



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Consideration of reports submitted by States  
parties under article 9 of the Convention**

**Sixth to eighth periodic reports of States parties  
due in 2014**

**Lithuania\***

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\* The present document is being issued without formal editing.

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## I. Introduction

1. The Government of Lithuania hereby submits the combined sixth, seventh and eighth periodic reports under article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination. The present report provides an overview of the progress made by Lithuania as regards the implementation of the provisions of the Convention, following the fourth and fifth periodic reports of Lithuania.

2. The present report has been drawn up in accordance with the guidelines and general recommendations regarding the preparation of the reports, approved by the Committee on the Elimination of Racial Discrimination. During the preparation of the report, due regard has been paid to the Committee's concluding observations on the fourth and fifth periodic reports of Lithuania, approved by the Committee at its 78th session on 10 March 2011 (CERD/C/LTU/CO/4-5). During the preparation of the report, due regard has also been paid to the report of Lithuania on the implementation of the recommendations provided in paragraph 30 of the concluding observations (CERD/C/LTU/CO/4-5/Add.1) and the Committee's letter asking for additional information following the analysis of that report (CERD/81st/FU/GH/FM).

3. Information for the present report has been provided by more than 40 public authorities, municipalities, education and research institutions and non-governmental organizations. Following the requirement for public consultations, the draft report was brought to the attention of Lithuanian civil society, including non-governmental organizations involved in the field of human rights.

## II. Information on the implementation of the Committee's recommendations

4. The report refers to the recommendations provided in paragraphs 10-29 of the Committee's concluding observations on the fourth and fifth periodic reports of Lithuania (CERD/C/LTU/CO/4-5). As regards recommendations provided in paragraphs 12, 15, 18 and 19 of the concluding observations, due regard was taken of the Committee's letter confirming the receipt of the follow-up report by Lithuania on the implementation of the recommendations provided in paragraph 30 of the concluding observations, requesting additional information on the implementation of the recommendations (CERD/81st/FU/GH/FM).

### Paragraph 10

**The Committee recommends that the State party provide the advisory bodies dealing with human rights, including the Equal Opportunities Ombudsman, with appropriate human and financial resources in order to enable them to perform optimally.**

5. Given the economic and financial situation in Lithuania, public budget allocations were reduced as of 2009 for all the public institutions, including human rights advisory bodies. Public budget allocations for this advisory body were as follows: in 2008 – LTL 1,850,000, in 2009 – LTL 1,499,000, in 2010 – LTL 1,008,000, in 2011 – LTL 1,256,000, in 2012 and 2013 – LTL 1,325,000. The increase in budget allocations for budgetary institutions depends on the available financial resources. It should be noted that changes in the total budget allocations for the Equal Opportunities Ombudsman were made only at the expense of the changed co-financing share from the budget. The Ombudsman is involved in

annual project activities, which are partially (80 per cent) funded by the European Commission. The Ombudsman employs 12 staff members.

**The Committee recommends that the State party establish an independent national human rights institution, in accordance with the Paris Principles (General Assembly resolution 48/134).**

6. On 21 September 2011, the Board of the Seimas decided to improve the regulation of the Seimas Ombudsmen's Office with a view to meeting the requirements of the Paris Principles for a national human rights institution. With this in mind, a working group in the Seimas of Lithuania (hereinafter referred to as the Seimas) was set up to review and amend the draft Law on the Seimas Ombudsmen by assigning the functions of the national human rights institution to the Seimas Ombudsmen's Office. The working group drafted an amendment to the Law on the Seimas Ombudsmen, providing the Seimas Ombudsmen with extended functions, more powers and greater independence, thus enabling the Office to become an independent human rights institution. This draft law was submitted to the Seimas on 3 July 2012, to be subsequently revised following the recommendations of the Office of the United Nations High Commissioner for Human Rights and finally to be reregistered on 24 September 2012. The draft law is currently being considered under the Seimas legislative procedure.

### **Paragraph 11**

**The Committee encourages the State party to adopt a law on national minorities as soon as possible, giving effect to the relevant provisions of the Convention, in particular those of article 4.**

7. The drafting of the Law on National Minorities is provided for in the Programme of the Government of Lithuania for 2012–2016 (section X “Ethnic minorities”). The draft Law on National Minorities was submitted for coordination to public authorities at the beginning of November 2013.

### **Paragraph 12**

**The Committee notes that no information has been provided regarding remedies granted to victims of racist and xenophobic acts.**

8. Procedural rights are guaranteed to the victims of racial discrimination and xenophobia in all cases without exception in accordance with the main provisions of the Constitution, the Convention on the Elimination of Racial Discrimination and the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights). The procedural status of the victim in pretrial investigations and criminal proceedings is governed by the Code of Criminal Procedure.

9. Article 28 of the Code of Criminal Procedure, “Victim”, determines the rights of the victim and of the victim's legal representative in criminal proceedings: to give evidence, to submit applications (having applied for the relevant actions of the pretrial investigation, the victim, under article 178 of the Code “Actions by prosecutors and investigating officials” shall be entitled to participate in the investigative actions carried out at his/her request, to ask questions at the hearings, to get acquainted with the records of actions carried out at his/her request, and to comment on the content of these records), to challenge judges; to have access to the case during the pretrial investigation and the trial (during the pretrial investigation, the victim has the right to access the pretrial file at any time), to participate in the trial proceedings before the court, to appeal against the actions of the pretrial

investigation officer, prosecutor, the judge of pretrial investigation and the court, as well as to appeal against the judgement or ruling, and to deliver the final speech before the court.

10. In cases specified in the Law on State-Guaranteed Legal Aid, the victim in a criminal case concerning offences against equality or freedom of conscience is entitled to State-guaranteed secondary legal aid. Secondary legal aid involves State-guaranteed assistance by an advocate in court, which includes drafting of documents, defence and case representation in court, including the process of execution. The aforementioned law ensures that persons eligible for State-guaranteed secondary legal aid are those whose property and annual income do not exceed the property and income levels established by the Government for the provision of legal aid. 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 shall be eligible for secondary legal aid regardless of the property and income levels established by the Government. The eligibility of these persons for secondary legal aid shall be attested to by a decision of a pretrial investigation officer, prosecutor or by a court ruling recognizing a person as the aggrieved party and/or by a court judgement. Information on victims' access to State-guaranteed legal aid is provided in the sample form of the decision to recognize the aggrieved party as amended by Order No. I-107 of 22 July 2009 of the Prosecutor General.

11. Article 128 of the Code of Criminal Procedure, "Notification of suspect's arrest", sets forth an imperative that the prosecutor or the officer of pretrial investigation must inform the victim in a case concerning a racist or discriminatory offence about the offender's (suspect's) arrest and determine whether the victim wishes to be notified of the future release of the suspect. Notification of the suspect's arrest is not necessary if the victim's place of residence is unknown. The suspect and his counsel are prevented from accessing the contents of the documents endorsing these actions.

12. Pursuant to the provisions of article 198 of the Code of Criminal Procedure, "Right to claim anonymity by the victim or the witness", and article 199, "Grounds for granting anonymity for the victim and the witness", the victim or witness of any grave, serious or less serious crime, where there is a real danger to the life, health, liberty or property of the victim, witness or their family members or close relatives, as well as their interests of service, business or other legitimate interests, where the testimony of the victim or witness is relevant to criminal proceedings, as well as in cases of crimes on racist and discriminatory grounds, may request the prosecutor or the officer of pretrial investigation to ensure his/her anonymity in accordance with the procedure prescribed by the Code. The anonymity can be granted at the prosecutor's initiative only if all the aforementioned grounds are met. From 2008 to mid-2013, no applications for anonymity were filed and anonymity was never actually granted in criminal cases concerning racist or discriminatory offences.

13. In exceptional cases, where the victim of racial discrimination and xenophobia offences faces real danger to life, he/she may be granted State protection. It should be noted that such exclusive security measure for a victim of racist, xenophobic, discriminatory offences has never been applied in criminal proceedings due to the absence of substantive grounds.

**The Committee also requests further information on the impact of training courses and campaigns on the elimination of racial discrimination.**

14. The effect and the benefits of the training of prosecutors and investigating officers as regards evaluation of discriminatory practices are obvious and undoubtable (information about training is provided in paragraphs 24–36). Pretrial investigation (police) officers and prosecutors leading a pretrial investigation, as the most important procedural subjects, having a direct procedural duty to correctly identify incidents of racial, ethnic, national,

religious and other hatred, and other manifestations of discrimination and intolerance and to take correctly qualified procedural decisions as regards the initiation of a pretrial investigation, also to carry out the investigation and to refer the case concerning the offences of such a category to the court, are properly performing their direct duties and procedural functions in this area of combating crime. Their training and professional development have significantly benefited the improvement of theoretical knowledge and increase of practical skills of the professionals involved in these criminal procedures as regards proper identification and effective investigation of offences in this category.

15. This is confirmed by the official crime statistics in this area: seven pretrial investigations were initiated for offences against equality and freedom of conscience in 2004, of these one criminal case reached the court; 335 investigations were initiated for offences of this category in 2011, of these 120 criminal cases were referred to court; 278 investigations were initiated in 2012, of these 74 criminal cases were referred to court; 84 pretrial investigations were initiated for offences of this category during the first half of the year 2013 (six months), of these 31 criminal cases were referred to court.

16. The positive effect of public campaigns has been revealed in the study, “The assessment of possible discriminatory practices and public tolerance to different social groups”, conducted in 2012 under the order of the Equal Opportunities Ombudsman. The study revealed that over the past five years the attitude of polled residents improved towards more than a half of the social groups under research. Public opinion improved most towards persons with physical disabilities (the balance, i.e. the difference of the comparative part between positive and negative responses is +21 per cent), persons of Russian nationality (+14), members of traditional denominations of the Christian faith (+12), Tatars and other native language-speaking individuals (+11). A total of 33 per cent of respondents said that during this period their attitude improved towards Polish people, 29 per cent — towards persons of another race, 22 per cent — towards Roma people, and 30 per cent — towards black people.

17. It should be noted that within the framework of the project, “Development of skills and expertise to combat discrimination”, funded by the European Commission’s Programme for Employment and Social Solidarity PROGRESS (2007–2013), the public awareness campaign with the slogan, “Discrimination harms everybody”, was conducted in November-December 2011 under the order of the Equal Opportunities Ombudsman. This awareness campaign received high evaluations from non-governmental organizations, and the analysis of the results of a representative survey of the Lithuanian population, conducted in October 2013, will show the effect of the campaign on tolerance in the society.

18. Also, it should be noted that while implementing the measures under the Inter-Institutional Action Plan for the Promotion of Non-Discrimination for 2012–2014, the Ministry of Social Security and Labour intends to research the dynamics of public attitudes and grounds for discrimination and to analyse the results in 2014.

**In the view of the recent resurgence of activities by neo-Nazi groups (including a march held in February 2012), the Committee requests further information on any prosecutions or convictions based on Law No. XI-330 of 9 July 2009 criminalizing activities of groups and organizations which promote racial hatred and discrimination.**

19. Adopted on 9 July 2009, the Law amending the Criminal Code and supplementing the Code with a new article 1701, “Creation and activities of groups and organizations aiming at discriminating a group of persons or inciting against it”, has criminalized actions concerning the creation and activities of groups or organizations aiming at discriminating against a group of persons or inciting against it. There have been no pretrial investigations

under the mentioned article of the Code from the day of its entry into force, and there were no individuals prosecuted under this criminal law during the period mentioned.

**The Committee requests information on further efforts undertaken by the State party, including legislative, judicial, policy and educational measures to halt activities of such organizations and prevent racial discrimination.**

20. In order to prevent racial discrimination and promote tolerance, the Government prepares and approves national strategies, programmes and action plans, such as the National Anti-Discrimination Programme for 2009–2011, the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, the Strategy for the Development until 2015 of the National Minorities Policy, the Programme for Roma Integration into the Lithuanian Society for 2008–2010, the Action Plan for Roma Integration into the Lithuanian Society for 2012–2014, and the National Programme on Equal Opportunities for Women and Men for 2010–2014. These documents contain the main measures intended to foster respect for the human being, to ensure the implementation of legislation establishing the principle of non-discrimination and equal opportunities, to increase legal awareness, mutual understanding and tolerance, to inform the public about discriminatory practices in Lithuania and its negative impact on possibilities of certain groups to participate actively in public life on equal grounds, and the available remedies for the protection of equal rights. A more detailed information on the measures provided in these documents and their implementation is given below in this report of Lithuania.

21. It should also be pointed out that one of the events of the European Union Presidency of Lithuania was a conference on the issues of fundamental rights held on 12–13 November 2013, focusing on hate crimes. The conference addressed the challenges raised by hate crimes and their impact on individuals.

### **Paragraph 13**

**The Committee recommends that the State party monitor any form of racial segregation in the light of its general recommendation No. 19 (1995) on the prevention, prohibition and eradication of racial segregation and apartheid and include this information in its next periodic report on racial segregation and apartheid (art. 3 of the Convention), bearing in mind that conditions of racial segregation are not created only by governmental policies but may arise as an unintended by-product of the actions of private persons such as ghetto-like housing and other forms of social isolation.**

22. The Law on Equal Opportunities requires that the Government and public authorities implement programmes and measures to ensure equal opportunities for women and men and the implementation of the principle of equality regardless of age, sexual orientation, disability, race or ethnic origin, religion or beliefs. The monitoring of the implementation of this law has been entrusted to the Equal Opportunities Ombudsman's Office. In its annual reports, the Office presents data on complaints as well as summaries to the Seimas and issues recommendations for gender mainstreaming in the public and private sectors of Lithuania.

23. To monitor the situation related to possible discriminatory practices and to identify their causes, different studies on discrimination are conducted. In 2008, the study, "Evaluation and comparative analysis of discriminatory practices, as newly identified in the Law on Equal Opportunities and of public tolerance towards different social groups", was performed under the order of the Ministry of Social Security and Labour. In 2012, a representative survey of the population through direct interviews was conducted under the initiative of the Equal Opportunities Ombudsman. The respondents had to indicate which

groups of people they would not like to have as neighbours or co-workers, and to specify any changes in their attitudes towards these groups. The results were presented to the public.

## **Paragraph 14**

**The Committee recommends that the State party make full use of its general recommendation No. 31 (2005) on prevention of racial discrimination in the administration and functioning of the criminal justice system, including by developing appropriate education programmes for both law enforcement officers and minority groups.**

24. Law enforcement officers receive regular training on the subjects of racial and other forms of discrimination with a view to upgrading their skills in assessing crimes of a discriminatory nature and to familiarize them with relevant national and international legislation and human rights. Below is detailed information on the professional development training and relevant workshops held.

25. On 15–16 April 2009, judges and prosecutors had a workshop on the application of European Union and national legislation against discrimination, which was focused exclusively on the International Convention on the Elimination of All Forms of Racial Discrimination, its application, and other anti-discriminatory legislation. The workshop was attended by 29 judges and 10 prosecutors.

26. On 19–22 December 2011, a professional development training course was held for pretrial investigation officers, prosecutors and judges dealing with corruption-related crimes, where one of the topics was the application of the European Convention on Human Rights in dealing with criminal offences against the public service and public interest. These training sessions were attended by 16 judges, 6 prosecutors, 5 State border guard service officers, 5 financial crime investigation service officers, and 3 special investigation service officers.

27. In the second quarter of 2012, a 12 academic-hour seminar was held for judges and prosecutors on the legal and social aspects of anti-discrimination. The training was attended by 37 judges and 15 prosecutors.

28. On 11–13 February 2013, training was held for judges under the professional development programme, “Corruption-related offences”, where one of the topics was the application of the European Convention on Human Rights in dealing with criminal offences against the public service and public interest. The training was attended by 37 judges.

29. On 13–15 May 2013, training was held under a professional development programme for judges, “European Union law and procedure”, where one of the topics was an overview of the case law of the European Court of Human Rights, and the influence of the international human rights legislation on the interpretation and application of the European Union legislation. The training was attended by 37 judges.

30. On 31 May 2013, a workshop on the trends in the implementation of the European Convention on Human Rights in the context of the case law of the European Court of Human Rights and the courts of Lithuania was held. It was attended by 109 persons (judges, legal assistants, and other judicial staff).

31. The Prosecutor General approved a specialized training programme for prosecutors for 2010, in which four academic hours were devoted to the topic of offences related to incitement of racial hatred (art. 170 of the Criminal Code), discrimination (art. 169 of the Code), as well as offences committed on racist, xenophobic or anti-Semitic grounds, and the peculiarities of their qualification and investigation.



32. The issues of human rights and freedoms and equal opportunities are included in the Police Training Programme. This Programme provides the students of the Lithuanian Police School with knowledge about the fundamental human rights and freedoms and institutions ensuring the protection of human rights and freedoms. They also learn about national and international legislation on protection of human rights. The Programme involved 129 students in 2010, 96 in 2011 and 75 in 2012.

33. In 2010, the Lithuanian Police School held 15 training workshops on communicating with victims, involving 223 police officers. One of the topics of the seminar was possible discriminatory practices in Lithuania (discrimination based on age, disability, sexual orientation, racial or ethnic origin, religion and beliefs). In 2011, 10 workshops were held and attended by 130 officers and in 2012 nine workshops were held and attended by 126 officers.

34. In 2010, the police training material, "Discrimination: implementation of the principle of equal opportunities", was prepared, which provides an introduction to equal opportunities in Lithuania, discrimination and related liability, measures to achieve real equality, the actual situation, cases of discrimination in practice, etc.

35. In 2012, the Lithuanian Police School held a training workshop on the promotion of non-discrimination and the implementation of the equal opportunities policy, which was attended by 26 police officers.

36. The Lithuanian Bar Association held seminars on human rights protection in national law and European Union law; ensuring human rights in criminal proceedings and enforcement; professional ethics for advocates, and human rights, and the various issues relating to the application of the European Convention on Human Rights. The Lithuanian Bar Association organized 18 seminars in 2010, 12 in 2011, 4 in 2012, and 2 in 2013. The seminars were attended by 1,222 advocates and advocate's assistants.

**The Committee recommends that the State party take measures in order to ensure the representation of persons belonging to minority groups in the police and the judiciary.**

37. Article 6 of the Statute of the Internal Service sets out general requirements for an individual applying to the internal service, which also includes service in the police. The legislation does not provide for any restrictions on ethnic or racial grounds as regards employment in the internal service.

38. Applicants to the police service are not required to specify their nationality, therefore it is not possible to break down the statistical data on the police force by nationality.

## **Paragraph 15**

**The Committee requests updated data on targeted initiatives, and the impact and concrete results of the Action Plan for Roma Integration into the Lithuanian Society for 2012–2014 in terms of education, employment and access to health services by the Roma community.**

39. The Action Plan for Roma Integration into the Lithuanian Society for 2012–2014 (hereinafter referred to as the Roma Integration Plan) was approved by the order of the Minister of Culture on 20 March 2012. The main areas covered by the Roma Integration Plan relate to the education of Roma children and adults, development of their social skills, participation in the labour market, and promotion of intercultural dialogue.

**Education measures**

40. In 2012, the following measures of the Roma Integration Plan were implemented: establishment of two positions for assistant teachers in Vilnius (their tenure extended to 2013); overview of the integration of Roma children into the education system; professional development seminar for general education teachers working with Roma children; provision of funding for education for Roma children (preschool and pre-primary groups) and adults in the Roma Community Centre in Vilnius; in collaboration with the Education Development Centre, the Roma Community Centre compiled material about Roma history and ethnology.

41. The measure for the involvement of Roma adults in non-formal education (training) programmes will be implemented by involving Roma adults in non-formal education (training) programmes to be carried out within the framework of the project, "Development of an adult education system to provide learners with core competencies (stage II)", implemented by the Education Development Centre. In mid-July 2013, preparatory work was started to organize training for the improvement of the generic skills of persons at social risk, with special needs and in social exclusion across 33 municipalities. The intended training topics include: civic education of adults, financial education, artistic expression, and forms of recreation. Participation in the training is based on the principles of each individual's voluntary choice, willingness and personal motivation. Project executors mediate in informing the Roma community as well as the organizations uniting and representing Roma about the planned training and encourage and motivate Roma to take the opportunity to develop generic skills needed in today's society.

42. In the autumn of 2013, generic skills training for adults under 19 modules are to be held in 25 municipalities. The Roma people are also invited to attend.

**Employment measures**

43. In 2012, the following employment measures under the Roma Integration Plan were implemented: 213 Roma persons registered with the Labour Exchange were provided with information services; 7 Roma persons did public works; 6 benefited from subsidies to obtain a business licence; and 20 Roma persons filled actual vacancies.

44. In accordance with the Roma Integration Plan, the European Social Fund's project, "European Roma Culture and Business Park Bachtalo drom", was launched in 2012. Within the framework of this project, 30 Roma people were granted social and vocational rehabilitation services in 2012. Resocialization projects helped Roma to participate in the education system, to get at least part of their documents in order, and to learn general social skills, but the project failed to enhance their working skills. The Project will seek to provide them with an opportunity to acquire necessary social and working skills and train for professions that are currently in demand and also acceptable to the Roma themselves. The project will provide 240 Roma participants with the integrated social (motivation, needs assessment, social skills recovery, training services) and vocational rehabilitation services, they will be able to acquire vocations acceptable and attractive to the Roma themselves (tailor, cook, mechanic, carpenter and car driver), they will be offered on-the-job training, some of the project participants will be employed in accordance with the recruitment mechanism developed under the project by the partners' and other companies in the region, or to continue their studies (at least 30 per cent of the project participants); they will also be able to become teachers to other Roma. The project will provide professional development opportunities for project executors and adopt foreign best practices in the area of social and vocational rehabilitation of the target group. The project is planned to be implemented by 2015.

**Health measures**

45. In 2012, in accordance with the Roma Integration Plan, the Roma Community Centre hosted lectures to introduce health and hygiene requirements to the Roma people, with the participation of Roma children (eight lectures were given to 115 participants).

**Other measures**

46. In 2012, the following social skills development measures under the Roma Integration Plan were implemented: funding was provided on a competitive basis for child day-care centres attended by Roma children (in Vilnius and Panevėžys); specialists from the Migration Board of the Vilnius County Police Headquarters paid a visit to the Žolynas Social Care Centre for Children and the Kirtimai settlement to give counsel to Roma children on personal documents; the Ministry of Culture financed intercultural mediation services at the Roma Community Centre as well as children's summer camps.

47. In 2012, the following cultural development measures under the Roma Integration Plan were implemented: the Ministry of Culture allocated LTL 23,000 to cultural projects; a booklet about the Roma holocaust was published.

48. In implementing the European Commission Communication of 5 April 2011, "European Union Framework for National Roma Integration Strategies up to 2020", the Roma Integration Plan was adopted. Given the fact that the adoption of the Roma Integration Strategies up to 2020 was proposed by the Communication, and the Plan is valid only until 2014 inclusively, a new document will be adopted as of 2015 to meet the requirements of the European Commission Communication. Measures addressing the underlying problems of the Roma as regards education and housing are foreseen to be included in the new document.

49. In November 2013, the Roma Community Centre held an international conference (funded by the Ministry for Foreign Affairs) to discuss the effectiveness of the integration of the Roma and the guidelines for the future Roma integration strategy.

**The Committee also requests information on the impact of awareness-raising campaigns to be organized to increase public tolerance and promote intercultural dialogue.**

50. Public information measures and campaigns were provided for in the Programme for the Integration of Roma into the Lithuanian Society for 2008–2010 approved by the Government of Lithuania in its resolution No. 309 of 26 March 2008. Due to the financial and economic downturn in the country, some measures failed to be fully funded. In this context, and in order to further promote public tolerance of Roma, public information measures and campaigns were also included in the Roma Integration Plan. These measures under the Plan, aimed to make Roma culture more open and promote tolerance in society will be completed in 2014, and then the evaluation of their effect will be possible.

**Paragraph 16**

**The Committee recommends that the State party should increase efforts in ensuring that Roma children integrate in the mainstream schools, resolutely address the problem of Roma children dropping out of school and promote Roma language in the school system.**

51. To facilitate the integration of preschool and pre-primary age children in schools, annual allocations are given to the Roma Community Centre, where about 40 children aged 4 to 7 years undergo preparation for school: they take lessons in the Lithuanian language,

mathematics and social skills. Since mid-2010, the public youth organization, *Lietuvos sakaliukų sąjunga*, has been carrying out a project, “Helping to adjust: first steps at school”, which aims to create new long-term methods to reduce the exclusion of Roma children. The Project has produced a regular relationship between the team of volunteers, teachers and Roma children, their families, as well as the self-supporting system to respond to the learning needs of the Roma children. The foundation of the project is cooperation based on friendship and mutual understanding between the Lithuanian volunteers and Roma children, with a view to increasing motivation and opportunities for Roma children to establish themselves more successfully in school, reducing mutual negative attitudes and advancing integration. The aim is to help children to get through school so that there would be fewer cases of early leavers. There are two sessions a week: one for social skills under a non-formal education programme, the other is for homework activities.

52. In 2004, the Ministry of Education arranged for the publication of a bilingual textbook, *Romani bukvi*. It is designed not only for Roma children, but also for other children studying together with Roma. The textbook contains a lot of authentic songs, proverbs and sayings, both in the Roma and Lithuanian languages. However, this teaching tool is mainly used in the non-formal educational process to familiarize pupils with their cultural traditions and promote tolerance. The main problem preventing the organization of formal learning (as a module or an optional subject) is related to the lack of Roma teachers and unwillingness of Roma parents to have their children learn their native language at school.

**The Committee recommends that the State party establish a mechanism to accurately assess the number of Roma children pursuing education at the secondary level and above.**

53. At the State level, accurate information about the education of the population, including the Roma, is collected every 10 years during the general population census (statistical information about the change in the education of the Roma is provided in paragraph 177). Also at the national level, data on the native language of pupils is stored in the Pupils Register of the Education Management Information System, but this information is not obligatory for schools, so the data on the Roma is not accurate. But even incomplete data enable the analysis of the Roma learning situation.

54. The implementation of the rights of minors and the prevention of the related violations is overseen at the municipal level. The largest Roma community lives in the city of Vilnius: about 400 Roma people, including 190 minors under 18 years. In Vilnius, as well as other towns or villages, it is the municipality that is responsible for overseeing children’s school attendance. Municipality representatives together with police officers responsible for juvenile matters and school social pedagogues check minors’ living conditions, school attendance, issue warnings to children who are not attending school and their parents and explain their responsibilities. For example, the Vilnius City Municipality, where the largest Roma community resides, has been gathering information about Roma school attendance on a quarterly basis since 2010.

**The Committee requests the State party to provide in its next periodic report additional information on the decision-making procedure relating to the placement of Roma children in special-needs schools and on measures undertaken by the State party to provide incentives to Roma parents to send their children to school.**

55. In 2012, C.A.F.E: Change Attitude for Equality, a project under the PROGRESS programme, paid special attention to Roma children’s education and socialization problems and opportunities in society. First, two posts of assistant teacher were established to collaborate with the Naujininkų and Saulėtekio schools in Vilnius which have Roma

children as pupils. The assistants had to work with the school administration to provide it with information, comments and suggestions on Roma children's attendance, progress and discipline, as well as to cooperate in addressing the challenges, to participate in class activities if necessary, to encourage pupils to study, arrange for their proper attendance, help those experiencing learning difficulties, as well as to mediate in the dialogue between teachers and parents. Furthermore, training was arranged for primary school teachers and social educators who work with Roma children. The main objective of the training was to provide theoretical knowledge about Roma pupils in the Lithuanian education system; to discuss problems arising in the family and school environment; to enhance teacher's competence in working with children who are not attending school, to discuss teamwork at school and cooperation with different institutions; to analyse specific cases and formulate possible solutions. The training was attended by 20 teachers and social workers from various Lithuanian cities.

### **Paragraph 17**

**The Committee invites the State party to strengthen its policies and programmes for the integration of minority groups, in particular the integration of Roma into Lithuanian society in the light of its general recommendation No. 27 (2000) on discrimination against Roma.**

56. The Programme of the Government for 2012–2016 contains an individual chapter dedicated to the Government's commitments vis-à-vis ethnic minorities. A working group set up by the Prime Minister, drew up the recommendations on the implementation of the Government's Programme provisions dedicated to ethnic minorities in March 2013. One of the recommendations was to develop and adopt a Strategy for Development of the National Minorities Policy for 2015–2021, aimed to create a harmonious environment for smooth integration of ethnic minorities into Lithuanian society and for making use of their cultural potential for the benefit of the State in the new phase of its development. A long-term strategy for the integration of Roma is also planned. The planned programmes will benefit from an increased national funding as well as funding under the European Union Financial Perspective 2014–2020.

**The Committee encourages the State party to participate in collective European initiatives for Roma and to allocate sufficient resources to existing programmes on Roma.**

57. Given the fact that Lithuania is home to only a little more than 2,000 Roma, it often fails to be included in various international initiatives, such as the intercultural mediators training programme ROMED of the Council of Europe and the European Commission, the Decade of Roma and others. Nevertheless, the Ministry of Culture is involved in the Council of Europe's Ad Hoc Committee of Experts on Roma Issues (CAHROM), in the European Commission's working group of national representatives in charge of implementation of Roma integration strategies, and tries, where possible, to join international initiatives, such as the Council of Europe campaign Dosta!.

58. The Department of National Minorities and Lithuanians Living Abroad allocated LTL 40,700 for cultural and educational activities of Roma community organizations in 2008 and LTL 13,100 in 2009. Since 2010, the Department's functions concerning the cultural aspects of ethnic minorities have been transferred to the Ministry of Culture.

59. The Ministry of Culture provides annual funding for Roma cultural projects: LTL 13,100 in 2009, about LTL 20,000 in 2011, LTL 24,000 in 2012, and LTL 35,000 in 2013. In 2013, special attention was paid to the empowerment of women, i.e. to the Roma

Integration Home Project, aiming to involve Roma women in various activities promoting traditional crafts (amount allocated: LTL 15,000).

60. The measures of the Roma Integration Plan are funded from the national budget, the European Union's Structural Funds and the European Commission's Progress Programme. In 2012, LTL 647,000 was allocated for the implementation of measures for Roma integration. LTL 1,403,000 have been earmarked for 2013.

## **Paragraph 18**

### **The Committee requests details on the progress made in implementing the Strategy on Development of Ethnic Minority Policy, which was meant to be implemented by 2015.**

61. For the purpose of the implementation of the Strategy for the Development until 2015 of the National Minorities Policy, the Ministry of Culture procures annually services of ethnic minority integration and culture promotion from public institutions, House of National Communities, Roma Community Centre, Kaunas Cultural Centre of Various Nations, and Folklore and Ethnographic Centre of the Ethnic Minorities of Lithuania. Their services were used to organize over 100 events of ethnic minority non-governmental organizations at national and local levels annually. The annual allocation to national minority centres exceeds LTL 70,000.

62. From 2009 to 2012, a call for proposals was announced for co-financing from the State budget of cultural projects promoting the development of ethnic minority cultures. Project proposals focused on the promotion of the culture of national minorities in Lithuania and abroad, the activities of ethnic minorities' children and youth activities, the preservation of the cultural heritage of ethnic minorities and its cultural value, the activities of Saturday/Sunday schools, cultivation of ethnic tolerance, promotion of the fight against racism and ethnic discrimination, Roma ethnic minority integration and fostering of national identity. The funding for ethnic minorities' projects amounted to LTL 619,500 in 2008, LTL 550,000 in 2009, LTL 270,000 in 2011, and LTL 270,000 in 2012.

63. To demonstrate Lithuania's historical multiculturalism and to raise public awareness of the diversity of other cultures' heritage, a panoramic collection of photographs, "Movable and immovable cultural heritage objects of national minorities in Lithuania", was released in 2012 for the first time in Lithuania. The project is expected to continue with a DVD focusing on Polish and Jewish heritage in Lithuania. Also in 2012, a historical archive (collection) on the involvement of ethnic minorities in the restoration of independent Lithuania in 1988–1992 was compiled.

64. Lithuania has periodicals published in minority languages (Russian, Polish and Yiddish) and ethnic minority media websites in Russian and Polish (<http://ru.delfi.lt>, <http://kurierwilenski.lt>, <http://nedelia.lt>, <http://kurier.lt>, <http://pl.delfi.lt>, [www.zw.pl](http://www.zw.pl), [www.zpl.lt](http://www.zpl.lt), [www127.lt](http://www127.lt), [www.magwil.lt](http://www.magwil.lt), [www.wilnoteka.lt](http://www.wilnoteka.lt)). The Lithuanian National Radio and Television has radio and television broadcasts for national minorities in Russian, Belarusian, Polish, and Ukrainian. In 2012, the Ministry of Culture financed the project "News for the Polish minority in Lithuania" on the radio station *Znad Willi* with a view to raising awareness among Poles in Lithuania as regards the State policy for ethnic minorities, and to shed light on the current issues in the life of the Polish community. A quarterly newsletter *Tautinių bendrijų naujienos* is published to introduce to the public the events and other information concerning the promotion of the culture of ethnic communities.

65. Ethnic minorities have access to free State language courses at the House of National Communities in Vilnius. These courses were completed by 120 persons in 2008, 31 in 2009, 39 in 2010, 64 in 2011, and 99 in 2012.

**The Committee welcomes further information on the outcome of the study on the situation of women from various social groups.**

66. The study on the situation of women from various social groups aims to make an analysis of the situation of the target groups under the United Nations Committee on the Elimination of Discrimination against Women's recommendations to Lithuania: women with disabilities, ethnic minority women (including Roma women), older women (aged 55-60 and above), and female migrants, also to identify the existing problems, to evaluate the impact of the measures taken, to propose concrete measures to solve the problems and to estimate the costs of these measures. The expected outcomes of the study: completed extended comparative analysis of the situation of urban and rural target minority groups in the specified areas and on the specified aspects, the outcomes presented in percentages and figures; identification of the problems and proposal of concrete measures to resolve the problems, at the same time giving the costs and mechanisms for the implementation of each measure; presentation of the study and its outcomes to national and municipal authorities, social partners (employers and trade unions), communities, non-governmental organizations, scientists and others. A contract on the study was signed in September 2013. The outcomes are awaited in June 2014.

**The Committee encourages the State party to increase popular awareness of the work of the Equal Opportunities Ombudsman and on legal remedies available.**

67. Information on Ombudsmen's offices, Ombudsmen's powers, the possibilities of applying to the Ombudsmen and the application procedure is placed on respective websites in Lithuanian and English (Equal Opportunities Ombudsman: [www.lygybe.lt](http://www.lygybe.lt), Children's Rights Ombudsman: [www.vaikams.lrs.lt](http://www.vaikams.lrs.lt) (also in Russian); Seimas Ombudsmen: [www.lrski.lt](http://www.lrski.lt)). This information is also provided during consultations with all interested parties, through the media, different events, etc.

68. The Office of the Equal Opportunities Ombudsman annually carries out international projects and implements national programmes on equal rights, equal opportunities, non-discrimination, diversity and tolerance. The fight against stereotypes and discrimination on ethnic grounds is regularly included in the training programmes and seminars for various target groups and receives wide coverage on television and radio and through public awareness campaigns.

## **Paragraph 19**

**The Committee is interested in receiving information on the impact of the new Law on Citizenship which came into force in April 2011 on the reduction of statelessness in the State party.**

69. Stateless persons in Lithuania account for 0.13 per cent of the total population. The decline in statelessness (see table below) is related not only to the amendments to the Law on Citizenship, but also to other factors, which make it difficult to evaluate the impact of the adoption of this law on the decline in statelessness. Some stateless persons acquire Lithuanian citizenship under the Law on Citizenship through a simplified procedure or naturalization, or at birth (e.g. a child of stateless persons residing in Lithuania acquires Lithuanian citizenship at birth), etc. However, the rest of the stateless persons acquire the citizenship of another State and leave Lithuania for another country, or die.

**Stateless persons (in the beginning of the year)**

<i>Year</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Number of stateless persons	4 844	4 593	4 453	4 314	4 130	3 892

*Source:* Ministry of the Interior.

70. It is notable that the Law on Citizenship of 1 April 2011 in essence prohibits withdrawal of Lithuanian citizenship in those cases when a person would be left stateless. However, there are exceptions provided by the Law, when a person could be left stateless: if an individual works for the public service in another State without the permission of the Government, if it appears that Lithuanian citizenship was acquired through falsified documents or other fraudulent means, or that there were circumstances under the Law preventing granting, restoration or reinstatement of Lithuanian citizenship, or that the decision to grant the citizenship of Lithuania was adopted in violation of the Law on Citizenship or other laws. No such cases were recorded from the entry into force of the law until 1 June 2013.

71. The amendments to the Law on Citizenship that came into force on 25 May 2013 entitle stateless persons, born in the territory of Lithuania, to simplified acquisition of citizenship of Lithuania by naturalization. This amendment provides that such persons are entitled to citizenship of Lithuania through naturalization if they have legally resided in Lithuania for the last five years. Other persons may obtain Lithuanian citizenship through naturalization, if they have lived in Lithuania for the past 10 years.

72. It is notable that the Seimas ratified the Convention on the Reduction of Statelessness on 9 May 2013.

**Paragraph 20**

**The Committee recommends that the State party continue with its efforts to combat human trafficking in general and particularly for the purpose of sexual exploitation. It urges the State party to allocate sufficient resources in this area and to update the Committee on the achievements in the next periodic report.**

73. In 2009, the Government approved the third national Programme for the Prevention and Control of Trafficking in Human Beings for 2009–2012, which provides for measures to improve legal regulation, to strengthen inter-agency cooperation at the municipal level, to improve prevention, improve qualifications of law enforcement officers, judges and other specialists, provide comprehensive assistance to victims, and develop regional and international cooperation, and increase the exchange of best practices in this field. For the purpose of the implementation of the programmes for the prevention and control of human trafficking, public financial support has been allocated since 2002 for projects selected by way of competition, focusing on social assistance to victims of trafficking and forced prostitution. In 2008–2012, four selection competitions were held and 31 projects funded, including 29 projects of non-governmental organizations. The total allocations for the projects: LTL 400,000 in 2008, LTL 87,000 in 2010, LTL 150,000 in 2011, and LTL 150,000 in 2012. In the 2008–2012 period, social assistance was extended to more than 600 actual and potential victims of human trafficking and forced prostitution.

74. In 2012, the Government approved the Inter-Institutional Action Plan of the National Programme on Crime Prevention and Control for 2013–2015, which covers anti-trafficking measures, including the prevention of trafficking in human beings, professionals skills development, comprehensive assistance to victims and defence of their rights, and international cooperation.



75. On 21 June 2012, the Seimas ratified the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197). To properly implement the provisions of this Convention and to transpose the provisions of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, and to increase the effectiveness of anti-trafficking measures, relevant amendments to the Criminal Code were made on 30 June 2012. The amendments provide for the criminalization of trafficking in human beings and the sale or purchase of children for any exploitative purposes, including for begging or commission of a crime, i.e. they set forth a non-exhaustive list of purposes of exploitation. The criminal law now explicitly states that the victim's consent shall not remove personal liability for committing trafficking for exploitation purposes. The following aggravating circumstances have been added to the elements of the crimes of human trafficking and sale or purchase of children: the criminal act endangered the life of the victim; the offender knew or intended that the victim's body organs, tissues or cells would be removed; the offender is a civil servant or a person discharging public functions in exercising delegated powers. The amendments have provided a possibility of not prosecuting a victim of trafficking in human beings for a criminal act if he/she was compelled to commit it directly because of the fact that he/she fell victim to trafficking in human beings. The Criminal Code has been supplemented with a new article 1472, "Use of forced labour or services", which imposes criminal liability for the use of work or services of a person who is a victim of trafficking in human beings, including prostitution, when the perpetrator knew or should have and could have known that the person performing the services or work was doing that because he/she had been subjected to physical violence, threats, deception or other methods of subjugation for exploitative purposes. This new article also provides for a possibility of relieving a person of criminal liability for the use of forced labour or services, if he/she voluntarily reports the crime to the law enforcement authorities, before his/her identification as the suspect, and closely cooperates with the authorities in identifying the victims of human trafficking or child purchase or sale, thus helping to reveal the crime. Furthermore, the concept of the use of forced labour has also been broadened (art. 1471 of the Criminal Code) by criminalizing exploitation for forced services, in addition to exploitation for forced labour, and the list of means of subjugation has been expanded (physical violence, threats, other ways of making one unable to resist or taking advantage of a person's dependence) and linked with the means of subjugation specified in article 147 of the Code.

76. To duly implement the provisions of the aforementioned directive of the European Parliament and of the Council, draft amendments to the Code of Criminal Procedure were submitted to the Seimas on 9 May 2013 (draft legal act No. XIIP-552). This draft provides for closed proceedings when the victim could suffer a psychological trauma or other serious consequences if the court hearing was public. The draft also provides for a special interview procedure, to be applied both during the pretrial investigation and the actual trial, in cases where the victim could suffer a psychological trauma or other serious consequences due to the interview. It has been proposed to make the existing juvenile witness and victim questioning rules applicable during the pretrial investigation to individuals who may potentially suffer a psychological trauma or other serious consequences. According to the draft, such persons may not be interviewed more than once by a pretrial investigation judge, their interviews may be recorded in audio and video media, they may be summoned to trial proceedings only in exceptional cases, etc. In view of the proposed amendments as regards the pretrial interview, relevant changes have been proposed in relation to the court hearing, in particular, the possibility has been provided to read, during the trial proceedings, the victim's testimony, as given to the pretrial judge, if the victim could suffer a psychological trauma or other serious consequences due to the interview. Additionally, the victim who could suffer a psychological trauma or other serious consequences due to the interview should be interviewed following the rules applicable to under-aged victims.

77. Efforts of law enforcement officers and non-governmental organizations in combating this negative phenomenon have been effective, especially as regards preventive work, and the offenders have been either convicted or respective investigations are in progress.

**Pretrial investigations initiated and suspects identified under articles 147, “Trafficking in human beings”, 1471 “Exploitation for Forced Labour and Services” and 157 of the Criminal Code “Purchase or sale of a child”**

	2009	2010	2011	2012
Pretrial investigations	12	8	21	11
Suspects	21	16	37	25

*Source:* Lithuanian Criminal Police Bureau.

**Criminal proceedings at first instance under articles 147 “Trafficking in human beings”, 1471 “Exploitation for Forced Labour and Services” and 157 of the Criminal Code, “Purchase and sale of a child”**

	2009	2010	2011	2012
Pending cases at the beginning of the reference period	12	12	7	11
Filed cases	8	4	12	10
Completed cases	8	9	8	4
Pending cases at the end of reference period	12	7	11	17

*Source:* National Courts Administration.

78. The Commander of the State Border Guard Service under the Ministry of the Interior by Order of 14 April 2011 approved the Methodological recommendations on early prevention of illegal removal of children to foreign countries outside the Schengen area for sale or other purposes. These recommendations are included in the training programme for border guards.

79. A training programme, “Prevention and investigation of human trafficking”, based on the Common curriculum on trafficking in human beings of the European Police College, was approved by an order of the Police Commissioner General of Lithuania on 8 November 2011. The Programme aims to provide public police officers with knowledge about the phenomenon of human trafficking, its forms, investigation specificities and possibilities of prevention and to develop their practical skills required for the investigation and prevention of human trafficking as well as their abilities to cooperate with regional and international institutions in the investigation and prevention of human trafficking. The Programme covers 16 academic hours. 26 officers received training under this programme in 2011, 20 in 2012, and 17 in 2013. Officers of the State Border Guard Service under the Ministry of the Interior were also invited to attend the training.

80. A 24-month international project ADSTRING (Addressing trafficking in human beings for labour exploitation through improved partnerships, enhanced diagnostics and intensified organizational approaches) was launched in 2012 to enhance the prevention of trafficking in people for forced labour in nine countries of the Baltic Sea region. The project was financed by the European Commission (total budget: EUR 343,818). A preventive-informative video entitled “Don’t close your eyes to human trafficking” was produced in the course of the project. In addition, a sociological study was conducted to learn about the methods of recruitment in human trafficking for forced labour and the role of agencies and employers in this regard in Lithuania, Estonia, Sweden and Finland (study

outcomes were published in a special publication). Within the framework of this project, recommendations will be drawn up by the spring of 2014 to provide natural and legal persons offering employment services and employers with information on the identification and prevention of human trafficking for forced labour and of forced labour, which will also be presented to the international community.

81. On 17 October 2013, the Ministry of the Interior, in cooperation with the Seimas Committee on Legal Affairs, the European Institute for Crime Prevention and Control affiliated with the United Nations, the Council of the Baltic Sea States Task Force against Trafficking in Human Beings and Tartu University, organized a conference “ADSTRINGO: the fight against trafficking in human beings for forced labour in the partnership to improve identification and implementation of organizational measures”, intended for the prevention of trafficking in human beings for forced labour through the strengthening of national and regional partnerships as well as the understanding of the mechanisms that enable the exploitation of migrants.

## Paragraph 21

**The Committee recommends that the State party allocate adequate resources in order to increase activities on human rights awareness and education with particular emphasis on non-discrimination, culture of communication and respect for diversity.**

82. The Government, in its pursuit to increase awareness and education on human rights, finances activities of non-governmental organizations operating in the area of human rights, supports youth organizations that promote tolerance, and allocates financial resources for media broadcasts on the topic of non-discrimination. The resources for these activities are allocated according to the programmes, plans of measures and other instruments approved by the Government. Resources allocated by the European Commission and other international organizations under various programmes, such as the PROGRESS programme and the programme of the European Fund for the Integration of Third-Country Nationals, approved by the European Commission, are also used.

**The Committee encourages the State party to particularly target the training of teachers and law enforcement officials.**

83. Information on the training of law enforcement officials is provided in paragraphs 24–36.

84. Information on the training of teachers is provided in paragraphs 199–200.

## Paragraph 22

**The Committee encourages the State party to consider ratifying those human rights treaties which it has not yet ratified, in particular treaties the provisions of which have a direct bearing on the subject of racial discrimination, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) and the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization (1960).**

85. Lithuanian legislation, European Union law and the United Nations human rights legislation mandatory for Lithuania provide migrant workers and their families with certain rights. However, the expansion of these rights, as required by the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, is not envisaged, especially as regards the requirement of unconditionally equal treatment in

areas such as education, housing, and provision of social and health services. Taking this into account, Lithuania presently does not intend to undertake such international commitments.

86. On 8 November 2013, the competent Lithuanian public authorities began an internal procedure provided for by the Lithuanian legislation to decide on accession to the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization.

### **Paragraph 23**

**In the light of its general recommendation No. 33 (1990) on follow-up to the Durban Review Conference, the Committee recommends that the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the Outcome Document of the Durban Review Conference, held in April 2009, when implementing the Convention in its domestic legal order. The Committee requests that the State party include specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.**

87. In order to successfully implement the policies on equal rights, non-discrimination and tolerance in Lithuania, the Government, by its resolution No. 1281 of 2 November 2011 approved the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, which sets out, inter alia, measures for the implementation of the Durban Declaration and Programme of Action, adopted in 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. In the process of implementing the Plan various measures have been envisaged for educational promotion of non-discrimination and for the performance of research, surveys and studies; for conducting public awareness-raising and education campaigns on the topics of equal opportunities and promotion of non-discrimination; for organizing seminars, training and other educational measures to promote non-discrimination, tolerance and respect for people; and for stimulating the activities of non-governmental organizations that defend human rights (specific measures are enumerated in the annexes).

### **Paragraph 24**

**The Committee recommends that the State party undertake and publicize adequately an appropriate programme of activities to commemorate 2011 as the International Year for People of African Descent, as proclaimed by the General Assembly in its resolution 64/169 of 18 December 2009.**

88. A separate programme of activities to commemorate 2011 as the International Year for People of African Descent has not been approved in Lithuania. With support from the Ministry for Foreign Affairs, on 18–22 May 2011 Vilnius hosted for the first time the Black African culture festival “African Days 2011”. The aim of the festival was to introduce and inspire interest in the contemporary culture and traditions of the Black African countries south of the Sahara desert among Vilnius residents and visitors. The “African Days 2011” project aimed at providing opportunities to get better acquainted with Africa from the positive side and to better understand its people. It is also worth mentioning that a non-governmental organization, the Vilnius African Community, was established in 2011.

## Paragraph 25

### **The Committee recommends continuing consulting and expanding the dialogue with organizations of civil society working in the area of human rights protection.**

89. The Rules of Procedure of the Government (new version approved by the Government by its resolution No. 337 of 17 May 2013) and the Law on the Fundamentals of Legislation lay down the main principles of consulting with the society. The society and its groups (non-governmental organizations that protect human rights) are consulted in order to find out the society's opinions about specific problems and ways to solve them, to better assess the positive and negative outcomes of the proposed legal regulation and the cost of its implementation, to secure its transparency and to provide the society with the opportunity to influence the content of a particular decision.

90. The Rules of Procedure of the Government also stipulate that draft legal acts (except those that cannot be published under the laws of Lithuania) shall be posted on a website (a subsystem for the registration of draft legislation on the Seimas Legislative Information System for the publication of draft legislation) to receive feedback. Not only does this system provide the public with access to legislative proposals but also enables people to submit their comments and suggestions concerning legislative initiatives, draft legislation as well as monitored legal regulation.

91. The public must also be consulted during the drafting of the reports of Lithuania on the implementation of international commitments. Following the procedure for the drafting and submission of reports under the United Nations Conventions on the protection of human rights of which Lithuania is a member, as well as reports for the universal periodic review carried out by the Human Rights Council, all draft reports must be made available to all non-governmental organizations that wish to acquaint themselves with them. Moreover, the institutions drafting a report are obliged to consider the remarks and suggestions received and to make respective corrections or additions. Accordingly, when preparing the combined sixth, seventh and eighth periodic report of Lithuania under the International Convention on the Elimination of All Forms of Racial Discrimination, the aforementioned main principles on consulting with the public were observed and the draft report was introduced during the drafting stage to Lithuanian non-governmental organizations operating in the area of human rights protection.

## Paragraph 26

### **The Committee encourages the State party to consider making the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual complaints.**

92. Lithuania, having considered the possibility of the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual complaints, states that it is not planning to make a declaration of this kind in the near future. This decision takes into account the number and content of the statements (especially the high number of exceptions) submitted to the Convention's depositary under article 14 of the Convention by the countries that have recognized the competence of the Committee to consider individual complaints. In addition, the present mechanisms for the protection of rights in Lithuania (the possibility to apply to domestic courts, to submit individual statements to the Human Rights Committee under the International Covenant on Civil and Political Rights as well as complaints to the European Court of Human Rights according to the European Convention on Human Rights) are considered to be sufficient.

### **Paragraph 27**

**The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992. In this connection, the Committee cites General Assembly resolutions 61/148 and 63/243, in which the General Assembly strongly urged States parties to accelerate their domestic ratification procedures with regard to the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment.**

93. At present, Lithuania is not planning on ratifying the amendments to article 8, paragraph 6, of the Convention. The adoption of the amendment bears certain financial consequences, which must be closely examined. We would also like to note that the ratification of the amendments to article 8, paragraph 6, of the Convention is not compulsory for the States parties to the Convention and has no influence on the implementation of the responsibilities assumed by Lithuania under the Convention.

### **Paragraph 28**

**The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission, and that the observations of the Committee with respect to these reports are similarly publicized in the official and other commonly used languages, as appropriate.**

94. The reports approved by the Government on the implementation of the United Nations Conventions after their adoption are placed and freely accessible on the websites of the public authorities responsible for their preparation as well as on the website of the Ministry for Foreign Affairs available from [www.urm.lt](http://www.urm.lt). The website of the Ministry also offers information on the concluding observations of the Committee on the reports submitted by Lithuania. The reports and the concluding observations of the Committee are publicized in the official language on the aforementioned websites.

### **Paragraph 29**

**Noting that Lithuania submitted its core document in 1998, the Committee encourages it to submit an updated version in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted by the fifth inter-committee meeting of the human rights treaty bodies held in June 2006 (HRI/MC/2006/3).**

95. At present, the process of United Nations treaty body strengthening is still in progress, and it is expected to result in clear guidelines on the content of the common core document, its scope, preparation and updating. Lithuania is planning to submit a new common core document after the States have agreed upon the new method for updating the common core document.

### III. Information relating to the articles of the Convention

#### Article 2

96. Article 29 of the Constitution of Lithuania establishes the principle of non-discrimination of all persons, while other current legal acts guarantee equal rights for all people regardless of gender, sexual orientation, race, nationality, disability, age, religion or convictions. The legal framework for fighting racial discrimination is being constantly improved. In its pursuit to develop tolerance in the society and prevent ethnic hatred and all forms of discrimination and exclusion, the Government develops strategies on the national level, for their implementation adopts programmes and action plans aimed to prevent racism and xenophobia, encourage anti-discrimination and integration of ethnic minorities, and is developing policy guidelines for vulnerable groups.

97. The Government approved, in its resolution No. 317 of 15 April 2009, the National Anti-Discrimination Programme for 2009–2011, with the purpose of reducing discriminatory practices on the basis of gender, sexual orientation, race, nationality, disability, age, religion or convictions in all spheres of the society and increase tolerance in the society. To continue the implementation of the anti-discrimination and tolerance policy the Government, in its resolution No. 1281 of 2 November 2011 approved the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, which sets out the measures for promotion of non-discrimination and equal opportunities and the implementation of these measures (revised as of 1 January 2013).

98. At present the Government is implementing the Strategy for the Development until 2015 of the National Minorities Policy, but the proposal to prepare and approve the Strategy for the Development of the National Minorities Policy for 2015–2021 has been already submitted to the Government. It is intended to create a harmonious environment that secures smooth integration of the national minorities into the Lithuanian society and to allow them to use their cultural potential for the State's benefit in its new development stage.

99. In its pursuit to preserve the identity of the Roma, to reduce their social exclusion, secure their integration into Lithuanian society and increase public trust in the Roma, the Government, in its resolution No. 309 of 26 March 2008, adopted and implemented the Strategy for Roma Integration into the Lithuanian Society for 2008–2010. Regarding the fact that the measures that were applied under this programme did not solve entirely the problems of Roma integration into the labour market and their social exclusion, the Action Plan for Roma Integration into the Lithuanian Society for 2012–2014 was approved by an order of the Minister of Culture in March 2012.

100. In its pursuit to make sure that the provisions of the Law on Equal Opportunities for Women and Men and the obligations under the European Union and international agreements in the sphere of equality for women and men are implemented consistently, comprehensively and systematically, the Government, in its resolution No. 530 of 4 May 2010, approved the National Programme on Equal Opportunities for Women and Men for 2010–2014.

101. The Government approved, in its resolution No. 1715 of 1 December 2010, the National Youth Policy Development Programme for 2011–2019, aimed, among other things, to promote active participation of national minority youth in the economic, civic and public life, and help them integrate into the society. For the implementation of this programme, the Plan of Measures 2011–2013 for the Implementation of the National Youth Policy Development Programme for 2011–2019 was approved by the Minister of Social Security and Labour by Order No. A1-193 of 12 April 2011.

102. The Government approved, in its resolution No. 1381 of 14 November 2012, the Inter-Institutional Action Plan for the National Programme on Crime Prevention and Control, one of the priority areas of which is strengthening the fight against human trafficking: prevention of the human trafficking crimes, improvement of the professional qualifications of specialists, provision of comprehensive help to the victims of human trafficking and forced prostitution and protection of their rights, and ensuring effective international communication in the fight with human trafficking.

#### **Sociological and scientific research**

103. The Vilnius University, Vilnius University Institute of International Relations and Political Science, Vilnius University Centre of Oriental Studies, Vilnius University Religious Studies and Research Centre, Vilnius Yiddish Institute, the Vytautas Magnus University, the Institute for Ethnic Studies at the Lithuanian Social Research Centre, the Institute of Labour and Social Research as well as non-governmental organizations, such as the Lithuanian Centre for Human Rights, carry out and organize sociological and scientific research, take part in national and international projects, organize conferences, seminars and other events, develop and implement educational programmes. These institutions also analyse legal acts governing the rights and freedoms of national minorities, gather material on their culture, history and religion, provide methodological support and consultations, and consolidate the forces of scientists, specialists and society representatives in this area.

104. In December 2008, under the order of the Department of National Minorities and Lithuanians Living Abroad, the Institute of Labour and Social Research carried out a study, "Labour market situation of women and men belonging to national minorities". A total of 622 members of national minorities from the Vilnius city and district municipalities and Klaipėda city and district municipalities were surveyed. The results of the survey show that 69.8 per cent of the members of national minorities were employed. The readiness for work of national minority women was higher than that of men, yet women were economically inactive and unemployed more often than men (because of the housewife status, studies, etc.). A total of 43.2 per cent of women and only 29.7 per cent of men held higher education degrees. Discrimination was usually experienced during the recruitment process and while pursuing a career. As the findings of the sociological survey show, the respondents evaluated their knowledge of the Lithuanian language rather modestly: only a half of the members of national minorities understand Lithuanian well; one third are fluent in spoken Lithuanian; only one fifth are fluent in written Lithuanian. Bearing in mind the requirement to speak the official language at the workplace, the results of the survey show that more than a half of national minority members are not fully prepared for the labour market. Around 42 per cent of national minority members are willing to improve their knowledge of the Lithuanian language.

105. In December 2008, the results of the sociological survey called "Survey of Roma situation: Roma at the juncture of education and the labour market" were published. The research was carried out by the Institute for Ethnic Studies of the Lithuanian Social Research Centre. A total of 250 Roma people from all parts of Lithuania participated in the survey. The results show that the Lithuanian Roma lead a settled way of life. In the last decade, more Roma children graduated from primary schools and the number of children in secondary schools increased, although very few acquire secondary education. A total of 56.7 per cent of the adult respondents were unemployed. For more than one third of the respondents, social benefits were the main source of income. The survey shows that the Roma tend to solve their problems by themselves, relying solely on ties within their community.

106. In 2008–2011, the Institute for Ethnic Studies took part in the ENRI-East project funded by the scientific research project of the European Commission which examined



national and minority identities in the countries along the eastern border of the European Union. The goal of the project was to accumulate, analyse and summarize data which is objective, reliable and comparable on the European level in the following research areas: improvement of research into national and ethnic identities; improvement of the methodology for researching the European identity formation; evaluation of the historical development of national minorities; secondary analysis of minority research data; a quantitative (representative) international survey to analyse values and identities; and a qualitative international survey (various methods). Three reports based on the data of the project have been prepared on the situation of the ethnic minorities in Lithuania: “The Russian minority in Lithuania”, “The Belarusian minority in Lithuania” and “The Polish Minority in Lithuania” (available from [www.enri-east.net/projects-results/en/](http://www.enri-east.net/projects-results/en/)).

107. In 2008–2010, the Lithuanian Institute of History together with the Centre for Studies of the Culture and History of East European Jews carried out the research project, “Lithuanian Jews: a historical study”. The object of this project was the history of Jews in Lithuania. For the implementation of this project, an international group of researchers was gathered (from Estonia, Israel, Lithuania, Poland and United States of America) and an international editorial board was set up. The project has an academic and a broader social and cultural significance.

108. In 2009–2010, the Lithuanian Institute of History continued the scientific programme, “Modernization of the Lithuanian society and ethnic conflicts (non-dominant ethnic communities in Lithuania during the nineteenth century and the first half of the twentieth century)”, initiated back in 2001. The programme analysed the main causes of ethnic conflicts and their dynamics in Lithuanian society focusing on the development of ethnic communities, their interrelationships, and the influence of changing political regimes on inter-ethnic relationships. Ten research papers were published on these topics in 2009-2010.

109. In 2009, the Institute for Ethnic Studies prepared and published a study by the sociologist Natalija Kasatkina and the historian Andrius Marcinkevičius entitled *Russians in the Lithuanian Society in 1918–1940: Construction of a Historical Retrospective*, which was based on the results of research carried out in a project funded by the Lithuanian State Science and Studies Foundation. The study analysed the historical aspects of the social situation of Russians and the historical aspects of their relations with Lithuanian society.

110. In 2011–2012, the Institute for Ethnic Studies carried out the project “Social challenges for ethnic minorities and new immigrant groups in Lithuania after joining the European Union”, financed by the Research Council of Lithuania. This project examined the characteristics of integration into the society and social development of the Russian, Belarusian and Ukrainian social minorities in Visaginas, and the three most numerous groups of immigrants to Lithuania (Russian, Belarusian and Ukrainian); assessed and compared the social situation of these groups; and conceptualized the ethnic processes in Lithuania after joining the European Union (available from [www.ces.lt/etniskumo-studijos-2/isleisti-zurnalai/etniskumo-studijos-2012/](http://www.ces.lt/etniskumo-studijos-2/isleisti-zurnalai/etniskumo-studijos-2012/)).

111. In 2012, the Institute for Ethnic Studies prepared for the European Union Agency for Fundamental Rights a review of the situation of the Roma, which presents the results of the qualitative and quantitative studies in the areas of education, housing, employment, health, poverty and civic engagement (available from [www.fra.europa.eu/en/country-data-2013/country-thematic-studies-situation-roma](http://www.fra.europa.eu/en/country-data-2013/country-thematic-studies-situation-roma)).

112. In 2012 the Equal Opportunities Ombudsman’s Office and the Lithuanian Social Research Centre published a study by Vita Petrušauskaitė, a junior researcher at the Institute for Ethnic Studies, entitled *Roma Children in the Educational System: Cases in Vilnius and Ukmergė Municipalities*. The publication presents the results of a comparative

study into the participation of Roma children in the educational system in the Vilnius and Ukmergė municipalities. The study overviewed regional differences in the participation of Roma children in the educational system and assessed the influence of local education on the children's chances of remaining in the educational system.

113. Also in 2012, a study named "Challenges to religious diversity in Lithuania: the perspective of religious minorities", initiated by the Equal Opportunities Ombudsman's Office, was carried out. A total of 362 members of religious minority communities in Lithuania and 17 representatives of non-traditional minority communities took part in the survey for this empiric research.

114. Since 2012, the Institute for Ethnic Studies has been carrying out the "Ethnic minorities in south-eastern Lithuania: expressions of ethnic, civic, regional and local identities" project, financed by the Research Council of Lithuania. The aim of this project is to carry out interdisciplinary research into the ethnic, civic, regional and local identity configurations and expressions of the residents at the Lithuanian border (Polish, Belarusian and Russian ethnic groups).

115. On 20 April 2012, the Seimas hosted an international conference, "National minorities and international law", organized by the Seimas Committee on Human Rights in cooperation with the Mykolas Romeris University. The objective of the conference was to not only to make research presentations on the protection of the rights of national minorities, but also to hear the opinion of the representatives of international institutions and national minorities living in Lithuania on the issues of national minorities' rights protection. A scholarly study, based on the conference material, was then prepared and published.

116. In 2012, the scholars at the Mykolas Romeris University prepared a research study, "Limitations of the freedom of religious expression in a democratic society", as part of a project financed by the Research Council of Lithuania.

117. In 2012–2013, the Institute for Ethnic Studies together with the Harmonious Community Centre and the Lithuanian Red Cross Society launched an international project under the European Refugees Fund programme entitled "Implementing the European Union's Asylum Acquis in Lithuania: legal and sociological aspects". The aim of the project was to carry out a thorough legal and sociological research in order to assess the state of the implementation of the European Union Asylum Acquis, to secure its correct application, and to stimulate further development of the asylum system and the asylum policy in Lithuania (available from [www.ces.lt/etniskumo-studijos-2/isleisti-zurnalai/etniskumo-studijos-20131/](http://www.ces.lt/etniskumo-studijos-2/isleisti-zurnalai/etniskumo-studijos-20131/)).

118. In line with the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, a study into the changes of societal attitudes and the causes of discrimination as well as an analysis of results is planned for 2014.

### **Article 3**

119. The Department of Statistics under the Government (Statistics Lithuania) conducts a universal Population and Housing Census every 10 years. The most recent universal Census took place in 2011. Tables 1–5 in the annex provide statistical data about the population of Lithuania by numbers, ethnic composition and distribution thereof in the cities of Lithuania, and residents of Lithuania by nationality.

120. A Roma settlement in Kirtimai (Vilnius), with 400 residents (approximately half of them children) causes the greatest concern with regard to social exclusion. In order to integrate the Roma community from Kirtimai into the society, the Ministry of Social

Security and Labour is currently drafting the Action Plan for Greater Social Inclusion for 2014–2020, which is to lay down specific measures on allocation of social housing. Vilnius City Municipality also drafts measures for the integration of the Roma from this settlement. To implement these measures, there are plans to make use of the funds from the European Union’s multiannual financial framework for 2014–2020 that have been earmarked for financial assistance to Roma integration.

121. A case concerning the monitoring of Roma segregation in the field of education should also be mentioned. In 2011, a media report called attention to the formation of a separate class “Č” (first letter of the Lithuanian word for a Gypsy, *čigonas*) for Roma students at a Vilnius City school. The Equal Opportunities Ombudsman, having carried out a thorough investigation, recommended that the school’s principal integrate the students of the Roma origin into other classes. Following the recommendation, a separate class was disbanded. More detailed information on monitoring manifestations of racial segregation is provided in paragraphs 22–23.

#### **Article 4**

122. To ensure respect for human rights and compliance with the principle of non-discrimination in the legislative process, a mechanism of control has been established in the legislation of Lithuania. According to the legislation, all legal acts must comply with the Constitution as well as other legal acts that are in force, unless the legal act contains norms amending the legal acts that are in force. Also, there is a requirement that in the process of drafting the concept of a law related to human rights, analysis of the compliance of the major provisions thereof with the Constitution as well as the European Convention on Human Rights must be carried out.

123. On 1 January 2014, the amendment to the Law on the Fundamentals of Legislation came into force, whereby institutions authorized by the Government shall issue conclusions on the compliance of draft legal acts with (apart from other sources) the European Convention on Human Rights, judgements of the European Court of Human Rights, and international agreements of Lithuania, including the United Nations conventions to which Lithuania is a party. The conclusions shall also be submitted to the institution responsible for the adoption of the legal act.

#### **Amendments to legal acts**

124. The legal acts of Lithuania that provide for the criminal and administrative liability for the incitement and dissemination of racial and ethnic hatred are constantly improved with a view to more efficient fighting against racial discrimination. Amendments to legal acts that were adopted over recent years included establishing criminal liability for a greater number of acts related to the incitement to racial or other types of hatred as well as recognition of a racial motivation as an aggravating circumstance in certain criminal acts.

125. The Law of 9 July 2009 has supplemented article 170 of the Criminal Code, “Incitement against any national, racial, ethnic, religious, or other group of persons” with a new paragraph, whereby a person, who, for the purposes of distribution, produces, acquires, sends, transports or stores items ridiculing, expressing contempt for, urging hatred of or inciting discrimination against a group of persons or a person belonging thereto on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views or inciting violence, a physical violent treatment of such a group of persons or the person belonging thereto or distributes them shall be held liable under criminal law. Article 1701, “Creation and activities of groups and organizations aiming at discriminating a group of persons or inciting against it”, was also added to the Code imposing criminal liability on a person who creates a group of accomplices or an organized

group or organization aiming at discriminating a group of persons on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views or inciting against it or participates in the activities of such a group or organization or finances or otherwise supports such a group or organization. Previously, the aforementioned acts were considered as administrative offences. Following the amendments to the aforementioned legal acts, public incitement (inducement) to hatred (dissent) and discrimination are now treated more strictly as application of administrative measures has been replaced by imposition of criminal liability.

126. In 2005 the third report of the European Commission against Racism and Intolerance under the Council of Europe recommended that Lithuanian State authorities adopt a provision to recognize racial motivation as an aggravating circumstance. In view thereof, Law No. XI-303 amending the Criminal Code was adopted on 16 June 2009, whereby stricter criminal liability is provided for hate crimes. The Law added a new item to second paragraphs of article 129 of the Code, "Murder", article 135 of the Code, "Severe health impairment", and article 138 of the Code, "Non-severe health impairment", establishing new grounds qualifying these crimes, namely, when a crime is committed in order to express hatred towards a group of persons or a person belonging thereto on grounds of age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions or views. In this case the paragraph of the article of the Code that provides for a more serious crime and a stricter sanction shall be applied to the perpetrator. Commitment of other criminal acts on these grounds shall be recognized as an aggravating circumstance in the criminal liability of the perpetrator, and the court shall take it into account while judging on the type and extent of the applicable sanction.

127. A new draft Code of Administrative Offences, drafted by the Ministry of Justice, was submitted to the Seimas on 24 April 2012 (draft legal act No. XIP-3600(2)), whereby if an administrative offence is made by expressing hatred towards a person (persons) or by discriminating against a person (persons) on grounds of sex, race, nationality, language, descent, social status, religion, convictions, views, or other grounds, this shall be recognized as an aggravating circumstance.

128. It should also be noted that on 23 December 2009 Methodological recommendations on organization, management, and conducting of pretrial investigation of criminal acts committed on grounds of racial, nationalist, xenophobic, homophobic, or other motives of discriminatory nature (No. 12.14-40) were drafted by the Prosecutor General for prosecutors and pretrial officers. These recommendations on criminal procedure provide for the organization of pretrial investigation of criminal acts that could have been committed on grounds of the victim's race, nationality, ethnicity, language, religion, sex, sexual orientation, or other discriminatory or xenophobic grounds. Recommendations are used in the practice of the officers of prosecution service and pretrial investigation authorities and contribute significantly to efficient investigation of criminal acts.

#### **Investigations by law enforcement authorities**

129. From 2009 to 1 June 2013, pretrial investigations in criminal proceedings on 888 criminal acts related to equal rights and freedom of consciousness, for which criminal liability is established in accordance with chapter XXV (Crimes and misdemeanours against a person's equal rights and freedom of conscience) of the Criminal Code (arts. 169-1702), were started and conducted. Criminal acts of this category include discrimination of a person on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views, as well as incitement to hatred on the same grounds. Out of pretrial investigations started during the aforementioned period, pretrial investigations were concluded and criminal cases were transferred to courts on 251 criminal acts of this category. Pretrial investigations into 284 criminal acts of this

category were dismissed, because pretrial investigations did not establish all the elements required for the criminal liability, or there was insufficient evidence to prove the guilt of the suspect for committing a criminal act of this kind. After completion of all the possible procedural actions, out of the total number of criminal acts on which pretrial investigations were started, pretrial investigations in criminal cases on 211 criminal acts of this category were discontinued, while pretrial investigations into the remaining 393 criminal acts continue.

130. Pretrial investigations into criminal acts of this category include pretrial investigations into dissemination of racist ideas and incitement to hatred of such a nature and motives (on grounds of a person's belonging to a black race, ethnic descent (Roma, Jewish) and nationality (Roma, Jewish, Polish)); however the absolute majority of these acts (up to 95–98 per cent of all the criminal acts committed against a person's equal rights and freedom of conscience) are committed in cyberspace by writing comments to various online media publications, also in social networking websites, personal blogs, etc. These criminal acts belong to the hate speech category and therefore are not related to the use of violence.

131. During the aforementioned period, three pretrial investigations were started into acts of violence against persons on grounds of their ethnicity and nationality. Following the completion of pretrial investigations in two criminal cases, courts issued convictions, and one case is still pending.

132. During the aforementioned period, no pretrial investigations were started and conducted concerning activities of racist organizations, except for three pretrial investigations of criminal acts (incitement to racial, anti-Semitic or national hatred in public space and publications) by three persons associated with such informal marginal nationalist organizations. All the aforementioned persons were convicted for criminal acts related to the incitement to hatred (in accordance with article 170 of the Criminal Code, "Incitement against any national, racial, ethnic, religious or other group of persons").

133. During the aforementioned period, 32 pretrial investigations into discrimination of a person or a group of persons were initiated (in accordance with article 169 of the Criminal Code, "Discrimination on grounds of nationality, race, sex, descent, religion or belonging to other groups"), out of which five cases of discrimination on the grounds of ethnicity (nationality) (Roma, Jewish) were investigated. These acts were committed in cyberspace, by writing statements propagating discrimination in the commentary columns of online news portals.

134. It should also be noted that during the aforementioned period, two pretrial investigations on incitement to racial and related (ethnic, national) types of hatred were started and conducted with regard to a political organization participating in political activities of various levels and a person taking part in the activities thereof. Pretrial investigations were discontinued due to the lack of elements required for criminal liability.

**Investigation of criminal acts in accordance with article 170 of the Criminal Code, "Incitement against any national, racial, ethnic, religious or other group of persons", and article 1701, "Creation and activities of the groups and organizations aiming at discriminating a group of persons or inciting against it"**

	2009	2010	2011	2012
Criminal acts registered in accordance with article 170	37	158	328	266
Criminal acts registered in accordance with article 1701	0	0	0	0
Cases received by courts	7	21	94	59

	2009	2010	2011	2012
Cases examined by courts	17	19	95	56
Number of convictions issued	16	14	91	55
Number of persons sentenced	16	14	95	56

*Source:* Information Technology and Communications Department under the Ministry of the Interior, and National Courts Administration.

135. The number of registered criminal acts against a person's equal rights and freedom of conscience has been on the rise recently. This is also related to greater activity on the part of the law enforcement authorities in establishing and investigating these acts, as well as public sensitivity with respect to these acts, because victims have more courage in approaching the law enforcement authorities.

## Article 5

### 1. Political and civil rights

#### **The right to take part in the Government as well as in the conduct of public affairs at any level, and to have equal access to public service**

136. Legal acts regulating the exercise of the right of citizens to take part in the Government and in the conduct of public affairs at any level, and equal access to public service do not impose any restrictions on grounds of race, skin colour, nationality or ethnicity. It should be noted that in compliance with initiatives laid down in the strategic documents on enhancement of openness of the public administration processes and improvement of the public service system, it will be further ensured that implementation of the aforementioned initiatives does not have any direct or indirect effect on equal rights of persons of another race, skin colour, nationality, or ethnicity.

#### **The right to vote and to stand for election and the right to take part in the activities of political parties**

137. Legal acts of Lithuania do not provide for any restrictions on grounds of race, skin colour, nationality or ethnicity when voting or standing for elections. It should be noted that indication of one's nationality is not required when submitting one's nomination for participation in elections.

#### **Distribution of candidates by nationality in 2009–2012 elections**

<i>Ethnicity</i>	<i>2009 presidential elections</i>		<i>2009 elections to the European Parliament</i>		<i>2011 municipal elections</i>		<i>14 October 2012 elections to the Seimas</i>	
	<i>Candidates</i>	<i>Elected</i>	<i>Candidates</i>	<i>Elected</i>	<i>Candidates</i>	<i>Elected</i>	<i>Candidates</i>	<i>Elected</i>
Armenian					4		1	
Belarusian			2		53	3	10	
Bashkir					1			
Roma					1			
Chuvash					1			
Greek					1			
Georgian			1		1		2	

Ethnicity	2009 presidential elections		2009 elections to the European Parliament		2011 municipal elections		14 October 2012 elections to the Seimas	
	Candidates	Elected	Candidates	Elected	Candidates	Elected	Candidates	Elected
Ingush					1			
Italian					1	1		
Kazakh					2			
Latvian					16		2	
Polish	1		16	1	587	71	133	8
Lezgian					1			
Lebanese					1			
Lithuanian	6	1	222	10	13 642	1 354	1 602	128
Mari					1			
Moldavian					1	1	1	1
French					1			
Russian			10	1	496	27	58	2
Tatar					8		3	
Udmurt					2			
Ukrainian					55	3	5	
Uzbek					2			
Hungarian							1	
German			1		13		4	
Samogitian			2		5	1	2	
Jewish			1		9	1	3	1
Unspecified			7		1 498	64	100	1
<b>In total</b>	<b>7</b>	<b>1</b>	<b>262</b>	<b>12</b>	<b>16 404</b>	<b>1 526</b>	<b>1 927</b>	<b>141</b>

Source: Central Electoral Commission.

138. On 22 July 2013 a draft Law Amending the Law on Political Parties (draft legal act No. XIIP-875) was submitted to the Seimas. The draft law provides that not only nationals of Lithuania but also nationals of other Member States of the European Union, aged 18 years and over, who are permanent residents of Lithuania, can be founders and members of a political party.

### Other civil rights

139. Regulation of other civil rights, such as the right to marry, the right to own property, the right to inherit, the right to the freedom of thought, conscience, and religion, and the right to the freedom of expression, which are established in the Constitution and other legal acts, has not changed in principle in recent years.

140. It should be noted that in order to develop the right of access to information without discrimination, Lithuania ratified the Council of Europe Convention on Access to Official Documents on 28 June 2012. Responsibility for implementation of the provisions of the Convention was appointed to the Information Society Development Committee under the Ministry of Transport and Communications.

## 2. Economic, social and cultural rights

### The right to employment

141. The principles governing labour relations, including equality of the subjects of labour law irrespective of their gender, sexual orientation, race, national origin, language, origin, citizenship and social status, religion, marital and family status, age, opinions or views, membership in political parties or public organizations, and factors unrelated to the employee's professional qualities, are laid down in the Labour Code.

### Unemployment rate in Lithuania

<i>Year</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Number of the unemployed	94 300	225 100	270 400	226 100	195 200
Unemployment rate, %					
In total	5.8	13.7	17.8	15.3	13.2
Women	5.6	10.4	14.5	12.9	11.5
Men	6.0	17.0	21.2	17.7	15.1
Youth (aged 15–24)	12.6	35.1	39.0	32.2	26.4

*Source:* Statistics Lithuania.

### The right to form and join trade unions

142. In 2010, amendments were made to the provisions on the number of founders in article 6 of the Law on Trade Unions and article 2.38 of the Civil Code. Amendments to these legal acts were prompted by the 2006 recommendation from the European Committee of Social Rights, which noted that Lithuania did not comply with the requirements of the 1996 European Social Charter (revised). According to the European Committee, a requirement of a minimum number of 30 founders of a trade union was too strict and violated the freedom of association. Accordingly, the said amendments to the legal acts established that a trade union can be formed by no fewer than 20 founders or when the founders would account for no less than one tenth of all employees, yet no fewer than three employees.

143. On 13 June 2013, amendments to the Law on Trade Unions and article 2.38 of the Civil Code were adopted transposing into national law the requirements of Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents (OJ L 016, 23/01/2004, pp. 44–53) and Directive 2011/98/EU of the European Parliament and of the Council on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State. Prior to the amendment of these legal acts, trade unions could be established by Lithuanian citizens or permanent residents of Lithuania who are not younger than 14 years of age and are employed on the basis of labour contracts or some other basis. After the adoption of the said amendments, a trade union can be established by both Lithuanian and foreign nationals with working capacity.

144. The aforementioned amendments to the legal acts were also made in consideration of the non-compliance, established by the Committee on Freedom of Association, with the requirements on equal opportunities for different employee organizations (employee representatives), as laid down by the International Labour Organization Convention



No. 135 (1971) concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking. Previously applicable provisions of the Law on Trade Unions and the Law on Labour Councils provided different guarantees to employee representatives. In view of this, amendments made in 2013 unified the guarantees for labour councils and trade unions, without discrimination against any of the possible employee representatives.

145. The law no longer provides for constant assistance for trade unions in consideration of the ruling of the Constitutional Court of 30 September 2003, which stated that the provision of part 1 of article 50 of the Constitution, whereby trade unions are freely established and function independently, define not only the boundaries of interaction between the State and trade unions, but also the constitutional boundaries of State assistance to trade unions. The law has expanded the functions of trade unions in exercising the control of compliance with labour laws, including compliance with the non-discrimination provisions.

### **The right to housing**

146. Legal acts of Lithuania lay down two types of assistance available to natural persons and families residing in Lithuania: assistance to rent housing, and assistance to acquire housing. All persons (families) whose income level (as fixed by the Government) is insufficient for them to acquire housing on their own have the right to assistance.

147. There were 31,584 such persons (families) in Lithuania in 2012; out of them, 9,514 were young families; 2,213 families with three children or more; 2,951 orphans and persons without parental custody; 4,633 families of the disabled; 11,728 of those who did not fall under other lists and were included into the general list; 545 tenants who had a right to the improvement of the housing conditions. Assistance to these persons (families) is provided by renting out social housing. In 2012, 1,086 persons (families) were provided with social housing; out of them, 253 were young families; 213 families with three children or more; 140 orphans and persons without parental custody; 186 families of the disabled; 240 of those who did not fall under other lists and were included into the general list; 54 tenants who had a right to the improvement of the housing conditions.

### **Assistance provided to rent housing in 2009–2012**

<i>Year</i>	<i>Families and persons, registered</i>	<i>Demand satisfied</i>
2012	31 584	1 086
2011	30 484	949
2010	28 461	831
2009	20 647	1 191

*Source:* Statistics Lithuania.

### **Assistance provided to acquire housing in 2009–2012**

<i>Year</i>	<i>State-supported housing loan provided</i>		<i>Amount of subsidies granted to persons (families)</i>
	<i>Number of persons (families)</i>	<i>Amount of loan</i>	
2012	60	LTL 5 202 300	LTL 594 300
2011	80	LTL 7 355 000	LTL 806 000

Year	State-supported housing loan provided		Amount of subsidies granted to persons (families)
	Number of persons (families)	Amount of loan	
2010	23	LTL 2 189 000	LTL 300 000
2009	61	LTL 5 926 000	LTL 619 000

Source: Statistics Lithuania.

148. Following the analysis and assessment of the functioning of the system for the assistance to acquire or rent housing, it has been decided that the current legal regulation of the assistance to acquire or rent housing does not ensure efficient exercise of a person's right to housing. Annually, 3 per cent of persons (families) eligible for the assistance actually receive it, and some of them have to wait for the assistance for 20–30 years. In order to ensure accessibility of assistance to acquire or rent housing, the Law on Assistance to Acquire or Rent Housing has been drafted. The draft law provides a new form of assistance to acquire or rent housing, i.e. partial compensation for rent or mortgage, and stipulates that families and persons who are eligible for social housing and rent their housing at market conditions from natural or legal persons shall acquire a right to a partial compensation for rent or mortgage. This assistance shall be provided immediately following the submission by persons (families) of a rental or mortgage contract that has been registered with the public registry.

149. In all cases assistance to acquire or rent housing is provided while ensuring equal treatment of low-income families and persons regardless of their gender, race, national origin, language, origin, social status, faith, opinions or views, age, sexual orientation, disability, ethnicity, religion, and other circumstances.

150. The annex (tables 8–12) provides statistical data about the housing of the citizens of the Republic of Lithuania, listing the type, area, ownership, and useful floor area of the housing.

### **Right to health care**

151. The policy pursued by the Government ensures opportunities for all citizens, without discrimination, to enjoy the right to health care; there are no limitations to the access of aliens, ethnic minorities and other groups of individuals to health-care services. The provisions of legal acts regulating the provision of primary (first aid and emergency) medical care services to all patients (including Roma, refugees, etc.) at personal health-care institutions remain relevant and applicable. No essential amendments relevant to the field of racial discrimination have been made.

152. Also, it is notable that, on 25 October 2013, an amendment to the Law on Health Insurance came into force to implement Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, as well as to amend legal regulation with regard to the problems related to mandatory health insurance of aliens who have been granted subsidiary or temporary protection in Lithuania.

### **Right to education and professional training**

153. Lithuania guarantees the exercise of human rights for every individual, ensures access to education, acquisition of general education and first qualification and provides conditions for improvement of the present qualification or acquisition of a new one. The

Lithuanian educational system comprises: formal education (primary, basic, secondary education, formal vocational training and higher education studies); non-formal education (pre-primary, preschool education, other non-formal education of children (including training complementary to formal education) and adults); self-education and education assistance (vocational training, information, psychological, social pedagogical, special pedagogical and special education support, health care in schools, counselling, professional development of teachers and other assistance).

154. In accordance with the Law on Education, an appropriate network of education providers is necessary to ensure accessibility to compulsory and general education, its variety, and the possibility of life-long learning. When creating the network of State and municipal schools, residents or their groups must be consulted to protect the public interest. Each municipality must have an optimal network of providers of primary, basic, secondary and non-formal education programmes for children and adults in the State language, and in areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the municipality shall guarantee the teaching in the national minority language or of the national minority language, if the community so requests.

155. The Law on Education guarantees the right to learn in the State language and to learn the State language and provides pupils with the freedom of choice of the language of instruction. General education and non-formal education schools create opportunities for learners belonging to national minorities to foster their national, ethnic and linguistic identity and to learn their native language, history and culture. General education and non-formal education schools whose regulations (statutes) provide for teaching a national minority language or teaching in a national minority language, as requested by the parents (guardians, curators) and pupils, may conduct the teaching process or teach certain subjects in the national minority language. At such schools, the subject of the Lithuanian language shall be a constituent part of the curriculum and the time allocated for Lithuanian lessons shall not be shorter than that allocated for native language lessons.

156. In 2012–2013, Lithuania had 1,111 schools with Lithuanian as the language of instruction, 55 schools with Polish as the language of instruction, 32 schools with Russian as the language of instruction, 1 school with Belarusian as the language of instruction and 40 schools with several different languages of instruction (9 schools: Lithuanian and Polish; 18 schools: Lithuanian and Russian; 9 schools: Russian and Polish; and 4 schools: Lithuanian, Russian and Polish). A total of 346,359 pupils were taught in Lithuanian as the language of instruction, 14,825 in Russian, 12,359 in Polish and 177 in Belarusian. The majority of schools using Polish as the language of instruction are located in the city of Vilnius and in the districts of Vilnius, Šalčininkai, Trakai and Švenčionys, whereas schools that teach pupils in Russian are located in the cities of Vilnius, Klaipėda and Visaginas.

157. Statistical information on the education and foreign language proficiency of the largest ethnic minorities of Lithuania is provided in the annex (tables 6–7).

#### **Right to equal participation in cultural activities**

158. Lithuania is making efforts to create equal conditions for all social groups to participate in cultural activities and to build social and cultural capital. To achieve this goal, a number of programmes have been approved and are being implemented:

(a) The Programme for the Modernization of Cultural Centres for 2007–2020 envisages the creation of proper conditions for promoting cultural activities at municipal cultural centres;

(b) The Strategy for the Development until 2015 of the National Minorities Policy aims at the integration of Lithuanian residents belonging to ethnic minorities into the Lithuanian society by providing adequate conditions for living, working and studying in

Lithuania and by preserving their culture, identity and ensuring harmonious relationship among ethnic groups;

(c) The Programme for Development of Regional Culture for 2012–2020 aims to create the conditions in the regions for human cultural expression and full personality development as well as diversity, dissemination and accessibility of culture, as the basis for a region’s social and economic progress, and to foster civic consciousness by promoting the regions’ distinctiveness and attractiveness;

(d) The National Youth Policy Development Programme for 2011–2019 envisages the creation of a favourable environment (conditions) for a young adult’s meaningful life and self-expression in Lithuania;

(e) The Programme for the Renovation and Modernization of Libraries aims to ensure the opportunity for Lithuanian people to acquire knowledge and a qualification; to eliminate the disparities between urban and rural information and communication infrastructures and to provide all residents with equal access to information technologies for social and public purposes; to create proper conditions in libraries for the items of national cultural and scientific heritage to be collected, stored and presented to the public; and to ensure access to library collections;

(f) To ensure efficient use of the funds of the 2014–2020 European Union Financial Perspective, the National Progress Programme for 2014–2020 has been developed, aiming at purposeful improvement of the access to all cultural sectors as well as the development of quality cultural services for all population and age groups. This should be integrated with the balancing of cultural services and creativity (narrowing the centre-periphery gap) by investing, across the country, in the regional infrastructure of the network of cultural institutions, improving the management of the institutions in the provision of public cultural services, and giving impetus for the start-up of new services, products and initiatives.

### 3. Legal status of certain groups of people and measures applicable for their integration

#### Legal status of refugees and their integration

159. Aliens who have been granted refuge in Lithuania enjoy the rights and freedoms which are provided by the Constitution, international agreements, laws of Lithuania and European Union legislation. They are equal under the laws, regardless of gender, race, nationality, language, origin, social status, religion, convictions or views. Aliens who have been granted refuge and permission for permanent residence have the same access to all social and other guarantees established by laws as permanent residents of the country. Regarding the preparation of asylum seekers for integration into the Lithuanian society, an important role is played by the Refugee Reception Centre, which, as one of its main functions, provides accommodation to aliens granted asylum, refugee status or additional protection.

#### Aliens, refugees, stateless persons and asylum seekers, permanently residing in Lithuania

<i>Aliens</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Aliens having valid permanent residence permits*	20 429	19 592	19 234	19 142	18 925
Stateless persons having valid permanent residence permits	4 844	4 593	4 453	4 314	4 130

<i>Aliens</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Aliens having valid residence permits (refugees)	56	61	44	39	43
Aliens having valid residence permits (granted additional protection)	329	198	87	81	101

*Source:* Migration Department under the Ministry of the Interior.

\* Including stateless persons and refugees.

#### **Applications for the refugee status**

<i>Year</i>	<i>Application for asylum</i>	<i>Refugee status granted</i>	<i>Additional protection granted</i>
2009	449	11	221
2010	503	1	109
2011	527	7	88
2012	627	13	111

*Source:* Migration Department under the Ministry of the Interior.

160. Support for the integration of aliens who have been granted asylum is provided in the Refugee Reception Centre in the town of Rukla, pursuant to Order No. A1-238 of 21 October 2004 of the Minister of Social Security and Labour, “On the approval of the procedure for the provision of State support to integration of aliens granted asylum in the Republic of Lithuania”. Government support for integration includes the provision of temporary accommodation, education (the State language courses for adults, education for preschool and school-age children), employment (help in finding employment, retraining, etc.), social protection and health care. Such individuals receive primary social, health-care and legal services, they are offered an intensive course in Lithuanian, personality assessment for job placement carried out together with local labour exchange offices and the local labour market training and consulting services, as well as vocational training and retraining programmes and job search courses. Aliens who have been granted asylum, in the period of their integration, are eligible to receive the following payments: initial one-time settling-in allowance, housing (rent and utilities) allowance, allowances to cover basic needs, Lithuanian language learning, school expenses of school-age children, as well as preschool education expenses of preschool age children, payments for health insurance of children under 3 years old in case they do not attend a preschool education establishment.

161. Support for integration at the Refugee Reception Centre is provided for up to eight months. If, during a fixed period of time, an alien who has been granted asylum fails to integrate in the territory of a municipality due to objective reasons, this period may be extended for up to 12 months. If aliens granted asylum belong to vulnerable groups, such as unaccompanied minors, pregnant women, victims of torture, persons with mental disorders, persons with health conditions causing long-term unemployment or persons whose opportunities for education, participation and functioning have been reduced due to an illness, trauma, injury, congenital or childhood health disorders or a negative impact of environmental factors and who require permanent care and assistance from other people, this period may be extended for up to 18 months. Taking into account the child’s interests, the period of assistance provided at the Centre for unaccompanied minors may be extended until they reach the age of 18. After completion of integration at the Centre, support for integration is further provided in the territory of municipalities for the period of up to 12 months from the date on which aliens who have been granted asylum leave the Centre, but no longer than the term of validity of the permit for temporary residence in Lithuania or

until he/she leaves Lithuania. If an alien belongs to a vulnerable group, his/her social integration programme at the municipality may be extended for up to 60 months.

**Aliens who have been granted asylum and received state support for integration, by country of origin**

<i>Country of origin</i>	<i>Number of aliens who received State support for integration</i>			
	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Afghanistan	3	10	28	45
Armenia	2	0	0	0
Belarus	1	0	1	82
Georgia	1	2	1	1
Nepal	2	1	0	0
Nigeria	1	0	0	0
Pakistan	0	1	0	3
Russian Federation	25	1	15	13
Sri Lanka	6	0	0	0
Viet Nam	1	3	0	2
Tajikistan	0	0	1	10
Eritrea	0	0	0	5
Stateless	0	0	0	2
Ukraine	0	0	0	1
Iraq	0	0	0	1
Mali	0	0	0	5
<b>Total</b>	<b>42</b>	<b>19</b>	<b>46</b>	<b>166</b>

*Source:* Ministry of Social Protection and Labour.

162. Each year, the public is provided with information about aliens who have been granted asylum, in order to prevent their isolation and xenophobia in the society and to promote tolerance. To this end, funding from the European Refugee Fund, set up in the field of the framework programme on solidarity and management of migration flows, is used. The purpose of this fund is to support and encourage Member States' efforts in receiving, and in bearing the consequences of receiving, refugees and asylum seekers, taking account of Community legislation on these matters, by co-financing the actions provided for by Decision No. 573/2007/EC of the European Parliament and of the Council of 23 May 2007. To implement the Fund priorities selected by Lithuania, financial support from the Fund is used to improve reception conditions and asylum procedures, integration of aliens who have been granted asylum in Lithuania as well as the ability of Member States to develop, monitor and evaluate their respective asylum policies in order to develop practical cooperation between Member States.

163. Currently, eight projects under the European Refugee Fund Programme for 2011 are nearing completion, the total amount of which is LTL 2,330,000, and five projects under the Fund Programme for 2012 are to be launched with a total value of LTL 2,320,000. The activities under the projects implemented under the Fund Programmes for 2009–2012 include the provision to asylum seekers and persons granted refuge of social work services, organization of medical services, language courses, information technology courses, holding information meetings with experts from different institutions, as well as

organization of sports activities. In order to provide knowledge about the country in which asylum is being sought, community tours and social events are organized together with the local community. Aliens who have been granted asylum are provided with social and material assistance, legal and psychological counselling, consultation on the issues of housing, subsistence and integration into the labour market. They are also offered training in business start-up and management, personal skills formation and professional development, and provided with assistance for employment. Children receive assistance from a social pedagogue and attend joint sessions with Lithuanian children from the Caritas day-care centre *Vaikų stotelė*, held to foster intercultural learning, tolerance, reduce the manifestations of xenophobia and provide children from different cultural backgrounds with the opportunity to learn more about Lithuania and each other's culture. A summer camp, "Little Big Man", was held.

164. The project "Integration of refugees into society using active socialization methods", implemented by the Equal Opportunities Ombudsman's Office, together with the Tolerant Youth Association, has been identified as one of the most successful projects in the field of tolerance for asylum seekers residing in Lithuania. Activities to enhance refugee integration were implemented in two directions: by informing the public and by making efforts to form tolerant public attitudes (to encourage reception of refugees and assistance in their integration) as well as teaching the refugees themselves the skills required for successful integration, including knowledge of the Lithuanian society and culture and other social competencies. A training programme "Competence development school" was developed and training has been organized under this programme to increase the independence of women and children, develop their abilities to understand and use the information received, to cope successfully with day-to-day challenges, as well as to develop verbal and non-verbal communication skills. During the implementation of the project, an animated social advertisement called "At home among strangers" was created and transmitted to the public on the Lithuanian national television. Animated social advertising posters were placed on advertising stands or at bus stops in the seven largest cities. A cycle of 10 online information programmes was produced. Through these advertisements the public was made aware of the integration of refugees granted asylum and encouraged to be tolerant towards these individuals.

### **Situation of Roma people and their integration**

165. According to the 2011 population census, the Roma population in Lithuania stands at 2,115 (compared with 2,571 in 2001). Based on the data of 2011, 81 per cent and 19 per cent of the Lithuanian Roma lived in urban and rural areas, respectively, while 29 per cent lived in the city of Vilnius. Of the total Roma population, 49 per cent are children and youth under 20 (compared with the country's average of 22 per cent), while the percentage of people over 60 years old is a mere 6 per cent (compared with the country's average of 23 per cent).

166. Roma in Lithuania face the same challenges as most people of the Roma nationality in Europe and all over the world: a low education level, unemployment, poor living conditions and other problems of social and economic nature. The same statement was also made by the Seimas Ombudsman, following his inquiry, in 2009, into the complaint made by the head of the Roma community and the Vilnius Roma settlement. The inquiry details (Decision No. 4D-2008/3-69 of 25 June 2009) are available from the Seimas Ombudsmen's Office website ([www.lrski.lt](http://www.lrski.lt)).

167. In order to facilitate Roma integration, in 2008 the Government approved the Programme for Roma Integration into the Lithuanian Society for 2008–2010. However, due to the economic and financial crisis it was not possible to implement certain measures envisaged in the Programme for Roma Integration for 2008–2010. To implement this

Programme, the following allocations were made to the Department of National Minorities and Lithuanians Living Abroad under the Government of Lithuania and, from 2010, to the Ministry of Culture: LTL 365,000 for the year 2008, about LTL 400,000 for 2009 and LTL 180,000 for 2010. Considering that not all of the envisaged objectives have been achieved, in 2012 the Government approved an Action Plan for Roma Integration into the Lithuanian Society for 2012–2014. Information about the implementation of the measures under the plan in education, employment, health and other areas is provided in paragraphs 39–49.

### Participation of Roma in the labour market

168. According to the data of the sociological “Survey of the Roma situation: Roma at the juncture of education and labour markets”, conducted in December 2008, 56.7 per cent of adult Roma had no employment; 40.7 per cent of respondents indicated they had a job or an occupation (in most cases it was an unofficial individual occupation, such as collecting metal waste, fortune-telling or selling at a market). Of all respondents, only 8.7 per cent were working under an employment contract, while 6.1 per cent were engaged as freelancers. More than one third of the respondents indicated social allowances as their major income source. The majority of Roma (83.2 per cent) indicated that they did not have any occupational training. A total of 16 per cent of the respondents had received vocational training as florists, tailors, drivers, blacksmiths, carpenters, sales’ assistants, or musicians.

169. According to the Law on Support for Employment, State support shall be provided for persons seeking employment who are registered with the local labour exchange offices within the framework of application of active labour market policy measures. Therefore, active labour market policy measures are equally applicable to Roma as to other individuals seeking employment.

### Labour market policy measures implemented to encourage Roma integration into the labour market

*Participation of people of the Roma nationality, registered with the local labour exchange offices, in the labour market policy measures in 2008–2011*

	2008	2009	2010	2011
Group consultations	19	8	4	4
Public works	5	1	0	2
Total number of persons referred to participate in active labour market policy measures	24	9	4	6
Number of persons employed in vacant positions	13	1	2	5
Number of registered unemployed (Roma) persons during the period	90	79	106*	168*
Number of registered unemployed persons at the end of the period	23	65	94*	126*

\* Territorial level (not only Vilnius city).

170. Within the framework of the Programme for Roma Integration for 2008–2010, the following measures were implemented to involve Roma into the labour market:

- The public institution Roma Community Centre hosted nine Labour Market Days, attended by 90 Roma community members, during which they were provided with information on employment possibilities as well as vocational training programmes and offered consultation on the labour market matters of interest to them;



- In December 2008, an information stand of the Vilnius Labour Exchange was set up at the Roma Community Centre to display information for persons seeking employment. In October 2008, a booklet targeted at Roma people, called *Programme for Roma Integration for 2008-2010: A New Opportunity for Roma to Join the Labour Market*, was produced and published, with a view to informing Roma community members about the Programme and to present to them the main measures of inclusion of Roma into the labour market. The Labour Exchange also publishes other informational publications aimed at facilitating the employment of Roma;
- In December 2009, an information search facility (terminal) was launched at the public institution Roma Community Centre to be used by Roma to obtain information on job vacancies registered in the labour exchange. The terminal has also provided Roma with access to remote professional information services.

171. The most efficient way to address the challenges of Roma integration is by implementing projects supported from the European Social Fund. In 2009–2012, a project called “Turn to Roma: innovative measures for participation of Roma in the labour market” was implemented. The purpose of the project was to create a set of measures for the inclusion of Roma into the labour market and their participation in social life, which would enable them not only to find but also to retain employment. Project outcomes: by joint efforts of employment mediators, partners and the unemployed Roma themselves, jobs were found for 37 unemployed Roma in the areas such as cleaning, construction, tailoring, car washing, public catering, etc. In 2009, two employment contracts were concluded; seven people got employed in 2010; 23 in 2011 and two in 2012. Two project participants were issued business certificates, and one participant enrolled in a vocational school. Some of the project participants are actively seeking employment or preparing for entrance examinations and plan to continue studies at their own expense.

### **Housing**

172. The investigation conducted by the Seimas Ombudsmen’s Office in 2009 revealed that housing is one of the major problems for Roma, particularly due to the unlawful Kirtimai settlement in Vilnius. Houses of Roma living in the territory of Kirtimai settlement and other structures were built on land which is State property, without construction permits. The buildings in the settlement do not meet the sanitary and hygienic standards (there is no piped water, no sewage, the minimum square footage requirements are not met, etc.), and the people living in them suffer from poor living and housing conditions. The Vilnius City Municipality has partially addressed the problem by providing social housing. According to the data of 2012, social accommodation was rented out for 24 Roma families, while the list of families approved for social housing includes 40 Roma families. To solve the problem of Roma housing, the Municipality plans to make use of the financing from the European Union Regional Development Fund within the European Union Financial Perspective for 2014–2020. In order to achieve the largest possible integration of the Roma people living in this settlement into the society, the Ministry of Social Protection and Labour is currently drafting an Action Plan for Increasing Social Inclusion for 2014–2020, which will identify appropriate measures for the provision of social housing.

### **Roma health**

173. All personal health-care institutions provide health-care services to the people of Roma nationality in accordance with the same general procedure applicable to all citizens of Lithuania.

174. In order to inform the Roma population about healthy living under the Programme for Roma Integration into the Lithuanian Society for 2008–2010, the Yellow Bus project

was implemented. Near the Kirtimai settlement in Vilnius, the charity and support fund Vilties švyturys (The Beacon of Hope) organized the mobile social and medical services (aimed at harm reduction) for intravenous drug users in order to refer them to get the treatment and provide assistance with social services. During the implementation of this project in 2008, counselling was provided in 1,436 cases, 730 health training events were held, mediation services were provided in 43 cases and transportation services (to take people to rehabilitation institutions) were rendered in 37 cases. In 2009, while implementing the Yellow Bus project near the Roma settlement, 1,240 clients were served, 382 consultations were provided and mediation and transportation services were rendered in 22 cases.

175. The Vilnius Centre for Addictive Disorders keeps regular contacts with Roma, providing, under the harm reduction programme, opioid pharmacotherapy preparations (methadone) and other harm reduction services. The harm reduction programme was attended by a total of 91 clients of the Roma nationality in 2011 (61 men and 30 women, aged 35 years on average) and 136 in 2012 (87 men and 49 women, aged 35 years on average). Roma people, as other clients/patients of the Vilnius Centre, are offered medical, social and psychological assistance; individual treatment/assistance plans are developed taking into account the needs and conditions of each individual.

176. Notable in this respect is the 2012 outbreak of viral hepatitis A in Vilnius. Taking into account that the Vilnius Roma settlement was one of the centres of the disease, members of the Roma community were provided with free hepatitis A vaccines. A total of 168 Roma, among them 93 adults and 75 children, received hepatitis A vaccinations. The outbreak of infectious hepatitis A in Vilnius city was stopped.

### **Education of Roma**

177. Over the last decade, the number of Roma pupils at general education schools increased from 276 pupils in 1996–1997 to 572 in 2011–2012. During the 2012–2013 academic year, this number declined to 494 pupils; however, the majority of Roma pupils do acquire primary education and manage to complete a part of the basic stage of education. According to the data of the sociological “Survey of the Roma situation: Roma at the juncture of education and the labour market” published in December 2008, the number of Roma pupils in grades 5–7 has relatively increased. On average, Roma pupils went to school for 6–7 years, during which they completed five grades. One fourth of the Roma surveyed attended only elementary school and completed grades 1–4. The majority of Roma failed to acquire basic and secondary education. One third of Roma attended secondary school, however, they did not go beyond the 8th grade, i.e. did not complete basic education. Only 17.3 per cent of the respondents completed nine or more grades at schools of general education.

### **Changes in Roma education in 2001 and in 2011**

(%)

<i>Education</i>	<i>2001</i>	<i>2011</i>
Higher	4	2
Post-secondary and special secondary	2	2
Secondary	22	16
Basic	15	29
Primary	31	42
Incomplete primary education, no schooling	26	10

178. In implementing the Programme for Roma Integration into the Lithuanian Society for 2008–2010, additional pre-primary and preschool teaching was organized (classes in the Lithuanian language, mathematics and social skills, attended by 40 children) and State language and computer literacy courses were held at the Roma Community Centre in Vilnius. In the Centre, a day-care centre also operates, offering focused activities to children and youth, educational events and child performances. Training for teachers working with Roma children is also organized.

#### **Fostering of Roma culture and traditions**

179. In order to encourage public tolerance and mutual understanding and respect among different nations, annual events to promote tolerance for diverse cultures and to foster knowledge of other cultures are held, including events held annually in Lithuania on the occasion of the International Roma Day.

180. In order to introduce the Roma traditions and customs to the Lithuanian public and to promote public tolerance and trust in Roma within the framework of the Programme for Roma Integration into the Lithuanian Society for 2008–2010, radio programmes were broadcast, articles were published in daily papers, the publication of an information bulletin on the Roma, *Romano čačipen*, was launched. Moreover, information in the Lithuanian, English, and Russian languages was available online from [www.roma.lt](http://www.roma.lt).

181. In 2009, commemoration of the Roma victims of the Holocaust was held for the first time.

182. At the end of 2012, Lithuania joined the Council of Europe's campaign Dosta!; its objective is to encourage better knowledge about Roma, bring closer non-Roma to Roma people, and eliminate the barriers caused by deep-rooted prejudices and stereotypes. The Ministry of Culture, as part of the Dosta! campaign, plans to produce a compact disc of Roma fairy tales in two languages, Romani and Lithuanian, as well as a Roma history book, the copies of which will be circulated to libraries.

#### **The Programme for the Decommissioning of the State Enterprise Ignalina Nuclear Power Plant for 2010–2014**

183. The Programme for the Decommissioning of the State Enterprise Ignalina Nuclear Power Plant for 2010–2014 was approved by the Government in its resolution No. 1425 of 29 September 2010. One of the objectives of the Programme is to mitigate the negative social and economic consequences for the region of the Ignalina Nuclear Power Plant after decommissioning of the Plant. The Labour Exchange of the town of Utena, the Lithuanian Labour Exchange under the Ministry of Social Protection and Labour, the Ministry of Social Protection and Labour, the Ministry of Energy are jointly responsible for implementation of measures under the Programme, namely, the provision of additional social and employment guarantees for employees of the Plant and their family members who have been dismissed or are awaiting dismissal. As planned, the funds to finance these measures will come from the State Enterprise Ignalina Nuclear Power Plant Decommissioning Fund. The estimated funding demands are as follows: in 2010 — LTL 28 million, in 2011 — LTL 7,200,000, in 2012 — LTL 10 million, in 2013 — LTL 6 million and in 2014 — LTL 5 million.

184. In order to mitigate the negative social and economic consequences of the decommissioning of the Ignalina Plant for the region, the following measures have been implemented: provision of the services of Lithuanian language courses provided to 1,800 Visaginas Municipality residents, 150 civic awareness programmes implemented; 60 local initiatives and youth projects implemented in the Ignalina Plant region; additional employment and social guarantees provided for Plant staff members awaiting dismissal;

nine projects to increase energy efficiency implemented in the Plant; 100 per cent of the central heating system of the Visaginas Municipality upgraded; and Visaginas Municipality residents have received partial reimbursement of the home heating costs.

## **Article 6**

185. All persons have equal rights, regardless of their race, skin colour, nationality or ethnic origin, to apply to the police, the prosecution service or courts, as well as to the Seimas Ombudsmen, Equal Opportunities Ombudsman and the Ombudsman for Children's Rights.

### **Procedural guarantees and compensation for victims of discrimination**

186. Detailed information about the procedural guarantees applicable to victims as well as legal remedies is provided in paragraphs 8–13.

187. It is also important to note that an amendment to the Law on Equal Opportunities was adopted on 17 June 2008, ensuring efficient, proportionate and deterrent compensations for violations of equal opportunities and thereby providing a victim of discrimination on the grounds of age, sexual orientation, disability, race or ethnicity, religion, convictions or political views with the right to claim compensation from the perpetrators for material and non-material damage, in accordance with the procedure established by the laws of Lithuania. Moreover, these amendments to the Law on Equal Opportunities provide better procedural guarantees to the victims of discrimination, shifting the burden of proof in discrimination cases (excluding criminal cases) to the defendant.

### **Investigations by the Seimas Ombudsmen's Office**

188. In accordance with the Law on the Seimas Ombudsmen, the Seimas Ombudsmen deal with complaints from citizens about the abuse of authority and bureaucracy by officials or any other violations of human rights and freedoms in the sphere of public administration, including those related to alleged discrimination on the grounds of nationality, race, gender, language, origin, social status, religious beliefs or political views. In 2009, the Seimas Ombudsmen's Office investigated a complaint against alleged discriminatory actions by bailiffs (it was proposed that the bailiff's actions should be evaluated in terms of professional ethics), and in 2011 it examined a complaint regarding alleged racial discrimination in dealing with the issues related to ownership rights to real estate property (the complaint was not accepted for investigation as the actions reported fell outside the competence of the Seimas Ombudsmen's Office).

### **Investigations of the Equal Opportunities Ombudsman's Office**

189. The Law on Equal Opportunities provides for the possibility to apply to the Equal Opportunities Ombudsman's Office for discrimination on the grounds of race, ethnicity, nationality, origin and language. Complaints on the basis of race, nationality, language, origin and ethnicity make up about 9–15 per cent of all complaints investigated by the Equal Opportunities Ombudsman's Office: 12 per cent in 2009, 15 per cent in 2010, 13.5 per cent in 2011 and 9 per cent in 2012. Such complaints represent the third and fourth largest categories in the total number of inquiries dealt with by this Office, ranking below the complaints against discrimination based on gender, age and social status. The majority of complaints received each year concern discrimination on the grounds of nationality, while the number of complaints on ethnic grounds is the smallest. In 2011–2012, a substantial number of complaints on the grounds of language were received. A relative decrease in the number of complaints against discrimination on the above grounds in recent years is attributable, on the one hand, to the difficult economic situation of the State (for

example, fear of losing a job) and, on the other hand, to the recent trend of employers to consult with the Equal Opportunities Ombudsman's Office before taking any action.

190. The 2010–2011 period saw a rise in the number of complaints made in the area of education. Complaints concerning the provisions of the new Law on Education, allegedly discriminating the persons attending schools with Polish as the language of instruction, constituted the absolute majority of such complaints. Although the investigation of these complaints identified no discrimination, the Ministry of Education and Science was advised to decide on a postponement of the implementation date of the law, so that teachers and students could properly prepare for the intended changes to the law. For the sake of mutual understanding, the Ministry of Education and Science was advised to carry out an ongoing monitoring of the implementation of the provisions of the Law Amending the Law on Education and provide favourable conditions for professional development and, if required, for retraining of teachers of national minority schools.

191. In 2011, the Equal Opportunities Ombudsman's Office examined a considerable number of complaints in the area of services. Also, a number of complaints in the area of labour are received each year, often concerning the requirement of particular language skills for recruitment, for example, in cases where an applicant is required to have a native proficiency in Russian.

#### **Investigations by the Institution of the Ombudsman for Children's Rights**

192. Some complaints received by the Institution of the Ombudsman for Children's Rights in 2009–2012 may be related to certain ethnic aspects, however they did not emphasize or indicate discrimination on ethnic grounds. In addition, some of the complaints were received and investigations carried out at the initiative of the Ombudsman for Children's Rights with regard to the organization of the education process for Polish and Lithuanian children in Vilnius city and Vilnius district.

193. Furthermore, in 2009 on the Ombudsman for Children's Rights's own initiative, the Institution of the Ombudsman for Children's Rights conducted an inquiry into the integration of repatriated and immigrant children into Lithuanian general education schools. The inquiry concluded that, under formal assessment, the Lithuanian national legal framework does provide the children of migrants (broadly speaking) with equal opportunities for successful education (learning) and integration into the education system and society, with the necessary support (both financial and methodological), and with an opportunity to learn Lithuanian and their native languages and to preserve their cultural identity and understand the culture of the receiving State. Yet, in practice, there have been individual practical challenges in educating these children, such as the lack of teaching aids and methodological material, insufficient professional training to teach repatriated/immigrant children, etc. Considering the above situation, the Ombudsman submitted proposals and recommendations to the Ministry of Education and Science for addressing the identified problems.

194. In 2010, in response to an application received and in order to find out more about the situation in the city of Vilnius concerning the right of Polish minority children to receive education in the Polish language, the Ombudsman for Children's Rights conducted an investigation. The investigation did not find that minority families raising children in Vilnius were denied the opportunity to educate them in their native language. Considering the fact that the needs of those willing to attend preschool education establishments in the city of Vilnius are not fully met as well as the fact that the investigation identified a certain number of vacancies in preschool education establishments of Vilnius city, which could be occupied by children educated in the Polish language, an opinion was delivered that ethnic minority families willing to educate their children in the Polish language should take into account the above findings and enrol their children in the Polish language group at a

preschool education establishment located in the neighbouring municipality, where vacancies exist; other suggestions were made as well.

195. In 2011, in response to requests by some members of the Seimas as well as school teachers, pupils and their parents in the Vilnius district concerning the discriminatory provisions of the Law on Education (the new 2011 version of the Law) which limit the pupils' rights to receive instruction in their native language, the Ombudsman for Children's Rights issued an opinion that the provisions of the Law defining the aspects of education in the State and national minority languages at national minority language schools provide children with appropriate learning conditions without any discrimination, while preserving their identity, and do not violate the child's rights and legitimate interests.

#### **Investigations by the Inspector of Journalist Ethics**

196. As of 1 January 2010, following the entry into force of the amendments to the Law on Provision of Information to the Public, the Inspector of Journalist Ethics was given a new mandate to evaluate, following the conclusions of expert groups (experts), whether public information released in the media may be inciting discord based on gender, sexual orientation, race, nationality, language, origin, social status, religion, beliefs or opinions. This function was transferred to the Inspector from the self-governing (self-regulatory) body, the Journalists and Publishers Ethics Commission. With regard to the above, during the pretrial phase of investigation of cases concerning incitement to discord, the Inspector is asked to evaluate whether certain public information incites hatred based on gender, sexual orientation, race, nationality, language, origin, social status, religion, beliefs or opinions (due to limited financing of the Office of the Inspector of Journalist Ethics, the above function was not performed until 2011).

197. In 2010–2012, at the request of pretrial investigation services, the Office of the Inspector of Journalist Ethics conducted 239 examinations of public information content for incitement to discord (6 in 2010, 104 in 2011 and 129 in 2012). Based on these examinations, conclusions were issued on a total of 1,174 different objects of investigation (60 in 2010, 739 in 2011 and 375 in 2012), including online comments, publications, articles of blogs, television programmes, posters, song texts, surveys, video clips etc. Online comments account for the highest number of all cases investigated, 1,122 (56 in 2010, 711 in 2011, 355 in 2012). Instigation of discord (hatred, discrimination) based on race, nationality, origin or language was established in 50 cases (7 in 2010, 11 in 2011, 32 in 2012), harassment (contempt, insulting treatment) based on race, nationality, origin or language was established in 267 cases (22 in 2010, 87 in 2011, 158 in 2012), and instigation of violence (physical intimidation) on the grounds of race, nationality, origin or language was established in 101 cases (14 in 2010, 29 in 2011, 58 in 2012).

198. In most cases, incitement to discord, provocation of violence and harassment based on race, nationality, origin or language are directed against people of the Jewish, Roma and Polish nationalities. Comments instigating discord, physical intimidation or violence are most often posted on the Internet news portals [www.lrytas.lt](http://www.lrytas.lt) and [www.delfi.lt](http://www.delfi.lt). Although certain measures are being implemented by the administrators of these portals (for example, [www.lrytas.lt](http://www.lrytas.lt) shows commenters' IP addresses, while [www.delfi.lt](http://www.delfi.lt) has introduced a system for removal of inappropriate posts), they are rather passive in terms of editorial responsibility. Moreover, the amendments to the Law on Provision of Information to the Public that came into effect on 18 October 2010 have limited the scope of editorial responsibility of the disseminators of public information for information submitted by another, unrelated person (e.g. a comment), so that responsibility for instigation of discord, physical intimidation or violence now lies with the authors of the comments.

## Article 7

### A. Anti-discriminatory measures in education

#### **Education on the crimes committed by totalitarian regimes, prevention of crimes against humanity and tolerance**

199. Education on the Holocaust as well as the fostering of tolerance have been included in the general programmes for basic and secondary education at the Lithuanian schools of general education in an attempt to foster intercultural intolerance and dialogue. The International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania organizes these educational activities on the basis of the Programme for education in the crimes of totalitarian regimes, prevention of crimes against humanity and the fostering of tolerance, approved in 2002. Methodological materials for teaching about the crimes of totalitarian regimes and their societal effects are being developed together with teachers cooperating with the International Commission.

200. Efforts are being made to involve teachers of history as well as teachers of other subjects, such as ethics, religion, languages, music and art, into the implementation of this Programme for education in the crimes of totalitarian regimes, prevention of crimes against humanity and the fostering of tolerance. Education of teachers is carried out through seminars held in Lithuania and abroad. During the seminars the research conducted by the International Commission's historians as well as foreign countries' methodological experience are introduced and competent historians are invited to speak. A total of 53 seminars (lasting 1 to 5 days) for teachers were organized from 2009 to the middle of 2013 in Lithuania and were attended by 2,338 teachers; 96 teachers attended seminars in Israel in 2009-2012 and 21 people attended them in 2013; 6 teachers attended seminars in the United States in 2010-2012; 5 teachers attended national and international conferences organized in Lithuania.

201. Lithuania has 91 Tolerance Education Centres implementing the Programme for education and the fostering of tolerance. Throughout the school year, the communities of secondary schools are invited to participate in short and long-term education projects helping pupils grasp the historical topics relating to multicultural heritage and the occupations of Lithuania and stimulating the desire to honour the memory of the victims of the Nazi and Soviet occupation regimes and to resist intolerance, violence, xenophobia, discrimination, anti-Semitism, destructive radical movements, etc. The International Commission is also initiating commemoration events for the International Day of Commemoration in Memory of the Victims of the Holocaust, the Lithuanian Jewish Genocide Victims Day and the International Day for Tolerance.

#### **Training for law enforcement officers**

202. Information on the conducted training on discrimination for law enforcement officers is provided in paragraphs 24–36.

#### **Education on equality between women and men**

203. Pursuant to the Plan of Implementing Measures for the National Programme on Equal Opportunities for Women and Men for 2010–2014, the measures of awareness-raising and education on equality for men and women enumerated below have been implemented.

204. The Ministry of Social Security and Labour together with the Information Centre for Women organized training for social partners on the subject of becoming a family-friendly workplace. 12 academic-hour courses were held. They were attended by 21 persons

representing various institutions in Vilnius, the Vilnius municipality, women's groups, women's organizations, etc. A training course on equal participation by men and women in different types of activities (a programme consisting of 12 academic hours) was also prepared and implemented. The objective of the said training was to reduce the existing inequality between women and men as well as in relations between them on the individual as well as institutional levels by supplying key knowledge helping them to recognize, conceive and understand the social system of gender which determines the different functions of women and men as well as the stereotyped power and control relations.

205. The Lithuanian Labour Exchange under the Ministry of Social Security and Labour organized training for vocation consultants of the local labour market training and consulting services as well as consultants from local labour exchange offices on the subject of non-stereotypical vocational consulting and vocational information provision for women and men. A total of 44 employees (including 41 women) from local labour exchange offices who directly interact with clients attended the seminars.

206. The Office of the Equal Opportunities Ombudsman has drafted guidelines for prevention of sexual harassment, gender-based harassment and incentive to discriminate as well as guidelines for the application of temporary special measures.

207. The Ministry of National Defence organized lectures (seminars) for civil servants at the Ministry of National Defence, its subordinate institutions as well as other bodies in the national defence system to strengthen the competencies of soldiers and employees in the subjects related to ensuring equal opportunities for women and men. Three lectures (lasting for 12 academic hours) on the topics of equal opportunities for women and men were held and attended by 124 soldiers and civilians serving in the national defence system. The Joint Headquarters of the Lithuanian Armed Forces has made sure that soldiers preparing for international operations also receive lectures on equal opportunities for women and men. The lectures were attended by 330 soldiers.

208. The Ministry of the Interior and its subordinate institutions (Fire and Rescue Department, Public Security Service and Police Department) hosted nine training courses to improve the competencies of their employees in the area of equal opportunities for women and men. A total of 301 employees attended the training.

209. Enterprises, bodies and organizations within the sphere of regulation of the Ministry of Transport and Communications have organized, where possible, staff training as well as lectures/discussions on the roles of women and men in national economy, and gender discrimination prevention measures aimed to transform the discriminatory attitudes towards the roles of women and men in economic activities and to ensure the dissemination of knowledge on equality between men and women. The said seminars were attended by 114 employees.

#### **Education on the rights of the disabled**

210. On 27 May 2010, Lithuania ratified the Convention on the Rights of Persons with Disabilities of 13 December 2006 and its Optional Protocol.

211. In 2012, the Department for the Affairs of the Disabled under the Ministry of Social Security and Labour organized courses on disability non-discrimination for specialists labouring in the sphere of public information. Twenty persons attended this training. Additionally, the Ministry of Social Security and Labour supports projects for the activities carried out by non-governmental organizations for the disabled which prioritize the defence of the rights of persons with disabilities.



## **B. Anti-discriminatory measures in culture**

212. Cultural activities intended for the familiarization with the culture and customs of various national minorities residing in Lithuania are pursued by various national and local authorities as well as non-governmental organizations. Information on anti-discriminatory cultural measures carried out under the Strategy for the Development of the National Minorities Policy is provided in paragraphs 61–65.

213. As of 2011, the Trakai District Municipality has been hosting the Lithuanian Tatar culture days known as Totorių Sabantujus Trakuose. This event is intended to commemorate the Tatars' role in the history of Trakai town as well as the importance of Trakai for the Tatars of Lithuania.

214. The Lithuanian Institute of History, in cooperation with University College London, has held international conferences in London dedicated to the issues of Jewish history: the conference “No simple stories: Jewish-Lithuanian relations between coexistence and violence” on 6–7 February 2011; and the conference “Jews and non-Jews in Lithuania: coexistence, cooperation, violence” on 17–18 December 2012.

215. As part of the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, panoramic 3D photographs of cultural heritage objects of great cultural significance for national minorities were published in 2012 for the first time in Lithuania (released in the form of a compact disc as a virtual tour of cultural tourism); written information in Lithuanian, Polish, Russian and English was enclosed too.

216. The Centre for Studies of the Culture and History of East European Jews (hereinafter referred to as the “Jewish Culture Centre”) is engaged in projects of both academic and educational nature aimed to improve the quality of Jewish studies in our region, to attract attention to the tangible as well as non-tangible heritage of local Jews and to promote national tolerance and mutual understanding:

217. In 2011–2012, the Jewish Culture Centre participating in the programme “Commemoration of the Holocaust victims in Lithuania”, developed by the Government, carried out the project “Educational exhibitions on Jewish history and culture at regional museums”. Twelve long-term exhibitions on the topics of Jewish history and culture were held at the regional museums of Lithuania in the course of the project.

218. On 23–25 November 2012, in cooperation with the Austrian non-profit organization Centropa, an educational seminar and creative workshop was held for Lithuanian teachers of history, literature and English. The event included lectures on the didactics of Jewish and Lithuanian history as well as on the representation of Jewish history and heritage. Mobile exhibitions dedicated to the history of Jews in Lithuania as well as a presentation for the Jewish community in Lithuania were also organized.

219. In early 2013, the Jewish Culture Centre presented to the Lithuanian public the result of the informational/educational project “A virtual album of the history of Lithuania’s Jews”. The project led to the creation of the website [www.lzia.lt](http://www.lzia.lt), which tells the history of the Jews of Lithuania through photographs and documents, supplemented by short text messages on a specific topic. The project is dedicated to the general public and devotes a lot of attention to the visual appeal of the website, which is expected to make the learning of historical facts easier and more interesting.

### **Implementation of the Programme of the European Fund for the Integration of Third-Country Nationals**

220. The objective of the Programme of the European Fund for the Integration of Third-Country Nationals (EIF), established on the basis of the Framework Programme on solidarity and management of migration flows, is to support Member States in their efforts

to assist third-country nationals of various economic statuses, social conditions, cultures, religions, languages and ethnicities to meet the conditions for residence and to facilitate their integration into European societies.

221. One of the actions under the Programme is the “Promotion of mutual intercultural exchanges”, aimed at strengthening the Lithuanian society’s capacities for adjustment to diversity as well as the improvement of mutual understanding among various public groups, thus enhancing the conditions for the integration of third-country citizens. This action provides funding for projects which implement programmes and similar measures for joint activities, communication and constructive dialogue; encourage third-country citizens to take part in volunteer activities together with members of the Lithuanian society; foster the awareness and understanding of the members of the Lithuanian society and increase their tolerance towards third-party nationals (informational and awareness-raising campaigns etc.); and help combat the preconceptions and stereotypes relating to third-country nationals.

222. Seventeen projects have been implemented under this action since 2009. One of the examples of good practices in enhancing intercultural understanding is a project implemented by JSC *Laisvas ir nepriklausomas kanalas* under the title of “*Nematomi. Tarp mūsų*” (Invisible among us) (the project received LTL 205,108 in funding). The project was intended for the development of the society’s awareness: a series of shows on third-country nationals residing in Lithuania was created and broadcast. Some of the projects involve organizations established by third-country nationals residing in Lithuania. An example of such good practices is a project implemented by the Tolerant Youth Association and entitled “Multicultural volunteering centre: mutual harmony between the Lithuanian society and TCNs” (project funding amounts to LTL 468,862.18). The aim of this project was to establish a multicultural volunteering centre and to pursue activities fostering mutual trust and understanding; the community of Africans in Vilnius contributed as a project partner.

223. Another action under the Programme is entitled “Training for intercultural competence enhancement, capacity-building and diversity management for policymakers, civil servants and other persons working in EIF objectives-related areas” and is aimed at improving the diversity management knowledge as well as the intercultural competencies of policymakers, civil servants and other persons concerned and to reinforce their capacities to discharge the functions entrusted to them, thus enhancing the quality of the integration policy instruments. This action provides funding for projects which develop and/or implement training programmes for employees in different sectors whose functions are related to third-country nationals and measures for their integration; organize training in intercultural competencies, capacity-building and diversity management for employees in the public and private sectors as well as non-governmental organizations whose functions relate to third-country residents and measures for their integration.

224. Eleven projects have been implemented so far under this action since 2009. An example of good practices is the project “My pupil is a foreigner”, implemented by the Centre for Equality Advancement (project funding totals LTL 338,127.39). It was intended to strengthen the intercultural competencies of schoolteachers and other school personnel through training. Similar training to reinforce intercultural competencies was also organized for municipality specialists who interact with third-country nationals and deal with the issues pertaining to their integration as part of their job duties. From 1 February 2012 to 30 June 2013, the Institution of the Ombudsman for Children’s Rights, together with the Vilnius Office of the International Organization for Migration, carried out the project “Assistance to the child and the family: building the intercultural competencies of specialists”, which reinforced the specialists’ abilities to perform their functions associated with assistance to the families of third country nationals as well as mixed families and their

children and improved intercultural competencies through the deepening of theoretical knowledge and its practical application.

### **C. Anti-discriminatory measures in the media**

225. Supervision of the observance of the principles governing the provision of information to the public in line with the Law on Provision of Information to the Public and other legislation regulating this activity is the function of the Inspector of Journalist Ethics. The Office of the Inspector of Journalist Ethics is also assigned to examine complains/applications from persons concerned and to determine whether or not a particular piece of public information encourages hostility on grounds of sex, sexual orientation, race, nationality, language, origin, social status, religion, beliefs or views. The State Consumer Rights Protection Authority controls the implementation of the prohibitions on and requirements for the use of advertising.

226. On one hand, anti-discriminatory measures in this area cover the familiarization of media representatives with discriminatory practices as well as their responsibility. With the help of non-governmental organizations, media representatives are offered annual training in non-discrimination, media influence on discrimination conceptions and personal responsibility of a journalist. In 2009, for instance, a series of three seminars for regional media representatives took place under the project “A closer look at multiple discrimination”, funded by the European Commission’s PROGRESS programme for employment and social solidarity, which was intended to increase journalists’ sensitivity to diversity issues as well as the development of their professional skills.

227. On the other hand, efforts are being made to educate the society with the help of the media and to reduce the number of cases where hostility is incited on the Internet. With that in view, the Office of the Inspector of Journalist Ethics, in cooperation with the Delfi portal, organized a live conference/discussion “On words and their significance in expressions of hatred”. Ethnicity-based tolerance of “different” people was the subject of social advertising shorts, “Discrimination hurts everyone”, aired on 11 October 2011 on the Lithuanian National Television and LNK channels as part of the project “Development of skills and competencies for combating discrimination” under the PROGRESS programme. Ironical and playful social advertisements were aimed at revealing the harmful societal effects of discrimination and to make people think what is more important: a good specialist or skin colour, religious beliefs and sexual orientation.

228. A contribution to the education of the public and promotion of tolerance has also been made by the competition for the nomination “For national tolerance”, organized since 2007. This is a competition among works published or broadcast in Lithuanian national or regional mass media (press, radio, TV and Internet sources) that promote national identities, tolerance for national minorities and the fight against national as well as racial discrimination. As of 2007, the Constitution Examination has been held every year to allow people to test their legal knowledge, thus encouraging the public’s self-education on constitutional provisions, including those on human rights and relevant remedies.

229. It should also be noted that, in implementing the Inter-Institutional Action Plan for Promotion of Non-Discrimination for 2012–2014, the Department of Informatics and Communications under the Ministry of the Interior has compiled statistics on criminal acts committed on grounds of the victim’s nationality, race, origin, religion, language or membership in another group, and has been posting them on a regular basis since 2012 (twice per year) on its website at [www.ird.lt](http://www.ird.lt).

#### D. Support for non-governmental organizations

230. Since 2011, the Ministry of Social Security and Labour has organized an annual competition for the selection of projects implemented by non-governmental organizations defending human rights. The objective of the funding provided for non-governmental organizations is to select the best projects in accordance with the set criteria, aimed at promoting tolerance and instil respect for the human being, reducing discriminatory practices and ensuring equal treatment.

##### **Competitions to select activity projects carried out by NGOs defending human rights**

<i>Year</i>	<i>Number of applicants in the competition</i>	<i>Number of NGOs granted funding</i>	<i>Funding</i>
2011	13	5	LTL 70 000
2012	19	8	LTL 79 600
2013	19	7	LTL 79 800

231. The objectives set out in the National Youth Policy Development Programme 2011-2019, approved by the Government by its resolution No. 1715 of 1 December 2010, include the goal to ensure adequate support for youth organizations as well as organizations working with young people, in particular to improve their organizational capacities, to preserve their identity and consistent activities and to encourage young people to participate in the life of local communities as well as in non-governmental organizations and voluntary activities. In order to strengthen youth organizations and to encourage young people to participate in public life and to be active and reasonable citizens of Lithuania, nine competitions were supported and received the total funding of LTL 1,261,000 in 2012. A total of 35,000 young people got involved in the programmes and projects implemented over the year 2012. A total of 9.2 per cent of all young people in Lithuania participate in various youth organizations. Additionally, 167 projects received support under the European Union programme “Youth in action” in 2012 to stimulate active citizenship among young people, to promote their sense of solidarity, to encourage tolerance and to involve disadvantaged youth with the aim of preventing social exclusion (the programme had 4,700 direct participants in Lithuania in 2012).

232. In implementing the State Programme on Equal Opportunities for Women and Men for 2010–2014, the Ministry of Social Security and Labour announced a competition in 2012 for non-governmental organization projects to implement the measures under the said Programme in 2012–2013. The objective of the competition was to finance three best projects under the requirements of the competition (one project for the development of implementing mechanisms and methods in each of the areas of employment, decision-making and equal opportunities for women and men). The competition selected the projects proposed by the Information Centre for Women, the Kaunas Women’s Employment Centre, and the Social Innovation Fund. Funding was extended for the said projects in 2013. The funds of the State Programme on Equal Opportunities for Women and Men for 2010–2014 are also used to support the membership and activities of women’s non-governmental organizations in the European Women’s Lobby, an association uniting European Union women’s organizations.