups”, the rest of the initiatives are targeted on specific victim “groups” and are under the non-governmental sector. However, the services provided by the SWS are targeted mainly towards victims of domestic violence and victims of trafficking.
CZ	The Probation and Mediation Service (“PMS”); the White Circle of Justice
DE	The largest volunteer victim support service (operating nationwide) is the Weisser Ring e.V. In Berlin, Hamburg, Lower Saxony, Saxony, Mecklenburg-Western Pomerania and Hesse independent victim support charities (Opferhilfe e.V) run local offices. A nationwide coverage of professional victim support services does not exist, although a number of the professional support services are organised under the auspices of the umbrella organisation Working Group of Victim Support in Germany ‘ado’. In many states (Bavaria, Baden-Württemberg, Bremen, Saarland, Rhineland-Palatinate, Saxony-Anhalt, Schleswig-Holstein and Thuringia) generic professional victim support services as described above do not maintain offices. Here volunteer support services fill this gap.
DK	The Victim Support in Denmark (VID) (Offerrådgivningen, OID). The general victim support service in Denmark consists of 33 different general local entities with VID as their umbrella organisation.
EE	The citizen-initiated Union of Support to Victims of Crime “Victim Support” (Kuriteoohvrite Toetamise Uhing “Ohvriabi”), founded in 1994. It is still the only organisation that provides support to victims of crime in general, without specialisation to any type of victim group.
EL	
ES	The management of the Offices for Support to Victims of Crimes (Oficinas de Asistencia a las Víctimas de Delitos, OAV) is the responsibility of regional governments having the Spanish government used the ability to “set up management agreements entrusted with the Autonomous Communities and local Corporations”. In Spain, these are the only victim support services that can be considered to have a generic character because of dealing with many sorts of victims particularly since this very year.

FI	In 1994, Victim Support Finland (Rikosuhripäivystys / Brottsofferjouren) began its activities. It was the first organisation to offer victim support services and still is the only organisation providing services to victims of various different types of crimes, as most other third sector actors specialise in providing assistance to certain specific victim groups.
FR	The National Institute for Victims and Mediation (L'Institut national d'aide aux victimes et de médiation, INAVEM) was established in 1986 to promote greater coherence and activity for victim support services. Since June 2004, the INAVEM has had the status of federation, representing member associations (www.inavem.org.). Services for victims (services d'aide aux victimes, SAV) are members of the INAVEM. 150 associations are adherents to the INAVEM and provide psychological, logistic, financial and legal support to victims .
HR	County Court level: There are special departments for victim and witness support (Odjeli za organiziranje i pružanje podrške svjedocima i žrtvama), established at the following seven county courts as part of the court administration: Zagreb, Split, Rijeka, Osijek, Zadar, Vukovar, Sisak. Special departments provide victim and witness support in trials for all criminal offences.
HU	Metropolitan and county offices of the Victim Support Service. There are also a few NGOs that operate in the field of victim support. The White Ring Association is specialised in assisting victims of any crime and it provides similar services as the state agency, however the scope of its activities is rather limited due to financial burdens
IE	Various non-governmental victim support organisations – e.g. the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
IT	
LT	
LU	In Luxembourg there are few generic victim support organisations, as typically, each organisation is tasked with clear missions and has clear responsibilities. They are two; Waisse rank Service d'aide aux victimes du parquet general. Other organisations offer assistance to victims of a particular type of violence.
LV	
MT	Victim Support Malta (VSM).
NL	Victim Support Netherlands (VSN) (<i>Slachtofferhulp Nederland</i> , SHN).
PL	Support Network for Victims of Crimes (consisting of 16 regional support centres); social welfare centres (<i>ośrodki pomocy społecznej</i>), crisis intervention centres (<i>ośrodki interwencji kryzysowej</i>) or the support centres (<i>ośrodki wsparcia</i>), which offer support for people in various crisis situations.
PT	Portuguese Association for Victim Support (<i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
RO	
SE	The Swedish Association for Victim Support (<i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
SI	
SK	Non-governmental organizations are virtually the only active players in the field of victim support services. <i>Pomoc obetiam násilia</i> is the leading victim support service provider.
UK	Victim Support (England and Wales) Victim Support (Scotland) Victim Support (Northern Ireland)

Annex 3 –list of specialised areas of victim support chosen in phase 2 (for countries with no generic victim support organisations)

BG	Domestic violence and stalking and trafficking in human beings.
EL	Domestic violence and stalking and trafficking in human beings.
IT	Trafficking in human beings and sexual abuse of children
LT	Domestic violence and stalking and trafficking in human beings.
LV	Sexual abuse of children and stalking and trafficking in human beings.
RO	Sexual abuse of children and stalking and trafficking in human beings.
SI	Domestic violence and stalking and trafficking in human beings.

Main organisations providing victim support in the area ‘Domestic violence and stalking’¹⁹⁰

	Organization	Brief description
1.	Kaunas county women crisis centre (KCWCC) (<i>Asociacija Kauno apskrities moterų krizių centras</i>) ¹⁹¹	Organisation was established in 1999 and since 2011 acts as Specialised Help Centre on behalf of Ministry of Labour and Social Affairs. The purpose of KCWCC to support women who found themselves in a critical situation irrespective of their age, background, nationality or social status. Activities: <ul style="list-style-type: none"> • Prevention • Support programs • Representation and protection of women’s rights • Project activities.
2.	Kretinga women information and training centre (WITC) (<i>Asociacija Kretingos moterų informacijos ir mokymo centras</i>) ¹⁹²	The objective of this organisation is to support unemployed and social marginalized women in the rural area, to change their potential to improve their social economic position.
3.	Kaunas women's society (Asociacija Kauno moterų draugija) ¹⁹³	Kaunas Women's Society is the organization, which connects women regardless of their age, religion, occupation and status in society. Mission of the organization: <ul style="list-style-type: none"> • To promote gender equality in civil society. • To care for women's quality of life in the society and personal expression in both private (family, home) and public (labor market, occupation, participation in public life and politics) spheres. • To initiate the establishment of a center, where women and their

¹⁹⁰ According to the results of the call for the Specialised assistance centre selection 2012-2014. More information: www.socmin.lt/index.php?1183758385.

¹⁹¹ More information: www.kamkc.lt.

¹⁹² More information: <http://kmimc.lt/index.htm>.

¹⁹³ More information: <http://akmd.lt/about-us>.

		children experiencing violence could get a permanent support.
4.	Visaginas family crisis centre (<i>Asociacija Visagino šeimos krizių centras</i>)	Organisation was established in 2002. It provides overall aid to families, using the help of other institutions: police, medicine, schools, social service, labour exchange etc. Kinds of activity: psychological consultations, group therapy.
5.	Women's activity Centre of Marijampolė District (MMWC) (<i>Asociacija Marijampolės apskrities moters veiklos centras</i>)	MMWC is participating in various activities to influence public policy on quality of life of women and families; MMWC expands educational activities; creates an umbrella organisational structure in Marijampolė district; provides information, assistance and counselling to women; fosters women's consciousness, self-expression, humanness, solidarity, civic consciousness and ethnic culture irrespective of nationality, education or beliefs. ¹⁹⁴
6.	Women's Centre for Activity Innovation (<i>Asociacija Moterų veiklos inovacijų centras</i>)	
7.	Vilnius Women's House (VWH) (<i>Asociacija Vilniaus moterų namai</i>) ¹⁹⁵	Organisation was established in 1993. Since 1995 the priority of VWH is the urgent issue of violence against women and girls, in families and public sphere. One of the points of the mission of VWH is to empower women to overcome domestic violence providing women-centred services.
8.	Women's issues information centre (WIC) (<i>Asociacija moterų informacijos centras</i>) ¹⁹⁶	WIC was established in 1996 and acts as an umbrella organisation and works in partnership with other women's NGOs, government sector and international agencies. Violence against women is included into the main streamlines of WIC activities as organisation promotes teamwork in fighting violence against women.
9.	Lithuanian SOS Children's Agency Department in Panevėžys (<i>Asociacija Lietuvos agentūros „SOS vaikai“ Panevėžio skyrius</i>) ¹⁹⁷	Lithuanian SOS Children's Agency Department in Panevėžys was established in 1992 and is non-governmental organization that aims to help for children and their families. Women crisis centre is established under the organization, where assistance for women who are victims of domestic violence and their children is provided 24 hours per day.
10.	Public organization "Woman to Woman" (<i>VšĮ Moters pagalba moteriai</i>) ¹⁹⁸	

¹⁹⁴ More information: www.women-employment.lt/databases/wacmd.htm.

¹⁹⁵ More information: www.vmotnam.lt/Ing;EN.

¹⁹⁶ More information: www.lygus.lt/.

¹⁹⁷ More information: <https://sites.google.com/site/paramosnamaivisiems/lt/seimos-namai/moteru-kriziu-centras>.

¹⁹⁸ More information: www.moters-pagalba.lt/en/about.

11.	Public organization Telšiai crisis centre (VšĮ <i>Telšių krizių centras</i>)	
12.	Klaipeda Social and Psychological Services Centre (VšĮ <i>Klaipėdos socialinės ir psichologinės pagalbos centras</i>) ¹⁹⁹	
13.	Association Women crisis centre of Alytus city (<i>Asociacija Alytaus miesto moterų krizių centras</i>)	
14.	Anykščiai Women's Employment and Information Centre (<i>Asociacija Anykščių moterų užimtumo ir informacijos centras</i>) ²⁰⁰	
15.	Tauragė Women's Employment and Information Centre (<i>Tauragės moters užimtumo ir informacijos centras</i>) ²⁰¹	
16.	Marijampolė County Women's House - Crisis Center (<i>Asociacija Marijampolės apskrities moterų namai</i>) ²⁰²	

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²⁰⁰ More information: www.amuic.lt/?page_id=5&lang=en.

²⁰¹ More information: www.moterscentras.lt/.

²⁰² More information: www.moterunamai.lt/.

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