



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

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**Consideration of reports submitted by States parties under  
article 9 of the Convention**

**Concluding observations of the Committee on the Elimination of Racial  
Discrimination**

**Lithuania**

**Addendum**

**Information received from the Government of Lithuania on the  
implementation of the concluding observations\***

[2 March 2012]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**Reply to the recommendations contained in paragraph 12 of the concluding observations (CERD/C/LTU/CO/4-5)**

1. The regulation of racial and xenophobic incidents and discriminatory acts to ensure proper and effective recognition of such facts or manifestations having their characteristics, their evaluation, offender identification and criminal prosecution as well as criminal sanctions (application thereof to a concrete offender) is governed by the current Criminal Code of the Republic of Lithuania.

2. The Criminal Code of the Republic of Lithuania establishes criminal liability for criminal acts against personal equality and freedom of conscience: article 169 – for discrimination on grounds of nationality, race, gender, origin, religion or other group membership; article 170 – for the incitement (of hatred) against any national, racial, ethnic, religious or other group of persons; article 170<sup>1</sup> – for the establishment and activities (including activity funding) of groups and organizations aiming at the discrimination or incitement against a group of persons; article 170<sup>2</sup> – for public expression of support to international crime and the crimes of the USSR or Nazi Germany against the Republic of Lithuania or its population, and for the negation or coarse trivialization of such crimes; article 312(2) – for desecration of a grave or another place of public respect by performing vandalous acts on burial grounds or another place of public respect, or desecration of a grave or another place of public respect due to racial, national or religious motives.

3. It should be noted that the Lithuanian legislature passed Law No XI-330 of 9 July 2009 amending the Criminal Code of the Republic of Lithuania to criminalize the former administrative infringements relating to the distribution, production, acquisition, sending, transportation as well as possession of items (information products) demonstrating sneer or scorn or instigating hatred or discrimination against a group of people or a person belonging to it on the basis of gender, sexual orientation, race, nationality, language, origin, social status, religion, convictions or views or instigating violence or physical aggression against such a group of people or a person belonging to it. Additionally, the same law criminalized rather dangerous acts which were previously unreasonably classified as administrative infringements, namely the establishment and activities (including funding of such activities) of groups and organizations aiming at the discrimination or incitement (of hatred) against a group of persons.

4. Law No XI-303 of 16 June 2009 amending the Criminal Code of the Republic of Lithuania treats xenophobic, racial and discriminatory motives as an aggravating circumstance in the context of any other criminal activity, i.e. when any criminal act is committed with the aim of expressing hatred against a group of persons or a person from that group on grounds of age, gender, sexual orientation, disability, race, nationality, language, origin, social status, religion, beliefs or views. The said law introduced into the Criminal Code of the Republic of Lithuania and qualified the elements of serious and very serious crimes when committed with the aforementioned motives, i. e. it established criminal liability for murder committed with an intention to express hatred towards a group of persons or a person in that group on grounds of age, gender, sexual orientation, disability, race, nationality, language, origin, social status, religion, beliefs or views (art. 129(2)(13)), serious impairment of health committed with the same motives (art. 135(2)(13)), as well as minor impairment of human health committed with the same motives (art. 138(2)(13)).

5. Racial and xenophobic incidents and discriminatory acts are investigated properly, the response to such cases is swift, and pretrial investigations to deal with them are initiated

either by police institutions under the guidance of a prosecutor or by prosecutors themselves. 17 pretrial investigations were launched in 2010-2011 on acts that are classified and treated as racial incidents in a public place (except for the incitement of hatred and discriminatory speeches and comments made online, in the press or in other public media, which make up an absolute majority of all initiated and performed investigations into such criminal acts).

6. With regard to the investigation of hate crime cases, it should be noted that 95 of criminal acts associated with the incitement of racial and related hatred (art.170 of the Criminal Code of the Republic of Lithuania) are committed online (in the electronic space), i.e. on the Internet, by writing and posting one's comments in informational and mass media portals, personal websites (blogs), chat forums and social networks. Such acts are normally committed by persons who conceal their true identities and it is often impossible to quickly identify them by technical means or, upon identification, to obtain information on the relevant Internet user and IP address if the server is located abroad. As a result, pretrial investigation in such cases is often complicated.

7. On the other hand, once the identity of an alleged offender is established, pretrial investigations in the cases of this category of acts are usually rather swift and effective: such pretrial investigations are completed and the cases are handed over to courts by simplified procedure (the prosecutor's statement on the completion of the proceedings by a judicial penalty order under article 418 of the Code of Criminal Procedure of the Republic of Lithuania). In the event that a possible offender is not determined by pretrial investigation and the technical and operational search measures employed by it, rapid completion of the pretrial investigation becomes impossible.

8. It is noteworthy that in comparison with 2010, when, according to the official national crime statistics of the Ministry of the Interior of the Republic of Lithuania, pretrial investigations were instituted with respect to 158 acts of incitement of hatred (art. 170 of the Criminal Code of the Republic of Lithuania) and 24 criminal cases in this category were handed over to courts, the number of such criminal acts in 2011 markedly increased: 328 such criminal acts were registered and 123 criminal cases reached courts after completed pretrial investigations.

9. On the other hand, it needs to be mentioned that an absolute majority of such criminal acts consists of the incitement of hatred motivated not by a person's racial or national identity but chiefly by homophobic motives, namely the homosexual orientation of a person or group of persons. In 2011, pretrial investigations were initiated and performed with respect to 210 criminal acts perpetrated with the said motives (by comparison, in 2010 pretrial investigations were carried out on 131 acts motivated by homophobia). In the 2010-2011 period, four of the pretrial investigations launched concerned the incitement of hatred against black people, 14 against the Roma, and 32 and four against the groups of Polish and Russian people, respectively.

10. The Police Department under the Ministry of the Interior also performs regular control of the pretrial investigations carried out by police institutions concerning the incitement of hatred. In 2011, eight such pretrial investigations were launched in the general police departments of Vilnius, Kaunas, Klaipėda and Panevėžys counties.

11. On 28 April 2011, the General Police Commissioner approved a special Order No 5-N-6 addressed to Police institutions "Concerning Police activities in preventing vandalism and other illegal acts involving the use of Nazi or communist symbols", which regulates the activities of the Police in the specified area. Additionally, meetings of the top Police officers with the representatives of the Jewish Community are organized to exchange information on the investigations in progress or to discuss measures for the prevention of hateful attacks. Incitement of strife in the mass media (including the Internet) is

incompatible with the exercise of the freedom of self-expression and the principles of information provision to the public (article 25(4) of the Constitution of the Republic of Lithuania, article 170 of the Criminal Code of the Republic of Lithuania). In addition, article 19(1)(3) of the Law on the Provision of Information to the Public prohibits the publication of information inciting war or hatred, sneer, scorn, discrimination, violence, physical aggression against a group of people or against a person in that group on grounds of age, gender, sexual orientation, ethnicity, race, nationality, citizenship, language, origin, social status, religion, convictions, views or religion. Compliance with the provisions of the Law on the Provision of Information to the Public is supervised by the Journalist Ethics Inspector (a civil servant appointed for a period of five years by the Seimas of the Republic of Lithuania).

12. In response to the increased frequency of statements and anonymous comments encouraging strife and violence in the public domain, especially in the Internet, on 15 July 2009 the Seimas of the Republic of Lithuania adopted the Law amending Law No XI-348 on the Provision of Information to the Public, which obliges, as of 1 January 2010, the Journalist Ethics Inspector to determine, on the basis of the conclusions of experts, whether or not public information announced in the mass media incites hatred on grounds of gender, sexual orientation, race, nationality, language, origin, social status, religion, convictions or views. Until 1 January 2010 the law had entrusted this function to the journalist self-regulatory body, the Ethics Commission for Journalists and Publishers.

13. In order to detect the instances of incitement of strife, the Service of the Journalist Ethics Commission, assisted by experts (linguists), has formulated theoretical assumptions, based on which incitement and encouragement, as a motivating verbal act, are evaluated using the criterion of a successful communication and its conditions (such as the future (encouraged) act and its public significance; the ability of the addressee to perpetrate the act encouraged; the public significance of the author or the act of speech itself; the sincerity of the author; the communicative intent etc).

14. However, due to the lack of adequate funding the pretrial investigations in criminal cases regarding the incitement of hatred (art. 170 of the Criminal Code of the Republic of Lithuania) were delayed in the first half of 2010. It was not until October 2011 that the Journalist Ethics Inspector was able to complete the submission of necessary conclusions on the incitement of hatred in public information for the pretrial investigations initiated in early 2010. Moreover, due to insufficient funding, experts' conclusions were only available at the request of pretrial investigation institutions (the Office of the Prosecutor General of the Republic of Lithuania, the Lithuanian Criminal Police Bureau etc), giving priority to the already commenced pretrial investigations.

15. Although the Law on the Provision of Information to the Public has enabled the Journalist Ethics Inspector to initiate an investigation *ex officio* and refer the detected infringements of law (including cases of incitement of hatred) to the competent authorities, the actual practice is opposite: it is the Journalist Ethics Inspector that is requested to provide conclusions on whether or not certain information appearing in the mass media incites strife on grounds of gender, sexual orientation, race, nationality, language, origin, social status, religion, convictions or views. Thus, insufficient funding for expert evaluations has also delayed the Internet monitoring procedures.

16. Providing a summary of the experts' conclusions presented in 2010–2011 by the Inspector of Journalists' Ethics regarding incitement of strife in public information it is noteworthy that the competent authorities, seeking to establish whether public information incites strife with regard to gender, sexual orientation, race, nationality, language, origin, social status, faith, beliefs or convictions, submitted 113 requests to the Office of the Inspector of Journalists' Ethics in pretrial investigations. The Inspector of Journalists' Ethics most often was approached by the Office of the Prosecutor General of the Republic

of Lithuania (36 cases), the Lithuanian Criminal Police Bureau (32 cases) and the Vilnius County Police Headquarters (18 cases).

17. In 2010–2011, experts of the Office of the Inspector of Journalists' Ethics examined 110 requests of the above-mentioned agencies and provided conclusions regarding 767 comments posted on the Internet, three publications, two videos, one questionnaire as well as eight small printed matter (small calendars and cards), eight posters, eight song lyrics, two articles (in the press) and one television broadcast.

18. The majority of cases of identified incitement of strife, encouragement of violence and harassment in the said cases have been on the grounds of sexual orientation (81 per cent) and origin and nationality (24 per cent). Most frequently, comments encouraging strife, physical assault or violent behaviour were posted in the popular web portals, [www.delfi.lt](http://www.delfi.lt) and [www.lrytas.lt](http://www.lrytas.lt). Taking that into account, in cooperation with the Internet portal Delfi, on 11 October 2011 a conference-discussion was organized "About words and their meaning in the expression of hatred" the main purpose whereof was educating society in order to reduce the number of cases of incitement of strife online (the number of such cases is the largest on the Delfi portal).

19. In response to the Committee's recommendation regarding the availability of effective remedies, it is noteworthy that the procedural rights of the aggrieved parties, if such persons are identified, who have suffered from racist and related similar criminal actions are ensured properly, taking into account the Constitution of the Republic of Lithuania as well as the provisions of the Convention on the Elimination of All Forms of Racial Discrimination, the European Convention on Human Rights and Fundamental Freedoms and the Criminal Procedure Code of the Republic of Lithuania.

20. Pursuant to the Civil Procedure Code of the Republic of Lithuania, article 20, natural persons are eligible for State-financed legal aid in accordance with the procedure established by laws and other legal acts. The Law on State-Guaranteed Legal Aid of the Republic of Lithuania provides persons whose property and annual income do not exceed the property and income levels established by the Government of the Republic of Lithuania for the provision of legal aid and the applicants established in article 12 of the said Law with the right to avail of State-guaranteed secondary legal aid.

21. Secondary legal aid means drafting of documents, defence and representation in court, including the process of execution. This legal aid also covers the litigation costs incurred in civil proceedings, the costs incurred in administrative proceedings and the costs related to the hearing of a civil action brought in a criminal case.

22. Persons who have been recognized as the aggrieved parties during criminal proceedings have the right to secondary legal aid on the same grounds as other applicants (following the assessment of their property held and income received within the last 12 months as well as the evaluation as to whether they belong to the groups of persons specified in article 12 of the Law on State-Guaranteed Legal Aid of the Republic of Lithuania which are eligible for secondary legal aid regardless of the property held and income received). The aggrieved parties, in the cases concerning compensation for the damage incurred through criminal actions, including the cases when the issue of compensation for damage is heard as part of a criminal case, in accordance with article 12, item 2 of the said Law, are eligible for secondary legal aid regardless of the property and income levels established by the Government of the Republic of Lithuania for the provision of legal aid (the eligibility for secondary legal aid of the said persons is attested to by a decision of a pretrial investigation officer or prosecutor or by a court ruling whereby a person is recognized the aggrieved party, and/or by a court judgement (the Law on State-Guaranteed Legal Aid of the Republic of Lithuania, article 13, item 3)).

23. It should be noted that the standard form of the decision of recognition as the aggrieved party contains information about a possibility for the aggrieved party to avail of the State-guaranteed legal aid.

24. In response to the Committee's recommendation regarding the development of intolerance towards manifestations of hatred, we would hereby like to inform you that, in the Law on Education of the Republic of Lithuania, education of the public is described as a means of shaping the future of an individual, the society and the State. It is based on the acknowledgement of the indisputable value of the individual, his right of free choice and moral responsibility as well as on democratic relationships and the country's cultural traditions. Tolerance, intercultural dialogue and mutual trust constitute the basis for peaceful co-existence of various national and ethnic groups.

25. With the purpose of developing intercultural tolerance as well as dialogue in Lithuania's schools of general education, the development of tolerance has been integrated into the curricula of primary, basic and secondary education, into the syllabuses of the subjects of the knowledge of the world, the fundamentals of civic awareness, ethics, religion, geography, law, philosophy and religion research.

26. Pupils of primary school are taught to acquire conscious attitudes of confidence in self and others, being open and sensitive, acknowledging and respecting other people and their rights, tolerating different appearance, behaviour and opinions as well as pursuing dialogue and mutual understanding; they are also taught to address issues in a constructive manner. The syllabus for the development of civic awareness highlights that, taking into account the processes of globalisation and stressing the responsibility of the citizen of Lithuania in the solution of global problems, it is important to emphasize the national awareness and the civil awareness in a multicultural society, namely, the ability of an individual and society to acknowledge changes taking place globally, cultural diversity, tolerance towards those different from us, the rights of national minorities, the aspiration of preserving national identity in the context of the diversity of cultures, etc. The development of tolerance is directly related to certain objectives of the education of ethics. Pursuing the objective of the education of ethics, the teacher explores the questions of tolerance and respect for other nations and equal opportunities and justice in a democratic community as well as familiarizes the pupils with the diversity of cultures, worldviews, religions and nature as well as with the values of heritage.

27. In Lithuania, all pupils studying at a school of general education must learn a subject of moral education by choosing between ethics and religion.

28. The content of the syllabus of ethics has been divided into four fields of educational activities according to the aspects of moral relations, two whereof are directly related to the development of tolerance. The dialogue communication "Me-You" develops a friendly relationship with others and with the different ones as well as communication skills, empathy, tolerance, respect and responsibility for others as the basic condition for human interpersonal relations. The social relationship "Me-Us" develops an understanding of the originality of own and others' communities and the sense of community as well as familiarizes with the social roles, commitments and norms. It means learning to be and act together with various people and people groups which is based on conventions, common goals and values as well as an understanding of one's own role in the community and the democratic society.

29. The education of tolerance has also been included into the syllabuses of the subject of religion of Catholics, the Orthodox, Evangelical Lutherans, Evangelical Reformers, Karaites and the representatives of Judaism as well as syllabuses of other subjects. The education of tolerance, however, is not only a part of the formal education; it plays a special role in the non-formal school activities. In organizing various activities, teachers and other

educators may make use of practical Recommendations on Tolerance and Multicultural Education in Schools of General Education which were drawn up in 2010. Schools hold various events to commemorate the International Day of Tolerance and the International Day for the Remembrance of the Victims of the Holocaust; long-term projects are conducted.

30. The following projects may be mentioned among some of the best examples of practical tolerance education, namely, activities organized by the Tolerance Centre of the Vilna Gaon Jewish State Museum, a multilateral schools' partnership project "We are learning tolerance in a united Europe" supported by the Comenius programme of the Education Exchanges Support Foundation and a multilateral project "Tolerance and human rights: In the family, school and society". Participants of the projects are united by the goal to know self and others better, raise their awareness of, and overcome, stereotypes about the history, religion and culture of their own as well as other nations, foster tolerance, good neighbourhood and intercultural cooperation and combat the manifestations of all forms of discrimination.

31. We would also like to notify you that, as commissioned by the Office of the Equal Opportunities Ombudsman, in 2011 in Lithuania a social advertising campaign was conducted, with a slogan "Discrimination harms all", aimed at developing intolerance towards the manifestations of hatred. The campaign was carried out in the framework of the implementation of the project "Development of skills and competence for the fight against discrimination" financed by the European Commission's Programme for Employment and Social Solidarity PROGRESS (2007-2013).

32. The goal of social advertising (3 television commercials and 3 kinds of posters of outdoor advertising) is to teach target groups to recognize the manifestations of discrimination and discriminatory behaviour as well as demonstrate harmful impact of discrimination to the public and foster respect for the diversity of people. The television commercials and posters feature situations which require a very clear and prompt decision (a house is on fire and a wife is in labour), however, people face a question as to whether they are ready to accept urgent help if the only person to help them is "different". Ultimately, a question is raised as to what is more important: a good specialist or a person's skin colour, religious convictions or sexual orientation. An ironic and playful style of social advertising and the situations portrayed demonstrate the absurdness and harm of discrimination. The three television commercials were broadcast on the Lithuanian national television and the LNK channel as of 24 November until 30 December. The outdoor advertising posters were put up in public transport stops' showcases in 15 cities and towns of Lithuania as of 14 November until 6 December.

33. In 2011, the Department of Youth Affairs under the Ministry of Social Security and Labour arranged the preparation of the methodological teaching aid "Development of antidiscrimination, tolerance and respect for the other". The methodological aid discusses possible forms of discrimination and the identification thereof, consequences of discriminatory behaviour, online harassment, questions of the development of respect for people as well as the role of the non-governmental sector in the education of tolerance and prevention of discrimination. In addition, a training course "Prevention of discrimination and harassment among young people" has been organized. The participants were trained to recognize discrimination and broadened their knowledge in the area of non-formal education on the questions of the development of antidiscrimination, tolerance and respect for people. Next to mention, a meeting was organized of the representatives of the Students' representation of Vytautas Magnus University, the National Institute for Social Integration, the Social Welfare Institute and Mykolas Romeris University to discuss the methods for organizing non-formal education of antidiscrimination and tolerance as well as respect for people for members of youth associations; the concept of a methodological

publication on questions of antidiscrimination and tolerance was also discussed during the meeting. Besides, a training course “Tolerance, respect and harassment: Expansion of the pupils’ attitude” has been organized. The total number of participants of the training course was 98 people.

### **Reply to the recommendations contained in paragraph 15 of the concluding observations**

34. In response to the Committee’s recommendation to promote the inclusion and advancement of Roma, we would hereby like to inform you that measures are being taken to integrate Roma by preparing special programmes in the fields of education and employment.

35. We would like to emphasize that the Law on Education of the Republic of Lithuania defines special educational needs in a broader manner than before. Currently, special educational needs are defined as a need for assistance and services in the course of the training process, arising from person’s exceptional capabilities, congenital or acquired disorders or adverse environmental factors.

36. Building a safe and favourable environment for children at schools of general and pre-school education, as well as initial vocational training institutions, is in the hands of the Child Welfare Committee. It organizes and coordinates adjustment of educational programmes for pupils with special needs, and provides educational assistance, as well as performs other child welfare-related functions. It is expected that the implementation of these provisions will facilitate access to education for Roma children.

37. Meanwhile, the Law of the Republic of Lithuania on Support for Employment provides for support to job seekers registered in territorial labour exchange offices through active labour market policy measures, which are equally applicable to Roma as other job-seekers. However, due to the lack of motivation and poor education, the Roma find it difficult to acquire a qualification, start their own business or get employed, irrespective of the fact that territorial labour exchange offices apply other active labour market policy measures with respect to the Roma, considering their specificity.

38. Despite the government support for job seekers, the integration of the Roma in the labour market remains quite problematic, as the Roma often fail to have valid identity documents, most of them do not meet labour market qualification requirements, they are not registered at territorial labour exchange offices as job seekers. Therefore, measures applied for the support of employment are not adequate to address the Roma integration into the labour market.

39. The Vilnius Labour Exchange Office registers annually an average 70-90 unemployed Roma. Active labour market policies are used with about 30 per cent of such individuals (counselling groups, public works programmes). The United Nations project “Face Roma” carried out in Lithuania in 2011 resulted in the employment of 18 people of Roma nationality from Vilnius and Šalčininkai districts.

40. The public institution Roma Community Centre houses an information stand of the Vilnius Territorial Labour Exchange Office, job search centre (SIP terminal), and offers relevant information material. The Roma can access information on job vacancies through the SIP terminal. With the establishment of the terminal, the Roma have got access to distance vocational guidance services.

41. Since 2007, the Ministry of Social Security and Labour has been participating in calls for proposals from national authorities under EU Employment and Social Solidarity Programme PROGRESS. The Ministry usually nominates a relevant human rights authority



(the Office of Equal Opportunities Ombudsman, the Labour and Social Research Institute, and the Lithuanian Centre for Human Rights) to submit an application for funding. This Programme is designed to provide financial assistance to countries to help achieve EU's objectives for employment, social affairs and equal opportunities.

42. The funding priorities include implementation of effective non-discrimination and gender equality while mainstreaming it across EU policies.

43. Four non-discrimination projects have been carried out to address all the aspects covered by the Law on Equal Opportunities, including the Roma national minority aspect.

44. Currently, an application for funding of the reduction of discriminatory practices has been submitted to the European Commission in the framework of the Programme PROGRESS. Among other activities, it includes the activities of mediators who act in between the Roma families with school attendees, as well as the activities of two schools in Vilnius with a particular focus to Roma child education. It also provides for training of secondary school teachers who work with Roma children in other Lithuanian towns and villages, as well as training for the Roma community and Roma-related NGOs. The activities will aim to strengthen the participation and representation of vulnerable groups (i.e. Roma).

45. The support for the Roma community has also been provided through other publicly funded programmes, such as child day care centres. In pursuance with the Action Plan of the Child Care System Reorganization Strategy and Implementing Measures for 2007-2012, the Ministry of Social Security and Labour arranges annually for child day care project evaluation and selection, with a view to developing child day care network. In 2011, the State funding for 176 projects amounted to LTL 7.4 million. Child day care services for the child and family members of a socially vulnerable family have been in growing demand, especially now that unemployment has been rocketing, and afterschool activities become a sole matter of the parents. These centres also provide comprehensive assistance to parents with a view to improving their integration in the community and preventing children from growing in child care institutions away from their families. For a number of years, the public institution Roma Community Centre has succeeded to obtain partial funding through different competitions. Its funding in 2011 amounted to LTL 66.4 thousand. There are other day care centres that are also attended by Roma children: day care centre of the Charity and Support Fund "Nemuno krašto vaikai" (Children of Nemunas region) in Vilkija; child day care centre in Širvintos, private kindergarten "Nendrė" (Reed) in Vilnius, old town child day care centre in Kaunas, day care centre of Caritas of Panevėžys Diocese, and child day care centre in Panevėžys.

46. Furthermore, the Roma minority is one of the target groups of the project Integration of Socially Vulnerable and Socially Excluded Individuals in Labour Market of the Priority 1 Quality Employment and Social Inclusion of the Operational Programme for Human Resources Development for 2007-2013. The above measure aims at helping socially vulnerable and socially excluded individuals integrate in the labour market in order to prevent their social exclusion.

47. One application for funding for social integration of specifically Roma ethnic minority has been submitted by the Lithuanian Roma Association "Čigonų laužas" (Gypsy Fire). Since this project was sufficiently well evaluated in terms of benefits and quality, it is quite feasible that it will be successful as far as the funding is concerned.

48. Information about the planned project: the project "European Roma Culture and Business Park Bahtalo Drom" will seek to move the Roma from the environment that currently hinders their re-socialization, while creating a new space favourable for their integration, business and promotion of cultural values; it will provide an opportunity to gain necessary social and working skills and acquire professions acceptable to the Roma

themselves. The project aims for 240 Roma participants to receive comprehensive social (motivation, needs assessment, social skills, rehabilitation, training services) and vocational rehabilitation services; to gain culturally acceptable and market-favoured professions (horse-breeding, catering, equipment maintenance, and business management, culture management and management of events, smithery and farming); to complete on-site training; a part of the participants to be employed through job recruitment mechanism (devised in the Project) with regional partners and other businesses or continue their studies (at least 30 per cent); or become trainers for other Roma.

49. It is also notable that early 2012 there should be Calls for Proposals under the measure Reduction of Discrimination and Prevention of Social Problems in the Labour Market of Priority 1 Quality Employment and Social Inclusion of the Operational Programme for the Development of Human Resources for 2007-2013. The measure is aimed at reduction of discrimination in labour market, promotion of gender equality and prevention of social problems, and raising public awareness in this regard.

50. With a view to eradicating discrimination in the labour market, this Call will support a wide range of educational, informational or training activities (events) regarding discrimination aspects in the labour market as identified in the Law on Equal Opportunities (gender, race, nationality, language, origin, social status, religion, beliefs or affiliations, age, sexual orientation, disability, ethnicity, religion). Project selection method: project competition. Total funding for projects amounts to LTL 1.2 million, the maximum application is up to LTL 400 thousand, project duration – up to 24 months.

51. The Draft Action Plan for Integration of Roma into the Lithuanian Society 2012-2014 (hereinafter referred to as the Draft Action Plan for Roma Integration) has been recently drawn up. The Draft Action Plan for Roma Integration has the following main goals:

- (a) To improve the social situation of the Roma;
- (b) Support efforts to protect the Roma ethnic identity;
- (c) Promote public tolerance.

52. The Draft Action Plan for Roma Integration establishes the following objectives and their implementation methods:

(a) To develop Roma child and adult education. To this end, it has been planned to provide for non-formal education for Roma children; establish two posts for assistant teachers working specifically with Roma children in two Vilnius schools; arrange educational activities for Roma children at the Roma Community Centre; to develop recommendations for including in the educational process of the bilingual textbook “Romane bukvi” by T. Bagdonavičienė and H. Prosniakova; to hold training seminars for general education teachers working with Roma children; arrange State language courses for the Roma; to ensure operation of the information centre (free Internet services) for the Roma; to draw up an overview of integration of Roma children in education;

(b) To develop social skills of Roma children and adults. To this end, it has been planned to finance children's day care centres attended by Roma children; hold purposeful activities for Roma children in summer, arrange camps focussed on identity preservation, hold training for Roma and non-governmental organizations working with the Roma; to prepare and implement tools for raising awareness on equal opportunities and discrimination issues (publications, posters, TV commercials, television and radio programs, training, etc.); to establish two posts of intercultural mediators to work with the Roma in Vilnius; to promote self-

organization of the Roma community, to provide the Roma with information about the Lithuanian citizenship, identity cards, passports, and residence permits;

(c) To encourage the involvement of the Roma into the labour market. In the framework of the European Union Structural Funds programming period for 2007-2013, funding will be available for projects aimed at integrating into the labour market socially excluded Roma; and it has also been foreseen to cooperate with organizations providing the Roma with mediation, employment and accompanying support services;

(d) To inform Roma on healthy lifestyles. To this end it has been planned to develop and implement healthy lifestyle education projects, organize events promoting healthy lifestyles and talk to Roma girls and women on sanitary and hygiene issues;

(e) To create opportunities for the promotion of the Roma language, customs and traditions. In order to promote opportunities for the Roma language, customs, traditions, different events will be organized for the development of Roma amateur art and preservation of the culture; the Roma folklore will be collected, a CD with Roma traditional songs will be released;

(f) To raise public awareness as regards the condition of the Roma minority. To this end it has been planned to:

(i) Hold seminars, educational training, discussions for civil servants, trade union representatives and other target groups on issues of equal opportunities and discrimination; arrange events promoting tolerance to and understanding of the Roma culture;

(ii) Prepare school materials on Roma history and ethnic culture and incorporate them into general education programmes;

(iii) Prepare information about the Roma culture, traditions and rights to be promoted through the media;

(iv) Release comic book about the Roma history;

(v) Join the Dosta campaign of the Council of Europe;

(vi) Complete a survey on the development in social attitudes and reasons for discrimination as well as analysis of the results;

(vii) Conduct an opinion poll on the situation of the Roma in Lithuania.

53. The implementation of the measures under the Action Plan for Integration of Roma will be coordinated by the Roma Inter-institutional Working Group set up by order of the Minister of Culture; the working group shall include representatives from State, municipal and non-governmental organizations (Roma or Roma-related organizations).

54. It should also be noted that there are no special healthcare programmes for the Roma people, healthcare services being provided in accordance with the general procedure applied to all citizens. The provision of medically necessary care in Lithuania is regulated by Order No V-208 of 8 April 2004 of the Minister of Health of the Republic of Lithuania "On the Approval of the Procedure for and Scope of the Provision of Medically Necessary Care and Medically Necessary Care Services". In compliance thereof, necessary health care (first medical aid and emergency medical care) shall be provided to all individuals (Roma included) in health care institutions.

55. According to article 6 of the Law on Health Insurance of the Republic of Lithuania, Roma that belong to the group of persons eligible for the compulsory health insurance

(minors, unemployed persons of working age who are registered with the labour exchange of their place of residence, one of the parents (adoptive parents) raising a child under 8 years of age, as well as one of the parents (adoptive parents) raising two or more under-age children, etc.) shall be insured with State funds and can receive free health care services as other residents of Lithuania.

56. It should be noted that problems arising with the Roma people in connection with the absence of personal identity cards or the absence of citizenship are dealt with in compliance with the procedure laid down in legal acts of the Republic of Lithuania. In accordance with paragraph 5 of article 6 of the Law on Fees and Charges of the Republic of Lithuania, Roma persons eligible for a social benefit (similarly to people of other nationalities who are eligible for a social benefit) may be exempted from State fees and charges and be issued with an identity card or a passport free of charge.

57. Meanwhile, in accordance with the Draft Action Plan for Roma Integration, while dealing with the matters related to Roma personal identity documents, the Roma shall be provided with the information on citizenship of the Republic of Lithuania and issuance of identity cards, passports and residence permits in Lithuania. Mediators from the Roma Public Centre shall also help deal with the matter.

58. In terms of funding and planned budget, it should be noted that project measures for implementation of the Action Plan for Roma Integration shall be funded from the State budget of the Republic of Lithuania, structural funds of the European Union, and the PROGRESS funds of the European Commission. In 2012–2014, LTL 2 million shall be allocated from the European Union structural funds, approx. LTL 70,000 shall be allocated from the European Commission PROGRESS funds, and approx. LTL 1.4 million shall be allocated from the State budget.

59. It should also be noted that programmes targeted at better integration of Roma into the society shall be reviewed, and the progress of integration of the Roma ethnic minority shall be assessed in 2014, following a sociological study.

### **Reply to the recommendations contained in paragraph 18 of the concluding observations**

60. The latest study was carried out in 2006–2008. In 2008, with a view to implementation of the Strategy on Development of Ethnic Minority Policy until 2015, and the National Anti-Discrimination Programme for 2006–2008, Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania initiated a study “The situation of ethnic minority men and women in the labour market”. The Labour and Social Research Institute conducted the study in September – October 2008.

61. With changes in the economic situation, it is probable that the situation of ethnic minorities has also changed; hence the situation thereof should be reassessed.

62. It should be noted that the Ministry of Social Security and Labour, with a view to implementing Recommendation 18 of the Concluding Observations of the United Nations Committee on the Elimination of Racial Discrimination, has drafted a technical task for the comprehensive comparative study on the situation of women from various social groups (the disabled, ethnic and racial minorities, rural women, etc.), including possible manifestations of discrimination on the basis of race and gender. The technical task has been included into the description of financial terms and conditions of Measure “Reduction of discrimination and prevention of social problems at the labour market” of the European Social Fund. Project selection and tendering process in accordance with this Measure is

planned for 2012. The afore-mentioned study will provide updated information on the situation of women from minority groups and will be included into the next periodic report of Lithuania.

63. It also needs to be pointed out that the Office of Equal Opportunities Ombudsperson did not receive any complaints on the grounds of race, nationality, ethnic origin, or gender in 2011.

### **Reply to the recommendations contained in paragraph 19 of the concluding observations**

64. On 1 April 2011 the new Law on Citizenship of the Republic of Lithuania came into force. The Law provides for more favourable conditions, as compared to the provisions of the earlier version of the Law on Citizenship, for stateless persons, especially children, to acquire citizenship of the Republic of Lithuania.

65. The new Law on Citizenship of the Republic of Lithuania has extended the scope of persons (children) who shall acquire citizenship of the Republic of Lithuania by birth, when parents of the child are stateless persons, or one of the parents is a stateless person. According to the earlier version of the Law on Citizenship, only those children of stateless persons habitually resident in the Republic of Lithuania would acquire citizenship of the Republic of Lithuania by birth, who were born in the territory of the Republic of Lithuania; whereas the new version of the Law on Citizenship lays down that a child shall acquire citizenship of the Republic of Lithuania, regardless of whether born in the territory of the Republic of Lithuania, or beyond its borders (on condition that the child has not acquired by birth the citizenship of another State).

66. Also, a new provision has been approved whereby a child, one of whose parents is a stateless person habitually legally resident in the Republic of Lithuania, while the other is unknown, shall be a citizen of the Republic of Lithuania regardless of whether the child was born in the territory of the Republic of Lithuania or beyond its borders (on condition that the child has not acquired by birth the citizenship of another State).

67. A new provision has been approved in the Law on Citizenship of the Republic of Lithuania whereby an application for renunciation of citizenship of the Republic of Lithuania submitted by a citizen of the Republic of Lithuania shall not be processed if a person would remain stateless upon their renunciation of citizenship of the Republic of Lithuania.

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