

# LITHUANIA 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Republic of Lithuania is a constitutional, multi-party, parliamentary democracy. Legislative authority resides in a unicameral parliament (Seimas), and executive authority resides in the office of the president. Observers evaluated the May presidential elections and the parliamentary elections in 2012 as generally free and fair. Authorities maintained effective control over security forces.

Some prisons continued to be overcrowded and in poor condition, and lengthy pretrial detention remained a problem. There were some open manifestations of intolerance, including xenophobia, anti-Semitism, and prejudice based on sexual orientation and identity. Roma continued to live in poor conditions in areas of high crime and faced social exclusion and discrimination.

Additional problems included interference with the privacy of persons, libel and antidiscrimination laws that limited freedom of expression, and authorities' refusal to grant asylum interviews to persons deemed to have arrived from "safe" countries of origin or transit. There were isolated reports of corruption. Laws against spousal rape were substandard. There was a culture of silence around sexual harassment, and child abuse remained a problem. Trafficking in persons was also a problem, and facilities for treating persons with disabilities, especially with mental health problems, remained seriously inadequate. There was widespread hostility toward lesbian, gay, bisexual, and transgender (LGBT) persons.

The government took measures to prosecute or otherwise punish officials who committed abuses, whether in the security services or elsewhere.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

The Ministry of Interior reported that, as of August 1, five cases involving alleged war crimes or crimes against humanity committed during the Nazi and Soviet

occupations were under way. Authorities were investigating six other cases involving similar allegations.

### **b. Disappearance**

There were no reports of politically motivated disappearances, abductions, or kidnappings.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

While the constitution prohibits such practices, there were a limited number of reports that police physically mistreated detainees. In February the media reported that a man in Klaipeda accused police of abusing him while he was in their custody. The Council of Europe's Committee for the Prevention of Torture (CPT) indicated, in a report released in June, that during its visit to the country in 2012 it received a few allegations that police used excessive force (such as kicks and punches) against detainees, including juveniles, at the time of their apprehension.

### **Prison and Detention Center Conditions**

Prison and detention center conditions did not meet international standards. Some prisons remained overcrowded, and inmates submitted complaints about substandard medical care.

Physical Conditions: As of September 1, according to the Ministry of Justice, the country's prisons held 8,848 inmates, including 389 women and 85 juveniles. The distribution of the prison population created overcrowding at two facilities. The Pravieniskes Correction House-Open Prison Colony, for example, had a design capacity of 276 inmates but held 296. Prisoners had access to potable water and sufficient food. Thirty-one persons died in prisons during the first eight months of the year, eight by suicide and 23 from disease. In detention facilities, in the same period, two persons died – investigations into the detention facility deaths found no evidence of criminal wrongdoing. Prisoners complained of poor hygiene in rooms for visitors and other premises, bad medical care, poor food quality, overcrowding, and inadequate operation of shops located in prisons.

In its June report, the CPT noted access to natural light in most arrest houses was inadequate and in-cell toilets were partitioned only partly or not at all. It found that mattresses and blankets provided to detainees were often filthy and worn out,

particularly at police facilities at Joniskis and Kelme. Four cells in the Vilnius police arrest house, which the CPT in 2010 found to lack natural light and ventilation and considered to be unfit for even short-term human accommodation, remained in use “virtually unchanged” from 2010.

At the Alytus Prison, the CPT received a number of consistent allegations that some prison guards subjected persons in custody to deliberate physical mistreatment and excessive use of force, consisting mostly of punches, kicks, and blows with truncheons. In some cases the CPT gathered medical evidence that was consistent with the allegations. The CPT also reported serious levels of interprisoner violence at Alytus. At the end of the visit, the CPT expressed serious concern to authorities over conditions at Alytus. In March 2013 authorities informed the CPT that the Ministry of Justice had initiated inspections of Alytus Prison and that the Ministry of Justice was carrying out an audit of prison management and activities. At the prison the director investigated the use of force and “special means.” The prison administration indicated it conducted training for officers, including on human rights and use of force, but there were no reports that authorities disciplined or prosecuted any prison officers for the alleged mistreatment.

The CPT report released in June described prison conditions that ranged from generally satisfactory to dilapidated. It found shortcomings throughout the Lukiskes Remand Prison, including unpartitioned toilets and insufficient heat as well as limited access to natural light in some cells. It characterized conditions for most adult women in the facility as “deplorable” (broken windows, dilapidated furniture, old and dirty mattresses).

Administration: There were no reports of problems with recordkeeping on prisoners. The law provided alternatives to incarceration for nonviolent offenders, and authorities employed them. Prison officials gave prisoners and detainees reasonable access to visitors and the opportunity to engage in religious observance. There was no ombudsman specifically dedicated to prison matters, but prisoners could submit complaints, uncensored, to judicial authorities and the parliamentary ombudsman and could request investigation of credible allegations of inhuman conditions. Authorities generally investigated such allegations and documented the results in a publicly accessible manner. In its June report, however, the CPT noted that a number of prisoners did not appear familiar with complaints procedures, and several prisoners expressed the belief that filing a complaint, particularly about mistreatment by the staff, would aggravate their situation.

The parliamentary ombudsman's office investigated prisoner complaints and attempted to resolve them, usually by making recommendations to the institutions concerned. The ombudsman's office reported that institutions were responsive to all of its interventions. In the first eight months of the year, the parliamentary ombudsman received 56 new inmate complaints about prison conditions, compared with 112 during the same period in 2013. Most complaints involved unresponsiveness of administrators to grievances about prison conditions. The ombudsman's investigators issued decisions on 10 complaints, finding six to be justified.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers.

Improvements: Between January 1 and September 1, the government spent approximately 2.9 million litas (one million dollars) on the renovation of two prison facilities.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions, but there were complaints of illegally protracted detention.

#### **Role of the Police and Security Apparatus**

The State Security Department, whose principal responsibility was to identify activities that pose a threat to the security of the state, its territorial inviolability and integrity, its interests, and its economic and defense potential, reported to parliament; the police were subordinate to the Ministry of Interior; and military forces were under the Ministry of Defense. Civilian authorities maintained effective control over the security forces. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces.

#### **Arrest Procedures and Treatment of Detainees**

Warrants are generally required for arrests, and judges may issue them only upon the presentation of reliable evidence of criminal activity. Police may detain suspects for up to 48 hours before charging them.

Detainees have the right to be informed of the charges against them at the time of their arrest or their first interrogation, and there were no complaints of failure to comply with this requirement. Bail was available and widely used. Detainees had access to an attorney, and the state provided one to indigent persons. In its June report, the CPT noted that, while most detainees it interviewed indicated they benefited from the presence of a lawyer at the first investigative interview, it appeared that police only rarely granted access to an attorney at an earlier stage of police custody. Some detainees who had attorneys appointed to their cases complained that they met their attorney for the first time at the court hearing, even in cases where they requested an attorney shortly after apprehension.

Detainees had prompt access to family members. The law entitles a detained person to a prompt judicial determination of the legality of the detention, and authorities respected this right. The law permits authorities to hold suspects under house arrest for up to six months, a period that a judge may extend at his discretion.

A pretrial judge may order up to three month's detention of a suspect facing felony charges but only to prevent the accused from fleeing, committing new crimes, hindering the investigation, or to comply with extradition requests. In many cases the law permits detention to be extended to 18 months (12 months for juveniles), subject to appeal to a higher court. Judges frequently granted such extensions, often based on the allegation that the defendant would pose a danger society or influence witnesses.

Pretrial Detention: In the first half of the year, the average length of pretrial detention was approximately nine months. As of September 1, approximately 44 percent of incarcerated persons were pretrial detainees. The nongovernmental organization (NGO) Lithuanian Monitoring Group and the UN Committee against Torture criticized authorities for excessive resort to, and length of, pretrial detention. The NGO cited prosecutors who described lengthy detention as an encouragement to detainees to confess.

#### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary, and the government respected this provision.

#### **Trial Procedures**

The constitution and law provide the right to a fair trial, and an independent judiciary generally enforced this right.

Juries are not used. Defendants' have a right to a presumption of innocence, prompt and detailed information about the charges against them, a fair and public trial without undue delay, communication with an attorney of choice (or one provided at public expense), adequate time and facilities to prepare a defense, access to government-held evidence, and appeal. They are entitled to confront witnesses against them, to present witnesses and evidence in their defense, and to be free of compulsion to testify or confess guilt. Authorities usually respected these rights and extended them to all citizens.

On January 1, a law on state-guaranteed legal aid came into force, which strengthened the right to secondary, state-funded legal aid (free legal representation) and streamlined the application process. The new law also established a mechanism for conciliatory mediation.

In the first eight months of the year, the human rights ombudsman's office received seven complaints that authorities failed to provide legal counsel to detainees. It forwarded three complaints to the courts and continued to investigate the remaining four. Domestic human rights experts asserted that the practice of trying persons in absentia denied defendants the opportunity to cross-examine witnesses or present evidence in their own defense.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is an independent and impartial judiciary in civil matters. Plaintiffs may sue for legal or injunctive relief from human rights violations. Persons alleging human rights abuses may also appeal to the parliamentary ombudsman for a determination of the merits of their claims. Although the ombudsman has the authority only to make recommendations to an offending institution, such institutions generally honored the ombudsman's recommendations. Individuals alleging violations by the state of the European Convention on Human Rights could, after exhausting domestic remedies, apply to the European Court of Human Rights (ECHR).

### **Regional Human Rights Court Decisions**

In the first eight months of the year, the ECHR decided three cases involving Lithuania and found violations of the European Convention on Human Rights in one of them. The government generally complied with ECHR judgments within the time ordered by the court.

### **Property Restitution**

In 2012 the government transferred its first installment of three million litas (\$1.08 million) to a philanthropic fund established to provide compensation for Communist and Nazi seizures of Jewish-owned property. According to an agreement between authorities and the Jewish community, the fund would disburse 128 million litas (\$50.6 million) over 10 years to the Jewish community. The foundation received 1,200 applications from survivors worldwide. Some of the funds went directly to survivors of persecution in the country. Other funding supported Jewish educational, cultural, scientific, and religious projects. On June 3, parliament passed amendments to the restitution law, allowing the Jewish community to deposit undisbursed funds into a long-term bank account and use the interest to fund activities.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits arbitrary interference in an individual's personal correspondence or private and family life, but there were reports that the government did not respect this prohibition.

The law requires authorities to obtain a judge's authorization before searching an individual's premises and prohibits the indiscriminate monitoring by government or other parties of citizens' correspondence or communications, including e-mail, text messaging, or other digital communications intended to remain private. Domestic human rights groups alleged that the government did not properly enforce the law. In the first eight months of the year, the State Data Protection Inspectorate investigated 311 allegations that government and companies violated privacy compared with 163 such allegations in the first half of 2013. Most complaints involved claims by individuals that government agencies and companies violated regulations governing the protection of personal data by collecting or using their personal information, such as identity numbers, without a legal basis or justification. During this period the inspectorate conducted 14 preventive, as opposed to complaint-driven, investigations of enterprises and

government agencies for possible violations, compared with 26 such audits in the first half of 2013.

There were no changes in the *Conceptual Framework for National Family Policy*, which the Constitutional Court ruled to be unconstitutional in 2011. The court found the framework's definition of "family" as applying only to arrangements involving the institution of marriage to be too narrow. Human rights groups expressed concern that the framework could bring into question the legal status of unmarried couples with children, single-parent families, and same-sex couples with children and could deny legal protection to children born out of wedlock. As of September 1, there were no reports that authorities invoked the definitions in the framework to the detriment of such persons.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, although the law prohibits "hate speech" and dissemination of certain other objectionable materials. The government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote these freedoms.

Freedom of Speech: Individuals could criticize government policies publicly or privately without reprisal, and the government did not attempt to impede criticism. The constitutional definition of freedom of expression does not protect incitement to national, racial, religious, or social hatred; violence and discrimination; slander; and disinformation. Inciting hatred against a group of persons is punishable by imprisonment of up to two years. Inciting violence against a group of persons is punishable by imprisonment of up to three years.

It is a crime to deny or "grossly trivialize" Soviet or Nazi German crimes against the country or its citizens or to deny genocide, crimes against humanity, or war crimes.

According to the law, insulting a civil servant performing official duties is a crime punishable by a fine or imprisonment of up to two years. In the first eight months of the year, authorities registered 3,087 violations of either resisting arrest or insulting a civil servant.



The law makes insulting or defaming the president of the country in the mass media a crime punishable by a fine of 500 to 1,000 litas (\$198 to \$396) for first-time offenders and 1,000 to 3,000 litas (\$396 to \$1,190) for repeat offenders. Authorities did not invoke it during the year.

The Ministry of Interior reported that, in the first eight months of the year, authorities initiated investigations into 80 allegations of incitement of hatred, most of them involving the internet. In the same period, investigators forwarded 35 incitement cases to the courts for trial, closed 48, and suspended 70 for lack of evidence. They continued to investigate a number of others. Most allegations of incitement of hatred involved racist or anti-Semitic expression or hostility based on sexual orientation, gender identity, or nationality.

Press Freedoms: The independent media were active and expressed a wide variety of views but were subject to the same laws that prohibit “hate speech” and criminalize speech that grossly trivializes international and war crimes. Radio and television broadcasters included a mix of independent and public stations. International media generally operated without restriction.

Censorship or Content Restrictions: The Radio and Television Commission of Lithuania (RTCL) suspended broadcasts of programs from the Russian state-owned television channel RTR-Planeta from April 8 until July 7. According to the RTCL, the channel’s reportage of events in Crimea in its *Weekly News* program on March 2 violated Article 19 of the Law on the Provision of Information to the Public, which prohibits media reports that instigate war or hatred. The Vilnius District Administrative Court affirmed the decision on April 7. Following the three-month ban, RTR-Planeta returned to its regular broadcasting. In March the RTCL successfully blocked broadcast of a documentary by NTV Mir Lithuania, a Russian-language television station based in Russia and broadcasting in Lithuania. Authorities claimed the documentary distorted facts pertaining to the country’s struggle for independence in 1991.

It is illegal to publish material “detrimental to minors’ bodies” or thought processes or that promotes the sexual abuse and harassment of minors, sexual relations among minors, or “sexual relations.” Human rights observers continued to criticize this law (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).

Libel Laws/National Security: It is a crime to disseminate information that is untrue and damaging to an individual’s honor and dignity. Libel is punishable by a

fine or imprisonment of up to one year, or up to two years for libelous material disseminated through the mass media.

On July 17, the Vilnius Regional Court annulled provisions of a law that allowed secret surveillance and wiretapping of journalists from the Baltic News Service (BNS) in 2013. In October 2013 the BNS published an article that authorities alleged contained classified information. At the prosecutor general's request, the Special Investigation Service (SIS) investigated to determine the source of the leak. The SIS searched the home of the BNS editor, interrogated six BNS employees, and seized computers. The BNS refused to disclose its source. Many journalists and some politicians called the investigation a crackdown on press and speech. In December 2013 a Vilnius court ruled that both the search of the editor's home and the order to disclose her source of information were unlawful.

### **Internet Freedom**

There were no government restrictions on access to the internet or credible reports that the government monitored private communications without appropriate legal authority. Individuals and groups could generally engage in the expression of views via the internet, including by e-mail. Authorities prosecuted a number of persons for posting open internet material that authorities considered to incite hatred. For example, in August, according to the Human Rights Monitoring Institute, prosecutors charged an individual before the Trakai District Court with advocating the death of LGBT persons on an internet news portal. The court acquitted the defendant, ruling that her comments did not rise to the level of instigation of hatred.

According to the Information Society Development Committee under the Ministry of Transportation, 66 percent of the population used the internet, including 71 percent of residents in urban areas and 57 percent of residents in rural areas.

On September 3, the *Delphi.lt* news portal announced that it was the victim of a denial-of-service attack that coincided with live coverage of President Obama's visit to Estonia.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

## **Freedom of Assembly**

The law and constitution provide for freedom of assembly, and the government generally respected this right.

## **Freedom of Association**

Although the law provides for, and the government generally respected, this freedom, the government continued to prohibit the Communist Party and other organizations associated with the Soviet period.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and laws provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, returning refugees, stateless persons, and other persons of concern.

## **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Safe Country of Origin/Transit: Authorities did not permit asylum seekers coming from "safe" countries of transit to enter the country. Instead, they returned asylum seekers to the country of transit without reviewing the substantive merits of their applications. According to the Migration Department, authorities did not have a list of safe countries. Rather, they defined such countries as ones in which the person's life or liberty would not be threatened on account of membership in one of the categories specified in the 1951 refugee convention and associated

instruments and from which the individual would not be sent to another country in contravention of his or her rights under these agreements.

Temporary Protection: There were two forms of protection in addition to asylum. The government could grant “temporary protection” to groups of persons in the event of a mass influx of aliens, but individuals may not seek this form of protection. Authorities could also grant “subsidiary protection” to individuals who do not qualify as refugees but who could not return to their countries of origin because of fear of torture or because violence, military conflict, or systematic violations of human rights in that country would endanger their basic rights or fundamental freedoms. During the first half of the year, the government granted subsidiary protection to 82 persons.

### **Stateless Persons**

Persons acquire citizenship by birth in the country’s territory or from their parents. The law also permitted persons born on the territory or legally residing there for 10 years, who are not citizens of any other country, to apply for citizenship. Applicants must possess an unlimited residence permit, knowledge of the Lithuanian language and constitution, and the ability to support themselves.

According to the Migration Department, at the beginning of the year, 4,130 persons – or 13.5 percent of all foreigners – were stateless, a decline from 4,314 in 2011. UNHCR statistics recorded 3,892 stateless persons in the country as of January. The decline was due more to high emigration rates driven by the economic crisis than to naturalization; only a few hundred persons obtained citizenship each year. Most persons classified as stateless were residents of Lithuania at the time of the dissolution of the Soviet Union who did not take advantage of their right to qualify for citizenship. The total also included persons who, as part of the naturalization process, were temporarily “stateless” after relinquishing their former nationality and before acquiring that of Lithuania.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution provides citizens the ability to change their government through free and fair elections, which citizens exercised through elections based on universal suffrage.

### **Elections and Political Participation**

Recent Elections: Presidential elections took place on May 11, with a May 25 runoff between the top two candidates from the first round. In the runoff the incumbent president, Dalia Grybauskaite, won reelection with 58 percent of the vote. Observers evaluated these elections, as well as the parliamentary elections in 2012, as generally free and fair.

Political Parties and Political Participation: The government continued to prohibit the Communist Party. Other political parties could operate without restriction or outside interference. Citizens could run for municipal councils without being on party lists.

Participation of Women and Minorities: Both the president and the speaker of the parliament were women. As of September 1, there were 33 women in the 141-seat parliament and three in the 15-member Cabinet of Ministers. Women accounted for 10 percent of mayors, 22 percent of municipal council members, and 5 percent of local administration directors. Voters elected 14 members of minorities to parliament in 2012.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were isolated reports of government corruption.

Corruption: The media continued to report on corruption investigations of public officials and politicians. For example, in February the SIS arrested a Social Democrat party leader from Kaunas and a prosecutor from Vilnius on suspicion of corruption. The SIS conducted searches of the suspects' offices.

The SIS is the main anticorruption agency. Its mission is to reduce corruption by detecting corruption-related offenses and by carrying out campaigns and educational programs to raise awareness of the problem.

Financial Disclosure: A system for disclosure of assets by officials covers issues ranging from general transparency to combating corruption, monitoring wealth and illicit enrichment, and the overall prevention of conflicts of interest. To promote the integrity and transparency of public administration, the law requires appointed and elected officials to declare their assets and incomes. The State Tax

Inspectorate monitored and verified disclosures. The declarations were available to the public. There were administrative sanctions for noncompliance.

Public Access to Information: The law provides for public access to government information, and government institutions generally provided access. Applicants could appeal denials to the parliamentary ombudsman. In the first eight months of the year, the parliamentary ombudsman received 32 complaints of delay by government offices in providing information. In the same period, they ruled on 24 cases and found 16 of them to be valid. The ombudsman recommended disciplinary action against the officials involved. Although the ombudsman's recommendations were not binding, the ombudsman's office reported that authorities took disciplinary action in all cases.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The Office of the Equal Opportunities Ombudsman is an independent public institution with responsibility for implementing and enforcing rights under the Law of Equal Treatment and for investigating individual complaints. A children's rights ombudsman oversaw observance of children's rights and their legal interests and could initiate investigations of a possible violation of children's rights, either upon receipt of a complaint or on its own initiative. The parliamentary ombudsman investigated complaints about abuse of office or other violations of human rights and freedoms involving public administration. Some human rights observers questioned the effectiveness of all ombudsman institutions.

Parliament's human rights committee prepares and reviews draft laws and other legal acts related to civil rights and presents recommendations to state institutions and other organizations about problems related to the protection of civil rights. It also has oversight of the Office of the Parliamentary Ombudsman.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

Among the forms of discrimination prohibited by the law are race, sex, gender, social status, ethnic background, sexual orientation, and disability. Discrimination against women and ethnic minorities as well as LGBT persons persisted despite government efforts at enforcement.

## **Women**

Rape and Domestic Violence: Rape and domestic violence are crimes. In the first seven months of the year, authorities received 122 reports of rape, compared with 133 during the same period in 2013. Convicted rapists generally received three-to-five-year prison sentences. NGOs reported that sexual violence against women, including intimate partner violence, remained a problem. In the 2013 edition of its publication *Barometer of Rape in Europe*, the international NGO European Women's Lobby criticized the absence of a law specifically designating marital rape as a crime. No statistics were available on the prevalence of spousal rape.

The penalties for domestic violence depend on the level of injury inflicted on the victim. The domestic violence law provides a legal basis for rapid government action. For example, police and other law enforcement officials, with court approval, may require perpetrators to live apart from their victims, avoid all contact with them, and surrender any weapons they may possess. On April 10, parliament amended the domestic violence statute to afford better protection to victims and their children. On May 28, the government adopted a national program for the prevention of domestic violence and provision of assistance to victims for 2014-20 with the goal of reducing the level of domestic violence through greater societal awareness. The government allocated 530,000 litas (\$210,000) toward this program.

As of September 1, police had registered 17,811 domestic violence calls and opened 6,589 investigations. In the first eight months of the year, domestic violence led to the deaths of 14 women. According to observers, police did not always accord high priority to these problems.

Municipal governments and NGOs funded and operated 17 specialized regional help centers that assisted victims of domestic violence. The national government fully funded two others. One of the latter, the Shelter for Children and Mothers in Vilnius, assisted more than 100 victims of domestic violence and human trafficking during the year.

Female Genital Mutilation/Cutting (FGM/C): No law specifically prohibits FGM/C. There were no reports that it occurred.

Sexual Harassment: The law prohibits sexual harassment, but women who experienced it remained reluctant to approach police or other institutions because of lack of confidence that authorities would respond and because of the perceived stigma associated with making such matters public. In the first eight months of the year, the equal opportunities ombudsman received one complaint of sexual harassment.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so. They have the right to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. Health clinics and local NGOs operated freely in disseminating information on family planning under the guidance of the Ministry of Public Health. There were no restrictions on access to contraceptives. The government provided free childbirth services. Women had access to regular prenatal care, essential obstetric care, and postpartum care. Women had access to emergency health care, including services for the management of complications arising from abortion.

Discrimination: Men and women have the same legal status and rights under the law, including property rights, inheritance, in the judicial system, and in the workplace. Women nevertheless continued to face discrimination. The law requires equal pay for equal work, but women often earned less than their male counterparts. In 2013 approximately 40 percent of persons in senior decision-making positions were women. The Office of the Ombudsman for Equal Opportunity promoted the legal rights of women and men. This office and the ministries of social affairs and foreign affairs, often in cooperation with NGOs, implemented programs to promote equal rights for men and women. On October 1, parliament amended the law to require public institutions to include gender-equality measures in their strategic plans.

## **Children**

Birth Registration: Citizenship can be acquired either by birth in the country or from one's parents. The government registered all births promptly.



Child Abuse: In 2013, according to the latest Department of Statistics information, approximately 20,700 children lived in 10,200 “at-risk” families, including families with substance abuse, unemployment, and other socioeconomic problems. Media sources reported instances of cruelty to children, including sexual abuse, intentional starvation, and beating. In the first eight months of the year, the Ministry of Interior received reports of two deaths of newborns from abuse. The children’s rights ombudsman reported receiving 180 complaints in the first eight months of the year. In the same period, the ombudsman’s office initiated 23 investigations of alleged abuse.

The penalty for violence or cruelty toward minors is one year to two years in prison. Authorities may also remove abused children from their families and place them in foster care. The ombudsman for children’s rights reported that government efforts to combat child abuse and aid abused children were ineffective. During the first half of the year, Child Line (a hotline for children and youth) received 68,296 calls and 523 letters from children concerning problems ranging from relations with their parents and friends to family violence and sexual abuse. Despite a multi-year effort to combat violence against children, NGOs noted many continuing problems.

Sexual abuse of children remained a problem despite prison sentences of up to 13 years for the crime. In the first eight months of the year, the Ministry of Interior registered 60 cases of child rape and 128 cases involving other forms of child sexual abuse. The government operated a children’s support center to provide special care for children who suffered from violence, including sexual violence.

In 2011-12, according to the most recent data from the Center of Information Technologies in Education, 17,272 children did not attend school, and authorities could not locate 3,318 of these children. According to media reports, 1,375 children were missing in 2013. The NGO Missing Persons’ Families Support Center remained concerned about the large number of missing children.

Early and Forced Marriage: The minimum marriage age for girls and boys is 18. According to the Department of Statistics, there were 100 marriages in 2013 involving boys and girls younger than 18.

Female Genital Mutilation/Cutting (FGM/C): No laws specifically prohibit FGM/C of children. There were no reports that it occurred.

Sexual Exploitation of Children: The age of consent is 16 years. Individuals involving a child in pornographic events or using a child in the production of pornographic material are subject to imprisonment of up to five years. According to the Ministry of Interior, officials opened one criminal case involving child pornography during the first seven months of the year. The children's rights ombudsman reported starting three investigations of sexual exploitation of children during the first eight months of the year. No information was available about the number of persons convicted of sexually exploiting children.

Displaced Children: Street children were widely scattered among the country's cities. Most were runaways or from dysfunctional families. There were a number of free, government-sponsored, programs to assist them. Government bodies and numerous NGOs administered 60 agencies protecting children's rights that routinely assisted vulnerable children.

The majority of orphans and other children in need of care resided in the country's 93 orphanages, including 18 operated by NGOs and 52 large family foster homes. There were five boarding schools for children with special needs. The children's rights ombudsman identified 13 violations of children's rights in these institutions in the first eight months of the year.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see [travel.state.gov/content/childabduction/english/country/lithuania.html](http://travel.state.gov/content/childabduction/english/country/lithuania.html).

### **Anti-Semitism**

The Jewish community consisted of approximately 4,000 persons. There were reports of anti-Semitic acts and vandalism throughout the year, and anti-Semitic expression was evident, especially on the internet. For example, on July 20, vandals destroyed some 40 monuments in the Jewish Cemetery in Kaunas. Students and members of the Jewish community rebuilt them.

Police had standing instructions to identify locations carrying a high risk of illegal acts involving the use of Nazi or communist symbols and to collect and analyze regularly public and nonpublic information on informal groups and persons promoting illegal acts. Police also had instructions to take preemptive measures against illegal activities, giving special attention to maintaining order on specific historical dates and certain religious or cultural holidays.

On April 28, the March of the Living took place at the Paneriai Memorial in Vilnius. The march retraced the route of residents of the Vilnius ghetto to the massacre awaiting them in the Paneriai forest. Remigijus Motuzas, first deputy chancellor, reaffirmed during the ceremony that the country would never forget the tragedy. On July 1, Minister of Culture Sarunas Birutis designated the former Jewish cemetery in the Vilnius district of Snipiskes as a site “under state protection.” This designation makes the site eligible to receive EU and national funding for future preservation. In September parliament passed a law legalizing kosher and halal ritual slaughter. On September 23, Prime Minister Algirdas Butkevicius led the annual commemoration ceremony at the Paneriai memorial site. In October on a visit to the U.S. Holocaust Memorial Museum, Butkevicius stated that the government “is making every effort to restore historic justice, preserve, and cherish Jewish cultural heritage, and continue Holocaust education and tolerance promoting programs.” The Cultural Heritage Department allocated more than 50,000 litas (\$19,800) to renovate a synagogue in Vilnius.

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities, although it does not specify what kind of disabilities. It explicitly prohibits discrimination in housing, transport, telecommunications, and cultural and leisure activities. There was no proactive enforcement of these requirements. During the first half of the year, the equal opportunities ombudsman investigated 17 cases of alleged discrimination based on disability (see section 7.d.).

The law mandates that buildings be accessible to persons with disabilities. According to the most recently available data from the Department of Statistics in 2012, nearly 52 percent of housing complied with this requirement.

According to the Department of Statistics, 36,077 children with disabilities (9.8 percent of all children in schools) attended public schools in 2013-14. Children enrolled in public schools, especially children with limited mobility, did not always receive the assistance they required. Fifty special schools or drop-in centers accommodated an additional 3,594 children.

In 2012 the ECHR that found the system of protection for persons with disabilities had serious practical and legal shortcomings. Nevertheless, as of September 1, authorities had not made any changes in the process. Not only was there no appeals process for persons the courts declared legally incompetent, but, as in the case that led to the ECHR decision, the plaintiff had no opportunity to participate in the competency hearing.

Observers widely regarded the mental health system as inadequate; it remained among the least reformed areas in the health sector.

The government continued implementation of the *National Strategy for Social Integration of People with Disabilities for 2013-2019*. In 2013 the Department for the Affairs of the Disabled disbursed more than 57 million litas (\$22.5 million) as part of this program.

The Department for the Affairs of the Disabled, under the Ministry of Social Security and Labor, is the primary governmental organization responsible for developing equal opportunities in the labor market and improving government effectiveness in meeting the needs of, and augmenting the social security net for, persons with disabilities. The Ministry of Health is responsible for making health services equally accessible to all inhabitants of the country.

### **National/Racial/Ethnic Minorities**

The law prohibits discrimination against ethnic or national minorities, but intolerance and societal discrimination persisted. According to 2011 data from the Department of Statistics (the most recent available), minority ethnic groups, including Russians, Poles, Belarusians, Ukrainians, Tatars, Karaites, and Jews, constituted approximately 14.3 percent of the population.

In the first eight months of the year, the Ministry of Interior reported 80 cases of alleged discrimination and incitement of racial or ethnic hatred, compared with 152 in 2013 and 265 in 2012. Most of the instances investigated involved the internet. According to a former Vilnius County prosecutor, judges and other law enforcement officials seldom prosecuted these crimes, giving priority to “real-life” crimes with identifiable victims.

February 16, the country's national day, when the State of Lithuania was restored, and March 11, the date in 1990 when Lithuania declared its independence from the Soviet Union, continued to be occasions for nationalist manifestations.

The small Romani community (approximately 3,000 persons) continued to experience discrimination in access to education, housing, health care, employment, and relations with police, although there were no official charges of police abuse. Extreme poverty, illiteracy, perceived high criminality, and the negative attitudes of mainstream society resulted in the social exclusion of Roma, 40 percent of whom did not know the Lithuanian language. Most adult Roma have obtained identification papers, but a few of them, although born in the country, were effectively stateless. The Romani employment rate was 56.7 percent, according to a government report. Advocates for minority rights continued to criticize the Vilnius city government for focusing on law enforcement in the Romani community while doing little to integrate Roma into the broader society.

Despite the protests of human rights and Romani NGOs, police continued to destroy dwellings in the Kirtimai settlement for noncompliance with building codes. As in 2013 there were no reports in the first 11 months of the year of government actions taken in connection with the 2012-14 action plan for integration of Roma into various areas of national life.

Representatives of the Polish minority continued to object to requirements, enacted in 2011, that all schools teach Lithuanian language, history, and geography in Lithuanian. They asserted that this would undermine Polish culture and identity in areas with a substantial ethnic Polish presence. They also complained about a requirement in the law that all students, whether native Lithuanian speakers or not, complete a single, uniform Lithuanian language examination at the end of their studies. In 2013 the courts limited government efforts to relax some of these requirements for ethnic Poles.

Restrictions on the use of Polish in street signs and on official documents, particularly passports, remained contentious. On February 27, the Constitutional Court ruled that the spelling of names and surnames on passports was a linguistic issue that parliament should decide. The State Commission for the Lithuanian Language decided to allow the original spelling of non-Lithuanian names for foreigners who become naturalized Lithuanian citizens and for Lithuanian nationals who adopt the last name of a foreign spouse after marriage. In other cases the commission suggested keeping "the main principle of spelling with Lithuanian letters."

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The antidiscrimination laws apply to LGBT persons. Society's attitude toward LGBT persons remained largely negative, and LGBT groups claimed that official bodies governing publishing and broadcast media took prejudicial action against certain works with LGBT themes. The few NGOs focusing on LGBT problems kept a low profile because of public hostility to their aims but did not face legal impediments. The Lithuanian Gay League and Tolerant Youth Association continued to promote an inclusive social environment for LGBT persons.

The media reported acts of violence against LGBT persons. For example, on June 21, openly gay singer Ruslanas Kirikinas suffered injuries to his lip, chin, and ears from eggs thrown at him during a performance in Aukstadvaris. According to media reports, he had to be taken to a hospital by ambulance. The offender paid a fine of 225 litas (\$89).

The Law on the Protection of Minors against the Detrimental Effect of Public Information, an antipropaganda measure enacted in 2009, served as a rationale for limiting LGBT awareness-raising efforts. On May 9, the Office of the Inspector of Journalist Ethics concluded that the book *Gintarine Sirdis (Amber Heart)* should be unavailable to children younger than 14. The book consists of fairytales about minorities, and the office objected to two stories about same-sex characters falling in love, stating the book contained the "harmful, primitive, and purposeful propaganda of homosexuality." Because of this finding, the publisher withdrew the book from shelves. In September the same inspectorate, citing the same law, ruled that an LGBT-awareness video produced by the Lithuanian Gay League could not air on television during regular broadcast hours.

### **HIV and AIDS Social Stigma**

The NGO community reported that individuals with HIV/AIDS often were subject to discrimination, including in employment, and treated with fear and aversion.

### **Other Societal Violence or Discrimination**

During the first half of the year, the equal opportunities ombudsman investigated 15 cases of age discrimination, including in employment, insurance, loans, and leases.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits employer discrimination against union organizers and members and requires reinstatement of workers fired for union activity.

Some specific legal restrictions apply to these rights. The law prohibits law enforcement and other security-related personnel from collective bargaining or striking. Labor code procedures made it difficult for some workers to exercise the right to strike.

The government did not enforce the labor laws effectively, although resources, inspections, and remediation were adequate. Penalties ranged from fines to imprisonment and were insufficient to deter violations. According to the International Trade Union Confederation, the judicial system was slow to respond to cases of unfair dismissal, and no employer has ever faced the penal sanctions for antiunion discrimination envisaged in the law. No labor courts or judges specialized in labor disputes.

The government generally respected freedom of association. Worker organizations were generally free to operate without government or political party interference. Employers did not always respect collective bargaining, and managers often determined wages without regard to union preferences except in large factories with well-organized unions.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor and prescribes penalties ranging from a fine to 12 years' imprisonment. Although the government generally enforced the law effectively, there were instances of forced labor. For example, there were reports of possible trafficking of men from Bulgaria for their labor.

During the first seven months of the year, authorities opened investigations into 17 alleged cases of trafficking, including three instances of child trafficking.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law sets the minimum age for most employment at 16 years but allows the employment of persons as young as 14 for light labor with the written consent of the child's parents and school. The law mandates reduced work hours for children, allowing up to two hours per day or 12 hours per week during the school year and up to seven hours per day or 32 hours per week when school is not in session. Additional restrictions apply to persons younger than 18 years, including a prohibition on night work.

The government generally enforced these prohibitions effectively. The State Labor Inspectorate is responsible for receiving complaints related to employment of persons younger than 18 years. As of September 1, the inspectorate identified 10 cases of children working illegally without a work contract in the agriculture, forestry, wholesale and retail, and catering sectors.

Resources, inspections, and remediation were adequate to enforce the law. Penalties for violations ranged from fines of 3,000 litas (\$1,190) to 10,000 litas (\$3,960) and were sufficient to deter violations.

### **d. Discrimination with Respect to Employment or Occupation**

The law requires employers to treat employees equally with respect to gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, and religion. There was no specific statute concerning HIV-positive status or a positive status for other communicable diseases. The Office of the Equal Opportunities Ombudsman monitored the implementation of these laws. As of August 1, the ombudsman had conducted 156 employment discrimination investigations, including nine of discriminatory job advertisements, 39 involving discrimination based on social status, five on religion, 15 on age, three on belief, five on language, nine on nationality, four on sexual orientation, one on sexual harassment, and 41 on gender. Many workers remained unaware of their rights with respect to workplace discrimination.

### **e. Acceptable Conditions of Work**



According to the National Department of Statistics, starting in January, the minimum monthly wage was 1,000 litas (\$396). The official “poverty risk level” in 2013 was 811 litas (\$321) per month, compared with 749 litas (\$296) in 2012. The law provides that the maximum time worked in any seven-day period, including overtime, may not exceed 40 hours for white-collar work and 48 hours for blue-collar work. It allows overtime only in specifically stipulated circumstances, and both overtime and night work must be compensated by at least one-and-one-half times the hourly wage. The law gives workers the right to safe and healthy working conditions. The labor laws apply to both national and foreign workers.

The State Labor Inspectorate, which is responsible for implementing labor laws, had a staff of 192 labor inspectors. By September 1, the inspectorate reported conducting 6,662 inspections at companies and other institutions. The most numerous abuses it found related to violation of labor contracts, wage arrears, and safety. According to the law, a fine for first-time offenders ranges from 3,000 litas (\$1,190) to 10,000 litas (\$3,960) and for second-time offenders up to 20,000 litas (\$7,910). In the first seven months of the year, the smallest fine applied by courts was 500 litas (\$198) and the largest was 21,000 litas (\$8,310). Workers dissatisfied with the results of an investigation could appeal to the court system. The State Labor Inspectorate continued to conduct a series of seminars for managers of companies, local communities, and persons looking for work. The seminars dealt with preventing and combating illegal employment, the administration of labor contracts, and worker’s rights.

According to the State Labor Inspectorate, violations of wage, overtime, or occupational safety and health standards occurred primarily in construction, retail trade, and the processing sector. The inspectorate also received complaints about hazardous conditions from workers in the construction and manufacturing sectors. As of September 1, the State Labor Inspectorate recorded 42 fatal accidents at work and 74 severe work-related injuries, compared with 30 and 95, respectively, in 2013. Accidents occurred mostly in the transport, construction, processing, and agricultural sectors. To address the problem, the inspectorate continued conducting a series of training seminars for inspectors on technical labor inspection. The law protects the rights of workers to remove themselves from work situations that endanger their health or safety without jeopardy to their continued employment. Workers did not regularly exercise this right. Workers also have the legal right to request compensation for health concerns arising from dangerous working conditions.