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Compilation on Lithuania

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. In 2017, the Committee on Enforced Disappearances commended Lithuania for having ratified almost all of the United Nations core human rights instruments and their optional protocols, as well as the Rome Statute of the International Criminal Court.[3] The Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination encouraged Lithuania to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.[4]

3. In 2019, the Committee on the Elimination of Discrimination against Women noted with concern that the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), signed by Lithuania in 2013, was still pending in the parliament.[5]

4. The same Committee recommended that Lithuania expedite the ratification of the Social Security (Minimum Standards) Convention, 1952 (No. 102) of the International Labour Organization (ILO).[6] The Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination recommended that Lithuania ratify the ILO Domestic Workers Convention, 2011 (No. 189).[7]

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that Lithuania should be encouraged to ratify the Convention against Discrimination in Education 1960 and regularly submit comprehensive national reports for the periodic consultation on the education-related, standard-setting instruments of UNESCO.[8]

6. In 2019, the Committee on the Elimination of Racial Discrimination encouraged Lithuania to make the optional declaration provided for in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination recognizing the competence of the Committee to receive and consider individual communications.[9] The Committee on Enforced Disappearances welcomed the fact that Lithuania had recognized the competence of the Committee, under articles 31 and 32 of the International Convention for the Protection of All Persons from Enforced Disappearance, in respect of individual and inter-State communications.[10]

7. Lithuania made annual contributions to the Office of the United Nations High Commissioner for Human Rights (OHCHR) during the period 2016–2021.[11]

III. National human rights framework[12]

8. The Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on Enforced Disappearances and the Committee on the Elimination of Discrimination against Women welcomed the accreditation by the Global Alliance of National Human Rights Institutions of the Seimas Ombudsmen's Office as a national human rights institution with "A" status in 2017.[13]

9. The Committee on the Elimination of Racial Discrimination noted that, in 2017, the Seimas Ombudsmen's Office had acquired new areas of competence by virtue of the amended Law on the Seimas Ombudsmen. It recommended that Lithuania allocate sufficient funding to the office so that it could effectively and independently fulfil its mandate, including in the new areas of competence, in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).[14]

10. The Committee on the Elimination of Discrimination against Women was concerned about the limited mandate of the Seimas Ombudsmen's Office to consider complaints brought by women, in particular concerning gender-based violence, including in the private sphere, and about the underfunding of the office.[15]

11. The Committee on the Elimination of Racial Discrimination noted that, in 2017, the mandate of the Office of the Equal Opportunities Ombudsperson had been extended to include prevention and educational activities. The Committee recommended that Lithuania allocate sufficient funding to the Office so that it could take up its preventive and education competences.[16]

12. The Committee on the Elimination of Discrimination against Women welcomed the Amendments to the Law on Equal Opportunities for Women and Men extending the responsibility of the Equal Opportunities Ombudsperson to monitor the implementation of the Convention on the Rights of Persons with Disabilities.[17] However, the Committee was concerned that the mandate of the Equal Opportunities Ombudsperson had been converted into a gender-neutral mandate. It recommended that Lithuania take measures to reverse such gender neutrality and establish a specialized and gender-responsive unit to better protect the rights of women and girls and promote gender equality.[18]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[19]

13. The Committee on the Elimination of Racial Discrimination was concerned that Lithuania had not yet included "colour" and "descent" among the prohibited grounds of discrimination in the Law on Equal Treatment and in the Criminal Code and recommended that it amend those laws.[20] The Committee on the Elimination of Racial Discrimination and

the Human Rights Committee welcomed the adoption of the Action Plan for the Promotion of Non-discrimination 2017–2020.[21]

14. While noting the measures taken by Lithuania to combat hate speech and hate crimes, in 2018 the Human Rights Committee remained concerned about intolerance and prejudice towards vulnerable and minority groups, including Roma, Jews, migrants, refugees, asylum seekers and lesbian, gay, bisexual, transgender and intersex persons, and about the prevalence of hate speech and hate crimes against these groups.[22] The Committee recommended that Lithuania strengthen its efforts to combat intolerance, stereotypes, prejudice and discrimination towards vulnerable and minority groups; increase its efforts to prevent hate speech and hate crimes and ensure that any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence was prohibited by law; encourage the reporting of hate crimes and hate speech; and ensure that all cases were systematically investigated, that perpetrators were held accountable and that victims had access to full reparation.[23] The Committee on the Elimination of Racial Discrimination made similar recommendations and recommended that Lithuania strengthen the training of journalists on how to avoid the use of hate speech and stereotypes towards communities, with the involvement of the Office of the Inspector of Journalist Ethics.[24]

15. The Committee on the Elimination of Discrimination against Women welcomed the Amendments to the Criminal Code establishing criminal liability for acts of discrimination or incitement to hatred on the basis of, inter alia, sex, gender and sexual orientation, in 2017.[25] The Committee also recognized the improvements to the legislative framework aimed at ensuring equality between women and men. However, it noted with concern that the Law on Equal Treatment and the Law on Equal Opportunities for Women and Men were not applicable to matters of family and private life and that there was no legislation specifically prohibiting intersecting forms of discrimination against women and no definition of the legal concepts of gender and sex. It also noted with concern the absence of legislation prohibiting discrimination on the grounds of gender reassignment. The Committee recommended that Lithuania consider adopting comprehensive legislation on gender equality and non-discrimination.[26]

16. The same Committee recommended, inter alia, that Lithuania build the capacities of media enterprises, including through efforts to combat gender stereotyping in social media, radio and television programming, and strengthen cooperation between the Media Ethics Ombudsperson and the Equal Opportunities Ombudsperson in that regard. It also recommended that Lithuania conduct a study on the impact of the Law on Strengthening Families on the further entrenchment of discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society.[27]

17. The Human Rights Committee recommended that Lithuania intensify efforts to eliminate discrimination against persons on the basis of their sexual orientation or gender identity.[28] The same Committee was concerned that same-sex couples were not legally recognized in the country, including those legally married and recognized outside Lithuania. It was further concerned about the lack of clarity in legislation and procedures concerning the change of civil status with respect to gender identity, in particular, the absence of legislation enabling gender reassignment procedures and change of civil status without undergoing gender reassignment surgery.[29]

2. Human rights and counter-terrorism[30]

18. The Human Rights Committee was concerned that Lithuania had not fully and comprehensively investigated the complicity of the State and State officials in human rights violations in counter-terrorism operations, including secret detention. It recommended that Lithuania take appropriate measures to investigate such complicity and ensure that perpetrators were prosecuted and, if convicted, punished with appropriate sanctions and that victims had access to effective remedies. It also recommended that Lithuania complete pretrial investigation No. 01-2-00015-14 within a reasonable time and ensure effective transparency and public scrutiny of its outcome.[31] The Committee on Enforced Disappearances made similar recommendations.[32]

B. Civil and political rights

1. Right to life, liberty and security of person[33]

19. The Human Rights Committee welcomed the entry into force in 2017 of the Code of Administrative Offences, eliminating prolonged administrative detention of persons having committed certain administrative offences and administrative arrest.[34] However, it was concerned at the increasing length of pretrial detention and the insufficient use of alternatives to detention, including bail, and recommended that Lithuania ensure that alternatives to detention were always considered and that pretrial detention was always an exceptional, reasonable and necessary measure based on individual circumstances and was as short as possible.[35]

20. While noting the efforts to improve prison conditions, the same Committee remained concerned about multiple reports of overcrowding and poor living conditions in places of deprivation of liberty. It was also concerned about allegations of ill-treatment and excessive use of force in certain facilities, including police detention centres, prisons and psychiatric institutions.[36]

21. The Committee on Enforced Disappearances recommended that Lithuania guarantee that all persons deprived of liberty had access to a lawyer from the outset of deprivation of liberty and could communicate without delay with their relatives or any person of their choosing, and in the case of foreigners, with their consular authorities.[37]

22. The same Committee considered that the legislation to prevent and punish enforced disappearances was not fully in compliance with the International Convention for the Protection of All Persons from Enforced Disappearances, including regarding the definition and criminalization of enforced disappearances.[38]

2. Administration of justice, including impunity, and the rule of law[39]

23. The Committee on the Elimination of Discrimination against Women welcomed the legal aid reform of 2019 that provided for primary legal assistance (except in proceedings before courts) for all persons in vulnerable situations, including women, and secondary legal assistance in court proceedings to all victims, inter alia, of gender-based violence, including sexual and domestic violence, and hate crimes, irrespective of their financial status. However, the Committee noted that, in 2018, the Office of the Equal Opportunities Ombudsperson had not received any complaints from women or girls with disabilities and that there had been a low number of complaints of discrimination on the basis of sex or gender overall, due in part to the absence of regional and local branches of the Office.[40]

24. The Human Rights Committee noted with appreciation that courts had invoked the provisions of the International Covenant on Civil and Political Rights while reviewing domestic cases.[41]

3. Fundamental freedoms and the right to participate in public and political life[42]

25. UNESCO stated that the Constitution of Lithuania prohibited censorship and the monopolization of the media and that it guaranteed freedom of speech and of information.[43]

26. The Human Rights Committee remained concerned that certain legal instruments, such as the Law on the Protection of Minors against the Detrimental Effect of Public Information, might be applied to restrict media and other content in a manner that unduly restricts freedom of expression regarding lesbian, gay, bisexual, transgender and intersex issues and contributes to discrimination.[44]

27. The same Committee was concerned about initiatives that would restrict and inhibit freedom of expression, including that of individuals addressing the complicity of Lithuanians in Nazi crimes against Jews and others. In particular, it was concerned about reports that the names of associations, news agencies, journalists, human rights defenders and other individuals were published in the annual Assessment of Threats to National Security by the State Security Department, and about the absence of any information regarding the criteria and procedures for such publication or its justification. It was also concerned at reports of

recently proposed amendments to the Law on Consumer Protection, which would ban the sale of material that "distorts historical facts" about the nation.[45]

28. UNESCO noted that in 2015 defamation was partially decriminalized, with the removal of two provisions criminalizing insult, but that it remained a criminal offence punishable by a fine, arrest or imprisonment for up to one year. It recommended that Lithuania continue to decriminalize defamation and place it within a civil code according to international standards.[46]

29. UNESCO recorded no killing of journalists in Lithuania since it had begun systematic monitoring in 2006.[47]

4. Prohibition of all forms of slavery[48]

30. The Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women welcomed the adoption of the Inter-institutional Action Plan for Anti-Trafficking in Human Beings 2017–2019, in 2016.[49] The Human Rights Committee welcomed the appointment in 2017 of the National Trafficking Rapporteur.[50]

31. The Committee on the Elimination of Discrimination against Women recommended that Lithuania continue its efforts to strengthen gender-sensitive training on all aspects of trafficking in persons, in particular women and girls, for judges, prosecutors, police officers, border guards, among others; improve procedures for the early identification of and referral to appropriate services for victims of trafficking and enhance victim and witness protection services; raise awareness about the risks of trafficking; and effectively prosecute and adequately punish perpetrators of acts of trafficking.[51]

32. The same Committee recommended that Lithuania provide exit programmes for women who wish to leave prostitution, including by assisting with alternative income-generating opportunities.[52]

5. Right to privacy and family life

33. The Committee on the Elimination of Discrimination against Women recommended that Lithuania recognize non-traditional forms of family relations other than marriage, including same-sex and de facto unions.[53]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[54]

34. The Human Rights Committee and the Committee on the Elimination of Racial Discrimination were concerned at the low employment rate among Roma, in particular women.[55]

35. The Committee on the Elimination of Discrimination against Women welcomed the fact that the employment rate among women in Lithuania was the highest within the European Union. Nevertheless, it remained concerned about the persistent gender pay gap, as well as the vertical and horizontal occupational segregation and the difficulties of integrating migrant women, Roma women, rural women, older women and women with disabilities into the labour market.[56] The Human Rights Committee and the ILO Committee of Experts on the Application of Conventions and Recommendations expressed similar concerns.[57]

36. The Committee on the Elimination of Discrimination against Women recommended that Lithuania establish effective monitoring and accountability mechanisms to ensure that public and private companies comply with their obligation under the Labour Code to develop equal opportunities plans.[58]

37. The same Committee welcomed the Amendments to the Law on Equal Opportunities for Women and Men clarifying that discrimination included discrimination against women

on grounds of pregnancy and maternity and that not only sexual, but also other forms of harassment, were prohibited in the workplace.[59]

38. The same Committee welcomed the mandatory quota for the employment of persons with disabilities in social enterprises. However, it remained concerned about the existence of multifold obstacles to employment for women with disabilities.[60]

2. Right to an adequate standard of living[61]

39. The Committee on the Elimination of Discrimination against Women welcomed the adoption, in 2019, of the package of basic services for families, aimed at strengthening the socioeconomic status of women and providing additional social benefits for mothers with five or more children. However, it was concerned that the gains from the rapid economic development in the country had not been equally shared, in particular by women and girls belonging to minority groups, women in rural areas, older women and women with disabilities, and it was concerned about the negative impact of the shrinking and ageing population, in particular in rural areas, on the social protection of women.[62]

40. The Committee on the Elimination of Racial Discrimination was concerned about the lack of statistics on the enjoyment of economic and social rights by persons belonging to different ethnic groups and different national origins.[63]

41. The same Committee was concerned about the high proportion of Roma living in inadequate housing conditions. It recommended that Lithuania continue its efforts to facilitate the access of Roma to adequate housing, including access to social housing and subsidies for home rental.[64]

3. Right to health[65]

42. The Committee on the Elimination of Racial Discrimination recommended that Lithuania increase its efforts to ensure that Roma, particularly Roma women, had access to adequate health care, including by conducting targeted awareness-raising campaigns with information about available health services and the requirements for compulsory health insurance coverage.[66] The Human Rights Committee was concerned that part of the Roma population did not have compulsory health insurance.[67]

43. The Committee on the Elimination of Discrimination against Women welcomed the fact that the 48 public health bureaux across the territory of the country promoted healthy lifestyles for women and girls. It also noted the implementation of the general programme for education in health and sexuality and family education for the period 2017–2019. The Committee was nevertheless concerned about the still-limited levels of effective access to basic health services, including access to sexual and reproductive health services and modern contraceptives, for girls and young women, including girls and women in rural areas and Roma girls and women, and of access to high-quality maternal health care throughout pregnancy and delivery for undocumented migrant women, who were ineligible for the country's compulsory health insurance.[68]

44. The Human Rights Committee recommended that Lithuania strengthen its efforts to reduce the high pregnancy rate among Roma girls, and ensure the accessibility and availability of sexual and reproductive health education and services and affordable contraception for Roma women and girls.[69]

45. The Committee on the Elimination of Discrimination against Women recommended that Lithuania regulate the termination of pregnancy by legislation, rather than in ministerial regulations; legalize abortion in cases of rape, incest, threats to the life and/or health of the pregnant woman or severe fetal impairment, and decriminalize it in all other cases; and provide women with access to safe abortion as well as post-abortion services.[70]

46. The Human Rights Committee was concerned about the legal framework providing for involuntary hospitalization and treatment of persons with psychosocial or intellectual disabilities, including without a court order. It was also concerned about provisions that allowed for non-consensual surgical operations.[71]

4. Right to education[72]

47. UNESCO noted that the Constitution of Lithuania established compulsory education for persons under the age of 16. It also noted several legislative and policy initiatives to facilitate enrolment in preschool education and strengthen access to vocational training.[73] The Committee on the Elimination of Discrimination against Women welcomed the creation of the National Agency for Education in 2019, which was also mandated to promote gender equality, and the launch of the project "Quality basket", aimed at improving learning achievements by pupils, including girls.[74]

48. The Committee on the Elimination of Racial Discrimination was concerned about the persistently low proportion of Roma children and young people completing basic education and attending tertiary education. It recommended that Lithuania pursue its efforts to promote the enrolment of Roma children in preschool education and to support Roma children and young people in their completion of compulsory education and in their access to tertiary education.[75] The Human Rights Committee expressed similar concerns.[76]

49. The Committee on the Elimination of Discrimination against Women recommended that Lithuania continue taking measures to eliminate discriminatory gender stereotypes and structural barriers that could deter girls from choosing non-traditional fields of study, and that it strengthen its measures to improve the inclusion of Roma girls and boys, as well as girls and boys with disabilities, in the mainstream education system.[77] The same Committee noted the high percentage of female researchers at universities, but remained concerned by the low number of women in leading positions.[78]

D. Rights of specific persons or groups

1. Women[79]

50. The Committee on the Elimination of Discrimination against Women recommended that Lithuania remove the legislative obstacles for the adoption and application of temporary special measures, adopt such measures to promote the substantive equality of women and men in all areas where women are underrepresented or disadvantaged and establish a mechanism for monitoring their implementation.[80]

51. The same Committee welcomed the high level of representation of women in the civil service and recommended that Lithuania strengthen its efforts to increase the representation of women in political life and adopt temporary special measures to increase the participation of women, in particular rural women, women belonging to ethnic minority groups and women with disabilities, in political and public life.[81]

52. The same Committee welcomed the draft amendments to the Order regarding the Establishment of the Commission on Equal Opportunities for Women and Men which, inter alia, envisaged the delegation of State representatives at a level no lower than that of deputy minister. The Committee was nevertheless concerned that the Commission, as a monitoring and supervisory body, was also directly involved in developing and implementing the action plan for the period 2018–2021 for the implementation of the national programme on equal opportunities for women and men, 2015–2021.[82] The Committee recommended that Lithuania swiftly adopt the draft amendments to the Order regarding the Establishment of the Commission on Equal Opportunities for Women and Men and clarify its mandate to avoid any undue confusion regarding its monitoring and policymaking functions.[83]

53. The same Committee recommended that Lithuania adopt comprehensive gender-based budgeting strategies that provided for special budgetary allocations for the implementation of policies, strategies and programmes on gender equality and the advancement of women in all parts of the country.[84]

54. The same Committee welcomed the adoption of the action plan for the period 2018–2021 for the implementation of the national programme on equal opportunities for women and men, 2015–2021.[85]

55. The Human Rights Committee welcomed the adoption of the National Programme for the Prevention of Domestic Violence and Provision of Assistance to Victims 2017–2020,

amendments to the Criminal Code and the Law on Protection against Domestic Violence, and the approval of the Specialized Assistance Centre programme to address domestic violence and provide victims with assistance.[86] The Committee on the Elimination of Discrimination against Women called upon Lithuania to provide increased funding to special assistance centres for women who were victims of violence.[87]

56. Notwithstanding the positive measures taken by Lithuania to address violence against women, the Human Rights Committee was concerned that such violence, including domestic violence, continued to be a persistent and underreported problem. In that respect, it was concerned about reports of the limited enforcement of protection orders and the excessive use of reconciliatory mediation for victims of domestic violence, and the lack of specialized support for victims with disabilities. The Committee was further concerned about the low number of investigations and convictions and about the fact that marital rape was not explicitly criminalized.[88]

57. The same Committee recommended that Lithuania strengthen the legal framework for the protection of women against violence, including by explicitly criminalizing marital rape and eliminating resort to reconciliatory mediation for victims of domestic violence; ensure that cases of domestic violence were recorded and thoroughly investigated, that perpetrators were brought to justice and that victims had access to effective remedies and means of protection; conduct awareness-raising for the general public regarding violence against women, including domestic violence; and ensure that police officers, prosecutors and judges received appropriate training to deal effectively with such cases.[89] The Committee on the Elimination of Discrimination against Women made similar recommendations.[90]

2. Children[91]

58. The Committee on the Elimination of Discrimination against Women, the Human Rights Committee and UNESCO were concerned that, while the Civil Code set the legal age for marriage at 18 years old, courts were allowed to reduce it from 18 years of age to 16 years of age or, exceptionally, even lower, when compelled by significant circumstances, including the pregnancy of the girl. They recommended that Lithuania set the minimum age of marriage for women and men to 18 years of age, without exception.[92]

59. The Committee on the Elimination of Discrimination against Women was concerned that in practice girls, in particular Roma girls, were disproportionately affected by child marriage.[93]

60. UNESCO noted that the Labour Code authorized the employment of minors between 14 and 16 years of age, but that that provision might restrict the right to education of children since, according to the Constitution, they were required to attend compulsory education until the age of 16. It stated that Lithuania should be encouraged to forbid the employment of a minor under 16 years of age to ensure alignment with the end of compulsory education.[94]

61. The Human Rights Committee welcomed the 2017 amendment to the Law on the Fundamentals of Protection of the Rights of the Child of 1996, prohibiting corporal punishment in all settings, including the home.[95]

62. The same Committee was concerned about the persistence of violence against children, including domestic violence. It was further concerned about reports of ill-treatment of children in institutional settings. It recommended that Lithuania regularly monitor the conditions and treatment of children in institutional settings and protect children from all forms of violence, exploitation and trafficking.[96]

3. Persons with disabilities[97]

63. The Committee on the Elimination of Discrimination against Women was concerned about the declaration of legal incapacity or restricted capacity of more than 4,500 women with disabilities in Lithuania, which affected their participation in elections and denied them the right to marry and to custody of their children.[98]

64. The Human Rights Committee recommended that Lithuania ensure that any restriction on legal capacity was no greater than necessary, was imposed pursuant to

appropriate legal and procedural safeguards and ensured free and effective legal representation in all proceedings.[99]

4. Minorities[100]

65. With a view to guaranteeing the protection of the rights of all national minorities, the Committee on the Elimination of Racial Discrimination recommended that Lithuania accelerate the drafting and adoption of a comprehensive law on national minorities and ensure that representatives of the different national minorities were consulted in the course of the drafting process.[101]

66. While welcoming the adoption of the Action Plan for the Integration of Roma into Lithuanian Society 2015–2020 and noting several improvements in the socioeconomic situation of Roma, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination were concerned that the Roma community continued to suffer from discrimination and social exclusion and was disproportionately affected by poverty, including in the areas of housing, health care, employment and education.[102]

67. The Committee on the Elimination of Racial Discrimination welcomed the adoption of the Programme for the Integration of the Roma Community living in Vilnius City Municipality into Society 2016–2019, in 2016.[103]

68. The Human Rights Committee recommended that Lithuania intensify its efforts to address stereotypes, prejudice, intolerance and systemic discrimination against the Roma population and ensure that complaints were investigated, perpetrators were held accountable and victims had access to full reparation.[104]

5. Migrants, refugees and asylum seekers[105]

69. The Human Rights Committee noted with appreciation the recent strengthening of the country's protection framework. However, it was concerned about the length of detention of migrants, which could be up to 18 months. It was also concerned that alternatives to detention were rarely used and about the reported lack of legal aid available to migrants in irregular situations held in detention.[106]

70. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that in recent years, Lithuania had undertaken targeted efforts to improve reception conditions for asylum seekers, including through the development of accommodation infrastructure and services as well as through an alternative scheme that allowed for the placement of asylum seekers in local communities. It also noted that the authorities of Lithuania had undertaken systematic efforts to facilitate access to mainstream social welfare guarantees and improve the national refugee integration system.[107] However, UNHCR observed that the Lithuanian asylum and reception system might need to be further enhanced to ensure an effective humanitarian response in situations of increased arrivals of asylum seekers, including in emergency situations. It recommended that Lithuania further develop the reception system to ensure that the accommodation capacity, support and services were sufficient and adjusted to the need to respond effectively in situations where large numbers of asylum seekers arrived during a short period of time.[108]

71. The Human Rights Committee recommended that Lithuania further improve reception conditions in the Foreigners' Registration Centre by ensuring adequate access to social, psychological, rehabilitation and health-care services.[109]

72. The Committee on the Elimination of Racial Discrimination was concerned about reports that asylum seekers had been denied entry to the country's territory or denied access to asylum procedures, including the services of a lawyer.[110] The Human Rights Committee recommended that Lithuania ensure that all applications for international protection at the border and in reception and detention facilities were promptly received, registered and referred to the asylum authority, and that it effectively investigate all allegations of denials of entry and access to asylum procedures for persons seeking international protection. It also recommended that Lithuania ensure against unlawful or arbitrary detention of asylum seekers at the border.[111]

73. In September 2021, UNHCR and the International Organization for Migration expressed growing concern at reports of pushbacks of people at the borders of some member States of the European Union, including Lithuania, and called for the situation to be managed in accordance with international legal obligations.[112]

74. The Committee on the Elimination of Racial Discrimination welcomed the adoption of the Action Plan for the Integration of Foreigners into Society 2018–2020, in 2018.[113] However, it was concerned that refugees and beneficiaries of subsidiary protection still faced difficulties fully integrating in society.[114]

75. UNHCR stated that, while the Aliens Law guaranteed the right to family reunification for refugees and beneficiaries of subsidiary protection, several legal and practical obstacles still hampered the reunification process. It noted that the definition of a family was limited to the nuclear family and that the applicable family reunification procedures were not sufficiently flexible to consider the specific situation of refugees and beneficiaries of international protection, notably regarding the requirement of providing official documentary evidence of the family relationship. It also noted that the family members of refugees might need to travel to other countries to reach Lithuanian embassies, which might not be possible in some cases.[115] In August 2021, UNHCR submitted observations on the amendments to the Law on Legal Status of Aliens, which was adopted in a fast-track procedure by the country's parliament in July 2021 and introduced a number of modifications to the procedures for border management, asylum processing and reception conditions.[116]

6. Stateless persons[117]

76. UNHCR observed that Lithuania had implemented several initiatives aimed at reducing statelessness, including the adoption of amendments to the Law on Citizenship, which broadened automatic access to Lithuanian citizenship for children born to stateless parents who were lawful residents. It recommended that Lithuania consider providing for the automatic granting of Lithuanian citizenship at birth to all children born in its territory who would otherwise be stateless.[118] The Committee on the Elimination of Discrimination against Women made a similar recommendation.[119]

77. The Committee on the Elimination of Racial Discrimination recommended that Lithuania improve its identification mechanism and data collection on stateless persons in order to include those without residence permits in the official statistics on statelessness.[120] UNHCR recommended that Lithuania establish a statelessness determination procedure, including the granting of a formal status for those stateless persons who were unable to return to their country of previous habitual residence.[121]

78. UNHCR noted that stateless persons were required to reside lawfully in Lithuania for 10 years in order to be able to apply for Lithuanian citizenship. It recommended that Lithuania facilitate naturalization of stateless persons by reducing the required number of years of residence and lowering or waiving application fees.[122] The Committee on the Elimination of Discrimination against Women encouraged Lithuania to bring its national citizenship legislation into line with the 1961 Convention on the Reduction of Statelessness.[123]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Lithuania will be available at https://www.ohchr.org/EN/HRBodies/UPR/Pages/LTIndex.aspx.
2 For relevant recommendations, see A/HRC/34/9, paras. 100.1–100.19 and 100.21–100.23.
3 CED/C/LTU/CO/1, para. 4.
4 CEDAW/C/LTU/CO/6, para. 50; and CERD/C/LTU/CO/9-10, para. 27.
5 CEDAW/C/LTU/CO/6, para. 22 (a). See also CCPR/C/LTU/CO/4, para. 18 (d).
6 CEDAW/C/LTU/CO/6, para. 41 (d).
7 Ibid., para. 37 (d); and CERD/C/LTU/CO/9-10, para. 27.
8 UNESCO submission for the universal periodic review of Lithuania, pp. 1 and 7.
9 CERD/C/LTU/CO/9-10, para. 28.
10 CED/C/LTU/CO/1, para. 5.

[11] OHCHR, “Funding”, in *OHCHR Report 2016*, pp. 79 and 87; “Financial statements”, in *OHCHR Report 2016*, p. 106, and “Donor profiles”, in *OHCHR Report 2016*, p. 129; OHCHR, “Management”, in *OHCHR Report 2017*, p. 121; OHCHR, *United Nations Human Rights Report 2018*, pp. 77, 92, 100, 141 and 164; OHCHR, *United Nations Human Rights Report 2019*, pp. 91, 105, 114, 156 and 180; and OHCHR, *United Nations Human Rights Report 2020*, pp. 109, 124, 185, and 198; and OHCHR, *United Nations Human Rights Report 2021*, forthcoming.
[12] For relevant recommendations, see A/HRC/34/9, paras. 100.24–100.38, 100.44 and 100.132.
[13] CCPR/C/LTU/CO/4, para. 3 (e); CERD/C/LTU/CO/9-10, para. 3 (a); CED/C/LTU/CO/1, para. 6 (b); and CEDAW/C/LTU/CO/6, para. 16.
[14] CERD/C/LTU/CO/9-10, paras. 7 and 8 (a). See also E/C.12/LTU/Q/3, para. 2; and CEDAW/C/LTU/CO/6, para. 17 (b).
[15] CEDAW/C/LTU/CO/6, para. 16.
[16] CERD/C/LTU/CO/9-10, paras. 7 and 8 (b).
[17] CEDAW/C/LTU/CO/6, para. 4 (a) (i).
[18] Ibid., paras. 14 (b) and 15 (b).
[19] For relevant recommendations, see A/HRC/34/9, paras. 100.47, 100.50, 100.53–100.57, 100.59–100.70, 100.73–100.82, 100.84 and 100.86–100.94.
[20] CERD/C/LTU/CO/9-10, paras. 9–10.
[21] Ibid., para. 3 (c); and CCPR/C/LTU/CO/4, para. 3 (h).
[22] CCPR/C/LTU/CO/4, para. 11.
[23] Ibid., para. 12.
[24] CERD/C/LTU/CO/9-10, para. 12. See also CERD/C/LTU/FCO/9-10, paras. 2–3.
[25] CEDAW/C/LTU/CO/6, para. 4 (b) (i).
[26] Ibid., paras. 10–11.
[27] Ibid., para. 21 (c) and (d).
[28] CCPR/C/LTU/CO/4, para. 10. See also CCPR/C/LTU/FCO/4, paras. 2–13; and E/C.12/LTU/Q/3, para. 8.
[29] CCPR/C/LTU/CO/4, para. 9.
[30] For the relevant recommendation, see A/HRC/34/9, para. 100.171.
[31] CCPR/C/LTU/CO/4, paras. 23–24. See also CAT/C/LTU/QPR/4, para. 11.
[32] CED/C/LTU/CO/1, para. 22. See also CED/C/LTU/CO/1/Add.1, paras. 3–5.
[33] For relevant recommendations, see A/HRC/34/9, paras. 100.95–100.96, 100.129–100.132 and 100.171.
[34] CCPR/C/LTU/CO/4, para. 3 (b).
[35] Ibid., paras. 21 and 22 (a). See also CCPR/C/LTU/FCO/4, paras. 28–33; CAT/C/LTU/QPR/4, para. 5; and letter from the Committee against Torture to the Permanent Mission of Lithuania to the United Nations Office and other international organizations in Geneva, dated 29 August 2016, available at https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/LTU/INT_CAT_FUL_LTU_25018_E.pdf.
[36] CCPR/C/LTU/CO/4, para. 21. See also CCPR/C/LTU/FCO/4, paras. 34–57; and CAT/C/LTU/QPR/4, paras. 15–17.
[37] CED/C/LTU/CO/1, para. 24 (a). See also CED/C/LTU/CO/1/Add.1, paras. 6–8; CCPR/C/LTU/CO/4, para. 22 (d); CCPR/C/LTU/FCO/4, paras. 69–77; CAT/C/LTU/QPR/4, para. 4; and letter from the Committee against Torture to the Permanent Mission of Lithuania to the United Nations Office and other international organizations in Geneva, dated 29 August 2016, available at https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/LTU/INT_CAT_FUL_LTU_25018_E.pdf.
[38] CED/C/LTU/CO/1, paras. 10–16.
[39] For relevant recommendations, see A/HRC/34/9, paras. 100.72, 100.83, 100.85 and 100.128.
[40] CEDAW/C/LTU/CO/6, para. 12.
[41] CCPR/C/LTU/CO/4, para. 5.
[42] For relevant recommendations, see A/HRC/34/9, paras. 100.43, 100.51–100.52 and 100.133–100.136.
[43] UNESCO submission, p. 2.
[44] CCPR/C/LTU/CO/4, para. 9.
[45] Ibid., para. 27.
[46] UNESCO submission, pp. 3 and 7.
[47] Ibid., p. 4.
[48] For relevant recommendations, see A/HRC/34/9, paras. 100.112 and 100.121–100.127.
[49] CERD/C/LTU/CO/9-10, para. 3 (d); and CEDAW/C/LTU/CO/6, para. 5 (f).
[50] CCPR/C/LTU/CO/4, para. 3 (i).
[51] CEDAW/C/LTU/CO/6, para. 25. See also CAT/C/LTU/QPR/4, para. 9; E/C.12/LTU/Q/3, para. 14; and

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[52] CEDAW/C/LTU/CO/6, para. 27.
[53] Ibid., para. 45 (a).
[54] For relevant recommendations, see A/HRC/34/9, paras. 100.49 and 100.58.
[55] CCPR/C/LTU/CO/4, para. 7; and CERD/C/LTU/CO/9-10, para. 17. See also https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4058554:NO.
[56] CEDAW/C/LTU/CO/6, para. 36 (a) and (b). See also E/C.12/LTU/Q/3, para. 13.
[57] CCPR/C/LTU/CO/4, para. 15. See also https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4058547:NO; https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4058544:NO; and https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4058554:NO.
[58] CEDAW/C/LTU/CO/6, para. 37 (c).
[59] Ibid., para. 4 (a) (iii).
[60] Ibid., para. 42 (c). See also E/C.12/LTU/Q/3, para. 10.
[61] For relevant recommendations, see A/HRC/34/9, paras. 100.39 and 100.138–100.139.
[62] CEDAW/C/LTU/CO/6, para. 40.
[63] CERD/C/LTU/CO/9-10, para. 5.
[64] Ibid., paras. 17 and 18 (c).
[65] For relevant recommendations, see A/HRC/34/9, paras. 100.140–100.141 and 100.149.
[66] CERD/C/LTU/CO/9-10, para. 18 (d).
[67] CCPR/C/LTU/CO/4, para. 7.
[68] CEDAW/C/LTU/CO/6, para. 38.
[69] CCPR/C/LTU/CO/4, para. 30.
[70] CEDAW/C/LTU/CO/6, para. 39 (d).
[71] CCPR/C/LTU/CO/4, para. 13. See also CAT/C/LTU/QPR/4, para. 21; and CEDAW/C/LTU/CO/6, para. 42 (a).
[72] For relevant recommendations, see A/HRC/34/9, paras. 100.58, 100.71, 100.142–100.143, 100.145, 100.147–100.148, 100.159, 100.161 and 101.1.
[73] UNESCO submission, pp. 2 and 4–5. See also https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3999227:NO.
[74] CEDAW/C/LTU/CO/6, para. 34.
[75] CERD/C/LTU/CO/9-10, paras. 17 and 18 (b).
[76] CCPR/C/LTU/CO/4, para. 7. See also E/C.12/LTU/Q/3, para. 23.
[77] CEDAW/C/LTU/CO/6, para. 35 (a) and (c).
[78] Ibid., para. 34.
[79] For relevant recommendations, see A/HRC/34/9, paras. 100.20, 100.46, 100.48 and 100.97–100.111.
[80] CEDAW/C/LTU/CO/6, para. 19 (a) and (c).
[81] Ibid., paras. 28–29.
[82] Ibid., para. 14 (a). See also CEDAW/C/LTU/CO/5/Add.1, paras. 2–5; and letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Lithuania to the United Nations Office and other international organizations in Geneva, dated 26 April 2017, available at https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LTU/INT_CEDAW_FUL_LTU_27293_E.pdf.
[83] CEDAW/C/LTU/CO/6, para. 15 (a).
[84] Ibid., para. 15 (c). See also CEDAW/C/LTU/CO/5/Add.1, paras. 9–10; and letter from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Lithuania to the United Nations Office and other international organizations in Geneva, dated 26 April 2017, available at https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LTU/INT_CEDAW_FUL_LTU_27293_E.pdf.
[85] CEDAW/C/LTU/CO/6, para. 5 (a). See also CEDAW/C/LTU/CO/5/Add.1, paras. 10–15; and E/C.12/LTU/Q/3, para. 9.
[86] CCPR/C/LTU/CO/4, para. 3 (f). See also CEDAW/C/LTU/CO/6, paras. 4 (c) and (d) and 5 (b); and CAT/C/LTU/QPR/4, para. 8.
[87] CEDAW/C/LTU/CO/6, para. 23 (f). See also CEDAW/C/LTU/CO/5/Add.1, para. 24.
[88] CCPR/C/LTU/CO/4, para. 17.

[89] Ibid., para. 18 (a)–(c). See also CAT/C/LTU/QPR/4, para. 8.
[90] CEDAW/C/LTU/CO/6, para. 23 (b), (c) and (f). See also CEDAW/C/LTU/CO/5/Add.1, para. 24.
[91] For relevant recommendations, see A/HRC/34/9, paras. 100.40–100.42 and 100.113–100.120.
[92] CEDAW/C/LTU/CO/6, paras. 44 (b) and 45 (b); CCPR/C/LTU/CO/4, paras. 29–30; and UNESCO submission, pp. 5–7.
[93] CEDAW/C/LTU/CO/6, para. 44 (b).
[94] UNESCO submission, pp. 6–7.
[95] CCPR/C/LTU/CO/4, para. 3 (a). See also CAT/C/LTU/QPR/4, para. 22.
[96] CCPR/C/LTU/CO/4, paras. 29–30.
[97] For relevant recommendations, see A/HRC/34/9, paras. 100.144–100.150.
[98] CEDAW/C/LTU/CO/6, para. 42 (d). See also CRPD/C/LTU/CO/1/Add.1, paras. 4–8.
[99] CCPR/C/LTU/CO/4, para. 14 (c).
[100] For relevant recommendations, see A/HRC/34/9, paras. 100.151–100.158 and 100.160–100.163.
[101] CERD/C/LTU/CO/9-10, para. 20. See also CERD/C/LTU/FCO/9-10, paras. 4 and 7–11; CERD/C/LTU/CO/6-8/Add.1, para. 2; and the letter from the Committee on the Elimination of Racial Discrimination to the Permanent Mission of Lithuania to the United Nations Office and other international organizations in Geneva, dated 17 May 2017, available at https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/LTU/INT_CERD_FUL_LTU_27516_E.pdf.
[102] CCPR/C/LTU/CO/4, paras. 3 (h) and 7; and CERD/C/LTU/CO/9-10, para. 17. See also E/C.12/LTU/Q/3, paras. 7 and 18.
[103] CERD/C/LTU/CO/9-10, para. 3 (e).
[104] CCPR/C/LTU/CO/4, para. 8. See also E/C.12/LTU/Q/3, para. 7.
[105] For relevant recommendations, see A/HRC/34/9, paras. 100.164–100.168.
[106] CCPR/C/LTU/CO/4, para. 19. See also CCPR/C/L/LTU/FCO/4, paras. 14–16; and CAT/C/LTU/QPR/4, para. 12.
[107] UNHCR submission for the universal periodic review of Lithuania, p. 2. See also CERD/C/LTU/FCO/9-10, paras. 7–8; and CERD/C/LTU/CO/6-8/Add.1, paras. 6–9.
[108] UNHCR submission, p. 3.
[109] CCPR/C/LTU/CO/4, para. 20 (b). See also CCPR/C/LTU/FCO/4, paras. 17–21.
[110] CERD/C/LTU/CO/9-10, para. 21. See also CERD/C/LTU/FCO/9-10, para. 5.
[111] CCPR/C/LTU/CO/4, para. 20 (c) and (d). See also CCPR/C/LTU/FCO/4, paras. 22–24.
[112] See https://www.unhcr.org/news/press/2021/9/6149dec74/unhcr-iom-shocked-dismayed-deaths-near-belarus-poland-border.html. See also https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27527&LangID=E.
[113] CERD/C/LTU/CO/9-10, para. 3 (b).
[114] Ibid., para. 23.
[115] UNHCR submission, p. 5.
[116] See https://www.unhcr.org/neu/65049-observations-from-unhcr-on-lithuanian-law-amendments.html.
[117] For relevant recommendations, see A/HRC/34/9, paras. 100.169–100.170.
[118] UNHCR submission, pp. 3–4.
[119] CEDAW/C/LTU/CO/6, para. 33.
[120] CERD/C/LTU/CO/9-10, para. 26.
[121] UNHCR submission, p. 4
[122] Ibid. See also CERD/C/LTU/CO/9-10, para. 26.
[123] CEDAW/C/LTU/CO/6, para. 33.