

**ECRI CONCLUSIONS
ON THE IMPLEMENTATION OF THE RECOMMENDATIONS
IN RESPECT OF LITHUANIA SUBJECT TO INTERIM FOLLOW-UP**

Adopted on 19 March 2014¹

¹ Unless otherwise indicated, any developments which occurred after 26.2.2014, date on which the response of the Lithuanian authorities to ECRI's request for information on measures taken to implement the recommendations chosen for interim follow-up was received, are not taken into account in this analysis.

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FOREWORD

As part of the fourth round of ECRI's monitoring work, a new process of interim follow-up has been introduced with respect to a small number of specific recommendations made in each of ECRI's country reports.

Accordingly and in line with the guidelines for the fourth round of ECRI's country-by-country work brought to the attention of the Ministers' Deputies on 7 February 2007¹, not later than two years following the publication of each report, ECRI addresses a communication to the Government concerned asking what has been done in respect of the specific recommendations for which priority follow-up was requested.

At the same time, ECRI gathers relevant information itself. On the basis of this information and the response from the Government, ECRI draws up its conclusions on the way in which its recommendations have been followed up.

It should be noted that these conclusions concern only the specific interim recommendations and do not aim at providing a comprehensive analysis of all developments in the fight against racism and intolerance in the State concerned.

¹ CM/Del/Dec(2007)986/4.1.

1. *In its report on Lithuania (fourth monitoring cycle) published on 13 September 2011, ECRI recommended that an inter-institutional body on Roma issues be set up with a view to coordinating the action of the authorities responsible for the implementation of Roma integration programmes. Coordination with the Municipality of Vilnius should in particular be further enhanced. ECRI moreover recommends that the authorities guarantee adequate funds for the Roma Integration Programme.*

ECRI was informed by the Lithuanian authorities that an inter-institutional working group on Roma issues has been set up and meets regularly under the leadership of the Ministry of Culture to coordinate the activities of the participating public bodies in respect of Roma integration.

While the municipality of Vilnius is kept informed about the activities of the working group, and is invited to attend the latter's meetings, ECRI has not been able to obtain any confirmation that the municipal authorities attend the meetings, or are otherwise involved in the group's coordination efforts. While the Lithuanian authorities pointed out that there are no legal mechanisms to enforce the participation of the municipal authorities in the working group, ECRI would like to emphasise that it expects the national authorities to be able to convince the relevant local authorities of the necessity of their participation and to use their convening powers to bring the authorities of the city of Vilnius to the table in order to work jointly towards the better integration of Roma.

The Lithuanian authorities also informed ECRI that the funding for the Action Plan for Roma Integration into the Lithuanian Society for 2012-2014 increased from 647 000 Lt in 2012 to 1 400 000 Lt in 2013. In 2013, some 400 000 Lt (less than 30%) were contributions from the Lithuanian state budget. The balance was provided by EU funding mechanisms. These proportions were similar in 2012. While it is not a problem in itself to mobilise external funding in support of a national programme, it should be ensured that its implementation does not depend on it, and that the state authorities are ready to assume their responsibilities if necessary. In this context, it is noteworthy that in 2012 and 2013, some 90% of the annual Action Plan was funded, leaving 10% unfunded in each year. This means that although considerable progress has been achieved, this part of the recommendation has not been fully implemented.

By way of general conclusion, ECRI considers that achievements have been made with regard to the coordination and funding of activities for Roma integration, but that the recommendation has, so far, only been partially implemented.

2. *In its report on Lithuania (fourth monitoring cycle), ECRI recommends that the authorities continue in their efforts to train police officers, lawyers, judges and prosecutors on the provisions against racism and racial discrimination and that training be conceived as a periodic recurrence rather than as a one-off event. ECRI also recommends that specific attention be paid to training on the newly introduced provisions in the Criminal Code, notably Article 60, Articles 170, 170 (1) and 170(2) and Article 312.*

The Lithuanian authorities informed ECRI about the Inter-Institutional Action Plan for Promotion of Non-discrimination for 2012–2014, which is coordinated by the Ministry of Social Security and Labour. This plan contains training activities on the promotion of non-discrimination policies for the public sector. It involves various implementing institutions which address the training needs of the target groups mentioned in the recommendation, including the Ministry of the Interior, the National Court Administration Training Centre, and the Prosecutor General's Office. A total of 19 training seminars are foreseen under this plan, of which nine were already conducted in 2012. For the time being, ECRI cannot comment on the impact of this training, but it recognises the positive steps taken towards the establishment of a

coordination mechanism for planning it. However, it might be desirable to increase the number of such seminars in the future.

ECRI was informed that the Ministry of Interior has taken the decision to include specific training sessions for the application of Articles 60, 170 and 312 of the Lithuanian Criminal Code into its 2014 annual activity plan for the Public Security Services. These sessions are to take place by November 2014.

ECRI welcomes the strategic progress that has been made by the Lithuanian authorities with regard to this recommendation, but considers that it has not been fully implemented yet.

3. *In its report on Lithuania (fourth monitoring cycle), ECRI recommends the authorities to swiftly adopt the draft law which extends access to social security to persons granted subsidiary protection. ECRI further recommends that provision be made for financing the health coverage of all persons granted subsidiary protection.*

ECRI was informed by the Lithuanian authorities that the relevant law, which regulates social assistance for poor residents by means of financial support, has been amended to include those foreigners who have been granted subsidiary protection or temporary protection in the Republic of Lithuania. The new provision entered into force on 1 January 2012.¹

Regarding the second part of this recommendation, Article 6, paragraph 1, subsection 4 of the Law on Health Insurance of the Republic of Lithuania (as amended by Law No XII-526 of 1 October 2013) now provides that foreigners who have been granted subsidiary protection are eligible for the general health insurance scheme. According to the law, coverage of this category of persons is ensured through state funding (Article 6, paragraph 4), if a person cannot otherwise make statutory health insurance contributions, for example through employment (Article 17).

ECRI welcomes these developments and considers that this recommendation has been fully implemented.

¹ Law No. XI-1772 of 1 December 2011, Amending the Law on Cash Social Assistance for Poor Families and Single Residents (Official Gazette Valstybės žinios, 2011, No. 155-7353)

