



*This project is funded by the European Union*

## **ACTIVITY 2.3.4**

### **MISSION REPORT**

**Mission I: 21-25 May 2018;**

**Mission II: 18-22 June 2018**

## **1. BASIC PROJECT INFORMATION**

**1.1. Twinning Number:** UA/47b

**1.2. Title:** Implementation of the best European practices with the aim of strengthening the institutional capacity of the Apparatus of the Ukrainian Parliament Commissioner for Human Rights to protect human rights and freedoms (Apparatus)

**1.3. Beneficiary Country:** Ukraine

**1.4. Member State:** Lithuania/Austria

## **2. ACTIVITY INFORMATION**

**2.1. Activity No and Title:** Component 2. Activity 2.3.4. Developing recommendations as regards improving the existing or employing new instruments for restoring human rights, in the spheres of personal data protection, access to public information and the prevention of all forms of discrimination in particular

**2.2. Start date: 2018-05-01 and end date of the Activity: 2018-09-31.**

**2.3. Experts:**

1. Ms. Waltraud Kotschy (Key expert); Ludwig Boltzmann Institute of Human Rights; 2018.06.18-22.
2. Mr. Hannes Tretter, Ludwig Boltzmann Institute of Human Rights; 2018.05.21-25.
3. Ms. Monika Mayrhofer; Ludwig Boltzmann Institute of Human Rights; 2018.05.21-25; 2018.06.18-22.
4. Ms. Iva Ivanišević; Municipal Court in Rijeka, Croatia (via Law Institute of Lithuania); 2018.05.21-25.
5. Mr. Johanas Baltrimas; Supreme Administrative Court of Lithuania (via Law Institute of Lithuania); 2018.05.21-25; 2018.06.18-22.
6. Ms. Valerija Gedeikė; State Data Protection Inspectorate; 2018.05.21-25; 2018.06.18-22.
7. Mr. Gintaras Kryževičius; Supreme Administrative Court of Lithuania (via Law Institute of Lithuania); 2018.05.21-25; 2018.06.18-22.
8. Ms. Jurgita Paužaitė Kulvinskienė; Law Institute of Lithuania; 2018.05.21-25.
9. Ms. Agnė Limantė; Law Institute of Lithuania; 2018.05.21-25; 2018.06.18-22.
10. Ms. Kristina Brazevič; Seimas Ombudsmen's Office of the Republic of Lithuania; 2018.06.18-22.

## 2.4. Tasks

Developing recommendations as regards improving the existing or employing new instruments for restoring human rights, including the spheres of personal data protection, access to public information and the prevention of all forms of discrimination.

## 2.5 Description according to Terms of Reference

Based on the findings of the analysis described in 2.3.1 and 2.3.3 and taking into account the experience gained through the study outlined in 2.3.2, recommendations aiming at improving the existing or employing new instruments for restoring human rights, in the spheres of personal data protection, access to public information and prevention of all forms of discrimination were drafted.

MS experts prepared the drafts of the concrete recommendations and documents to be improved, with regard to the best European practice.

In particular recommendations dealt with topics such as:

- Recommendations for improvement of the existing and employment of new instruments for restoration of human rights *vis-à-vis* the judiciary;
- Recommendations based on the best EU practices regarding State liability for damage caused by public administration;
- Draft Code of good administrative behaviour;
- Mediation, conflict settlement and peace agreement as the instruments to restore violated rights;
- Recommendations on the application of the instrument of positive actions in the areas of antidiscrimination, data protection and access to public information;
- Recommendations regarding approximation of the Law on personal data protection with the new EU General Data Protection Regulation;
- Recommendations regarding amendments to the Law on public access to information related with the amendments to the Law on personal data.

## RESULTS

### 3. RESULTS OF THE ACTIVITY

#### 3.1. Results achieved

**Results to be achieved:** Recommendations aiming at improving the existing or employing new instruments for restoring human rights, including the spheres of personal data protection, access to public information and prevention of all forms of discrimination drafted.

**Documents to be delivered:** Recommendations aiming at improving the existing or employing new instruments for restoring human rights, including the spheres of personal data protection, access to public information and prevention of all forms of discrimination:

1. Recommendations for improvement of the existing and employment of new instruments for restoration of human rights *vis-à-vis* the judiciary (Annex 1.)
2. Recommendations based on the best EU practices regarding State liability for damage caused by public administration (Annex 2.)
3. Draft Code of good administrative behaviour (Annex 3.)
4. Mediation, conflict settlement and peace agreement as the instruments to restore violated rights (Annex 4.)
5. Recommendations on the application of the instrument of positive actions in the areas of antidiscrimination, data protection and access to public information (Annex 5.)
6. Recommendations regarding approximation of the Law on personal data protection with the new EU General Data Protection Regulation and Recommendations regarding amendments to the Law on public access to information related with the amendments to the Law on personal data (Annex 6.)