

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

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## Contents

Data Explorers and tools.....	3
Violence against women survey data explorer.....	3
EU LGBT Survey data explorer .....	3
Indicators on the right to political participation of people with disabilities .....	3
Mapping victims’ right and support in the EU .....	3
Mapping child protection systems in the EU .....	3
Annual reports .....	4
Fundamental rights: challenges and achievements in 2014 – Annual report 2014 (June 2015).....	4
1. Equality and non-discrimination .....	4
4. Asylum, borders, immigration and integration.....	4
6. Rights of the Child .....	4
7. Access to justice, including rights of crime victims.....	4
Fundamental rights: challenges and achievements in 2013 – Annual report 2013 .....	5
2. Information society, respect for private life and data protection .....	5
3. The rights of the child and the protection of children.....	5
4. Equality and non-discrimination .....	5
5. Racism, xenophobia and related intolerance .....	5
6. Roma integration .....	5
7. Access to justice and judicial cooperation .....	6
8. Rights of crime victims .....	6
9. Member States accept new Council of Europe instruments .....	6
Thematic Areas .....	7
Access to Justice.....	7
Freedom to conduct a business: exploring the dimensions of a fundamental right (August 2015) .....	7

Severe labour exploitation: workers moving within or into the European Union (June 2015).....	7
Victims of crime in the EU: the extent and nature of support for victims (January 2015).....	8
Asylum, Migration and Borders .....	8
Criminalisation of migrants in an irregular situation and of persons engaged with them (March 2014) .....	8
Gender Equality .....	8
Violence against women: an EU-wide survey. Main results report (March 2014) .....	8
Hate Crime .....	10
Access to Justice for Victims of Hate Crimes: Legislation, Case-Law, and Experts' Views (2016) ....	10
Equal protection for all victims of hate crime – The case of people with disabilities (March 2015) .....	10
Making hate crime visible in the European Union: acknowledging victims' rights (November 2012) .....	11
Information Society, Privacy and Data Protection.....	11
Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU (November 2015) .....	11
LGBTI Rights .....	12
Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015 (December 2015) .....	12
Being Trans in the EU – Comparative analysis of the EU LGBT survey data (December 2014) ....	14
EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey – Main results (October 2014) .....	15
People with Disabilities.....	16
Violence against children with disabilities: legislation, policies and programmes in the EU (December 2015) .....	16
Implementing the UN CRPD: An overview of legal reforms in EU Member States (May 2015)...	17
The right to political participation for persons with disabilities: human rights indicators (May 2014) .....	17
Legal capacity of persons with intellectual disabilities and persons with mental health problems (July 2013) .....	18
Rights of the Child.....	19
Guardianship systems for children deprived of parental care in the European Union (October 2015) .....	19

## Data Explorers and tools

Violence against women survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

EU LGBT Survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' right and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

## Annual reports

Fundamental rights: challenges and achievements in 2014 – Annual report 2014 (June 2015)

<http://fra.europa.eu/en/publication/2015/fundamental-rights-challenges-and-achievements-2014>

### 1. Equality and non-discrimination

#### 1.3.2 Building institutions for CRPD implementation: work in progress

“FRA evidence published in 2014 showed that four EU Member States, Greece, Lithuania, the Netherlands and Romania, have neither legislation establishing mechanisms for consultation with DPOs nor systematic practices for ensuring such involvement in the development of laws and policies.” (p.35)

### 4. Asylum, borders, immigration and integration

#### 4.8 Empowering migrants to their path to participation

“A majority of Member States (Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Portugal, Slovakia, Slovenia, Sweden, Spain and the United Kingdom) have granted third-country nationals the right to vote in local elections, for all or some selected nationalities.” (p.99)

### 6. Rights of the Child

#### 6.1 Children living in poverty in Europe

“In other Member States, the situation has worsened. In Lithuania the proportion of children at risk [of poverty or social exclusion] increased from 31.9 % to 35.4 %.” (p.127)

#### 6.2.1 Allocation of resources to child protection systems

“Following this approach, the Lithuanian Ministry of Social Security and Labour approved a 2014–2020 action plan that shifts care of children without parental care or with disabilities from institutions to family- and community-based services.” (p.133)

### 7. Access to justice, including rights of crime victims

#### 7.3. Member States’ implementation of victims’ rights

“Lithuania amended its Criminal Procedure Code to establish additional procedural guarantees for victims, such as the possibility of in camera hearings and the introduction of measures to protect child victims and other victims in need of special protection during pre-trial investigations and court hearings (for example, it will be possible for a child to be questioned during a pre-trial investigation by the same person that conducted the primary interrogation and, during court hearings, by the presiding judge, or, if deemed necessary, through a representative).” (p.150)

#### 7.3.1. Improving information provided to victims

“In some Member States, including Greece, Italy, Lithuania and Spain, the obligation to provide information on available support services applies only to victims of specified offences, such as domestic violence.” (p.151)

2. Information society, respect for private life and data protection

3.2.2. Key reforms affect data protection authorities

“In Lithuania, on 27 November 2013, the new regulation strengthening the independence of the Data Protection Inspectorate was approved. Under this regulation, the director is now in charge of the DPA’s administrative structure, whereas this was previously a governmental responsibility. The director acts in this context in total independence.” (p.88)

3. The rights of the child and the protection of children

Child poverty and education

“According to a 2013 report published by the European Commission, 20 EU Member States cut their national education budgets in 2011–2012. Cuts of more than 5 % were observed in Croatia, Cyprus, Greece, Hungary, Italy, Latvia, Lithuania, Portugal, Romania and the United Kingdom (Wales).” (p.115)

4. Equality and non-discrimination

5.4.2 Countering discrimination on the ground of disability

“Cyprus, Denmark, Italy, Latvia, Lithuania, Slovakia and the United Kingdom introduced action plans in the area of disability.” (p.136)

5.4.3 Countering discrimination on the grounds of sexual orientation and gender identity

“Similarly, Lithuania simplified the procedure of legal gender recognition by obliging registry offices to change identity documents upon the submission of medical proof of gender-reassignment surgery. The Lithuanian Gay League points out, however, that in 2013 a proposal was put forward envisaging fines for those organising protests that would seemingly contradict “constitutional moral values and Constitution established principles of family”. If adopted, the proposal would apply to situations where LGBT persons would be seen to contradict the “morality of society.”” (p.137)

5. Racism, xenophobia and related intolerance

6.5 EU Member States need better official data collection to address racist crime effectively

“Reports published by law enforcement agencies and criminal justice systems in EU Member States show ... increases in recorded racist crime in Austria, Denmark, France, Germany, Greece, Lithuania, Latvia, the Netherlands, Poland, Slovakia, Spain and Sweden, as well as in England, Northern Ireland and Wales (all UK).” (p.158)

6. Roma integration

7.2.2. Engaging with civil society

“In Lithuania, civil society organisations, including Roma NGOs, criticised the government for failing to make the consultative process genuinely inclusive while preparing the 2012–2014 Roma Action Plan.” (p.171)

### 7.3.2. Employment

“Many Member States set up or continued projects supporting Roma job seekers, assisting with such skills as training for active job seeking, language courses, guidance in writing CVs and developing individual employment plans. Belgium, Croatia, France, Lithuania, Poland, Portugal and Slovenia, for example, carried out such initiatives.” (p.175)

“Lithuania initiated a project to foster Roma women’s entrepreneurship through traditional crafts such as sewing and embroidery. The participants managed all project activities themselves. The products are all available for sale, with the proceeds reinvested in new empowerment projects for Roma women.” (p.176)

## 7. Access to justice and judicial cooperation

### 8.2. Member States reform court procedures to facilitate access to justice

“Croatia, Hungary, Latvia, Lithuania, the Netherlands, Portugal and Slovakia, for example, introduced new legislative regimes or amended existing laws to tackle undue delays.” (p.198)

## 8. Rights of crime victims

### 9.3.3. Measures to enhance protection of women from domestic violence

“In Lithuania, some particularly disturbing homicides sparked debates on the effectiveness of protection measures. In March, a woman called the police’s emergency response centre for help, saying that her violent husband had returned in violation of a restraining order. Six hours later, the victim’s brother called again to inform the police that his sister was dead. A number of similar cases occurred. NGOs held a press conference stressing that protection does not work in practice.” (p.218)

## 9. Member States accept new Council of Europe instruments

### 10.2 Member States accept new Council of Europe instruments

“Belgium, Italy, Lithuania, Slovenia and Sweden ratified the 2007 Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.” (p.235)

“Austria, Italy and Portugal ratified the 2011 Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), and it was signed by Croatia, Denmark and Lithuania.” (p.235)

## Thematic Areas

### Access to Justice

Freedom to conduct a business: exploring the dimensions of a fundamental right (August 2015)

<http://fra.europa.eu/en/publication/2015/freedom-conduct-business-exploring-dimensions-fundamental-right>

#### 3.1.2. Freedom to conduct a business and migrants and ethnic minorities

“Countries’ migration and integration policies may also have an indirect impact on the freedom to conduct a business of migrants. For example, a study by the British Counsel and Migration policy group, ‘Migrant integration policy index (MIPEX)’ in 2011 [a new report has since been published by MIPEX, in 2015, see <http://www.mipex.eu/>] revealed that Lithuania is one of the most difficult Member States as regards non-EU immigrant access and integration – among 31 countries where research was conducted, Lithuania was ranked 27th. Low levels of immigration and negative perceptions of migrants in Lithuania have led to national policies relevant to the freedom to conduct a business being more focused on supporting the business pursuits of Lithuanians returning home after working abroad than on supporting immigrant groups.” (p.42)

“While there are no national programmes for supporting migrant entrepreneurs in Lithuania, NGOs have been active in terms of providing possibilities to migrants to seek support for their businesses. They offer consultations on the Lithuanian legal system, employment opportunities, matters related to establishing a business, and business taxation. The project consultation centre ‘PLUS’ provides expert consultations to migrants on a weekly basis, where concerned persons may address their everyday problems related to business establishment and organisation in Lithuania.” (p.43)

Severe labour exploitation: workers moving within or into the European Union (June 2015)

<http://fra.europa.eu/en/publication/2015/severe-labour-exploitation-workers-moving-within-or-european-union>

#### 2.1. Legal and institutional risk factors

“The risk of being exploited is aggravated by labour migration regimes that link rights to residence to work permits. In Lithuania, for example, the worker has to leave the country if the employment contract is terminated.” (p.44)

#### 5.6. Facilitation of complaints and the role of third parties

“From expert interviews conducted and case studies identified in Bulgaria, Cyprus, Greece, Italy, Lithuania, Slovakia and the United Kingdom, it appears that, in trying to access support services and justice, workers often face a lack of sensitivity on the part of authorities. Case studies indicate instances of victims being detained for immigration control reasons, of victims not reporting out of fear and distrust, and of authorities failing to identify a situation of exploitation and assist the victim.” (p.85)

#### 5.9. Prosecution and sanctions

“A Chinese agency and a Lithuanian partner agency recruited about 150 men in 2008, demanding a hefty ‘mediation fee’ (about €10,000 or more per worker). These men were initially recruited for work in the construction sector and the victims’ work permits were issued for that sector, but after arrival in Lithuania they were required to work in completely different occupations, such as in pig

and poultry farms. They were accommodated in poor conditions, with eight people per room and no proper hygiene facilities; and, contrary to what was promised, no interpreter was available to them (the victims spoke only Chinese). A pre-trial criminal investigation for trafficking in human beings was opened in Lithuania but terminated for lack of evidence. The case resulted in administrative fines for the companies, for having employed migrants in work sectors other than those their permits allowed.” (p.89)

Victims of crime in the EU: the extent and nature of support for victims (January 2015)

<http://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

Introduction – Development of victims’ rights – origins of victim support at Member State level

“Eight EU Member States do not, however, currently provide generic victim support services (Bulgaria, Cyprus, Greece, Italy, Latvia, Lithuania, Romania and Slovenia).” (p.21)

#### 2.4. Provision of information

“In some of the remaining EU Member States, including Greece, Italy, Lithuania, Portugal and Spain, the obligation to provide information on available victim support services is not universal and applies only to victims of specified offences, such as domestic violence.” (p.50)

### Asylum, Migration and Borders

Criminalisation of migrants in an irregular situation and of persons engaged with them (March 2014)

<http://fra.europa.eu/en/publication/2014/criminalisation-migrants-irregular-situation-and-persons-engaging-them>

#### 2.2. Facilitating irregular stay

“Legislation in 13 Member States does not require a profit motive for facilitation of irregular stay to be punished. This includes Estonia and Lithuania, where the provision of housing alone is punishable.” (p.11)

### Gender Equality

Violence against women: an EU-wide survey. Main results report (March 2014)

<http://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

[p. 28-29](#)

**Table 2.1: Women who have experienced physical and/or sexual violence by current and/or previous partner, or by any other person since the age of 15, by EU Member State (%)**

EU Member State	Current partner <sup>a</sup>	Previous partner <sup>b</sup>	Any partner (current and/or previous) <sup>c</sup>	Non-partner <sup>d</sup>	Any partner and/or non-partner <sup>d</sup>
AT	3	15	13	12	20
BE	8	29	24	25	36
BG	11	38	23	14	28
CY	6	24	15	12	22
CZ	6	23	21	21	32
DE	7	24	22	24	35
DK	12	31	32	40	52
EE	7	23	20	22	33
EL	10	17	19	10	25
ES	4	18	13	16	22
FI	11	31	30	33	47
FR	11	31	26	33	44
HR	7	13	13	13	21
HU	7	23	21	14	28
IE	4	19	15	19	26
IT	9	25	19	17	27
LT	11	31	24	16	31
LU	7	26	22	25	38
LV	13	38	32	17	39
MT	5	28	15	15	22
NL	9	27	25	35	45
PL	5	17	13	11	19
PT	8	28	19	10	24
RO	14	30	24	14	30
SE	7	29	28	34	46
SI	5	21	13	15	22

EU Member State	Current partner <sup>a</sup>	Previous partner <sup>b</sup>	Any partner (current and/or previous) <sup>c</sup>	Non-partner <sup>d</sup>	Any partner and/or non-partner <sup>d</sup>
SK	12	26	23	22	34
UK	5	34	29	30	44
EU-28	8	26	22	22	33

Notes: *a* Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview (n = 30,675).

*b* Out of all women who had, in the past, been married, living together with someone without being married, or involved in a relationship (without living together) at least once (n = 25,870).

*c* Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview or at any time in the past (n = 40,192).

*d* Out of all respondents (N = 42,002).

Source: FRA gender-based violence against women survey dataset, 2012

### 5.2.1. Prevalence of stalking

“Examining the results separately for the EU Member States, the 12-month prevalence of stalking is seen to be highest in Sweden (9 %), France (8 %) and Luxembourg (7 %), and lowest in Lithuania (close to 0 %) and Estonia (1 %).” (p.83)

### 9.3. Women’s knowledge about other women victims of intimate partner violence

“Women in Finland (56 %), France (52 %) and Lithuania (49 %) are most likely to be aware of women victims of intimate partner violence in their circle of friends or family.” (p.155)

“The FRA results in this regard correspond roughly with the findings of the Special Eurobarometer (2010) survey, according to which a relatively high proportion of male and female respondents in Lithuania (48 %), Latvia and Estonia (each 39 %), Sweden (39 %) and Finland and the United Kingdom (each 38 %) reveal that they know of female victims of domestic violence within their circle of family and friends.” (p.156)

### 9.4. Awareness of laws and political initiatives addressing violence against women

“A majority of women in Croatia (70 %), Lithuania (66 %), Slovenia (62 %), Sweden and France (both 61 %), but a minority of women in Estonia (27 %), Bulgaria (28 %) and Italy (34 %) are aware of specific laws and political initiatives that focus on prevention.” (p.160)

## Hate Crime

### Access to Justice for Victims of Hate Crimes: Legislation, Case-Law, and Experts’ Views (2016)

Selected quotes from interviews conducted with professionals

“Comparing suspected and accused people on one hand, and victims on the other hand, the main focus in Lithuania is on the rights of accused people. There is no focus on the rights of victims. Nobody emphasises that. We are looking at prisons in order to ensure normal conditions there. But we are not looking at victims, while in reality we should give more attention to victims [...] I think that too little information is coming from lawyers, from all this side, police [...] too little information on the victims. Sometimes they are coming and do not know what to do, when, what, the process itself. When civil claim can be submitted. Do they need a lawyer or not, and where they can get that lawyer. Victims of violent crimes, do they know that they can get compensation from the state? Very rarely... To provide all this information should be one of the main tasks.” (*Judge, Lithuania*)

Online reporting

“In Lithuania, crimes can also be reported anonymously by completing an electronic form available online at the e-police website.<sup>[1]</sup> Victims of hate crime may also contact (directly or via e-mail) specialised prosecutors within the Prosecution Service (*Generalinė prokuratūra*).”

Equal protection for all victims of hate crime – The case of people with disabilities (March 2015)

<http://fra.europa.eu/en/publication/2015/equal-protection-all-victims-hate-crime-case-people-disabilities>

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[1] Available at: [www.epolicija.lt/en/report-anonymous](http://www.epolicija.lt/en/report-anonymous)

“As of October 2014, a number of EU Member States explicitly recognise a disability bias motivation in their criminal law, including Austria, Belgium, Croatia, Finland, France, Hungary, Lithuania, Netherlands, Romania, Slovenia, Spain, and the United Kingdom.” (p.5)

Making hate crime visible in the European Union: acknowledging victims’ rights (November 2012)

<http://fra.europa.eu/en/publication/2012/making-hate-crime-visible-european-union-acknowledging-victims-rights>

EU Member States with good data collection mechanisms pertaining to hate crime  
“The introduction of the concept of hate crime and the adoption of the Framework Decision on Racism and Xenophobia into national law in Lithuania broadened the scope of what legally constitutes a bias motivation to include age, gender, sexual orientation, disability, race, nationality, language, ethnicity, social status, religion, beliefs or convictions. The Ministry of Interior set up a system of data collection on crime and criminal investigations in 2006. The system collects data in relation to several articles of the criminal code, which foresees liability for discrimination on grounds of nationality, race, sex, descent, religion or belonging to other groups; incitement against any national, racial, ethnic, religious or other groups of persons; and activities of groups and organisations aiming at discriminating against other groups of persons or inciting against them. All of these articles include, as prohibited grounds of discrimination, gender, sexual orientation, race, nationality, language, descent, social status, religion, convictions or beliefs.

“Furthermore, Lithuania considers motivation based on hatred towards persons due to their gender, sexual orientation, race, nationality, language, descent, social status, religion, convictions or beliefs as aggravating circumstances in the commission of crimes.” (p.39)

## Information Society, Privacy and Data Protection

Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU (November 2015)

<http://fra.europa.eu/en/publication/2015/surveillance-intelligence-services>

### 2.2. Parliamentary oversight

“The Lithuanian Parliamentary Committee on National Security and Defence, for instance, may receive complaints from the public, but does not have the power to carry out inspections or audits, and so cannot resolve the complaint with an adequate investigation.” (p.36)

#### 2.2.2. Composition

“UN good practice 8 calls for mechanisms that ensure preservation of secrecy. Vetting, that is to say, assessing parliamentarians’ backgrounds to identify any risks involved in providing the MPs with security clearance, is one way of ensuring the protection of classified information. It is required in the parliamentary oversight committees of Estonia, Hungary, Latvia, Lithuania, and Poland.” (p.40)

#### 2.3.2. Data protection authorities

“Finally, according to FRA data, the Lithuanian DPA’s powers cannot be clearly defined because the wording of the data protection law in conjunction with the specific law on the national intelligence services is inconclusive.” (p.48)

## LGBTI Rights

Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015 (December 2015)  
<http://fra.europa.eu/en/publication/2015/lgbt-comparative-legal-update-2015>

### 1.2 Access to sex reassignment

“In Lithuania, trans persons can only undergo SRS abroad and then obtain rulings from the national courts, ordering registry services to change their personal identification documents and birth certificates. Several individuals who followed these procedures later sued the Lithuanian state for moral damages incurred as a result of the lengthy national procedures and the absence of legal regulations on gender reassignment. Since publication of the 2010 report, moral (non-pecuniary) damages have been awarded in at least 2 cases.” (p.17)

#### 2.1.2. Discrimination and gender identity

“In nine other Member States (Bulgaria, Cyprus, Estonia, Greece, Latvia, Lithuania, Luxembourg, Romania and Slovenia), the lack of legislation or case law addressing discrimination based on gender identity results in legal uncertainty about the precise protection against discrimination available to trans persons.” (p.28)

#### 2.2.2. National and CJEU case law on discrimination

“In Lithuania, courts in two cases found that the applicant established prima facie discrimination on the grounds of sexual orientation and social status, and shifted the burden of proof to the respondent. However, the courts ultimately ruled that no discrimination had been established.” (p.38)

#### 3.2.1. Freedom of assembly for LGBTI people and organisations demonstrating in favour of their rights – pride marches

“In Lithuania, the first Baltic Pride demonstration took place in 2010, and the second in 2013. Indeed, the cooperation among the Estonian, Lithuanian and Latvian communities in organising the rotating Baltic Pride demonstrations should be considered a good practice for how to organise public events in support of the rights of LGBTI people in face of objective difficulties and even opposition from authorities.” (p.49)

“Indeed, only in Cyprus and Lithuania have LGBTI pride events not been held at least yearly since 2010.” (p.49)

#### 3.2.2. Legal obstacles to the freedom of assembly of LGBTI people and supporters

“As of 2014, Lithuania remained the only EU Member State in which local and/or national law is interpreted as imposing limitations on the right to demonstrate freely and peacefully in favour of LGBTI rights. As discussed in the 2010 report, the Council of the Municipality of Vilnius repeatedly amended its Rules on Disposal and Cleanness so these could be interpreted as allowing the banning of legitimate and peaceful events due to security concerns. Nonetheless, the 2010 and 2013 Baltic

pride demonstrations took place in Vilnius, thanks to rulings by the Lithuanian Supreme Administrative Court. However, following the 2013 Baltic pride event an amendment to the Law on Public Meetings and a draft law on administrative liability were introduced in parliament, which could impose further obstacles to LGBTI people's freedom of expression. The proposed changes would make organisers of public events financially liable for the costs of ensuring safety and public order, and introduce administrative fines for "events contradicting public morals, such as marches and parades of homosexuals". A draft law to the same effect was already introduced in parliament in 2010 and reintroduced in 2011, but was rejected." (p.50)

### 3.3. Bans on disseminating information on homosexuality or on LGBTI expression in the public sphere

"As described in detail in the 2010 report, in 2009 the Lithuanian Parliament (Seimas) adopted the Law on the Protection of Minors against the Detrimental effects of Public Information (Nepilnamečių apsaugos nuo neigiamo viešosios informacijos poveikio įstatymo 1, 2, 3, 4, 5, 7, 9 straipsnių pakeitimo ir papildymo). This law addresses sexuality and family relations, stating that information "which promotes sexual relations; [...] which expresses contempt for family values, encourages the concept of entry into a marriage and creation of a family other than that stipulated in the Constitution of the Republic of Lithuania and the Civil Code of the Republic of Lithuania [...] is detrimental to minors". This wording results from amendments passed to an earlier version, contested both domestically and internationally, which explicitly sought to ban from schools, public places and the media materials that "agitate for homosexual, bisexual and polygamous relations".

"On 7 July 2013, the Commission of Lithuanian Radio and Television (Lietuvos radijo ir televizijos komisija, LRT, the national broadcaster) censored both promotional videos produced in anticipation of Baltic Pride 2013, agreeing to broadcast them only during night hours and only if marked as adult content. The Deputy Director General of LRT stated that this limitation was based on Article 4 (2) (16) of the Law on the Protection of Minors from the Detrimental Effect of Public Information. LGL, a Lithuanian NGO, lodged complaints with the Lithuanian Office of the Inspector of Journalist Ethics (Lietuvos žurnalistų etikos inspektorius) and with the European Commission. The inspector found the first video to be detrimental to children because one person in the video wore a t-shirt with the slogan "For family diversity", and thus "encourage[d] the concept of entry into a marriage and creation of a family other than that stipulated in the Constitution of the Republic of Lithuania", prohibited by Article 4 (16). Although the second video was found to comply with the law, the inspector emphasised that the LRT did not ban it, but "merely" limited its broadcasting.

"Moreover, according to Lithuanian NGOs, several other news websites have established a practice of branding LGBTI-related articles as adult content, thus sending a clear message that depictions of LGBTI issues (both positive and negative) qualify as information detrimental to children. These practices so far remain unchallenged, reportedly owing to financial constraints on Lithuanian NGOs." (p.53)

### 3.4.3. Homophobic or transphobic hate speech

"As of mid-2015, 20 Member States (Austria, Belgium, Croatia, Cyprus, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovenia, Spain, Sweden and the United Kingdom) make it a criminal offence to incite hatred, violence or discrimination on the ground of sexual orientation." (p.59)

"Despite legislative advances, hate speech incidents fail to reach the prosecution stage in some Member States. For instance, in Lithuania, Young Lithuania (Jaunoji Lietuva), a political party, in

February 2011 unveiled the slogan “For Lithuania without blue, black, red, and gypsies from the encampment” – accompanied by a photo depicting a person wearing a rainbow flag.<sup>390</sup> A number of Lithuanian fundamental rights organisations complained to the Prosecutor General on the grounds that the party’s homophobic and racist speech violated the country’s law regulating political parties and campaigning.<sup>391</sup> On 27 June 2011, the Kaunas City District Prosecutor terminated the pre-trial investigation, finding that the party’s political campaign did not incite hatred. The complainants could have appealed the prosecutor’s decision pursuant to Article 214 (5) of the Criminal Procedure Code, but the decision was not challenged, allegedly because **Lithuanian** NGOs lacked sufficient human resources to proceed with the legal action on their own and financial resources to cover attorney’s fees. Young **Lithuania** won four seats in the Kaunas City Municipality Council.” (p.61)

“An analysis of relevant case law shows that it can be difficult to establish criminal liability in hate speech cases in court...The **Lithuanian** Supreme Court set a particularly worrying precedent in a criminal case against an individual who posted a homophobic comment in reaction to an article describing a protest called ‘Kisses against homophobia’. The court focused on the actions of the persons described in the article – who organised and participated in the protest against homophobia – and ruled that, since the protest was held without an authorisation certificate from the authorities and “failed to attain to the fact that a vast majority of **Lithuanians** respect traditional family values”, the commentator’s reaction was normal. The defendant was acquitted.” (p.61)

#### 5.2.1. Entry and residence of same-sex spouses

“Finally, the **Lithuanian** Civil Code defines marriage as a formalised agreement between a man and a woman. However, according to the Migration Department under the Ministry of the Interior (Migracijos departamentas prie Vidaus reikalų ministerijos), the main governmental institution that grants residence permits to foreigners in **Lithuania**, a person in a same-sex marriage or same-sex partnership with an EU citizen is considered to be a family member of the EU citizen for the purpose of Article 2 (4) of the Law on the Legal Status of Aliens (Užsieniečių teisinės padėties įstatymas).” (p.83)

#### 5.2.2. Entry and residence of registered partners

“In nine Member States (Bulgaria, Cyprus, Greece, Italy, Latvia, **Lithuania**, Poland, Romania and Slovakia), registered partnerships and marriage for same-sex couples do not exist in domestic legislation. In Greece and **Lithuania**, the relevant legislation only allows two people of different sexes to enter into registered partnerships (although this would be discriminatory according to ECtHR jurisprudence).” (p.84)

#### 5.3.3. Position of same-sex partners

“The remaining 11 Member States (Bulgaria, Cyprus, Croatia, Estonia, Greece, Italy, Latvia, **Lithuania**, Poland, Romania and Slovakia) appear not to extend family reunification rights to unmarried partners of sponsors, either of the same or of different sexes.” (p.89)

Being Trans in the EU – Comparative analysis of the EU LGBT survey data (December 2014)  
<http://fra.europa.eu/en/publication/2014/being-trans-eu-comparative-analysis-eu-lgbt-survey-data>

#### 2.3.1. Hate-motivated violence

“Respondents from **Lithuania** indicate the highest percentage of hate-motivated violence (19 %).” (p.54)

“Respondents in the United Kingdom (37 %), Ireland (31 %) and Lithuania (31 %) are twice as likely as those in Romania (19 %), Portugal (18 %), Poland (17 %), Slovenia (14 %) and Italy (10 %) to have experienced hate-motivated violence in the 12 months preceding the survey.” (p.64)

EU LGBT survey – European Union lesbian, gay, bisexual and transgender survey – Main results (October 2014)

<http://fra.europa.eu/en/publication/2014/eu-lgbt-survey-european-union-lesbian-gay-bisexual-and-transgender-survey-main>

### 1.3. Discrimination because of being LGBT in areas of life outside employment

“Respondents who have been employed or in education, or who have accessed one of the mentioned goods and services, in the last year are most likely to say they have felt discriminated against in one or more of these situations in the past 12 months because of being LGBT in Lithuania (42 %), Croatia (41 %), Bulgaria (40 %) and Romania (39 %).” (p.34)

#### 1.3.1. Education

“Respondents in Lithuania (31 %), Romania (30 %) and Portugal (29 %) are around three times more likely to say they have felt discriminated against [by school or university personnel in the previous year because of being LGBT] in the last year than those living in the Netherlands (8 %), Denmark (10 %) and Belgium (11 %).” (p.35)

#### 1.3.3. Discrimination because of being LGBT in other goods and services available to the public

“About one in five respondents living in Croatia (19 %), Lithuania (18 %), Poland (18 %) and Romania (18 %), say they felt personally discriminated against when looking for a house or apartment to rent or buy in the last year because of being LGBT, compared with one in 20 in Denmark, the Netherlands and Sweden.” (p.41)

“The highest percentages of respondents saying they have felt personally discriminated against because of being LGBT at a shop in the last year are found in Bulgaria, Malta, Greece, Lithuania, Poland and Romania.” (p.42)

#### 2.1.1. Rates of violent incidents

“The numbers of violent attacks and threats per 1,000 respondents in Lithuania (525), Romania (522) and Poland (452) are more than three times those found in Slovenia (138), the Netherlands (157) and Denmark (159).” (p.59)

### 2.4. Prevalence of harassment and hate-motivated harassment

“Among the countries covered by the survey, respondents in Bulgaria (26 %), Croatia (27 %), Lithuania (26 %) and Malta (26 %) are almost twice as likely as those in France (15 %), Luxembourg (14 %) and Spain (15 %) to have experienced hate-motivated violence in the 12 months leading up to the survey.” (p.71)

### 3.2. Public attitudes towards LGBT people, visibility and avoidance behaviour

“Almost half of all respondents consider offensive language about LGBT people by politicians to be widespread. Responses differ markedly by EU Member State, however; from 93 % of all respondents in Lithuania to 9 % of all respondents in the Netherlands saying offensive language about LGBT people by politicians is widespread.” (p.84)

### 3.2.2. Visibility of LGBT people in public life

“Half of the respondents living in Lithuania (53 %) and Latvia (50 %) say that they avoid expressing their gender or desired gender through their physical appearance and clothing for fear of being assaulted, threatened or harassed.” (p.88)

### 5 How do respondents think their fundamental rights can be improved?

“In Bulgaria (90%), Italy (95 %), Greece (90 %), Hungary (90 %), Lithuania (90 %) and Romania (90 %), nine in 10 of all respondents say that positive measures to promote respect for the human rights of transgender people are rare.” (p.107)

## People with Disabilities

Violence against children with disabilities: legislation, policies and programmes in the EU (December 2015)

<http://fra.europa.eu/en/publication/2015/children-disabilities-violence>

### 3.2.5. Overburdening of parents and guardians and lack of support services

“Violence and hostility towards children with disabilities also occur in domestic settings. Respondents from various countries, notably Bulgaria, Croatia, Lithuania, Portugal and Sweden, noted that the burden families and carers of children with disabilities may experience can contribute to domestic violence.” (p.65)

### 3.3.2. Schools and educational settings

“Stakeholders in several EU countries – specifically, Bulgaria, the Czech Republic and Lithuania – voiced the concern that children with disabilities are included in mainstream schools without appropriate mechanisms to ensure a safe environment. A lack of such mechanisms can put children with disabilities at risk of violence.” (p.71)

“In several countries – Bulgaria, Lithuania and Portugal – respondents noted that educational staff sometimes advise parents of children with disabilities to place them in special schools or institutions due to pressure from parents of children without disabilities and/or the inability and lack of readiness of some schools to educate and include children with disabilities.” (p.73)

### 3.3.3. Institutional settings

“Some stakeholders, notably in Bulgaria, Lithuania and Slovenia, identified the isolation of children with disabilities in institutional care as a form of violence. They further indicated that there is a general lack of awareness about certain forms of violence and neglect, such as segregation and refusal of care, which also significantly affect children’s development.” (p.77)

### 3.4.2. Ethnicity

“In Bulgaria, Croatia, the Czech Republic and Lithuania respondents indicated that Roma children with disabilities face an increased risk of hostility and violence. Many believe that Roma ethnicity increases a child’s risk of hostility and abuse more than the fact that he/ she has an impairment.” (p.82)

### 4.6. Support services for children with disabilities and families

“Respondents in Bulgaria, Croatia, the Czech Republic, Lithuania, Poland and Slovenia often mentioned NGOs as the main providers of support and help services to children. In particular, they identified DPOs as providing help and support services targeted at children with disabilities and their families.” (p.101)

“Respondents also noted that social services provide support services for children with disabilities and their families – in Austria, Croatia, Denmark, Italy, Lithuania, the Netherlands, Poland, Slovenia, Sweden and the United Kingdom.” (p.101)

#### 4.6.1. Lack of specialised support for certain types of disability

“Respondents from several countries – including Croatia, the Czech Republic, Lithuania and the United Kingdom – indicated that a lack of specialised support for children with particular types of disabilities remains one of the main challenges to providing support services.” (p.102)

Implementing the UN CRPD: An overview of legal reforms in EU Member States (May 2015)  
<http://fra.europa.eu/en/publication/2015/implementing-un-crpd-overview-legal-reforms-eu-member-states>

#### 1 Laying the foundations for CRPD implementation

“In addition to its overall strategy regarding the social integration of people with disabilities, in 2014 the government of Lithuania approved an action plan on the transition from institutional care to care in the family and the community for people with disabilities and children without parental care. This plan aims to create coordinated actions towards deinstitutionalisation and complements previous national programmes.” (p.6)

#### 2 Reform of legal frameworks

“FRA evidence shows that 15 Member States (Austria, Belgium, Czech Republic, Denmark, Finland, France, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Spain and the United Kingdom) have mandatory accessibility standards for the construction, and alteration of national and local authority buildings, often in line with EU-level standards.” (p.8)

“The Lithuanian Action plan to increase social inclusion 2014-2020, which includes measures to increase the availability of social housing and in-house support services for people with intellectual and psychosocial disabilities, is partly funded by the European Structural and Investment Funds (ESIF).” (p.12)

The right to political participation for persons with disabilities: human rights indicators (May 2014)  
<http://fra.europa.eu/en/publication/2014/right-political-participation-persons-disabilities-human-rights-indicators>

#### 2.2 The legal status of the right of persons with disabilities to vote in EU Member States

“A further 15 EU Member States prohibit people with disabilities who have been deprived of their legal capacity from voting. The Member States are Belgium, Bulgaria, Cyprus, Denmark, Estonia, Germany, Greece, Ireland, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania and Slovakia.” (p.41)

“In eight EU Member States, Austria, Denmark, Estonia, Finland, Germany, Lithuania, the Netherlands and the United Kingdom, all voters can vote using alternative methods, typically postal voting.” (p.42)

“Hungary, Latvia, Lithuania, Slovakia and Slovenia also provide for polling stations at long-term institutions but require an individual application or notification to use such a polling station in advance, which could act as a barrier to exercising the right to vote.” (p.44)

### 2.3 Creating enabling conditions for the political participation of persons with disabilities

“In Lithuania and Slovenia the central election authority provides training during election campaigns, where election rights, accessibility and necessary accommodations to exercise the right to vote for all, including persons with disabilities, are covered.” (p.52)

### 4.2 An enabling environment

“In Hungary, Lithuania, Portugal, Romania, Slovenia and Sweden, some data on the proportion of public authority buildings that are accessible for persons with disabilities were found from unofficial sources such as research undertaken by NGOs. The Lithuanian society of persons with disabilities assessed the accessibility of over 350 public buildings in nine Lithuanian municipalities in 2012, reporting that almost half are not accessible to persons with disabilities.” (p.72)

Legal capacity of persons with intellectual disabilities and persons with mental health problems (July 2013)

<http://fra.europa.eu/en/publication/2013/legal-capacity-persons-intellectual-disabilities-and-persons-mental-health-problems>

#### 1.2.2. Decision on incapacity and the right to fair trial

“Case law has also further addressed situations in which third parties have represented persons in the process of losing their legal capacity in court. In the *D.D. v. Lithuania* case, the applicant had been deprived of her legal capacity and appointed a guardian. The guardian’s lawyer then represented the applicant in court proceedings. In ruling that there had been a violation of Article 6 (1), the court found that “because of the conflicting interests of her and her legal guardian, her guardian’s lawyer could in no way have represented her interests properly”. This contravened “the interests of a fair hearing” which “required that the applicant be granted her own lawyer”.” (p.20)

#### 2.3.3. Persons who can be guardians

“The legislative frameworks of Greece, Hungary, Italy, Lithuania and the Netherlands explicitly mention the need to consult with the person concerned.” (p.36)

#### 2.4.1. Periodic review of the protective measure

“Other Member States without a statutory maximum duration include Belgium, Cyprus, the Czech Republic, Greece, Ireland, Lithuania, the Netherlands, Poland, Portugal, Slovenia and Spain.” (p.38)

## Rights of the Child

Guardianship systems for children deprived of parental care in the European Union (October 2015)

<http://fra.europa.eu/en/publication/2015/guardianship-children-deprived-parental-care>

### 2.6. Guardianship systems for unaccompanied children

“Although only four Member States have developed a separate system for unaccompanied children, in practice differentiated arrangements exist in more Member States. (...) In **Lithuania**, institutional guardianship is assigned to the State institution for the protection of the child’s rights and other institutions referred to in the Civil Code. While Municipal Child Rights Protection Units establish temporary guardianship for children deprived of parental care, in the case of unaccompanied children seeking asylum, guardianship is assigned to the Refugee Reception Centre, where unaccompanied children are placed.” (p.32)