United Nations A/HRC/WG.6/26/LTU/3

General Assembly

Distr.: General
17 August 2016

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Twenty- sixth session
31 October–11 November 2016

Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Lithuania*

The present report is a summary of 12 stakeholders' submissions[1] to the universal periodic review (UPR). It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Joint Submission (JS) 3 noted that Lithuania had yet to sign and ratify the OP-ICESCR.[3]

2. The European Commission against Racism and Intolerance (CoE-ECRI) recommended ratifying inter alia the European Charter on Regional and Minority Languages,[4] the Convention against Discrimination in Education, and ICRMW.[5] JS1 recommended ratifying Council of Europe (CoE) Convention on Combating and Preventing Violence against Women and Domestic Violence.[6]

3. CoE-ECRI reiterated its recommendation that Lithuania make a declaration under Article 14 of ICERD.[7]

2. Constitutional and legislative framework

4. N/A

3. Institutional and human rights infrastructure and policy measures

5. In respect of several recommendations of the universal periodic review held in 2011 (UPR) on the establishment of a national human rights institution (NHRI) in line with the Paris Principles,[8] JS1 noted that Lithuania's efforts to establish such institution proved futile.[9] JS2 reported that Lithuania did not establish a NHRI in line with the Paris Principles.[10] The Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR) referred to its recommendation submitted in a legal opinion, calling on Lithuania to consider drafting a new law on the Ombudsperson that foresees only one Ombudsperson with a clear mandate of promoting and protecting human rights, and to provide adequate safeguards and mechanisms to ensure the independence of the institution.[11]

6. The Advisory Committee on the Framework Convention for the Protection of National Minorities of CoE (CoE-ACFC) called on Lithuania to provide adequate resources to the Equal Opportunities Ombudsperson and to ensure that awareness of and trust in its mandate and role is enhanced within the broader population.[12] CoE-ECRI recommended ensuring the presence of representatives of the Ombudsperson in different regions. [13]

B. Cooperation with human rights mechanisms

7. N/A

C. Implementation of international human rights obligations

1. Equality and non-discrimination

8. CoE-ACFC noted that displays of disrespect and hostility against some minority groups were reportedly increasing and were not always appropriately denounced by the authorities.[14] CoE-ECRI stated that the Roma was subject to multiple discrimination in the fields of education, healthcare, housing, employment and policing.[15] CoE-ACFC noted that

anti-Semitism continued to be an issue of concern, with cemeteries and the synagogue in Vilnius being targeted.[16]

9. JS4 stated that the attitude of society towards refugees and Muslims significantly deteriorated and noted the public discourse that used racist and islamophobic language and was encouraged by almost all parties.[17]

10. CoE noted issues raised by CoE-ECRI regarding criminal provisions prohibiting discrimination, including their rare use in practice, inadequate sanctions and the inability of NGOs to represent victims.[18]

11. CoE-ACFC reported that the number of hate crimes was increasing, in particular on the Internet.[19] It stated that despite an increase in hate crime, the number of cases recorded remained low, which pointed, among others, to a lack of trust and a continued lack of relevant awareness and expertise within law enforcement and prosecution bodies.[20] JS4 reported that racially motivated crimes were frequently registered as assaults or hooliganism by ignoring racist motives. It highlighted the lack of comprehensive and reliable official information on cases of hate crimes. [21]

12. CoE-ECRI recommended that Lithuania condemn all forms of racism, xenophobia and anti-Semitism.[22] CoE-ACFC urged Lithuania to ensure that tolerance and intercultural understanding are promoted and conveyed to the public, including by political figures and to develop, in close consultation with national minority representatives, a comprehensive strategy for the promotion of social cohesion with respect for diversity. [23]

13. CoE-ECRI recommended endowing the Equal Opportunities Ombudsperson with the power to initiate civil and administrative proceedings when the Law on Equal Treatment had allegedly been breached.[24] It reiterated its recommendation to strengthen the systematic collection and publication of data on the application of the existing legal provisions against racism and racial discrimination. [25]

14. CoE-ECRI reiterated its recommendation to introduce in the legislation an obligation to suppress public financing of organisations, including political parties, which promote racism.[26]

15. While noting several UPR recommendations to combat discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons,[27] JS5 stated that the legislation provided for legal guarantees against discrimination on the ground of sexual orientation. However, their implementation remained ineffective and instances of discrimination on the ground of sexual orientation remained underreported. The Office of the Equal Opportunities Ombudsperson was not reportedly perceived as an effective remedy to address those instances of discrimination. JS5 concluded that the authorities did not seek to comprehensively address the instances of discrimination on the grounds of sexual orientation or gender identity.[28]

16. JS5 noted concerns expressed regarding the potentially discriminatory application of provisions of the law on the protection of minors against the detrimental effect of public information with a view of disproportionally limiting the right to freedom of expression of LGBT persons. During the reporting period, the law was applied in three occasions with a view to censoring information related to LGBT persons, which created a chilling effect on online media outlets.[29] The European Union Agency for Fundamental Rights (EU-FRA) noted that several news websites had reportedly established a practice of branding articles related to lesbian, gay, bisexual, transgender and intersex (LGBTI) persons as adult content, thus sending a clear message that depictions of LGBTI issues qualified as information detrimental to children.[30]

17. EU-FRA noted that domestic law had been interpreted as imposing limitations on the right to demonstrate freely and peacefully in favour of LGBTI rights.[31]

18. JS5 recommended ensuring that Article 4.2.16 of the law on the protection of minors is not applied with a view to censoring lesbian, gay, bisexual and transgender (LGBT*) persons related public information; that any limitations on freedom of expression for the local LGBT* community meet the strict requirements of lawfulness, necessity and proportionality and that any limitations on their right to freedom of expression can be challenged through an effective legal remedy.[32]

19. JS5 noted that Lithuania supported two UPR recommendations to refrain from legislative initiatives, criminalising homosexual relations.[33] During the reporting period, Parliament considered seven homophobic and/or transphobic legislative initiatives with a view to limiting the rights and freedoms of LGBT* persons. None of the legislative initiatives had been adopted yet, but none of them had been definitively rejected. JS5 stated that public debate around those legislative proposals had negatively impacted the social climate for LGBT people. Many politicians pushed for a homophobic and/or transphobic agenda with a view to reinforcing the socially hostile atmosphere for LGBT* persons.[34]

20. JS4 and JS5 reported about cases of refusal by the law enforcement bodies to investigate complaints submitted on hate speech based on the ground of sexual orientation,[35] and that the aggravating circumstance established under the Criminal Code had been never applied in practice with a view to qualifying a particular criminal offence as a hate crime on the ground of sexual orientation.[36]

21. EU-FRA noted the absence of legal provisions addressing discrimination based on gender identity.[37] JS5 explained that the legal system did not recognize gender identity as a legal category, rendering discrimination against transgender people technically not punishable by law.[38]

22. JS5 recommended introducing gender identity as a legal category into the legislation with a view to protecting transgender people from discrimination and violence.[39] JS4 and JS5 recommended ensuring effective investigation of cases of hate speech and hate crimes on grounds of sexual orientation and/or gender identity.[40]

23. JS5 stated that Lithuania had no procedures of gender recognition and medical gender reassignment. Transgender people were not able to receive necessary medical services within the health care system and they were forced to seek those services abroad. After undergoing the treatment abroad, they had to go through a litigation procedure in order to obtain identity documents upon their return.[41] EU-FRA made similar observations.[42]

24. JS5 recommended adopting comprehensive legislation on gender recognition; ensuring that transgender people receive appropriate medical services within the health care system; and considering the possibility of issuing new identity documents for transgender people without a mandatory requirement for gender reassignment surgery. [43]

25. JS3 and JS2 reported that young people experienced age-based discrimination in access to employment.[44]

2. Right to life, liberty and security of the person

26. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) trusted that Lithuania would continue its efforts to ensure that police officers use no more force than is strictly necessary when affecting an apprehension.[45]

27. In respect of several UPR recommendations on domestic and gender-based violence,[46] JS1 stated that domestic violence remained an acute problem. Legal loopholes, inhibiting access of victims to justice, remained. The legal protection against domestic violence had not been de facto available to former spouses or long-term partners that did

not share a common household. The legislation failed to regulate clearly the right of victims to protection and the legal uncertainty resulted in judges refraining from the application of the protection measures in some cases. In those rare cases when the protection measures were granted, there were no efficient sanctions for breaching them.[47]

28. JS1 stated that the national programme for the prevention of domestic violence and the provision of assistance to victims for 2014-2020 did not contain a definition of gender-based violence and thereby, it ignored the fact that women disproportionally suffered from domestic violence and failed to tailor the measures to the specific needs of those victims. No policy document provided for measures holistically addressing all forms of gender-based violence. [48]

29. JS1 reported that sexual violence against women remained alarming issue and that Lithuania had failed to address it properly. Sexual violence, assault and abuse had been criminalised. However, the marital rape was not specifically included in the Criminal Code.[49]

30. JS1 recommended introducing the detailed grounds and conditions for the application of victim protection measures in the Criminal Procedure Code, as well as sanctions for violation of those protection measures, adopting a strategy that introduces measures to combat all forms of gender-based violence. Furthermore, it recommended amending the Criminal Code to explicitly criminalize marital rape.[50]

31. JS1 stated that Lithuania had toughened punishments for sexual crimes against children. However, the child protection system remained decentralised and the level of protection of children and the practices of inter-agency cooperation had varied across municipalities, resulting in fragmented and poorly coordinated practices where the interventions of the child protection services were ineffective.[51]

32. CoE highlighted the findings of the European Committee on Social Rights (ECSR) that corporal punishment was not prohibited in the home, schools and in institutions.[52] JS1 reported that the draft laws, prohibiting corporal punishment in all settings were rejected in 2010 and 2013. Society continued to tolerate physical abuse as a means of "disciplining" children.[53] Global Initiative to End All Corporal Punishment of Children (GIEACPC) made similar observations.[54]

33. JS1 recommended prohibiting all forms of violence against children in all settings, including corporal punishment, and investing in programmes accessible to all parents on positive parenting methods.[55]

34. In respect to several UPR recommendations on human trafficking,[56] JS1 stated that the Criminal Code contained several articles, criminalizing human trafficking. However, certain forms of human trafficking were treated as minor offenses. Thus, the legal framework would allow classifying incorrectly certain offences of human trafficking with more lenient sanctions.[57]

35. The Group of Experts on Action against Trafficking in Human Beings of CoE (CoE-GRETA) urged Lithuania to ensure that crimes related to human trafficking for all types of exploitation are investigated and effectively prosecuted, leading to effective, proportionate and dissuasive sanctions. It highlighted a need for improvement of the training and specialisation of investigators, prosecutors and judges to tackle this complex crime.[58]

36. CoE-GRETA welcomed the existence of a specific legal provision concerning the non-punishment of victims of trafficking for offences that they had been compelled to commit. However, it noted reports, indicating that victims of trafficking for the purpose of sexual exploitation were sometimes not recognised as such and were subject to administrative fines. Lithuania should ensure that the non-punishment provision is applied in practice.[59]

37. CoE-GRETA considered that particular attention should be paid to raising awareness of new trends in human trafficking. Targeted prevention measures should be implemented for groups vulnerable to trafficking, persons with mental disabilities, children in special schools and foster homes, and men in difficult life circumstances.[60]

38. CoE-GRETA urged Lithuania to ensure that all victims of trafficking are properly identified. Efforts should be made to improve the identification of victims of trafficking for the purpose of labour exploitation, and victims among foreign nationals and children. It urged Lithuania to provide support to victims of trafficking, including adequate accommodation, medical and social assistance, according to their needs.[61]

39. CoE-GRETA stated that while there were legal provisions and a procedure for granting a recovery and reflection period to foreign victims of trafficking, no victim had benefited from such a period. It urged Lithuania to review the procedure for granting a recovery and reflection period and to adopt a clear legal and policy framework for the return of trafficked persons, with due regard to their safety and dignity. [62]

40. Despite the existence of legal possibilities for compensation and the availability of legal aid, CoE-GRETA considered that additional steps should be taken to facilitate access to compensation for victims of trafficking, including by building the capacity of legal practitioners to support victims to claim compensation. It asked Lithuania to review the legislation in order to make it possible for victims of trafficking to receive State compensation regardless of whether criminal proceedings are initiated. [63]

41. CoE-GRETA noted the absence of a separate action plan on combating trafficking in human beings and urged Lithuania to adopt such an action plan and to improve the co-ordination of anti-trafficking actions at national and municipal levels.[64]

3. Administration of justice and the rule of law

42. CoE-CPT recommended ensuring inter alia that the right of access to a lawyer is enjoyed by all persons obliged to remain with the police from the very outset of their deprivation of liberty and that all persons admitted to a police arrest house are screened by a health-care professional without delay.[65]

43. CoE noted concerns expressed by CoE-CPT about a high level of inter-prisoner violence at Alytus Prison.[66]

44. CoE referred to the report of CoE-CPT, indicating poor material conditions of detention.[67] CoE-CPT recommended that Lithuania intensify its efforts to provide appropriate material conditions of detention in all police arrest houses.[68]

45. CoE-CPT recommended ensuring that cells measuring less than 2 m^2 should not be used for the detention of persons for any length of time whatsoever; that no cell measuring less than 5 m^2 to be used for overnight accommodation and that the minimum standard of living space per prisoner to be raised to 4 m^2 in multi-occupancy cells.[69]

46. As CoE noted, the CoE-CPT reported on prison overcrowding.[70] CoE-CPT recommended combatting prison overcrowding, by placing further emphasis on non-custodial measures in the period before the imposition of a sentence and increasing the use of alternatives to imprisonment.[71]

47. CoE-ECRI recommended setting up an independent mechanism, separate from police structures, for investigating allegations of police misconduct, including racist or racially discriminatory behaviour.[72] Similarly, CoE-CPT recommended ensuring that, throughout the prison system, investigations into possible ill-treatment (including excessive use of force) by prison staff are conducted by a body independent of the establishments concerned and, preferably, of the prison system as a whole.[73]

48. EU-FRA noted measures that were introduced to protect child victims during pre-trial investigations and court hearings.[74] JS1 stated that despite the introduced measures it often happened in practice that the child was "unofficially" interviewed several times before official interviews and the child might have been interviewed by more than one person.[75] JS1 recommended ensuring that the rights and interests of the child are being protected during criminal proceedings by inter alia providing capacity building trainings to officers, judges and other professionals.[76]

4. Right to privacy, marriage and family life

49. JS1 noted that Lithuania continued to have a large number of cases of placement of children in care institutions per year.[77] The 2015 amendments to the Civil Code prohibited the placement of children of up to 3 years old in institutions for a longer than 3 months period and reduced the length of temporary guardianship of children in care to 1 year. While the amendments would come into force in January 2017, the preparation for their implementation had not achieved any visible progress yet. Comprehensive community-based social services for children and families were lacking.[78]

50. EU-FRA noted the adoption of an action plan for 2014-2020 that shifted care of children without parental care or with disabilities from institutions to family and community based services.[79] However, JS1 noted that no public tenders in the field of provision of community-based services were announced since the adoption of the action plan in 2014. The implementation of the plan tended to be limited to closing down institutions rather than developing various community-based services in order to eliminate the need for institutionalized care.[80]

51. JS1 referred to the 2014 report, indicating that the current childcare system remained inefficient and failed to ensure the best interests of the child. The results of the childcare reform, which was started in 2007 were planned to achieve by 2013. However, due to the poor planning and implementation, the results were not achieved and the implementation of the reform was postponed until 2030.[81]

52. EU-FRA reported that registered partnerships and marriage for same-sex couples did not exist in domestic legislation. The Civil Code defined marriage as a formalised agreement between a man and women.[82]

5. Freedom of expression

53. OSCE/ODIHR stated that defamation and slander should be decriminalised to fully guarantee freedom of expression.[83]

6. Right to health

54. JS2 and JS3 reported on a high suicide rate among young persons and noted the absence of a comprehensive nationwide strategy to prevent suicide among young people and psychological services for those belonging to risk groups. The infrastructure of mental health for children and youth was fragmented, human and financial resources were not sufficient and the treatment was based too much on medicines.[84]

55. In respect of UPR recommendation no 88.32 on availability of various family planning methods,[85] JS6 reported that problems of accessibility and affordability of contraception remained. A modern family planning programme was not introduced and some family planning methods were not available. Contraception was expensive for youth and vulnerable groups. There was no reimbursement system and quality counselling for contraception. There were no youth-friendly sexual and reproductive health services.[86]

56. JS6 stated that there was no law on sexual and reproductive health despite several attempts to introduce it. Sexual and reproductive health issues were regulated by the 1994 Health Law, which did not contain specific provisions on sexual and reproductive health.[87]

57. JS6 noted that abortion was regulated by a decree of the Ministry of Health. Abortion upon request was expensive for women with low income and especially for young women. Medical abortion was not legal.[88] Alliance Defending Freedom (ADF) International reported on issues related to abortions.[89]

58. In respect of UPR recommendation no. 89.51[90] on mandatory sexual education, JS6 stated that the existing sexual education programme for schools was not comprehensive, did not provide evidence-based information and promoted only sexual abstinence.[91]

59. JS6 recommended inter alia developing a strategy on sexual and reproductive health and rights; ensuring the implementation of regular awareness raising campaigns on sexual and reproductive health and rights, establishing mandatory comprehensive sexual education at schools developing adequate reimbursement schemes for modern contraceptive methods and establishing youth-friendly sexual and reproductive health services. [92]

7. Cultural rights

60. CoE-ACFC called on Lithuania to increase the support available for the preservation and development of national minority cultures and identities and to ensure that minority representatives are effectively involved in funding allocation processes and in the implementation of project activities.[93]

8. Persons with disabilities

61. JS2 stated that after the ratification of CRPD in 2010, there was not much progress in adopting new human rights approach and standards to improve the situation of persons with disabilities. No financial support was provided for the implementation of the Convention. The national program for social integration of persons with disabilities focused mainly on social integration issues. The law on persons with disabilities did not include adequate provisions on independent living of these persons and their inclusion in the community. JS2 recommended developing a comprehensive strategy for the implementation of CRPD.[94]

62. JS4 reported that the Office of Equal Opportunities Ombudsperson was assigned to monitor the implementation of CRPD. However, the new function of the Office had not been reflected in the relevant legislation and the Office had not received any funding to perform its new function.[95]

63. JS2 recommended implementing strategies to increase employment rate of persons with disabilities and developing support schemes to enable them to get employment; and preventing discrimination against them in employment.[96]

64. JS2 stated that there was no requirement for courts to always seek an opinion of a psychiatrist who was not attached to the health institution admitting the patient. The draft law on mental health still included provisions on involuntary hospitalisation and treatment of persons with disabilities.[97] CoE-CPT recommended ensuring that in the context of involuntary hospitalisation and extensions thereof, patients have the effective right to be heard in person by the judge; and that the court always seeks an opinion from a psychiatrist who is not attached to the psychiatric institution admitting the patient concerned.[98]

65. CoE-CPT reiterated its recommendation that psychiatric establishments be visited on a regular basis by a body, which is independent of the health authorities and is authorised, in particular, to talk privately with patients, receive directly any complaints which they might have and make any necessary recommendations.[99]

66. JS2 recommended reviewing the legislation to ensure to persons with disabilities access to the physical environment, to transportation and to information and communications.[100]

67. EU-FRA referred to concerns expressed that children with disabilities were included in mainstream schools without appropriate mechanism to ensure a safe environment and that educational staff sometimes advised parents of children with disabilities to place them in special schools or institutions due to the pressure from parents of children without disabilities and/or the inability of some schools to educate and include children with disabilities.[101]

68. JS2 stated that the legislation provided a possibility to restrict or deny the exercise of legal capacity by persons with psychosocial disabilities despite legal amendments made to bring the legislation in line with the CRPD.[102] JS1 explained that the amendments abolished a possibility to declare a person incapable in all aspects of life with a court order. However, declaring a person incapable "in a particular area" was possible and the transfer of full decision-making authority still existed, but was limited to "a particular area". At the same time, it was not explicitly forbidden to declare a person legally incapable in all areas of life, without specifying those areas.[103] JS2 referred to concerns expressed that courts would continue to issue decisions, declaring persons with psychosocial disabilities unable to function independently and incapable in all areas of life.[104]

69. JS2 recommended repealing relevant provisions of the Civil Code and amending the Constitution in order to remove restrictions on exercise of legal capacity by persons with disabilities, promoting alternative measures for supported decision making and implementing training programs to empower persons with disabilities for their independent decision making.[105]

70. EU-FRA noted that Lithuania prohibited people with disabilities who had been deprived of their legal capacity from voting.[106] JS2 made a similar observation.[107]

9. Minorities

71. JS4 noted the absence of a law on the rights of minorities.[108] CoE-ACFC invited Lithuania to adopt, without a delay and in close consultation with minority representatives, a coherent legal framework for the protection of persons belonging to national minorities.[109]

72. CoE-ACFC explained that the legislation imposed exclusive use of Lithuanian as the state language in all reporting and correspondence within and among public institutions as well as for all topographic indications. Bilingual street signs displayed by residents in areas populated by national minorities continued to be removed and fines imposed. National minority communities remained particularly concerned with the obligatory spelling of all minority language names in Lithuanian in official documents, which could result in significant changes to these names. No adjustment to the legal framework had been made to give effect to a ruling of the Constitutional Court of 2009, which declared the additional entry in passports of names in minority language spelling, as constitutional.[110]

73. CoE-ACFC stated that the 2011 law on education introduced a controversial reform aimed at increasing the role of the state language in minority language schools. Despite a transition period of eight years having been instated, a single state language examination for graduates of all schools was first administered in 2013. Graduates from minority language schools were reportedly ill-prepared after only two years of special preparations and obtained overall worse results than in previous years.[111]

74. CoE-ACFC recommended ensuring that the quality of education in minority language schools does not suffer as a result of a disproportionate focus on the promotion of the state language and that minority language schools are adequately prepared and

resourced to implement effectively the education reform without negatively affecting the overall quality of education.[112]

75. CoE-ACFC stated that the socio-economic integration of Roma remained an issue of serious concern with the situation in the Kirtimai settlement of Vilnius particularly alarming.[113] JS4 stated that no action was taken to end segregation of Roma community in the Kirtimai settlement of Vilnius during the reporting period.[114]

76. CoE-ACFC stated that very few Roma were officially employed and many were not even registered as unemployed, which limited their access to social benefits and health insurance. Access to the labour market and social services was further complicated by high levels of illiteracy among the adult Roma population.[115] JS4 reported that there were no employees belonging to the Roma community in public institutions.[116]

77. EU-FRA noted the projects carried out to support Roma job seekers and to foster Roma women's entrepreneurship through traditional crafts.[117] CoE-ECRI encouraged Lithuania to continue and multiply the vocational training initiatives and to assist Roma in finding suitable jobs.[118]

78. JS4 reported on low quality of housing, poor sanitary situation, lack of running water and sewage system in the Kirtimai settlement of Vilnius. Majority of houses lacked a legal status and some of them were demolished based on court decisions but without any provision of alternative housing to Roma families.[119] CoE referred to the conclusion of the ECSR that measures taken by the authorities to improve the substandard housing conditions of most Roma were insufficient.[120] CoE-ECRI urged Lithuania to address the problem of housing as a matter of priority. A number of viable housing options, including social housing and subsidies for the rental of dwellings should be laid out and discussed with the Roma community.[121]

79. CoE-ACFC stated that the integration of Roma children in schools remained inadequate. It noted with concern that Roma children continued to experience high drop-out rates and generally lower academic achievement, particularly in Kirtimai settlement in Vilnius.[122] JS4 made similar observations.[123] CoE-ACFC urged Lithuania to ensure that Roma children are effectively granted equal access to quality education and that they are adequately assisted to attend mainstream schooling.[124]

80. CoE-ACFC stated that the Action Plan on Roma Integration 2012-2014 had not been the subject of sufficient consultation with representatives from the communities and disregarded important aspects such as access to health services and housing.[125] The Plan was considered too vague in terms of the measures foreseen in the education and employment spheres, and disregarded established issues of concern among the community, such as the acquisition of identity documents, in particular for women.[126] CoE-ACFC recommended developing and implementing a comprehensive strategy, involving all relevant actors and in close consultation with Roma representatives, to combat the continuing discrimination and social exclusion of Roma in all spheres of public life.[127]

81. CoE-ACFC welcomed the adoption of the Law on Good Faith Compensation for the Property of Jewish Religious Communities in 2011, providing for the transfer within ten years of some €35 million for the immovable property of Jewish religious communities in Lithuania that were appropriated during the Nazi and Soviet periods. Implementation commenced in early 2013.[128] JS4 noted, however, that there were no measures taken to compensate unlawfully expropriated immovable private property of Jewish individuals born in Lithuania.[129]

82. CoE-ACFC invited the authorities to continue to facilitate the compensation process for the immovable property of the Jewish religious communities in line with the applicable legislation.[130] JS4 recommended that Lithuania take legal measures to allow its Jewish

citizens to apply for compensation of unlawfully expropriated private property during World War II.[131]

83. CoE-ACFC called on Lithuania to increase their efforts to support adequate access to minority language media for persons belonging to national minorities, including the numerically smaller ones.[132]

10. Refugees and asylum seekers

84. JS4 stated that Lithuania did not have a comprehensive integration strategy for refugees. [133] It noted that benefits for refugees had been cut by 50 per cent.[134] JS4 recommended ensuring effective integration measures and increasing the social support for refugees during the integration process.[135]

85. JS4 noted with regret that the practice of unlawful detentions of asylum seekers had occasionally occurred.[136]

86. JS4 recommended amending national legislation to entitle asylum seekers to work during asylum procedure and revising national legislation to expand healthcare coverage for asylum seekers.[137]

11. Human rights and counter-terrorism

87. In respect of several UPR recommendations[138] to effectively investigate alleged violations, including torture in the context of secret detention programs to counter terrorism, JS7 reported that no tangible progress had been made by Lithuania in investigating allegations of torture or ill treatment of detainees in the framework of Rendition, Detention and Interrogation (RDI) Program of the Central Intelligence Agency (CIA) and that no one had been held accountable and no redress was provided to rendition victims for the acts committed against them whilst in Lithuania's jurisdiction.[139]

88. JS7 noted that since the 2011 UPR, substantial additional information had become public providing further detailed evidence regarding the operation of the RDI Program and further implicating Lithuania in its operation. Nevertheless, the authorities had yet to initiate a comprehensive investigation into Lithuania's complicity in the RDI program. Few investigative efforts that were carried out, were insufficient and did not contribute to clarifying the extent of Lithuania's involvement in the program, had not led to accountability of any individuals involved and failed to provide redress to victims.[140]

89. JS7 concluded that Lithuania failed to fulfil its obligations to conduct a thorough, independent and effective investigation, and duly inform the public of its progress and outcomes. It recommended that Lithuania inter alia bring to justice in fair trials any individuals identified as responsible for crimes that may have occurred in connection with and within secret CIA detention centres established in Lithuania.[141]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	Alliance Defending Freedom International, Geneva (Switzerland);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);

Joint submissions:

JS1	Joint submission 1 submitted by: Human Rights Monitoring Institute, SOS Children's Villages Lithuania and Canter for Equality Advancement, Vilnius (Lithuania);
JS2	Joint submission 2 submitted by: Lithuanian Forum for Disabled, Lithuania Youth Council, Mental Health Perspective, Vilnius (Lithuania);
JS3	Joint submission 3 submitted by: Lithuania Youth Council, Vilnius (Lithuania) and the European Youth Forum, Brussels (Belgium);
JS4	Joint submission 4 submitted by: Lithuanian Centre for Human Rights, Lithuanian Disability Forum, Diversity Development Group, Lithuanian Jewish Community, National LGBT* Rights Organisation LGL, Roma Community Centre, Vilnius (Lithuania);
JS5	Joint submission 5 submitted by: National LGBT* Rights Organisation LGL, Vilnius (Lithuania); European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA Europe), Brussels (Belgium) and Sexual Rights Initiative (a coalition of organizations from Canada, Poland, India, Argentina and Africa);
JS6	Joint submission 6 submitted by: Family Planning and Sexual Health Association of Vilnius (Lithuania) and Sexual Rights Initiative (a coalition of organizations from Canada, Poland, India, Argentina and Africa);
JS7	Joint submission 7 submitted by: Human Rights Monitoring Institute, Vilnius (Lithuania) and Redress Trust (REDRESS), London (United Kingdom of Great Britain and Northern Ireland);

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France). Attachments: (CoE-CPT) Report to the Lithuanian Government on the visit to Lithuania carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment from 27 November to 4 December, 2012, CPT/Inf (2014)18. (CoE-ECRI) European Commission against Racism and Intolerance report on Lithuania, adopted on 22 June 2011, CRI (2011) 38; (CoE-ACFC) Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, adopted on 28 November 2013, ACFC/OP/III (2013) 005. (CoE-GRETA) - Group of Experts on Action against Trafficking in Human Beings, Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Lithuania, First Evaluation Round, Strasbourg, adopted on 20 March, 2015; GRETA (2015)12;
EU-FRA	European Union Agency for Fundamental Rights, Vienna (Austria);
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Warsaw, Poland.

Attachment:
(OSCE/ODIHR: Parliamentary Elections Report 2012) OSCE/ODIHR Election Assessment Mission Report, Parliamentary Elections on 14 October, 2012, Warsaw, 3 January, 2013.

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities

[3] JS3, p. 2. See also JS2, p. 10.
[4] See also JS4, para. 39.3.
[5] CoE-ECRI, para. 6.
[6] JS1, p. 5.
[7] CoE-ECRI, para. 6.
[8] For the full text of the recommendations see A/HRC/19/15, paras. 89.11(Malaysia), 89.12 (Azerbaijan), 89.13 (United Kingdom), 89.14 (Turkey), 89.15 (Spain), 89.16 (Norway), 89. 17 (Republic of Moldova) and 89.18 (Ireland).
[9] JS1, para. 1.
[10] JS4, para. 7.
[11] OSCE/ODIHR, para. 3. See also JS1; JS4, para. 12.1 and JS2, p. 5.
[12] CoE-ACFC, para. 31. See also JS3, p. 2.
[13] CoE-ECRI, para. 62.
[14] CoE-ACFC, para. 10.
[15] CoE-ECRI, para. 89. See also CoE-ACFC, para. 44.
[16] CoE-ACFC, para. 45. See also JS4, para. 36.
[17] JS4, para. 40.
[18] CoE, p. 2. See also JS4 pp. 3 and 4.
[19] CoE-ACFC, para. 10.
[20] CoE-ACFC, para. 116.
[21] JS4, paras. 13 and 14.
[22] CoE-ECRI, para. 77. See also CoE-ACFC, para. 46.
[23] CoE-ACFC, para. 47.
[24] CoE-ECRI, para. 55. See also JS4, para. 12.2.
[25] CoE-ECRI, para. 50.
[26] CoE-ECRI, para. 40.
[27] For the full text of the recommendations see A/HRC/19/15, paras. 88.24 (Argentina), 88.25 (Sweden) and 88.27 (Ireland).
[28] JS5, paras. 1, 2 and 6.
[29] JS5, paras. 1, and 8.
[30] EU-FRA, p. 13. See also JS5, para. 12.
[31] EU-FRA, p. 12.
[32] JS5 para. 26.
[33] For the full text of the recommendations see A/HRC/19/15, paras. 88.4 (Belgium) and 88.5 (Slovenia).
[34] JS5, paras. 1, 2 and 13. See also EU-FRA, p. 13.
[35] JS4, para. 16 and JS5, paras. 1 and 15. See also EU-FRA, pp. 13-14.
[36] JS4, para. 20 and JS5, para. 16.
[37] EU-FRA, p. 12.
[38] JS5, paras. 1 and 25.
[39] JS5 para. 26.
[40] JS4, para. 23.5 and JS5 para. 26.
[41] JS5, paras. 1, 22 and 23.
[42] EU-FRA, p. 12.
[43] JS5 para. 26.
[44] JS2, p. 9 and JS3, p. 1.

[45] CoE-CPT, para. 13.
[46] For the full text of the recommendations see A/HRC/19/15, paras. 88.3 (Afghanistan), 88.14 (Belgium), 89.21 (United Kingdom), 89.40 (Finland), 89.41 (Argentina), 89.42 (Chile), 89.43 (Republic of Moldova) and 89.44 (Ireland).
[47] JS1, paras. 5-9.
[48] JS1, para. 14.
[49] JS1, paras. 10 and 11.
[50] JS1, p. 5.
[51] JS1, paras. 35 and 39.
[52] CoE, p. 7.
[53] JS1, paras. 41-42.
[54] GIEACPC, paras. 2.1 -2.7.
[55] JS1, p. 6. See also GIEACPC, p. 1.
[56] For the full text of the recommendations see A/HRC/19/15, paras. 89.45 (Hungary), 89.46 (Spain), 89.47 (Latvia), 89.48 (Slovakia), 89.49 (Republic of Moldova) and 90.20 (Belarus).
[57] JS1, paras. 23 and 30.
[58] CoE-GRETA, p. 8.
[59] CoE-GRETA, p. 7.
[60] CoE-GRETA, p. 7.
[61] CoE-GRETA, p. 7.
[62] CoE-GRETA, p. 7.
[63] CoE-GRETA, p. 7.
[64] CoE-GRETA, p. 7.
[65] CoE-CPT, paras. 19 and 22.
[66] CoE, p. 1.
[67] CoE, p. 1.
[68] CoE-CPT, para. 25.
[69] CoE-CPT, paras. 27, 28, 31 and 36.
[70] CoE, p. 1.
[71] CoE-CPT, para. 35.
[72] CoE-CPT, para. 198.
[73] CoE-CPT, para. 43.
[74] EU-FRA, p. 4.
[75] JS1, paras. 35-36.
[76] JS1, p. 6. See also CoE-CPT, para. 20.
[77] JS1, para. 45.
[78] JS1, paras. 49-50.
[79] EU-FRA, p. 4. See also EU-FRA, p. 17.
[80] JS1, para. 47.
[81] JS1, para. 48.
[82] EU-FRA, p. 14. See also ADF International, paras. 21-24.
[83] OSCE/ODIHR: Parliamentary Elections Report of 2012, p. 14.
[84] JS3, pp. 3-4 and JS2, pp. 10-11.
[85] For the full text of the recommendations see A/HRC/19/15, para. 88.32 (Finland).
[86] JS6, paras. 2, 5, 13, 15 and 16.
[87] JS6, paras. 6-7.
[88] JS6, paras. 8 and14.
[89] ADF International, paras. 4-6.
[90] For the full text of the recommendations see A/HRC/19/15, para. 89.51(Finland).
[91] JS6, para. 3.
[92] JS6, paras. 19, 20, 22, 23 and 28.
[93] CoE-ACFC, para. 41.
[94] JS2, pp. 2-4.
[95] JS4, para. 11. See also JS2, p. 4.
[96] JS2, pp. 9-10.
[97] JS2, p. 6.

[98] CoE-CPT, para. 98.
[99] CoE-CPT, para. 102.
[100] JS2, p. 8.
[101] EU-FRA, p. 16.
[102] JS2, p. 5.
[103] JS3, para. 52.
[104] JS2, p. 5.
[105] JS2, p. 5.
[106] EU-FRA, p. 17.
[107] JS2, p. 5.
[108] JS4, paras. 24 and 26.
[109] CoE-ACFC, paras. 119 and 22. See also JS4, para. 39.1 and CoE-ECRI, para. 15.
[110] CoE-ACFC, para. 12. See also JS4, paras. 24-25.
[111] CoE-ACFC, para. 14. See also para. 117.
[112] CoE-ACFC, paras. 92 and 119. See also CoE-ECRI, para. 153.
[113] CoE-ACFC, para. 16.
[114] JS4, para. 29.
[115] CoE-ACFC, para. 16. See also JS4, para. 32.
[116] JS4, para. 33.
[117] EU-FRA, p. 5.
[118] CoE-ECRI, para. 123.
[119] JS4, paras. 29 and 30.
[120] CoE, p. 8.
[121] CoE-ECRI, para. 118.
[122] CoE-ACFC, paras. 13 and 81.
[123] JS4, para. 34.
[124] CoE-ACFC, para. 83. See also CoE-ECRI, para. 110.
[125] CoE-ACFC, para. 9. See also JS4, para. 31 and EU-FRA, p. 5.
[126] CoE-ACFC, para. 29.
[127] CoE-ACFC, para. 119. See also JS4, para. 39.2.
[128] CoE-ACFC, para. 56.
[129] JS4, para. 38.
[130] CoE-ACFC, para. 57.
[131] JS4, para. 39.8.
[132] CoE-ACFC, para. 61.
[133] JS4, para. 40.
[134] JS4, para. 43.
[135] JS4, para. 50.2 and 50.4.
[136] JS4, para. 40.
[137] JS4, paras. 50.1 and 50.3.
[138] For the full text of the recommendations see A/HRC/19/15, paras. 88.43 (Brazil), 88.30 (Azerbaijan) and 89.35 (Sweden).
[139] JS7, paras.2 and 3.
[140] JS7, paras.6 and 8.
[141] JS7, p. 9.