

# LITHUANIA 2020 HUMAN RIGHTS REPORT

## 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 presidential elections and European Parliamentary elections in May 2019 and the national parliamentary elections on October 11 and October 25 as generally free and fair.

Police and the State Border Guard Service are subordinate to the Ministry of the Interior. The Special Investigative Service, the main anticorruption agency, reports to the president and parliament. Civilian authorities maintained effective control over police, the State Border Guards Service, the army, and the Special Investigative Service. Members of the security forces committed some abuses.

Significant human rights issues included harsh and life-threatening prison conditions.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses.

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

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings. Police and prosecutors are responsible for investigating any incidents involving arbitrary deprivation of life or other unlawful or politically motivated killings.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution and law prohibit such practices. In its report published in June 2019, the Council of Europe's Committee for the Prevention of Torture (CPT) stated it had heard allegations of excessive force exerted by prison staff at the Alytus, Marijampole, and Pravieniskes Prisons in subduing interprisoner violence.

Impunity was not a significant problem in the security forces.

### **Prison and Detention Center Conditions**

Some prison and detention center conditions remained poor due to inadequate sanitary conditions and medical care.

Physical Conditions: The 2019 CPT report noted substandard conditions at the Alytus, Marijampole, and Pravieniskes prisons. Inmates in all three prisons, but particularly Marijampole and Pravieniskes, complained about the quality and, especially, the quantity of food. The official minimum cell size for a single prisoner remained 33 square feet, and 37 square feet per person for a multiple-occupancy cell. The CPT recommended increasing the standard to 43 square feet and 65 square feet respectively. The CPT reported its impression that the overcrowded dormitories facilitated violence among prisoners.

The CPT received a number of allegations of deliberate physical mistreatment and excessive use of force by prison staff at the Alytus, Marijampole, and Pravieniskes prisons. The CPT assessed that medical evidence corroborated the reports of physical abuse. The CPT also noted that prison staff used excessive force including punches, kicks, and truncheon blows to de-escalate violence among prisoners. The CPT reported "truly extraordinary levels of interprisoner violence, intimidation, and exploitation" in these prisons. It also reported that inmates seeking protection from fellow prisoners had to spend months (usually six months) if not years in small and often dilapidated cells, and were subjected to severe limitations (no activities, no association, no long-term visits), that amounted to de facto solitary confinement. Many prisoners told the CPT they had sought placement in the punishment blocks because they feared being forced to become drug addicts and contracting HIV and hepatitis C.

In its response to the CPT in June 2019, the government noted that in all reconstructed and newly built penitentiary establishments, living spaces were constructed in such a way that each person being held in a single-occupancy cell has at least 75 square feet of living space and each person in a multiple-occupancy

cell has at least 65 square feet. To avoid violence, persons were immediately isolated or transferred to another sector of the correctional establishment.

On January 1, amendments to the Law on Health Insurance extended the list of persons covered by Compulsory Health Insurance to include funds for persons held at detention institutions.

In September 2019 the Office of the Parliamentary Ombudsman reported that Muslim detainees at the Pabrade Foreigners' Registration Center, a detention center for migrants and asylum seekers, complained about the lack of halal food options and poor sanitary conditions.

Administration: The law requires the Office of the Parliamentary Ombudsman to investigate detention centers and other institutions. The ombudsman's office generally investigated credible prisoner, migrant, and asylum seeker complaints and attempted to resolve them, usually by making recommendations to the institutions concerned and monitoring their implementation. The ombudsman's office reported that prison institutions were responsive to all of its interventions. In its report published in June 2019, the CPT found that the investigation of an incident of violence by authorities against prisoners in the Alytus Prison in 2017 "was not effective, especially in the early stages."

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. The CPT visited the country in April 2018 and published its report in June 2019.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

#### **Arrest Procedures and Treatment of Detainees**

Except for persons arrested while committing 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 formally charging them. Detainees have the right to be informed of the charges against them at the time of their arrest or their first interrogation. The government generally observed these requirements.

Bail is available and was widely used.

The law provides for access to attorneys, and the government provides attorneys to indigent persons. A detained person has the right to meet with lawyers of his or her choice in private before his or her first interrogation. Some detainees who had government-appointed attorneys complained that they met their attorneys for the first time at the court hearing, even in instances when they had requested attorneys shortly after their arrest.

### **e. Denial of Fair Public Trial**

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

### **Trial Procedures**

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

Defendants have the right to a presumption of innocence, to prompt and detailed information about the charges against them, to a fair and public trial without undue delay, and to be present at their trial. Defendants have the right to communicate with an attorney of their choice (or to have one provided at public expense), adequate time and facilities to prepare a defense, and free assistance of an interpreter from the moment they are charged through all appeals. 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.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Plaintiffs may sue for legal relief or temporary protection measures 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 may only make recommendations to an offending

institution, authorities generally implemented the ombudsman's recommendations. Individuals alleging violations of the European Convention on Human Rights by the government may, after exhausting domestic legal remedies, appeal to the European Court of Human Rights.

### **Property Restitution**

The government has laws and mechanisms in place to address the issue of communal property restitution, and nongovernmental organizations (NGOs) and advocacy groups reported that the government has made some progress on the resolution of Holocaust-era claims, including for foreign citizens. A philanthropic foundation created in 2011 to receive government compensation for Communist and Nazi seizures of Jewish community-owned property distributed funds to individuals and to Jewish educational, cultural, scientific, and religious projects. According to an agreement between the government and the Jewish community, the foundation was to disburse 36 million euros (\$43 million) by 2023. In 2013 and 2014, the foundation distributed a one-time payment of 870,000 euros (\$1.2 million in 2013-14 dollars) to individual survivors. The foundation's board allocated the remaining funds to support Jewish educational, cultural, scientific, and religious projects. As in 2019 the foundation received 3.6 million euros (\$4.3 million) for this purpose, which brought the total received as of January to 21.6 million euros (\$25.9 million). Jewish and ethnic Polish communities continued to advocate for private property restitution because there has been no opportunity to submit individual claims since 2001, when the country's existing restitution law stopped allowing citizens who resided in the country to apply for private property restitution. Despite changes to the citizenship law in 2011 that made it easier to reacquire the country's citizenship, the government did not reopen the application period for these communities and others who had been excluded from filing claims based on citizenship. There is also no provision for restitution of or compensation for property rendered heirless by the Holocaust. For additional information regarding Holocaust-era property restitution and related issues, please see the Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, at <https://www.state.gov/reports/just-act-report-to-congress/>.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions. There were reports, however, that the government failed to respect these prohibitions.

The law requires authorities to obtain a judge's authorization before searching an individual's premises. It prohibits indiscriminate monitoring, including of email, text messages, or other digital communications intended to remain private. Domestic human rights groups alleged that the government did not always properly enforce the law. As of September 14, the State Data Protection Inspectorate investigated 710 complaints of privacy violations, compared with 580 such allegations in the first nine months of 2019. Most complaints were individuals' claims that the government had collected and disclosed their personal information, such as identity numbers, without a legal justification.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

Freedom of Speech: The constitutional definition of freedom of expression does not permit 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 to trivialize" Soviet or Nazi German crimes against the country or its citizens, or to deny genocide, crimes against humanity, or war crimes.

Freedom of Press and Media, Including Online Media: Independent media were active and expressed a wide variety of views. They are subject to the same laws that prohibit hate speech and criminalize speech that grossly trivializes international and war crimes.

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. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) groups claimed it served as a rationale for limiting LGBTI awareness-raising

efforts and that agencies overseeing publishing and broadcast media took prejudicial action against the coverage of stories with LGBTI themes.

Censorship or Content Restrictions: The Radio and Television Commission of Lithuania (LRTK) may impose a 72-hour suspension on television programs that posed a threat to public and national security. The LRTK may impose this suspension without a court order on television programs from countries both inside and outside the EU, the European Economic Area, and from European states that ratified the Council of Europe's Convention on Transfrontier Television.

On July 8, the government banned five Russian RT television channels in the country. It argued it was implementing the EU's sanctions against Dmitriy Kiselyov, RT's general director.

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

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The government generally respected the freedoms of peaceful assembly and association, with the exception of some organizations associated with the Soviet period.

### **Freedom of Association**

Although the law provides for this freedom and the government generally respected it, 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 <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

### **e. Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

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.

Safe Country of Origin/Transit: In compliance with the EU's Dublin III Regulation, authorities barred asylum seekers arriving from safe countries of origin or transit and returned them to such countries without reviewing the substantive merits of their applications. The government's participation in the EU's efforts to address high levels of migration into Europe was an exception to this policy.

Employment: Refugee employment opportunities were primarily concentrated in construction, hospitality (restaurants), manufacturing, and housekeeping. Highly skilled positions required Lithuanian, English, or Russian language skills. The lack of language skills, job search assistance, education, and qualifications were major barriers to the employment of refugees.

Access to Basic Services: Refugees said that language barriers prevented them from accessing health and psychological consulting services.

Durable Solutions: As of July 31, a total of 89 asylum seekers and two displaced persons lived at the Refugee Integration Center. During this period 402 persons (231 asylum seekers) participated in integration programs in municipalities.

Temporary Protection: The government may grant “temporary protection” to groups of persons. Authorities may also grant “subsidiary protection” to individuals who may not qualify as refugees, and in 2019 the authorities extended temporary protection to 13 persons.

### **g. Stateless Persons**

According to UNHCR as of 2019, there were 2,904 stateless persons in the country. The law permits persons born on the territory or legally residing there for 10 years and 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.

### **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 held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: Presidential elections, including a runoff between the two candidates receiving the most votes, as well as European Parliamentary elections, took place in May 2019. National parliamentary elections took place on October 11 and October 25. Observers evaluated all these elections as generally free and fair.

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

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate. In October’s parliamentary elections, women won 38 of the 141 seats, 27 percent of the seats. Women held 8 percent of ministerial positions.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. Government officials sometimes engaged in corrupt practices with impunity, and corruption was a problem.

Corruption: On June 2, authorities arrested Valdas Sutkus, president of the Lithuanian Business Confederation; Mantas Zalatorius, president of the Association of Lithuanian Banks; and four other persons after obtaining information on their alleged large-scale active and passive bribery, trading in influence, squandering of property, and forgery of documents. In 2019 the Special Investigative Service started 47 pretrial investigations of corruption.

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

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

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 Office of the Parliamentary Ombudsman has three mandates: to investigate complaints about abuse of office or other violations of human rights involving public administration; to implement the national prevention of torture mechanism under the UN's Optional Protocol to the Convention against Torture; and to serve as an accredited national human rights institution. In the last capacity, the parliamentary ombudsman is responsible for reporting on and monitoring human rights problems, cooperating with international and domestic human rights organizations, and promoting human rights awareness and education.

The equal opportunities ombudsman operates an independent public institution with responsibility for implementing and enforcing rights under the law.

A children's rights ombudsman is responsible for overseeing observance of children's rights and their legal interests. It may initiate investigations of possible violations of such rights, either upon receipt of a complaint or on its own initiative.

Parliament's human rights committee prepares and reviews draft laws and other legal acts related to civil rights and presents recommendations to government institutions and other organizations about problems related to the protection of civil rights. It also receives reports from the Office of the Parliamentary Ombudsman.

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

### **Women**

Rape and Domestic Violence: Rape and domestic violence are criminal offenses. Penalties for domestic violence depend on the level of injury to the victim, ranging from required public service to life imprisonment. In the first eight months of the year, authorities received 63 reports of rape, compared with 77 during the same period in 2019. Convicted rapists generally received prison sentences of three to five years. No law specifically criminalizes spousal rape, and no data on spousal rape was available.

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 separately from their victims, to avoid all contact with them, and to surrender any weapons they may possess. According to the Human Rights Monitoring Institute, eight out of 10 victims of domestic violence were women, and the law still does not follow a gender-sensitive approach.

Domestic violence remained a pervasive problem. In the first eight months of the year, police received 35,130 domestic violence calls and started 7,006 pretrial investigations, 17 of which were for killings. In 2018 approximately 80 percent of all domestic violence reports were against women.

There are a 24/7 national hotline and 29 crisis centers for victims of domestic violence. The Ministry of Justice also continued its *Action Plan for Domestic Violence Prevention and Assistance to Victims for 2017-2020* and allocated 1.17 million euros (\$1.4 million) for the year.

Sexual Harassment: The law prohibits sexual harassment.

Coercion in Population Control: The law prohibits coerced abortion and involuntary sterilization. In July the Kaunas Regional Court awarded 31,000 euros

(\$37,200) to a woman with cerebral palsy after a hospital in Lazdijai sterilized her involuntarily shortly after she gave birth.

Discrimination: Men and women have the same legal status and rights. Women continued to experience unequal access to pension benefits and the gender wage gap remained significant, leaving women more exposed to poverty risk (see section 7.d.).

## **Children**

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

Child Abuse: The law bans all violence against children. 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 the Interior recorded 23 cases of child rape and 171 cases involving other forms of child sexual abuse. The government operated a children's support center to provide medical and psychological care for children, including those who suffered from various types of violence. It also operated a national center in Vilnius to provide legal, psychological, and medical assistance to sexually abused children and their families.

According to the Ministry of Social Security and Labor Affairs, there were 5,469 reports of violence against children in 2019. In the first eight months of the year, the children's rights ombudsman reported receiving 392 complaints.

During the first eight months of the year, Child Line (a hotline for children and youth) received 105,415 telephone calls from children, and was able to respond to 77,944 of those calls. Child Line also received and answered 385 letters from children, whose concerns ranged from relations with their parents and friends to family violence and sexual abuse.

Child, Early, and Forced Marriage: The minimum age for marriage is 18.

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 (see also section 2.a., Freedom of Expression, Including for the Press). Persons who offer to purchase, acquire, sell, transport, or hold a child in captivity are subject to imprisonment for three to 12 years. The

Office of the Ombudsman for Children's Rights reported receiving one complaint of alleged sexual exploitation of children during the first eight months of the year. According to the Ministry of the Interior, during the first eight months of the year, officials opened 32 criminal cases involving child pornography. The age of consent is 16.

Institutionalized Children: As of September 1, the children's rights ombudsman received four complaints and started one investigation regarding violations of children's rights in orphanages and large-family foster homes.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### **Anti-Semitism**

The Jewish community consisted of approximately 4,000 persons. There were reports of anti-Semitism on the internet and in public.

On January 13, an unidentified man inside the parliament building approached the chairwoman of the Lithuanian Jewish Community, addressed her as "little Jew girl," and said that there was no home for her in Lithuania. In response to a request by the chair, the prosecutor's office opened an investigation into the incident. No charges were filed.

On February 16 and March 11, nationalist parties sought to rally supporters at marches commemorating the country's independence. During the February event, approximately 1,000 persons marched through Vilnius chanting and carrying banners with images of Jonas Noreika, an anti-Soviet resistance fighter who collaborated with the Nazis and played a role in the atrocities in the country during the Holocaust. On March 11, a similar procession of approximately 200 persons took place.

On October 8, the government-funded Genocide and Resistance Research Center of Lithuania posted on its Facebook page a statement commemorating the 110th birthday of Noreika. It celebrated Noreika as having opposed the Soviet and Nazi occupations. It did not refer to Noreika's collaboration with the Nazis or his

participation in Nazi atrocities. Nor did it acknowledge his public writings, which included a pamphlet promoting anti-Semitic views.

On May 20, Member of Parliament Audrys Simas made a hand gesture during a committee meeting that resembled a Nazi salute. The incident prompted the Lithuanian Jewish Community to call for an investigation. The parliamentary ethics and procedures committee investigated the matter and concluded that Simas violated the state code of behavior for politicians. Simas apologized for his actions and claimed he had raised his hand in order to cast a vote and had not intended his hand gesture as a Nazi salute.

On June 26, the anniversary of a massacre of Lithuanian Jews during the Holocaust, a monument in central Vilnius of a Jewish historical figure, Dr. Zemach Shabad, was vandalized with white paint or acid. A bust of Elijah ben Solomon Zalman, known as the Vilna Gaon, was vandalized with white paint or acid on June 26 and again on August 3. Police launched pretrial investigations. The foreign minister and the mayor of Vilnius condemned the acts.

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

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities. There was no proactive enforcement of these requirements. The equal opportunities ombudsman investigated cases of alleged discrimination based on disability. In 2019 the National Audit Office reported that one-third of persons with disabilities were at risk of poverty, a rate 10.7 percent higher than the overall at-risk-of-poverty rate (20.6 percent). The audit found that only 13 percent of the persons identified as needing assistance received special services in municipalities. In 32 municipalities local governments did not ensure that at least 30 percent of public buildings providing social, educational, health, and cultural services were adapted to persons with disabilities. In 34 municipalities no means of public transport were available

for persons with disabilities. In 2019 only 3.4 percent of municipal websites were adapted for persons with disabilities.

The law requires all schools that provide compulsory and universally accessible education to make available education to students with disabilities. The country has a tradition of separate schools for children with various disabilities. On June 30, parliament amended the Law on Education to eliminate discriminatory provisions regarding children with disabilities who need accommodation or educational supports. According to the new provisions, which were scheduled to be implemented gradually and fully enter into force on September 1, 2024, children with disabilities who need accommodation or educational supports will be able to attend a general education school in their place of residence, and schools will no longer be able to refuse to admit them and refer them to separate so-called “special schools.”

The law prohibits persons with disabilities who have been deprived of their legal capacity from voting or standing for election. The Central Electoral Commission reported that 67 percent of voting stations were accessible for persons with disabilities in 2019.

On September 9, representatives of the parliamentary ombudsman’s office reported that during an inspection they discovered a person being held behind bars in the Skemai social care home. Police started a pretrial investigation, and the director of the institution temporarily was removed from office. According to the Human Rights Monitoring Institute, the transfer of individuals with psychosocial or intellectual disabilities from state institutions to community-based homes was stalled.

### **Members of National/Racial/Ethnic Minorities**

The law prohibits discrimination against ethnic or national minorities, but intolerance and societal discrimination persisted. According to the 2011 census, approximately 14 percent of the population were members of minority ethnic groups, including Russians, Poles, Belarusians, Ukrainians, Tatars, Karaites, and Jews.

Representatives of the Polish minority, approximately 200,000 persons according to the 2011 census, continued to raise their concerns about restrictions on the use of Polish letters in official documents, particularly passports, and the lack of a law on protecting national minorities’ rights.

Roma, whose population the 2011 census reported as 2,115 persons (0.07 percent of the country's total population), continued to experience discrimination.

According to a 2019 poll conducted by Baltijos Tyrimai, 63 percent of Lithuanians viewed Roma as undesirable neighbors, and 65 percent of Lithuanians would not rent an apartment to a Rom. Roma claimed employers were unwilling to hire them, citing as justification stereotypes of drug use often perpetuated by law enforcement officers.

The Ministry of Education, Science, and Sport reported that approximately 1,000 Romani children younger than age 20 lived in the country in 2017, and 431 Romani school-age children were enrolled in school. On August 28, the Vilnius municipality announced the closure of the Kirtimai settlement and approval of a new Romani integration program for 2020-23. According to the municipality, the new plan offers new solutions to strengthen the areas of education, health care and culture, with a particular focus on the reduction of social exclusion (especially of women) and exclusion in the labor market, as well as improving fulfillment of the right to housing.

According to the press, on March 16 in Kaunas, two men, one of whom was from Tajikistan, attacked and beat Tajik refugee Ilhomjon Yakubov, the former head of the opposition Islamic Renaissance Party of Tajikistan in his country's Sughd Region. Yakubov suffered a concussion and an injured nose and rib. The press reported that police opened a criminal investigation into the beating, detaining one of the attackers and questioning the other. The investigation continued at year's end.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation, and sexual orientation can be an aggravating factor in crimes against LGBTI persons. Gender identity remains unrecognized in the law. Societal attitudes toward LGBTI persons remained largely negative, and LGBTI persons experienced stigma, discrimination, and violence. In 2019 the Baltijos Tyrimai poll noted that one-third of Lithuanians viewed LGBTI individuals as undesirable neighbors. Transgender persons were vulnerable and regularly experienced extreme violence and death threats, and legal barriers and discriminatory practices often inhibited

them from receiving health care. Most LGBTI persons did not report sexual assault because they did not trust police.

### **HIV and AIDS Social Stigma**

NGO experts noted that individuals with HIV/AIDS continued to be subject to discrimination, including in employment, and treated with fear and aversion. The government did not respond.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers, except the armed forces, 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 bans sympathy strikes. It also prohibits law enforcement officials, first-aid medical workers, and other security-related personnel from collective bargaining and striking, although they may join unions. 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.

Labor-management disputes are 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. Despite the fact that the law establishes the binding character of the decision upon the parties, the decisions cannot lay down rights or obligations of individuals and are not enforceable by the courts. Labor-code procedures make it difficult for some workers to exercise the right to strike. The law prohibits sympathy strikes and allows an employer to hire replacement workers in certain sectors to provide for minimum services during strikes.

The government generally respected freedom of association but did not effectively enforce applicable laws, and penalties are not commensurate with those for other laws involving denials of civil rights, such as discrimination. According to the International Trade Union Confederation, the judicial system was slow to respond

to cases of unfair dismissal, and no employer faced penal sanctions for antiunion discrimination as envisaged in the law. No courts or judges specialized in labor disputes.

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 the government generally enforced the law effectively. Penalties are commensurate with those for other analogous serious crimes, such as kidnapping.

There were instances of forced labor, most of which involved Lithuanian men subjected to forced labor abroad. Foreign workers from Belarus, Russia, and Ukraine were at risk of labor trafficking as long-haul truck drivers, builders, ship hull assemblers, and welders.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits all of the worst forms of child labor. The law sets the minimum age for most employment at 16 but allows the employment of children as young as 14 for light work with the written consent of the child's parents or guardians and school. The government has not created a list of jobs considered "light work." 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. According to the law, hazardous work is any environment that may cause disease or pose a danger to the employee's life, such as heavy construction or working with industrial chemicals. Under the law children younger than age 18 may not perform hazardous work. Penalties were sufficient to deter violations.

The State Labor Inspectorate is responsible for receiving complaints related to employment of persons younger than age 18. The government effectively enforced the law; however, penalties are not commensurate with those for other analogous serious crimes, such as kidnapping. In the first eight months of the year, the

inspectorate identified 16 cases in which children were working illegally in the construction, agriculture, retail, services, and manufacturing sectors.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits employment discrimination but does not specifically address HIV-positive or other communicable disease status, or gender identity. The law obliges the employer to implement the principles of gender equality and nondiscrimination, which prohibit direct and indirect discrimination, and psychological and sexual harassment. The employer must apply the same selection criteria and conditions when hiring new employees; provide equal working conditions, opportunities for professional development, and benefits; apply equal and uniform criteria for dismissal; pay equal wages for the same work and for work of equal value; and take measures to prevent psychological and sexual harassment in the workplace.

The government effectively enforced the law, and penalties are commensurate with laws related to civil rights, such as election interference.

The law stipulates that discrimination based on sex should also cover discrimination related to pregnancy and maternity (childbirth and breastfeeding). The matter of female poverty among the elderly who do not receive equal government social remuneration, as well as a pay gap between men and women, continued to exist.

The equal opportunity ombudsman (EOO) monitored the implementation of discrimination laws. As of September 1, the EOO received 14 complaints. To address the gender equality problem, the EOO in cooperation with the municipalities and NGOs continued implementing projects aimed at strengthening local communities in the fight against gender-based violence and addressing gender equality problems. Under the law the age requirements for women and men to retire with full or partial pension benefits are not equal.

NGOs reported that workers in the Romani, LGBTI, and HIV-positive communities faced social and employment discrimination (see section 6). Non-Lithuanian speakers and persons with disabilities faced discrimination in employment and workplace access.

#### **e. Acceptable Conditions of Work**

According to the National Department of Statistics, as of January 1, the minimum monthly wage increased by 9 percent and was above the poverty line.

The law limits annual maximum overtime hours to 180 hours, and establishes different categories of work contracts, such as permanent, fixed-term, temporary agency, apprenticeship, project work, job-sharing, employee-sharing, and seasonal work. The occupational safety and health (OSH) standards are current and appropriate for the main industries. The law applies to both national and foreign workers. The government effectively enforced OSH laws, and penalties for OSH laws are commensurate with those for crimes like negligence.

The government enforced standards effectively across all sectors including the informal economy, which accounted for an estimated 25 percent of the economy. The State Labor Inspectorate, which is responsible for implementing labor laws, had a staff sufficient to enforce compliance. During the first eight months of the year, the inspectorate conducted 2,119 inspections at companies and other institutions. Of these cases, 80 percent were related to underpayment of wages, late payment of wages, or worker safety. 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, and OSH laws 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 October 1, the State Labor Inspectorate recorded 2,533 accidents at work, including 22 fatal accidents, compared with 2,527 and 25, respectively, in 2019. 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. Inspectors have the authority to make unannounced inspections. Workers have the legal right to request compensation for health concerns arising from dangerous working conditions. Health-care workers were overloaded and at the greatest risk during the COVID-19 pandemic.