

imprisonment for three to 12 years. The Office of the Ombudsperson for Children's Rights reported receiving two complaints of alleged sexual exploitation of children during the first eight months of the year. According to the Ministry of the Interior, during the first eight months of the year, officials registered 124 criminal cases involving child pornography. The age of consent is 16.

Institutionalized Children: According to experts from the Human Rights Monitoring Institute and other NGOs, deinstitutionalization of childcare was slow, and 1,533 children were still in state care institutions. As of September 1, the children's rights ombudsperson had opened two investigations regarding abuses of children's rights in orphanages and large-family foster homes.

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

Anti-Semitism

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

On January 27 (International Holocaust Remembrance Day), member of parliament and then chair of the Parliamentary Commission for the Cause of Freedom and National Historical Memory Valdas Rakutis authored an article published by media outlets which stated, "After all, there was no shortage of Holocaust perpetrators among the Jews themselves, especially in the ghetto self-government structures." Rakutis's article drew criticism from the prime minister, the foreign minister, and the Jewish community. On January 29, Rakutis stepped down as chair of the parliamentary commission but did not apologize or withdraw his remarks. On February 22, Vilnius prosecutors announced that they had declined to open a pretrial investigation into Rakutis's comments on the Holocaust, stating his article did not violate the laws on genocide denial.

On April 15, parliament appointed Arunas Bubnys as director of the Genocide and Resistance Research Center of Lithuania (GRRCL), despite the June 2020

publication by the website *defendinghistory.com* of an article with Bubnys photographed delivering a speech at a rally in front of photographs of Nazi collaborators Jonas Noreika and Kazys Skirpa. At the time of the appointment, Bubnys was head of the GRRCL's Department of Historical Research. In October 2020, during his tenure as head of the department, Bubnys ran for parliament as a candidate of the National Union Party (NUP), a far-right nationalist political party. He was not elected, and in April he announced that he had left the NUP. In an interview with the *15min.lt* news portal on May 4, Bubnys spoke regarding Jonas Noreika, admitting that "there were both positive and, let's say, negative things in his activities."

The municipal government of Ukmerge district continued to resist calls for the removal of a monument to former partisan Juozas Krikstaponis, who, based on the conclusion of the GRRCL, took part in the killing of Jews in Belarus in 1941. In a letter to the mayor of Ukmerge in May, Minister of Foreign Affairs Gabrielius Landsbergis suggested that the monument be relocated to the outskirts of the city.

On September 8, employees of a nearby German law firm found and erased a swastika drawn on a sign marking the old Jewish cemetery of Snipiskes. Representatives of the Jewish Community of Lithuania reported that unknown persons redrew it a few days later. On September 9, workers caring for the Jewish cemetery on Radivilenu Road in Kaunas reported vandalism at the cemetery, including at least three grave sites that had been dug up, likely by thieves searching for valuables.

On September 10, a sign listing information regarding a site in Kretinga where Jews were killed during the Holocaust was vandalized. Police started a pretrial investigation. Police had instructions to take measures to deter illegal activities, including vandalism, with special attention to maintaining order on specific historical dates and certain religious or cultural holidays.

On November 1, it was reported that vandals dismantled a Jewish monument and destroyed its foundation at Kedainiai, where 1,125 Jews were massacred during the Holocaust.

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 ombudsperson received 32 complaints of alleged discrimination based on disability and found violations in seven cases. In its most recent report from 2019, the National Audit Office reported that nearly one-third of persons with disabilities were at risk of poverty, a higher percentage than the overall at-risk-of-poverty rate (20.6 percent). The audit found that only 13 percent of the persons identified as needing assistance received special services in municipalities. In 32 municipalities, local governments did not arrange, as required by law, that at least 30 percent of public buildings providing social, educational, health, and cultural services were adapted to persons with disabilities. In 34 municipalities, no means of public transport were available for persons with disabilities. In 2019 only 3.4 percent of municipal websites were adapted for persons with disabilities.

The law requires all schools that provide compulsory and universally accessible education accommodate students with disabilities. The country has a tradition of separate schools for children with various disabilities. In June 2020 parliament amended the Law on Education to eliminate discriminatory provisions regarding children with disabilities who need accommodation or educational support. According to these provisions, which were scheduled to be implemented gradually and fully enter into force on September 1, 2024, children with disabilities who need accommodation or educational support would be able to attend a general education school in their place of residence, and schools would no longer be able to refuse to admit them and refer them to separate so-called special schools.

The law prohibits persons with disabilities who have been deprived of their legal capacity from voting or standing for election. According to the Central Electoral Commission, 67 percent of polling stations were accessible to persons with disabilities in the October 2020 parliamentary elections.

Considering the recommendations of the parliamentary ombudsperson, on March 3, the minister of health determined that the Ministry of Health would allow involuntarily hospitalized persons with mental or behavioral disorders to receive an independent mental health assessment.

According to the NGO the Lithuanian Forum for Persons with Disabilities (LFPD), deinstitutionalization has been slow in the country, with too little attention paid and inadequate funding devoted to the creation of independent living arrangements for individuals with disabilities.

According to the LFPD, a small number of persons with disabilities sought help in cases of domestic violence. The LFPD suspected that persons with disabilities did not have information concerning state-provided aid available for survivors of domestic abuse.

Those living in closed social care institutions and admitted to or involuntarily hospitalized in psychiatric hospitals were among the most seriously affected during the pandemic. After assessing the risks of human rights abuses during the quarantine as well as considering calls from residents and their relatives, the staff of the parliamentary ombudsperson office provided consultations to residents of social care institutions on the topics of ensuring human rights and freedoms and a sense of security during the quarantine.

HIV and AIDS Social Stigma

The I Can Live NGO coalition worked with drug addicts and other vulnerable groups and noted that individuals with HIV and AIDS continued to be subject to discrimination, including in employment, and were treated with fear and aversion. According to the *People Living with HIV Stigma Index* conducted by the NGO coalition in 2018, 90 percent of persons with HIV feared revealing their status to others, and 83 percent were not aware of laws protecting them from discrimination. Of those who believed discrimination occurred, 67 percent reported being intimidated from taking action.

Acts of Violence, Criminalization, and Other Abuses Based on

Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation, and sexual orientation may be an aggravating factor in crimes against LGBTQI+ persons. However, it states that any information that “encourages a concept of marriage and family other than the one stipulated in the Constitution of the Republic of Lithuania or in the Civil Code of the Republic of Lithuania” is detrimental to minors and should be restricted. According to Amnesty International, this law violates the freedom of self-expression of LGBTQI+ persons. Gender identity remains unrecognized in the law. Societal attitudes toward LGBTQI+ persons remained largely negative, and LGBTQI+ persons experienced stigma, discrimination, and violence. A 2019 poll by the Baltijos Tyrimai market and public opinion research company noted that one-third of citizens viewed LGBTQI+ 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 LGBTQI+ persons who experienced violent acts did not report them due to a lack of trust in the legal system. During the first-ever pride march in the city of Kaunas on September 4, eggs and potatoes were thrown at participants by protesters, who also shouted obscenities during the event.

On December 31, Minister of Justice Evelina Dobrovolska signed an order allowing transgender persons to change their names and ending the requirement to provide medical proof of gender reassignment. The order was scheduled to take effect on February 2, 2022.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

There were some specific legal limits to these rights. The law bans sympathy strikes. It also prohibits law enforcement officials, first-aid medical workers, and other security-related personnel from collective bargaining and striking, although they may join unions. The law does not afford workers in essential services, whose right to strike is restricted or prohibited, alternative procedures for impartial and rapid settlement of their claims or a voice in developing such procedures.

Labor-management disputes are settled by a labor arbitration board formed under the jurisdiction of the district court where the registered office of the enterprise or entity involved in the collective dispute is located. Although 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 allows an employer to hire replacement workers in certain sectors to provide for minimum services during strikes.

The government generally respected freedom of association but did not effectively enforce applicable laws, and penalties are not commensurate with those for other laws involving denials of civil rights, such as discrimination. According to the International Trade Union Confederation, the judicial system was slow to respond to cases of unfair dismissal, and no employer faced penal sanctions for antiunion discrimination as envisaged in the law. No courts or judges specialized in labor disputes.

Employers did not always respect collective bargaining rights, and managers often determined wages without regard to union preferences, except in large factories with well-organized unions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor, and the government generally enforced the law effectively. Penalties are commensurate with those for other analogous serious crimes, such as kidnapping.

There were instances of forced labor, most of which involved local 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 and criminalizes all of the worst forms of child labor and provides for the protection of children from exploitation in the workplace, including limitations on working hours, occupational safety, and health restrictions. The law sets the minimum age for most employment at 16 but allows the employment of children as young as 14 for light work with the written consent of the child's parents or guardians and school. The government has not created a list of jobs considered "light work." The law mandates reduced work hours for children, allowing up to two hours per day or 12 hours per week during the school year and up to seven hours per day or 32 hours per week when school is not in session. According to the law, hazardous work is any environment that may cause disease or pose a danger to the employee's life, such as heavy construction or working with industrial chemicals. Under the law children younger than 18 may not perform hazardous work. Penalties for violations of child labor laws were commensurate with those for other analogous serious crimes, such as kidnapping.

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 19 cases in which children were working illegally in the agriculture, retail, manufacturing, construction, and service sectors.

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment discrimination but does not specifically address HIV-positive or other communicable disease status, or gender identity. The law obliges the employer to implement the principles of gender equality and nondiscrimination, which prohibit direct and indirect discrimination, and psychological and sexual harassment. The employer must apply the same selection criteria and conditions when hiring new employees; provide equal working

conditions, opportunities for professional development, and benefits; apply equal and uniform criteria for dismissal; pay equal wages for the same work and for work of equal value; and take measures to prevent psychological and sexual harassment in the workplace.

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

The law stipulates that discrimination based on sex should also cover discrimination related to pregnancy and maternity (childbirth and breastfeeding). A pay gap between men and women continued to exist. In addition, government social payments were not equal for men and women, contributing to a higher poverty rate among elderly women.

The EOO monitored the implementation of discrimination laws. As of September 1, the EOO received 32 complaints related to employment. To address the gender equality problem, the EOO worked with the governmental Family Policy Commission, which ensures cooperation between state and municipal institutions that formulate family policy and related legislation. The EOO prepared a gender equality self-assessment tool for employers and conducted a series of targeted training sessions on gender equality. Under the law the age requirements for women and men to retire with full or partial pension benefits are not equal.

NGOs reported that workers in the Romani, LGBTQI+, 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

Wage and Hour Laws: The labor law limits annual maximum overtime to 180 hours and establishes different categories of work contracts, such as for permanent, fixed-term, temporary agency, apprenticeship, project, job-sharing, employee-sharing, and seasonal work. Employers and employees may mutually agree to a higher amount of maximum overtime through the collective bargaining process.

According to the National Department of Statistics, as of January 1, the minimum

monthly wage increased by 6 percent and was above the poverty line. The Statistics Department reported that 585,000 persons in the country lived below the poverty risk line in 2020. The poverty risk level stood at 20.9 percent in the country, up by 0.3 percent from 2019.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries in the country, such as petroleum refining, food processing, energy supplies, chemicals, furniture, wood products, textiles, and clothing. The law applies to both national and foreign workers. The government effectively enforced OSH laws, and penalties were commensurate with those for crimes such as negligence.

The State Labor Inspectorate (SLI), which is responsible for implementing labor laws, had a staff sufficient to enforce compliance. During the first eight months of the year, the inspectorate conducted 2,449 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 may appeal to the court system. According to the SLI, violations of wage, overtime, and OSH laws occurred primarily in the construction, retail, and manufacturing sectors. The inspectorate received complaints concerning hazardous conditions from workers in the construction and manufacturing sectors.

As of September 13, the SLI recorded 2,930 accidents at work, including 22 fatal accidents, compared with 2,533 and 22, respectively, in 2020. Most accidents occurred in the transport, construction, processing, and agricultural sectors. To address the problem, the inspectorate continued conducting a series of training seminars for inspectors on technical labor inspection.

The SLI also issued reports on downtime arrangements, recommendations and regulations on labor relations during emergency situations and quarantines, and support to workers and employers available during a pandemic. Inspectors have the authority to make unannounced inspections. Responsibility for identifying unsafe situations remains with OSH experts and not the worker. The law provides workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. Workers have the legal right to request compensation for health concerns arising from dangerous working conditions.

Health-care workers were overloaded and at the greatest risk during the COVID-19 pandemic. The SLI organized 218 consultations and educational events on occupational safety and health, which were attended by more than 4,800 persons. It also organized a virtual quiz entitled “Future without Shadow” for high school students.

Informal Sector: The informal economy accounted for an estimated 25 percent of the economy. Refugee employment opportunities were primarily concentrated in construction, hospitality (restaurants), manufacturing, and housekeeping. The lack of language skills, job search assistance, education, and qualifications were major barriers to the employment of refugees.