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**Lithuania**

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## **I. Methodology**

1. The report of Lithuania has been drawn up by the commission set up by the Minister of Justice, including representatives from the Ministry of Culture, the Ministry of Social Security and Labour, the Ministry of Health, the Ministry of Education and Science, the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of the Interior. The draft report was aligned according to the procedure for the alignment of draft legislation enacted by the Government, and then discussed and approved at a Government meeting.

2. In the drafting process consultations with institutions engaged in the protection of human rights were held and account was taken of the information about the human rights situation in Lithuania prepared by NGOs and submitted to the UN as well as of the feedback from NGOs regarding the currently prepared Lithuanian reports on the implementation of international human rights treaties. Furthermore, the draft report was posted on the information system for draft legislation of the Seimas (Parliament) and on the website of the Ministry of Justice, thus inviting feedback and proposals from the public.

## **II. Legal and institutional framework for the protection of human rights.**

3. Lithuania is an independent democratic republic. The legislative power in Lithuania belongs to the Seimas of Lithuania, executive power to the President of the Republic and to the Government of Lithuania whereas judicial power to courts. The activities of state government authorities are based on the Constitution of Lithuania, laws, international treaties, and the principles of the rule of law and respect for human rights and freedoms.

### **A. Legislation**

4. The Lithuanian Constitution of 1992 was drafted taking into account the fundamental UN and Council of Europe human rights instruments. Civil and political rights are laid down in Chapter II of the Constitution “The Human Being and the State”. Social, economic and cultural rights are listed in Chapter III “Society and the State” and Chapter IV “National Economy and Labour”. Provisions relevant to the protection of human rights are also contained in other chapters of the Constitution. Under Article 6, the Constitution shall be an integral and directly applicable act. Everyone can protect their rights based on the Constitution. Under Article 30, the person whose constitutional rights or freedoms are violated shall have the right to apply to court.

5. Under Article 18 of the Constitution, human rights and freedoms shall be innate. The Constitutional Court of Lithuania has found that no legal act may provide a finite list of inherent rights and freedoms<sup>1</sup>. The constitutional provisions on the protection of human rights are detailed in the laws and regulations of Lithuania. Under Article 138 of the Constitution, international treaties ratified by the Seimas shall be a constituent part of the legal system of Lithuania. The content of international legislation on the protection of human rights is taken into account when drafting laws and other national legislation.

### **B. International commitments**

6. Lithuania is a party to fundamental UN and the Council of Europe treaties on the protection of human rights. Lithuania co-operates with international human rights institutions by providing information on its achievements and discussing challenges that

arise. Lithuania submits, on a regular basis, reports on the implementation of human rights conventions and implements decisions of international institutions whose jurisdiction to examine complaints has been recognized by Lithuania<sup>2</sup>.

7. Lithuania is open for co-operation with UN human rights special procedures: special rapporteurs, special representatives, independent experts and working groups. In 2001, Lithuania submitted a standing invitation to all these procedures to review the situation of human rights in Lithuania. In 2007, this invitation was accepted for the first time and the situation of human rights in Lithuania was examined by the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

8. In 2004, Lithuania became member of the EU (1 May 2004) and NATO (29 March 2004). Accessing to the EU, Lithuania committed itself to ensuring compliance of its national legislation with the Community *acquis* and to enforcing the EU legislation. This has resulted in changes to the human rights legislation of Lithuania and has contributed to the shaping of State policy to combat different forms of discrimination. Lithuania, as an EU Member State, applies the EU legislation directly or transposes it into its national laws. When implementing EU law, Lithuania also follows the EU Charter on Fundamental Rights.

9. In addition, Lithuania is member of the Council of Europe and the OSCE (Lithuania holds presidency of the latter organization in 2011) and is involved in their human rights activities.

### **C. Institutions**

10. All public authorities are obliged to follow constitutional and detailing legal provisions on the protection of human rights. Protection of infringed individual human rights is carried out by ordinary and administrative courts. The Constitutional Court ensures compliance of legislation with constitutional provisions. On the Government level all ministries are responsible for the protection of human rights in their respective competence areas. Although Lithuania has no accredited national human rights institution which meets the Paris principles, there are a few institutions discharging this type of functions. In view of recommendations of international human rights institutions to reinforce the institutional framework (including ensuring adequate funding), Lithuania decided to optimize the activities of existing institutions. It has been proposed to set up a coordinating Human Rights Council as part of the Ombudsman institution (involving representatives from existing institutions for the protection of human rights, the Seimas and the public) to perform systematic monitoring of human rights and implementation of relevant recommendations, and to examine human rights issues. These changes are expected to ensure compliance of the institutional framework with the Paris principles.

11. Set up under Article 73 of the Constitution and operating since 1995, the Ombudsman institution examines complaints of claimants regarding the abuse and bureaucracy of public and municipal officials. The Law on the Seimas Ombudsmen details that the activities of the Ombudsmen are aimed to protect a person's right to good public administration securing human rights and freedoms and to supervise fulfilment by state authorities of their duty to properly serve the people. After examining a complaint, the Ombudsman issues a proposal / recommendation to the institution or the responsible official. In addition, the Ombudsman has the right to bring forward proposals to improve public administration and propose amendments to legislation in order to prevent violations of human rights.

12. Set up in 1999 under the Law on Equal Opportunities for Women and Men, the Office of Equal Opportunities for Women and Men Ombudsperson was transformed into

the Office of the Ombudsman for Equal Opportunities with a broader mandate to oversee compliance with the Law on Equal Opportunities. The Ombudsman for Equal Opportunities now examines complaints on discrimination on the grounds of gender, race, nationality, language, origin, social status, faith, beliefs or attitudes, age, sexual orientation, disability, ethnic dependence and religion. The Ombudsman may transfer the investigation materials to a pre-trial investigation institution or a prosecutor, examine cases of administrative law and impose administrative sanctions, and warn about a committed violation. In addition, the Ombudsman carries out independent investigations and publishes reports into discrimination-related matters, submits recommendations related to implementation and proposals on the improvement of legislation and priorities of the equal opportunities policy.

13. The Institution of the Ombudsman for Children's Rights has operated since 2000. The activities of the Ombudsman aim at improving the legal protection of the child, protecting the rights and lawful interests of the child, ensuring implementation of the rights and lawful interests of the child established in national legislation, and performing supervision and control over securing and protection of the rights of the child. Recommendations by the Ombudsman are intended not to punish persons who violated the rights and lawful interests of the child, but rather to prevent such violations by drawing the attention of persons to the adopted decisions and to their actions / omission, to identify their causes and ways to address problems and eliminate / prevent violations. The Ombudsman has the right to inform the authorities and other organizations about breaches of law, conflicts or gaps in legal / administrative acts, and to co-ordinate actions in dealing with the rights of the child.

14. The State Data Protection Inspectorate has operated since 1996 with the task to protect the right to privacy in handling personal data. The Inspectorate is in charge of enforcing the Law on the Legal Protection of Personal Data and ensuring compliance with some of the provisions of the Law on Electronic Communications. The key objectives of the Inspectorate include developing data protection overseeing the activities of personal data controllers in handling personal data, controlling the lawfulness of handling personal data, and ensuring protection of the rights of the data subject. The Inspectorate examines complaints of persons and is involved in preventive activities.

15. The Office of the Inspector of Journalist Ethics has operated since 2001. Under the Law on the Provision of Information to the Public, the Inspector examines complaints of persons regarding breaches of their personal honour and dignity, violations of the right to privacy and in handling personal data in mass media. Under the Law on the Protection of Minors against the Detrimental Effect of Public Information, the Inspector examines complaints regarding violations of this law. In addition, it has the function of determining, based on expert opinions, whether public information provided in mass media instigates discord based on gender, sexual orientation, race, nationality, language, origin, social status, faith, beliefs or attitudes. The Inspector is also engaged in preventive work (warning portal editors about and asking to remove disclosed personal data of minors; submitting proposals to public authorities regarding due compliance with the law).

16. The Institute of Law is a public research establishment set up to create scientific foundations for the improvement of the legal framework and engaged in research into the legal framework and its separate elements that are relevant from the human rights point of view<sup>3</sup>.

### III. Protection of human rights

#### A. Gender equality

17. Ensuring equal opportunities for women and men in Lithuania is horizontal priority since 1998, when Lithuania was the first among East and Central European countries to adopt and start implementing the Law on Equal Opportunities for Women and Men. The Law prohibits direct and indirect discrimination, instruction to discriminate, sexual harassment and harassment based on gender. The Law obliges authorities to ensure that equal opportunities for women and men are established in all legislation they draft and adopt, to develop and implement programmes and measures, to support programmes of public institutions, associations and charity funds that facilitate implementation of equal opportunities. The Law covers the fields of employment and work, education and research, consumer rights, social security and association membership. It provides sanctions for violations of equal rights for women and men, compensations for affected individuals and the rule of transferring the burden of proof to the defendant. Since 1998, the Law underwent several improvements through transposition of the provisions of EU directives on gender equality.

18. In 2008 provisions on non-discrimination based on gender were included into the Law on Equal Opportunities, which is devoted to anti-discrimination on various grounds, thus providing legal prerequisites to combat multiple discrimination where gender is the essential element.

19. The key challenges for gender equality in Lithuania include segregation of the labour market conditioned by gender stereotypes, insufficient involvement of women in economic and political decision-making, insufficient number of women holding top positions in research and business, difference in pay for women and men, insufficient opportunities to combine family and work commitments, and violence against women. To address these challenges, State programmes on equal opportunities for women and men have been run since 2003. The programmes are implemented by ministries in co-operation with women's NGOs, social partners and gender study centres. These activities are co-ordinated by the Commission for Equal Opportunities for Women and Men that includes representatives from all ministries and NGOs and reports to the Government.

20. To evaluate the impact of the first two State programmes on equal opportunities for women and men in 2009, the Women's Information Centre carried out an extended comparative study of cross-sectional changes to the situation of women and men. Conclusions of the survey state that programmes on equal opportunities for women and men enjoy high public awareness, the lines of action have the right focus, and the programmes have influenced positive changes. Segregation of the labour market, which affects pay gaps for women and men, is gradually decreasing. According to the findings from the Small and Medium-sized Business Survey conducted in 2009 by Statistics Lithuania, health care (60.9 per cent of all businesspeople engaged in this activity) and social work, accommodation and catering services (58.3 per cent) remain women's key business areas. On the other hand, the number of businesswomen in "traditionally male" businesses, construction and transport<sup>4</sup>, has been on the rise, i.e. women are starting to opt for the so-called "male" qualifications<sup>5</sup>. Based on the figures of Statistics Lithuania, Lithuanian women are among the most educated ones across the EU.

21. In Lithuania, women hold two of the three top-ranking public administration posts, i.e. the President and the Seimas Spokesperson. As findings from the Population Employment Survey show, women account for 40 per cent of all managerial staff:

legislators, senior public officials, and heads of establishments, institutions and other organizations<sup>6</sup>.

22. Lithuania's achievements in the field of gender equality have been acknowledged by the EU. The European Gender Equality Institute opened its doors in Vilnius in 2009. The Institute is the first EU agency devoted to gender equality and the first one set up in Lithuania.

23. Mitigating violence against women is one of Lithuania's top priorities. To address this cross-sectional problem, the National Strategy for Combating Violence against Women was adopted in 2006. Its key priorities include improvement of the legal framework, violence prevention, provision of an integrated set of assistance to victims of violence, sanctions on perpetrators, raising public awareness and communication, improvement of data collection, and institutional capacity building. On an annual basis, projects are selected through a competition to provide assistance to women who suffered from violence, and to perpetrators, to carry out prevention of violence against women and to support the activities of NGOs.

24. At present, integrated assistance to women who suffered from violence is available in half of the sixty Lithuanian municipalities. Efforts have been made to reinforce the activities of women's NGOs in combating violence against women: in many areas assistance comes from crisis centres set up by women's NGOs. Special focus has been on working with perpetrators – not only applying sanctions, but also developing alternative measures of impact, and supporting organizations working in this field.

25. The Law on Protection from Domestic Violence adopted by the Seimas on 26 May 2011 provides definitions of domestic violence, perpetrator and person who has been subjected to domestic violence, suggests specific lines of state-funded prevention and action which public and municipal authorities should implement in co-operation with NGOs, e.g. running public awareness and communication campaigns, training persons working in the field of prevention and assistance. The Law sets forth measures applicable to perpetrators to ensure protection for the victims of domestic violence: the obligation to move out, not to approach the victim, not to communicate. It also ensures sequestration of the perpetrator and protection of the victim immediately after occurrence of violence. A set of specialised integrated assistance for the victim, including psychological and legal help, is foreseen.

## **B. Rights of individuals belonging to national minorities**

26. Lithuania is multinational state. According to the universal population census in 2001, the country is home to representatives of 115 different nationalities. In Lithuania, persons belonging to national minorities constitute 16.5 per cent of total population. The largest national minorities include Poles, Russians, Belarusians and Ukrainians who mainly live in the Eastern and South-Eastern regions of Lithuania, Vilnius, Klaipėda, Visaginas, major cities. Following restoration of independence, Lithuania chose the "zero" option for granting citizenship<sup>7</sup>. The absolute majority of representatives of national minorities (nearly 99 per cent) accepted the citizenship of Lithuania, gaining civil and political rights equal to those of other citizens.

27. Article 37 of the Constitution stipulates the right for citizens belonging to ethnic communities to foster their language, culture, and customs, whereas Article 45 the right to independently manage the affairs of their ethnic culture, education, charity, and mutual assistance and to be provided support by the state. Further rights are provided by laws on equal treatment, associations, citizenship, the official language, education, provision of

information to the public, religious communities and partnerships, political parties and political organizations, etc.

28. In 1995, Lithuania signed and in 2000 ratified without reservations the Council of Europe Framework Convention on the Protection of National Minorities. In 2011, Lithuania will deliver the third report on its implementation.

29. Under domestic and international law, individuals belonging to national minorities are ensured equal political, economic, social and cultural rights and freedoms, national identity and cultural continuity are recognized, national awareness and its self-expression are fostered. National minorities in Lithuania enjoy the right to set up cultural NGOs and to develop cultural relations with their compatriots living outside Lithuania. This ensures cultural integration of national minorities and meets the EU's principal philosophy of "unity in diversity".

30. As of 1 January 2010, the Law on National Minorities adopted back in 1989 has been no longer valid. In 2010, the inter-institutional working group co-ordinated by the Ministry of Culture drafted a conceptual framework of legal regulation provided by the Law on National Minorities. While drafting, the working group held consultations with national minority organizations. Following approval by the Government, this document will serve as basis for drafting the Law on National Minorities which will define the notion of a national minority and envisage the option of using the language of the national minority at local institutions and organizations and on informational signs in residential areas highly populated with a particular national minority.

31. Before 1 January 2010, the Lithuanian State policy for sustainability of national relations had been shaped and implemented by the Department for National Minorities and Emigration under the Government of Lithuania, whose reorganization resulted in transferring functions relating to the formation, co-ordination and implementation of the national minority policy to the Ministry of Culture. To involve national communities into shaping the national minority policy and decision-making, an advisory body, the Council for National Communities, was set up in 1990. After the Council for National Communities had become an advisory body under the Ministry of Culture in 2010, its regulations and composition were renewed<sup>8</sup>. In addition, there is a Commission for Co-ordinating National Minority Matters set up under and co-ordinated by the Prime Minister, which deals with issues relevant for national minorities on top national level.

32. To ensure efficient integration of national minorities into the Lithuanian society, public and municipal programmes are implemented. The Ministry of Culture co-ordinates measures set out in the Strategy for the Development of the National Minority Policy up to 2015, which provides for three priorities: 1) ensuring integration of individuals belonging to national minorities into the Lithuanian society; 2) enabling them to preserve identity; 3) fostering tolerance in the society and reducing manifestations of discrimination.

33. Much focus is given to the education of persons belonging to national minorities, particularly to official language teaching as key to successful integration<sup>9</sup>. Persons on social assistance belonging to national minorities are provided with the opportunity to learn the official language without charge<sup>10</sup>.

34. The Law on Education adopted in 2011 provides prerequisites for all citizens to enjoy equal opportunities to gain education and to compete on the labour market. Each citizen of Lithuania and each foreigner with the right of permanent or temporary residence in Lithuania are ensured instruction in and learning of the official language. State schools and municipal pre-school and general education establishments offer conditions for pupils belonging to national minorities to learn their native tongue additionally where there is a realistic need, a specialist of that language is available and the education process is conducted in a different language of instruction.

35. The provisions of Article 30 of the Law on Education, which will come into effect on 1 September 2011, define that comprehensive schools and schools of informal education shall 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. At comprehensive schools and schools of informal education whose regulations (statutes), at the request of parents / guardians / carers and learners, provide for teaching a national minority language or instruction in a national minority language, the teaching process may be conducted or some subjects may be taught in the language of the national minority. At those schools the subject of the Lithuanian language shall be part of the curriculum with at least the same amount of time allotted for its teaching as for teaching the native tongue. At this kind of schools: 1) the pre-school education curriculum shall provide at least four weekly hours for education in Lithuanian. Part of the pre-school curriculum, at the request of parents / guardians / carers, may be conducted in Lithuanian; 2) primary, basic, and secondary education curricula shall be conducted in the mode of bilingual education: in the language of the national minority and in Lithuanian. The primary education curriculum shall provide for integrated instruction in the Lithuanian language whereas under the basic and secondary education curriculum, Lithuanian shall be used to instruct curriculum themes on Lithuanian history and geography, exploring the world and basics of civil awareness; 3) at the request of parents / guardians / carers, Lithuanian may serve as the language of instruction for other subjects of primary, basic and secondary education curricula.

36. During the 2009-2010 study year, Lithuania had 153 comprehensive schools with the education process taking place in one or more national minority or foreign languages<sup>11</sup>. In addition, the State supports non-abundant and scattered national minorities when setting up Saturday and Sunday schools (more than 40 operated in 2010). They teach the native tongue, introduce children to their national culture, traditions, history and cultural heritage.

37. Enshrining the culture and education of national minorities living in Lithuania, as one of the State's priorities, is established in the National Long-term Development Strategy and in the Lithuanian Cultural Policy Provisions approved by the Government. Around 300 NGOs of national minorities are engaged in extensive cultural activities in Lithuania. To enable preservation of identity, cultural and educational projects of national minorities are supported<sup>12</sup>.

38. Lithuanian authorities promote ideas of tolerance. In 2007, the Department for National Minorities and Emigration established the nomination "For National Tolerance" awarded to journalists for dissemination of tolerance and for creation of a positive image of national minorities in the media. In 2011, this tradition was renewed by the Ministry of Culture.

39. One of the greatest challenges in implementing the policy of national minorities is the integration of Roma. Lithuania is home to around 2,500 Roma whose most numerous community lives in Kirtimai settlement near Vilnius (with around 500 Roma). To date, Lithuania has implemented two national programmes for Roma integration and a separate Roma Integration Programme run by Vilnius City Municipality. Preparation of Roma integration programmes involved consultations with representatives of Roma NGOs and organizations dealing with Roma people.

40. Within the framework of the Roma Integration Programme 2000-2004, in 2001, Public Institution the Roma Public Centre was set up in Kirtimai offering informal education for children and youth, distance training for Roma youth and adults and courses of the official Lithuanian language as well as social and legal assistance. However, Roma integration into the Lithuanian society is a lasting and complicated process that requires integrated inter-institutional co-operation.



41. The Programme for Developing the National Minority Policy 2013-2021 drafted by the Ministry of Culture will replace the currently effective document, the Strategy for Developing the National Minority Policy up to 2015, and will ensure continuity of existing measures. The programme will be supplemented by two inter-institutional action plans (for national minorities and separately for Roma). The draft Inter-institutional Action Plan for Roma Integration into the Lithuanian Society 2013-2015<sup>13</sup> provides for a set of integrated and continuous measures focusing on fostering national identity, integration, reduction of social exclusion (developing education for Roma children, youth and adults; including Roma into the labour market; pooling of information on the living environment of Roma; communicating information to Roma about healthy lifestyles), promoting public tolerance and implementing anti-discrimination measures.

### **C. Rights of the child**

42. Lithuanian Civil Code stipulates that regulation of family legal relations within Lithuania shall be based on priority principles of protecting and defending the rights and interests of the child.

43. The major duty and responsibility for implementation of the rights and protection of the interests of the child falls on their parents and guardians/carers. However, public and municipal authorities are also in charge of protecting children's interests.

44. Being aware that successful protection of the rights of the child starts from prevention (strengthening and supporting families through reducing social exclusion and preventing separation of children from their parents and violence against and abuse of children), Lithuania seeks to reinforce preventive activities and to expand social services for children. On 1 July 2006, a Law on Social Services came into force. To improve accessibility of social services to children, the Description of the Procedure of Payment for Social Services stipulates that long-term social care for a child deprived of parental care and for a social risk child shall be provided without charge. Development of social services in municipalities and 556 full-time equivalents of social workers set up in municipalities in 2007 for dealing with social risk families along with annual growth in the numbers of these professionals (612.5 full-time equivalents in 2008 and 629.5 in 2009) have contributed to the drop in the count of social risk families. Social workers work in the local neighbourhoods, social service centres, family support councils and other municipal institutions, and apart from informing and providing advice on social assistance, they offer services of building and supporting social habits.

45. To reduce the social exclusion of families raising children, the Law on Social Assistance to Schoolchildren (2006) provides that pupils from low-income families shall receive free-of-charge catering and support to purchase schooling supplies. Municipalities are authorised to grant free-of-charge catering to pupils also in other cases decided by municipalities in view of the living conditions of families.

46. Under the Strategy of the National Policy on the Welfare of the Child, in 2007 the Government approved the Strategy for the Reorganization of the Child Guardianship / Care System and its action plan for 2007–2012. The aim of the strategy is to provide conditions for the child to grow in the biological family and to offer a child deprived of parental care proper guardianship / care or adoption opportunities in line with the best interests of the child and with their need to grow in a family or family-like environment and to duly prepare for independent life in a family and in the society.

47. The newly revised Regulations on Temporary Guardianship/Care of the Child (2007) solved the issue of appointing a statutory representative for the child when parents temporarily work in a foreign state. Parents planning temporary departure to a foreign state

must apply to the municipal department for the protection of the rights of the child and name the person who could guard the child for the temporary period when the parents are outside Lithuania.

48. On 14 September 2009, a single telephone line for social services started operating in Lithuania. Harmonized across Europe, this single service, apart from offering children a chance to utter their problems and apply for emergency assistance, refers children to respective services that provide essential help.

49. In 2010, the Law on the Minimum and Average Care of the Child was revised to create a framework of measures for socialization, development and education of and extending other types of assistance to the child with behavioural problems that could help the child to overcome their formed ill behaviour and to develop the notions of meaningful individual and social life.

50. To mitigate the spread of violence against children and in continuation of existing programmes, the National Programme of Preventing Violence against Children and Assistance to Children 2011-2015, which covers all types and forms of violence, has been implemented.

51. Lithuania has been considering ratification of the 2007 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. The Ministry of Social Security and Labour has set up an inter-institutional working group to analyse the possibilities of implementing the Convention in Lithuania.

#### **D. Rights of disabled persons**

52. The main law on the rights of disabled persons is the Law on the Social Integration of Disabled Persons. Further rights are provided for in the Labour Code and other laws, e.g. on employment support, social enterprises, state social insurance, state social insurance pensions, state assistance benefits, social services, special development and health insurance.

53. Protection of disabled persons against direct and indirect discrimination, harassment and instruction to discriminate is provided by the Law on Equal Opportunities.

54. The Law on the Social Integration of Disabled Persons provides for basic prerequisites and conditions for the social integration of the disabled and is enforced via the National Programme for the Social Integration of Disabled Persons 2010–2012 which aims at ensuring equal opportunities and improving the quality of life. The programme is based on the UN Convention on the Rights of Persons with Disabilities and relevant EU directives.

55. Within the framework of the projects on Social Rehabilitation Services for Disabled Persons in the Community and on the Activities of Associations of Disabled the following is available: representing the rights of disabled persons, information and consulting services, psychological assistance, independence raising, cultural and sport activities, social services, support for the activities of raising motivation to involve disabled persons into the labour market, job search, work assistance services.

56. The Programme of Adjusting Housing for People with Disabilities 2007-2011 aims at increasing mobility of persons with disabilities and their involvement in the profession acquisition process, the labour market and social life.

57. The Programme of Providing the Population with Technical Assistance Aids guarantees that disabled persons are provided with technical assistance aids and their repair. According to the Description of the Procedure for the Provision of Support to Disabled

Students approved by the Government, higher education establishments are offered financial assistance measures for their disabled students through allocating funds to meet the special needs of disabled students (monthly allowance in the amount of 0.5 of the basic social insurance pension) and to partly cover the tuition fee (allowance in the amount of 3.2 basic social benefit once per semester).

58. Lithuania specifically focuses on improving employment opportunities for the disabled via the professional rehabilitation programme. Regardless of their other income, participants of the professional rehabilitation programme are allocated and paid a professional rehabilitation allowance. Its amount depends on whether the person is insured with all types of state social insurance or not, but it may never be lower than two basic state social insurance pensions.

59. Law on Social Enterprises provides state support for a social enterprise that has employed persons with disability. Seeking to integrate disabled persons into the open labour market, under the Law on Support for Employment support is available to any undertaking which employs a disabled person and creates new jobs or adjusts existing ones to the disability of the unemployed person.

60. The following financial assistance measures are available to disabled persons in Lithuania:

- persons who have their capacity to work level established are paid incapacity or social assistance pensions, their amount depending on the established capacity to work;
- persons who have a need for permanent nursing care established are paid a targeted permanent nursing care compensation (in the amount of 2.5 basic pensions);
- persons are also awarded a targeted permanent care (assistance) compensation (in the amount of 0.5 or 1 basic pension);
- in addition, where a special need for the compensation of transport costs is found, an extra compensation for transport costs is paid.

61. Disabled persons also get different discounts: on transport, purchase of medicines, treatment, etc.

62. On 27 May 2010, Lithuania ratified the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol. With its resolution of 8 December 2010, the Government established the institutional structure for its implementation. The action plan to implement the National Programme for the Social Integration of Disabled Persons 2010-2012 was supplemented accordingly, taking account of the proposals by stakeholder institutions and NGOs of the disabled.

63. Good practice showing the efficiency of legal remedies could be illustrated with the civil case<sup>14</sup> where the Lithuanian Association of the Blind and Visually Handicapped appealed against a commercial bank regarding the bank's internal regulations that discriminated blind persons by disabling them to use the services of the bank on equal terms with other members of the society. While the case was still in progress (the parties were considering the possibility of a friendly settlement), the bank agreed to change its discriminatory internal regulations.

## **E. Imprisonment conditions**

64. Imprisonment conditions in Lithuania are not fully in line with international standards, firstly because places of confinement are overcrowded (this was recognized by the UN Committee against Torture, the CPT, and the European Court of Human Rights). To

ensure adequate imprisonment conditions, Lithuania has been modernising places of confinement and attempting to reduce the number of inmates through creating a more efficient probation system and promoting broader application of punishments alternative to imprisonment.

65. Lithuania has inherited the camp-type system of places of confinement, which is inefficient and resource-demanding. The Government has already adopted a decision<sup>15</sup> to reform the system involving gradual transition to the cell-based system, building new imprisonment institutions and improving custody conditions for convicts. The key benefit of the newly approved strategy is that there are plans to attract funds of private entities to upgrade places of confinement, which, in turn, will allow for faster implementation of the reform.

66. The current economic situation limits possibilities of the public sector to make large investments from the state budget into development of places of confinement. This necessitates the search for alternative sources of financing. Consultations on co-operation between the public and the private sector (i.e. to what extent part of penitentiary activities could be transferred to a business operator) are currently in progress.

67. On 18 May 2011, the Government of Lithuania approved the project of relocating Lukiškės Prison to Pravieniškės based on partnership between the public and the private sector. Within the framework of the above-mentioned project, a prison with around 320 beds will be completed and fitted-out in Pravieniškės until 2014.

68. To address the problem of overcrowded remand centres and places of confinement, according to the Strategy for Upgrading Places of Confinement approved by the Government, four new remand centres / houses of correction will be built until 2017 and the Hospital of Imprisonment Institutions will be relocated to Pravieniškės until 2014. The number of beds at remand centres will be increased from existing 1,334 to 2,107 and at the Hospital of Places of Confinement from existing 119 to 195 beds.

69. Furthermore, the Programme for the Optimization of the Activities of Police Lockups 2009–2015 was approved<sup>16</sup>, and is meant to define the optimal number of police lockups and to create an efficient country-wide network of police lockups, its major goals including substantial improvement of custody conditions and ensuring proper working conditions for officers employed at those institutions along with more rational use of police forces and financial resources allocated to the maintenance of police lockups. According to the plan, 27 of the 46 police lockups that had operated until 1 January 2008 will remain operable by 2015. This programme has been implemented as planned: 14 police lockups have already been closed down and now there are 32 left across the country. According to the programme, five police lockups will be closed after building, renovating and reconstructing certain police lockups intended for further use.

70. Probation in Lithuania currently focuses on controlling the behaviour of convicts more than on their rehabilitation. The work of correction inspectorates is based on the hierarchical reporting principle rather than on the social work pattern (92 per cent of employees at correction inspectorates are officers), which results in insufficient use of probation opportunities. The new draft Law on Probation currently examined at the Seimas introduces the concept of evaluation of the reoffending risk. Still before it passes judgement, the court will have to be supplied with information about the defendant, including professional assessment of what injunctions, obligations and sanctions may have the greatest social and exonerative impact. The court will then be able to impose a more effective punishment and the probationer to do their job more efficiently. The new Law will foster more frequent application of sanctions alternative to imprisonment, wider use of social resources (associations and volunteers) for re-socialization of convicts, and individual work with convicts by evaluating their reoffending risk levels on a case-by-case

basis and by applying tailored care measures (social help, behaviour correction programmes, etc.).

71. To ensure more efficient probation, the most effective measures to correct the person's behaviour must be selected. At present, however, the said correction measures in Lithuania are decided by a court without the involvement of probation officers. This tends to aggravate the probation process as an inadequately chosen personal correction measure often does not have a positive effect. For those reasons the draft Law on Probation envisages institutional reform of the probation system (through decentralization) aimed at increasing the openness of the legal system, i.e. involving social workers into decision-making in the field of probation.

72. The draft Law on Probation also provides for the introduction of electronic monitoring tools and their application. It is expected that electronic monitoring will facilitate implementation of permanent and efficient control over the obligations imposed by the court on convicts such as not leaving home at specific times where unrelated to work or studying, not travelling beyond the boundaries of the city / region of residence without permission obtained from the supervising authority, not visiting specific places, not communicating with specific persons or groups of persons, and not consuming psychoactive substances.

## **F. Rights of refugees and asylum seekers**

73. In Lithuania, each asylum seeker has the right to apply for and obtain asylum as prescribed by law. No instances of ignoring the request of a foreigner to grant asylum in Lithuania or denying an application at frontier posts have been established to date.

74. Based on individual circumstances and available information from the state of origin of the asylum seeker, a final decision regarding asylum in Lithuania is taken. It is first established whether the person is a refugee within the meaning of the 1951 Geneva Convention relating to the Status of Refugees. If they are not, a further investigation will be carried out to ascertain whether in the event of returning to their state of origin the asylum seeker will be tortured, subjected to cruel, inhuman or degrading treatment or punishment, and whether a threat of violating their human rights and fundamental freedoms or a threat to their life, health, security or freedom due to prevalent violence which is caused by a military conflict or which provides conditions for systematic violations of human rights may occur.

75. Under the Law on the Legal Status of Aliens, asylum seekers are not subject to liability for illegal entrance to and stay in Lithuania and they are not detained on those grounds. Article 114 of the Law provides that an alien cannot be detained for more than 48 hours without a court judgement, and afterwards the decision regarding detention of an alien shall be passed by a court, which may also apply measures alternative to detention. Under-aged aliens below eighteen may be detained only on exceptional grounds in the best interests of the child.

76. All asylum seekers are informed about decisions adopted in their respect by the Migration Department and about their right to appeal against those decisions to courts. The decisions contain a detailed statement of reasons for denying the status of a refugee or subsidiary protection or any of the mentioned forms of asylum in Lithuania. The certified copy of the decision is handed out to the asylum seeker. Asylum seekers are entitled to free-of-charge state guaranteed legal assistance and free-of-charge translation services. Interviews are held and decisions are brought to their attention in the language that asylum seekers understand.

77. Unaccompanied under-aged aliens are granted temporary guardianship/care for their period of stay in the country. The temporary guardian/carer of the unaccompanied minor represents the interests of such minor. Unaccompanied minors are provided free-of-charge accommodation and are maintained by the state, they are entitled to studying at comprehensive and vocational schools, free healthcare, social services, legal assistance and contacting representatives of Lithuanian NGOs and international organizations. As soon as information about an unaccompanied minor comes in, a search for their family members is arranged. Unaccompanied minors are not subject to the “safe third country” or “manifestly unfounded claim” principles and their asylum applications are examined in the order of priority.

78. Integration of aliens granted asylum in Lithuania<sup>17</sup> starts at the Refugee Registration Centre and continues on the territory of municipalities. It is offered on a needs basis. An alien who was granted asylum may receive integration support only once. Support at the Centre is available for eighteen months. Where during the defined period an alien who had been granted asylum failed to prepare for integration on the territory of the municipality for objective reasons, this period may be extended for up to twelve months. Where aliens who had been granted asylum belong to vulnerable groups, this period may be extended for up to eighteen months. For unaccompanied under-aged aliens, in the best interests of the child, the period of providing support at the Centre may be extended until they turn eighteen.

79. When integration at the Centre is over, integration support is provided on the territory of the municipality and takes up to twelve months from the date of departure of aliens granted asylum from the Centre, but not beyond the effective term of the issued permit for temporary residence in Lithuania, or until the person's departure from Lithuania. Where the alien falls within the group of vulnerable persons, the social integration programme at the municipality may be extended for up to sixty months.

80. Fields of integration support include teaching of the official language, education, employment, accommodation, social security, healthcare and informing the public about integration of aliens. During the integration period of aliens granted asylum funds are allocated to the single settlement allowance, allowance for renting accommodation and paying for public utilities, monetary allowance to cover essential needs, Lithuanian language teaching, allowance for school-aged children to buy schooling supplies, to pay for the care of preschool-aged children at preschool establishments, benefits for children aged below three not attending a preschool establishment and to health insurance.

## **G. Trafficking in human beings**

81. Combating trafficking in human beings is a priority area of the Government. Lithuania was among the first EU Member States to approve a national action plan in 2002. Lithuania has implemented two programmes (2002–2004 and 2005–2008) and is currently running a third one targeted at prevention and control of trafficking in human beings for sexual exploitation and prostitution. Since trafficking in human beings is a social phenomenon, Lithuania seeks to organize an efficient system for its control and prevention embracing educational, socioeconomic, healthcare, legal, scientific, organizational, financial and other measures. Under the current Governmental programme, activities have been intensified not only in the capital, but all across Lithuania.

82. Lithuania is a state of origin, transit and destination. Different legal liability for prostitution services varying from state to state also contributes to the spread of trafficking in human beings, particularly so after Lithuania joined the Schengen area. Police practitioners report more investigations on organizing, involving into and profiting from prostitution in Lithuania and abroad. Trafficking in human beings is a latent crime as not every woman who suffers from trafficking in human beings for sexual exploitation applies

for help, which means that no accurate information on the extent of trafficking in human beings is available. Nearly all investigations of trafficking in human beings conducted to date relate to sexual exploitation inside the country or export to another country, therefore Lithuania possesses experience of combating this particular form of trafficking in human beings, although our country also carries out its first investigations on trafficking in human beings for forced labour and exploitation for forced labour. Most pre-trial investigations in Lithuania are completed by referring the case to court.

83. Domestic legal framework on trafficking in human beings in principle complies with international and EU law. The Criminal Code provides for criminal liability for trafficking in human beings for exploitation for forced labour, prostitution, pornography, removal of the victim's organ, tissue or cells, whereas trafficking in children is criminalized separately. As of 2005, criminal liability for trafficking in human beings has also been imposed on legal entities. Furthermore, criminal liability has been established for other offences relating to trafficking in human beings such as profiting from another person's prostitution, involvement into prostitution, illicit cross-border trafficking of persons, exploitation for forced labour, etc. The Administrative Code lays down administrative liability for engaging in prostitution and for using prostitution services for a compensation.

84. The problematic aspect of prohibiting trafficking in human beings in Lithuania is that EU and international law, in contrast to the Lithuanian criminal law, associates the notion of trafficking in human beings with any exploitation of a person (not limited to the exploitation of persons for prostitution or pornography or for forced labour). In addition, EU and international law has a longer list of aggravating circumstances. Amendments to the Criminal Code to address these drawbacks have been drafted and are currently examined by a working group formed in 2010 by the Minister of the Interior with the task to review compliance of Lithuanian legislation with the Council of Europe Convention on Action against Trafficking in Human Beings, address issues of transposing its provisions to national law and to draft legislation required to ratify the Convention.

85. Lithuania has built a network of police officers in charge of dealing with trafficking in human beings – a specialised unit at the Lithuanian Criminal Police Bureau in Vilnius with responsible officials appointed at local police institutions, i.e. in each of the ten counties.

86. The police highly focus on working with (potential) victims of trafficking in human beings. Public authorities and specialized NGOs are invited to co-operate. The return of victims to their country of origin is organized and victims are offered help from NGOs. Websites of local police institutions provide relevant legal information on prevention and control of trafficking in human beings, trust lines, and encourage the population to report cases of trafficking in human beings or forced prostitution. An e-mail account has been created to receive information relating to trafficking in human beings. Police officers co-operate with the media and provide preventive information to the public.

87. In the process of conducting pre-trial investigations started in Lithuania in respect of trafficking in human beings, Lithuanian police officers co-operate with officers from law enforcement institutions in other states and provide legal assistance in reply to requests received from abroad.

## **H. Patient rights.**

88. The evolution of protecting patient rights in independent Lithuania dates back to 31 October 1991, when the Seimas approved the National Conceptual Framework on Health. Subsequently, legal regulation that ensures patient rights was developed. Article 53 of the Constitution guarantees free-of-charge medical aid at state healthcare establishments.

89. The Law on the Rights of Patients and Compensation for the Damage to their Health is the principal act that governs patient rights. The new revision of the Law that came into force on 1 March 2010 brought substantial changes to the enforcement of patient rights in Lithuania.

90. Informed patient consent has been brought into regulation by defining conditions required to ensure accessibility of required information to the patient before they agree to the provision of personal health care services and by pointing out cases when consent is expressed in conclusive actions and in writing. Detailed regulation of conditions for the patient's right to access their medical documentation and for accessibility of information to representatives of the patient, institutions and other individuals has improved protection of the right to privacy.

91. The compulsory advance procedure for addressing complaints was established. The patient should first apply to the personal healthcare establishment which allegedly violated their rights and only afterwards to institutions for patient complaints. Furthermore, the formation procedure and competences of one of the authorities dealing with out-of-court protection of patient rights, namely the Commission for Assessing Damage Caused to Patient Health operating under the Ministry of Health, was defined.

92. The healthcare establishment was granted the right to choose: before it starts providing healthcare services, it may obtain compulsory and / or voluntary third party liability insurance coverage for pecuniary and non-pecuniary damage. This has ensured more flexible conditions for the healthcare establishment to insure its third party liability and at the same time secures the patient's right to a compensation for possible damage to their health.

93. The patient's obligations were defined and now include taking care of their health, not abusing their rights, co-operating with specialists and employees at the healthcare establishment, behaving respectfully, etc.

94. NGOs are encouraged to contribute to the formation and implementation of the health policy, development of public awareness and dissemination of information about healthy lifestyles, preventive programmes and other health promotion-related areas. NGOs take part in the process of drafting healthcare legislation. Promotion schemes for NGOs involved in health promotion activities are endorsed by the Minister of Health.

95. Much action has been taken to disseminate information about the patient's right to safe healthcare services and to ensure that this is implemented:

- publications on patient safety and rights have been released and the patient safety dictionary has been translated into Lithuanian;
- events (workshops and conferences) on this theme are held;
- the National Measures of the Patient Safety Platform financed from the budget of Lithuania and from EU Structural Funds have been approved and are implemented;
- a pilot study on patient safety culture is being conducted at Lithuanian hospitals. The aim of the study is to discuss and summarise information about the level of patient safety culture at Lithuanian hospitals and, through scientific data analysis, provide summarised conclusions.

96. Prophylaxis and prevention programmes are run using the funds of the Compulsory Health Insurance Fund budget. Lithuania performs free-of-charge screening of vulnerable society groups (children and pregnant women). Based on the structure of prevalent diseases in Lithuania, separate prevention schemes for oncologic illnesses characteristic of men and women are run.



## I. Promoting human rights

97. International human rights institutions have drawn attention to insufficient awareness of human rights standards in Lithuania, particularly as regards anti-discrimination, and have recommended educating the society and training professionals working in this field.

98. Currently, human rights issues are integrated into the general curricula for primary, basic and secondary education of Lithuanian comprehensive schools<sup>18</sup>. Civic education, which forms the basis of human rights education, is implemented by Lithuanian comprehensive schools in the fields of formal (teaching activities) and informal (social activities) education. Human rights issues are included into university study programmes in law and training programmes for lawyers, prosecutors and police officers. Training programmes for professionals focus on the content of Lithuanian international obligations and the implementing Lithuanian legal provisions, issues pertaining to their interpretation and application.

99. Integrated actions are taken in the field of anti-discrimination and promoting tolerance. National legislation is improved. Specific measures are implemented to raise awareness of discrimination problems and facilitate their solution.

100. The principle of non-discrimination, enshrined in the Constitution, is detailed in the 2005 Law on Equal Opportunities as amended in line with EU law and the practice of the Equal Opportunities Ombudsman. Recent additions include specific prohibition to discriminate in respect of involvement in the activities of employee or employer organizations or other associations whose members are persons of certain age, sexual orientation, social status, disability, race or ethnic dependence, religion, beliefs or faith; the right to claim from the guilty parties indemnity for pecuniary or non-pecuniary damage; authorising employee and employer organizations or other legal entities upon the person's written consent to represent him or her in judicial or administrative proceedings; the rule on the transfer of the burden of proof to the defendant. In view of the recommendations from UN experts, in 2009 the Criminal Code was supplemented with a new aggravating circumstance: "actions committed with the aim to express hatred to a group of persons or to a person belonging to it based on age, gender, sexual orientation, disability, race, nationality, language, origin, social status, faith, beliefs or attitudes", and tightened criminal liability for hate crimes, i.e. for criminal acts committed based on the belonging of the aggrieved person to a specific social group<sup>19</sup>.

101. The National Anti-discrimination Programme 2009-2011 was approved in order to inform the public about discrimination in Lithuania, its negative impact on the opportunities of specific groups of the society as well as about measures to protect equal rights, and promote tolerance. Specific aims are to cultivate respect for the human being, ensure enforcement of legislation that defines the principle of non-discrimination and equal treatment, and improve legal awareness.

102. Implementing the Programme, in 2009 and 2010 training sessions were delivered to civil servants, police officers and judges on equal treatment and non-discrimination, discussions with human rights NGOs were held, an information campaign on multiple discrimination was carried out, an informal education programme for target groups was developed, events promoting tolerance and exploration of other cultures were arranged, a survey on children's tolerance towards different social groups and on possible manifestations of discrimination in comprehensive schools was conducted.

103. Official publications regularly announce statistics on criminal acts committed to express hatred based on race, nationality, religion, language and sexual orientation. The current system of controlling illegal information on the Internet was analysed, conclusions

and proposals were submitted to the Government. The Prosecutor General's Office developed methodological guidelines on criminal acts committed on racial, nationalistic, xenophobic, homophobic and other discriminative grounds and on specifics of pre-trial investigation. The Ministry of Social Security and Labour organized informal education for members of youth associations on nurturing tolerance and respect for a human being. An inter-institutional action plan 2012-2014 is currently being drafted to ensure continuity of the Anti-discrimination Programme.

104. Lithuania is involved in the European Commission's employment and social solidarity programme, PROGRESS. In 2010, already the third PROGRESS project was run with the aim to create a forum for NGOs acting in the field of anti-discrimination to improve co-operation opportunities, information exchange and more efficient use of existing resources for NGOs. The forum also facilitates prompter identification of challenges faced by the different discriminated population groups, collection and systematizing of best practice in the field of anti-discrimination (including relevant experience in other EU Member States) and dissemination of information. The forum was set up and started operation on 27 April 2010.

#### **IV. National human rights priorities**

105. Ensuring better protection of human rights requires co-ordinated efforts of State authorities and the public. Better awareness of human rights standards could facilitate understanding problems of human rights protection and finding more effective ways to address them.

106. Institutions dealing with protection of human rights in Lithuania, similarly to their international counterparts, have admitted that the public is insufficiently informed about certain aspects of human rights. Legal protection of personal data is one of the areas where awareness should be raised. The State Data Protection Inspectorate has established quite a few instances when privacy of victims of criminal acts, including children, was violated: not always is there awareness what information about the pre-trial investigation may be announced in the media and whether information posted by persons on social websites may be published. Furthermore, in practical terms the issue of balance between the duty of law enforcement authorities to ensure public security and the individual's right to security of electronic communications and data protection often lingers on the verge of ambiguity.

107. In search of more effective ways to address human rights problems, the broader issue of involving the civil society into public debate on human rights and into the related decision-making process is of special relevance. In this respect ensuring the freedom to receive and impart information, especially through the media (including the new types) is of utmost importance. A challenge for the State in this respect is to ensure that safeguarding the right to receive and impart information does not come into conflict with other human rights, i.e. to prevent publishing of information which violates the right to privacy (legal protection of personal data), is harmful to minors and instigates discord in the society. At present, however, Lithuania is facing a situation where the Office of the Inspector of Journalist Ethics, whose task is ensuring protection of human rights in the media, apart from conceptual problems of conflicts of human rights, has to address the issue of limited resources.

#### *Notes*

<sup>1</sup> Conclusion of the Constitutional Court of Lithuania of 24 January 1995.

<sup>2</sup> Under the Law on Compensation for Damage Caused by Unlawful Actions of Public Authorities and

Representation of the State, the State must implement decisions (to compensate for damage, i.e. pay out a financial compensation) of the European Court of Human Rights and the UN Human Rights Committee as well as other international institutions whose jurisdiction to address violations of the rights of persons within the Lithuanian jurisdiction has been recognized by Lithuania.

- <sup>3</sup> The analysis of Lithuanian human rights institutions in the comparative view is provided in 2010 reports of the EU Agency for Fundamental Rights “National Human Rights Institutions in the EU Member States (Strengthening the fundamental rights architecture in the EU I)” and “Data Protection in the European Union: the role of National Data Protection Authorities (Strengthening the fundamental rights architecture in the EU II)”.
- <sup>4</sup> In these businesses the percentage of women in 2009, as compared with 2008, increased by 2.8 and 11.8 percentage points respectively and stood at 15.1 and 24.7 per cent.
- <sup>5</sup> Among the 378 cadets at the General Jonas Žemaitis Military Academy of Lithuania there are 25 females studying aircraft piloting, air traffic control, international relations and HR management. 88 females are studying at Mykolas Romeris university to become police officers (43 per cent of students).
- <sup>6</sup> In the European Parliament election women won 3 seats out of 12 assigned to Lithuania. Around 20 per cent of women were elected to the Seimas 2008–2012. Two female judges were appointed to the Constitutional Court. In the 2007 municipal election, 337 (22 per cent) of the 1,504 elected members of councils were women. In the Government, women lead the Ministry of Defence and the Ministry of Finance (2 out of 14). The post of Auditor General is held by a woman, and so is that of the judge of the European Court of Human Rights in respect of Lithuania. According to the figures of the Public Service Department, on 1 January 2010, women comprised 56 per cent of judges, 47.1 per cent of prosecutors, 86.6 per cent of notaries, 50.5 per cent of bailiffs and 37.7 per cent of attorneys. In 2008, women stood at approximately 75 per cent of career public servants, except for statutory public servants, and around 62 per cent of political (personal) trust public servants.
- <sup>7</sup> The Law on Citizenship of the Lithuanian SSR adopted on 3 November 1989 had provided that individuals who permanently resided on the territory of the Lithuanian SSR before the effective date of the law and have a permanent job or a permanent source of living there may, within two years after the coming into effect of the Law, freely decide which citizenship to choose: accept the citizenship of Lithuania or remain USSR citizens.
- <sup>8</sup> In 2011, the Council for National Communities consists of representatives elected by 29 different non-governmental national minority organizations.
- <sup>9</sup> In 2008, the Department for National Minorities and Emigration commissioned a “Study on the social situation of women and men belonging to national minorities”, which found that respondents assessed their command of Lithuanian as average. Only around half of the representatives of national minorities can freely understand, one third fluently speak and one fifth fluently write Lithuanian. Approximately one third of representatives of national minorities would like to improve their knowledge of Lithuanian.
- <sup>10</sup> In 2008 to 2009, in Visaginas and Šalčininkai around 600 people completed the free official language course annually. Since 2005 to date, over 500 representatives of national minorities on social assistance have completed the free Lithuanian language course at the Training Centre of the Official Language, which is part of Public Institution the House of National Minorities (Vilnius). In 2006 to 2007, 174 unemployed representatives of national minorities were learning Lithuanian at this centre without charge under the projects of the EC initiative EQUAL.
- <sup>11</sup> In 2009 to 2010, Lithuania had the following operating comprehensive schools with instruction in the languages of national minorities: 62 Polish, 36 Russian, 1 Belarusian, 16 Lithuanian and Polish, 21 Lithuanian and Russian, 11 Russian and Polish, and 6 Lithuanian, Russian and Polish.
- <sup>12</sup> In 2006 to 2009, state support was allocated to over 800 cultural and educational projects of national minority NGOs which promote fostering of identity, the intercultural dialogue of nations and civil awareness. Four centres for the social activities of national minorities are set up in the major cities of Lithuania, their activities funded from the state budget.
- <sup>13</sup> This document was prepared having regard to Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions COM(2011) 173 of April 2011 – An EU Framework for National Roma Integration Strategies up to 2020.
- <sup>14</sup> Civil Case No. 2-397-67/2010.

- <sup>15</sup> Resolution No. 1248 of the Government of Lithuania of 30 September 2009 “On the approval of the strategy for upgrading places of confinement and of its action plan 2009-2017”.
- <sup>16</sup> Order No, 5-V-473 of 1 July 2009 of Police Commissioner General “On the approval of the programme for the optimization of the activities of police lockups 2009–2015”.
- <sup>17</sup> Order No. A1-238 of 21 October 2004 of the Minister of Social Security and Labour “On the approval of the description of the procedure for the provision of support from the Lithuanian state for the integration of aliens granted asylum in Lithuania”.
- <sup>18</sup> In primary education, human rights issues are included into curricula for ethics and exploring the world, in basic education into curricula for basics of civil awareness, ethics, religion, history and other subjects, whereas in secondary education into curricula for exploring the society, history, philosophy and other subjects. Within the current framework of upgrading the content of secondary education in Lithuania, the General Curriculum for Law has been drafted (for grades 11 and 12). The topicalities of legal education are included into draft curricula for basic social (approved by the General Education Council on 19 May 2008), moral and natural science education, art and information technologies of the Lithuanian comprehensive school (approved by the General Education Council on 22 April 2008).
- <sup>19</sup> On 28 July 2009, Articles 214(12) and 214(13) of the Administrative Code became null and void as those offenses (producing, storing or distributing information products that propagate national, racial or religious discord; creating an organization which propagates national, racial or religious discord or involvement in the activities of such an organization) were now criminalized (Articles 170 and 170<sup>1</sup> of the Criminal Code).
-