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Country Report on Human Rights Practices 2015 - Lithuania

EXECUTIVE SUMMARY

The Republic of Lithuania is a constitutional, multiparty, parliamentary democracy. Legislative authority resides in a unicameral parliament (Seimas), and executive authority resides in the Office of the President. Observers evaluated the May 2014 presidential elections and the 2012 parliamentary elections as generally free and fair. Civilian authorities maintained effective control over security forces.

The most serious human rights problems related to aspects of the justice system, children's welfare, and intolerance toward minorities. In the justice system, conditions were substandard in a number of prison and detention facilities, and lengthy pretrial detention continued to be a problem. Children experienced abuse, both in families and in institutions, where they continued to be placed despite risks to their health and increased exposure to delinquency, trafficking, and prostitution. Intolerance was manifested in the form of xenophobia, anti-Semitism, prejudice against ethnic minorities and against lesbian, gay, bisexual, transgender, and intersex persons (LGBTI). Roma, in particular, experienced poor living conditions often in areas of high crime, and faced social exclusion and discrimination.

Additional problems included "antipropaganda" laws that restricted freedom of speech and expression, authorities' refusal to grant asylum interviews to persons deemed to have arrived from "safe" countries of origin or transit, and isolated reports of government corruption. Laws against spousal rape were inadequate, and domestic violence was widespread. There was a culture of silence around sexual harassment. Trafficking in persons remained a problem. Facilities for treating persons with disabilities, especially mental disabilities, remained seriously inadequate.

The government took measures to prosecute or otherwise punish officials who committed abuses, whether in the security services or elsewhere.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

The General Prosecutor's Office reported that as of September 1, one case underway involved alleged violation of the country's laws concerning war crimes or crimes against humanity committed during the Nazi and Soviet occupations. The case was for a murder committed in 1941. Authorities closed 11 other cases from previous years involving similar allegations.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

Some prison and detention center conditions did not meet international standards, and inmates complained about sanitary conditions, food, and the supply of personal hygiene products.

Physical Conditions: In prisons 23 inmates died during the first eight months of the year, five by suicide and 17 from disease. There was one homicide, in the Kybartai Correction Facility, and a pretrial investigation named two other prisoners as the main suspects. In detention facilities two persons died in the same period; investigators found no evidence of criminal wrongdoing. Prisoners complained of poor hygiene in rooms for visitors and other premises, bad medical care, poor food, and inadequate operation of shops located in prisons.

In its June 2014 report, the Council of Europe's Committee for the Prevention of Torture (CPT) noted that access to natural light in most arrest houses was inadequate, and in-cell toilets were partitioned only partly or not at all. The report found that mattresses and blankets were often filthy and worn out, particularly at police facilities at Joniskis and Kelme.

Administration: Authorities generally investigated credible allegations of inhuman conditions. There was no ombudsman specifically dedicated to prison matters, but the Office of the Parliamentary Ombudsman investigated prisoner complaints and attempted to resolve them, usually by making recommendations to the directors of the institutions concerned. The ombudsman's office reported that institutions were responsive to all of its interventions. Most complaints to the ombudsman concerned sanitary conditions, food, and the supply of hygiene products. The ombudsman's office found nine of the 22 complaints it investigated to be justified.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers.

Improvements: Between January 1 and September 1, the government spent approximately 788,000 euros (\$867,000) on the renovation of four prison facilities.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions, but there were complaints of illegally protracted detention.

Role of the Police and Security Apparatus

The principal responsibility of the State Security Department is to identify activities that pose a threat to the security of the state, its territorial inviolability and integrity, its interests, and its economic and defense potential. It reported to the parliament. The police were subordinate to the Ministry of Interior; the State Border Guards Service reported to the Ministry of Interior; and military forces were under the Ministry of Defense. The Special Investigative Service, the main anticorruption agency, reported to the president and the parliament. Civilian authorities maintained effective control over the security forces. The government had effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces.

Arrest Procedures and Treatment of Detainees

Except for persons arrested during the commission of a crime, warrants are generally required for arrests, and judges may issue them only upon the presentation of reliable evidence of criminal activity. Police may detain suspects for up to 48 hours before charging them. Detainees have the right to be informed of the charges.

against them at the time of their arrest or their first interrogation, and there were no complaints of failure to comply with this requirement.

The law entitles a detained person to a prompt judicial determination of the legality of the detention, and authorities respected this right. The law permits authorities to hold suspects under house arrest for up to six months, a period that a judge may extend at his discretion. A pretrial judge may order that a suspect facing felony charges be detained for up to three months, but only to prevent the accused from fleeing, committing new crimes, hindering the investigation, or to comply with extradition requests. In many cases the law permits detention to be extended to 18 months (six months for juveniles), subject to appeal to a higher court. Judges frequently granted such extensions, often based on the allegation that the defendant would pose a danger to society or influence witnesses.

Bail was available and widely used. The law provides for access to an attorney, and the state provided one to indigent persons. In its June report, the CPT noted that while most of the detainees it interviewed claimed they had legal counsel at the first investigative interview, it appeared that police rarely granted access to an attorney at earlier stages of police custody. Some detainees who had attorneys appointed to their cases complained that they met their attorney for the first time at the court hearing, even in cases where they requested an attorney shortly after their arrest. Detainees had prompt access to family members.

Pretrial Detention: In the first half of the year, the average length of pretrial detention was approximately 10 months. As of September 1, approximately 61 percent of incarcerated persons were pretrial detainees. The nongovernmental organization (NGO) Human Rights Monitoring Institute and the UN Committee against Torture criticized authorities for excessive resort to, and length of, pretrial detention. The NGO cited prosecutors who described lengthy detention as an encouragement to detainees to confess. In June the parliament enacted a package of reforms that reduced the maximum time authorities could detain a person charged with minor crimes from 18 to nine months and for juveniles from 12 to six months. The reforms also allow defense attorneys access to the evidence prosecutors use to justify pretrial detention.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution and law provide the right to a fair trial, and an independent judiciary generally enforced this right.

Defendants have a right to a presumption of innocence, prompt and detailed information about the charges against them, and a fair and public trial without undue delay. Juries are not used. Defendants have a right to communicate with an attorney of their choice (or have one provided at public expense), adequate time and facilities to prepare a defense, and access to government-held evidence. They are entitled to confront witnesses against them, to present witnesses and evidence in their defense, and to be free of compulsion to testify or confess guilt. They enjoy the right of appeal. Authorities usually respected these rights and extended them to all citizens.

In the first eight months of the year, the human rights ombudsman's office received eight complaints that authorities failed to provide legal counsel to detainees. It forwarded seven complaints to the courts and continued to investigate the remaining one. Domestic human rights experts asserted that the practice of trying persons in absentia denied defendants the opportunity to cross-examine witnesses or present evidence in their own defense.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Plaintiffs may sue for legal or injunctive relief from human rights violations. Persons alleging human rights abuses may also appeal to the parliamentary ombudsman for a determination of the merits of their claims. Although the ombudsman has the authority only to make recommendations to an offending institution, such institutions generally honored the ombudsman's recommendations. Individuals alleging violations by the state of the European Convention on Human Rights could, after exhausting domestic remedies, appeal to the European Court of Human Rights.

Property Restitution

A philanthropic foundation created in 2011 to receive government compensation for Communist and Nazi seizures of Jewish community-owned property continued to distribute funds to individuals and to Jewish educational, cultural, scientific, and religious projects. In 2015 the government disbursed 3.62 million euros (\$3.98 million) to the foundation. Some of the funds went to individuals and other funding supported Jewish educational, cultural, scientific, and religious projects. According to an agreement between the government and the Jewish community, the foundation is to disburse the equivalent of 128 million litas (the national currency at the time--approximately \$52 million) over a 10-year period, beginning in 2012. The Jewish and ethnic Polish communities continued to advocate for private property restitution, especially in the Vilnius region.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, but there were reports that the government did not respect this prohibition.

The law requires authorities to obtain a judge's authorization before searching an individual's premises. It prohibits the indiscriminate monitoring by government or other parties of citizens' correspondence or communications, including e-mail, text messages, or other digital communications intended to remain private. Domestic human rights groups alleged that the government did not properly enforce the law. In the first eight months of the year, the State Data Protection Inspectorate investigated 262 allegations of privacy violations, compared with 311 such allegations in the first eight months of 2014. Most complaints involved claims by individuals that their personal information, such as identity numbers, were collected without a legal justification. Most claims were against private companies, but there were some complaints against the government. During this period the inspectorate conducted 60 preventive, as opposed to complaint-driven, investigations of enterprises and government agencies for possible violations, compared with 14 such audits in the first eight months of 2014.

There were no changes in the *Conceptual Framework for National Family Policy*, adopted by the parliament and ruled unconstitutional by the Constitutional Court in 2011. The court found that the framework's definition of "family"--applying only to arrangements involving marriage--was too narrow. Human rights groups expressed concern that the framework could bring into question the legal status of unmarried couples with children, single-parent families, and same-sex couples with children and could deny legal protection to children born out of wedlock. As of September 1, there were no reports that authorities invoked the framework's definitions to the detriment of such persons.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press, although the law prohibits "hate speech" and dissemination of certain other objectionable materials. The government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote these freedoms.

Freedom of Speech and Expression: Individuals could criticize government policies publicly or privately without reprisal, and the government did not attempt to impede criticism. The constitutional definition of freedom of expression does not include slander; disinformation; or incitement to violence, discrimination, or national, racial, religious, or social hatred. Inciting hatred against a group of persons is punishable by imprisonment for up to two years. Inciting violence against a group of persons is punishable by imprisonment for up to three years.

It is a crime to deny or "grossly trivialize" Soviet or Nazi German crimes against the country or its citizens or to deny genocide, crimes against humanity, or war crimes.

On June 25, the parliament passed legislation removing criminal penalties for insulting a civil servant performing official duties.

In the first eight months of the year, according to the Ministry of Interior, authorities initiated investigations into 113 allegations of incitement of hatred, most of them involving the internet. In the same period, investigators forwarded 25 incitement cases to the courts for trial, closed 24, and suspended 38 for lack of evidence. They continued to investigate a number of others. Most allegations of incitement of hatred involved racist or anti-Semitic expression or hostility based on sexual orientation, gender identity, or nationality.

Press and Media Freedoms: The independent media were active and expressed a wide variety of views. They were subject to the same laws that prohibit hate speech and criminalize speech that grossly trivializes international and war crimes. Radio and television broadcasters included a mix of independent and public stations.

Censorship or Content Restrictions: On January 18, the Radio and Television Commission of Lithuania (RTCL) suspended broadcasts by the Russian rebroadcaster Ren TV Baltic of all programs not originating from the EU for three months. It ruled that a Ren TV Baltic's broadcast in November 2014 of a program, *The Territory of Misrepresentation*, instigated war and incited hatred by providing false information about the crisis in Ukraine. The Inspectorate of Journalists' Ethics provided expert testimony in support of the content restriction. A court originally rejected the ban but reversed its decision a week later. On April 13, the RTCL banned all broadcasts from RTR Planeta, the international service of a Russian state-owned broadcaster, ruling that its report on events in Ukraine broadcast January 18 on the program *Sunday Evening with V. Solovjov* incited war and hatred. On October 1, new amendments to the Law on Provision of Information to the Public entered into force that allow the RTCL to levy fines in addition to content bans for content that incites war and hatred, including for rebroadcasters located outside the country. On December 8, the RTCL ruled that RTR Planeta could not be included as part of a standard provider television package. The ruling obliged viewers to subscribe to it separately at a higher cost.

The law makes insulting or defaming the president of the country in the mass media a crime punishable by a fine. Authorities did not invoke it during the year.

It is illegal to publish material that is "detrimental to minors' bodies" or thought processes or that promotes the sexual abuse and harassment of minors, sexual relations among minors, or "sexual relations." Human rights observers continued to criticize this law (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity). LGBTI groups claimed that it served as a rationale for limiting LGBTI awareness-raising efforts and that official bodies governing publishing and broadcast media took prejudicial action against coverage of stories with LGBTI themes.

Internet Freedom

There were no government restrictions on access to the internet or credible reports that the government monitored private communications without appropriate legal authority. Individuals and groups could generally engage in the expression of views via the internet, including by e-mail. Authorities investigated and prosecuted internet speech considered to incite hatred. For example, on April 4, a court fined a comedian for inciting hatred and violence against children after posting a video clip called "Satan, I ask" on YouTube in October 2014.

According to the Information Society Development Committee under the Ministry of Transportation, 68 percent of the population used the internet during the year.

Academic Freedom and Cultural Events

There were government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law and constitution provide for freedom of assembly, and the government generally respected this right.

Freedom of Association

Although the law provides for, and the government generally respected, this freedom, the government continued to ban the Communist Party and other organizations associated with the Soviet period.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and laws provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these populations as 'migrants and asylum seekers' if more specific information is not available.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

In September the government agreed to accept additional numbers of refugees as part of EU efforts to address unusually high levels of migrants and asylum seekers who arrived in Europe during the year. In anticipation of an increased number of asylum seekers, the government established an interagency commission chaired by the vice chancellor to coordinate their acceptance and integration. NGOs indicated that acceptance and integration of additional asylum seekers and refugees would require additional reforms, including quicker settlement into communities rather than prolonged stays at the Rukla Refugee Reception Center. In November the Ministry of Social Affairs and Labor announced it would reduce financial support to asylum seekers and refugees by up to 50 percent following their first six months of residence. NGOs and independent experts criticized this policy, asserting that refugees require full support for longer than six months and will be at risk for poverty and homelessness.

Safe Country of Origin/Transit: As a matter of policy, authorities barred asylum seekers coming from "safe" countries of transit and returned them to such countries without reviewing the substantive merits of their applications. The government's participation in the EU's effort to address high levels of migration into Europe was an exception to this policy.

Temporary Protection: There were two forms of protection in addition to asylum. The government could grant "temporary protection" to groups of persons in the event of a mass influx of aliens, but individuals may not seek this form of protection. Authorities could also grant "subsidiary protection" to individuals who may not qualify as refugees and during the first half of the year provided it to approximately 38 persons.

Stateless Persons

According to the Migration Department, at the beginning of the year, 3,645 persons, or 9.1 percent of all noncitizen residents, were stateless. The law permits persons born on the territory or legally residing there for 10 years, who are not citizens of any other country, to apply for citizenship. Applicants must possess an unlimited residence permit, knowledge of the Lithuanian language and constitution, and the ability to support themselves.

There was a modest decline in statelessness, due more to high emigration rates driven by economic imperatives than to naturalization; only a few hundred persons obtain citizenship each year. Most persons classified as stateless were residents of Lithuania at the time of the dissolution of the Soviet Union who did not take advantage of their right to qualify for citizenship. The total also included persons who, as part of the naturalization process, were temporarily "stateless" after relinquishing their former nationality and before acquiring that of Lithuania.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that right.

Elections and Political Participation

Recent Elections: Presidential elections, including a runoff between the top two candidates, took place in May 2014. Observers evaluated these elections and the parliamentary elections in 2012 as generally free and fair.

Political Parties and Political Participation: The government continued to prohibit the Communist Party.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials at times engaged in corrupt practices with impunity. There were isolated reports of government corruption.

Corruption: Investigations of alleged corruption by public officials and politicians continued. On March 23, the parliament waived the immunity of Member of Parliament Rimas Antanas Rucys, paving the way for his prosecution for allegedly receiving bribes from a domestic television producer. NGOs, such as the domestic chapter of Transparency International, considered health-sector corruption, including at state-supported institutions, a pervasive problem. A recent study by Transparency International described shortcomings in the transparency of defense procurement.

Financial Disclosure: The law requires appointed and elected officials to declare their assets and incomes. The declarations were available to the public. There were administrative sanctions for noncompliance.

Public Access to Information: The law provides for public access to government information, and government institutions generally provided access. Applicants could appeal denials to the parliamentary ombudsman. In the first eight months of the year, the Office of the Parliamentary Ombudsman received 46 complaints of delay by government offices in providing information. In the same period, it ruled on 13 cases, found nine of them to be valid, and recommended disciplinary action against the officials involved. The ombudsman's office rejected 21 complaints because they were not within the competence of the ombudsman. It referred these complaints to the agencies with jurisdiction. Although the ombudsman's recommendations were not binding, the ombudsman's office reported that authorities took disciplinary action in all cases.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The equal opportunities ombudsman heads up an independent public institution with responsibility for implementing and enforcing rights under the Law of Equal Treatment and for investigating individual complaints. A children's rights ombudsman has responsibility for overseeing observance of children's rights and their legal interests and can initiate investigations of possible violations of children's rights, either upon receipt of a complaint or on its own initiative. A parliamentary ombudsman investigated complaints about abuse of office or other violations of human rights and freedoms involving public administration. Some human rights observers questioned the effectiveness of all the ombudsman institutions.

The parliament's human rights committee prepares and reviews draft laws and other legal acts related to civil rights and presents recommendations to state institutions and other organizations about problems related to the protection of civil rights. It also oversees the Office of the Parliamentary Ombudsman.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Among the forms of discrimination prohibited by the law are race, sex, gender, social status, age, ethnic background, sexual orientation, nationality, religion, and disability.

Women

Rape and Domestic Violence: Rape and domestic violence are criminal offenses. In the first seven months of the year, authorities received 122 reports of rape, compared with 133 during the same period in 2014. Convicted rapists generally received prison sentences of three to five years. NGOs reported that sexual violence against women, including from intimate partners, remained a problem. In the 2013 edition of its publication *Barometer of Rape in Europe*, the international NGO European Women's Lobby criticized the absence of a law specifically criminalizing marital rape; the absence of statistics about the incidence of spousal rape made it difficult to determine how common this form of domestic violence was.

The penalties for domestic violence depend on the level of injury inflicted on the victim. The law permits rapid government action in domestic violence cases. For example, police and other law enforcement officials may, with court approval, require perpetrators to live apart from their victims, avoid all contact with them, and surrender any weapons they may possess.

Domestic violence remained a pervasive problem in the country. The NGO Human Rights Monitoring Group contended that one in three women suffered from physical, psychological, or sexual abuse.

Municipal governments and NGOs funded and operated 20 specialized regional help centers that assisted victims of domestic violence. The national government fully funded two others. One of the latter, the Shelter for Children and Mothers, located in Vilnius, assisted more than 100 victims of domestic violence and human trafficking during the year.

Sexual Harassment: The law prohibits sexual harassment, but women who experienced it remained reluctant to approach police or other institutions because of lack of confidence that authorities would respond and because of the perceived stigma associated with making such matters public. In the first eight months of the year, the equal opportunities ombudsman received two complaints of sexual harassment.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children, to manage their reproductive health, and to have the information and means to do so free from discrimination, coercion, and violence. Women had access to emergency health care, including services for the management of complications arising from abortion.

Discrimination: Men and women have the same legal status and rights, including under family, labor, property, nationality, and inheritance laws. Women nevertheless continued to face discrimination. The law requires equal pay for equal work, but women often earned less than their male counterparts (see section 7.d.). The Office of the Ombudsman for Equal Opportunity promoted the legal rights of women and men. This office and the Ministries of Social Affairs and Foreign Affairs, often in cooperation with NGOs, implemented programs to promote equal rights for men and women.

Children

Birth Registration: Citizenship can be acquired either by birth in the country or from one's parents. The government registered all births promptly.

Child Abuse: NGOs noted that despite a multi-year effort to combat violence against children, many problems continued. In 2014, according to the latest information from the Department of Statistics, approximately 19,668 children lived in 9,930 "at-risk" families, including those experiencing substance abuse, unemployment, and other socioeconomic problems. The media frequently reported instances of cruelty to children, including sexual abuse, intentional starvation, and beating. The Department of Statistics registered 1,238 reports of violence against children in 2014. In the first eight months of the year, the Ministry of Interior received reports of two deaths of newborns from abuse. The children's rights ombudsman reported receiving 197 complaints in the first eight months of the year.

The ombudsman for children's rights reported that government efforts to combat child abuse and aid abused children were ineffective. In the first eight months of the year, Child Line (a hotline for children and youth) received 85,600 telephone calls and 1,105 letters from children, whose concerns ranged from relations with their parents and friends to family violence and sexual abuse.

Sexual abuse of children remained a problem despite prison sentences of up to 13 years for the crime. In the first eight months of the year, the Ministry of Interior recorded 38 cases of child rape and 145 cases involving other forms of child sexual abuse. The government operated a children's support center to provide special care for children who suffered from violence, including sexual violence.

Sexual Exploitation of Children: Individuals involving a child in pornographic events or using a child in the production of pornographic material are subject to imprisonment for up to five years. According to the Ministry of

Interior, officials opened two criminal cases involving child pornography during the first eight months of the year. During the same period, the Office of the Ombudsman for Children's Rights reported that it initiated six investigations of sexual exploitation of children. No information was available about the number of persons convicted of sexually exploiting children. The age of consent is 16.

Displaced Children: Street children were widely scattered among the country's cities. Most were runaways or from dysfunctional families. In the school year 2014-15, according to the most recent data from the National Department of Statistics, 14,785 children age seven to 16 did not attend school. According to data from the Ministry of Interior, there were 1,684 searches for missing children in 2014.

There were a number of free, government-sponsored programs to assist displaced children. Government bodies and numerous NGOs administered 60 agencies protecting children's rights that routinely assisted vulnerable children.

Institutionalized Children: As of September 1, 3,562 orphans and other children in need of care resided in the country's 95 orphanages, including 17 operated by NGOs and 52 large family foster homes. There were five boarding schools for children with disabilities. The children's rights ombudsman received two complaints and started two investigations regarding children's rights violations in these institutions in the first eight months of the year.

NGOs, child welfare experts, and psychologists contended that the country's orphanages were detrimental to child development, leading to a wide range of social problems, such as delinquency, social exclusion, and vulnerability to trafficking and prostitution. On March 18, prosecutors announced an investigation into allegations that the director of the Viesvile Orphanage sexually exploited boys in his care. These allegations followed a January announcement that prosecutors were investigating the Sveksna School--a residential institution for children with special needs--for hosting a prostitution ring in which 15- to 17-year-old residents prostituted younger female residents.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see: travel.state.gov/content/childabduction/en/country/lithuania.html.

Anti-Semitism

The Jewish community consisted of approximately 4,000 persons. There were reports of anti-Semitic acts and vandalism throughout the year. For example, on June 13, police found a swastika painted on a Jewish monument in Kaunas. Anti-Semitic expression was especially evident on the internet.

Police had instructions to take preemptive measures against illegal activities, giving special attention to maintaining order on specific historical dates and certain religious or cultural holidays.

In August, following a five-year investigation, police arrested a man suspected of placing the head of a pig at the entrance of a synagogue.

Some observers, including the Simon Wiesenthal Center and press reports, classified nationalist marches in Kaunas on February 16 and Vilnius on March 11 as "neo-Nazi" and reported the presence of participants adorned with Nazi symbols. According to the Simon Wiesenthal Center, municipal authorities rejected the center's request that they prohibit the March 11 event or move it out of the center of the city.

On April 28, the March of the Living took place at the Paneriai Memorial in Vilnius. The march retraced the route of residents of the Vilnius ghetto to the massacre awaiting them in the Paneriai Forest. On September 22, Speaker of Parliament Loreta Grauziniene led the annual commemoration ceremony at the Paneriai memorial site.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, although it does not specify what kind of disabilities. It explicitly prohibits discrimination in housing, transport, telecommunications, and cultural and leisure activities. There was no proactive enforcement of these requirements. During the first half of the year, the equal opportunities ombudsman investigated 17 cases of alleged discrimination based on disability (see section 7.d.).

The law mandates that buildings be accessible to persons with disabilities. According to the most recently available data from the Department of Statistics in 2012, nearly 52 percent of housing complied with this requirement.

In 2012 the European Court of Human Rights ruled that the system for protecting persons with disabilities had serious practical and legal shortcomings. On March 27, the parliament amended the civil code and the code of civil procedure to afford persons with mental disabilities greater rights during competency hearings.

Observers widely regarded the mental health system as inadequate; it remained among the least reformed areas in the health sector.

The government continued implementation of the National Strategy for Social Integration of People with Disabilities for 2013-2019. During the year the Department for the Affairs of the Disabled obligated 14 million euros (\$15.4 million) as part of this program.

National/Racial/Ethnic Minorities

The law prohibits discrimination against ethnic or national minorities, but intolerance and societal discrimination persisted. According to 2011 data from the Department of Statistics (the most recent available), approximately 14.3 percent of the population were members of minority ethnic groups, including Russians, Poles, Belarusians, Ukrainians, Tatars, Karaites, and Jews.

In the first eight months of the year, the Ministry of Interior reported 113 cases of alleged discrimination and incitement of racial, ethnic, religious, or other hatred, compared with 80 in 2014 and 152 in 2013. Most of the instances investigated involved the internet. According to a former Vilnius County prosecutor, judges and other law enforcement officials seldom prosecuted these crimes, giving priority to “real-life” crimes with identifiable victims.

The country’s national day, February 16, when the State of Lithuania was restored in 1918, and March 11, the date in 1990 when the country declared its independence from the Soviet Union, continued to be occasions for nationalist manifestations. Marchers chanted the slogan “Lithuania for Lithuanians” on both occasions.

The small Romani community (approximately 3,000 persons) continued to experience discrimination in access to education, housing, health care, employment, and relations with police, although there were no official charges of police abuse. Extreme poverty, illiteracy, and perceived high criminality helped form the negative attitudes of mainstream society that resulted in the social exclusion of Roma. In addition, 40 percent of Roma did not know the Lithuanian language. Most adult Roma have obtained identification papers, but a few, although born in the country, were effectively stateless.

Representatives of the Polish minority continued to object to requirements that all schools teach Lithuanian language, history, and geography in Lithuanian. They asserted that this would undermine Polish culture and identity in geographical areas with a substantial ethnic Polish presence. They also complained about a requirement in the law that all students, whether native Lithuanian speakers or not, complete a single, uniform Lithuanian language examination at the end of their studies. On September 2, hundreds of ethnic Polish grade school and high school students went on a one-day strike to protest the language law. Restrictions on the use of Polish in street signs and on official documents, particularly passports, remained contentious. Authorities took no measures during the year to respond to these concerns.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The antidiscrimination laws apply to LGBTI persons. Society’s attitude toward LGBTI persons remained largely negative, and LGBTI groups claimed that official bodies that govern publishing and broadcast media took prejudicial action against certain works with LGBT themes. The few NGOs focusing on LGBTI problems did not face legal impediments. The Lithuanian Gay League and Tolerant Youth Association continued to promote an inclusive social environment for LGBTI persons.

The media reported acts of violence against LGBTI persons. The Lithuanian Gay League reported that in the first eight months of the year, 18 persons claimed they experienced physical attacks because of their sexual orientation.

An antipropaganda law enacted in 2009 served as a rationale for limiting LGBTI awareness-raising efforts (see section 2.a.). In July the European Commission’s Directorate General for Communication Networks, Content, and Technology began a formal investigation of a 2014 ruling by the Office of the Inspector of Journalistic

Ethics that blocked television broadcast during regular broadcast hours of an LGBTI awareness video produced by the Lithuanian Gay League. The office cited the law on protection of minors to block the broadcast.

In June, when a prominent disk jockey posted homophobic messages on social media, President Dalia Grybauskaitė stated, “the sooner Lithuania becomes more open and tolerant, the better it will be for the country.”

HIV and AIDS Social Stigma

The NGO community reported that individuals with HIV/AIDS often were subject to discrimination, including in employment, and treated with fear and aversion.

Other Societal Violence or Discrimination

In the first eight months of the year, the equal opportunities ombudsman investigated 35 cases of age discrimination, including in employment, insurance, loans, and leases. The ombudsman found discrimination in a majority of these cases and made recommendations to the offending institutions.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits employer discrimination against union organizers and members and requires reinstatement of workers fired for union activity. These provisions also apply to migrant workers.

There were some specific legal limits to these rights. The law prohibits law enforcement and other security-related personnel from collective bargaining or striking, although they may join unions. Labor-code procedures made it difficult for some workers to exercise the right to strike.

The law does not afford workers in essential services, whose right to strike is restricted or prohibited, alternative procedures for impartial and rapid settlement of their claims or a voice in developing such procedures. In the event of a disagreement between management and labor on the minimum service, any such disputes are to be settled by a labor arbitration board formed under the jurisdiction of the district court where the registered office of the enterprise or entity involved in the collective dispute is located.

The government did not enforce the labor laws effectively, although resources, inspections, and remediation were adequate. Penalties ranged from fines to imprisonment and were insufficient to deter violations. According to the International Trade Union Confederation, the judicial system was slow to respond to cases of unfair dismissal, and no employer ever faced the penal sanctions for antiunion discrimination envisaged in the law. No labor courts or judges specialized in labor disputes.

The government generally respected freedom of association. Worker organizations were generally free to operate without government or political party interference. Employers did not always respect collective bargaining rights, and managers often determined wages without regard to union preferences except in large factories with well-organized unions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor and prescribes penalties ranging from a fine to 12 years' imprisonment. Although the government generally enforced the law effectively, there were instances of forced labor.

During the first eight months of the year, authorities opened investigations into 25 alleged cases of trafficking, including eight cases of child trafficking.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum age for most employment at 16 but allows the employment of persons as young as 14 for light labor with the written consent of the child's parents and school. The law mandates reduced work

hours for children, allowing up to two hours per day or 12 hours per week during the school year and up to seven hours per day or 32 hours per week when school is not in session. Additional restrictions apply to persons younger than 18, including a prohibition on night work.

The government generally enforced these prohibitions effectively. The State Labor Inspectorate is responsible for receiving complaints related to employment of persons younger than 18. In the first eight months of the year, the inspectorate identified six instances in which children were working illegally, without work contracts, in the forestry, wholesale, retail, and construction sectors.

Resources, inspections, and remediation were adequate to enforce the law. Penalties for violations range from fines of 14 euros (\$15.40) to 6,074 euros (\$6,680). According to the State Labor Inspectorate, the penalties as imposed by courts were insufficient to deter violations.

d. Discrimination with Respect to Employment or Occupation

The law requires employers to treat employees equally with respect to gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnic origin, and religion. There was no specific statute concerning HIV-positive status or positive status for other communicable diseases. In 2014 women occupied 31 percent of senior administrative positions at state institutions. According to the Department of Statistics, the pay gap between men and women in 2014 was 13.7 percent, compared with 12.5 percent in 2012. The Office of the Equal Opportunities Ombudsman monitored the implementation of these laws. As of September 1, the ombudsman had conducted 258 employment discrimination investigations, including nine involving discriminatory job advertisements, 22 involving discrimination based on social status, 69 on religion, 35 on age, two on belief, three on language, 12 on nationality, five on sexual orientation, two on sexual harassment, and 67 on gender. Many workers remained unaware of their rights with respect to workplace discrimination.

e. Acceptable Conditions of Work

According to the National Department of Statistics, starting in July the minimum monthly wage was 325 euros (\$358). The official "poverty risk level" in 2014 was 241 euros (\$265) per month, little changed from 2013. The law provides that the maximum time worked in any seven-day period, including overtime, may not exceed 40 hours for white-collar work and 48 hours for blue-collar work. It allows overtime only in specifically stipulated circumstances, and both overtime and night work must be compensated by at least one and one-half times the hourly wage. The law gives workers the right to safe and healthy working conditions. The labor laws apply to both national and foreign workers.

The State Labor Inspectorate, which is responsible for implementing labor laws, had a staff of 175 labor inspectors. In the first eight months of the year, the inspectorate received 3,406 complaints, mostly related to labor-contract violations and wages in arrears, and conducted 6,956 inspections at companies and other institutions. The most numerous abuses it found were violations of worker safety and worker contracts. According to the law, a fine for first-time offenders ranges from 868 euros (\$955) to 2,896 euros (\$3,190) and for second-time offenders up to 5,792 euros (\$6,370). Workers dissatisfied with the results of an investigation can appeal to the court system. The State Labor Inspectorate continued to conduct seminars for managers of companies, local communities, and persons looking for work. The seminars dealt with preventing and combating illegal employment, the administration of labor contracts, and worker's rights.

According to the State Labor Inspectorate, violations of wage, overtime, safety, and health standards occurred primarily in the construction, retail, and manufacturing sectors. The inspectorate received complaints about hazardous conditions from workers in the construction and manufacturing sectors. As of September 1, the State Labor Inspectorate recorded 29 fatal accidents at work and 98 severe work-related injuries, compared with 42 and 74, respectively, in 2014. Most accidents occurred in the transport, construction, processing, and agricultural sectors. To address the problem, the inspectorate continued conducting a series of training seminars for inspectors on technical labor inspection. The law protects the rights of workers to remove themselves from work situations that endanger their health or safety without jeopardy to their continued employment. Workers did not regularly exercise this right. Workers also have the legal right to request compensation for health concerns arising from dangerous working conditions.