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PROTECTION OF THE RIGHTS OF PEOPLE WITH DISABILITIES: REVIEW OF COMPLAINTS REGARDING DECISIONS BY THE AGENCY FOR THE PROTECTION OF THE RIGHTS OF PEOPLE WITH DISABILITIES

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Abstract. *This article analyzes the system for protecting the rights of persons with disabilities in Lithuania, with a particular focus on its practical implementation following the 2024 reform. The aim of the article is to examine the system for protecting the rights of persons with disabilities in Lithuania, with a primary focus on disputes regarding decisions made by the Agency for the Protection of the Rights of Persons with Disabilities, as well as to assess the effectiveness of the pre-trial dispute resolution procedure and the appropriateness of the dispute resolution mechanisms in use.*

The scope of the study includes an analysis of legal regulation, institutional changes, and administrative practice. The research questions focus on how the 2024 disability reform changed the dispute resolution model and to what extent the new mechanism ensures a more effective opportunity for legal redress through administrative procedures.

The study employs comparative, systematic, analytical-critical, and statistical analysis methods. To analyze legal and administrative practice, case study and generalization methods are utilized. The empirical section is based on data from the activities of the Lithuanian Administrative Disputes Commission for 2024–2025.

The results show that the 2024 reform fundamentally restructured the system by establishing a model for assessing participation levels and a mandatory pre-trial review procedure. Although this improved the organization of the system and increased its formal accessibility, certain problems persist in practice. Some complaints are not examined on their merits due to non-compliance with procedural requirements, and the review of decisions is often limited to a formal assessment. There also remains a reliance on medical and social expert opinions.

Thus, while the reform has strengthened the legal framework, its effectiveness depends on practical implementation.

Keywords: *Lithuania disability law reform, Rights of persons with disabilities, Administrative justice, Pre-trial dispute resolution, Agency for the Protection of the Rights of Persons with Disabilities, Lithuanian administrative dispute commission*

Introduction

The development of disability rights in Lithuania reflects a broader transition from a medical and charity-based approach to a human rights paradigm, in which disability is understood as the result of interaction between individuals and societal barriers. Within this framework, the protection of the rights of persons with disabilities is recognized as a legal obligation of the state rather than an act of benevolence.

The 2024 Lithuanian disability reform introduced several important changes, including the establishment of the Agency for the Protection of the Rights of Persons with Disabilities, the introduction of a more comprehensive "participation level" assessment system, and the implementation of mandatory pre-trial dispute resolution procedures aimed at improving access to administrative justice. However, a number of challenges remain. In particular, the reliance on specialized medical and social expertise continues to raise concerns, as such assessments are difficult for legal institutions to fully evaluate. Moreover, the review of decisions adopted by the Agency for the Protection of the Rights of Persons with Disabilities (hereinafter – the Agency) highlights issues related to the effectiveness of pre-trial dispute resolution, the accessibility of administrative justice, and the reliability of expert assessments. These challenges reveal a gap between the formal human rights framework and its practical implementation.

The purpose of this article is to examine the system for the protection of the rights of persons with disabilities in Lithuania by focusing on complaints against decisions adopted by the Agency, paying particular attention to the effectiveness of pre-trial dispute resolution and the adequacy of current dispute resolution mechanisms.

This study contributes to the existing body of scholarship by offering a focused analysis of complaints against decisions of the Agency, an area that has received limited academic attention following the 2024 reform. In contrast to previous research, which has largely concentrated on theoretical or policy-oriented aspects of disability rights, this article explores the practical functioning of administrative and pre-trial procedures. It thereby provides insights into the application of legal norms in individual cases and identifies systemic shortcomings in the protection of rights.

The research is based on a combination of comparative, systemic, analytical-critical, and statistical methods. In addition, case analysis and generalization methods are employed to examine the relevant legal and administrative practices.

Literature review: theoretical and procedural dimensions of disability rights in Lithuania

The evolution of disability rights in Lithuania reflects a broader global shift from a paternalistic, medicalized approach toward a human rights-based paradigm. This transformation is analyzed in contemporary legal and sociological literature through three interrelated dimensions: the paradigm shift in the disability concept, the practical implementation of legal capacity and advocacy, and the procedural efficiency of administrative justice.

A fundamental contribution to the theoretical discourse in Lithuania is provided by J. Ruškus (Ruškus, 2014, pp. 143–145), who emphasizes the transition from the "charity" or "medical" model to the "human rights" model, as mandated by the United Nations Convention on the Rights of Persons with Disabilities (United Nations, 2006). Ruškus (Ruškus, 2023) argues that disability is not an inherent individual deficit but a result of the interaction between persons with impairments and attitudinal and environmental barriers. From this perspective, the

assurance of social rights is not merely a matter of state goodwill, but a legal obligation to ensure personal autonomy and de-institutionalization (Ruškus, 2021, pp. 153–157). U. Grigaitė, K. Levickaitė, D. Juodkaitė, and N. Goštautaitė-Midttun carried out the study 'Promoting human rights-based deinstitutionalization in Lithuania by applying the World Health Organization's Quality Rights Assessments', concluding that despite ongoing reforms, systemic human rights violations and significant practical gaps persist within Lithuania's social care and mental health facilities (Grigaitė et al., 2025) Complementing the theoretical framework, Ruškus, J., Kiaunytė, A., Zaturskis, G. and Juodkaitė D. focused on the practical and political implementation of these rights, particularly concerning the reform of legal capacity (Ruškus et al., 2020).

While the aforementioned authors define the "what" and "why" of disability rights, E. Bilevičiūtė provides a detailed analysis of the "how"—the procedural mechanisms for legal defense (Bilevičiūtė, 2024). The literature focuses on the 2024 disability reform, which introduced several critical changes:

- Institutional Optimization**:** The establishment of the Agency for the Protection of the Rights of Persons with Disabilities and the transition to "participation level" (Lith. *dalyvumo lygis*) assessments mark a shift toward a more holistic evaluation.
- Pre-trial Dispute Resolution: Bilevičiūtė emphasizes the mandatory pre-trial procedure involving the Lithuanian Administrative Disputes Commission (LADC). This is framed as a crucial mechanism for enhancing the accessibility of justice, providing a faster and more specialized alternative to court proceedings.
- The Problem of Specialized Knowledge: A key challenge identified is the reliance on specialized (medical and social) knowledge within the administrative process. Since courts and quasi-judicial bodies primarily perform legal oversight, their ability to verify the accuracy of expert assessments is a central theme in ensuring substantive justice (Bilevičiūtė, 2023).

A positive trend is evident in recent literature: the expansion of non-judicial mediation (Milius, 2025). This allows persons with disabilities and the state institution (the Agency) to reach an agreement without lengthy litigation. Upon receiving a complaint through the LADC, the Agency may itself conduct a re-evaluation of the person's level of participation and correct the error, thereby ensuring the person's rights more efficiently (Tvaronavičienė and Milius, 2020).

In summary, the Lithuanian academic discourse suggests that while the legislative framework has been aligned with international standards (Ruškus), and advocacy efforts have paved the way for policy reforms (Juodkaitė), the final guarantee of these rights lies in the efficiency of administrative procedures and the quality of evidentiary standards (Bilevičiūtė). A positive development is the possibility to use alternative disputes resolution methods, such as mediation, allowing disputes to be resolved more efficiently and sometimes without court involvement.

Developments in legislation and recent changes in the field of disability assessment

Over more than three decades, not only have the terms, definitions, and names of institutions changed, but also the very concept of disability and the state's approach to the rights of persons with disabilities. After the restoration of the independence of the Republic of Lithuania (1990), the protection of the rights of persons with disabilities developed gradually, moving from a model of social care to a system based on the principles of individual rights.

During the period from 1990 to 2000, legal regulation in this area was mainly focused on ensuring social support and pension provision, while disability was assessed primarily from a medical perspective. The Law on Social Integration of Persons with Disabilities of the Republic of Lithuania, adopted in 1991, was the first legal act regulating the situation of persons with disabilities after the restoration of independence in Lithuania. This law defined the concept of disability, divided it into three groups (I, II, III), specified the percentage of loss of working capacity, and established the procedure for determining disability, which was carried out by state medical and social expert commissions (The Parliament of the Republic of Lithuania, 1991).

The law broadly regulated medical, professional, and social rehabilitation, education for persons with disabilities, employment, work quotas, social guarantees, pensions, and benefits. Employers were required to establish quotas for the employment of persons with disabilities, with subsidies and additional contributions provided for failure to comply. The Lithuanian Council for Disability Issues under the Government of the Republic of Lithuania and the Disability Fund also coordinated the implementation of the policy (The Parliament of the Republic of Lithuania, 1991). This model was focused on medical disability assessment and the social security system, while in practice, disability was assessed according to functional impairments and loss of working capacity in percentages.

In 2004–2005, amendments to Lithuanian disability legislation introduced a significant conceptual shift by replacing the term *"invalid"* with *"person with a disability"* and renaming the legislation accordingly. This terminological change reflected a broader transformation in societal and legal attitudes toward disability, emphasizing the status of persons with disabilities as full members of society entitled to equal opportunities and participation. The revised law provided formal definitions of key concepts, including *disability*, *person with a disability*, and *degree of disability*, while placing greater emphasis on special needs, social and vocational rehabilitation, labour market integration, and participation in community life. It also established an institutional framework in which disability assessment, vocational rehabilitation, and the provision of social services were assigned to specific state and municipal authorities (The Parliament of the Republic of Lithuania, 2004).

A further and more comprehensive reform was adopted through the Law Amending the Law on Social Integration of the Disabled of the Republic of Lithuania No. I-2044 (Law No. XIV-1722 of 20 December 2022), which entered into force on 1 January 2024. This reform renamed the legislation as the Law on the Fundamentals of the Protection of the Rights of Persons with Disabilities of the Republic of Lithuania and replaced the previous disability framework with a rights-based approach. The new model introduced concepts related to participation and individual support needs, strengthening the protection of the rights of persons with disabilities and aligning Lithuanian legislation more closely with the principles of the United Nations Convention on the Rights of Persons with Disabilities. Consequently, the development of Lithuanian disability law demonstrates a gradual transition from a predominantly medical understanding of disability toward a social and human-rights-based model focused on inclusion, participation, and equality.

International commitments also had a significant impact on national legislation. In 2010, Lithuania ratified the United Nations Convention on the Rights of Persons with Disabilities (United Nations, 2006). This Convention called for a shift from a medical model to a social and human rights model. The Convention also established the state's obligation to ensure equality, non-discrimination, and full participation in society for persons with disabilities.

Further changes in legal regulation were made in order to implement the principles of this convention. With the amendments adopted in 2023 (effective from January 1, 2024), the name

of the law was changed once again – from the "Law on Social Integration of Persons with Disabilities of the Republic of Lithuania" to the "Law on the Fundamentals of the Protection of the Rights of Persons with Disabilities of the Republic of Lithuania" (TAR 2023-01-04, i. k. 2023-00135). This amendment represents a conceptual shift, as the term "persons with disabilities" is now used instead of "disabled persons." This new term emphasizes the person rather than their condition and gives priority to the dignity, individuality, and equal status of the person in society. The title of the law no longer emphasizes "social integration" but highlights the principles of protection of rights. The law introduces definitions of terms such as "person with a disability," "level of participation," "disability," and "easy-to-understand language."

One of the key innovations is the disability reform. On January 1, 2024, the disability assessment reform began to be implemented, following the entry into force of the Law on the Protection of the Rights of Persons with Disabilities of the Republic of Lithuania, adopted at the end of 2022, and accompanying legislation. The reform fundamentally changed the disability assessment model, reducing the importance of medical criteria and placing greater emphasis on individual needs and environmental barriers (Seimas Ombudsmen's Office, 2025, p. 61). The reform established a new definition of disability, introduced new concepts such as "easy-to-understand language" and "accessible means of communication," and replaced some of the terms previously used with new ones. Instead of the terms "disabled person," "level of working capacity," and "special needs," the terms "person with a disability," "level of participation," "disability," and "individual assistance needs" were established, thus emphasizing human dignity (The Parliament of the Republic of Lithuania, 1991).

Along with legal changes, institutional reforms also took place – in 2024, following the reorganisation of the Department of Disability Affairs and the Disability and Work Capacity Assessment Service, the Agency for the Protection of the Rights of Persons with Disabilities was established under the Ministry of Social Affairs and Labor (ANTAA). This institution organizes the protection of the rights of persons with disabilities, coordinates the implementation of policies and projects in this area, and organizes the preparation of individual assistance plans and monitors their implementation. In addition, the Agency makes decisions on the level of disability, level of participation, nature of work, and other issues related to the implementation of the rights of persons with disabilities (Seimas Ombudsmen's Office, 2025, p. 61).

It should be noted that the reform that came into force on January 1, 2024, was a major turning point in the system for protecting the rights of persons with disabilities, but in the subsequent period, the legal regulation in this context was essentially improved, but its direction remained unchanged. The current legal regulation is based on the Law on the Fundamentals of the Protection of the Rights of Persons with Disabilities of the Republic of Lithuania and its implementing secondary legislation, which set out and detail the determination of the level of participation, assessment of individual assistance needs, the preparation of assistance plans, and the mechanisms for their implementation (The Parliament of the Republic of Lithuania, 1991). The system has been streamlined in recent years, but the main direction of the reform has remained unchanged.

Particular importance for the present analysis is attributed to the Law on the Fundamentals of the Protection of the Rights of Persons with Disabilities of the Republic of Lithuania (The Parliament of the Republic of Lithuania, 1991), as well as the Description of the Criteria and Procedure for Determining the Level of Participation (Ministry of Social Security and Labour, 2023).

The Description of Criteria and Procedures regulates the procedure for preparing and submitting the documents required to determine the level of participation, as well as the procedure for determining the cause, time of occurrence, and duration of the level of participation; it establishes the criteria used to determine the level of participation (paragraph 1). The level of participation is determined by the Agency (paragraph 2). The criteria for the baseline level of participation are set forth in Annex 1 to the Description of Criteria and Procedures.

The level of participation is determined through a comprehensive assessment of baseline participation and the need for individual assistance, except in the cases specified in Chapter IV of the Description of Criteria and Procedures. When determining the level of participation, the Participation Level Assessment Report, in the form approved by the Director of the Agency, is completed (point 17).

The procedures for determining the level of participation, as set forth in paragraph 18 of the Description of Criteria and Procedures, are followed by the Agency's regional office when determining the level of participation. This includes completing the Individual Assistance Needs Questionnaire (Appendix 3), which assesses the individual's need for assistance in various areas of life and the impact of environmental factors on the individual's independence, and determines the extent of the need for individual assistance on a point scale (subparagraph 18.2); evaluates the data provided in clinical electronic records or in the submission to the Agency and in medical records, and determines the individual's baseline participation (the Participation Level Assessment Report is completed) (subparagraph 18.4); if necessary, submits a written request to the healthcare facility where the attending physician prepared the clinical electronic records or the referral to the Agency (subparagraph 18.5.1), other institutions or agencies regarding the submission of additional documents (information) necessary to determine the person's level of participation (subparagraph 18.5.2), a tertiary-level healthcare facility for an additional medical examination (subparagraph 18.5.3).

Paragraph 8 of the Description of Criteria and Procedures stipulates that a person is referred for the determination of the level of participation only after all possible treatment and/or rehabilitation measures have been exhausted and functional impairments remain, i.e., the treating physician, having established a diagnosis and taking into account that, following the applied treatment and/or medical rehabilitation, functional impairments of the body remain, which are confirmed by instrumental, clinical laboratory, and/or other examinations.

As already mentioned, in Lithuania, the assessment of disability has long been based primarily on medical criteria. As an example, we can mention people with intellectual and psychosocial disabilities, where the determination of their disability is based more on an assessment of their health condition, and it often happens that their disability is recognized as mild, even though these individuals require significant support in both employment and social independence. In other words, the assessment of disability lacked accuracy.

Under the revised legal framework, the concepts of "health status" and "level of participation" are related but are not, and cannot be, identical; and the Agency assesses not the level of health, but the level of participation, which is fundamentally influenced not by a diagnosed illness or an injury sustained by the person, but by the resulting functional impairments of the body; the extent of these impairments determines the criteria used to establish a higher or lower level of participation. Even with the same diagnosed condition, the level of participation may either increase or decrease, as it is determined by assessing not only medical criteria—i.e., the individual's baseline level of participation—but also their individual need for assistance (age, acquisition of work experience and job skills, and the ability to apply them, etc.). For this reason, if there are grounds for a reassessment of the level of participation,

the level of participation is not extended based on the medical data already in the case file, but is reassessed in accordance with newly submitted documents attesting to the person's current functional impairments.

According to case law, the Disability and Work Capacity Assessment Service under the Ministry of Social Security and Labor (effective January 1, 2024 – the Agency) is not bound by the work capacity percentages previously determined for an individual. The legislation governing the determination of the level of work capacity (effective January 1, 2024—the level of participation) specifically establishes the terms for the level of work capacity so that changes in a person's health condition can be objectively reassessed during a re-evaluation. Therefore, each time they conduct a reassessment of the level of work capacity (in this case, the level of participation), the Agency's specialists rely on newly submitted medical documents confirming the person's current state of health at the time of the assessment. Previously adopted decisions regarding the level of work capacity (level of participation) do not affect the reassessment (Supreme Administrative Court of Lithuania, 2021).

It is important to note that the Agency is not a healthcare institution and is not authorized by law to establish a person's diagnosis(es), conduct a comprehensive examination of a person's health condition, administer treatment, etc. The diagnosis(es) is/are made by the treating physician, who also provides objective data on the individual's current health status along with the referral to the Agency. In accordance with the provisions of the Criteria and Procedures, the attending physician is responsible for the accuracy of the referral submitted to the Agency (Section 68 of the Description of Criteria and Procedures), and the specialist physician who provided the consultation and prepared the conclusion is responsible for the accuracy of the specific consultation conclusion (point 69 of the Description of Criteria and Procedures). The legislation does not authorize the Agency to identify and/or assess a person's illnesses or conditions that are not specified in the documents received and collected by the Agency, nor does it authorize the Agency to review medical records prepared by treating physicians or to comment on their validity. During the assessment of the level of participation, the Agency's specialists conduct a systematic analysis of the documents in the case file; therefore, they base their decision on the data contained in the submitted medical records. The Agency has been granted the authority to resolve issues requiring specialized (medical) knowledge, based on medical examinations and the data in the documents (Supreme Administrative Court of Lithuania, 2012).

In essence, when determining disability, the Agency takes into account:

1) medical criteria (health condition);
2) the individual's need for assistance, in order to ensure the necessary support and services in all areas of personal and social life.

The aforementioned legal framework implies that determining the level of participation involves a comprehensive assessment of a person's functional impairments and environmental factors, the purpose of which is—taking into account the degree of diagnosed functional impairments, the course of the disease, and the treatment applied, to determine the extent to which a person is able and capable of participating fully and effectively in social life. The assessment of the level of participation is assigned to the Agency, based on the data provided in the documents prepared by physicians. When assessing baseline participation, the Agency evaluates the functional impairments remaining in the individual's body following treatment, as confirmed by the body of medical data submitted to and collected by the Agency.

In cases where a person disagrees with the Agency's decision regarding the determination of the participation level (most often when the person's health condition is considered poor but the participation level is assessed as 0 points), they first have the right to appeal the decision to

the Director of the Agency. In such a case, pursuant to paragraph 58 of the Description of Criteria and Procedures, the Agency's Decision Control Division must conduct a reassessment of the level of participation in accordance with the procedure set forth in subparagraph 57.1 of the the Description of Criteria and Procedures. If a person disagrees with the decision of the Agency's Decision Control Division, they have the right to appeal the decision to the Lithuanian Administrative Disputes Commission. Pursuant to Article 5(1) of the Law of the Republic of Lithuania on the Procedure for the Pre-trial Examination of Administrative Disputes, the Lithuanian Administrative Disputes Commission is required to examine, in a pre-trial procedure, complaints (petitions) regarding the legality of the Agency's individual administrative acts and actions (or inaction) (Agency for the Protection of the Rights of Persons with Disabilities, n.d.).

A legal framework for decision-making and appeals at the Agency for the Protection of the Rights of Persons with Disabilities

The Agency for the Protection of the Rights of Persons with Disabilities under the Ministry of Social Security and Labor of the Republic of Lithuania (ANTA) is the primary institution in Lithuania responsible for implementing policies to protect the rights of persons with disabilities, assessing disability, and determining individual assistance needs. The Agency makes decisions regarding the level of participation, individual assistance needs, and other issues related to a person's social guarantees; therefore, its decisions have a direct impact on the realization of a person's rights (Agency for the Protection of the Rights of Persons with Disabilities, 2026).

The disability reform implemented in 2024 fundamentally changed both how disability is determined and how related disputes are resolved. One of the most significant changes was the shift from a disability assessment based on medical criteria to a model focused on an individual's needs, opportunities for participation, and environmental barriers (Ministry of Social Security and Labour, 2026). At the same time, the system for handling complaints was revised to ensure more effective protection of the rights of persons with disabilities.

Prior to the reform, the system for handling complaints was fragmented – different disputes were handled by different agencies, so people often did not know exactly where to turn. To ensure clarity and greater accessibility, this model was abandoned and a unified system was established. Starting in 2024, all disputes between individuals, institutions that pay benefits or pensions, and the Agency for the Protection of the Rights of Persons with Disabilities are examined by the Lithuanian Administrative Disputes Commission (LADC). This commission operates throughout Lithuania, making services more accessible, and complaints must be resolved within twenty working days (Ministry of Social Security and Labour, 2024).

Under current procedures, a person who disagrees with a decision by the Agency for the Protection of the Rights of Persons with Disabilities must first appeal the decision to the Agency itself – that is, to its director or a higher-level authority. Only after this appeal has been reviewed by the Agency may a person turn to an external dispute resolution body (Lithuanian Administrative Disputes Commission, 2024).

The next step is to file a complaint with the Lithuanian Administrative Disputes Commission, which is required to hear such disputes in a pre-trial proceeding. Both individuals and legal entities, as well as public administration bodies, may file a complaint with the Commission if they believe their rights have been violated (The Parliament of the Republic of Lithuania, 1999). A complaint must generally be filed within one month of receiving the contested decision, or within two months if the authority delays in making a decision. The

complaint may be submitted in writing – by electronic means, by mail, or in person. If the complaint does not meet the formal requirements, the complainant is given the opportunity to correct the deficiencies (Lithuanian Administrative Disputes Commission, 2024).

The Lithuanian Administrative Disputes Commission examines the appeal on its merits – assessing whether the Agency's decision or failure to act is lawful and well-founded. The Commission may overturn the decision or order the adoption of a new decision that complies with the law. The decision also specifies the procedure for appealing it (The Parliament of the Republic of Lithuania, 1999).

It is important to note that individuals with disabilities have additional opportunities to receive legal aid. Certain groups of people, such as those with a high level of disability or a low participation rate, may be eligible for state-guaranteed secondary legal aid – which includes assistance in preparing a complaint and representation during the proceedings. It is also possible to contact the municipality for ~~a~~ free initial legal consultation. Additionally, a simplified complaint form has been developed to make the process easier (State Guaranteed Legal Aid Service, 2024).

If a person is dissatisfied with the Commission's decision, he/she has the right to appeal it to the Regional Administrative Court within one month. Subsequently, if necessary, the decision may be appealed to the Supreme Administrative Court of Lithuania (Lithuanian Administrative Disputes Commission, 2025).

In summary, the procedure for appealing decisions of the Agency for the Protection of the Rights of Persons with Disabilities is consistent and consists of several stages. First, the decision is appealed to the Agency itself, i.e., to its director or a higher authority, and subsequently – through a mandatory pre-trial procedure – to the Lithuanian Administrative Disputes Commission. If the individual is dissatisfied with the Commission's decision, it may be appealed to the Regional Administrative Court, and the final stage is an appeal to the Supreme Administrative Court of Lithuania. This legal model for appeals makes it possible to correct any potential shortcomings in decisions at the pre-trial stage and ensures broader opportunities to protect the rights of individuals that have been violated.

The practice of examining disputes regarding decisions made by the Agency for the Protection of the Rights of Persons with Disabilities

When assessing the practical application of legislation governing the protection of the rights of persons with disabilities, it is important to examine how the system for resolving disputes regarding decisions made by the Agency for the Protection of the Rights of Persons with Disabilities actually functions. Although the legal framework provides for a clear and consistent dispute resolution procedure, only practical data allow for a more accurate assessment of whether this system effectively ensures the protection of individuals' rights.

In this regard, the activity reports of the Lithuanian Administrative Disputes Commission can be considered one of the most significant sources of information. These reports allow for an assessment not only of the scale of disputes, but also of the outcomes of their examination, the problems that emerge, and general trends. When evaluating the practice of examining disputes regarding the decisions of the Agency for the Protection of the Rights of Persons with Disabilities, it is advisable to analyze not only data from a single year but also its dynamics. The 2024-2025 period is particularly significant in this context, as it was during this time that the new mandatory pre-trial dispute resolution system was implemented, allowing for an assessment of its initial results.

According to the 2024 Activity Report of the Lithuanian Administrative Disputes Commission, in 2024 the Commission received 331 complaints regarding the Agency's actions,

of which 226 were examined on their merits, 114 complaints were upheld, 100 complaints were dismissed as unfounded, and 12 cases were terminated following the conclusion of a settlement agreement. Additionally, 141 complaints were submitted with deficiencies – the complainants were given the opportunity to correct them, but 57 complaints were ultimately deemed not to have been filed. No complaints were received regarding the Agency's inaction. The Commission refused to accept 31 complaints because the applicants had not followed the mandatory appeal procedure (Lithuanian Administrative Disputes Commission, 2024, p. 11). These numbers show that a stream of disputes emerged already in the first year of the reform, which may indicate that the decisions made by the Agency are being actively contested.

According to data from the 2025 Activity Report of the Lithuanian Administrative Disputes Commission, the Commission received 225 complaints regarding the Agency's actions, of which 163 were examined on their merits, 54 were upheld, 92 were dismissed as unfounded, 14 cases were discontinued following the conclusion of settlement agreements, in 2 cases the complainants withdrew their complaints, and 1 complainant died during the proceedings. Additionally, 82 complaints were submitted with deficiencies – complainants were given the opportunity to remedy them, but 15 complaints were deemed not to have been filed. The Commission refused to accept 22 complaints due to failure to follow the mandatory appeal procedure. No complaints regarding the Agency's inaction were submitted to the Commission. A total of 54 decisions to uphold complaints were issued during the year (Lithuanian Administrative Disputes Commission, 2025, p. 12). Compared to 2024, 2025 saw a lower number of complaints received, and a smaller proportion of them were upheld.

Table 1. Mandatory pre-trial review of appeals against the Agency's decisions, 2024–2025
Source: Compiled by the authors based on data from the 2025 Annual Report of the Lithuanian Administrative Disputes Commission (Lithuanian Administrative Disputes Commission, 2025, p. 12).

Indicator	2024	2025
The complaint is deemed not to have been filed (unless the deficiencies are remedied)	57	15
The complaint was rejected (the mandatory appeal procedure was not followed)	31	22
The case was examined on its merits following the adoption of the final decision	226	160

The data in the table show that in 2025, compared to 2024, the volume of all key complaint handling indicators decreased. In particular, there was a decrease in the number of complaints deemed not filed due to unresolved deficiencies (from 57 to 15), as well as a decrease in the number of complaints refused (from 31 to 22). At the same time, the number of complaints examined on the merits also decreased (from 226 to 160), which reflects the overall downward trend in the number of complaints received and may be linked to the stabilization of the system following the start of the implementation of the disability reform.

Table 2. Mandatory pre-trial review of appeals regarding the Agency's decisions, 2024–2025
Source: Compiled by the authors based on data from the 2025 Annual Report of the Lithuanian Administrative Disputes Commission (Lithuanian Administrative Disputes Commission, 2025, p. 13).

Indicator	2024	2025
The complaint was upheld	114	54
The complaint was dismissed	100	92
Settlement Agreement Approved	12	14

An analysis of the results of complaint reviews presented in Table 2 shows that in 2024, more than half of the complaints reviewed on their merits were upheld (114 cases), while 100 complaints were dismissed. This indicates that some of the Agency's decisions were found to be unfounded. Meanwhile, the situation changes in 2025 – the number of upheld complaints decreases to 54, while the number of dismissed complaints increases to 92. These figures may indicate an improvement in the quality of the Agency's decisions.

It is also worth noting that the number of settlement agreements concluded has increased – from 12 cases in 2024 to 14 cases in 2025. This suggests that alternative dispute resolution methods are gradually becoming more common and that cooperation between the parties is improving.

To better understand the statistical data, it is useful to briefly review the cases examined by the Lithuanian Administrative Disputes Commission, which illustrate the types of disputes that most frequently arise in practice and the legal issues addressed by the Commission.

In one of the cases examined in 2024, the Klaipėda Regional Division of the Lithuanian Administrative Disputes Commission reviewed a dispute regarding a decision by the Agency for the Protection of the Rights of Persons with Disabilities concerning the determination of the level of participation. The case involved a situation where the Agency, after reviewing the applicant's complaint, issued several decisions that substantially altered the previous decision of the territorial branch, including the established level of participation (Lithuanian Administrative Disputes Commission, 2024, p. 14).

The Commission found that the Agency had improperly applied the procedures for correcting errors in decisions and for reconsideration, as the same complaint had been reconsidered without legal basis. Therefore, it was concluded that the contested decision did not comply with the provisions of the Public Administration Act (The Parliament of the Republic of Lithuania, 1999). In view of this, the Commission annulled the Agency's decision and ordered it to adopt a new decision that complies with the requirements of the law (Lithuanian Administrative Disputes Commission, 2024, p. 14).

This practice shows that a significant number of disputes concern not only the determination of the level of participation itself, but also procedural violations, the validity of decisions, and the application of principles of public administration. It is also important to note that in these disputes, the Commission assesses only procedural and legal issues and does not evaluate medical aspects, which may be one of the reasons why only a portion of the complaints are upheld (Lithuanian Administrative Disputes Commission, 2024, p. 14).

In summary, data from the Lithuanian Administrative Disputes Commission for 2024–2025 indicate that the system for adjudicating disputes regarding the Agency's decisions is still evolving but is already functioning consistently. Although a large proportion of complaints are examined on their merits, some still do not reach this stage due to non-compliance with procedural requirements or violations of the mandatory appeal procedure, which highlights the practical challenges in applying the system. It is also evident that a significant proportion of complaints are upheld, but a considerable number are dismissed, and settlement agreements are not yet widely used. Furthermore, practical cases reveal that the assessment of procedural legality is paramount in the Commission's activities. This indicates that the new dispute resolution system not only resolves individual disputes but also contributes to a more uniform application of public administration principles.

Conclusions

The transformation of the legal framework for the protection of the rights of persons with disabilities in Lithuania reflects a substantial normative shift from a medically oriented system toward a human rights-based model. The 2024 reform introduced important structural and conceptual changes, including a participation-based assessment model, the reorganization of institutional responsibilities, and a unified system of mandatory pre-trial dispute resolution. These developments formally align national regulation with international human rights standards and strengthen the legal foundations for ensuring the autonomy and social inclusion of persons with disabilities.

However, the analysis reveals that the practical implementation of these reforms remains uneven and, in some aspects, problematic. The relatively high number of complaints in the initial phase of the reform indicates not only active use of legal remedies but also signals deficiencies in the quality and consistency of administrative decision-making. Although the decrease in complaints and the lower proportion of upheld cases in 2025 may suggest a degree of institutional adaptation, this trend should be interpreted cautiously, as it may also reflect procedural barriers or limited accessibility rather than a purely qualitative improvement.

A key structural challenge lies in the continued reliance on specialized medical and social expertise. While the reform aims to reduce the dominance of medical criteria, in practice, the determination of participation levels remains heavily dependent on medical documentation. At the same time, neither the Agency nor dispute resolution bodies are fully equipped to critically assess the substance of such expert evaluations, which creates a risk of formal rather than substantive review and may limit the effective protection of individual rights.

Furthermore, the mandatory pre-trial dispute resolution mechanism, although designed to improve accessibility and efficiency, introduces additional procedural layers that may be difficult for individuals with disabilities to navigate without adequate legal support. The fact that a portion of complaints is rejected or not examined due to procedural deficiencies highlights ongoing issues related to the accessibility and user-friendliness of the system.

These issues become apparent when analyzing dispute resolution practices. Empirical data from the Lithuanian Administrative Disputes Commission for 2024–2025 confirm these trends. Although the number of complaints filed with deficiencies and those deemed not filed is decreasing, there remains a significant number of cases where disputes are not examined on the merits due to non-compliance with procedural requirements. Furthermore, the declining number of upheld complaints and the relatively higher proportion of dismissed complaints suggest that, despite the improving quality of administrative decisions, the dispute resolution system still faces challenges regarding accessibility and efficiency.

In this context, the Lithuanian model can be characterized as a system in transition, where progressive legal norms coexist with practical limitations in their implementation. While the reform has established a modern and conceptually advanced framework, its effectiveness ultimately depends on the quality of administrative practice, the ability to ensure meaningful review of expert assessments, and the real accessibility of dispute resolution mechanisms. Ensuring the effective protection of the rights of persons with disabilities therefore requires not only formal compliance with human rights standards but also their consistent and meaningful implementation in administrative practice, where individual outcomes ultimately determine the real value of the reform. If the identified structural and procedural shortcomings are not adequately addressed, the current system may inadvertently reproduce the very barriers it seeks to eliminate, thereby undermining the transformative potential of the human rights-based approach.

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