

# **LITHUANIA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year.

There were some reports of societal discrimination based on religious affiliation, belief, or practice. Prominent societal leaders, including the prime minister, took positive steps to promote religious freedom.

The U.S. embassy promoted religious freedom through outreach activities, public speaking engagements, and support for civil society efforts to encourage tolerance.

## **Section I. Religious Demography**

According to the 2011 census, the population is 3.43 million. The census reports 77.3 percent is Roman Catholic and 6.1 percent does not identify with any religious group. Religious groups constituting less than 5 percent of the population include Russian Orthodox, Old Believers, Lutherans, Reformed Evangelicals, Jews, Sunni Muslims, Greek Catholics, and the Karaites. The Karaites traditionally live in Trakai and in the greater Vilnius region. The majority of the Sunni Muslims live in Vilnius and Kaunas. The Jewish population is mainly concentrated in the larger cities.

Less than 0.5 percent belongs to religious groups the government designates "nontraditional." The most numerous are Jehovah's Witnesses, Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Old Baltic faith communities, Baptists, Seventh-day Adventists, Methodists, members of the New Apostolic Church, and The Church of Jesus Christ of Latter-day Saints (Mormons).

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal/Policy Framework**

The constitution and other laws and policies protect religious freedom. The constitution provides that a person's freedom to profess and propagate a religion

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may be limited only when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others.

The criminal code contains three provisions to protect religious freedom: It prohibits discrimination based on religion and provides for up to two years in prison for violations. The code penalizes interference with religious ceremonies of “traditional” religious groups by imprisonment or community service, and penalizes inciting religious hatred by imprisonment of up to three years.

It is unlawful to make use of the religious teachings of churches and other religious groups, their religious activities, and their houses of prayer for purposes that contradict the constitution or the law. The government may temporarily restrict freedom of expression of religious conviction during a period of martial law or a state of emergency, although it has never invoked this right.

Several government agencies handle religious issues. A department in the Ministry of Justice (MOJ) adjudicates registration requests by religious groups, and the prime minister’s staff includes an adviser for religious issues. The prime minister also has several unpaid advisors on such matters as the Jewish community and Holocaust issues. The Office of the Equal Opportunities (OEO) ombudsperson adjudicates complaints of discrimination based on religion directed toward state institutions, educational institutions, employment, and product and service sellers and producers.

The parliamentary ombudsperson examines whether state authorities properly perform their duty to serve the population. The law on the parliament ombudsperson specifically notes religious beliefs as within the purview of the office. The OEO and parliamentary ombudspersons may investigate complaints, recommend changes to parliamentary committees and ministries regarding legislation, and recommend cases to the prosecutor general’s office for pretrial investigation.

While there is some overlap between the OEO and parliamentary ombudspersons, the OEO ombudsperson reportedly has greater authority to hear complaints about individual acts of religious discrimination.

The Journalist Ethics Inspectorate investigates complaints under a law that bars publishing material that “instigates war, national, racial, religious, social and gender hatred.” The inspectorate can levy administrative fines on newspapers under administrative law or refer cases for criminal prosecution.

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There is no state religion, but by law “traditional” religious groups enjoy benefits not available to others, including government funding, the right to teach religion in public schools, and the right to register marriages. The law allows all registered religious groups to own property for prayer houses, homes, and other uses and permits construction of facilities necessary for their activities.

By law the government acknowledges as “traditional” only those religious groups able to trace their presence in the country back at least 300 years. The law lists nine “traditional” religious groups: Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.

The law divides registered religious groups into state-recognized traditional religious groups, other state-recognized religious groups, and all other registered communities and associations. The constitution recognizes traditional churches and religious organizations, as well as other churches and religious organizations, provided that they have a basis in society and their teachings and rituals do not contravene morality or the law.

Traditional religious groups and associations may register marriages, establish joint private/public schools, provide religious instruction in public schools, and are eligible to receive government assistance. Their highest ranking leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may provide military chaplains. The law does not require traditional religious groups and associations to register their bylaws. Traditional religious groups are not required to pay social and health insurance taxes for clergy and members of monastic orders who work at monasteries. The state provides minimal social security and health care contributions to religious leaders and members of monastic orders of the traditional and other state-recognized religious groups. Other religious groups by law must pay for these benefits on behalf of their leaders.

While only traditional religious groups are entitled to receive annual state subsidies, nontraditional groups are eligible for government support for cultural and social projects. Registered nontraditional religious groups have legal entity status, but do not receive regular subsidies or tax exemptions, and do not qualify for certain social security and health care contributions, social benefits, or exemptions from military service for clergy and theological students.

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Municipalities or other government sources may, however, provide funding for other religious groups.

The law stipulates that parliament may grant state recognition to nontraditional religious groups registered in the country for at least 25 years if they have societal support and if their instruction and rites are not contrary to laws and morality. Upon receiving an application requesting this status, the MOJ must review the documentation and make a recommendation to parliament. Three applications for status as a state-recognized religious association from the New Apostolic Church (since 2003), Pentecostals (Evangelical Belief Christian Union; since 2002), and United Methodist Church of Lithuania (since 2001) are pending parliamentary approval.

The Evangelical Baptist Union of Lithuania and the Seventh-day Adventist Church are the only state-recognized nontraditional religious groups. Recognition entitles them to perform marriages and exempts them from paying social security and healthcare taxes for clergy. However, unlike traditional groups, they are not eligible for annual subsidies from the government, and their clergy and theological students are not exempt from military service.

Nontraditional religious groups must apply to the MOJ to register, providing a statement that describes their religious teachings and a founding statement signed by no fewer than 15 adult citizen members. The MOJ has six months to review the application. The Division of Legal Persons and Religious Affairs of the MOJ processes initial registration applications. Upon approval of its application, a religious group is registered as a legal entity in the Register of Legal Entities. Traditional religious groups and associations are registered gratis, while nontraditional groups pay a fee of 107 LTL (\$38). As of November there were 1,087 traditional and 184 nontraditional religious associations, centers, and communities officially registered with the State Register of Legal Entities.

Religious groups must register to obtain official status, which is a prerequisite for opening a bank account, owning property, or acting in a legal or official capacity as a community. Unregistered groups have no legal status or state privileges, but the government reportedly permits them to worship and seek new members.

The constitution establishes public educational institutions as secular. The law permits and funds religious instruction in public schools for traditional and other state-recognized religious groups. Parents may choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional

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religious groups will be represented in their curricula on the basis of requests from parents for children up to age 14, after which students present the requests themselves.

The number of wholly private religious schools is relatively small. There are 30 schools with ties to Catholic or Jewish groups, although students of different religious groups often attend these schools. All accredited private schools (religious and nonreligious) receive funding from the Ministry of Education and Science through a voucher system based on the number of pupils. This system covers only the program costs of school operation. Founders generally bear responsibility for covering capital outlays; however, the ministry funds capital costs of traditional religious private schools where there is an international agreement to do so. To date, the Catholic Church is the only religious group with such an international agreement. Under this accord, the government funds both the capital and operating costs of private Roman Catholic schools.

The interministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritual Groups, established following parliamentary calls for increased control of “sects,” coordinates investigations of religious groups if there is a concern that a group’s actions may be inconsistent with the principles of a democratic society, human rights, and fundamental freedoms. The MOJ appoints the chairperson of the commission, which includes representatives of the Ministries of Justice, Interior, Education, Health, Foreign Affairs, Culture, Vytautas Magnus University, the prosecutor general’s office, and the state security department. The commission decides which problems to examine based on concerns expressed in general public discussions, concerns raised by government or parliamentary officials, or on its own initiative. The commission reports annually to the parliament and government. To date, the commission has not found that any group is a “sect,” and during the year, no problems were presented to the commission for review.

In May the government adopted a mechanism through which a religious group may apply to reclaim property nationalized during the Soviet occupation. Under this system, a religious group submits an application to the MOJ with a claim to a property owned before June 19, 1948. The ministry then investigates the claim and if the ministry finds it legitimate, drafts a resolution returning that property to its rightful owner.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

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The government observes the following religious holidays as national holidays: Easter Monday, Assumption Day, All Saints' Day, Christmas, and the day after Christmas.

### **Government Practices**

There were no reports of abuses of religious freedom.

On January 20, a group of Social Democratic members of the national and European parliaments signed a declaration objecting to equating Nazi and Soviet crimes. On January 21, the minister of foreign affairs told the press the declaration was "pathetic." On January 26, the prime minister clearly articulated in a radio interview for International Holocaust Remembrance Day the government's position that the Holocaust was a unique event and not equal to any other crimes. On October 17, the president signed a decree resuming the work of the International Commission for the Evaluation of Crimes of the Nazi and Soviet Occupation Regimes.

In May the government funded the transfer of the remains of Juozas Ambrazevicius-Brazaitis, who served as head of the "Provisional Government" in 1941, from Connecticut to Kaunas for reburial. As required by law, there was an official ceremony with a ceremonial honor guard. However, no serving central government officials attended the ceremony, or participated in any events related to the reburial. The prime minister's adviser said the reburial opened up an important dialogue on the country's legal and moral responsibility during the Holocaust, further noting that this dialogue should continue and that the country should "learn lessons from history and not repeat past mistakes."

Before national parliamentary elections in October, a candidate from the Nationalist Union party (a small far-right party) posted an anti-Jewish leaflet on his website. Another Nationalist Union candidate ran a political advertisement showing him wearing a tie with left-facing swastikas. The central election commission asked the general prosecutor's office to start an investigation to determine whether the campaign materials violated the law.

Fifteen Catholic chaplains provided services to the military. There were no chaplains from other religious groups. The Ministry of Defense (MOD) provided material support and places of worship for members of the military. The

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chaplaincy was authorized to ask the MOD to support religious services for other religious groups based on need or requests from service members.

The authorities continued to investigate the persecution of the writers, publishers, and distributors of a Soviet-era underground publication called *Chronicles of the Catholic Church of Lithuania*. From 1972 to 1989, this publication carried news about the persecution of and discrimination against Catholics, and sought to inform the international community about the plight of Catholics and the Church. The investigation sought to determine whether Communist-era authorities committed crimes against humanity, which were not subject to a statute of limitations. By year's end, the investigating authorities had questioned a few dozen witnesses but filed no charges.

The government provided 1.67 million LTL (\$600,000) to traditional religious groups to reconstruct religious buildings seized during the Nazi or Soviet eras, and to support other religious community activities.

Recognizing that the Sholom Aleichem Jewish School was too small and in need of repair, the government and the Vilnius Municipality designated a new property for the school in July.

In July the prime minister visited the Jewish community center and spoke to the Jewish community in a town hall setting, the first time a sitting prime minister had ever done so. After receiving reports that several old Jewish cemeteries in Kaunas were in disrepair, the government worked with the Kaunas municipality to repair them.

The government and civil society worked together to promote Holocaust education in schools. The International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes organized a September event, jointly hosted by the prime minister and the education minister, to honor the Holocaust education projects of several teachers. One projects exhibited at the Government Office Building displayed student drawings based on a famous poem by a child victim of the Holocaust.

Based on preliminary findings, the Genocide and Resistance Research Center developed a list of 1,070 Lithuanians who may have participated in the Holocaust between 1941 and 1944. On September 21, President Grybauskaite awarded Life Saving Crosses to 47 Lithuanians who saved Jews during the Holocaust.

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### Improvements and Positive Developments in Respect to Religious Freedom

On April 4, the government formally authorized a compensation fund for Jewish-owned property previously nationalized under totalitarian regimes, with plans to disburse 128 million LTL (\$48 million) to the fund over a decade. The fund was designed to support Jewish education and religious, scientific, cultural, healthcare and other projects with public benefits. The government allocated three million LTL (\$1.2 million) for Holocaust survivors in the 2012 budget. The government designated September 23 as “National Memorial Day for the Genocide of Lithuanian Jews” and initiated an international effort to transform the Paneriai Memorial Complex into an open-air Holocaust and massacre museum.

The government reconstituted the full International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes after five years of suspended activities. A presidential decree signed in August established two separate sub-committees to research the crimes of the Nazi and Soviet eras. The Commission included 20 Lithuanian and foreign scholars from Yad Vashem, the U.S. Holocaust Memorial Museum, the American Jewish Committee, Yale University, Vilnius University, and Sorbonne University.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal discrimination based on religious affiliation, belief, or practice. Anti-Semitism was manifested especially on the Internet, and there were acts of vandalism at the Jewish cemeteries in Vilnius and Vilkaviskis. The president and political leadership usually, but not always, criticized such actions and comments when they occurred.

On April 21, the Lithuanian Council of Youth Organizations admitted the National Youth Union, a nationalist youth group, as a member. The Union was known for anti-Semitic views and promotion of “purely Lithuanian culture.”

On May 18, assailants threw green paint at the facade of Vilnius’s only active synagogue.

In June over 40 Lithuanian artists, intellectuals and academics signed a letter expressing deep disapproval of the reburial of Brazaitis’s remains. The letter led to a frank and open national debate about the country’s history during the Nazi occupation and the Holocaust.

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### Section IV. U.S. Government Policy

The U.S. embassy maintained a regular dialogue on religious issues with parliamentarians, religious leaders, senior government officials, and concerned nongovernmental groups. The ambassador and embassy staff met regularly with the Jewish community and other religious groups to promote religious freedom and tolerance.

Embassy officers engaged with the government to resolve the long-pending issue of compensation for Jewish communal property seized during the Nazi and Soviet eras. In September the embassy hosted a U.S. Holocaust Memorial Museum delegation. The delegation promoted greater engagement and cooperation among the museum, Lithuanian institutions, and the government, to preserve, study, and commemorate Jewish heritage and Holocaust history.

The embassy supported a visiting U.S. professor and historian who led roundtable discussions with a panel of experts about the country's history during the Holocaust and Soviet occupation. He promoted greater tolerance and cooperation by providing a forum for open dialogue about those two difficult periods.

The embassy continued to support a three-year program to train teacher-trainers in Holocaust education, funded by the Department of State and the International Task Force on Holocaust Education. The embassy hosted its third training seminar and supported participant travel to Krakow, Poland, to meet with Holocaust educators and to visit the Auschwitz/Birkenau death camps.

The embassy sponsored travel for two Lithuanian teachers to the M. M. Kaplan Summer Institute for Educators at the Holocaust Museum in Houston, Texas.

The embassy funded the participation of a group of primary school students and their teacher in a summer camp on diversity and tolerance in Hungary, and the participation of two groups of students and their teachers in a similar diversity/tolerance camp in Latvia.