

UPR: Lithuania
LGL, COC Netherlands, ILGA-Europe
United Nations Human Rights Council, Geneva. 16th March 2012

Madam President,

We would like to thank Lithuania for its positive participation in the UPR process and would like to commend Lithuania for accepting recommendations to combat discrimination against LGBT people, ensure the full respect for freedom of expression and assembly for all, and prevent and prosecute all forms of violence and harassment related to sexual orientation and gender identity.

We want to draw the Lithuanian Government's attention to the case *L v Lithuania*, which Lithuania lost in the European Court of Human Rights in 2007. The ruling obliges Lithuania to pass a law regulating the procedure and conditions of gender reassignment, which Lithuania has subsequently ignored. Further, members of parliament last March registered a proposal to amend the Civil Code with a prohibition of gender reassignment surgery. We urge the Lithuanian Government to act in conformity with the commitments made during the UPR process and rulings of the European Court of Human rights, which entail the responsibility to ensure that transgender people have access to reassignment surgeries.

In response to the recommendation on recognition of family diversity, the government stated that active discussion on the concept of family is ongoing, but it is not foreseen to equalize the rights of same sex and opposite sex couples. We are concerned about a proposed amendment to the Constitution defining the concept of family as based on a marriage between a man and a woman. We recommend that Lithuania ensures equal rights between same sex and opposite sex couples in its legislation and policies, for example by introducing the possibility of partnership registration.

Whilst the government states that there are no provisions in the Law on the Protection of Minors against the Detrimental Effect of Public Information which would allow discrimination on the grounds of sexual orientation and gender identity, we remain concerned that the law could be used to restrict freedom of expression of LGBT people. The law in itself sends out a message to society that contributes to stigma and discrimination of LGBT people.

We are concerned over legislative initiatives that are blatantly discriminatory and unlawfully restrict the right to freedom of expression of LGBT people. We urge the Lithuanian Government to engage in constructive dialogue with experts and NGOs regarding these issues to ensure that the human rights of LGBT people are fully upheld.

Thank you Madam President.