

Lithuania

Mid-term Implementation Assessment



Promoting and strengthening
the Universal Periodic Review
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by *UPR Info* to collect data and to calculate the index is described at the end of this document.

Geneva, 5 August 2014
Updated on 3 September 2014

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/lithuania>

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

8 stakeholders' reports were submitted for the UPR. 15 NGOs were contacted. 3 UN agencies were contacted. The Permanent Mission to the UN was contacted. The National Human Rights Institution (NHRI) was contacted as well.

7 NGOs responded to our enquiry. 1 UN agency responded. The State under Review did not respond to our enquiry. The NHRI did respond to our enquiry.

The following stakeholders took part in the report:

1. **NHRI:** Seimas Ombudsmen's Office of the of the Republic of Lithuania (LRSKI)
2. **UN Agency:** United Nations High Commissioner for Refugees (UNHCR)
3. **NGOs:** (1) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (2) Human Rights Coalition composed of Lithuanian Gay League; Centre for Equality Advancement; Lithuanian Jewish Community; Mental Health Initiatives; Roma Community Centre; Tolerant Youth Association; Lithuanian Centre for Human Rights (Coalition)

IRI: 51 recommendations are not implemented, 21 recommendations are partially implemented, and 13 recommendations are fully implemented. No answer was received for 31 out of 120 recommendations and voluntary pledges (full list of unanswered recommendations is available at the end of this document).



2. Index

Hereby the issues that the MIA covers:

rec. n°	Rec. State	Issue	IRI	page
3	Afghanistan	Women's rights	fully impl.	page 32
14	Afghanistan	Rights of the Child, Women's rights	not impl.	page 33
10	Algeria	NHRI	not impl.	page 39
72	Algeria	Women's rights	not impl.	page 37
79	Algeria	Detention conditions	partially impl.	page 25
96	Algeria	International instruments, Labour, Migrants	not impl.	page 21
24	Argentina	Sexual Orientation and Gender Identity	partially impl.	page 27
47	Argentina	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 20
84	Argentina	Women's rights	fully impl.	page 32
97	Argentina	International instruments, Labour, Migrants	not impl.	page 21
33	Australia	Freedom of association and peaceful assembly, Freedom of opinion and expression, Sexual Orientation and Gender Identity	partially impl.	page 29
69	Australia	Minorities	not impl.	page 16
81	Australia	Detention conditions	partially impl.	page 26
11	Azerbaijan	Women's rights	not impl.	page 32
46	Azerbaijan	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 20
55	Azerbaijan	NHRI	not impl.	page 40
16	Belarus	Minorities	not impl.	page 13
4	Belgium	Freedom of opinion and expression, Sexual Orientation and Gender Identity	partially impl.	page 26
106	Belgium	Freedom of association and peaceful assembly, Freedom of opinion and expression, Rights of the Child, Sexual Orientation and Gender Identity	not impl.	page 30
20	Brazil	Racial discrimination	not impl.	page 11
49	Brazil	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 21
66	Canada	Freedom of religion and belief, Minorities, Racial discrimination	not impl.	page 16
85	Chile	Women's rights	partially impl.	page 32
95	Chile	Minorities, Treaty bodies	not impl.	page 17
71	China	Women's rights	not impl.	page 37
80	Denmark	Detention conditions	partially impl.	page 25
109	Denmark	Sexual Orientation and Gender Identity	not impl.	page 31
32	Finland	Women's rights	not impl.	page 35
94	Finland	Right to education, Women's rights	not impl.	page 12
8	France	Racial discrimination	partially impl.	page 10
45	France	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 19
15	Iran	Other	partially impl.	page 39
18	Iran	Racial discrimination	not impl.	page 25
36	Iran	Minorities, Right to education, Rights of the Child	not impl.	page 14
119	Iran	Asylum-seekers - refugees, Labour	not impl.	page 19



rec. n°	Rec. State	Issue	IRI	page
27	Ireland	Sexual Orientation and Gender Identity	not impl.	page 29
61	Ireland	NHRI	not impl.	page 40
62	Ireland	Rights of the Child	fully impl.	page 36
87	Ireland	Human rights education and training, Rights of the Child, Women's rights	not impl.	page 39
7	Malaysia	Racial discrimination	not impl.	page 9
54	Malaysia	NHRI	partially impl.	page 40
65	Mexico	Minorities	not impl.	page 15
28	Moldova	Women's rights	not impl.	page 34
60	Moldova	NHRI	partially impl.	page 41
68	Moldova	Human rights education and training	fully impl.	page 12
86	Moldova	Women's rights	partially impl.	page 38
40	Netherlands	Minorities	not impl.	page 14
17	Norway	Civil society	partially impl.	page 7
22	Norway	Human rights education and training	partially impl.	page 11
26	Norway	Freedom of association and peaceful assembly, Sexual Orientation and Gender Identity	-	page 28
41	Norway	Minorities, Right to education	partially impl.	page 15
99	Poland	Minorities	not impl.	page 22
104	Poland	Minorities	not impl.	page 17
105	Poland	Minorities	not impl.	page 18
117	Poland	Minorities	not impl.	page 18
118	Poland	Minorities	-	page 18
29	Romania	Women's rights	not impl.	page 34
37	Romania	Rights of the Child, Torture and other CID treatment	not impl.	page 35
2	Russian Federation	Racial discrimination	partially impl.	page 8
21	Russian Federation	Minorities	not impl.	page 14
70	Slovakia	Human rights education and training, Women's rights	not impl.	page 37
5	Slovenia	Sexual Orientation and Gender Identity	fully impl.	page 27
31	Slovenia	Sexual Orientation and Gender Identity	not impl.	page 29
34	Slovenia	Freedom of association and peaceful assembly, Freedom of opinion and expression, Sexual Orientation and Gender Identity	partially impl.	page 7
111	Slovenia	Sexual Orientation and Gender Identity	not impl.	page 32
9	Spain	Detention conditions, Human rights violations by state agents, Torture and other CID treatment	partially impl.	page 22
50	Spain	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 21
58	Spain	NHRI	not impl.	page 40
73	Spain	Women's rights	partially impl.	page 38
76	Spain	Disabilities	partially impl.	page 16
98	Spain	ESC rights - general, International instruments	not impl.	page 21
25	Sweden	Sexual Orientation and Gender Identity	not impl.	page 27
42	Sweden	Minorities	fully impl.	page 15
1	Switzerland	Freedom of religion and belief, Minorities	-	page 13
19	Switzerland	Racial discrimination	not impl.	page 10



rec. n°	Rec. State	Issue	IRI	page
107	Switzerland	Sexual Orientation and Gender Identity	not impl.	page 30
108	Switzerland	Sexual Orientation and Gender Identity	not impl.	page 31
57	Turkey	NHRI	not impl.	page 40
53	United Kingdom	Freedom of religion and belief, Minorities	partially impl.	page 15
56	United Kingdom	NHRI	not impl.	page 40
64	United Kingdom	Women's rights	not impl.	page 37
23	United States	Human rights education and training, Minorities, Racial discrimination, Sexual Orientation and Gender Identity	fully impl.	page 11
6	Uruguay	International instruments, Racial discrimination	not impl.	page 8
13	Uruguay	International instruments, Rights of the Child	not impl.	page 33
35	Uruguay	Right to education, Right to health, Rights of the Child	-	page 35
38	Uruguay	Minorities, Right to education, Rights of the Child	not impl.	page 14
52	Uruguay	Detention conditions, International instruments, Torture and other CID treatment	fully impl.	page 21
100	Uruguay	ESC rights - general, International instruments	not impl.	page 21
102	Uruguay	International instruments, Labour, Migrants	not impl.	page 21



3. Feedback on recommendations

CP Rights

Recommendation n^o17: *Develop even closer co-operation with civil society on human rights related issues* (Recommended by Norway)

IRI: *partially implemented*

Human Rights Coalition composed of Lithuanian Gay League; Centre for Equality Advancement; Lithuanian Jewish Community; Mental Health Initiatives; Roma Community Centre; Tolerant Youth Association; Lithuanian Centre for Human Rights (Coalition) response:

The Government is trying to include various NGOs in consultation processes regarding laws, different strategies, etc. Nevertheless non-governmental organisations still perceive it as a very vertical cooperation, where working groups are established, usually it is required to submit different kinds of recommendations to the Governmental institutions in a very short period of time, even if NGOs do not have funding for these kind of activities, or required to propose wording for draft laws, recommendations are submitted by different NGOs, then the Governmental institutions decide on finalisation of the process without further involvement of the civil society. There were situations in the reporting period, when NGOs released their public opinion about the Strategy on Mental Health and Prevention of Suicide, and the Ministry released that it was drafted with their involvement. Cooperation is still implemented in a very formal way rather than a process of continuous cooperation. NGOs are considered more as service providers rather than potential partners for cooperation, who can provide quality based proposals on how to improve certain spheres of life, and should be allowed to receive sufficient funding.

Recommendation n^o34: *Ensure the full respect for freedom of expression and freedom of assembly for all, including LGBT people* (Recommended by Slovenia)

IRI: *partially implemented*

Coalition response:

The organizers of the Baltic Pride 2013 March for Equality had to defend their constitutional right to freedom of peaceful assembly before the national courts. First of all, the Vilnius City Municipality has agreed to facilitate the Baltic Pride March for Equality on 27 July 2013. However, they unilaterally relocated the March from the central avenue in the downtown of Vilnius to



rather isolated and inaccessible area on the riverbank. The national LGBT* rights association LGL challenged this decision before the national courts. On 20 June 2013 the Supreme Administrative Court of the Republic of Lithuania ruled that the unilateral relocation of the planned assembly by the municipal authorities was illegal and obliged the Municipality to restart negotiations with the organizers of the event anew. On 26 June 2013 the Vilnius City Municipality Administration refused to agree upon time, location and form of the Baltic Pride 2013 March for Equality, thus effectively banning the event. The national LGBT association LGL once again challenged this decision before the national courts. On 23 July 2013 the Supreme Administrative Court of Lithuania obliged the Vilnius City Municipality to facilitate the Baltic Pride 2013 March for Equality on the Gediminas Avenue, i.e. on the location initially preferred by the organizers. The Court clearly indicated that the interference with the right to freedom of peaceful assembly of the local LGBT* community was not proportionate and thus not necessary in the democratic society. The Baltic Pride 2013 March for Equality took place on Gediminas Avenue on 27 July 2013.

ESC Rights

Recommendation n^o2: *Strengthen mechanism for the implementation of legislation in force including laws against discrimination and the manifestation of racism (Recommended by Russian Federation)*

IRI: *partially implemented*

Coalition response:

The mechanism on implementation of legislation in force has not been amended significantly in the reporting period. Most of the Law on Equal Treatment is in compliance with the EU directives. Nevertheless, some of the recommendations to change the Law on Equal Treatment and Law on Equal Treatment of Men and Women have been included in the Ombudsperson's for Equal Opportunities annual report in 2013. Nevertheless the administrative sanctions are rarely used by the Equal Opportunities Ombudsperson, there is no public visibility of the body. Its' role should be more proactive: consider the possibility to become a proactive mediation body, go to the working places and other places where racism and discrimination happens to talk to employees, employers, consider applying testing mechanisms to find out discrimination cases of people belonging to certain minority groups.



Recommendation n°6: *Strengthen the domestic legal framework to punish racial segregation and step up all types of measures to prevent, prohibit and eliminate in its territory all practices of this nature, in line with article 3 of the Convention on the Elimination of Racial Discrimination* (Recommended by Uruguay)

IRI: *not implemented*

Coalition response:

During the reported period, no action has been taken place to stop the racial segregation of the Roma community within the Vilnius municipality. The status of the housing within Roma community in Vilnius remains unaddressed, even though houses were built in seventies or eighties (before Lithuania's Independence). The conditions are very poor - there are only 3 water tabs in the whole Kirtimai Roma community. Some houses have been demolished with the sanctions from the Courts during the period. Some of the houses were burned by unidentified persons. All of the houses are registered by the Ministry of Environment, their STATYBO PRIEŽIŪROS dep, nevertheless, the Department is only taking care of the legal procedure in order to demolish the houses, but not to provide alternatives for the families whose houses where demolished. A new trend has been observed by the Roma Community Centre, that authorities try to demolish the houses within the period, while the families are away for a short period of time, e.g. when parents are put in jail, when people leave abroad or to another town, after coming back, they might not find their houses. It has been reported by two Roma community leaders, that some of the illiterate people are given to sign the document by the police officers, where they admit the illegal housing, saying it would be better for them if they sign, otherwise they could experience bigger problems.

Recommendation n°7: *Take appropriate steps to ensure the full application of existing legislation on combating racism and racial discrimination* (Recommended by Malaysia)

IRI: *not implemented*

Coalition response:

During the reporting period no significant changes were made in the Laws on Equal Treatment and the Law on Equal Treatment of Men and Women. During the reporting period, no changes in investigations of hate crimes were made. During the interviews made with different communities declared that crimes committed against them were not treated as such by the police, some of them did not report, because have had somebody else who did not receive any help from the officers, some did not report, because they believed it would be difficult to identify perpetrators who attacked them on the street. According to the Shadow Report of the European Network against Racism, different communities experience discrimination in the



labour market, but the level of it is unknown, as there is no specific research conducted.

Recommendation n°8: Strengthen its legislation, notably its criminal legislation, relating to the punishment of racist acts and take concrete and effective measures with a view to combat all forms of discrimination and to prohibit as well as sanction in a more severe manner such behaviours (Recommended by France)

IRI: partially implemented

Coalition response:

The criminal laws have been amended before the reported period in order to punish hate crimes, or more precise - crimes with hate motivation. It is included in the Criminal Code as an aggravating circumstance. Nevertheless, the recording of such crimes remains unclear, different communities have reported that some of their cases have not been investigated for 3 or more years, even if they faced serious attack or they have not heard of the outcomes of investigation. The mechanism for recording a hate crime remains unclear, whether a crime is registered as a hate crime as a perception of a victim or a police officer, regardless what would be the outcome after the investigation. According to the information provided to the European Network Against Racism, some of the crimes are underreported as people do not trust that police would take them seriously enough, because of the experiences of their peers. The Police Department so far does not have a mechanism known to us, as a community outreach mechanism or a person that would be advisor on diversity. We are not aware of a training programme comprised to improve the investigation and recording of hate crimes for police officers. There are cases reported when people have to insist continuously so that their crime would be registered as a hate crime as violence was followed by derogatory insulting words. A conference on hate crime was held during the Lithuanian Presidency for the EU, organised by the EU institution Fundamental Rights Agency, nevertheless, neither police officers, nor prosecutors were a part of working groups especially made for sharing international cooperation among law enforcement agencies.

Recommendation n°19: Establish, at the earliest, an action plan aimed at preventing racist assaults, so as to allow members of vulnerable groups to live in security and dignity (Recommended by Switzerland)

IRI: not implemented

Coalition response:

The action plan should be an inter-institutional errand, no action taken during the reported period.



Recommendation n°20: *Further strengthen measures to prevent and combat discrimination and to investigate allegations of hate crimes* (Recommended by Brazil)

IRI: *not implemented*

Coalition response:

The State has not taken any action to encourage the social integration of LGBT people and to reduce the prevailing enmity towards them in the society. Training of Law enforcement officials is of a general nature and pays no additional attention to sexual orientation or gender identity related issues. There is no independent specialized body that would investigate the complaints on hate crimes or hate motivated incidents.

Recommendation n°22: *Reject non-tolerant attitudes and consider a strategy on balanced and objective information to the population through the education system, attitude campaigns and political statements* (Recommended by Norway)

IRI: *partially implemented*

Coalition response:

Intercultural education was included in National Education Strategy for 2013-2020 adopted by Parliament on December, 2013. No action to include intercultural education in school curriculum was taken further. Government had confirmed Inter-institutional action plan on enhancing non-discrimination for 2012-2014, on October, 2012. This plan is carried out by Ministry of Social Affairs and Labour. Equal Opportunities Ombudsman Office broadcasted advertisements against discrimination based on age on February, 2014. The plan avoids recognition of existence of discrimination based on sexual orientation, but acknowledges the existence of discrimination based on other grounds. Ministry of Education supported the project on intercultural education carried out by Tolerant Youth Association in 2011 - 2012. The aim of project was educate teachers on discrimination issues. Project was investigated by public prosecutors for "propagation of homosexuality" and some teachers, who participated in the project faced harassment in their respective schools after. The Parliament is considering the amendment of Law on Education, which would include fundamentals of religion into program of ethics in schools, leaving no alternative to parents [to] upbringing their children without religious teachings. Currently subject of ethics is an alternative to subject of religion.

Recommendation n°23: *Develop public awareness campaigns to combat manifestations of discrimination and racism, including xenophobia, homophobia, anti-Semitism, and other forms of intolerance in order to further protect and strengthen the rights of members of minority groups,*



including Lesbian, Gay, Bisexual, and Transgender individuals and the Roma community (Recommended by United States)

IRI: *fully implemented*

Coalition response:

Lithuania co-finances projects aimed at increasing tolerance towards migrants. Lithuania signed memorandum allowing financial support from donors (Norway) for implementation of program for NGOs, which includes the education about political and civil rights and anti-discrimination on all grounds (ethnicity, religion, gender, sexual orientation, disability, etc.).

United Nations High Commissioner for Refugees (UNHCR) response:

UNHCR concurs with the need to develop and implement awareness raising campaigns to combat manifestations of discrimination and racism, including xenophobia, targeted towards asylum-seekers and refugees. For example, the 2011 and 2012 reports on the implementation of the tripartite border monitoring agreement between the Lithuanian State Border Guard, UNHCR and the Lithuanian Red Cross Society, noted that asylum-seekers and refugees are often portrayed in a negative manner in public and media reports including those published by the State Border Guard. UNHCR therefore welcomed the agreement by the State Border Guard to take steps to address this issue, through training and sensitization of its staff. Also, in 2013, UNHCR facilitated a seminar for journalists, to raise their awareness about the background of refugees, and consequently enable more informed reporting. Nonetheless, persons of concern to UNHCR continue reporting that they experience discrimination and xenophobia, for example when applying for jobs and in the public life, which in turn hampers their efforts to locally integrate. UNHCR therefore recommends that further steps be taken in this area, with the aim of preventing and combating discrimination and racism, including xenophobia.

Recommendation n°68: Continue to implement specific measures to raise awareness of human rights standards, particularly as regards antidiscrimination, and educate the society and train professionals working in this field (Recommended by Moldova)

IRI: *fully implemented*

Coalition response:

The Office of the Ombudsperson for Equal Opportunities has implemented a few initiatives under the EU PROGRESS program.

Recommendation n°94: Provide mandatory sexual education in schools and increase knowledge and awareness about family planning among women and men (Recommended by Finland)

IRI: *not implemented*



Coalition response:

The amendment of Law on Education proposing mandatory sexual education in schools was registered in Parliament as single MP initiative on February, 2014. Law on Reproductive health, which includes the education on reproductive rights and methods was proposed to the Parliament by the group of MP's on March, 2014. Government did not express any support for those proposals. Ministry of Health is preparing another version of the Law on Reproductive health, which may include free delivery of contraception to young women, but this project was not registered in Parliament as of 25 June, 2014. Minister of Health publicly supported free delivery of contraception. Ministry of Health are considering to establish separate consultation rooms on sexual and reproductive health for young people, but has taken no action to implement this ideas.

Minorities

Recommendation n°1: *Review criminal law to make it fully comply with relevant international and regional obligations and, in particular, guarantee the protection of national, ethnic, religious or linguistic minorities (Recommended by Switzerland)*

IRI: -

Coalition response:

There is still a lack of data about the experienced discrimination and hate crimes of national, ethnic, religious or linguistic minorities. The New Religions and Information Centre have presented a report on the situation of religious minorities in Lithuania, which provided data on discrimination experienced by various non-traditional religious groups.

Recommendation n°16: *Strengthen government policy aimed at ensuring inter-ethnic harmony and culture diversity (Recommended by Belarus)*

IRI: *not implemented*

Coalition response:

Despite few exceptions (ex. MP Bronius Bradauskas statement that Israel should be responsible for paying state pensions for Righteous Among the Nations), the ruling majority has a fairly strong policy in this regard, ensuring inter-ethnic harmony and cultural diversity, for example in 2008-2010 the Jewish Culture and Information Center in Vilnius implemented the project "Research of Litvak Heritage in Lithuania and Belarus" which was funded by the Ministry of Foreign Affairs, on 21 September 2010 Seimas of



the Republic of Lithuania declared the year 2011 – the Year of Remembrance for the Victims of the Holocaust in Lithuania.

Recommendation n°21: *Intensify the fight against social stereotypes, which cultivate prejudices against national minorities* (Recommended by Russian Federation)

IRI: *not implemented*

Coalition response:

Ministry of Culture of Republic of Lithuania joined in 2013 the Campaign "DOSTA!" of the Council of Europe. However, in 2014 no funds were distributed to this campaign. NGOs fight against stereotypes in frames of different projects. No measures are taken on state level.

Recommendation n°36: *Address the problem of Roma children dropping out of school, and promote the Roma language in the school system* (Recommended by Iran)

IRI: *not implemented*

Coalition response:

Permanent consultations with Ministry of Education and Science have no results. NGOs working with Roma children on prevention of early drop-out underline the necessity of state policy, of support to schools, constant systematic support to the Roma parents. Unfortunately, the Ministry doesn't share this position.

Recommendation n°38: *Establish emergency measures aimed at integrating Roma children in regular schools and solve the problem of the drop-out rate of these children* (Recommended by Uruguay)

IRI: *not implemented*

Coalition response:

At this moment, Ministry of Culture prepares new Strategy of Roma Integration for 2015 - 2020. Emergency measures are suggested, now it's important to legalise them.

Recommendation n°40: *Use more actively existing or new platforms for involving the Roma community in policy formulation, implementation and actively pursue an increase in the number of Roma in all public institutions* (Recommended by Netherlands)

IRI: *not implemented*

Coalition response:

According to statistics, there are no Roma in public institutions at all. Therefore measures are needed in order to employ any at all. The level of representation of other national minorities is rather small in public institutions as well.



Recommendation n°41: *Develop a close dialogue with all minorities regarding language education issues* (Recommended by Norway)

IRI: *partially implemented*

Coalition response:

National-level Jewish pre-school educational institution should be established that will prepare pupils for further education in Jewish school. Currently there is municipal level Jewish kindergarten.

Roma representatives are involved as members to the Working group for creating a Strategy of Roma Integration until 2020. Their opinion is taken into consideration during meetings but not reflected in the Final documents as measures to be taken, especially regarding language.

Recommendation n°42: *Further consider measures to secure the integration of the Roma community* (Recommended by Sweden)

IRI: *fully implemented*

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Recommendation n°65: *Implement policies and actions aimed at the effective integration of the Roma community which would include the employment, education, security, social and health sectors, emphasis on the promotion of the Roma language, and the regularization of their identity documents* (Recommended by Mexico)

IRI: *not implemented*

Coalition response:

The Division of National Minorities Issues in the Ministry of Culture of LR is responsible for creating the National Roma Integration Strategy which would include the employment, education, security, housing, social and health sectors, emphasis on the promotion of the Roma language, and the regularisation of their identity documents. The problem is the level of approval: now it is not governmental, inter-institutional, therefore the Ministry of Culture does not have the means to force other Ministers and/or institutions to participate and implement provisions, besides the Plan is not supported by budget planning measures.

Recommendation n°53: *Swiftly implement the Law of Compensation of the Immovable Property of the Jewish Religious Communities of Lithuania* (Recommended by United Kingdom)

IRI: *partially implemented*

Coalition response:

Law on Good Will compensation for the immovable property of Jewish religious communities took effect on 2011 December 1st. Adopting this



Law, the Republic of Lithuania undertook positive obligations to give such compensation.

Recommendation n°66: *Enact a more robust set of policies and procedures to combat anti-Semitism, and that a public strategy be developed to dissuade prejudices and intolerance towards the Jewish population and its culture, including with respect to Jewish memorial and commemorative sites within Lithuania* (Recommended by Canada)

IRI: not implemented

Coalition response:

Lithuanian Penal Code laws regarding manifestations of anti-Semitism are rather abstract and rarely reaches any factual result. Legal base regarding this matter needs a revision to ensure more effective sanctions and eliminate the general feeling of impunity for those who choose to engage in anti-Semitic acts.

Recommendation n°69: *Continue to fund programs aimed at integrating Roma and take further steps to address the on-going social exclusion of Roma* (Recommended by Australia)

IRI: not implemented

Coalition response:

The tendency is to cut funding of projects of Roma integration. In 2014 funds for Roma projects were reduced by 42,8%.

Recommendation n°76: *Pay greater attention to the situation of persons with disabilities, with more facilities in public buildings, housing, transports, telephone helplines, improvement in care centres, review of proceedings of involuntary hospitalisation and protection of the exercise of fundamental rights, such as the rights to vote* (Recommended by Spain)

IRI: partially implemented

Coalition response:

The current Mental Health Care act is from 1995. Throughout the period from 1995 to 2014 it was amended only once. In 2008 there was a provision on obligatory legal representation included in the law in processes of involuntary hospitalisation of persons with mental health problems. No other amendments or changes of legal framework were in place, which show major reluctance of the government to apply the modern human rights standards to the mental health system in Lithuania. Recently the task force group was set up under Ministry of Health for amendments of the Mental Health Care Act. No NGO representatives were included into the group initially. According to the general public discourse and speeches given by some decision makers or people working in mental health area, there is a threat, that the involuntary treatment could be applied in more cases in the



future that currently. The new draft package on legal capacity developed by Ministry of Justice, contains provisions on supported decision-making, advance directives, and the possibility of restriction or denial of legal capacity in specific areas of life. The draft law recently was approved by the Government and was sent to the Parliament for the discussions in the committees and voting in the parliamentary session. During the discussions in the Government there were suggestions to go back to the previous working that “the court may deny or restrict the person’s legal capacity in all the areas of life” which would mean automatic full legal incapacity and substituted decision making. Such a legal entitlement will facilitate and continue the practice of the courts to apply those provisions very easily with regards to all persons in regard (as it is done currently, without having no assessment of capacity of the person concerned). Also there are no clear plans to provide trainings for judges for changing the court practice, as changing legislative framework does not necessarily means changing it in practice. Also Ministry of Justice does not have any direct power for judges, just recommendations possibilities. With respect to the personal rights, such as the right to vote, the right to marry, it is inscribed even in the Constitution of the Lithuania, that persons being declared as incapable cannot vote, cannot become parliamentarian (art. 34, 56). The above mentioned draft of legislation in related only to the Civil Code, Code of Civil procedure and some other laws, but do not relate to the Constitutional provisions. Thus, even if changing the legislative framework of legal capacity in Lithuania, there will still remain Constitutional provisions prohibiting particular group of persons to exercise their fundamental rights (participate in elections).

Recommendation n°95: Reinforce policies for the integration of minority groups, particularly Roma, in line with CERD recommendations (Recommended by Chile)

IRI: not implemented

Coalition response:

The State considers recommendations do not require specific action to be taken. From 2004 any recommendations concerning Roma issues are not taken in account.

Recommendation n°104: Adopt a new Act on National Minorities in order to precisely stipulate the rights and obligations of persons belonging to national minorities in Lithuania in accordance with its international obligations, notably the Council of Europe's Framework Convention for the Protection of National Minorities (Recommended by Poland)

IRI: not implemented



Coalition response:

Current draft law on National Minorities prepared by the Ministry of Culture should be revised in order to stipulate the rights and obligations of persons belonging to national minorities in Lithuania in accordance with its international obligations more precisely. It should be noted that a legal form of minority community enabling a full realisation of ethnic-religious needs currently does not exist.

Recommendation n°105: *Ensure full compliance of the Lithuanian legislation and practice with international law which guarantees every person belonging to minority the right to have his or her name in official documents written in minority language* (Recommended by Poland)

IRI: *not implemented*

Coalition response:

Current Lithuanian legislation does not fully comply with international law in this regard. Specific "non-Lithuanian" symbols, such as letter "W" is prohibited to use in official documents.

Recommendation n°117: *Enable national minorities to freely use their languages in public domain, including topographical indications in minority areas* (Recommended by Poland)

IRI: *not implemented*

Coalition response:

National minorities are not fully enabled to freely use their languages in public domain and this subject is still seen as 'controversial'. It requires a stronger approach to the matter from the authorities, enabling national minorities to fully exercise their rights to the use of a minority languages.

Recommendation n°118: *Abandon the practice of applying the so-called retrogressive measures whereby members of national minorities are deprived of their rights and freedoms which they had been enjoying and exercising earlier, sometimes for many decades* (Recommended by Poland)

IRI: -

Coalition response:

It should be noted that legislation enabling restoration of property rights for Jews whose property were unlawfully expropriated and who emigrated to Israel and could not acquire Lithuanian citizenship before 2006, October 11 ruling of Constitutional Court should be taken into consideration. No preparations have been made to establish such law.



Recommendation n°119: *Consider granting the right to work, to asylum seekers who have been in the country for more than six months* (Recommended by Iran)

IRI: *not implemented*

Coalition response:

No action taken. Asylum seekers have no right to work until they get asylum.

UNHCR response:

Asylum seekers are not allowed to work in Lithuania. While the upcoming transposition of the EU recast Reception Conditions Directive may cause policy level discussions on this issue, no draft legislation has been prepared so far.

International Instruments

Recommendation n°45: *Adhere to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, at the earliest* (Recommended by France)

IRI: *fully implemented*

Coalition response:

Lithuania has ratified OPCAT on 3 December, 2013, and designated Seimas Ombudsman office to become the national preventative mechanism. In February, 2014, Seimas Ombudsman's office approved the National torture prevention implementation program. According to Seimas Ombudsman's office, there are aprox. 400 closed type institutions in Lithuania. Only less than 1/3 of those places are within the criminal justice system (prisons, remand prisons, etc.), all the rest places are in various health and social care facilities (psychiatric institutions, social care homes for children and adults with disabilities). The Ombudsman's office lacks resources to implement fairly preventive mechanisms for human rights violations in the institutions bearing in mind 400 institutions.

Seimas Ombudsmen's Office of the of the Republic of Lithuania (LRSKI) response:

On 3 December 2013 the Seimas by an Act No XII-630 has ratified the Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and approved amendments to the Law on the Seimas Ombudsmen that entrust the Seimas Ombudsmen's Office to implement national prevention of torture in



places of detention and undertake regular visits. These amendments came into force on 1 January 2014. During this short period and after having started performing national prevention of torture, the Seimas Ombudsmen's Office carried out 16 monitoring inspections of places of detention.

In June 2013, the Seimas Ombudsmen's Office undertook organisational-structural and activity-related changes, after which a new structure of the office was approved. Following these changes the Human Rights Division was formed on the basis of the group monitoring human rights in closed detention institutions with the aim of implementing the functions of the Seimas Ombudsmen's Office, monitoring and analysing human rights and freedoms, and seeking to restore violated human rights, as well as preventing the emergence of new offences. Equally important are the newly assigned functions to promote human rights, education, and collaboration at nationals and international level.

According to these functions the Seimas Ombudsmen's Office often organises various seminars regarding human rights mainstreaming in public administration and public services. The latest seminar organised by the Seimas Ombudsmen's Office was held on 4 October 2013. The seminar "The Role of Local Self-government in Ensuring Citizen's Rights to a Proper Public Administration" from the cycle of seminars for civil servants titled "Citizen's Rights and Responsibilities of Public Administration Entities"

The implementation of the national prevention of torture has been one of the strategic goals of the Seimas Ombudsmen for a number of years already. It is gratifying to know that in 2013 this goal was achieved through joint efforts of the Seimas Ombudsmen, the Seimas Committee on Human Rights, the Ministry of Justice and the Ministry of Foreign Affairs, and that the Seimas Ombudsmen can already be designated not only as the officials investigating complaints against state and municipal institutions, but also as the officials responsible for the national prevention of torture.

Recommendation n^o46: *Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Recommended by Azerbaijan)

IRI: *fully implemented*

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Recommendation n^o47: *Consider the possibility of ratifying the Optional Protocol to the Convention against Torture and other cruel, inhuman or degrading treatment* (Recommended by Argentina)

IRI: *fully implemented*

+

Recommendation n°49: *Ratify the Optional Protocol to the Convention against Torture* (Recommended by *Brazil*)

IRI: *fully implemented*

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Recommendation n°50: *Sign and ratify the Optional Protocol of the Convention against Torture and other cruel, inhuman or degrading treatment* (Recommended by *Spain*)

IRI: *fully implemented*

+

Recommendation n°52: *Ratify or access, as appropriate, the Optional Protocol to the Convention on Torture* (Recommended by *Uruguay*)

IRI: *fully implemented*

LRSKI response:

[See response to recommendation n°45]

Recommendation n°96: *Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (Recommended by *Algeria*)

IRI: *not implemented*

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Recommendation n°97: *Consider the possibility of ratifying the International Convention on the Protection of the rights of all Migrants Workers and members of their families* (Recommended by *Argentina*)

IRI: *not implemented*

+

Recommendation n°98: *Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* (Recommended by *Spain*)

IRI: *not implemented*

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Recommendation n°100: *Ratify or access, as appropriate, the Optional Protocol to the International Covenant of Social, Economic and Cultural Rights* (Recommended by *Uruguay*)

IRI: *not implemented*

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Recommendation n°102: *Ratify or access, as appropriate, the Convention on Migrant Workers* (Recommended by *Uruguay*)

IRI: *not implemented*

Coalition response:

No action taken.



Recommendation n°99: *Sign, ratify and implement the provisions of the European Charter for Regional or Minority Languages (Recommended by Poland)*

IRI: *not implemented*

Coalition response:

Lithuania is not yet a party of the Treaty. No preparations were made during the reporting period to sign it.

Justice

Recommendation n°9: *Ensure an increased normative and institutional control of law enforcement offices and security forces personnel with a view to avoid cases of excessive use of force and ill treatment of detainees (Recommended by Spain)*

IRI: *partially implemented*

LRSKI response:

In general, in 2013, the Seimas Ombudsmen's Office received 2,897 complaints from natural and legal persons, of which 1,846 were new complaints. 1,382 complaints were related to the activities of the officials of state institutions and 628 complaints – to the activities of the officials of municipal institutions. 797 complaints were investigated on the merits. In the process of investigation of these complaints, 1,159 problems were identified and the decision was made with respect to each of them. It means that at least two different issues were raised in almost every second complaint investigated on the merits.

The percentage of justified complaints against the state institutions' officials is considerably lower because the major part of these complaints comprises complaints from the imprisonment institutions about violations of human rights of inmates. Only a very small share of such complaints is confirmed and declared to be justified. Therefore, the total percentage of complaints against the state institutions' officials declared to be justified is not high.

The percentage of justified complaints against the state institutions' officials, without taking into account the complaints against actions of the officials of penal institutions, would be 32%.

The inmates of penal institutions very actively complain about the alleged violation of their rights. In 2013, the Seimas Ombudsmen opened as many as 490 cases of complaints concerning actions of the penal institutions'



officials, which represent almost one-third (28%) of all cases initiated by the Seimas Ombudsmen in 2013. However, justified complaints make up only a very small percentage of these complaints: only 12% of complaints against actions of the penal institutions' officials were declared to be justified.

Lukiškės Remand Prison – Closed Prison (103 complaints) and Pravieniškės Correction House – Open Prison Colony (102 complaints) are in the first positions in terms of numbers of complaints received in 2013 against actions of the penal institutions' officials. Vilnius Correction House (65 complaints) is in the third position.

However, the highest percentage of justified complaints is observed among complaints received against the Central Prison Hospital (57 complaints), which is in the fourth position according to received complaints. As much as 37% of complaints against actions of the officials of this institution had been declared to be justified and considerably exceed the total average percentage of the justified complaints (22%), being close to the share (42%) of decisions on justified complaints against municipal institutions.

Therefore, the largest number of complaints (as many as 565 complaints by ministries and institutions attributed to their management sphere) had been received with respect to the Ministry of Justice. All penal institutions are attributed to the management sphere of this Ministry, or, to be more precise – to the sphere of management of the Prison Department under the Ministry of Justice.

The area of restriction of liberty covers complaints about the conditions under which the inmates are kept in prisons or in police custodies, about meals, behaviour of the officers or wrong application of legal actions in these institutions, inadequate handling of applications of individuals whose liberty is restricted, access to health care, provision of necessary medical assistance, regime in penitentiaries, etc.

In case of complaints are found reasonable, the Seimas Ombudsmen give recommendations to the responsible authorities and control their implementation. It must be pointed out, that 91 per cent of recommendations are being implemented.

According to the new function under the OPCAT – national torture prevention – detention facilities are visited on a regular basis. During such visits, the condition and treatment of detainees, as well as implementation of CPT recommendations are evaluated in a written report which is submitted to the authorities with respected recommendations.



Moreover, the Law on the Seimas Ombudsmen entitles the Seimas Ombudsmen to open investigations on their own initiative when the signs of the abuse of office, bureaucracy or other violations of human rights and freedoms by the officials are established from reports of mass media or other sources.

Investigations initiated by the Seimas Ombudsmen are one of the most effective measures of the protection of human rights. This measure is of a special preventive type, because the Seimas Ombudsman may initiate the investigation even without having received a complaint about the particular problem, if he believes that human rights might have been violated in a certain case. These investigations enable to promptly and effectively respond to potential violations of human rights and, furthermore, they are usually related not to a single individual, but to a large group of individuals, or even to a big part of the society. As a rule, such investigations are particularly detailed and involve thorough analysis of a given problem. This enables to reveal gaps or imperfections in the regulatory framework and to propose the respective regulatory improvements.

In 2013, the Seimas Ombudsmen conducted 22 investigations on their initiative dealing with 37 problems and adopting decisions with respect to each of them. It should be emphasised that in 21 cases the facts of abuse, bureaucracy or other public maladministration had been disclosed, in 12 cases the facts of public maladministration had not been confirmed, and in another 4 cases the investigation had been discontinued.

In 2013, the Seimas Ombudsmen issued 903 recommendations to the officials of state and municipal institutions.

In the end of this report it should be mentioned that Lithuania makes efforts to increase protection of human rights in wide spectrum of areas. The activities of state government authorities are based on the Constitution of Lithuania, laws, international treaties, and the principles of the rule of law and respect for human rights and freedoms. All public authorities, having regard to their competences and functions, are responsible for the ensuring human rights.

What is more, Lithuania, however, is a state acting upon rule of law and legislative power belongs to the Seimas of Lithuania. All rights and duties of persons as well as authorities are established by laws.



The Seimas Ombudsmen seek that each person, who applies to them, is provided with correct and objective information on the matter raised in the complaint without undue delay. Every single person is important and so each complainant is given due attention and time in order to settle the raised issues effectively.

Recommendation n°18: *Ensure that racist and xenophobic incidents are effectively prosecuted* (Recommended by *Iran*)

IRI: *not implemented*

Coalition response:

The criminal laws have been passed before the reported period in order to punish hate crimes, or more precise - crimes with hate motivation. It is included in the Criminal Code as an aggravating circumstance. Nevertheless, the recording of such crimes remains unclear, different communities have reported that some of their cases have not been investigated for 3 or more years, even if they faced serious attack or they have not heard of the outcomes of investigation. The mechanism for recording a hate crime remains unclear, whether a crime is registered as a hate crime as a perception of a victim or a police officer, regardless what would be the outcome after the investigation. According to the information provided to the European Network Against Racism, some of the crimes are underreported as people do not trust that police would take them seriously enough, because of the experiences of their peers. The Police Department so far does not have a mechanism known to us, as a community outreach mechanism or a person that would be advisor on diversity. We are not aware of a training programme comprised to improve the investigation and recording of hate crimes for police officers. There are cases reported when people have to insist continuously so that their crime would be registered as a hate crime as violence was followed by derogatory insulting words. There is no special division in the Attorney General's office for investigation of hate crimes since 2011.

Recommendation n°79: *Take vigorous measures to effectively improve living conditions in prisons in order to meet international standards* (Recommended by *Algeria*)

IRI: *partially implemented*

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Recommendation n°80: *Take steps to improve the prison conditions in order to meet all international standards* (Recommended by *Denmark*)

IRI: *partially implemented*

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Recommendation n°81: *Take steps to meet international standards for prison and detention centre conditions* (Recommended by *Australia*)

IRI: *partially implemented*

LRSKI response:

[See response to recommendation n°9]

SOGI

Recommendation n°4: *Refrain from adopting legislative measures which criminalise homosexual relations or breach the rights to freedom of expression and to non-discrimination of Lesbian, Gay, Bisexual and Transgender people* (Recommended by *Belgium*)

IRI: *partially implemented*

Coalition response:

A number of legislative measures targeting the rights to freedom of expression and to non-discrimination by the local LGBT* community were proposed in the Lithuanian Parliament.

- a) The draft amendment to the Civil Code No. XIIP-17 (passed the first hearing on 23 May 2013) places a total ban on gender reassignment surgeries in Lithuania.
- b) The draft amendment to the Code of Administrative Violations No. XIP-4490(3) (passed the first hearing on 21 May 2013, passed the second hearing on 21 January 2014, the third (i.e. final) hearing was scheduled to take place on 13 March 2014) introduces administrative liability for “the public denigration of a constitutional value of family through speeches, display of items, posters, slogans, audiovisual means and other activities”.
- c) The draft amendment to the Law on the Fundamentals of Protection of the Rights of the Child No. XIP-473 (passed the first hearing on 21 May 2013) stipulates that “every child has the natural right to a father and a mother, emanating from sex differences and mutual compatibility between motherhood and fatherhood”. On 27 January 2014 the Petras Gražulis registered an amendment to the Law on the Fundamentals of Protection of the Rights of the Child No. XIIP-1469(2), which would explicitly prohibit adoption by same-sex couples (voting on the first hearing is not scheduled yet).
- d) The draft amendment to the Criminal Code No. XIIP-687 (passed the first hearing on 12 September 2013) seeks to establish that the criticism of homosexuality and attempts to change one’s sexual



orientation would not be qualified as discrimination or harassment on grounds of sexual orientation.

- e) On 3 September 2013 the MP Petras Gražulis registered an amendment to the Law on Public Meetings No. XIIP-940 (voting on the first hearing is not scheduled yet), requesting that the organizers of the public assemblies have to cover all the expenses in relation to ensuring safety and public order in the course of an event themselves.
- f) On 10 December 2013 the Constitutional amendment No. XIIP-1217 which would redefine a constitutionally protected concept of “family life” as emanating from traditional marriage by a man and a woman (i.e. denying the right to family life for unmarried and same-sex couples) passed the first hearing in the Lithuanian Parliament.

Recommendation n°5: *Refrain from legislative initiatives which may criminalize homosexual relations between consenting adults* (Recommended by Slovenia)

IRI: *fully implemented*

Coalition response:

In the course of the reporting period, no legislative initiatives which may criminalize same-sex relationships between consenting adults were proposed/adopted.

Recommendation n°24: *Consider/Study the possibility to take additional measures to combat discrimination against LGBT people* (Recommended by Argentina)

IRI: *partially implemented*

Coalition response:

The high State officials have ignorantly denied any instances of discrimination on the grounds of sexual orientation and/or gender identity. For example, on 28 June 2013 the President of the Republic of Lithuania, while presenting the Lithuanian EU Presidency priorities to the European Parliament, publicly denied the factual prohibition of the Baltic Pride 2013 March for Equality on discriminatory grounds and stated that the only issue with regards to the controversy is the location of the event, which will be effectively tackled through the judicial process. On 10 July 2013 the Lithuanian Minister of Justice in the course of his speech in the European Parliament stated that Europe is misguided about the actual situation of LGBT people in Lithuania.

Recommendation n°25: *Take action in order to avoid discrimination of LGBT persons, in practice and through law* (Recommended by Sweden)

IRI: *not implemented*

Coalition response:

April 2013 these measures were submitted to the Committee of Ministers of the Council of Europe as the Action Plan in implementing the L. vs. Lithuania judgment. The national LGBT association LGL is of a position that the proposed legal solution is contrary to the requirement in the above indicated judgment to adopt general measures with the view of preventing violations similar to those found by the Court. The removal of the requirement to envisage gender reassignment conditions and procedures by the law from the Civil Code would not only violate the principle of legal certainty, but would also place transsexual individuals in the legal limbo, thus fully blocking the possibilities of establishing a quick, transparent and accessible gender reassignment procedure in Lithuania. While the Government in its action plan claims that the gender reassignment procedure could be in principle regulated by the development of "medical norms" (i.e. no need for the specific Law), on 12 September 2013 the Ministry of Health in its response to the inquiry by the LGL on the substantial implementation of the L. v. Lithuania judgment stated that "The methodologies of diagnostics and medical treatment can be developed by the universities, research institutions, trade unions of medical professionals and/or expert working groups; however the development and the approval of these methodologies is not compulsory. The Ministry of Health is not aware of the development of the methodology of diagnostics and medical treatment with regards to transsexuals." To put it in other words, the Ministry quite openly claims that there are no "medical norms" with regards to the gender reassignment procedure and there are not going to be any in a foreseeable future, because it is not "compulsory".

Recommendation n°26: Carefully consider whether the right balance is struck when the main street of Vilnius is made available for annual marches by neo-Nazis on Independence Day, whilst vulnerable groups like the LGBT society are refused to use the same venue, and are referred to less attractive locations (Recommended by Norway)

IRI: -

Coalition response:

Despite the fact that the Vilnius City Municipality Administration did not issue the required notification, an unsanctioned neo-Nazi march took place on Gediminas Avenue on 11 March 2013. After the illegal event, the mayor Artūras Zuokas congratulated the participants of the march and promised that next year the required notification by the public authorities will be issued. However, the mayor was less friendly towards the Baltic Pride 2013 March for Equality. The organizers of the LGBT* march had to go through four legal cases before the national courts with the view of defending their constitutional right to freedom of peaceful assembly.



Recommendation n°27: *Take further steps to eliminate discrimination against people based on their sexual orientation or gender identity* (Recommended by Ireland)

IRI: *not implemented*

Coalition response:

See recommendations n°24 and n°25.

Recommendation n°31: *Take all necessary measures to prevent and prosecute all forms of violence and harassment related to sexual orientation and gender identity* (Recommended by Slovenia)

IRI: *not implemented*

Coalition response:

Despite the fact that hate crimes on grounds of sexual orientation are punishable under the Criminal Code (i.e. Article 60), the law enforcement officials and the national courts are extremely reluctant in qualifying certain crimes as motivated by homophobic prejudice. There is not a single legal precedent in the national jurisprudence, when the crime was qualified as a hate crime on grounds of sexual orientation.

Recommendation n°33: *Continue to ensure that lesbian, gay, bisexual and transgender people are able to exercise their rights to freedom of expression and assembly* (Recommended by Australia)

IRI: *partially implemented*

Coalition response:

The organizers of the Baltic Pride 2013 March for Equality had to defend their constitutional right to freedom of peaceful assembly before the national courts. First of all, the Vilnius City Municipality has agreed to facilitate the Baltic Pride March for Equality on 27 July 2013. However, they unilaterally relocated the March from the central avenue in the downtown of Vilnius to rather isolated and inaccessible area on the riverbank. The national LGBT* rights association LGL challenged this decision before the national courts. On 20 June 2013 the Supreme Administrative Court of the Republic of Lithuania ruled that the unilateral relocation of the planned assembly by the municipal authorities was illegal and obliged the Municipality to restart negotiations with the organizers of the event anew. On 26 June 2013 the Vilnius City Municipality Administration refused to agree upon time, location and form of the Baltic Pride 2013 March for Equality, thus effectively banning the event. The national LGBT association LGL once again challenged this decision before the national courts. On 23 July 2013 the Supreme Administrative Court of Lithuania obliged the Vilnius City Municipality to facilitate the Baltic Pride 2013 March for Equality on the Gediminas Avenue, i.e. on the location initially preferred by the organizers.



The Court clearly indicated that the interference with the right to freedom of peaceful assembly of the local LGBT* community was not proportionate and thus not necessary in the democratic society. The Baltic Pride 2013 March for Equality took place on Gediminas Avenue on 27 July 2013.

Recommendation n°106: Review the Law on the Protection of Minors against the Detrimental Effect of Public Information in order to remove all possibilities that this law may be applied in such a way to stigmatize or discriminate against Lesbian, Gay, Bisexual and Transgender people or to breach their rights to freedom of assembly or expression (Recommended by Belgium)

IRI: not implemented

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Recommendation n°107: Introduce necessary measures to ensure full respect of human rights for all, including for Lesbian, Gay, Bisexual and Transgender people, by reviewing the Law on the Protection of Minors against the Detrimental Effect of Public Information (Recommended by Switzerland)

IRI: not implemented

Coalition response:

On 7 July 2013 the Lithuanian Radio and Television (i.e. the national broadcaster LRT) censored the Baltic Pride 2013 promotional video clips by agreeing to broadcast them only during the night hours and only while branded as an adult content. The Deputy Director General of the LRT has officially stated that this limitation is based on the Article 4(2)(16) of the Law on the Protection of Minors against the Detrimental Effect of Public Information, establishing that the public information “which expresses contempt for family values, encourages the concept of entry into a marriage and creation of a family other than stipulated in the Constitution of the Republic of Lithuania and the Civil Code of the Republic of Lithuania” is qualified as information, generating detrimental effect to the minors. It is the first time when this controversial Law has been applied in an unduly restrictive manner towards the LGBT community. The national LGBT association LGL has appealed against this decision as a disproportionate and discriminatory limitation of the right to freedom of expression before the Inspector of Journalist Ethics and the decision is expected to be delivered in October, 2013. In addition to this, several commercial news web-sites have established the practice of branding any LGBT-related articles as an adult content, thus sending a clear message that any (i.e. both positive and negative) depiction of LGBT issues qualifies as detrimental information to the minors.



In April 2014 the Lithuanian Office of the Inspector of Journalist Ethics concluded that two fairy tales that promote tolerance for same-sex couples are harmful to minors and should be marked by the index “N-14”. According to experts, stories written by the Lithuanian author Neringa Dangvydė violate the Law on the Protection of Minors against the Detrimental Effect of Public Information by “encouraging the concept of entry into a marriage and creation of a family other than stipulated in the Constitution of the Republic of Lithuania and the Civil Code of the Republic of Lithuania”. In addition, the experts consider them to be “harmful, invasive, direct and manipulative”. The book “Gintarinė širdis” (“Amber heart”) that contains magical stories for children about people with disabilities, same-sex couples, Roma, people with a different skin colour and other socially vulnerable groups is no longer available for purchase and the information about it was removed from a database of the Lithuanian University of Educational Sciences (LEU), which published the book nearly half a year ago. This is the second instance when experts quote the norm of the Law on the Protection of Minors Against the Detrimental Effect of Public Information as the reason for censoring the LGBT* related public information.

Recommendation n°108: Take the necessary legislative measures and enact policies that recognise the diversity of families and provide same sex couples with the same rights and social security benefits as heterosexual couples (Recommended by Switzerland)

IRI: not implemented

Coalition response:

The State has failed to take any positive steps to seek to ensure that same-sex couples the right to family life. Currently, same sex couples in Lithuania do not have a right to marry or adopt. There’s also no institute of civil partnership. An amendment to the Lithuanian Constitution which defines a constitutionally protected concept of family life as emanating from traditional marriage by a man and a woman and stipulates that family arises from motherhood and fatherhood is being considered in the Parliament. As well as an amendment to the Law on the Fundamentals of Protection of the Rights of the Child which states that “every child has the natural right to a father and a mother, emanating from sex differences and mutual compatibility between motherhood and fatherhood”.

Recommendation n°109: Take steps to ensure that legislation protects the full rights of sexual minorities (Recommended by Denmark)

IRI: not implemented

Coalition response:

See recommendations n°4, n°24, n°25, n°106 and n°108.

Recommendation n°111: *Repeal any discriminatory provision in existing laws on sexual orientation and gender identity* (Recommended by Slovenia)

IRI: *not implemented*

Coalition response:

See recommendations n°24 and n°25.

Women & Children

Recommendation n°3: *Continue to strengthen legislation aimed at the elimination of gender based violence* (Recommended by Afghanistan)

IRI: *fully implemented*

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Recommendation n°84: *Continue its efforts aimed at preventing, punishing and eliminating all forms all violence against women* (Recommended by Argentina)

IRI: *fully implemented*

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Recommendation n°85: *Strengthen the policies and actions to combat violence against women* (Recommended by Chile)

IRI: *partially implemented*

Coalition response:

Though legislation aimed at the protection of violence in close relations is adopted the implementation is ineffective. The Law on Protection against Domestic Violence is gender-neutral, it does not address the domestic violence in a gender-sensitive way and without any measures aimed at gender stereotyping to prevent violence. The practice has proved that two protection measures envisioned by the Law do not effectively safeguard the victims. The effective monitoring mechanism which would allow tracking the perpetrator's location and determining whether he has approached the victim or the victim's premises is non-existent. Another issue that remains unaddressed is a reconciliation procedure that is still widely used in domestic violence cases during both, pre-trial investigation and trial stage, without taking into account the specific nature of the domestic violence crime and its repetitive pattern, and without a detailed assessment of the possible risk and danger to the victim. In many cases when the perpetrator of violence and the victim reconcile and the case must be dismissed.

Recommendation n°11: *Strengthen the gender equality machinery with respect to human and financial resources* (Recommended by Azerbaijan)

IRI: *not implemented*



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Recommendation n^o14: *Undertake more effective measures to address the problems of sexual abuse and violence against women and girls (Recommended by Afghanistan)*

IRI: *not implemented*

Coalition response:

Sexual violence against women, including intimate partner violence, remains an alarming issues which Lithuania has failed to address duly. The European Women's Lobby's 2013 Barometer on Rape in Europe identified Lithuania as one of six European countries whose legislation is far below the minimum standards as set forth in the Council of Europe Convention (also known as the Istanbul Convention) on combating and preventing violence against women and domestic violence. In Lithuania, sexual violence is outlawed by three articles of the Criminal Code (Rape – Article 149, Sexual assault – Article 150, Sexual abuse – Article 151) – the classification of the offence essentially depends on the type of sexual intercourse, use of threat, physical or psychological violence. The marital rape is not specifically included in either of the articles, however general understanding among legal practitioners is that it can fall under either one of them depending on the perpetrator's actions (as listed above) . The real extent of marital rape in Lithuania remains unknown as there is no system in place allowing for collection of statistical data segregated by the type of the perpetrator (e.g. a spouse, a partner, a former spouse, a relative, a neighbor, an acquaintance, a stranger).

Recommendation n^o13: *Adopt more effective measures ensuring that all children throughout the Lithuanian territory enjoy all rights, without discrimination, in line with article 2 of the Convention on the Rights of the Child (Recommended by Uruguay)*

IRI: *not implemented*

Coalition response:

Lithuanian Parliament is considering the Amendment of 7th article of the Law on Protection of Children and amendment of 3.3 article of Civil Code, which ensure the right of child to fatherhood and motherhood of different sexes. Those amendments may violate the rights of children raised by single parents, same-sex couples, because makes possible accusation of parents violating the rights of child to have the parents of both sexes and obliges the state give priority to pairs and not biological parents considering the issues of guardianship. Lithuanian Parliament is considering the amendment of 38th article of Constitution limiting family status only to marriage and parenthood. According to Lithuanian Ombudsman on the rights of child this amendment will deny family status to 11.000 Lithuanian



children who are currently raised by care-takers (statement in the conference on 4th June, 2014).

Recommendation n°28: *Strengthen its efforts to eliminate persistence of patriarchal attitudes and stereotypes regarding the roles and the responsibilities of women and men* (Recommended by Moldova)

IRI: *not implemented*

Coalition response:

The promotion of traditional gender roles and patriarchal family values can be seen in virtually every area in Lithuania. The particular contexts of concern are media, education and violence against women. Prejudice and stereotypes are reinforced continuously both in the press and television. Experts have warned about the TV shows that sometimes feature open sexism, mocking and humiliating women however, the TV producers replied the shows are only the reflection of the society, which has a demand for this, and the women have voluntarily agreed to participate.

Recommendation n°29: *Strengthen its efforts to eliminate gender stereotyping* (Recommended by Romania)

IRI: *not implemented*

Coalition response:

The Lithuanian approach to violence is completely gender-neutral, which allows the stereotypes and prejudices to continue it is strongly believed in Lithuanian society and among the law-enforcement professionals that women provoke violence themselves (by nagging and emotional abuse of partners). The opposition against gender sensitivity and women rights are voiced constantly in the media: in articles about the “failure of genderism” in the West, commentaries on “hidden agenda” behind women rights and anti-violence campaigns. Conferences on “genderism ideology” are hosted at the Lithuanian Parliament and are widely covered by the media. The study on multiple discrimination in high education institutions (2011) revealed the presence of rooted stereotypes and discrimination associated with gender, “i.e. sexism and homophobic attitudes”. Another study on multicultural education in secondary schools (2010) revealed that textbooks “sometimes openly present various xenophobic statements and discriminating stereotypes”, especially with regards to gender, sexual orientation and disability. Lack of teachers’ knowledge and poor preparation about issues of gender equality, gender identities, gendered regimes affect the reproduction of gender stereotypes at school. Recent research about teachers’ attitudes towards gender equality, equality and diversity education shows strong stereotypical understanding about women and men. Teachers openly ignore the gender inequality issues and express their fears about its harms



on girl and boy's identities which negatively affect girls' "femininity" and boy's "masculinity".

Recommendation n°32: Make a wide array of family planning methods, such as a comprehensive range of modern and affordable contraceptives, more widely available (Recommended by Finland)

IRI: not implemented

Coalition response:

In 2013 a new draft law on restricting abortions was registered in Lithuania. It passed the initial consideration phase at the Parliament, has been further approved by the parliamentary Committee on Health. Currently, the draft law is pending before the Committee on Legal Affairs and the Human Rights Committee. The Confederation of Bishops lobbies strongly to allow the doctors refusing abortion on the basis of consciousness, and even to allow medical students refusing knowledge/skills how to do an abortion. The Government has approved this suggestion in 2009 but so far no amendments followed. The access to modern contraception is one of the lowest in Europe. The data of Barometer on Women's Access to Modern Contraceptive Choice revealed that Lithuania has the lowest rates of access out of the 10 participating states (Bulgaria, Czech Republic, France, Germany, Italy, Lithuania, The Netherlands, Poland, Spain and Sweden). For young people it is difficult to get an access to professional consultation on contraception and information on sexual life without a parent knowing about it. If parents are not involved in children's sexual education, youth is forced to seek information online which is often scarce and unreliable. Therefore not all women are aware of proper use of contraception.

Recommendation n°35: Facilitate access to social and health services as well as to education for children belonging to more vulnerable groups (Recommended by Uruguay)

IRI: -

Coalition response:

The Ministry of Health Care is involved in implementation of State Roma Integration Plan however they don't have any specific data on Roma population. They don't identify Roma as a separate target group.

Recommendation n°37: Explicitly prohibit corporal punishment in the family and implement existing prohibitions (Recommended by Romania)

IRI: not implemented

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

There has been no change in the legality of corporal punishment of children since the 1st cycle UPR in 2011 - it remains lawful in the home, alternative



care settings and some forms of day care. However, law reform is in process. A Bill which would have achieved prohibition was rejected in autumn 2013, but a new Child Protection Bill is currently under discussion which, according to the Government's reporting to the Committee on Economic, Social and Cultural Rights in May 2014, will address corporal punishment.

Coalition response:

No developments in this area.

Recommendation n°62: *Look at how to reduce its dependence on institution-based care for children* (Recommended by Ireland)

IRI: *fully implemented*

Coalition response:

There are 10542 children without parental care in Lithuania (2012 data). About 4000 of those institutions. It is extremely concerning that about 450 babies of 0-3 years of age and are accommodated in specialized big orphanages that have status of medical institutions. As a result, healthy babies living there have medical diagnosis that prevent their timely adoption and guardianship. Until 2013 the De-I process was not started at all. On November 16, 2012 Strategic Guidelines on De-institutionalisation of social care homes for children with disabilities, children left without parental care and adults with disabilities were approved by the Order of Minister of Social Security and Labour. // De-institutionalisation Action Plan was approved by the Order of Minister of Social Security and Labour in February, 2014. Group of NGO activists addressed the issue of the use of EU Structural Funds in the period of 2014-2020, as there was a huge investment made into institutions in the 2007-2013 period, but representatives of the Ministry of Social Affairs and Labour could not provide the answer. Indicators of De-institutionalisation plan in Lithuania provided very humble indicators for 2020. Also any actions are still taken for that programme criticized by NGOs and experts. There are no vision and mixed messages about closing baby care homes for babies of 0-3 years of age. The planned action did not start, as there are considerable barriers set from the side of Lithuanian Parliament (Seimas). Lack of political will is obvious in this area and only small number of NGOs bring this issue for public discourse. In summary, it could be stated, that though in 2013 the De-institutionalisation strategy and Action Plan was adopted, recent developments bear a considerable doubt whether the process will start at its full capacity in Lithuania.



Recommendation n^o64: *Continue to monitor the implementation of the National Strategy for Combating Violence against Women (Recommended by United Kingdom)*

IRI: *not implemented*

Coalition response:

The National Strategy for combating Violence against Women has been closed. The Government initiated the National Program for Prevention of Violence in Close Relations by making it gender-neutral. It does not address prevention seriously, which can be seen by the sporadic financing of such activities. NGOs received funding aimed at “decreasing violence against women” in 2013, with the view of providing prevention and continuing support services. The sums allocated range from LTL 3,600 (EUR 1,042) to LTL 42,500 (EUR 12,308). The results came in the middle of October and the funds arrived in November, which actually left just two months for project implementation

Recommendation n^o70: *Continue pursuing appropriate awareness raising campaigns aimed at eliminating traditional patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in society (Recommended by Slovakia)*

IRI: *not implemented*

Coalition response:

No visible awareness campaigns could be identified.

Recommendation n^o71: *Continue its positive efforts to promote gender equality and protect women's rights in areas such as employment (Recommended by China)*

IRI: *not implemented*

+

Recommendation n^o72: *Take appropriate measures to ensure equality between men and women in the labour market particularly in terms of equal pay for equal work as well as to upgrade the participation of women in public life (Recommended by Algeria)*

IRI: *not implemented*

Coalition response:

The tendencies of gender imbalance in care work are reinforced by political actors in the language of legal acts and policy making. There is a very weak connection between family policy making and gender equality, i.e. family policy is based on the traditional patriarchal model rather than gender equality paradigm in Lithuania. Recent research also proves that aspects of balancing family and work are highly underdeveloped. Women are forced to take longer maternity leave due to difficult availability of kindergartens. Working hours of the kindergartens are very inconvenient for working



parents. Lithuania is far below the EU average in levels of participation on pre-school education. For 4-6 year olds, Lithuania takes 23rd place, with only 78.3% participation (EU27 average is 92.4%). However, if the general participation were to increase, lack of access to pre-school institutions in the country would reach 20-30%. There is a big problem with access to pre-school facilities in the largest cities of Lithuania (650 places for 1000 children).

Recommendation n°73: Improve the access of women to the labour market, especially by implementing policies which would reduce the gender pay gap (Recommended by Spain)

IRI: *partially implemented*

Coalition response:

A formal rule of equal pay for equal work exists in the laws. However, national statistics show that vertical and horizontal gender segregation in the labour market prevails and women employees in 2012 continued to earn up to 14% less than men employees. The largest pay gap accounted for 16.3% in 2010 was among young employees (the age group 25-34) and the lowest – 10.4% — among 65 years and older.

Recommendation n°86: Continue to take measures to mitigate, eliminate and prevent violence against women and to provide assistance to victims of violence (Recommended by Moldova)

IRI: *partially implemented*

Coalition response:

The Government does not provide clear systematic financial support for specialized support services for victims of domestic violence. Due to the lack of funds, it is very difficult for NGO's to attract professionals to work for them. Therefore it is not possible for example to escort women to the police and to provide counselling in order to support her to hold on her testimony. When women come alone to the police office they are often threatened and secondary victimised since they have to face and testify in front of the perpetrator and persuaded to reconcile. In 2014 European Union Agency for Fundamental Rights (FRA) publicised the results of European survey on violence against women and showed that in Lithuania only 1 percent of victims search for help in social services and 2 percent in crises centres, 24 percent in police. The reasons for not applying to the institutions are the mistrust in institutions (21 percent, the average in the EU – 9 percent), shame (25 percent in Lt – average in the ES – 12 percent) and unwillingness to make their case of violence public (22 percent in LT, the average in the EU – 12 percent).



Recommendation n°87: *Provide awareness training in the area of victim abuse for those public servants such as police, prosecutors and judges, who most frequently come into contact with victims of gender-based violence in the course of their work, to assist in their understanding of the impact such violence has on its victims, and also other family members in particular children* (Recommended by Ireland)

IRI: *not implemented*

Coalition response:

Women NGOs are critical of the Government's inactivity to organise the broader awareness raising campaign about the Law on Protection against Domestic Violence, specifically focusing on informing about the sanctions and remedies to solve the case of domestic violence. No attention to quantity and quality of police training and sufficient funding for police to implement the Law.

Other

Recommendation n°10: *Reinforce the Ombudsman on Equal Opportunities, including through providing this office with adequate funding in order to ensure its compliance with international standards in this regard* (Recommended by Algeria)

IRI: *not implemented*

Coalition response:

The Parliament has not appointed a new Ombudsperson on Equal Opportunities, so the interim functions are carried out by the Children Rights Ombudsperson. No action was taken in order to strengthen the role of the Ombudsperson, its' public profile. Nevertheless, the Ombudsperson's office's staff working on educational projects is very proactive in cooperation of NGOs. A proactive role could be implemented also by the staff that examines discrimination complains, to identify groups that do not complain regardless widespread cases of discrimination and provide assistance, initiate situation testing mechanisms, etc.

Recommendation n°15: *Promote cultural diversity and acceptance of multiculturalism* (Recommended by Iran)

IRI: *partially implemented*

Coalition response:

Lithuania's overall sociopolitical atmosphere, despite few marginal groups is fairly open to these ideas, although more effort should be put into promoting



cultural diversity and acceptance of multiculturalism in less urban areas of the country.

Recommendation n°54: *Fully explore the possibility of consolidating the work and functions of existing ombuds-institutions and establish a national human rights institution in compliance with the Paris Principles* (Recommended by Malaysia)

IRI: *partially implemented*

+

Recommendation n°55: *Establish a national human rights institution in accordance with the Paris Principles* (Recommended by Azerbaijan)

IRI: *not implemented*

+

Recommendation n°56: *Set up an independent national human rights institution, in accordance with the Paris Principles* (Recommended by United Kingdom)

IRI: *not implemented*

+

Recommendation n°57: *Establish an accredited national human rights institution in the near future* (Recommended by Turkey)

IRI: *not implemented*

+

Recommendation n°58: *Establish a national human rights institution in accordance with the Paris Principles* (Recommended by Spain)

IRI: *not implemented*

+

Recommendation n°61: *Establish a national human rights commission in compliance with the Paris Principles as soon as possible and make it adequately resourced* (Recommended by Ireland)

IRI: *not implemented*

Coalition response:

A decision was taken by the Human Rights Committee at the Parliament to create a Human Rights Institution amending the Law on Seimas Ombudsperson (Parliamentary Ombudsperson). Human Rights Committee created a working group in order to do it. There were around 4-5 different draft laws prepared, which make only cosmetic changes to the Seimas Ombudsperson's competence and which would not be in compliance with the Paris Principals. Which was last declared both by NGOs, as well as, the Ministry of Justice and the Ministry of Foreign Affairs. The Human rights bureau was created in the office and is mostly preoccupied with the implementation of OPCAT, prevention of torture. Therefore Lithuania still does not have a Human Rights Institution that would have a proactive role



in drafting human rights policy in Lithuania, make annual reports on the situation of human rights, etc.

LRSKI response:

Another strategic goal of activities of the Seimas Ombudsmen – to become a national human rights institution – has not been achieved yet. Amendments to the Law on the Seimas Ombudsmen granting additional mandate to the Seimas Ombudsmen in the sphere of human rights (to carry out the monitoring of the situation of human rights and freedoms; to prepare annual reports on the situation of human rights and freedoms; to provide conclusions on draft legal acts from the perspective of human rights; to disseminate information about human rights and freedoms, to organise education of the public, state institutions and officials on the matters of human rights and freedoms, etc.) have already been drafted and the process of their alignment is under way. The main work – the adoption of the amendments of the Law – however, depends on the political will. We can only hope that the new version of the Law on the Seimas Ombudsmen will be adopted in the near future and the matters of human rights will be ultimately given the attention they deserve.

The Seimas Ombudsmen, according to their mandates, are carrying out the activities of the dissemination and monitoring of human rights within the extent of their possibilities, regardless of their limited financial and human resources. Therefore, the granting of the status of the national human rights institution to the Seimas Ombudsmen would undoubtedly be a well-earned outcome.

Furthermore, in 2013, certain specific organisational steps were taken to bring the activities of the Seimas Ombudsmen Office closer to the human rights institution complying with the Paris Principles. In June, a special structural unit of the Seimas Ombudsmen's Office –Human Rights Division– was set up.

These measures contributed to a wider promotion and education of human rights, international and national cooperation on the issues of human rights, monitoring the situation of human rights, consulting on the matters of human rights, etc.

The strategic goal of the Ombudsmen for this year is the same – to become a national human rights institution.

Recommendation n°60: *Continue to optimise the activities of its mechanisms for the protection of human rights by establishing a*



coordinating Human Rights Council as a part of Ombudsman institution to ensure compliance of the institution framework with the Paris principles (Recommended by Moldova)

IRI: *partially implemented*

Coalition response:

No actions taken.

LRSKI response:

[See response to recommendation n°54]

Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
12	Continue to strengthen measures to protect the rights of child victims	Iran	Accepted	2	Rights of the Child
30	Strengthen its measures to ensure effective investigations into all allegations of torture and ill-treatment committed by law enforcement officials	Azerbaijan	Accepted	4	Human rights violations by state agents, Torture and other CID treatment
39	Support and develop educational programs and institutions for national minorities	Russian Federation	Accepted	4	Minorities, Right to education
43	Further pursue investigations on human rights implications of counter-terrorism measures, such as secret detention programs, with a view to identifying allegations of torture or cruel, inhuman or degrading treatment of detainees	Brazil	Accepted	4	Detention conditions, Counter-terrorism, Torture and other CID treatment
44	Ratify the International Convention for the Protection of All Persons from Enforced Disappearances	France	Accepted	5	Enforced disappearances, International instruments
48	Consider the possibility of ratifying the Convention on the Protection of all Persons against Enforced Disappearances	Argentina	Accepted	3	Enforced disappearances, International instruments
51	Ratify the Convention for the Protection of All Persons Against Enforced Disappearances	Spain	Accepted	5	Enforced disappearances, International instruments
59	Explore possibilities to further strengthen the competence, role and mandate of the human rights protection offices	Norway	Accepted	3	Other
63	Reinforce the measures to protect the rights and interests of children victims and witnesses of offences prohibited by the Optional Protocol to the Convention on the rights of the Child relating to the sale of children, child prostitution and child pornography, in line with CRC recommendations	Chile	Accepted	4	International instruments, Rights of the Child, Treaty bodies
67	Move swiftly to put in place policies and procedures that will better protect the private and financial information of international human rights defenders and activists who take refuge in Lithuania	Canada	Accepted	4	Human rights defenders
74	Take concrete measures aimed at facilitating access to the labour market to persons with disabilities, notably the adoption of a law in this regard	France	Accepted	5	Disabilities, Labour



rec. n°	Recommendation	SMR	Response	A	Issue
75	Promote necessary actions in order to guarantee the integration of persons with disabilities in the employment market, in line with the Convention on the rights of Persons with disabilities	Mexico	Accepted	4	Disabilities, International instruments, Labour
77	Continue to work to improve mobility and accessibility for persons with disabilities, in line with existing Lithuanian and EU regulations, and the Convention on the Rights of Persons with Disabilities	Canada	Accepted	2	Disabilities, International instruments
78	Implement the recommendations made by the European Committee against torture and other inhuman and degrading treatment or punishment at its visit in the country	Sweden	Accepted	5	Torture and other CID treatment
82	Address the infrastructural needs of the country's penitentiary system	Slovakia	Accepted	4	Detention conditions
83	Through its National Strategy for Combating Violence against Women, further seek to address violence proactively by seeking to influence attitudes and behaviours, in particular through the active involvement of men and boys	Finland	Accepted	4	Women's rights
88	Take firm measures to combat cross-border trafficking in women for sexual and other exploitative purposes and align its Criminal Code with the international and European Union law on trafficking in human beings	Hungary	Accepted	4	Trafficking, Women's rights
89	Make additional efforts in the area of human trafficking by developing new measures which would allow a better prosecution of criminal organizations as well as better protection of victims	Spain	Accepted	4	Trafficking
90	Continue efforts in combating human trafficking and provide the necessary assistance to the victims of trafficking	Latvia	Accepted	2	Trafficking
91	Reinforce further the country's efforts in the area of prevention of trafficking in human beings	Slovakia	Accepted	4	Trafficking
92	Intensify efforts to prevent trafficking in human beings, including cross-border trafficking in women for sexual and other exploitative purposes, and increase the number of prosecutions in this respect	Moldova	Accepted	4	Trafficking, Women's rights
93	Move to increase monitoring and enforcement of its system of child protection, building on its recent commendable amendments to the criminal code which tightened penalties for child molestation, with the aim of decreasing the level of child physical and sexual abuse and neglect	Canada	Accepted	4	Rights of the Child
101	Ratify or access, as appropriate, the Convention on Enforced Disappearances	Uruguay	Accepted	5	Enforced disappearances, International instruments



rec. n°	Recommendation	SMR	Response	A	Issue
103	Adhere to article 14 of the International Convention on the Elimination of all Forms of Racial Discrimination in view of recognizing the competence of the Committee to receive and examine communications from individuals or groups of persons who allege being victims of violations of any of the rights stipulated in the Convention	Uruguay	Noted	5	International instruments, Racial discrimination
110	Incorporate in domestic law the crime of torture and a definition comprising the elements of Article 1 of the United Nations Convention against Torture	Mexico	Noted	5	International instruments, Torture and other CID treatment
112	Renew invitation to the Special Procedures of the Council which participated in the preparation of a joint study on secret detention to enable them to conduct in situ investigations of facts contained in document A/HRC/13/42 concerning Lithuania	Belarus	Noted	5	Detention conditions, Special procedures, Counter-terrorism
113	Ease the procedure of obtaining citizenship, including by reducing the language requirement	Russian Federation	Noted	4	Migrants
114	Reopen investigations on secret CIA prisons and study all elements regarding Lithuanian sites	Switzerland	Noted	5	Detention conditions, Counter-terrorism
115	Adopt necessary legal amendments to the Code of Criminal Procedure and Criminal Code to make its new Law on Domestic Violence fully enforceable and to achieve that law's primary aim, namely to protect victims from violence	United States	Noted	5	Rights of the Child, Women's rights
116	Intensify efforts to combat trafficking in person inter alia by renewing individual invitations to the Special Rapporteur on trafficking in persons and the Special Rapporteur on the sale of children, child prostitution and child pornography. Bring the criminal law into full conformity with the provisions of the Optional Protocol to the Convention on the Rights of the child relating to sale of children, child prostitution and child pornography	Belarus	Noted	5	International instruments, Rights of the Child, Special procedures, Trafficking
120	Stop attempts to revise the outcomes of the Second World War, the prosecution of anti-fascist veterans and glorification of the Nazi accomplices	Russian Federation	Noted	4	Other

A= Action Category (see on [our website](#))

SMR = State making recommendation

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