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2016 Report on International Religious Freedom - Lithuania

Executive Summary

The constitution provides for freedom of religion, freedom of religious practice, and state recognition of religious organizations, provided they do not contradict the constitution or the law. The government extended special benefits to nine “traditional” religious groups and more limited benefits to three “recognized” religious groups, one of which received recognition status from the parliament in November. Other religious groups had to register with the government to gain legal status. The government continued to provide restitution or compensation to religious groups for property seized during World War II or by the communist regime. It funded Jewish education and culture projects, worked with the Lithuanian Jewish Community to regulate construction near the Snipiskes Jewish cemetery, and participated officially in Holocaust remembrance events. In response to a book that stirred public debate about Lithuanians’ complicity in the Holocaust, the director of the governmental Genocide and Resistance Research Center promised to publish a list of names of suspected war criminals by 2017. Senior government officials spoke out against the Holocaust and anti-Semitism at public commemorations.

Nongovernmental organizations (NGOs) and members of the Muslim community reported an increase in anti-Muslim sentiment in response to the arrival of refugees from the Middle East. Media reported two anti-Muslim attacks at the refugee center in Rukla. There were anti-Semitic postings on the internet, nationalist marches, and one act of vandalism at a Jewish community center in Vilnius.

U.S. embassy officials and the Special Envoy for Holocaust Issues met with government officials and community leaders to discuss ways to combat anti-Semitism and to encourage resolution of long-standing restitution issues for the Jewish community, as well as the integration of Muslim refugees. Embassy representatives met with government officials, religious leaders, and NGOs to discuss their concerns, including property restitution and preservation and greater inclusion of religious minorities, including Muslim refugees, in society.

Section I. Religious Demography

The U.S. government estimates the population at 2.9 million (July 2016 estimate). According to the 2011 census, of the 90 percent of population that responded to the question about religious affiliation, 86 percent is Roman Catholic and 7 percent does not identify with any religious group. Other religious groups combined, including Russian Orthodox, Old Believers, Lutherans, Reformed Evangelicals, Jews, Muslims, Greek Catholics, and Karaites, constitute less than 5 percent of the population. Karaites traditionally live in Trakai and in the greater Vilnius region. The Jewish population is predominately concentrated in larger cities and numbers 3,100 people. There is no precise estimate of the Muslim population, but the majority of Muslims are Tatars, a community which numbers approximately 2,800 people, and whose members live primarily in Vilnius and Kaunas. The Muslim community also includes recent converts, migrants, refugees, and temporary workers from the Middle East and Africa.

According to the 2011 census, less than 1 percent of the population belongs to religious groups the government designates as “nontraditional.” The most numerous are Jehovah’s Witnesses, members of the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Old Baltic faith communities, Baptists, Seventh-day Adventists, Methodists, and members of the New Apostolic Church and The Church of Jesus Christ of Latter-day Saints (Mormons).

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates there is no state religion and provides for the right of individuals to choose freely any religion or belief, to profess their religion and perform religious practices, individually or with others, in private or in public, and to practice and teach their beliefs. It states no one may compel another person (or be compelled) to choose or profess any religion or belief. The constitution allows limits on the freedom to profess and spread religious beliefs when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others. It restricts freedom of expression if it incites religious hatred, violence, or discrimination. It stipulates religious belief may not serve as justification for failing to comply with laws.

The constitution acknowledges the freedom of parents or guardians to oversee the religious and moral education of their children without interference and stipulates public education shall be secular, although schools may provide religious instruction at the request of parents. The constitution grants recognition to “traditional” religious groups and provides for recognition of other religious groups if they have support in society and their teachings and practices do not conflict with law or public morals. It states the status of religious groups shall be established by agreement or law and recognized religious groups shall be free to carry out their activities as long as they are not in conflict with the constitution or laws.

The law defines religious groups as (1) religious communities, (2) religious associations, which are comprised of at least two religious communities under common leadership, and (3) religious centers, which are higher governing bodies of religious associations.

The law recognizes as “traditional” those religious groups able to trace back their presence in the country at least 300 years. The law lists nine “traditional” religious groups: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Jewish, Sunni Muslim, and Karaite. Traditional religious groups do not need to register with the government. They may perform marriages that are state-recognized, establish joint private/public schools, provide religious instruction in public schools, and receive annual government subsidies. Their highest ranking leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may provide chaplains for the military, social care institutions, and hospitals. The state provides social security and healthcare insurance contributions for clergy, religious workers, and members of monastic orders of the traditional religious groups. Traditional religious groups are also not required to pay social and health insurance taxes for clergy and most other religious workers and members of monastic orders.

Other (nontraditional) religious associations may apply to the Ministry of Justice (MOJ) for state recognition if they have been officially registered in the country for at least 25 years. Parliament votes whether to grant this status upon recommendation from the MOJ. The Evangelical Baptist Union of Lithuania, the Seventh-day Adventist Church, and the Pentecostal Evangelical Belief Christian Union are the only state-recognized nontraditional religious groups.

The MOJ handles official registration of religious communities, associations, and centers. Registration of religious communities and associations associated with religious groups is simplified compared to registration of nontraditional religious communities. The former only need to establish their ties to the traditional religious group.

Unrecognized nontraditional groups must submit an application and supporting documentation to the MOJ, including their bylaws describing their religious teachings and governance, minutes of the founding meeting, and a list of the founders, at least 15 of whom must be citizens. Upon approval of its application, a religious community, association, or center is registered as a legal entity with the State Enterprise Center of Registers.

Traditional religious communities and associations are registered free of charge, while nontraditional communities pay a fee of 32 euros (\$34). The MOJ may refuse to register a religious group if full data are not included in the application; the activities of the group violate human rights or public order; or statutes or corresponding documents of the group of the same name has already been registered. As of November 1, there were 1,112 traditional and 187 nontraditional religious associations, centers, and communities officially registered in the register of legal entities.

Official registration is a prerequisite for opening a bank account, owning property, and acting in a legal or official capacity as a community. The law allows all registered religious groups to own property for use as prayer houses, homes, and other functions, and permits construction of facilities necessary for religious activities. All registered groups are eligible for public funds from municipalities for cultural and social projects.

Unregistered communities have no legal status; however, the constitution allows them to conduct worship services and seek new members.

Recognition entitles nontraditional religious groups to perform marriages and provide religious instruction in public schools. Unlike traditional groups, however, they are not eligible for annual

subsidies from the state budget, and their clergy and theological students are not exempt from military service. The law provides recognized nontraditional religious groups with legal entity status, but they do not qualify for certain social security and health care contributions by the state.

The Interministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritual Groups coordinates investigations of religious groups if there is a concern a group's actions may be inconsistent with what the commission perceives to be "principles that stress respect for human freedom of expression and freedom of religion."

The Journalist Ethics Inspectorate investigates complaints under a law that bars publishing material that instigates hatred, including religious hatred. The inspectorate may levy administrative fines on newspapers under administrative law or refer cases for criminal prosecution.

The government may temporarily restrict freedom of expression of religious belief during a period of martial law or a state of emergency, although it has never invoked this right.

The law permits registered groups to apply to the MOJ for the restitution of religious property owned before June 19, 1948. Some religious properties were confiscated and redistributed by the Soviet Union. Other properties remained intact but were nationalized, often serving as museums. Religious communities can register property nationalized but not confiscated by the Soviet Union to establish a claim. Following receipt of such a claim, the ministry conducts an investigation. If the ministry determines the claim is legitimate, it drafts a resolution officially returning the property to its original owner.

A compensation fund for Jewish-owned property nationalized under totalitarian regimes is designed to support Jewish educational, religious, scientific, cultural, and healthcare projects with public benefits. Pursuant to the law, the government is committed to disbursing 37 million euros (\$39 million) over the course of the decade ending March 1, 2023 to the Foundation for the Disposal of Good Will Compensation for the Immovable Property of Jewish Religious Communities, a public institution that oversees the fund and is governed by national and international Jewish leaders.

The country has no law for the restitution of heirless private property.

The government allocates funds to traditional religious communities for refurbishing houses of prayer and other needs. Each traditional religion group receives 3,075 euros (\$3,240) as a base fund plus a variable component, which depends on the number of believers of each community.

The law permits and funds religious instruction in public schools for traditional and other state-recognized religious groups. Parents may choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curricula on the basis of requests from parents for children up to age 14, after which students present the requests themselves.

There are 30 private religious schools with ties to Catholic or Jewish groups, although students of different religious groups may attend these schools. All accredited private schools (religious and nonreligious) receive funding from the Ministry of Education and Science through a voucher system based on the number of pupils. This system covers only the program costs of school

operation. Founders generally bear responsibility for covering capital outlays; however, the Ministry of Education and Science funds capital costs of private schools of traditional religious groups where the government has signed an international agreement with a religious group to do so. To date the Catholic Church is the only religious group with such an agreement, which the government signed with the Holy See. Under this accord, the government funds both the capital and operating costs of private Catholic schools.

The criminal code prohibits discrimination based on religion and provides penalties of up to two years in prison for violations. The code penalizes interference with religious ceremonies of recognized religious groups with imprisonment or community service and penalizes inciting religious hatred with imprisonment of up to three years.

The Office of the Equal Opportunities (OEO) Ombudsperson investigates complaints of discrimination based on religion directed against state institutions, educational institutions, employers, and product and service sellers and producers.

The parliamentary ombudsperson examines whether state authorities properly perform their duties to serve the population. The law on the parliament ombudsperson specifically includes religious discrimination within the purview of the office. The OEO and parliamentary ombudspersons may investigate complaints, recommend changes to parliamentary committees and ministries regarding legislation, and recommend cases to the prosecutor general's office for pretrial investigation.

While there is some overlap between the OEO and parliamentary ombudspersons, the OEO ombudsperson has greater authority to hear complaints about individual acts of religious discrimination.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On November 3, parliament granted the status of state-recognized religious association to the Pentecostal Evangelical Belief Christian Union, whose application had been pending since 2002. Two applicants for status as a state-recognized religious association continued to await parliamentary approval at year's end: the New Apostolic Church (pending since 2003), and the United Methodist Church of Lithuania (pending since 2001).

As in past years, the only chaplains offering religious services to military personnel were Roman Catholic.

The government continued to provide restitution or compensation to a number of religious groups, including the Jewish community, for property seized during World War II and by the communist regime. Information on which property the government restored and to which religious groups was unavailable. During the year, the government allocated 3,620,000 euros (\$3,815,000) to the Foundation for the Disposal of Good Will Compensation for the Immovable Property of Jewish Religious Communities. Since 2011, the foundation had received a total of 14,480,750 euros (\$15,259,000) from the government.

The government provided 697,000 euros (\$734,000) to traditional religious groups to reconstruct religious buildings seized during the Nazi or Soviet eras and to support other religious community activities. The Roman Catholic Church received 626,500 euros (\$660,000), 90 percent of the total, the Russian Orthodox community 33,000 euros (\$34,800), and the remaining 36,000 euros (\$37,900) was divided among the Old Believer, Evangelical Lutheran, Evangelical Reformed, Sunni Muslim, Jewish, Greek Catholic, and Karaite communities.

The government worked closely with the Lithuanian Jewish Community regarding activities surrounding the property of the Vilnius Sports Palace, built in the 1970s above part of the Snipiskes Jewish Cemetery. On August 3, the government suspended construction at a site near the location of Snipiskes after workers unintentionally began digging in the buffer zone surrounding the cemetery. Work at the site resumed only after the Lithuanian Jewish Community and Committee for the Preservation of Jewish Cemeteries in Europe determined the cemetery territory had not been damaged. According to the Ministry of Culture and the Lithuanian Jewish Community, preservation of Jewish cemeteries in the country remained inconsistent, often depending on attitudes and actions of individual municipalities.

The government continued to support Jewish educational, cultural, scientific, and religious projects. These projects included youth camps, photo exhibitions, and restoration of wooden synagogues. The interministerial commission to address Jewish issues met in June and in October and provided research on examples of Jewish property restitution from other European countries. The commission did not have funds to disburse for projects.

In March Raimundas Pankevicius, a member of the Conservatives/Christian Democratic Party, went on trial for making anti-Semitic remarks during a meeting of the Panevezys City Council in 2014. Pankevicius was accused of publicly stating Jews shot Jews during World War II in the country. In November the Panevezys Regional Court acquitted Pankevicius.

In January the publication of a book entitled “Musiskiai,” “(Our People)” by coauthors Ruta Vanagaite and Efraim Zuroff, head of the Jerusalem office of the Simon Wiesenthal Center, generated a nationwide public debate about the country’s complicity in the genocide of Jews during the Holocaust. The Jewish community and the media called on the government to publish a list of suspected war criminals by the government’s Genocide and Resistance Research Center. The center compiled the list in 2012, but the government had not disclosed the names or sought to prosecute anyone on it. The director of the center promised to publish the list of names by June 2017.

Government officials and members of parliament participated in events throughout August and September to mark the 75th anniversary of the Holocaust in the country. On August 29, President Dalia Grybauskaite led a ceremony at the mass killing site in Moletai, saying “we must strive to see our future together with the Jewish people.” On September 20, Vilnius Mayor Remigijus Simasius dedicated a street sign in Yiddish and Hebrew on Zydu (Jewish) street. On September 23, Vice Minister of Foreign Affairs Mantvydas Bekesius participated in the dedication of a monument to murdered Jewish children at the Sholom Aleichem Jewish school in Vilnius. On the same day, Defense Minister Juozas Olekas, Vice Chancellor Rimantas Vaitkus, and Vice Foreign Minister Bekesius laid wreaths during the annual commemoration at the Paneriai massacre site outside Vilnius. On September 25, parliament hosted a conference to honor the rescuers of Jews during the Holocaust, and President Grybauskaite held an award ceremony for the rescuers on September 28.

On November 2, Vice Minister of Foreign Affairs Bekesius, Deputy Mayor of Kaunas Simonas Kairys, and the Kaunas Jewish community took part in an event unveiling a monument to commemorate the 5,000 Jews killed at the Seventh Fort in Kaunas in 1941. Bekesius stated, “The words ‘never again’ are neither empty nor declarative ... They render an important commitment ... to prevent a repeat of the tragedy and to make clear anti-Semitism has no place in Lithuania.”

The government and civil society continued to work together to promote Holocaust education and tolerance in schools with the local Jewish community and NGOs such as the Human Rights Center. Students across the country participated in the Holocaust commemoration events and marches in August and September and a celebration of the 90th anniversary of YIVO Institute, an academic Jewish research institution.

The government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

NGOs such as the Institute for Ethnic Studies and members of the Muslim community reported a continued increase in anti-Muslim sentiment following continued inflows of refugees. As part of the government’s participation in the European Union’s refugee resettlement mechanism, the country accepted 193 refugees.

The media reported two attacks at the Rukla refugee reception center in October. On October 19, two unidentified young men attacked two refugee women, grabbing them by their clothes and breaking the glasses of one of them. After the attack, Foreign Minister Linas Linkevicius expressed solidarity with the residents of the refugee center and reassured them that the incident was an “exception rather than the rule.” On October 28, two local youths insulted, pushed, and threw stones at two Syrian teenagers returning from school. Police conducted an investigation but made no arrests because the youths were minors. Because religion and ethnicity are often closely linked, it was difficult to categorize these incidents as being solely based on religious identity.

Anti-Semitic and anti-Muslim comments on the internet were common. Comments stated that Jews dominated the economy, controlled the United States, and were arrogant for believing they were a chosen people, and that Muslims were connected to terrorism. There were several reports that some citizens failed to recognize or respect the significance of Jewish historical sites and Holocaust monuments. The media reported some visitors to the 9th Fort in Kaunas (where 10,000 Jews were massacred) posted inappropriate “selfies” on social media, or used the site for social gatherings.

On February 16, the Lithuanian Nationalist Union held a march to commemorate the anniversary of the restoration of the country’s independence in Kaunas, where more than 10,000 Jews were massacred during the Holocaust. The march, which attracted approximately 250 participants, was smaller than in the previous year, although observers described some of the participants as “neo-Nazi.” The Lithuanian Nationalist Union also organized a march in Vilnius on March 11, the country’s independence day, involving approximately 1,000 people; the media reported anti-Semitic caricatures at the event. Police monitored both events, and there were no reports of violence. The Lithuanian Jewish Community expressed concerns regarding the marches, issuing a statement with

recommendations the government and the municipalities of Vilnius and Kaunas take measures against “neo-Nazi chants, rallies, and other symbols and events of this kind” during independence festivities.

In May and June three individuals hung banners on a bridge in Kaunas that displayed the swastika and the phrase “Accept Hitler into your heart.” On November 25, a Kaunas court issued 150 euro (\$158) fines to the three individuals for displaying Nazi symbols.

On April 28, unidentified persons broke a window at the Lithuanian Jewish Community in Vilnius and police opened a pretrial investigation into the incident on May 2. At year’s end, the investigation was still underway and the vandals had not been identified.

On March 27, the statue of Jewish leader Vilna Gaon in Vilnius was vandalized with paint.

Section IV. U.S. Government Policy

The U.S. embassy continued to maintain a regular dialogue with senior government officials, including members of parliament and officials from the Ministries of Culture, Interior, Social Affairs, Justice, and Foreign Affairs, on the importance of religious freedom. Embassy officials continued to engage with the government on ways to promote tolerance and integration of religious minorities, including Muslim refugees, into society and combating anti-Semitism, and to urge the government to resolve the long-pending issue of compensation for Jewish private property seized during the Nazi and Soviet eras. On two separate visits, the Special Envoy for Holocaust Issues discussed these restitution issues and the status of Jewish cemeteries with members of parliament and the Ministries of Foreign Affairs and Culture. In May embassy officers met with the mayor of Jonava, and, in November, with officials from the Ministry of Social Affairs to discuss integration of Muslim refugees. During September and October embassy officers discussed issues of restitution and Jewish heritage with representatives from parliament and the Ministries of Foreign Affairs and Culture. In September embassy officers met with the OEO ombudsperson to discuss investigations into citizen complaints on the abridgement of religious freedom.

The Ambassador and embassy staff met regularly with the Jewish community and other religious groups to discuss issues of concern, including property restitution, preservation and restoration of heritage sites, and Holocaust remembrance. In September the Charge d’Affaires spoke on fighting intolerance and anti-Semitism at a conference on the Righteous Among the Nations (a term used by Israel to refer to non-Jews who risked their lives to save Jews during the Holocaust) hosted by parliament.

In August the Charge d’Affaires and embassy staff met with the head of the Muslim community, Mufti Romas Jakubauskas, and another Muslim leader to discuss greater inclusion of Muslim refugees in society. Embassy officers discussed the ongoing refugee integration plans with NGOs, including Caritas and the Lithuanian Red Cross in October and November.

The Charge d’Affaires met with the Roman Catholic Archbishop of Vilnius, Gintaras Linas Grusas, in August and discussed religious education, integration of refugees, and the role of the Church in social issues.