

LITHUANIA 2019 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 on May 12 and 26, the European Parliamentary elections on May 26, and the 2016 national parliamentary elections as generally free and fair.

The police and the State Border Guards Service are subordinate to the Ministry of the Interior. The army is responsible for external security and reports to the Ministry of Defense. The Special Investigative Service, the main anticorruption agency, reports to the president and parliament. Civilian authorities maintained effective control over the police, the State Border Guards Service, the army, and the Special Investigative Service.

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

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

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.

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 on June 25, 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 inmates involved in interprisoner violence.

Prison and Detention Center Conditions

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

Physical Conditions: On July 4, the Ministry of Justice closed the Lukiskes Remand Prison in Vilnius and relocated 599 prisoners to one of five remaining prisons across the country. The Minister of Justice noted that the Lukiskes prison was overcrowded and had inadequate living conditions.

The 2019 CPT report noted substandard conditions at the Alytus, Marijampole, and Pravieniskes Prisons. Inmates in all prisons, but particularly the Marijampole and Pravieniskes Prisons, 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 reported as well that inmates seeking protection from fellow prisoners had to spend months (usually six months) if not years in small and often dilapidated cells, being subjected to an extremely impoverished regime (no activities, no association, no long-term visits), amounting 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.

On September 19, 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.

The parliamentary ombudsman's investigation reported that a person with a physical disability resided in a room on the second floor that was not accessible or adequate for his needs. All detainees complained about the lack of sanitary facilities and qualified healthcare practitioners.

Administration: The Office of the Parliamentary Ombudsman 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 law requires the ombudsman's office to investigate detention centers and other institutions. The ombudsman's office reported that prison institutions were responsive to all of its interventions. In its report published on June 25, 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 the report on June 25.

Improvements: Between January and September, the government renovated housing, medical units, and food services in the Alytus, Pravieniskes, Vilnius, Kaunas, and Marijampole Prisons. At year's end the work continued.

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 during the commission of a crime, warrants are generally required for arrests, and judges may issue them only upon the presentation of reliable evidence of criminal activity. Police may detain suspects for up to 48 hours before 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 an attorney and the government provides one to indigent persons. A detained person has the right to meet with a lawyer of his or her choice in private before his or her first interrogation. Some detainees who had appointed government attorneys complained that they met their attorney for the first time at the court hearing, even in instances when they had requested an attorney 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 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, such institutions 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 (\$39.6 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 2018 the foundation received 3.6 million euros (\$4.0 million) for this purpose, which brought the total received as of January to 21.6 million euros (\$23.8 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.

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

The constitution prohibits such actions, but there were reports 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. In the first nine months of the year, the State Data Protection Inspectorate investigated 580 allegations of privacy violations, compared with 618 such allegations in the first nine months of 2018. 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 of 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 Expression: 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.

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 that 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: On April 26, parliament amended the Law on the Provision of Information to the Public granting the Radio and Television

Commission of Lithuania (LRTK) the right to 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 within and outside the EU, the European Economic Area, and from European states that ratified the Council of Europe's Convention on Transfrontier Television.

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

Abuse of Migrants, Refugees, and Stateless Persons: 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, and 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. The parliamentary ombudsman reported that some children did not attend school. Some schools were unprepared to accept refugee children because they lacked teachers who were able to integrate children into the education system notwithstanding the language barrier.

Durable Solutions: During the year four refugees were settled permanently in the country.

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 2018 the authorities extended temporary protection to 20 persons.

g. Stateless Persons

According to UNHCR as of 2018, 3,320 stateless persons lived 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, took place on May 12 and 26. European Parliamentary elections coincided with the presidential runoff election on May 26. National parliamentary elections took place in 2016. Observers evaluated these elections as generally free and fair.

Political Parties and Political Participation: The constitution provides for freedom of association, which includes membership in political parties and organizations, although the government continued to prohibit the Communist Party.

Participation of Women and Minorities: No laws limit the participation of women or members of minorities in the political process, and they did participate.

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.

Corruption: In July media reported that 48 persons, including eight judges and six attorneys, were suspected of judicial corruption, involving 110 criminal acts. According to the pretrial investigation, these judges received a total of 400,000 euros (\$440,000) in bribes in exchange for favorable rulings. In September parliament passed resolutions to dismiss four of eight judges involved in the judicial corruption case.

As of September, 155 pretrial investigations of corruption were in progress.

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 and for investigating individual complaints.

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 77 reports of rape, compared with 82 during the same period in 2018. 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.

Domestic violence remained a pervasive problem. In the first eight months of the year, police received 27,914 domestic violence calls and started 5,362 pretrial investigations, 15 of which were for killings. In 2018 approximately 80 percent of all domestic violence reports were against women. On May 26, a 17-year-old girl in the Taurage region survived an attempted rape, but she was seriously injured by a 17-year-old boy at a party. When emergency services arrived, she had a damaged trachea, broken jaw, and missing teeth. Law enforcement officers began a pretrial investigation.

The country had a 24/7 national hotline and 29 crisis centers for victims of domestic violence. In 2018 the Ministry of Social Security and Labor provided an additional 1,470,026 euros (\$1.62 million) to transform 17 of those crisis centers into specialized assistance centers that provide additional services, such as health and legal specialists who meet with victims of domestic violence immediately after a conflict. The ministry also continued its *Action Plan for Domestic Violence Prevention and Assistance to Victims for 2017-2020* and allocated 1,173,075 euros (\$1.29 million) for the year.

Sexual Harassment: The law prohibits sexual harassment. On February 18, the media reported that several female cyclists had endured years of sexual harassment by Antanas Jakimavicius, the coach of the national cycling team. In response, Minister of Education, Science, and Sport Algirdas Monkevicius, president of the Lithuanian National Olympic Committee Daina Gudzineviciute, and the heads of the Lithuanian Cycling Federation organized a discussion on how to prevent sexual harassment in sports.

Coercion in Population Control: The law prohibits coerced abortion and involuntary sterilization. In July the Kaunas Regional Court awarded 31,000 euros (\$34,100) 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.

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 36 cases of child rape and 120 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 Department of Statistics, there were 4,854 reports of violence against children in 2018 compared with 5,625 in 2017. In the first eight months of the year, the children's rights ombudsman reported receiving 97 complaints.

During the first eight months of the year, Child Line (a hotline for children and youth) received 248,210 telephone calls from children, and was able to respond to 130,047 of those calls. Child Line also received and answered 555 letters from children, whose concerns ranged from relations with their parents and friends to family violence and sexual abuse.

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 no complaints of alleged sexual exploitation of children during the year. According to the Ministry of the Interior, during the first eight months of the year, officials opened three criminal cases involving child pornography. The age of consent is 16.

Institutionalized Children: As of September 1, the children's rights ombudsman received six complaints and started three investigations 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 3,000 persons. There were reports of anti-Semitism on the internet and in public.

In March a local court dismissed a case against the government-funded Center for the Study of the Genocide and Resistance of the Residents of Lithuania brought by an American citizen who lost relatives in Holocaust-era executions attributed to Jonas Noreika, a Soviet-era partisan and Nazi collaborator who signed documents establishing a Jewish ghetto in Siauliai during World War II. The American had sued the center for concluding that Noreika did not participate in the mass killing of Jews in Lithuania during World War II.

On July 27, Vilnius Mayor Remigijus Simasius removed the plaque honoring Noreika based on historical evidence that concluded Noreika was a Nazi collaborator. On July 30, President Gitanas Nausėda called for a moratorium on the removal of World War II-era monuments and proposed an initiative to provide municipalities with criteria to evaluate historic property.

On August 7, approximately 300 individuals gathered in central Vilnius to protest the city's decision to rename Skirpa Alley, a street named after Kazys Skirpa, a known Lithuanian Nazi collaborator, military officer, and diplomat. Attendees also protested the removal of the Noreika plaque.

On September 5, the NGO Pro Patria reinstalled the Noreika plaque without permission from the Vilnius municipality. Mayor Simasius told the media that the municipality would not remove the plaque again. Foreign Minister Linas Antanas Linkevicius told media on September 6 that glorifying figures like Noreika would harm the country's international image.

In the wake of the Noreika controversy, the Lithuanian Jewish Community (JCL) Chairwoman Faina Kukliansky reported to the media that the JCL had received threatening calls and letters, and, on August 6, she temporarily closed the local synagogue and the Jewish community's headquarters. Prime Minister Saulius Skvernelis condemned all examples of ethnic hatred and called on law enforcement officers to guarantee the security for every citizen and every community living in the country; Kukliansky reopened the synagogue and community center shortly thereafter.

Media reported that on September 15 an unidentified person created a large swastika with soil near the JCL's headquarters. The swastika appeared during the "Festival of the Nations," an annual festival displaying the country's national minority cultures. Prime Minister Skvernelis, in a press release, denounced it as an act of vandalism and warned that such activities tarnish the country's image internationally. Foreign Minister Linkevicius condemned the act as "deplorable," and called for the police to investigate. On September 16, police launched an investigation of the swastika.

President Nausėda's address on September 24 during a state ceremony to honor families that helped save Jewish lives during the Holocaust condemned intolerance and public attempts to intimidate Jewish citizens.

In October, four anti-Semitic acts of vandalism took place around the country. On October 5, the media reported that an unknown person painted a swastika on a statue of Chaim Frenkel, a 19th century Jewish industrialist, in Siauliai. The Siauliai municipality removed the swastika. The following day, someone spray-painted a swastika on a street in Vilnius. On October 12, a group vandalized a mural representing Jewish cultural life in Vilnius with a swastika. A few days

later, on October 16, the media reported that a swastika and a homemade bomb were left outside of a building in Vilnius. Police removed the alleged bomb and launched an investigation. The Vilnius municipality removed all of the swastikas.

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.

The law requires that all schools that provide compulsory and universally accessible education make available education to students with disabilities. The country has a tradition of separate schools for children with various disabilities. 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.

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. On July 22, an online gaming website, gangsteriai.lt, released a new game set in Kirtimai, a Romani settlement on the outskirts of Vilnius. The game allowed players to shoot at photos of actual Romani residents of Kirtimai. The General Prosecutor's office began an investigation to determine if the game was an example of hate speech.

According to an April poll conducted by Baltijos Tyrimai, 63 percent of Lithuanians view 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 reported that approximately 1,000 Romani children under the age of 20 lived in the country in 2017, and 431 Romani school-age children were enrolled in school. In June the Vilnius municipality ended the 2016-2019 Kirtimai Integration Plan and moved most families with five or more children to apartments in Vilnius. Roma remaining in Kirtimai lived in homes some of which lacked indoor plumbing, electricity, and drinkable water. The Council of Europe's Commission against Racism and Intolerance reported on June 6 that it considered as "partially implemented" the recommendation in its report from 2016 that the Roma in Kirtimai be moved to proper housing.

Acts of Violence, Discrimination, 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 April 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.

In the event of a disagreement between management and labor, any such 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.

Penalties ranged from fines to imprisonment and were insufficient to deter violations. According to the International Trade Union Confederation, the judicial system was slow to respond to cases of unfair dismissal and no employer faced penal sanctions for antiunion discrimination as envisaged in the law. No courts or judges specialized in labor disputes.

The government generally respected freedom of association but did not enforce the labor code effectively, although resources, inspections, and remediation were adequate. 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 ranged from a fine to imprisonment, which were sufficient to deter violations.

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 under 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 18. The government effectively enforced the law. In the first eight months of the year, the inspectorate identified 25 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, issuing penalties adequate to deter violations.

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 (EEO) monitored the implementation of discrimination laws. As of September 1, the EEO received 155 complaints. To address the gender equality problem, the EEO in cooperation with the Association of Municipalities and the Lithuanian Women's Lobby Organization continued implementing a three-year project, entitled *Equal Opportunities--Success in Municipalities*. The EEO visited all 60 municipalities and gave presentations on discrimination and gender equality problems.

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 7 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 standards are current and appropriate for the main industries. The law applies to both national and foreign workers.

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 half of the year, the inspectorate conducted approximately 3,600 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, safety, and health standards occurred primarily in the construction, retail, and manufacturing sectors. The inspectorate received complaints about hazardous conditions from workers in the construction and manufacturing sectors. As of October 1, the State Labor Inspectorate recorded 31 fatal accidents at work and 95 severe work-related injuries, compared with 25 and 58, respectively, in 2018. 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. Workers have the legal right to request compensation for health concerns arising from dangerous working conditions.