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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

**COMMENTS OF THE GOVERNMENT OF LITHUANIA  
ON THE THIRD OPINION OF THE ADVISORY COMMITTEE  
ON THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES BY LITHUANIA**

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(received on 10 October 2014)

**COMMENTS BY THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA ON  
THE THIRD OPINION ON LITHUANIA ISSUED BY THE ADVISORY  
COMMITTEE ON THE COUNCIL OF EUROPE FRAMEWORK CONVENTION  
FOR THE PROTECTION OF NATIONAL MINORITIES**

On 28 November 2013, the Advisory Committee on the Council of Europe Framework Convention for the Protection of National Minorities (hereinafter referred to as ‘the Advisory Committee’) adopted a third opinion on Lithuania (hereinafter referred to as ‘the Opinion’). This document was drafted on the basis of the analysis and evaluation of the Third Report on the implementation of the Framework Convention on National Minorities in the Republic of Lithuania under Article 25 of the Convention (hereinafter referred to as ‘the Third Report’), submitted to the Secretariat of the Council of Europe Framework Convention on National Minorities (hereinafter referred to as ‘the Framework Convention’) on 21 September 2011, as well as on the basis of the summary of other written sources and information collected by the Advisory Committee from public authorities and non-governmental organisations during the visit of the Advisory Committee’s experts to Lithuania on 8–11 July 2013.

The Government of the Republic of Lithuania truly appreciates the constructive cooperation between the national authorities and the Advisory Committee in the sphere of national minority rights protection and looks forward to close cooperation in the future.

The Government of the Republic of Lithuania thanks the Advisory Committee for the evaluation given to Lithuania’s public authorities in terms of flexible and comprehensive approach to the implementation of the provisions of the Framework Convention as well as the country’s progress in the areas of human rights protection and anti-discrimination.

The issues of national minorities occupy an important part on the agenda of the Government of the Republic of Lithuania, and a section on national minority policy is included in the Programme of the Government of the Republic of Lithuania. One of the key objectives of the Government of the Republic of Lithuania is to create a harmonious environment for smooth integration of members of national minorities into the country’s society and to support their efforts aimed at the preservation of their unique identity, native language and ethnic culture. It is also important to enable members of national minorities to learn the State language as well as to support their equal participation in the country's public life.

In implementing the provisions of the Framework Convention, Lithuania has taken practical steps by drafting national legislation and improving strategic instruments in the area of national minority rights protection. Efforts are being made to devote more attention to measures aimed at the promotion of the social inclusion of members of national minorities, the development of their cultural competencies, promotion of tolerance and respect for the representatives of different nationalities, as well as the enhancement of the mechanism for consultations with the representatives of national minorities. To implement the State policy for the protection of national minority rights, there are plans to expand intercultural dialogue, as encouraged by the institutions of the Council of Europe (CoE) and European Union (EU), and to provide better funding for projects aiming at the development of the cultural activities of national minorities.

In order to speed up the integration of the Roma in all spheres of public life, Lithuania is involved in various initiatives pursued by international organisations. In 2013, Lithuania

joined the CoE campaign ‘Dosta!’, which is intended to encourage the public to get to know the Roma better. In recent years, more attention has been devoted to activities designed to empower Roma women as well as Roma non-government organisations and to prepare assistant teachers for work with Roma children. The issues of Roma integration into the Lithuanian society have also attracted the attention of the academic community and are dealt with in relevant research projects.

The Lithuanian Constitution and other legislation guarantee the involvement of members of national minorities in the cultural, social and economic life as well as public affairs. Conditions are present in Lithuania for members of national minorities to learn and to be taught in their native language.

Legal regulation on sanctions for the incitement of hatred in the media is quite effective in Lithuania.

To improve officers' professional qualifications in the areas of human rights protection and anti-discrimination, while encouraging tolerance and respect for people of other cultures, training for law enforcement officers and civil servants has been organised.

Having familiarised itself with the Opinion of the Advisory Committee, the Government of the Republic of Lithuania hereby submits the following comments according to the specific articles of the Framework Convention.

## **COMMENTS BY THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA ACCORDING TO THE SPECIFIC ARTICLES OF THE FRAMEWORK CONVENTION**

### **Article 3 of the Framework Convention Scope of the Framework Convention**

#### **Paragraphs 21-22 and 119 of the Opinion**

The Ministry of Culture of the Republic of Lithuania (hereinafter referred to as ‘the Ministry of Culture’) has drafted the Law on National Minorities, which is in line with the provisions of the Framework Convention, provides the definition of ‘national minority’ and sets out the rights and obligations of persons belonging to national minorities.<sup>1</sup>

Alternative drafts of the Law on National Minorities have been registered with the Seimas of the Republic of Lithuania as well.

(Also see responses to paragraph 73 of the Opinion).

### **Population census**

#### **Paragraphs 23-25 of the Opinion**

In March-May of 2011, the Lithuanian Department of Statistics carried out a general census of the residents and homes of the Republic of Lithuania (hereinafter referred to as ‘the

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<sup>1</sup> The Law on National Minorities is no longer valid as of January 2010.

Census'), which generated data on the different nationalities residing in Lithuania and their size.

In accordance with the Census Programme, the census questionnaire contained with questions on nationality, native language (-s), knowledge of language and religion. The language of the questionnaire was Lithuanian, yet all its questions were translated into the English, Polish and Russian languages. To achieve better quality of the Census data in areas heavily inhabited by national minorities, the enumerators were local area residents, capable of communicating with the local population in their native language.

The 2011 Census offered each resident an opportunity, for the first time in Lithuania, to fill out an electronic census questionnaire by himself and to submit the data online. 1.35 million residents, or 34 per cent of the entire Lithuanian population, took part in the online census.

The Lithuanian territory was divided into Census districts. The enumerators visited all the homes present in their Census district and recorded all the residents, including those of Roma nationality. In the Kirtimai settlement (an area in the Vilnius City Municipality where many Roma people reside), the Census was carried out by social workers from the public institution Roma Community Centre.

According to the data of the Lithuanian Census of 1 March 2011, Lithuania had 3.043 million permanent residents. They belonged to 154 different nationalities (compared to 115 in 2001). Each person could freely provide information on his or her nationality during the Census. Lithuanians accounted for 84.2 per cent of the national population, while 14.7 per cent belonged to other nationalities. 1.1 per cent preferred not to specify their nationality.

For the first time, residents were offered an opportunity to indicate two native languages. If a certain nationality or religious community was indicated by nine or fewer people, the Lithuanian Department of Statistics published this statistical data under 'other nationalities' and 'other religious groups' in order to prevent the identification of the members of the respective nationalities or religious communities.

**Article 4 of the Framework Convention  
Protection against discrimination and promotion of full and effective equality**

**Paragraph 28 of the Opinion**

Lithuania notes that the provisions of EU Council directives on equal opportunities have been transposed into its national law. Under the Law of the Republic of Lithuania on Equal Treatment and the Law of the Republic of Lithuania on Equal Opportunities for Women and Men, the said provisions apply in more areas of public life compared to what is required by the mentioned EU Council directives (for instance, the EU Council directives do not apply to the content of advertising, education and science and discriminatory advertisements, yet those areas are covered by the said Lithuanian laws). Moreover, amendments to the Law of the Republic of Lithuania on Equal Treatment, which came into force on 5 July 2008, have expanded the list of discrimination to include the grounds of language, origin, social status, nationality and faith (EU Council directives do not mandate the inclusion of the said grounds in national legislation).

Article 12(2) of the Law on Equal Treatment of the Republic of Lithuania provides that associations and other legal persons may represent a person in judicial or administrative proceedings in accordance with the procedure prescribed by law, if the legal instrument governing their activities states that the defence and representation of persons discriminated against on the respective grounds is one of their activity areas. The Equal Opportunities Ombudsman has a right, not an obligation, to hear administrative cases. Refusal to hear an administrative case may not be treated as failure to exercise the competence prescribed by law and no binding decision can be issued with regard to such a requirement. The Equal Opportunities Ombudsman makes use of this decision rather rarely.

Article 12 of the Law of the Republic of Lithuania on Equal Treatment and Article 9 of the Law of the Republic of Lithuania on Equal Opportunities for Women and Men stipulate that a complaint concerning an infringement of equal treatment may be filed by a person who believes that his/her equal opportunities have been breached. That provision grants a person the right to apply to the Equal Opportunities Ombudsman and states that for such an application it is sufficient that the person believes that his/her equal opportunities have been breached.

On the other hand, each entity should enjoy a guarantee of defence of his/her infringed rights (equal opportunities), yet such a person concerned must show, at the time of application, an actual infringement or a threat of infringement of his/her equal opportunities. It should also be noted that the right of the person concerned to apply to the Equal Opportunities Ombudsman does not entail the right to request protection against the infringement of anybody's equal opportunities, but only an opportunity to seek protection from the Equal Opportunities Ombudsman with regard the applicant's equal opportunities.

### **Paragraph 29 of the Opinion**

In the course of the preparation of the Action Plan for Roma Integration into the Lithuanian Society for 2012-2014, consultations were held with Roma public organisations that existed and functioned at that time, namely the Lithuanian Roma association *Gypsy Fire*, association Roma Integration House, and public institution Roma Community Centre. The measures included in the Action Plan for Roma Integration into the Lithuanian Society for 2012-2014 correspond to the financial capacities of the State. The housing and health issues faced by Roma residents have been addressed in accordance with the general procedure. (Also see the response to paragraphs 32, 44, 83, 105 and 118 of the Opinion).

### **Paragraph 32 of the Opinion**

In response to paragraphs 32, 107, and 118-119 of the Opinion, we would like to inform the Advisory Committee that the Ministry of Culture has commenced the preparation of a new Action Plan for Roma Integration into the Lithuanian Society 2015-2020, which will include measures in the areas of health, employment, housing, education and other. Presently, public authorities and non-governmental organisations are submitting written proposals, which will be discussed during the sittings. The leaders of Roma non-governmental organisations take part in the drafting of a new document. (Also see the response to paragraphs 29, 44, 83, 105 and 118 of the Opinion).

## **Data collection**

### **Paragraph 37 of the Opinion**

Research on national minority rights protection carried out in Lithuania is introduced to the public-at-large. The research outcomes are significant in the development of target policy instruments to promote comprehensive equality.

It should be noted that the issue of Roma integration into the Lithuanian society has attracted the attention of the academic community and has been addressed in research. In 2014, the first dissertation on the Roma topic was defended in Lithuania: 'Roma children's early withdrawal from the education system in Vilnius city: education field analysis'. The research has demonstrated that the share of persons who are illiterate or have not finished primary school has dropped significantly over the last decade in the group of Roma in Lithuania, while the comparative share of those with basic education has risen. The analysis of data from the 2001 and 2011 censuses has revealed important positive developments in the education of the ethnic group of Roma in Lithuania. (For changes in the Roma education level from 2001 to 2011, see figure in Annex 1).

## **Article 5 of the Framework Convention Support to minority cultures and languages**

### **Paragraph 39 of the Opinion**

Lithuania cannot agree with the information contained in paragraph 39 of the Opinion of the Advisory Committee to the effect that financial support is more readily available to projects promoting the learning of the Lithuanian language, compared to activities aimed at the preservation of the unique national minority culture. It should be noted that the Division for National Minority Affairs of the Ministry of Culture organises an annual competition for partial funding from the State budget to cultural projects promoting the development of national minority cultures, with the aim of creating the necessary conditions for the preservation of national identity, promoting the diversity of cultural expression and ensuring the involvement of members of national minorities in cultural life.

In 2011—2013, the Ministry of Culture allocated LTL 828 000 (approximately EUR 240 000) in partial funding for projects promoting the development of national minority cultures. In the same period, only a single Lithuanian language learning project received support, which totalled LTL 1 800 (approximately EUR 520). This accounts for roughly 0.22 per cent of the total amount granted over the said period. (Also see the response to paragraph 41 of the Opinion).

It should be noted that at only one classroom at the public institution House of National Communities is allocated for Lithuanian language courses, its area occupying only a tiny portion (1.6 per cent) of the entire area of the premises. The public institution House of National Communities host various language courses (German, Greek, Estonian etc) as well as the sittings of the Council of National Communities. The public institution House of National Communities organises over 300 events per year that encourage knowledge of foreign cultures and stimulate intercultural dialogue and tolerance. This institution provides the representatives of national minority non-governmental organisations with opportunities to

pursue cultural activities in order to preserve their customs and traditions and achieve full integration into public life in Lithuania.

The Lithuanian Council for Culture and the Lithuanian Press, Radio and Television Support Fund finances projects intended for national minorities as well as for the familiarization of the public with the country's national minorities and the promotion of tolerance and intercultural dialogue: around LTL 300 000 (over EUR 86 100) were disbursed in the 2011-2013 period.

#### **Paragraph 41 of the Opinion**

In 2014, the competition for partial funding from the State budget for cultural projects promoting the development of national minority cultures, announced by the Ministry of Culture in 2013, has received applications from associations, charity and support foundations and public institutions, registered in accordance with the procedure prescribed by Lithuanian laws and representing or fulfilling the interests of national minorities, protecting their rights or working in the area of national minority culture. Expert evaluation of cultural projects for the promotion of the development of national minority culture is carried out by a board approved by an order of the Minister of Culture, which has representatives of the Council of National Communities among its members.

It is noteworthy that in 2014 the Ministry of Culture allocated LTL 288 000 in partial funding for projects promoting the development of national minority cultures and made an additional allocation of LTL 70 000 in the second half of the same year. (Also see the response to paragraph 39 of the Opinion).

### **Article 6 of the Framework Convention Tolerance and intercultural dialogue**

#### **On Paragraph 44 of the Opinion**

One of the objectives of the Action Plan for Roma Integration 2012–2014 is to enable intercultural dialogue and to increase openness of the Roma culture, as well as public tolerance in this regard. To this end, the Ministry of Culture has been issuing publications and CDs on Roma culture and supporting cultural projects of non-governmental Roma organizations. Please also see the related responses regarding the Paragraphs 29, 32, 83, 105 and 118 of the Opinion.

#### **On Paragraph 46 of the Opinion**

As regards the recommendations provided for in Paragraphs 46 and 119 of the Opinion, please be advised that in order to enhance the professional and specific competence of the law enforcement officers, in 2013, a training programme was approved on the “Enhancement of intercultural competence in the police”, which, among other things, aims to provide knowledge on discrimination and basic legislation ensuring equality and non-discrimination; introduce to cultural diversities; provide for possibilities to analyse different situations that may pose a problem for police officers and professionals in their daily work in terms of cross-cultural differences and other stereotypes and prejudices, etc. In 2014, 150 police personnel will undergo training in the framework of this programme.

With a view to developing and strengthening the capacity of police officers in identifying criminal manifestations of ethnic, racial, religious, sexual and other forms of discrimination,

xenophobia and hate crimes, and dealing with them effectively, regular efforts have been taken to build professional skills of police officers: the Lithuanian Police School offers continued professional development programmes for police officers as regards the perception of the problem of discrimination in the work of the police. In 2009-2013, this training was attended by 750 police officers.

To enhance professional skills of police officers in human rights protection, in 2014, a new professional development module was introduced: “Protection of human rights and freedoms”, which covered the following themes: the content of basic human rights and freedoms in the legislation of the Republic of Lithuania and international instruments; discrimination and forms of discrimination; possible discriminatory practices in Lithuania and the response from the police; gender equality policies; challenges of integration of Roma into Lithuanian society, etc. The training course under the above module is planned to be launched in the Lithuanian Police School as of the second half of 2014.

Vilnius County Police Headquarters has developed and e-mailed to territorial police officers a 5-page memo on national minorities in Lithuania, laying down the rules for dealing with representatives of ethnic minorities and different religious denominations.

It is also notable that the approved programmes for introductory and professional development education for judges in Lithuania provide for judicial training in promotion of non-discrimination and ensuring equal opportunities as well as other human rights-related themes.

### **Fight against discrimination, hostility or violence on ethnic grounds**

#### **On Paragraph 51 and 53 of the Opinion**

In Paragraph 53 of the Opinion, the Advisory Committee recommends revising the Code of Administrative Violations (hereinafter referred to as the CAV to provide for better legal regulation as regards application of sanctions for hate crimes. In Paragraph 51 of the Opinion the Advisory Committee regrets that, with amendments to the Code of Administrative Violations in 2009, administrative liability for hate crimes was removed, which has reduced the possibility for sanctioning offenders, who incite hatred in one or another way.

Lithuania notes that administrative offences as “the production, storage, distribution or public display of informational products inciting national, racial or religious hatred” and “creation of an organization inciting national, racial or religious hatred, or participation in it” contained in previous articles 214<sup>12</sup> and 214<sup>13</sup> of CAV, have not by any means been decriminalized, but on the contrary – the liability has been tightened and the articles in question have been transposed from the CAV to the Criminal Code of the Republic of Lithuania by orders No. XI-330 and No XI-349 passed by the Seimas of the Republic of Lithuania in 2009.

Criminalization of the above offences is seen as contributing to their effective prevention. As also noted by the Advisory Committee, for the purpose of prosecution it is required to perform more process steps and the process takes longer, but law enforcement authorities have sufficiently effective practices to immediately respond to hate incitement cases emerging on the Internet or the press, following the procedure prescribed by Code of Criminal Procedure (hereinafter referred to as CCP), as regards accelerated penalizing order of the court or accelerated proceedings.



The right to initiate an investigation belongs solely to investigating officers and prosecutors, but the Inspector of Journalists Ethics, mentioned in the recommendation of the Advisory Committee, is entitled, as any other person or organization, to lodge a complaint, a statement or a notice to the investigating authority or the prosecutor's office requesting a pre-trial investigation. Article 166 of the Code of Criminal Procedure provides for the beginning of a pre-trial investigation, following: 1) the receipt of a complaint, a statement or a notice of a criminal offense; 2) elements of criminal activity being identified by the prosecutor or the investigating officer. The individual having lodged a complaint is always notified about the initiation of an investigation.

According to Article 15(2) of the Republic of Lithuania Law on Equal Treatment and Article 24(1) of the Law on Equal Opportunities of Women and Men, the Equal Treatment Ombudsman may take a decision to hand over the case to a pre-trial investigation body or the prosecutor, where there is presence of elements of criminal offense.

It should also be noted that in addition to the criminal liability for inciting hostility, other penal measures are imposed on a producer and disseminator of public information: (1) the suspension of or (2) termination of their operations. Article 52 of the Republic of Lithuania Law on the Provision of Information to the Public stipulates that the activities of a producer and/or disseminator of public information, except for broadcasters and/or re-broadcasters of radio and/or television programmes, may be temporarily suspended or terminated by the court if the producer and/or disseminator of public information violate the provisions of paragraphs 1 and 2 of Article 19 of the Law". Besides, Article 19(1)(3) of the Republic of Lithuania Law on Provision of Information to the Public prohibits the media to publish information which instigates war or hatred, ridicule and humiliation, incites discrimination, violence, physical violent treatment of a group of people or a person belonging thereto on the grounds of age, sex, sexual orientation, ethnic origin, race, nationality, citizenship, language, origin, social status, belief, convictions, views or religion.

### **Article 8 of the Framework Convention**

#### **Restitution of property to religious communities and right to manifest one's belief**

#### **On Paragraphs 55 and 57 of the Opinion**

Please be advised that in June 2014 the Tatar religious community from the village called "40 Tatars" (Vilnius region) submitted their request to the Ministry of Justice as regards the registration of the property – the mosque in Forty Tatar village.

### **Article 9 of the Framework Convention**

#### **Access of persons belonging to national minorities to the media and presence in the media**

#### **On Paragraph 62 of the Opinion**

In Lithuania, there are different periodicals issued in minority languages (Russian, Polish, Yiddish), as well as ethnic minority web portals in Russian and Polish. A quarterly newsletter *News from the National Communities* covers events related to the promotion of the culture, customs and traditions of ethnic communities, provides information relevant to the country's ethnic communities, and introduces latest publications on ethnic communities. The newsletter

is distributed in Vilnius and other Lithuanian towns, densely inhabited by national minorities (Kaunas, Visaginas, Alytus, Kėdainiai).

More efforts will be made to provide more funding in the future for periodical publications in minority languages, whose founders are ethnic minority organizations, with a view to raising public awareness of cultural activities.

The public broadcaster – the Lithuanian Radio and Television (LRT) – broadcasts information programmes for and about ethnic minorities in Russian, Belarusian, Polish, Yiddish, and Ukrainian languages. The overall duration of ethnic minorities-related programmes has remained unchanged over the recent years. Information on weekly programmes for and about ethnic minorities on LRT channel “Culture” is available in Annex 2.

**Article 10 of the Framework Convention**  
**Use of minority languages in relations with local administrative authorities**

**On Paragraph 64 of the Opinion**

Lithuania legally provides for the use of other than the state language in contacts with public authorities. We once again confirm that Paragraphs 18, 19.1 of the Resolution No. 875 of the Government of the Republic of Lithuania of 22 August 2007 on the Rules for Consideration of Individual Requests and Service Provision in Public Service Administration Institutions and Agencies and Other Public Administration Entities, provide for the right to contact public administration institution in other than the official state language, if an individual cannot speak the official state language.

Lithuania would like to note that information provided in Paragraph 64 of the Opinion of the Advisory Committee fails to make an accurate aggregate of the survey data specified in the third report, by stating that less than 20 per cent of ethnic minority people can write well in Lithuanian. In 2008, Labour and Social Research Institute’ survey “Ethnic minorities in the labour market” interviewed 622 representatives of ethnic minorities in Vilnius and Klaipėda cities and districts. The survey data showed that the level of the knowledge of the Lithuanian language was seen by the respondents as fairly average – only about half of the representatives of ethnic minorities had no problems in understanding Lithuanian, one-third could speak it well and only one fifth could write well in Lithuanian.

According to 2011 census data, national minorities accounted for over 449 thousand population in Lithuania. Therefore, to determine the overall official language level among Lithuania’s national minorities, a more extensive research is needed with a higher number of survey respondents.

**Article 11 of the Framework Convention**  
**Use of minority languages for personal surnames and first names**

**On Paragraph 71 of the Opinion**

Lithuania would like to bring in further clarification on the information provided in paragraph 71 of the Opinion of the Advisory Committee as regards the provisions of the Law on the State Language. Neither Article 15 nor any other article in this Law contain a provision that “all personal surnames and first names of the citizens of Lithuania must be spelled in the state

language. Furthermore, it is notable that the same paragraph of the Opinion provides incorrect explanation, claiming that “persons belonging to national minorities using another alphabet, such as Cyrillic, have their name spelled in Latin letters according to international transcription rules”. It should be pointed out here that all the personal surnames and first names of persons of non-Lithuanian origin shall be spelled in the same way, i.e. in Lithuanian alphabet following the pronunciation pattern, as per Resolution No. I-1031 of the Supreme Council of Lithuania of 31 January 1991.

### **On Paragraph 73 of the Opinion**

In July 2013, the Minister of Justice of the Republic of Lithuania appealed to the Constitutional Court of the Republic of Lithuania (hereinafter referred to as the Constitutional Court) to seek its opinion on a few issues relating to the spelling of surnames and first names in official documents. On 27 February 2014, the Constitutional Court issued a final decision in case No 14/98 regarding the interpretation of certain provisions of the Constitutional Court’s ruling of 21 October 1999<sup>2</sup>. According to the Constitutional Court's decision, the spelling of the personal surnames and first names is a language-related matter; therefore a specialised institution – the State Commission of the Lithuanian Language – must primarily express its opinion in this regard.

It should be noted that, at the initiative of the Members of the Seimas of the Republic of Lithuania, a draft law was registered with the Seimas of the Republic of Lithuania on 1 April 2014 regarding the spelling of surnames and first names in official documents (No. XIIP-1653), which puts forward a proposal to spell personal surnames and first names in non-Lithuanian Latin-based characters in documents drawn up and issued by state and municipal institutions as well as other documents, in cases provided by law. An alternative draft-law regarding spelling of personal surnames and first names was registered in the Seimas, also at the initiative of the Members of the Seimas of the Republic of Lithuania, on 10 April 2014 (No. XIIP-1675).

## **Article 12 of the Framework Convention**

### **Equal opportunities in access to education for persons belonging to national minorities and intercultural dialogue**

### **On Paragraph 81 of the Opinion**

We inform that according to the data provided by the Education Management Information Systems there is no separate group for Roma children in the school of Žagarė, Joniškis district – they study in different grades. Institution of the Ombudsman for Children Rights of the Republic of Lithuania also has no information pertaining to a possibility of a separate classroom for Roma children being established in the above-mentioned school.

It is noteworthy that in order to improve the quality of primary and secondary education, develop the accessibility of inclusive education, reduce the rate of early drop-out and provide a complex educational support for schools, pupils and their families, the Minister of Education and Science is planning on approving the Action Plan 2014–2016 for the

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<sup>2</sup> <http://www.lrkt.lt/dokumentai/2014/s20140227.htm>

Strengthening of General Education Schools that Provide Primary and Secondary Education Programmes and Development of Inclusive Education. The Action Plan will be implemented by consolidating the funds of municipalities, state budget and EU structural support. The Action Plan determines measures for providing educational support for pupils with learning difficulties. These measures will be applied to target groups that include Roma children.

### **On Paragraph 82 of the Opinion**

The textbooks used in general education schools in Lithuania are carefully reviewed. The authors of the textbooks, beginning with textbooks for primary schools, gradually introduce the pupils to the present ethnic variety in Lithuania emphasizing peaceful coexistence and equality of all persons. National minorities that live in Lithuania are thoroughly presented in history textbooks, which cover the history and religion of the main ethnic groups.

With the aim of implementing general education programmes, the Polish language textbooks for native speakers of Polish for grades 1–12 have been written and published in Lithuania; alternative new textbooks are also being published. Textbooks on other subjects used for the implementation of primary and secondary education are translated from the Lithuanian language. Since 2001, schools order textbooks themselves, and publishing houses publish them according to the orders placed by school communities. In the textbook database there is information on published and valid textbooks in the Polish language: there are 29 textbooks for teaching Polish as the native language; 60 textbooks on other subjects have been translated into Polish (data include years 2000–2013); another 27 textbooks were prepared for teaching the official (Lithuanian) language (one textbook is usually comprised of 2 or 3 parts). 23 textbooks have been published for teaching Russian as the native language. The Ministry of Education and Science financed the preparation of the Belarussian language sampler for primary school pupils.

In 2013, when implementing the project 'Dispersion Model of Educational Content Innovations' that was funded by EU structural funds, digital educational tools have been prepared for 9–12 grades for teaching Polish, Russian and Belarussian to native-speaker pupils. Course materials are being prepared for the improvement of teaching Polish, Russian and Belarussian languages.

Regarding the lack of information on national minorities and separate ethnic groups in textbooks, at the end of 2013, the Ministry of Education and Science commissioned to prepare a reader on Jewish history and to adapt to educational purposes a film on the contribution of the Polish national minority into the culture of Lithuania. Teaching materials on the history and ethnic culture of the Roma has also been prepared with the aim of increasing society's tolerance and creating conditions for an intercultural dialogue. These materials are meant to be used in all Lithuanian schools, irrespective of the language of instruction.

### **On Paragraph 83 and 119 of the Opinion**

In order to conduct the Council of Europe campaign "Dosta!" and promote Roma culture, the Ministry of Culture published the first literary work in the Romani language in 2013, a story by V. Podgorec *The White Gypsy*, illustrated by a girl of Roma origin. The book will be distributed in general education schools that have Roma pupils. A CD called *Romano Folkloro* in the Lithuanian and Romani languages was published in cooperation with the Panevėžys Child Day Care Centre.

Statistical data on the situation of education in Lithuania is collected from numerous sources; however, until 2013, the Pupils' Register of Lithuania had not been collecting data on the nationality or ethnicity of the pupils. It is noteworthy that since the school year of 2013/2014 the data on pupils' native language(s) was started being registered; however, providing this data to the school is optional, so the data on the Roma pupils is inaccurate.

In 2012, during the implementation of the project C.A.F.E. – Change Attitude Foster Equality, which was funded from the European Communities' programme for employment and solidarity, PROGRESS (2007–2013), two staff positions were established for teacher's assistants in the public institution Roma Community Centre. The same measure was adopted in 2013 and incorporated into the Action Plan for Roma Integration into the Lithuanian Society for 2012–2014 (also see responses to paragraphs 29, 32, 44, 105 and 118 of the Opinion).

On 19–21 June 2014, the first presentation of the Council of Europe training programme ROMED in Vilnius took place. The goal of the presentation was to improve the quality of cooperation between state institutions and the Roma community in areas of education, health services and employment. 15 active participants – Roma and people working with their community – were invited to the first training organized in Lithuania following the ROMED programme. Participants represented Roma communities in Vilnius, Klaipėda, Šalčininkai district, Panevėžys, Šiauliai and Marijampolė. The training was conducted by an international team of pedagogues.

### **On Paragraph 86 and 119 of the Opinion**

Since 1 September 2011, the implementation of one secondary education programme for teaching the Lithuanian language and literature in all general education schools has begun. When implementing the secondary education programme for pupils whose language of instruction is a language of a national minority, they receive 3 more hours of instruction than pupils whose language of instruction is Lithuanian. Pupils who completed the secondary education programme took either school-level or national-level maturity examinations (hereinafter – exam) according to one exam programme. During the exam, all students were allowed to use dictionaries. Exam assignments were the same. In the transitional period, different evaluation norms were applied when evaluating the works of pupils whose language of instruction at school was a language of a national minority. 90,11 per cent of all school graduates passed the exam, 90,19 per cent of them were school graduates with Lithuanian as their language of instruction and 88,83 per cent who were instructed in a language of a national minority (also see response to paragraph 89 of the Opinion).

## **Article 14 of the Framework Convention**

### **Teaching in and of minority languages and learning of the state language**

#### **On Paragraph 89 and 92 of the Opinion**

In 2013–2014, the Schools' Register of Lithuania registered 1208 schools: 1073 schools with Lithuanian as the language of instruction, 54 schools with Polish as the language of instruction, 33 schools with Russian as the language of instruction, 1 school with Belarusian as the language of instruction and 40 schools with different language combinations for

instruction (Lithuanian-Polish, Lithuanian-Russian, Russian-Polish and Lithuanian-Russian-Polish). The network of education institutions that give lessons in national minority languages constitute 10,6 per cent of the whole general education network in Lithuania. 26411 pupils are learning in schools where the major part of the educational process takes place in national minority languages, i.e. 7,4 per cent of the overall number of pupils. More than 50 per cent of those who acquire general education in schools where the language of instruction is a national minority language continue education in Lithuanian higher education institutions (colleges and universities); a large number of them enter higher education institutions abroad.

In recent years the proportion of schools to pupils remains stable. Non-formal education in national minority languages is provided in 82 kindergartens, pre-schools, multifunctional centres, 78 schools-kindergartens and other general education schools.

General education schools organize the educational process in the national minority language according to the General Education Plans for Primary, Basic and Secondary Education Programmes approved by the Minister of Education and Science that establish the same subjects for all schools in Lithuania. Schools that teach in national minority languages also give native language lessons (the number of hours is the same as the number of hours for teaching the Lithuanian language in schools with Lithuanian as the language of instruction).

Before completing basic education (i.e. 10<sup>th</sup> grade), pupils' general education achievements in the Lithuanian language and mathematics are examined. Pupils learning their native languages (Polish, Russian, Belarussian and German) in school can check their knowledge of the subject; when completing secondary education, they can also take a school-level (optional) exam of the Polish, Russian, Belarussian or German language.

### **Article 15 of the Framework Convention Consultative mechanisms**

#### **On Paragraph 101 and 119 of the Opinion**

Lithuania repeatedly informs that all relevant conditions have been created for persons belonging to national minorities to take part in the decision-making processes. However, it is noteworthy that the situation must be improved, i.e. greater participation of the national minorities' representative in discussions about national minorities' policies and adoption of legal acts should be encouraged.

The House of National Communities that was established for public purposes under the Ministry of Culture represents national minorities in issues related to coordination of national minorities' policies in Lithuania. The House of National Communities carries out its tasks by representing national minorities' interests in state's agencies and institutions, taking part in legislative processes, participating in different committees and working groups, taking the advisory role, solving strategic issues of protecting the identities of national minorities and developing their culture. The Ministry of Culture organizes meetings with the members of the House of National Communities to consider issues that are topical for national minorities. Members of the House of National Communities put forward proposals on the improvement of the Draft Law on National Minorities; the proposals were taken into account.

Following the existing procedure (the Regulations of the Council of the House of National Communities were approved on 15 October 2012 by the order of the Minister of Culture), the

Council of the House of National Communities is composed of representatives of 3 national minorities, the number of which exceeds 100 thousand citizens according to the data of the national population census, 2 representatives of national minorities, the number of which exceeds 10 thousand citizens, and 1 representative of some other national minority. The Council of the House of National Communities is comprised of a total of 26 members.

Lithuania notes that modification (improvement) of the principle of representation in the Council of the House of National Communities was implemented in the elections of the next Council of the House of National Communities which will begin its work in the end of 2015.

The Ministry of Culture is going to intensify cooperation with nongovernmental organisations of national minorities that are not involved in the work of the Council of the House of National Communities. This will strengthen the cooperation and social partnership between the government sector and national minorities.

Committee of National Communities and Expansion actively participates in the work of the Council of Vilnius City Municipality.

### **Participation in socio-economic life**

#### **Paragraphs 105 and 119**

In reply to Paragraphs 105 and 119 of the Opinion, we provide the following information on measures for the Roma integration, as implemented by the Vilnius City Municipality and Ministry of Social Security and Labour:

#### **Health services to Roma**

A public health care municipal office Vilnius City Public Health Bureau has carried out activities in accordance with measures laid down by the **Action Plan for Roma Integration** into the **Lithuanian Society for 2012-2014**. **Activities were carried out at the public institution Roma Community Centre, while taking into account the needs of Roma**. Over 180 Roma participated in 19 courses/lectures held in 2012-2013: “Health care and its improvement, **cold-related illnesses**”, “**Sex education**”, “**Oral health**”, “**Prevention of tobacco, alcohol, and other psychotropic substance use**”, “**Communicable disease prevention and personal hygiene**”, “**Healthy balanced diet**”, “**Physical activity**”.

#### **Social benefits and social services**

The Vilnius City Social Support Centre provides constant support and consultations to members of the Roma community living in Kirtimai (Vilnius City Municipality), such as dealing with social problems and filing documents, and cooperates with the **public institution Roma Community Centre**. **In accordance with the procedure laid down by the legal acts of the Republic of Lithuania, Roma are entitled to income support, child benefits, social assistance benefits, social support for pupils (free meals at school and financial assistance for purchase of school supplies granted at the beginning of a school year). The Roma families receive food assistance from intervention stocks to persons most in need. Please see Annex 3 for the information on the social assistance provided by the Vilnius City Municipality to the Roma community in 2011-2013.**

Social employees for the work with families at social risk provide social attendance services to the Roma families that are registered in either the list of families at social risk or the list of families with children in lack of social skills. The families are regularly seen at home,

consulted on the social, child care and upbringing, household maintenance, job searching, and other matters.

It should be noted that Children's Rights Protection Unit of the Vilnius City Municipality Administration examines, within its remit, the alleged violations of children's rights in Kirtimai and organises the provision of social assistance and social services to families.

### **Housing and living conditions**

Positive discrimination measures regarding the provision of housing to Roma are not applied in Lithuania. Roma are entitled to the social housing on similar conditions as the other residents of Lithuania, if their income and property do not exceed the ceiling that has been fixed by the Government of the Republic of Lithuania. The Vilnius City Municipality has allocated over 30 social housing units to the Roma families. **(Please also see answers to Paragraphs 29, 32, 44, 83, and 118 of the Opinion).**

### **Empowerment of the Roma women and Roma non-governmental organisations**

In recent years, Lithuania has been more focusing on activities to ensure empowerment of the Roma non-governmental organisations. Since 2012, the Ministry of Culture has been supporting projects for empowerment of the Roma women.

On 4-6 June 2014, the Ministry of Culture and the CAHROM Committee of the Council of Europe organised a thematic visit to Lithuania on Roma women empowerment. The aim of the visit was to make the Roma women more active in Lithuania and to transfer good practices that could be used while drafting the Action **Plan for Roma Integration into the Lithuanian** Society for 2015-2020. The Ministry of Culture has organised a seminar "Roma women empowerment and the gender aspect in the Roma integration policy"; meetings with the Roma community were held in Vilnius and Panevėžys.

In 2013-2014, an international project "NGO network for the empowerment of Roma community" was followed; it aimed to encourage non-governmental organisations to more actively participate in the decision-making processes.

### **Paragraph 107**

Please see answer to Paragraph 32 of the Opinion for the drafting of the Action **Plan for Roma Integration into the Lithuanian** Society for 2015-2020.

### **Paragraphs 118 and 119**

The Law on Support for Employment provides legal background for the employment support system for jobseekers, who are registered with a labour exchange office, through application of active measures of labour market policy. In accordance with the provisions of the Law on Support for Employment, active measures of labour market policy could be applied to the Roma jobseekers as well as to jobseekers belonging to other ethnic groups. Jobseekers, who are registered with a territorial labour exchange office, are not classified according to ethnicity. The Law on Support for Employment is applied to all citizens of the Republic of Lithuania as well as foreign nationals, who have a right for permanent or temporary residence in Lithuania. Territorial labour exchange offices, which form vocational training groups, take differences into account, and aim to integrate Roma into other active measures of labour market policy.



275 Roma individuals were registered with the Vilnius territorial labour exchange office in 2008-2010, and 562 in 2011-2013. In 2008-2010, jobs were found for 22 Roma individuals, or they participated in active measures of labour market policy; similarly, there were 68 Roma individuals in this respect in 2011-2013. The data shows that more Roma have been integrated into the labour market.

The Action **Plan for Roma Integration into the Lithuanian** Society for 2012-2014 provides for a measure to offer information on active measures of labour market policy, which could be relevant to Roma, and to implement these measures. In compliance with the measure, 20 Roma were employed in jobs not requiring high qualifications.

In 2009-2012, a project “Face **Roma: innovative measures** for **Roma** inclusion in the labour market” was implemented from the EU structural funds. The project allowed giving jobs to 37 Roma, and 2 Roma started their own business. A project “Roma **culture and business park Bahtalo Drom**”, also financed from the EU structural funds, has been implemented in Lithuania since 2012. The project aims to provide training to 240 Roma, and to give jobs to around 70 Roma out of them.

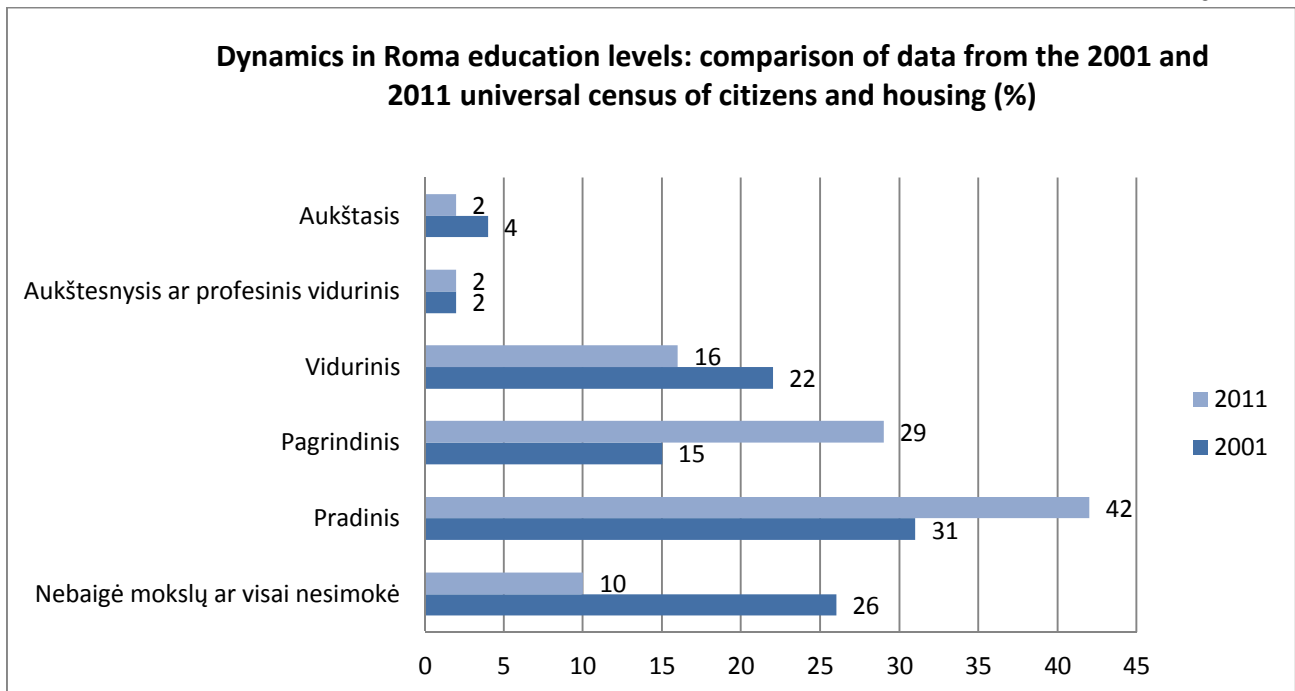
### **Article 18 of the Framework Convention**

#### **Bilateral co-operation**

Lithuania has concluded bilateral agreements (including intergovernmental and inter-institutional agreements) on cultural cooperation with 43 countries.

## ANNEXES

## Annex 1



Source: Statistics Lithuania

*/University education*

*College education or vocational secondary education*

*Secondary education*

*General education*

*Primary education*

*Dropouts, or those who did not attend school at all/*

**Annex 2**

**Information on weekly TV programmes for/on ethnic minorities, broadcast on the National Television channel LRT KULTŪRA:**

*Mondays, 18:00-18:15:* “Trembita”, a programme for the Ukrainians living in Lithuania.

*Tuesdays, 18:00-18:15:* “Vilniaus albumas” (*Album Wilenski*), a culture and news programme in Polish; presents Lithuanian-Polish cooperation in diverse areas of public life.

*Wednesdays, 18:00-18:15:* “Rusų gatvė” (*Russkaja ulica*) presents activities of the Russian public organisations, cultural dialogue, and topical news.

*Thursdays, 18:00-18:15:* “Menora”, a programme for the culture and history of the Lithuanian Jews, as well as everyday life of the Jewish Community of Lithuania.

*Fridays, 18:00-18:15:* “Vilniaus sąsiuvinis”, a programme in Belarusian for the Lithuanian Belarusians; presents interesting people, present-day life of Belarusians, and cultural events.

All the above-mentioned programmes are re-broadcast on Saturdays at 09:00-10:30

**INFORMATION ON SOCIAL SERVICES/ASSISTANCE  
THAT WAS PROVIDED BY THE VILNIUS CITY MUNICIPALITY  
IN 2011-2013**

No.	Type of service/assistance	2011	2012	2013
1.	Social attendance to families (children), out of them:	12 (31)	15 (43)	24 (80)
1.1.	Families (children) at social risk	5 (13)	7 (24)	14 (52)
1.2.	Families (children) lacking social skills	7 (18)	8 (19)	10 (28)
2.	One-off allowances from the municipal budget: individuals amount (LTL)	-	14 910	14 2760
3.	Personal hygiene and maintenance services (sauna)	-	1	4
4.	Social assistance to pupils:			
4.1.	free meals			
	families	44	32	39
	children	77	65	70
4.2.	<b>Financial assistance</b> for purchase of school supplies: children amount (LTL)	75 11 700	53 8 268	58 9 048
5.	<b>Food assistance from intervention stocks to persons most in need:</b>			
	families			
	individuals	53 163	33 120	64 161
6.	Assistance in fossil fuels: households amount (LTL)	105 17 000	-	-
7.	<b>Income support:</b> individuals amount (LTL)	301 624 833.76	322 473 269.04	327 477 703.60