

# European Union Agency for Fundamental Rights (FRA), selection of relevant and recent passages from published reports related to Lithuania

[fra.europa.eu](https://fra.europa.eu)

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References to Lithuania are marked in **bold**. NB: any footnotes in the original texts have been omitted from this overview. Furthermore, many reports contain relevant graphs and figures, which haven't been included in this document.

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## Data Explorers and Tools

In addition to the relevant passages from recent FRA publications that are presented in this submission, valuable information can be found in the **data explorers** on FRA's website (available at <https://fra.europa.eu/en/publications-and-resources/data-and-maps>), which allows the comparison of results from some of FRA's research for all EU Member States, including **Lithuania**.

- [Fundamental Rights Survey](#) (last updated February 2021)
- [Forced return monitoring systems – State of play in EU Member States](#) (last updated July 2020)
- [EU LGBTI Survey data explorer](#) (last updated May 2020)
- [Minimum age requirements related to rights of the child in the EU](#) (last updated October 2018)
- [Second European Union Minorities and Discrimination Survey \(EU MIDIS II\) data explorer](#) (last updated December 2017)
- [Mapping child protection systems in the EU](#) (last updated August 2015)
- [Indicators on the right to political participation of people with disabilities](#) (last updated April 2015)
- [Mapping victims' rights and support in the EU](#) (last updated April 2014)
- [Violence against women survey data explorer](#) (last updated March 2014)

In addition to the data explorers, the FRA website also offers the [European Union Fundamental Rights Information System \(EFRIS\)](#). EFRIS is a Human Rights Gateway, bringing together data and information from existing human rights databases, and enables viewing and analysis of relevant assessments of fundamental rights in the EU.

Finally, the FRA website also includes the following **databases**:

- The [Criminal Detention Database 2015-2019](#), which combines in one place information on detention conditions in all EU Member States;
- [Anti-Muslim hatred Database 2012-2019](#), which provides information on significant international, European and national case law and rulings, UN human rights body decisions, reports, findings by human rights and equality bodies and organisations relating to hate crime, hate speech and discrimination against Muslims, as well as relevant research, reports, studies, data and statistics on these issues.

## Annual Reports

### Fundamental Rights Report 2021 (June 2021)

<https://fra.europa.eu/en/publication/2021/fundamental-rights-report-2021>

#### 1. The coronavirus pandemic and fundamental rights: A year in review

“As many as 13 EU Member States – Austria, Belgium, Croatia, Cyprus, Denmark, Greece, Ireland, **Lithuania**, Malta, the Netherlands, Poland, Sweden and Slovenia – adopted exceptional, emergency and restrictive measures without declaring a state of emergency or introducing equivalent legislation during the pandemic.” (p.12)

“In some cases entire provinces, regions or cities were placed under quarantine (e.g. in Austria, Bulgaria, Italy and **Lithuania**).” (p.16)

#### 2. Implementation and use of the Charter at national level

“In **Lithuania**, a bill amending the Law on Criminal Intelligence states in its explanation that the provisions of the law that was then in force would violate the Charter. Therefore, the obligations under the Charter were one of the motivations of the bill.” (pp.52-53)

“In **Lithuania**, the Equal Opportunities Ombuds institution referred to equality (Article 20) and the rights of the elderly (Article 25) in a decision on discrimination on the ground of age. The case concerned a job advertisement targeting people aged 30 to 50. The offender amended the advertisement.” (p.56)

#### 3. Equality and non-discrimination

“In **Lithuania**, the equality body expressed concerns about restrictions imposed on older persons in the workplace or when receiving services or goods during quarantine.” (p.76)

“Court decisions ruled against discriminatory law provisions in Greece and **Lithuania** [...] in an effort to protect the rights of older persons.” (p.77)

#### 4. Racism, xenophobia and related intolerance

“The existing [national anti-racism] strategy in **Lithuania** was extended.” (p.107)

“**Lithuania** established a working group to promote effective responses to hate crime and hate speech. Its plan for 2020-2022 covers strengthened cooperation with civil society organisations, dialogue with communities at risk of hate victimisation, and strengthening the abilities of law enforcement agencies to recognise hate crime and hate speech. In addition, the General Prosecutor’s Office updated its recommendations on the organisation of pre-trial investigation and published a list of prosecutors who specialise in hate crime and hate speech.” (p.109)

#### 5. Roma equality and inclusion

“In Bulgaria, Croatia, Hungary, **Lithuania**, Romania and Slovakia, ministries allocated funds to purchase and distribute IT equipment and/or internet access among vulnerable communities.”

(p.131)

“**Lithuania** provided possibilities to receive free meals for Roma children entitled to social assistance.” (p.131)

“In Bulgaria and **Lithuania**, several illegal dwellings were demolished despite the pandemic. In **Lithuania**, the municipality reportedly provided social housing to 50 families out of 400 former inhabitants.” (p.132)

## 6. Asylum, visas, migration, borders and integration

“Approximately two thirds of EU Member States took legal or administrative measures to extend the validity of visas and/or permits. Others formally allowed people whose documents or authorisation to stay expired to remain temporarily. [...] Austria (for some categories), Cyprus, **Lithuania** and the Netherlands tolerated the stay of people who were unable to return.” (p.163)

## 7. Information society, privacy and data protection

“At national level, a few Member States (such as Denmark, Germany, and **Lithuania**) began to discuss modifying their data retention schemes, and several Member States adopted laws aiming to enlarge surveillance and security-related powers.” (p.192)

“Several Member States published their positions on the White Paper [on artificial intelligence – A European approach to excellence and trust], such as Finland, Germany, Ireland, **Lithuania**, Slovakia, Slovenia and Sweden.” (p.195)

“This strong role that AI played during the pandemic manifested itself by different means. First, the development of mobile applications and/or national systems to fight the spread of the virus used AI (Bulgaria, Croatia, Finland, **Lithuania**, Latvia, Portugal, and Spain.” (p.197)

## 8. Rights of the Child

“A large majority of Member States introduced measures to compensate for loss of income [as a result of the pandemic]. [...] In **Lithuania**, the authorities paid € 120 for each child who was already receiving regular child benefits. Children from low-income families raising one or two children, large families, and families with children with disabilities were granted € 80 additionally (total sum € 200). Some of these one-off payments were increased or repeated in subsequent emergency decrees as the pandemic continued.” (p.216)

“Some Member States also amended their regular family benefits to cover those who had been recently pushed into poverty. For example, in **Lithuania**, the period of the family’s income used to evaluate if a family is entitled to child benefits was shortened from 12 to three months.” (p.217)

“In **Lithuania**, the government provided guidelines to ensure that schools and other organisations providing free lunches continue doing so.” (p.218)

“Croatia and **Lithuania** focused on police training to deal with child participants in criminal procedures. In 2020, the **Lithuanian** Police School updated its curriculum to include the topic of child rights during criminal proceedings.” (p.228)

## 9. Access to Justice

“In **Lithuania**, the Ministry of Social Security and Labour drafted a Law on Support to Victims of Crimes, considering the reasoned opinion that the European Commission issued in infringement proceedings. The draft provides for the establishment of a comprehensive network of accredited generic victim support organisations that will perform the various tasks specified in Articles 8 and 9 of the Victims’ Rights Directive. They include extensively informing victims of their rights and accompanying victims to the institutions involved in the investigation or court trial phase of the proceedings.” (p.244)

“By the end of 2020, all Member States except Bulgaria, Czechia, Hungary, Latvia, **Lithuania** and Slovakia had ratified the [Istanbul] Convention.” (p.247)

“Resistance to the Istanbul Convention continued in Bulgaria, Hungary, Latvia, **Lithuania**, Poland, and Slovakia.” (p.248)

“Lockdowns during the COVID-19 pandemic led to an increase in calls to domestic partner violence support services and helplines in many countries, overwhelming evidence suggests. These include Belgium, Bulgaria, Cyprus, Czechia, France, Germany, Greece, Ireland, **Lithuania**, Malta, Romania, Slovakia, and Serbia.” (p.249)

“Nonetheless, state authorities did not impose protective measures against further violence, such as protection orders or arrests, more often during this time period, or at least did not do so significantly more often. This is the case, for example, in Czechia, Ireland, and **Lithuania**.” (p.250)

“In 2020, several EU Member States (including Bulgaria, Estonia and **Lithuania**), as well as Serbia, established or reinforced the structures of victim support organisations. However, challenges remain. These include, for example, challenges to providing victims information about their rights; to providing practical advice and support to victims in making use of their rights; and to victim support services informing victims about their role in criminal proceedings and providing relevant support, in accordance with Article 9 (1) (a) of the Victims’ Rights Directive.” (p.256)

## 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“In **Lithuania**, following disability NGO advocacy, children with disabilities were exempt from distance learning.” (p.274)

“**Lithuania** confirmed that persons with disabilities need not wear masks in public places if their state of health means that they cannot wear masks or wearing one may endanger their health. It recommended that these individuals wear a face shield.” (p.277)

“Governments stepped in to mitigate the financial impact of the pandemic on persons with disabilities, for example through forms of one-off payments, e.g. in Slovenia and **Lithuania**. In Estonia and **Lithuania**, decisions on disability status/allowances were automatically renewed.” (p.278)

“**Lithuania** introduced a quota system for social enterprises with additional incentives to hire more severely disabled workers.” (p.278)

“National monitoring frameworks provided added value during the pandemic by raising a wide range of concerns and making important recommendations regarding CRPD implementation. Challenges related to the functioning of these mechanisms persist, however, and this is of particular significance

during a crisis. These challenges include lack of funding for the **Lithuanian** and Portuguese mechanisms.” (p.281)

## Fundamental Rights Report 2020 (June 2020)

<https://fra.europa.eu/en/publication/2020/fundamental-rights-report-2020>

### 1. Ten years on: Unlocking the Charter’s full potential

“In **Lithuania**, the Constitutional Court dealt with a case comparable to the *Coman* case, which the CJEU had decided in 2018. It concerned whether or not same-sex marriages concluded in another Member State have to be recognised. A Belarusian citizen had married a Lithuanian citizen of the same sex in Denmark and applied for a temporary residence permit in Lithuania on the grounds of family reunification. The Constitutional Court interpreted the Law on Legal Status of Aliens in light of the EU Free Movement Directive and thus took Articles 7 (respect for private and family life), 21 (non-discrimination) and 45 (freedom of movement) of the Charter into account.” (p.11)

“In **Lithuania**, the Department of European Law in the Ministry of Justice raised Charter-related concerns about a bill amending the law on election to the European Parliament. The bill aimed to introduce a new provision stating that the same person can be elected as a member of the European Parliament no more than two times in a row. The Department of European Law stressed that the right of every European Union citizen to vote and be a candidate in the European Parliament elections is enshrined in Article 39 (1) of the Charter. According to the Department, it was not clear from the draft proposal why the proposed limitation should be considered necessary for protecting general interests recognised by the Union.” (p.13)

“Another example comes from **Lithuania**. A draft law established that foreigners from countries where there was an outbreak of infectious disease would not be allowed to enter the country if they failed to prove that they had received prophylaxis for the disease. The Legal Department of the Office of the Parliament stressed that Article 45 of the Charter enshrines the right of every EU citizen to move and reside freely in the territory of the Member States. It underlined the need to consider the principle of proportionality when limiting Charter rights. That includes taking into account the nature and gravity of the disease, how infectious it is, and other factors. After the impact assessment, the bill was revised accordingly.” (p.13)

“The Charter’s use at national level overall remains limited. There are hardly any national surveys or studies on the use of the Charter in the Member States. Where they have been carried out – such as in **Lithuania**, in 2019 – they confirm that countries do not use the Charter much.” (p.19)

### 2. Equality and non-discrimination

“In **Lithuania**, the Constitutional Court stated that the Constitution protects sexual orientation, sexual identity and same-sex family relationships. This decision lays the foundation for recognising the rights of same-sex couples in the field of migration. It explicitly adds the ground of sexual orientation as an integral part of the Constitutional equality clause.” (p. 47)

“In 2019, some Member States introduced or modified national action plans in order to address different aspects of the rights of LGBTI persons. In **Lithuania**, the amendments to the Non-discrimination Promotion Action Plan for 2017–2019 provide for training on non-discrimination, tolerance and access to social services. It targets different groups such as youth, persons working in

the area of integration of foreigners granted asylum in **Lithuania**, police officers who investigate cases of hate crimes against LGBT people, social workers and justice officers who deal with hate crimes.” (p. 48)

### 3. Racism, xenophobia and related intolerance

“By November 2019, 14 States had adopted or endorsed the [non-legally binding working definition of antisemitism adopted by the International Holocaust Remembrance Alliance]: Austria, Belgium, Bulgaria, Czechia, France, Germany, Greece, Hungary, **Lithuania**, the Netherlands, Romania, Slovakia, Sweden and the United Kingdom.” (p. 62)

“Besides gaps in legislation, lack of guidance for criminal justice personnel makes it difficult to address hate crime effectively. In **Lithuania**, an analysis of 35 court cases from 2010–2018 on the application of criminal liability for hate crime and hate speech concluded that court practice is rather complicated without guidance on the pre-trial investigation of such crimes.” (p. 64)

“Hate crime is widely under-reported, as FRA and other evidence consistently document, mainly because victims do not believe that reporting it to the police would change anything. [...] Research in **Lithuania** shows that victims do not believe that the offender will be punished.” (p.68)

### 4. Roma equality and inclusion

“A range of measures and initiatives aiming to improve equitable participation continued in 2019. A number of countries updated the action plans for the implementation of their national Roma integration strategies (Croatia, Greece, **Lithuania** and Slovakia). Some also implemented measures targeting specific aspects of segregation in education.” (p. 87)

“A number of countries faced challenges in providing adequate funding for efforts to promote Roma inclusion in education. In **Lithuania**, the Action plan for integration of Roma into Lithuanian society 2015–2020 (*Romų integracijos į Lietuvos visuomenę 2015–2020 metų veiksmų planas*) set out 18 measures. There was only enough funding to implement five in 2019.” (p.88)

“In **Lithuania**, Roma houses that had been built illegally in the Kirtimai Roma settlement in Vilnius were demolished. According to the local Roma Community Centre, there was no dialogue with those affected and they received no legal information. They also claimed that the Vilnius Division of the State Territorial Planning and Construction Inspectorate and the Ministry of the Environment did not provide alternative housing. The Human Rights Committee of the **Lithuanian** Parliament intervened as a result. Subsequently the government asked the Vilnius Inspectorate to continue implementing the municipal Roma integration programme after 2019.” (p.89)

### 6. Information society, privacy and data protection

“Eighteen Member States have not updated their legal framework since the invalidation of the Data Retention Directive. Among them, Denmark, Estonia, Finland, Ireland, **Lithuania**, Luxembourg and the Netherlands have pending legislative reforms of the current data retention scheme, most of them on hold until the CJEU sheds new light on this issue in the Belgian, Estonian, French, German and United Kingdom’s data retention cases. In these cases, national courts are seeking further clarification of the criteria that the *Tele2 Sverige* judgment laid down.” (p. 155)



## 7. Rights of the Child

“The European Semester paid more attention to issues related to child poverty in 2019 than in previous years. Specific references to child poverty appeared in the recitals to the country-specific recommendations (CSRs) to seven Member States: Germany, Greece, Italy, **Lithuania**, Poland, Romania and Spain. However, no CSR targeted child poverty as such, although general CSRs on poverty, income support or improvements of the social safety net also affect child poverty. Such CSRs on more general issues that potentially have an impact on child poverty were addressed to Bulgaria, Croatia, Estonia, Hungary, Latvia, **Lithuania**, Portugal, Romania and Spain.” (p. 169)

## 8. Access to Justice

“The European Commission urged nine Member States [...] to finish incorporating the Victims’ Rights Directive into national law. It sent them letters of formal notice on 25 July 2019. The Commission also sent Reasoned Opinions to thirteen other Member States, namely Austria, Belgium, Bulgaria, Croatia, Cyprus, Finland, France, Greece, Latvia, **Lithuania**, Luxembourg, the Netherlands and Slovakia.” (p. 188)

“The Judicial Council of **Lithuania** adopted a policy on security in courts in 2019. It stipulates that newly constructed or reconstructed court buildings must have additional rooms. Currently, 10 courts out of 74 have separate entrances to hearing rooms for victims and spacious waiting rooms. This infrastructure ensures that victims avoid contact with suspects, thus helping to prevent secondary victimisation.” (p.190)

“The ratification process [of the Istanbul Convention] also stalled in Bulgaria, Czechia, Hungary, Latvia and **Lithuania**.” (p. 193)

## 9. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“The **Lithuanian** Ministry for Social Security and Labour decided to adopt a new procedure that simplifies the rules for using state and municipal funding to adapt houses for people with disabilities. It allocated a budget of € 1.5 million in 2019 for such adaptations, allowing approximately 350 people to improve their living conditions. (p. 193)

“An example of significant DPO representation in a [monitoring] framework itself is the new Commission for the Monitoring of the Rights of Persons with Disabilities of **Lithuania**. Comprising a representative from the Office of Ombudsperson for Equality and four DPO representatives, it monitors CRPD implementation. It has the power to obtain information from relevant parties, employ relevant experts and form working groups, suggest investigations to the Ombudsperson, and provide opinions and comments on the compliance of existing and draft legislation with the CRPD. It started work in July.” (p.221)

## Fundamental Rights Report 2019 (June 2019)

<https://fra.europa.eu/en/publication/2019/fundamental-rights-report-2019>

## 2. EU Charter of Fundamental Rights and its use by Member States

“In France, Article L. 151-8 of the law on the protection of business confidentiality made specific reference to Article 11 (freedom of expression and information) of the Charter, providing certain

limitations to the protection of business data. Similar references to Article 11 of the Charter were made in **Lithuania** and in the Netherlands.” (p.51)

## 5. Roma integration

“Promising practice - Remembering the Roma Holocaust: In **Lithuania**, youth leaders were trained in organising Roma Holocaust educational activities using the handbook *Right to remember*, which was published in November 2018.” (p.116)

## 6. Asylum, visas, migration, borders and integration

“In 2018, international organisations, national human rights institutions and civil society organisations reported allegations of violations of the principle of *non-refoulement* from different sections of the EU’s external land and sea border. [...] In Poland and **Lithuania**, court cases concerned individuals who tried unsuccessfully to seek international protection at land border crossing points.” (p. 131)

## 7. Information society, privacy and data protection

“On 23 April 2018, the European Commission presented a proposal for a Directive on the protection of persons reporting on breaches of Union law. At that stage, only 10 EU countries (France, Hungary, Ireland, Italy, **Lithuania**, Malta, the Netherlands, Slovakia, Sweden and the United Kingdom) had comprehensive laws protecting whistleblowers.” (p. 155)

“At national level, most research and analysis [on the impacts of artificial intelligence] launched in 2018 focused on the economic opportunities for each country: seven Member States (Austria, Belgium, Bulgaria, **Lithuania**, Estonia, Finland and Sweden) dedicated their initiatives to the evaluation of the impacts on the industry or the labour market.” (p.158)

## 8. Rights of the child

“In 2012, 28.1 % of children in the EU-28 were at risk of poverty or social exclusion; the rate dropped to 24.9 % by 2017. There are substantial differences between Member States. The [at risk of poverty or social exclusion (AROPE)] rate in 2017 ranges from around 15 % for children in Czechia, Denmark, Finland and Slovenia to more than 30 % in Spain, **Lithuania**, Hungary and Italy, 36 % in Greece, and almost 42 % in Bulgaria and Romania.” (p. 179)

“The European Semester continues to give little consideration to child poverty, as past FRA fundamental rights reports pointed out. The only country-specific recommendation in 2018 directly related to child poverty addressed Spain; it underlined the need to improve family support and coverage gaps in income-guarantee schemes. Another, addressed to **Lithuania**, was limited to a recital referring to child poverty, although the actual recommendation addressed poverty in only general terms.” (p.180)

“**Lithuania** introduced universal child allowances for every child.” (p.181)

“The majority of the VNR reports that EU Member States have submitted since 2016 include such references [linking social sustainability with the fight against poverty, including child poverty]. For example, the reports by Belgium, Cyprus, Hungary, Latvia, **Lithuania**, Malta, Poland, Portugal and Spain contain comprehensive overviews and detailed information on their actions in fighting child poverty.” (p. 182)

“Belgium, Bulgaria, Denmark, Estonia, Hungary, Latvia, **Lithuania**, the Netherlands, Romania, Sweden and the United Kingdom provide legal aid for children without any income requirements.” (p. 187)

## 9. Access to justice

“At the national level, during 2018, legislative measures were adopted or entered into force in almost two thirds of the Member States. They were largely to better implement and reflect the Victims’ Rights Directive (2012/29/EU). These Member States are Belgium, Croatia, Czechia, Estonia, Greece, Hungary, Ireland, Italy, **Lithuania**, Malta, the Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden. Advances and developments include, among others, improving the rights of crime victims to participate in proceedings (e.g. the victim’s right to be heard); enhancing victims’ rights to financial compensation (e.g. by enlarging the scope of crimes for which financial compensation is available); and facilitating victims’ rights to information (e.g. through awareness-raising initiatives and training).” (p. 206)

## 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“In January, the **Lithuanian** parliament amended the Law on the Provision of Information to the Public to include disability as a ground. The amendment prohibits publishing in the media information which instigates hatred, ridicule, humiliation, discrimination or violence towards a group of people or a person belonging thereto.” (p. 233)

“Amendments adopted in **Lithuania** in December [2018] will see the establishment of a new Commission for the monitoring of the rights of persons with disabilities, which will take over monitoring duties from the Office of the Equal Opportunities Ombudsperson as of 1 July 2019.” (p.236)

## Thematic Reports

[Presumption of innocence and related rights – Professional perspective \(March 2021\)](https://fra.europa.eu/en/publication/2021/presumption-of-innocence)  
<https://fra.europa.eu/en/publication/2021/presumption-of-innocence>

“Six of the nine Member States covered in the research – Bulgaria, Cyprus, Italy, **Lithuania**, Poland and Portugal – include the principle of the presumption of innocence in their constitutions.” (p.26)

“In **Lithuania**, there are no explicit provisions regulating public references to guilt. However, the Constitutional Court holds that all state institutions and officials have a general duty to refrain from referring to a person as a criminal until that person has been found guilty by a court.” (p.43)

“In **Lithuania**, codes of conduct adopted by self-regulating bodies of journalists and the media prescribe how they must respect the presumption of innocence when reporting on criminal cases.” (p.44)

“In **Lithuania**, people with intellectual disabilities are not usually escorted to court and the proceedings take place *in absentia*; a defence lawyer is mandatory for them. People with health issues are transported without handcuffs.” (p.62)

“Five out of the nine Member States stipulate in their national laws that the burden of proof rests with the prosecution or the investigative bodies: Belgium, Bulgaria, Italy, **Lithuania** and Portugal. [...] All nine Member States link the burden as resting with the prosecution to prove guilt with the *in dubio pro reo* principle, meaning that the defendant may not be convicted when doubts about their guilt remain.” (p.66)

“Laws in all nine Member States studied recognise the right to remain silent and not to incriminate oneself in their legal traditions. Six Member States – Austria, Belgium, Bulgaria, Cyprus, Italy and **Lithuania** – include these rights in their criminal codes.” (p.73)

“It appears that the right to be present during proceedings is seen both as a right and as an obligation. This is the case in Austria, Cyprus, Germany, **Lithuania** and Portugal. [...] In **Lithuania**, the participation of accused persons in first-instance hearings is mandatory unless a defendant is abroad and unable to appear in court.” (p.85)

“The findings from the selected Member States further reveal a mixed picture with regard to the efforts that authorities make to locate defendants when responding to their obligation under Article 8 (4) and recital 39 of Directive (EU) 2016/343. In Austria, Bulgaria, **Lithuania** and Poland, authorities appear to engage in efforts to locate defendants; however, in Belgium, Italy and Portugal, there are concerns about the adequacy of these efforts.” (p.86)

“In many of the countries studied, for example Austria, Cyprus, Germany, **Lithuania** and Portugal, if a defendant is not present at the trial, the court adjourns the hearing and issues a warrant to appear in court or an arrest warrant.” (p.88)

“In Belgium, Bulgaria, Poland and Portugal, trials *in absentia* are allowed for all crimes, provided, of course, that notification procedures are complied with. In Austria, Cyprus, Germany and **Lithuania**, such trials are allowed only exceptionally, under stricter conditions and usually for certain crimes only.” (p.91)

“Trials *in absentia* are held in **Lithuania** only when the accused is not present in the country and avoids appearing in court.” (p.92)

“In **Lithuania**, a defendant tried *in absentia* enjoys an almost unrestricted right to appeal, in which case the appellate court must conduct a fresh examination of the evidence.” (p.92)

## Crime, safety and victims' rights – Fundamental Rights Survey (February 2021)

<https://fra.europa.eu/en/publication/2021/fundamental-rights-survey-crime>

“Overall, 8 % of people in the EU-27 experienced online banking or payment card (credit or debit card) fraud in the five years before the survey, and 3 % experienced it in the 12 months before the survey. Results range from 19 % in France, 15 % in Denmark and 14 % in Ireland experiencing online banking or payment card fraud in the five years before the survey, to 1 % in Greece, **Lithuania**, Poland, Portugal and Romania.” (p. 67)

“Among EU Member States, Austria, Denmark, Germany and Sweden are among the five Member States with the highest scores for each of the three actions (willingness to intervene, call the police, give evidence in court), indicating high expressed willingness to take action. [...] Bulgaria, Hungary and Portugal are among the five Member States with the lowest scores for each of the three actions. Other EU Member States among those with the lowest scores – depending on the action – are

Czechia, **Lithuania**, Latvia and Malta.” (p. 95)

“In countries such as Bulgaria, Greece, **Lithuania**, North Macedonia and Poland, people would rather intervene themselves than call the police.” (p.96)

“In all countries in the survey, people would be more willing to intervene if they saw a man hitting a woman than a woman hitting a man. The difference in results between the two situations ranges from 30 percentage points or more in Greece, Latvia and **Lithuania** to 10 percentage points or less in Belgium, Cyprus and Hungary.” (p. 98)

### Getting the future right – Artificial intelligence and fundamental rights (December 2020)

<https://fra.europa.eu/en/publication/2020/artificial-intelligence-and-fundamental-rights>

“Results vary across countries. Higher proportions of people are concerned about [the potential of AI to lead to] discrimination in the Netherlands (58 %), Luxembourg (48 %) and Sweden (47 %). Lower proportions expressed concern in Estonia (25 %), Hungary (24 %) and **Lithuania** (23 %).” (p.73)

### Migration: Fundamental rights issues at land borders (December 2020)

<https://fra.europa.eu/en/publication/2020/migration-fundamental-rights-issues-land-borders>

“In Poland and **Lithuania**, a number of recent court cases concern individuals who tried unsuccessfully to seek international protection at land border-crossing points.

In *M.A. and Others v. Lithuania*, the applicants, who had fled the Chechen Republic, attempted to cross the border from Belarus to **Lithuania** on three separate occasions. Although they claimed they were seeking international protection each time, they were refused entry on the grounds that they did not have the necessary travel documents. The **Lithuanian** border guards had not accepted their asylum applications and had not forwarded them to a competent authority for examination and status determination, as required by domestic law. The ECtHR found that no assessment had been carried out of whether or not it was safe to return the applicants to Belarus, a country that was not a Contracting Party to the ECHR. The court ruled that the failure to allow the applicants to submit their asylum applications and their removal to Belarus amounted to a violation of Article 3 of the ECHR.” (p.32)

### Business and human rights – access to remedy (October 2020)

<https://fra.europa.eu/en/publication/2020/business-human-rights-remedies>

“Since 2013, 15 of the 27 EU Member States have adopted NAPs on business and human rights, namely Belgium, Czechia, Denmark, Finland, France, Germany, Ireland, Italy, **Lithuania**, Luxembourg, the Netherlands, Poland, Slovenia, Spain and Sweden.” (p.88)

### Antisemitism: Overview of antisemitic incidents recorded in the European union 2009-2019 (September 2020)

<https://fra.europa.eu/en/publication/2020/antisemitism-overview-2009-2019>

This annual overview provides an update of the most recent figures on antisemitic incidents, covering the period 1 January 2009 – 31 December 2019, across the EU Member States, where data are available. Data for **Lithuania** can be found on p. 59.

“In contrast, the lowest mean values of comfort with having a Jewish person as a neighbour were indicated in Slovakia, Hungary, **Lithuania**, Romania and Poland.” (p. 9)

“In 2018, the International Holocaust Remembrance Alliance (IHRA) definition [of antisemitism] was adopted or endorsed by the governments of Belgium, **Lithuania**, the Netherlands, North Macedonia, Slovakia, Slovenia and Sweden.” (p.92)

### Strong and effective National Human Rights Institutions – challenges, promising practices and opportunities (September 2020)

<https://fra.europa.eu/en/publication/2020/strong-effective-nhris>

“No advisory body exists in Cyprus, Latvia, **Lithuania** or North Macedonia; instead, pluralistic representation of society relies on the composition of the staff, including, for example, the characteristics of the deputy ombudspersons.” (p. 50)

“NHRIs covered by this report publish data and information on the acceptance of their recommendations by relevant authorities [...]. More frequently, this information is included in annual reports or other communication tools, for example in Austria, Cyprus, Denmark, Finland, Greece, **Lithuania**, Poland, Portugal, Slovakia and Slovenia.” (p.67)

### What do fundamental rights mean for people in the EU? Fundamental Rights Survey (June 2020)

<https://fra.europa.eu/en/publication/2020/fundamental-rights-survey-trust>

“The percentages of those who said that they experienced corruption committed by a public official or a civil servant (asking or expecting them to do a favour, such as give a gift or make a donation, in exchange for a particular service in the past five years) vary significantly across EU Member States. Overall, the percentage who have experienced this in the EU-27 is only 4 %. However, rates are much higher in certain EU Member States – the highest prevalence is found in Greece (18 %), Romania (13 %) and **Lithuania** (11 %) – and in North Macedonia (12 %).” (p. 56)

### A long way to go for LGBTI equality (May 2020)

<https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>

A country sheet with the results for **Lithuania** is available at:

[https://fra.europa.eu/sites/default/files/fra\\_uploads/lgbti-survey-country-data\\_lithuania.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/lgbti-survey-country-data_lithuania.pdf)

(also annexed to this submission)

“In five [countries], the majority of respondents are almost never open about being LGBTI: **Lithuania** (60 %), North Macedonia (60 %), Bulgaria (54 %), and Romania and Serbia (both 53 %).” (p. 25)

“In the EU, the highest proportions of respondents felt discriminated against at work in **Lithuania** (32 %), Greece (31 %), Cyprus (30 %) and Bulgaria (29 %).” (p. 32)

“On average, 25 % of all respondents in the EU mentioned fear of a homophobic and/or transphobic reaction from police as the reason for not reporting a physical or sexual attack. Close to half of respondents who did not report in Latvia (47 %) mentioned this reason, followed by Bulgaria (40 %), **Lithuania** (39 %), Romania (38 %) and Cyprus (38 %).” (p.48)

“40 % or more of respondents in Poland, Bulgaria, Romania, Croatia, **Lithuania**, Hungary and France indicate that they often or always avoid certain places or locations for fear of being assaulted, threatened or harassed. By comparison, under 20 % of respondents do so in Denmark, Luxembourg, Austria and Finland.” (pp. 48-49)

### Criminal detention conditions in the European Union: rules and reality (December 2019)

<https://fra.europa.eu/en/publication/2019/criminal-detention-conditions-european-union-rules-and-reality>

“Sixteen EU Member States have laws or regulations in place specifying national standards of minimum cell space per prisoner or detainee. Of these 16, minimum cell space standards range from about 3 m<sup>2</sup> per person in individual cells (in Estonia, Poland and **Lithuania**) to around 10 m<sup>2</sup> (in Greece, Latvia and Slovenia).” (p. 17)

“However, even in Member States that have established the right of access to regular showers in their national legislation, the standards often do not meet the required frequency specified by Rule 19.4 of the European Prison Rules. These Member States include Austria (the Code of Conduct for Detention ensures access to showers for detainees once per week for pre-trial detention); Estonia; Ireland; **Lithuania**; Luxembourg; Latvia; Malta; Poland (males have access once a week; women have access twice a week); and Slovenia.” (p. 24)

“Several NPMs – and in some cases also the CPT – highlight the lack of cleanliness of sanitary facilities as an issue (e.g. in Cyprus, **Lithuania**, Luxembourg, and Slovenia).” (p.25)

“The insufficient protection of privacy with regard to sanitary facilities is repeatedly highlighted by NPMs. They indicate serious problems regarding the proper separation of sanitary areas in at least 14 EU Member States (including Austria, Belgium, Bulgaria, Cyprus, Estonia, France, Germany, Greece, **Lithuania**, Hungary, Italy, Latvia, Poland and Spain).” (p. 25)

“Some sports, recreational and educational facilities are available in all Member States, as reported by Member States. However, the quality of such facilities and the extent to which they are available differs widely across Member States, as well as across the various detention regimes within the Member States. Access to facilities can also differ for men and women; for example, women in the Panevėžys correctional home in **Lithuania** do not have access to sports facilities.”(p. 28)

“The NPMs from Finland and **Lithuania** emphasised that sometimes people either are not medically examined at all or are examined after a considerable delay. They recommend that a doctor should see a detainee no more than 24 hours after arrest, noting that delays often occur in practice when a person is detained during a weekend.” (p. 35)

“Half of the EU Member States have very detailed provisions for a variety of measures to protect prisoners from inter-prisoner violence (Austria, Germany, Greece, Finland, France, Latvia, **Lithuania**,

Luxembourg, Poland, Romania, Slovenia, Spain, Sweden and the United Kingdom). These measures include facility arrangements (e.g. providing single cells to separate prisoners under threat or violent prisoners), technical measures (e.g. real-time camera monitoring, locks and special walls) and organisational measures (including the transfer of prisoners within the same or to other facilities, special prisoner regimes, exclusion from or restriction of activities, disciplinary measures, irregular checks, including during the night, and special training for officials).” (p.40)

“Member States apply quite different rules to determine which young offenders over the age of 18 are entitled to the same prison regime as children. Some Member States – for example, Croatia, Germany, Greece and Malta – detain offenders who are older than 18 (up to the age of 25 in some Member States) in special juvenile detention facilities under the same regime as children, regardless of whether or not they committed the crime before or after they were 18 years old. Other Member States – for example, Bulgaria, Cyprus, France, Latvia and **Lithuania** – allow persons older than 18 to remain in special juvenile detention facilities only for crimes they committed before the age of 18. The maximum age limit in both cases ranges from 20 to 25 years of age.” (p.41)

### Combating child poverty: an issue of fundamental rights (October 2018)

<https://fra.europa.eu/en/publication/2018/combating-child-poverty-issue-fundamental-rights>

“[In 2016], more than 30 % of children were at risk of poverty or social exclusion in countries such as Greece (37.5 %), Hungary (33.6 %), Italy (33.2 %), Spain (32.9 %) and **Lithuania** (32.4 %).” (p. 15)

“The number of CSRs relating to children was higher in 2018 than in 2016 or 2017, rising to 25. These 25 CSRs refer mainly to childcare services, education or inclusive education and are addressed to 16 Member States. However, the number of CSRs referring explicitly to child poverty is still very low. One CSR related to child poverty is addressed to Spain and underlines the need to improve family support and coverage gaps in income guarantee schemes; another, addressed to **Lithuania**, contains a recital referring to child poverty, although the actual CSR addresses poverty in only general terms.” (p. 42)

### Hate crime recording and data collection practice across the EU (June 2018)

<https://fra.europa.eu/en/publication/2018/hate-crime-recording-and-data-collection-practice-across-eu>

This report provides detailed information on hate crime recording and data collection systems across the EU, including any systemic cooperation with civil society. Data for **Lithuania** can be found on pp. 66-67.

“The comparative analysis of the legal framework shows that 13 Member States (Austria, Cyprus, Denmark, Finland, France, Germany, Italy, **Lithuania**, Malta, Romania, Spain and Sweden), treat bias motivation as a general aggravating circumstance.”(p. 103)

“Twenty-two Member States have included “sexual orientation” as a protected characteristic: Austria, Belgium, Croatia, Cyprus, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, **Lithuania**, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.” (p. 103)



“Sixteen Member States include “disability” as a protected characteristic: Austria, Belgium, Croatia, Finland, France, Greece, Hungary, **Lithuania**, Luxembourg, Latvia, the Netherlands, Portugal, Romania, Slovenia, Spain and the United Kingdom.” (p. 104)

[Under watchful eyes: biometrics, EU IT systems and fundamental rights \(March 2018\)](https://fra.europa.eu/en/publication/2018/under-watchful-eyes-biometrics-eu-it-systems-and-fundamental-rights)  
<https://fra.europa.eu/en/publication/2018/under-watchful-eyes-biometrics-eu-it-systems-and-fundamental-rights>

“Member States have a number of data security safeguards in place to ensure that only persons authorised to access the data can do so. Typically, users are granted access rights based upon the pre-defined level of access – what they are legally authorised to access to perform their tasks. The hierarchy typically approves and documents the type of access granted to an officer. In some instances, the approval could be dependent upon completed training and/or a reliability assessment, such as access to VIS by local staff. Such measures are not always in place. For example, in **Lithuania**, any staff member of a relevant institution could obtain access to Eurodac upon the consent of the head of their unit.” (p. 63)

“A visa applicant who has an entry ban can still be issued a visa with limited territorial validity. Such a visa is only valid in the Member State that issued the visa. More than half of EU Member States refuse a visa application without further investigation, if the person has an entry ban (Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Finland, Germany, Greece, Hungary, **Lithuania**, Luxembourg, Poland, Portugal and Spain).” (pp. 79-80)

“As regards information to the person concerned, Member States’ practices vary. Some Member States (for example Latvia, **Lithuania**, Malta, the Netherlands and Slovakia) inform the person about any corrections to their SIS II data if they are resident in the Member State in question. [...] Concerning corrections of data in VIS, in some Member States, the individual concerned is notified when the authorities become aware of a mistake (for instance in the Czech Republic, **Lithuania**, Poland, Slovenia and Sweden). This is not the case in Latvia and Luxembourg if the verifications are manually resolved within 48 hours.” (p.86)

“According to information FRA collected from Member States relating to SIS II, between 2012 and 2014, Austria, Estonia, **Lithuania**, Malta and the Netherlands recorded between zero and 50 instances of mistaken identities, whereas Germany reported 100 to 200 instances.” (p.87)

“According to desk research undertaken by FRA in 2015, most Member States systematically create SIS II alerts if a child is reported as missing. In some Member States such as Belgium, Denmark, **Lithuania**, and Spain, the police issue an alert if they have specific information which indicates that the child could be abroad.” (p.116)

[Challenges facing civil society organisations working on human rights in the EU \(January 2018\)](https://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-organisations-working-human-rights-eu)  
<https://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-organisations-working-human-rights-eu>

“In **Lithuania**, on 25 August 2015, an ethnic- Russian human rights defender from Latvia was denied entry into **Lithuania** and banned from entry for five years. When asked for an explanation,

authorities told him and his lawyer that they had to translate and certify his passport to see the order on which his ban was based. After a further exchange of letters to obtain the decision, as a basis on which to file an administrative appeal, the **Lithuanian** Ministry of Interior informed him in September 2016 that the ban had been cancelled. According to the notice he received, the ban had been lifted at the end of 2015, without his notification or responses to the preceding three letters of his attorney.” (p. 23)

“Belgium, Estonia, **Lithuania** and Malta have criminal laws prohibiting insults to courts and other court officials.” (p. 24)

“In **Lithuania**, Article 4 of the Law on Meetings specifies that public meetings may be held from 8 am to 10 pm and only at the time coordinated by the organisers of a meeting and the head of the executive body of the municipal council or an authorised representative. After coordination, meetings may also be organised at a different time but only in places with fixed lighting and without disturbing local residents.” (p. 25)

“In addition, legal definitions of non-governmental or civil society organisations vary from one Member State to another, or do not exist at all – as is the case for Cyprus, **Lithuania** and Luxembourg.” (p.29)

## Second European Union Minorities and Discrimination Survey - Main results (December 2017)

<https://fra.europa.eu/en/publication/2017/second-european-union-minorities-and-discrimination-survey-main-results>

A country sheet with the results for **Lithuania** is available at:

[https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-eu-midis-ii-summary-results-country-sheet-lithuania\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-midis-ii-summary-results-country-sheet-lithuania_en.pdf) (also annexed to this submission)

“Compared to all other groups, respondents from the Russian minority target group (RUSMIN) indicate the lowest discrimination rates and the lowest variation in such rates based on different grounds. In the three Baltic countries in which this group was surveyed, [...] the lowest rates of discrimination are noted in **Lithuania**, where almost none of the respondents indicated having experiences with discrimination in the five years before the survey.” (p.29)

“By contrast, respondents with Sub-Saharan African background in Sweden (44 %), from the Russian minority in **Lithuania** (40 %), and respondents in France – both with North African (36 %) and Turkish backgrounds (35 %) – show the highest awareness levels of such organisations [that offer support or advice to discrimination victims in their country of residence].” (p. 50)

“Overall, 9 % of respondents know of someone in their circle of family or friends who has been physically attacked because of their ethnic or immigrant background in the 12 months before the survey. While 34 % of Roma in the Czech Republic and 28 % of immigrants and descendants of immigrants from Turkey in the Netherlands are aware of such attacks, very few respondents from the Russian minorities in Estonia, Latvia and **Lithuania** are aware of such incidents (2 % or fewer – based on small numbers).” (p.68)

“Among those stopped, the majority of recent immigrants in Slovenia (94 %) and Poland (85 %), as well as respondents with Russian minority background in **Lithuania** (91 %) and Latvia (74 %), indicated that they were treated respectfully during the most recent police stop.” (p.75)

“Respondents from the Russian minority in Estonia and **Lithuania** indicate levels of trust [in public institutions] that are similar to those expressed by the respective general population.” (p.100)