



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

LITHUANIA

First Review Session 12

Review in the Working Group: 11 October 2011
Adoption in the Plenary: 16 March 2012

Lithuania's responses to recommendations (as of 07.06.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
95 recs. accepted (among which 52 were considered as already implemented or in the process of implementation) 1 rejected; 23 pending	Out of the 23 pending recs., the delegation accepted 1, "did not support" 12 (-> rejected), considered 9 as "already implemented" (->no clear position) and stated being "unable to provide a final response" to 2 (-> pending) ¹	No additional information provided	Accepted: 96 Rejected: 13 No clear position: 9 Pending: 2

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/19/15:

88. The recommendations listed below enjoy the support of Lithuania:

¹ The total number of recommendations is now 120 as one was split.

A - 88.1. 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 (Switzerland);

A - 88.2. Strengthen mechanism for the implementation of legislation in force including laws against discrimination and the manifestation of racism (Russia);

A - 88.3. Continue to strengthen legislation aimed at the elimination of gender based violence (Afghanistan);

A - 88.4. 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 (Belgium);

A - 88.5. Refrain from legislative initiatives which may criminalize homosexual relations between consenting adults (Slovenia);

A - 88.6. 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 (Uruguay);

A - 88.7. Take appropriate steps to ensure the full application of existing legislation on combating racism and racial discrimination (Malaysia);

A - 88.8. 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 (France);

A - 88.9. 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 (Spain);

A - 88.10. 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 (Algeria);

A - 88.11. Strengthen the gender equality machinery with respect to human and financial resources (Azerbaijan);

A - 88.12. Continue to strengthen measures to protect the rights of child victims (Iran);

A - 88.13. 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 (Uruguay);

A - 88.14. Undertake more effective measures to address the problems of sexual abuse and violence against women and girls (Afghanistan);

A - 88.15. Promote cultural diversity and acceptance of multiculturalism (Iran);

A - 88.16. Strengthen government policy aimed at ensuring inter-ethnic harmony and culture diversity (Belarus);

A - 88.17. Develop even closer co-operation with civil society on human rights related issues (Norway);

A - 88.18. Ensure that racist and xenophobic incidents are effectively prosecuted (Iran);

- A - 88.19. 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 (Switzerland);
- A - 88.20. Further strengthen measures to prevent and combat discrimination and to investigate allegations of hate crimes (Brazil);
- A - 88.21. Intensify the fight against social stereotypes, which cultivate prejudices against national minorities (Russia);
- A - 88.22. 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 (Norway);
- A - 88.23. 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 (United States of America);
- A - 88.24. Consider/Study the possibility to take additional measures to combat discrimination against LGBT people (Argentina);
- A - 88.25. Take action in order to avoid discrimination of LGBT persons, in practice and through law (Sweden);
- A - 88.26. 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 (Norway);
- A - 88.27. Take further steps to eliminate discrimination against people based on their sexual orientation or gender identity (Ireland);
- A - 88.28. Strengthen its efforts to eliminate persistence of patriarchal attitudes and stereotypes regarding the roles and the responsibilities of women and men (Republic of Moldova);
- A - 88.29. Strengthen its efforts to eliminate gender stereotyping (Romania);
- A - 88.30. Strengthen its measures to ensure effective investigations into all allegations of torture and ill-treatment committed by law enforcement officials (Azerbaijan);
- A - 88.31. Take all necessary measures to prevent and prosecute all forms of violence and harassment related to sexual orientation and gender identity (Slovenia);
- A - 88.32. Make a wide array of family planning methods, such as a comprehensive range of modern and affordable contraceptives, more widely available (Finland);
- A - 88.33. Continue to ensure that lesbian, gay, bisexual and transgender people are able to exercise their rights to freedom of expression and assembly (Australia);
- A - 88.34. Ensure the full respect for freedom of expression and freedom of assembly for all, including LGBT people (Slovenia);
- A - 88.35. Facilitate access to social and health services as well as to education for children belonging to more vulnerable groups (Uruguay);
- A - 88.36. Address the problem of Roma children dropping out of school, and promote the Roma language in the school system (Iran);
- A - 88.37. Explicitly prohibit corporal punishment in the family and implement existing prohibitions (Romania);

A - 88.38. Establish emergency measures aimed at integrating Roma children in regular schools and solve the problem of the drop-out rate of these children (Uruguay);

A - 88.39. Support and develop educational programs and institutions for national minorities (Russia);

A - 88.40. 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 (Netherlands);

A - 88.41. Develop a close dialogue with all minorities regarding language education issues (Norway);

A - 88.42. Further consider measures to secure the integration of the Roma community (Sweden);

A - 88.43. 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).

89. The following recommendations enjoy the support of Lithuania which considers that they are already implemented or in the process of implementation:

A - 89.1. Ratify the International Convention for the Protection of All Persons from Enforced Disappearances (France);

A - 89.2. Adhere to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, at the earliest (France);

A - 89.3. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Azerbaijan);

A - 89.4. Consider the possibility of ratifying the Optional Protocol to the Convention against Torture and other cruel, inhuman or degrading treatment (Argentina);

A - 89.5. Consider the possibility of ratifying the Convention on the Protection of all Persons against Enforced Disappearances (Argentina);

A - 89.6. Ratify the Optional Protocol to the Convention against Torture (Brazil);

A - 89.7. Sign and ratify the Optional Protocol of the Convention against Torture and other cruel, inhuman or degrading treatment (Spain);

A - 89.8. Ratify the Convention for the Protection of All Persons Against Enforced Disappearances (Spain);

A - 89.9. Ratify or access, as appropriate, the Optional Protocol to the Convention on Torture (Uruguay);

A - 89.10. Swiftly implement the Law of Compensation of the Immovable Property of the Jewish Religious Communities of Lithuania (United Kingdom);

A - 89.11. 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 (Malaysia);

A - 89.12. Establish a national human rights institution in accordance with the Paris Principles (Azerbaijan);

A - 89.13. Set up an independent national human rights institution, in accordance with the Paris Principles (United Kingdom);

- A - 89.14. Establish an accredited national human rights institution in the near future (Turkey);
- A - 89.15. Establish a national human rights institution in accordance with the Paris Principles (Spain);
- A - 89.16. Explore possibilities to further strengthen the competence, role and mandate of the human rights protection offices (Norway);
- A - 89.17. 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 (Republic of Moldova);
- A - 89.18. Establish a national human rights commission in compliance with the Paris Principles as soon as possible and make it adequately resourced (Ireland);
- A - 89.19. Look at how to reduce its dependence on institution-based care for children (Ireland);
- A - 89.20. 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);
- A - 89.21. Continue to monitor the implementation of the National Strategy for Combating Violence against Women (United Kingdom);
- A - 89.22. 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 (Mexico);
- A - 89.23. 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 (Canada);
- A - 89.24. 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);
- A - 89.25. 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 (Republic of Moldova);
- A - 89.26. Continue to fund programs aimed at integrating Roma and take further steps to address the on-going social exclusion of Roma (Australia);
- A - 89.27. 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 (Slovakia);
- A - 89.28. Continue its positive efforts to promote gender equality and protect women's rights in areas such as employment (China);
- A - 89.29. 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 (Algeria);
- A - 89.30. Improve the access of women to the labour market, especially by implementing policies which would reduce the gender pay gap (Spain);

A - 89.31. 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);

A - 89.32. 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);

A - 89.33. 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 (Spain);

A - 89.34. 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);

A - 89.35. 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);

A - 89.36. Take vigorous measures to effectively improve living conditions in prisons in order to meet international standards (Algeria);

A - 89.37. Take steps to improve the prison conditions in order to meet all international standards (Denmark);

A - 89.38. Take steps to meet international standards for prison and detention centre conditions (Australia);

A - 89.39. Address the infrastructural needs of the country's penitentiary system (Slovakia);

A - 89.40. 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);

A - 89.41. Continue its efforts aimed at preventing, punishing and eliminating all forms all violence against women (Argentina);

A - 89.42. Strengthen the policies and actions to combat violence against women (Chile);

A - 89.43. Continue to take measures to mitigate, eliminate and prevent violence against women and to provide assistance to victims of violence (Republic of Moldova);

A - 89.44. 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 (Ireland);

A - 89.45. 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);

A - 89.46. 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);

A - 89.47. Continue efforts in combating human trafficking and provide the necessary assistance to the victims of trafficking (Latvia);

A - 89.48. Reinforce further the country's efforts in the area of prevention of trafficking in human beings (Slovakia);

A - 89.49. 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 (Republic of Moldova);

A - 89.50. 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);

A - 89.51. Provide mandatory sexual education in schools and increase knowledge and awareness about family planning among women and men (Finland);

A - 89.52. Reinforce policies for the integration of minority groups, particularly Roma, in line with CERD recommendations (Chile).

90. The following recommendations will be examined by Lithuania which will provide responses in due time, but no later than the nineteenth session of the Human Rights Council in March 2012:

R - 90.1. Adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);

R - 90.2. Consider the possibility of ratifying the International Convention on the Protection of the rights of all Migrants Workers and members of their families (Argentina);

R - 90.3. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);

R - 90.4. Sign, ratify and implement the provisions of the European Charter for Regional or Minority Languages (Poland);

R - 90.5. Ratify or access, as appropriate, the Optional Protocol to the International Covenant of Social, Economic and Cultural Rights (Uruguay);

90.6. Ratify or access, as appropriate,
A - the Convention on Enforced Disappearances
R - and the Convention on Migrant Workers (Uruguay);

R - 90.7. 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);

NC - 90.8. 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 (Poland);

R - 90.9. 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 (Poland);

NC - 90.10. 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 (Belgium);

NC - 90.11. 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 (Switzerland);

P - 90.12. 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 (Netherlands);

NC - 90.13. Take steps to ensure that legislation protects the full rights of sexual minorities (Denmark);

NC - 90.14. 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);

NC - 90.15. Repeal any discriminatory provision in existing laws on sexual orientation and gender identity (Slovenia);

NC - 90.16. 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);

R - 90.17. Ease the procedure of obtaining citizenship, including by reducing the language requirement (Russia);

NC - 90.18. Reopen investigations on secret CIA prisons and study all elements regarding Lithuanian sites (Switzerland);

R - 90.19. 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 of America);

NC - 90.20. 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);

P - 90.21. Enable national minorities to freely use their languages in public domain, including topographical indications in minority areas (Poland);

R - 90.22. 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 (Poland);

R - 90.23. Consider granting the right to work, to asylum seekers who have been in the country for more than six months (Iran).

91. The recommendation below did not enjoy the support of Lithuania:

R - 91.1. Stop attempts to revise the outcomes of the Second World War, the prosecution of anti-fascist veterans and glorification of the Nazi accomplices; (Russia).

92. Lithuania considers that the recommendation included in paragraph 91.1 goes beyond established facts and also beyond aims and tasks of the Universal Periodic Review process. However, it must be stressed that Lithuanian authorities never did and never will condone Nazism or its ideology. Lithuania never attempts to revise history and it believes that an honest thorough debate in other fora on history will facilitate reconciliation based on truth and remembrance. Furthermore, every criminal act must be investigated and Lithuania will prosecute all those guilty of such acts.

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