



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

**REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9
OF THE CONVENTION**

Initial report of States parties due in 1999

Addendum

Lithuania*

[20 October 2000]

* The annexes to the report submitted by the Government of Lithuania may be consulted in the files of the Secretariat.

I. INTRODUCTION

A. Land and people

1. The Republic of Lithuania is situated on the east coast of the Baltic Sea. It borders the Republic of Latvia in the north, the Republic of Belarus in the east and the Republic of Poland and the Kaliningrad province of the Russian Federation in the south. Lithuania covers an area of 65,200 sq km. At the beginning of 2000, the population was 3,698,500. In 1999 the population density averaged 56.6 people per sq km. The capital of the Republic of Lithuania is Vilnius.
2. In January 2000, the average monthly gross wage in the national economy totalled LTL 1,050.
3. In 1999, gross domestic product amounted to LTL 42.65 billion.
4. In January 2000, the inflation rate totalled 1.5 per cent.
5. In January 2000, foreign debt was \$2,405 million.
6. According to the data of 1997, the ethnic composition of the population is as follows: 81.6 per cent - Lithuanians, 8.2 per cent - Russians, 6.9 per cent - Poles, 1.5 per cent - Byelorussians, 1.0 per cent - Ukrainians, 0.1 per cent - Jewish, 0.1 per cent - Tartars and 0.6 per cent - other nationalities.

B. Political structure

7. The first mention of the name of Lithuania in historical chronicles dates back to the year 1009. In the thirteenth century Lithuania was considered to be a centralized medieval State. In 1385 Lithuania officially accepted Roman Christianity and formed the Dynastic Union of Lithuania and Poland, which was transformed into the Commonwealth of Two Peoples (Rzeczpospolita) in 1568. After long-running wars the Polish-Lithuanian Commonwealth experienced three partitions in 1772, 1793 and 1795, which resulted in a division of the land among the Russian, Austrian-Hungarian and Prussian empires. The bulk of Lithuanian lands went into the composition of the Russian Empire.
8. During the First World War Lithuania came under German military occupation (1915-1918). On 16 February 1918 (Independence Day) the Lithuanian Council declared an independent Republic of Lithuania. During the period of 20 years of independence Lithuania actively developed its spheres of economy, education and culture. The Lithuanian State was recognized by the international community and was a full-fledged member of the League of Nations.
9. With secret protocols to the Molotov-Ribbentrop Pact of 1939, Stalin and Hitler partitioned Eastern Europe into Russian and German spheres of influence. In 1940, the USSR occupied Lithuania and incorporated it into the Soviet Union, proclaiming the Lithuanian Soviet Socialist Republic. During the Second World War, Lithuania came under German occupation.

During the German occupation, the SS and Nazi Gestapo organized the extermination of the Lithuanian Jewish community, which resulted in human losses estimated at roughly 250,000. In 1944, the Soviet Union reoccupied Lithuania and resumed large-scale deportations of people. Some 250,000 Lithuanians were deported to Siberia and the areas behind the Arctic Circle.

10. Under Soviet occupation, a traditional market structure was destroyed, private property was expropriated, and the country's economy was centralized and incorporated into the single economic space of the Soviet Union. Political democracy was abolished. The Communist Party and the KGB exercised control over the public, at the same time heavily censoring the country's cultural life.

11. Most democracies never recognized the legality of the incorporation of Lithuania into the USSR. Lithuanian diplomatic missions continued their activities abroad until 1991. A mass reform movement Sąjūdis, emerged in 1988, which defeated the Communist Party in the country's democratic elections of 1990. On 11 March 1990, a newly elected Supreme Council of Lithuania declared the restoration of Lithuania's independence. Soviet reaction to Lithuania's liberation resulted in the imposition of an economic blockade of Lithuania and the abortive attempt to take over the government of the State by military force in January 1991.

12. Iceland was the first to recognize the independence of Lithuania on 12 February 1991. Recognition of Lithuania's independence by the Soviet Union was received in the aftermath of an attempted coup in Moscow in August 1991. Lithuania entered the United Nations on 17 September 1991 and the Council of Europe in May 1993. On 31 August 1993, the Soviet armed forces were finally withdrawn from the territory of the Republic of Lithuania. Since the beginning of 1994 Lithuania has been participating in the Partnership for Peace Programme of the North Atlantic Treaty Organization (NATO), and in 1995 Lithuania signed the Association Agreement with the European Union. Full-fledged membership of NATO and the European Union is a strategic goal of Lithuania's foreign policy.

13. The Republic of Lithuania is an independent democratic State in which the fundamental principles of the free market, democracy, human rights and supremacy of the law are consolidated: a multi-party system was introduced, free and democratic elections became a norm, the provisions of the Constitution and laws of the Republic of Lithuania are observed, fundamental human rights and freedoms, including the rights of national minorities, are respected and the mass media are free.

14. Under the Constitution of the Republic of Lithuania, which was adopted in the referendum on 25 October 1992, power is exercised by the Seimas of the Republic of Lithuania, the President of the Republic, the Government of the Republic of Lithuania and the courts.

15. The Seimas is the legislature of the Republic of Lithuania. The Seimas consists of representatives of the people. Its 141 members are elected for a four-year term on the basis of universal, equal and direct suffrage by secret ballot. The Seimas considers and enacts amendments to the Constitution of the Republic of Lithuania, enacts laws, adopts resolutions for the organization of referendums, announces presidential elections of the Republic of Lithuania and the elections to municipal councils, forms public institutions established by law and appoints or dismisses their heads, approves or rejects the candidature of the Prime Minister proposed by

the President of the Republic of Lithuania, considers the programme of the Government of the Republic of Lithuania and decides whether or not to approve it, supervises the activities of the Government of the Republic of Lithuania, imposes direct administration and martial law, declares a state of emergency, announces mobilization and adopts decisions on the use of the armed forces.

16. The President of the Republic of Lithuania is Head of State. The President represents the State of Lithuania. The citizens of the Republic of Lithuania, on the basis of universal, equal and direct suffrage, elect the President of the Republic by secret ballot for a term of five years. The same person may not be elected President of the Republic for more than two consecutive terms.

17. The President settles basic foreign policy issues and, together with the Government of the Republic of Lithuania, implements the State's foreign policy; appoints and removes from office, upon the approval of the Seimas, the Prime Minister; charges the Prime Minister to form the Government of the Republic of Lithuania and approves its composition; accepts the resignation of the Government of the Republic of Lithuania and individual ministers; appoints and dismisses individual ministers upon the recommendation of the Prime Minister; appoints and dismisses, according to the established procedure, public officials provided by law; adopts, in the event of an armed attack which threatens national sovereignty or territorial integrity, decisions concerning defence against such military aggression, the imposition of martial law, and mobilization, and submits these decisions to the next sitting of the Seimas for approval; makes annual reports in the Seimas on the situation in Lithuania and the domestic and foreign policies of the Republic of Lithuania; signs and promulgates laws enacted by the Seimas or refers them back to the Seimas. In implementing the powers vested in him or her, the President of the Republic issues decrees.

18. The Government of the Republic of Lithuania consists of the Prime Minister and individual ministers. The Prime Minister is appointed and dismissed from office by the President of the Republic with the approval of the Seimas. The ministers are appointed by the President of the Republic on the nomination of the Prime Minister. Within 15 days of being appointed, the Prime Minister presents the composition of the Government which he or she has formed and which has been approved by the President of the Republic to the Seimas and submits the programme of the Government to the Seimas for consideration. The Government returns its powers to the President of the Republic after the elections to the Seimas or upon electing the President of the Republic. A new Government is granted authorization to act after the Seimas approves its programme by a majority of votes of the members participating in the sitting.

19. The Government of the Republic of Lithuania administers the affairs of the country, protects the inviolability of the territory of the Republic of Lithuania, guarantees national security and public order; enforces laws and resolutions of the Seimas concerning the implementation of laws, as well as decrees of the President of the Republic; coordinates the activities of the ministries and other governmental institutions; draws up the draft of the State budget and submits it to the Seimas, executes the State budget and submits a report on the performance of the budget to the Seimas; drafts laws and submits them to the Seimas for consideration; establishes diplomatic relations and maintains relations with foreign countries and international organizations; discharges other duties vested in the Government by the Constitution and other laws of the Republic of Lithuania.

20. The territory of the Republic of Lithuania is divided into administrative units, which are the counties and the municipalities. The right to self-government is guaranteed to the territorial administrative units, which are established by law. The right to self-government is implemented through local government councils. The residents of the respective administrative unit - citizens of the Republic of Lithuania - on the basis of universal, equal and direct suffrage, elect councillors by secret ballot for a term of three years. Law establishes the procedure for the organization and activities of self-government institutions.

21. The administration of justice in the Republic of Lithuania lies within the exclusive competence of the courts. The courts act as independent juridical persons. The Constitutional Court decides whether the laws and other legal acts adopted by the Seimas are in conformity with the Constitution of the Republic of Lithuania, and whether the legal acts adopted by the President and the Government of the Republic of Lithuania violate the Constitution or laws of the Republic of Lithuania. The status of the Constitutional Court and the procedure for the execution of the powers thereof are established by the Law on the Constitutional Court of the Republic of Lithuania. The court system of the Republic of Lithuania consists of the Supreme Court, the Court of Appeals, district courts and local courts. Specialized courts deal with the investigation of administrative cases. The system of specialized courts is as follows: district administrative courts, the Higher Administrative Court and the Administrative Cases Division of the Court of Appeals.

22. The State Control institution supervises the legality of the management and utilization of the State property and the performance of the State budget. The Seimas Ombudsmen investigate citizens' complaints about the abuse of office and the bureaucracy of State or municipal officials, with the exception of judges. They are entitled to bring a court action and recommend removing from office the officials guilty of abuse. The Seimas Ombudsmen's Office of the Republic of Lithuania started its activities on 31 March 1995.

C. Legal framework for the protection of human rights

23. In accordance with the existing legislation, all citizens of the Republic of Lithuania, foreign nationals and stateless persons (unless the laws of the Republic of Lithuania and international agreements provide otherwise) are entitled to equal protection of the law against any attempt on their life or health, any interference with their right to personal liberty, right to property, right to honour and dignity, other rights and freedoms guaranteed to them by the Constitution and laws of the Republic of Lithuania, as well as to equal protection of the law against any acts or omission of public authorities, public administration institutions and officials. Therefore, in accordance with the laws of the Republic of Lithuania, every interested person has the right of access, following the procedure prescribed by law, to court so that his or her right which has been violated or contested, or the interest at law may be safeguarded.

24. The courts of the Republic of Lithuania may apply the following legal remedies: the recognition of rights; restoration of the situation that existed before the infringement of rights; award of the discharge of duties in kind; recovery of damages from the infringement of rights; other measures provided for in legislation.

25. The fundamental human rights are enshrined in the Constitution of the Republic of Lithuania. The fundamental rights and freedoms defined by the constitutional provisions are acquired by all persons under the jurisdiction of the Republic of Lithuania. Other laws establish specific ways for the realization of the said rights. For example, citizens are guaranteed the right to vote in elections. This right is being implemented. In 1989, the Law on Referendum of the Republic of Lithuania was adopted and amended thereafter. The Laws on Elections of the Republic of Lithuania regulate the procedure for the election of members to the municipal councils and the Seimas and the procedure for the election of the President of the Republic.

26. The Constitution of the Republic of Lithuania (art. 145) provides that during martial law and in a state of emergency, the following rights and freedoms may be temporarily restricted: rights related to the inviolability of the private life, property and dwelling place of an individual; rights of convictions, movement, associations and meetings.

27. The Republic of Lithuania has acceded to the fundamental universal and regional instruments related to the protection of human rights (an extensive list of documents is given in annex I).

28. As regards the implementation of the provisions embodied in the said international instruments, it should firstly be noted that the system chosen by the Republic of Lithuania concerning the harmonization of international law and national law rests on the principle that the provisions of international agreements should be transposed into the national law system (incorporated therein). Paragraph 3 of article 138 of the Constitution of the Republic of Lithuania stipulates that international agreements which have been ratified by the Seimas of the Republic of Lithuania form a constituent part of the legal system of the Republic of Lithuania. Paragraph 1 of article 606 of the Civil Code of the Republic of Lithuania states that if international agreements establish rules other than those stipulated by the civil laws of the Republic of Lithuania, the rules of international agreements shall apply. The Law on International Agreements of the Republic of Lithuania stipulates that if an international agreement which has been ratified and enforced by the Republic of Lithuania establishes norms other than those established by the laws of the Republic of Lithuania or other legal acts existing or coming into force after the date of the coming into force of the international agreement, the provisions of the international agreement shall apply.

29. As a rule, however, international agreements do not specify the ways for rights to be implemented, legal liability for infringements, competence of the relevant national institutions, etc. Therefore, with the aim of implementing human rights enshrined in the said agreements, national laws are applied.

30. As has already been mentioned, international agreements (conventions) ratified by the Seimas of the Republic of Lithuania form a constituent part of national law. There are no impediments, as a result, to the direct application of the provisions of the said instruments in the Lithuanian courts and other institutions conducting legal defence.

31. Moreover, when acceding to international conventions, the Republic of Lithuania has been trying to transform its national law so as to harmonize its domestic laws with the provisions of the said conventions. In adopting a new law or amending an existing one, the relationship of

the law with the international conventions guaranteeing human rights is checked. After the ratification of the relevant convention, amendments to laws to align the norms of national law with the international requirements for the protection of human rights are often introduced.

32. The safeguarding of human rights is one of the fundamental objectives of national policy. Therefore, public authorities, i.e. the Ministry of Justice, the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania, the Agency for the Protection of Children's Rights, etc. carry out the monitoring of the implementation of human rights in the Republic of Lithuania. Various non-governmental organizations, independently or in cooperation with public authorities, promote human rights, organize training courses and take care for the protection of human rights.

33. It is noteworthy that by Law Concerning Declarations in Accordance with Articles 25 and 46 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of the Republic of Lithuania, the Seimas declared that Lithuania recognizes the competence of the European Court of Human Rights to receive petitions from any natural person, non-governmental organization or group of individuals claiming to be the victim of a violation by the Republic of Lithuania of the rights set forth in the said Convention, and that Lithuania recognizes as compulsory the jurisdiction of the European Court of Human Rights in all matters concerning the interpretation and application of the said Convention. The Republic of Lithuania has also submitted a preliminary report to the United Nations Human Rights Committee in accordance with article 40 of the International Covenant on Civil and Political Rights (CCPR/C/81/Add.10), which was considered by the Committee on 30 October 1997. The Republic of Lithuania has also recognized the competence of the said Committee to accept and consider individual petitions in accordance with the Optional Protocol to the Covenant.

D. Information and publicity

34. The mass media play a significant role in the promotion, interpretation and, often, the protection of human rights and fundamental freedoms. The media introduce individuals to legal acts and the application thereof for the protection of human rights and fundamental freedoms. The Constitution of the Republic of Lithuania provides that the State, political parties, political and public organizations, other institutions or persons may not monopolize the mass media. Censorship of the mass media is prohibited. The Law on the Provision of Information to the Public of the Republic of Lithuania establishes the procedure for obtaining, processing and disseminating public information and the rights and responsibility of public information producers, disseminators, the owners thereof and journalists. The State guarantees the freedom of the provision of information to the public, which means that an individual has the right to seek, obtain and disseminate information and ideas without any interference; however, this right may not restrict the rights and freedoms of other individuals. The freedom to express one's convictions and to obtain and disseminate information may not be restricted by any other means except by law, should that become necessary to protect human rights, health, honour and dignity, private life or the morals of an individual, or to safeguard the constitutional order. Public officials are held liable for interference in the dissemination of information to the mass media and the unlawful refusal to provide information to public information producers and journalists in accordance with the laws of the Republic of Lithuania. The freedom of the provision of information to the public may not be restricted by any other means except by laws that establish

a State secret and the protection thereof, an official secret and the protection thereof, a commercial secret and the protection thereof, a health (medical) secret of an individual and the protection thereof, and the rights of an individual and the protection of his or her private life.

35. The Department of National Minorities and Lithuanians Living Abroad has proposed an amendment to the Law on the Provision of Information to the Public, which is currently being considered by the committees of the Seimas. The said law is proposed to be supplemented with an article granting the right to the Commission of Ethics of Journalists and Publishers to investigate matters of incitement to war and ethnic, racial and religious hatred in the mass media.

36. The Law on the Right to Obtain Information from State and Municipal Agencies of the Republic of Lithuania, providing for the right of an individual to receive information from State and municipal agencies and the procedure for the implementation of the said right, should also be mentioned.

II. IMPLEMENTATION OF THE PROVISIONS OF ARTICLES 2-7 OF THE CONVENTION IN THE REPUBLIC OF LITHUANIA

Article 2

37. Although the International Convention on the Elimination of All Forms of Racial Discrimination has been in force in Lithuania since 9 January 1999, upon the adoption by the Seimas of the Republic of Lithuania of the Law on the Ratification of the Convention (10 November 1998), the main provisions stipulated by the said Convention concerning the prohibition and elimination of all forms of racial discrimination were consolidated in the Lithuanian legal system much earlier, i.e. since the restoration of the independence of the Republic of Lithuania.

38. The Supreme Council of the Republic of Lithuania - the Reconstituent Seimas - has declared its commitment to the country and the international community to guarantee human rights, civil rights and rights of national communities, and to adhere to the universally accepted principles of international law.

39. Lithuania had adopted the Law on Citizenship (1989), which defines the legal status of citizens and foreigners in Lithuania, and the Law on Ethnic Minorities (1989), which regulates the rights of persons belonging to national, ethnic, linguistic and religious minorities, before it became a full-fledged member of the United Nations. Amendments to the said laws were made in 1991. The Laws on Emigration, on Immigration and on the Legal Status of Foreigners in the Republic of Lithuania were adopted in the same year. In 1992, the Republic of Lithuania signed the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Lithuania is also orienting itself to the following recommendations of the Vienna Declaration and Programme of Action, as adopted by the World Conference on Human Rights: to determine in the national legal system the rights of national, ethnic, religious and linguistic minorities which conform to international standards; to ensure that persons belonging to minorities exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law; to ensure

the rights of citizens and foreigners, irrespective of their racial or national affiliation; to take determined action to combat national, racial and religious hatred, to promote respect for human dignity, mutual trust and understanding in society and international relations.

40. The main principles of the Convention are enshrined in chapter 2 of the Constitution of the Republic of Lithuania under the heading “The Individual and the State” and the preamble thereto. Chapters 3, 4 and 8 of the Constitution of the Republic of Lithuania define the rights and freedoms to be guaranteed to persons falling under the jurisdiction of the Republic of Lithuania. Article 29 of the Constitution states: “A person may not have his or her rights restricted in any way, or be granted any privileges, on the basis of his or her sex, race, nationality, language, origin, social status, religion, convictions, or opinions.” Equal guarantees for foreigners are enshrined in the Law on the Legal Status of Foreigners in the Republic of Lithuania, article 3 of which states that foreigners in the Republic of Lithuania are equal before the law regardless of their race, sex, colour, language, religion, political or other convictions, national or social origin, their belonging to a national minority, their property, place of birth or any other status.

41. The rights of ethnic minorities are enshrined in the Law on Ethnic Minorities of the Republic of Lithuania which states: “The Republic of Lithuania shall guarantee to all its citizens, regardless of their nationality, equal political, economic and social rights and freedoms, shall recognize its citizens’ ethnic identity, the continuity of their culture, and shall promote ethnic consciousness and the expression thereof.”

42. The implementation of the main provisions of the International Convention of 1965, which are enshrined in the Constitution of the Republic of Lithuania, legal responsibility for their violation and the activities of the relevant national bodies with powers to control the implementation thereof are regulated by tens of other laws of the Republic of Lithuania: the Law on the State Language, the Law on Education, the Law on Citizenship, the Law on Public Organizations, the Law on the Provision of Information to the Public, the Law on Religious Communities and Associations, the Law on Political Parties and Political Organizations, the Law on Employment Contracts, the Law on Wages, the Law on the Safety of People at Work, the Law on Support for the Unemployed, the Law on Trade Unions, the Law on the Fundamentals of the Social Care System, the Law on Public Service, the Law on the Legal Status of Foreigners in the Republic of Lithuania, the Law on Refugee Status in the Republic of Lithuania, the Law on Presidential Elections, the Law on Referendums, the Law on Elections to the Seimas, the Law on Elections to the Municipal Councils, and other laws and regulations. Specific provisions consolidated in the said laws will be discussed in the relevant parts of the present report.

43. The Republic of Lithuania has signed or ratified international covenants and conventions, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Seimas of the Republic of Lithuania ratified the European Convention in 1995. On 1 February 1995, the Republic of Lithuania signed the Framework Convention for the Protection of National Minorities which was ratified by the Seimas of the Republic of Lithuania on 17 February 2000.

44. The Republic of Lithuania has concluded and ratified inter-State political agreements concerning friendly relations and good neighbourly cooperation with Russia, Belarus, the Ukraine and Poland. The following institutions of Lithuania and Poland have proved to be new and effective forms of cooperation between the two States: the Parliamentary Assembly of the Republic of Lithuania and the Republic of Poland, the Cooperation Council of the Governments of the Republic of Lithuania and the Republic of Poland, the Commission of National Minorities of the said Council and the Consultative Committee of the Presidents of the Republic of Lithuania and the Republic of Poland.

45. In 1997, an Agreement between the State Committee of Ethnic Affairs and Migration of the Ukraine and the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania concerning cooperation in matters of national relations was signed. A similar agreement has also been signed with the State Committee on Religions and Nationalities of the Republic of Belarus.

46. The established system of public institutions testifies to the importance of the policy on matters concerning national minorities pursued by the State. There is a Committee on Human Rights in the Seimas of the Republic of Lithuania, the main trends of activities of which are as follows: to draft and consider laws, other legal acts and proposals concerning issues related to the guarantees for civil rights and regulation of relations among the nationalities residing in the Republic of Lithuania; to put forward recommendations and proposals concerning issues for the protection of civil rights and the improvement of relations among various nationalities to the committees of the Seimas, public authorities and organizations; to discuss and draft laws and other legal acts concerning matters related to the Lithuanians living abroad; to execute parliamentary control of institutions dealing with issues of ensuring human and civil rights, etc.

47. The Seimas Ombudsmen's Office has been established under the Seimas of the Republic of Lithuania. The Seimas Ombudsmen's Office investigates citizens' complaints concerning the abuse of official position by civil servants. The Seimas Ombudsmen would also investigate complaints if civil servants committed an abuse of office on the grounds of nationality. However, no complaints in this regard have been lodged so far.

48. On 28 January 2000, following an ordinance of the Prime Minister of the Republic of Lithuania, having regard to the proposal of the Committee on Human Rights of the Seimas of the Republic of Lithuania and with the aim of ensuring the implementation of the HURIST (human rights strengthening) project of the United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR), as well as measures for the celebration of the fiftieth anniversary of the European Convention for the Protection of Human Rights and Fundamental Freedoms, a working group was established. The working group will coordinate the activities of public administration institutions in maintaining contacts with the United Nations representative office in Lithuania, so as to ensure the execution of the HURIST project, and will put forward proposals to the Government of the Republic of Lithuania in that regard.

49. The State Language Commission under the Seimas of the Republic of Lithuania takes care of the teaching of the State language of Lithuania, including to persons belonging to national minorities.

50. The education of national minorities in State and private educational establishments falls within the competence of the Ministry of Education and Science.

51. The Ministry of Culture takes care of the preservation of the cultural heritage of national minorities in Lithuania.

52. In 1989, the Department of National Minorities and Lithuanians Living Abroad was established under the Government of the Republic of Lithuania. The Department shapes and implements, within its competence, official policy in the sphere of regulating relations among national minorities, generalizes practice in applying resolutions of the Government of the Republic of Lithuania and other regulations concerning matters of national minorities, puts forward proposals for the drafting and improvement of laws, draws up and implements programmes which help to tackle problems of culture and integration confronted by national minorities, drafts, within its powers, international agreements and organizes the execution thereof.

53. In accordance with the Regulations of the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania, commissions and councils with power to examine recommendations and proposals for the improvement of ethnic relations and matters of national minorities may be formed under the Department. With the aim of achieving closer cooperation between the Department and representatives of national minorities, the Council of National Minorities was established under the Department in 1995. The Republic of Lithuania is seeking to offer possibilities for political, social, religious and cultural activities to national minorities. On the initiative of the President of the Republic of Lithuania, members of the Council of National Minorities meet the President of the Republic of Lithuania on a regular basis to discuss matters of concern to national minorities.

54. The European Institute for Dispersed Ethnic Minorities, founded in 1998, will take care of fostering Lithuania's national identity.

55. The 1997 population census provides data on 109 different nationalities residing in Lithuania. At present, the resident population of the largest ethnic groups is as follows: Russians (304,800 or 8.2 per cent), Poles (256,600 or 7 per cent), Byelorussians (54,500 or 1.5 per cent), Ukrainians (36,900 or 1 per cent), Jews (5,200 or 0.1 per cent), other nationalities (24,900 or 0.7 per cent).

56. Eastern and south-eastern Lithuania, as well as the cities of Vilnius, Klaipėda and Visaginas, have the largest population of non-Lithuanians.

Article 3

57. Article 71 of the Criminal Code of the Republic of Lithuania provides for criminal liability for the crime of genocide:

“Any of the acts which aim at physical destruction, in whole or in part, of people of a particular national, ethnic, religious, social or political group by torturing or injuring members of such a group, hampering their mental development; deliberately inflicting on

the group conditions of life calculated to bring about its physical destruction in whole or in part; forcibly transferring their children over to other groups or imposing measures intended to prevent births within such groups, shall be punished by imprisonment for a term from 5 to 20 years.

“Any act provided for in paragraph 1 of this article manifesting itself in the massacre of people, as well as the organization or ordering of any of the acts provided for in paragraphs 1 and 2 of the said article shall be punished by imprisonment for a term from 10 to 20 years or by life imprisonment.”

58. From the outset of the restoration of the State's independence, the Republic of Lithuania has been trying to show respect for the memory of the victims of the crime of genocide, to guarantee the rights of persons who had fallen victim to the crime of genocide and to ensure all possible care and support provided by the State. Since 1990, 23 September has been celebrated as the Holocaust Remembrance Day.

Article 4

Paragraph (a)

59. By Law No. I-551 of 19 July 1994, article 72 of the Criminal Code of the Republic of Lithuania consolidates the provision which regulates criminal liability for restricting civil rights or giving priorities to citizens on account of their belonging to a specific national or racial group, for deliberate acts committed with intent to cause national or racial dissension and quarrels, and for public incitement to the use of deadly physical force against individuals belonging to another nation.

60. According to the data submitted by the Division of Statistics of the Department of Information Technology and Communication of the Ministry of the Interior, no criminal cases on the grounds of this element of crime have been brought before the court since 1995. The total number of crimes recorded in the year 1998 in the Republic of Lithuania amounted to 78,149, of which 739 foreign nationals were victims, 7.2 per cent of them Byelorussians, 1.8 per cent Germans, 5.3 per cent Latvians, 27.7 per cent Russians and 0.9 per cent Chinese.

61. Article 214¹² of the Administrative Code of the Republic of Lithuania establishes liability for the production or holding with intent to distribute, and the distribution of printed matter, audio, video and other types of products advocating racism.

Paragraph (b)

62. Article 214¹³ of the Administrative Code of the Republic of Lithuania establishes liability for the creation of an organization promoting national, racial or religious dissension and for participation in the activities thereof.

63. The Law on Public Organizations of the Republic of Lithuania prohibits the establishment and activities of public organizations if their goal is aimed at inciting national, racial, religious and social dissension or restricting human rights and freedoms.

64. The Law on Political Parties and Political Organizations of the Republic of Lithuania prohibits the establishment or activities of political parties and political organizations, whose programme or documents propagate and whose activities practise racial, religious or social class inequality and hatred, and the violations of human rights and freedoms.

Paragraph (c)

65. Point 17 of article 2 of the Law on Public Service of the Republic of Lithuania defines the principle of impartiality in the discharge of one's official duties, which is as follows: "Impartiality means an honest performance of one's official duties irrespective of the civil servant's or the customer's sex, race, nationality, language, origin, social status, religion, beliefs, political views or membership in political parties or political organizations".

66. Paragraph 1 of article 4 of the Law on the Provision of Information to the Public of the Republic of Lithuania states: "The producers, disseminators and journalists shall be governed in the course of their activities by the Constitution and laws of the Republic of Lithuania, adhere to the principles of humanity, equality, tolerance, respect for an individual, respect the freedoms of speech, creativity and conscience and diversity of opinions, observe democracy, openness of society, encourage public civic consciousness and State progress, strengthen independence and nurture culture and morality". Paragraph 1 of article 8 of the same Law prohibits the mass media to incite war or national, racial and religious enmity.

67. Article 30 of the Law on Education of the Republic of Lithuania stipulates the following: "At educational establishments, it shall be prohibited to promote racial, national, religious and social hostility or superiority, to disseminate militaristic and other ideas which run counter to the universally recognized principles of international law and humanism."

Article 5

Paragraph (a)

68. The main provision enshrined in article 29 of the Constitution of the Republic of Lithuania states that all people are equal before the law, the court and other public institutions and public officials.

69. Article 6 of the Civil Code of the Republic of Lithuania stipulates that justice in criminal cases is administered only by courts acting in accordance with the principle of equality of all individuals before the law, without distinction as to their sex, race, nationality, language, origin, social status, religion, convictions or beliefs, type or character of their occupation, place of residence and other circumstances.

70. The same provision is stipulated in article 12 of the Criminal Code of the Republic of Lithuania: “Justice in criminal cases shall be administered in accordance with the principle of equality of all citizens before the law and court, without distinction as to their origin, social and property status, racial and national dependence, sex, education, language, religion, type or character of their occupation, place of residence and other circumstances.”

71. Article 252 of the Administrative Code of the Republic of Lithuania states: “Cases of administrative law violations shall be heard in accordance with the principle of equality of all citizens before the law and investigating authority (officer) without distinction as to their origin, social and property status, racial and national dependence, sex, education, language, religion, type or character of their occupation, place of residence and other circumstances.”

Paragraph (b)

72. The Constitution of the Republic of Lithuania guarantees the inviolability of the person, the right to life, the right to the inviolability of privacy, property and the person’s dwelling. It also states that the law shall protect human dignity.

73. The Court Law of the Republic of Lithuania provides that all citizens of the Republic of Lithuania have the right to court defence for encroachment on their life or health, personal liberty, property, personal honour or dignity, and other rights and freedoms guaranteed by the Constitution of the Republic of Lithuania, as well as for the illegal actions or omissions of public authorities, public administration institutions and officials.

74. The provisions of the Criminal Code of the Republic of Lithuania, the Administrative Code of the Republic of Lithuania and other laws regulate liability for the aforementioned offences.

Paragraph (c)

75. Article 33 of the Constitution of the Republic of Lithuania states: “Citizens shall have the right to participate in the government of their State both directly and through their freely elected representatives, and shall have the equal opportunity to serve in a State office of the Republic of Lithuania”. Article 34 of the Constitution of the Republic of Lithuania, article 2 of the Law on Elections to the Seimas of the Republic of Lithuania, article 3 of the Law on Presidential Elections of the Republic of Lithuania, article 2 of the Law on Elections to Municipal Councils of the Republic of Lithuania and article 2 of the Law on Referendums of the Republic of Lithuania provide the right to vote to citizens who on the day of the election are 18 years of age or over. Citizens who have been declared legally incapable by the court may not participate in the election. All the aforementioned laws provide that the vote of every citizen in each electoral district shall be of equal weight. Passive suffrage is granted and is defined by strictly prohibiting any direct or indirect abridgements of the right to vote on the grounds of citizens’ descent, political convictions, social or property status, nationality, sex, education, language, religion, or the type or character of their occupation.

76. The right to have equal access to public service is enshrined in article 3 of the Law on Public Service of the Republic of Lithuania, according to which every citizen has an equal right to enter the public service, and the status of a public servant may not be restricted on the grounds of sex, race, nationality, origin, social status, religion, convictions, political views or other subjective circumstances.

Paragraph (d) (i)

77. Article 32 of the Constitution of the Republic of Lithuania guarantees the right to citizens to move and choose their place of residence in Lithuania freely. This right may not be restricted except as provided by law, and if it is necessary for the protection of State security or the health of the people, or for the administration of justice. Moreover, in 1995 the Constitutional Court of the Republic of Lithuania concluded, in its opinion concerning the conformity of articles 4, 5, 9 and 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and article 2 of the Fourth Protocol thereto with the Constitution of the Republic of Lithuania, that foreigners and stateless persons who, in accordance with the Law on the Legal Status of Foreigners of the Republic of Lithuania, are staying in the Republic of Lithuania, legally shall enjoy the same rights and freedoms as citizens of the Republic of Lithuania unless the Constitution of the Republic of Lithuania, this and other laws as well as international agreements of the Republic of Lithuania provide otherwise.

Paragraph (d) (ii)

78. The same article of the Constitution of the Republic of Lithuania states that every citizen may leave Lithuania at his or her own will. A citizen may not be prohibited from returning to Lithuania.

Paragraph (d) (iii)

79. The Law on Citizenship of the Republic of Lithuania provides for the procedure for and conditions of acquiring, retaining and losing citizenship, none of which may be related to any exceptions or restrictions on racial, national, origin or other grounds.

80. Article 13 of the said Law establishes that the citizenship of the Republic of Lithuania shall be denied:

(a) To persons who have committed crimes against humanity or the crime of genocide, as defined by international law;

(b) To persons who participated in criminal activities against the State of Lithuania;

(c) To persons who, before arriving in Lithuania, had been sentenced in another State to imprisonment for a crime committed intentionally for which criminal liability is imposed by the laws of the Republic of Lithuania, or have been sentenced in Lithuania for a crime committed intentionally for which a sentence to a term of imprisonment is imposed;

- (d) To persons who are chronically addicted to drugs or alcoholic or toxic substances;
- (e) To persons who are ill with particularly dangerous infectious diseases.

Paragraph (d) (iv)

81. Article 38 of the Constitution of the Republic of Lithuania says that marriage shall be entered into upon the free consent of man and woman. The same right is ensured by article 4 of the Matrimonial Code of the Republic of Lithuania, which prohibits any direct or indirect abridgements of rights or the granting of any direct or indirect benefits when entering into family and in family relations on the grounds of origin, social or property status, race or nationality, sex, education, language, religion, type and character of occupation, place of residence and other circumstances.

Paragraph (d) (v)

82. Article 46 of the Constitution of the Republic of Lithuania provides that Lithuania's economy is based on the right to private ownership and freedom of individual economic activity and initiative. Article 8 of the Civil Code of the Republic of Lithuania stipulates equal conditions for all citizens of 18 years of age to have civil rights and duties. Article 10 states that citizens may, in accordance with the law, own property as a private possession, and have the rights to engage in economic and commercial activities, the right to establish enterprises, and to use residential premises and other property. Therefore, every person who has reached the age of 18 has equal rights to conduct transactions and dispose of his or her property. The right of private ownership covers any type of property, unless the Civil Code and other laws of the Republic of Lithuania provide otherwise. The Civil Code of the Republic of Lithuania also provides for the possibility to possess property by right of joint ownership.

Paragraph (d) (vi)

83. Article 10 of the Civil Code of the Republic of Lithuania, which provides for citizens' capacity to exercise their rights, also provides for the right of citizens to inherit property or leave property by will. Article 571, which lists inheritors, does not impose any restrictions on the grounds of origin, nationality or race.

Paragraph (d) (vii)

84. Article 26 of the Constitution of the Republic of Lithuania states: "Freedom of thought, conscience and religion shall not be restricted. Every person shall have the right to choose any religion or faith and, either individually or with others, in public or in private, to profess his or her religion or faith in worship, perform religious rituals, practise a religion and teach it. No person may coerce another person or be subject to coercion to choose or profess any religion or faith. A person's freedom to profess and propagate his or her religion or faith may be subject only to the limitations prescribed by law and only when such restrictions are necessary to protect the safety of security, public order, a person's health or morals, or the fundamental rights and freedoms of others."

85. The State recognizes traditional Lithuanian Churches and religious organizations, as well as other Churches and religious organizations provided that they have a basis in society and their teaching and rituals do not contradict law and morality.

86. The Constitution also stipulates that there shall not be a State religion in Lithuania (art. 43). The same article states: “Churches and religious organizations shall freely proclaim the teaching of their faith, perform the rituals of their belief, and have their houses of worship, charity institutions and schools for the training of priests of their faith. Churches and religious organizations shall function freely according to their canons and statutes.”

Paragraph (d) (viii)

87. The right to have one’s own convictions and freely express them is guaranteed by article 25 of the Constitution of the Republic of Lithuania. The same article also states: “Individuals must not be hindered from seeking, obtaining or disseminating information or ideas. Freedom to express convictions, as well as to obtain and disseminate information, may not be restricted in any way other than that established by law, when it is necessary for the safeguard of the health, honour and dignity, private life or morals of a person, or for the protection of constitutional order.”

Paragraph (d) (ix)

88. This right is enshrined in articles 35 and 36 of the Constitution of the Republic of Lithuania, which state that citizens shall be guaranteed the right to freely form societies, political parties and associations, provided that the aims and activities thereof do not contradict the Constitution and laws of the Republic of Lithuania. In addition, citizens may not be prohibited or hindered from assembling in unarmed peaceful meetings. The conditions for ensuring the constitutional right to freedom of unarmed peaceful assembly and the procedure for the protection of the security of the State and society, public order, people’s health or morals, or the rights and freedoms of other persons in the organization of assemblies, as well as liability for violations of the said procedure, are regulated by the Law on Assembly of the Republic of Lithuania.

Paragraph (e) (i)

89. Article 48 of the Constitution of the Republic of Lithuania states that every person may freely choose an occupation or business and have the right to adequate, safe and healthy conditions of work, adequate compensation for work and social security in the event of unemployment.

90. The laws regulating the social security sphere provide for and guarantee equal rights of persons, without any distinction as to their race, nationality, citizenship, political views and other circumstances.

91. Point 6 of article 2 of the Law on Employment Contracts of the Republic of Lithuania regulates the equality of all employees irrespective of their race, nationality, citizenship, political convictions, religious beliefs and other circumstances which do not affect their professional qualifications.

92. Paragraph 2 of article 1 of the Wages Law of the Republic of Lithuania prohibits reducing wages due to the sex, age, race, nationality and political convictions of the employees.

93. Article 3 of the Law on the Safety of People at Work of the Republic of Lithuania provides that all employees shall have the right to safe conditions of work irrespective of the type of activity of an enterprise, the profitability thereof, place of work, working environment, type of work, or an employee's citizenship, race, nationality, sex, age, social origin and political or religious convictions.

94. Article 1 of the Law on the Support for the Unemployed regulates that citizens of the Republic of Lithuania shall have the right to free choice of employment or the right to engage in other activities which are not prohibited by law.

Paragraph (e) (ii)

95. Article 50 of the Constitution of the Republic of Lithuania consolidates the provision which stipulates that trade unions shall be established freely and function independently.

96. In accordance with the Law on Trade Unions of the Republic of Lithuania, citizens of the Republic of Lithuania, as well as other persons who are permanently residing in Lithuania, who are 14 years of age and over, and who are working under employment contract or on other grounds provided for by law shall have the right to freely join trade unions and take part in their activities.

Paragraph (e) (iii)

97. Article 2 of the Law on the Provision of Residents with Residential Premises of the Republic of Lithuania provides:

“Every citizen shall have the right to housing, i.e. the right to build or acquire by legal means residential houses or flats for his or her ownership, as well as the right to rent, in accordance with the procedure prescribed by law, residential premises from municipalities and other natural or legal persons.

“The number of residential houses and flats possessed by citizens by right of ownership and the area thereof shall be unlimited. Citizens who provide themselves with residential premises in accordance with the conditions and procedures prescribed by the said Law shall be granted State support. Foreign citizens and stateless persons shall have

equal rights to the use (except for acquisition) of residential premises as citizens of the Republic of Lithuania unless laws or international agreements of the Republic of Lithuania provide otherwise. The procedure for the acquisition of residential houses (flats) by foreign citizens and stateless persons shall be prescribed by other laws of the Republic of Lithuania.”

Paragraph (e) (iv)

98. Article 2 of the Law on the Fundamentals of the Social Security System regulates that the national social security system shall cover all residents of the Republic of Lithuania. Citizens of the Republic of Lithuania, including those employed in the public service of the Republic of Lithuania abroad, foreigners residing permanently in the Republic of Lithuania and stateless persons, shall have equal rights to social security, unless laws and international agreements of the Republic of Lithuania provide otherwise.

99. Article 5 of the Law on the Health System of the Republic of Lithuania enshrines the principle that every individual has an equal right to the best possible health, without distinction as to his or her sex, race, nationality, citizenship, social status and profession. It also provides for the right of residents to receive acceptable, accessible and adequate health care.

100. Article 3 of the Law on Social Services of the Republic of Lithuania states that citizens of the Republic of Lithuania and citizens of other States, or stateless persons who have a permit of permanent residence in the Republic of Lithuania shall have the right to social services.

Paragraph (e) (v)

101. Article 41 of the Constitution of the Republic of Lithuania provides for compulsory education of persons under the age of 16. The same article stipulates that everyone shall have equal opportunities to attain higher education according to his/her individual abilities. The implementation of this article is provided for in article 33 of the Law on Science and Studies of the Republic of Lithuania, which provides for equal opportunities of all members of society for education. Paragraph 2 of article 12 of the Law on Education of the Republic of Lithuania establishes that in the areas of national minorities or in the numerous communities of national minorities the State provides for them the conditions to have State, municipal or private pre-schools and schools of general education, and classes in the native language. Paragraph 3 of the same article says: “For small ethnic minorities compulsory or optional classes as well as Sunday schools aimed at the learning or improvement of the native language may be established at the State or municipal schools of general education.”

102. Their statutes regulate the activities of higher educational establishments and research institutes. The rules stipulated by the statutes must be in conformity with the laws and international agreements of the Republic of Lithuania. For example, the Statute of the Arts Academy provides that every person admitted to the Academy as student or teacher shall have equal academic rights irrespective of his or her sex, race, citizenship, convictions or nationality.

Paragraph (e) (vi)

103. Article 42 of the Constitution of the Republic of Lithuania provides that culture, science, research and teaching shall be unrestricted.

Paragraph (f)

104. Article 2 of the Law on Consumer Protection of the Republic of Lithuania establishes the following rights of consumers in the Republic of Lithuania:

“(1) the right to freely buy goods and receive services;

“(2) the right to acquire good quality and safe goods and services;

“(3) the right to request the restoration of infringed rights and the compensation of losses;”

The same Law also stipulates that the right of consumers to buy goods and receive services at their own discretion may not be restricted in any way except by law.

Article 6

105. Article 30 of the Constitution of the Republic of Lithuania states: “Any person whose constitutional rights or freedoms have been violated shall have the right to appeal to court. The law shall establish the procedure for compensating material or moral damage inflicted on a person.”

106. Article 4 of the Civil Code of the Republic of Lithuania says: “Every interested person shall have the right to access, following the procedure prescribed by law, to court so that his or her right that has been violated or contested, or the interest at law may be safeguarded.”

107. Article 485 of the Civil Code of the Republic of Lithuania consolidates the provision that any damage caused to a natural person or organization by illegal actions or omissions of State or self-government institutions, agencies, services and their officials or public officials while holding their office shall be repaired in accordance with the general principles. In addition to the material damage, the moral damage shall be also repaired, and the amount of the latter shall be determined by the court in each case.

108. Article 486 of the same Code states: “Any damage caused to a person as a result of unlawful conviction, unlawful apprehension or unlawful detention effected in criminal proceedings, or unlawful apprehension, arrest or unlawful imposition of corrective labour in administrative proceedings shall be repaired by the State in the cases and following the procedure prescribed by legislation. In such a case, the moral damage shall also be repaired.”

109. On 23 December 1997, the Seimas of the Republic of Lithuania adopted the Law Concerning Declarations in Accordance with Articles 25 and 46 of the European Convention for the Protection of Human Rights and Fundamental Freedoms. By this law, the Republic of

Lithuania recognizes the competence of the European Court of Human Rights to receive petitions from any natural person, non-governmental organization or group of individuals claiming to be the victim of a violation of the rights set forth in the said Convention, and that Lithuania recognizes as compulsory the jurisdiction of the European Court of Human Rights in all matters concerning the interpretation and application of the Convention.

110. The Law on the Seimas Ombudsmen of the Republic of Lithuania provides for a possibility for each citizen of the Republic of Lithuania, foreign national and stateless person to file a complaint with the Seimas Ombudsman about the abuse of office or bureaucracy of the official of a State or municipal institution within the competence of the Ombudsman.

Article 7

111. International documents, the Constitution of the Republic of Lithuania, laws and other legal acts grant the national minorities residing in Lithuania wide rights and freedoms in the use of language and in the spheres of education and culture, the right to establish and maintain their associations, the right to the freedoms of information, religion and belief, the right to maintain cultural relations with other members of society and members of their nation outside the State boundaries, the right to political representation and the right to hold public office, and consolidate specific obligations of the State concerning the protection of the rights of national minorities.

112. The Constitution of the Republic of Lithuania and other legal acts provide that the Lithuanian language is the State language of the Republic of Lithuania. However, in administrative - territorial units with a compact national minority residing therein, alongside the State language the use of the language of the national minority is permitted in local bodies and organizations. The documents of the national minority, if necessary, are translated into the Lithuanian language. According to the relevant law, the language of the national minority is to be treated as the local language. Correspondence between the relevant institutions and organizations is conducted in the State language.

113. Participants in legal proceedings who do not know the State language are guaranteed the right to speak in their mother tongue, and they are provided with the services of an interpreter free of charge.

114. The Law on the State Language of the Republic of Lithuania, adopted in 1995, regulating the use of the State language in public life does not regulate the unofficial communication of residents and the language of public events organized by religious communities and persons belonging to ethnic communities. In addition, the names of organizations of ethnic communities and their informational signs may be written in the languages of ethnic communities.

115. Lithuania takes care of teaching the non-Lithuanian speaking population the native and State languages and its use by that group of people. Upon the approval in 1992 by the Government of the Republic of Lithuania of the Programme for the Teaching of the State Language and the qualification categories for the knowledge of the State language (there are three categories to be applied to the employees holding or seeking certain office), the

implementation of the legal status of the State language began. According to the data presented by the Lithuanian Language Centre, from 1992 to 1 January 1997, 45,828 citizens of the Republic of Lithuania took an examination in the State language, of whom 40,141 demonstrated positive results. Upon the adoption of the Law on the State Language of the Republic of Lithuania in 1995, the Government of the Republic of Lithuania prepared a Programme for the Use and Development of the State Language in 1996-2005. The Programme is also focused on the teaching and education of residents of other nations and non-Lithuanian-speaking populations. Teachers are educated, and textbooks and training appliances are prepared in post-school and higher educational establishments.

116. The following special programmes of the Government of the Republic of Lithuania testify to the attention of the State to the educational system of national minorities: a Long-term Programme of Secondary, Post-school and Higher Education of National Minorities Residing in the Republic of Lithuania by the Year 2000, adopted in 1991, and the Programme for the Training of Teachers for Educational Institutions of National Minorities by the Year 2000, adopted in 1994. Article 26 of the Law on Education of the Republic of Lithuania provides that educational establishments of the Republic of Lithuania function according to the teaching plans and programmes approved by the Ministry of Education and Science, or in coordination with the procedure established by the said Ministry. Teaching programmes at educational establishments of national minorities may be supplemented with the elements of ethnic culture. Therefore, the ability of national minorities to use the possibilities of fostering their national cultural identity depends greatly on their teachers and the schooling community.

117. At present (the period 1999-2000), 223 schools of secondary education in which the language of instruction is not Lithuanian function in the Republic of Lithuania. The number of pupils in the said schools amounts to 66,073, which is 11.5 per cent of the total number of pupils in the country. Of the said number, 44,058 or 7.67 per cent of the pupils are Russians, 21,826 or 3.8 per cent are Poles and 164 or 0.03 per cent are Byelorussians. The language of instruction in 69 schools is Russian, in 73 schools Polish and in 1 school Byelorussian. There are also mixed schools in the Republic of Lithuania: 29 schools are Lithuanian-Russian schools, 11 schools are Lithuanian-Polish schools, 28 schools are Russian-Polish schools, 1 school is a Russian-Byelorussian school and 10 schools are Lithuanian-Russian-Polish schools. The Jewish school in Vilnius and the German school in Klaipėda have been functioning since 1989 and 1992, respectively. The first Byelorussian classes were formed in 1992, and it was in 1994 that the school started to operate. The first Ukrainian class was formed in the A. Vienuolis secondary school in 1995.

118. In addition, certain national minorities, i.e. the Poles, Byelorussians, Ukrainians, Germans, Armenians, Karaites and Tartars, have their Sunday schools. At present, 36 Sunday schools operate in the country.

119. At present, one private school in which the language of instruction is the Russian language operates in Vilnius. The Polish and the Jewish populations have their own pre-school educational establishments. A religious Jewish school, Menachemo namai, started to operate in 1996.

120. Five textbooks in the Polish language with a total circulation figure of 12,000 copies and 11 textbooks in the Russian language with a total circulation figure of 31,900 copies were published just in 1999.

121. Efforts are being made to provide national minorities with the possibility of having mass media in their native languages. Lithuania has 57 periodicals published in the languages of national minorities. Forty-three periodicals are published in the Russian language, i. e. Alternatyva, Dobryj denj, Echo Litvy, Golos Litvy, Litovskij Kurjer, Malaja Gazeta, etc. The publication of the said newspapers is centred in Vilnius, Klaipėda, Visaginas, Šiauliai, Šalčininkai and Švenčionys. The magazines Ruskoje slovo, LAD, Vilnius, Koleso fortuny, Lola and Linija Family Club are published in Vilnius. Eight periodicals are in the Polish language. The German national community publishes four periodicals. The publication is centred in Vilnius, Šiauliai and Klaipėda. The Tartars and Greeks of Lithuania publish their newspapers in the Lithuanian or Russian languages with inserts in their native languages.

122. Television and radio are among the most important of the national mass media. The Lithuanian national television and radio broadcast on a regular basis programmes in the Russian, Polish, Byelorussian, Ukrainian and other languages. Programme 1 of the Lithuanian Radio transmits an informational broadcast in the Russian language and a programme in the Polish language on a daily basis and a programme in the Ukrainian language twice a month. There is a private Polish radio station, Znad Willii, broadcasting its programmes in two frequencies round the clock.

123. The Lithuanian national television broadcasts a 10-minute informational programme in the Russian language on a daily basis, the programmes Teleartel in the Russian language, Rozmowy Wilenskie in the Polish language and Trembita in the Ukrainian language once a week, and a 10-minute programme in the Byelorussian language twice a month. The Jewish population has its television broadcast, Menora, and the Orthodox community has the programme Christian Word broadcast to it. Lithuania rebroadcasts the television broadcast TV Polonia of the Republic of Poland, and a certain part of the programmes of Russian television stations. At present, programmes in the languages of national minorities are being transmitted not only by the Lithuanian national television but also by private television companies, such as the Vilnius TV and the Baltijos TV, as well.

124. In accordance with the procedure prescribed by laws, national minorities have the right to form public and cultural organizations and join political parties and political organizations. Three political organizations of national minorities, i.e. the Election Campaign of the Lithuanian Polish Community, the Lithuanian Russian Union and the Alliance of the Citizens of the Republic of Lithuania, which represent the interests of all national minorities, are currently in action.

125. Eight persons belonging to national minorities (four Polish, three Russians and one Jewish) are members of the Seimas of the Republic of Lithuania. Of the total number of 205 elected members of the municipalities of south-eastern Lithuania, more than 50 are of Polish nationality.

126. National religious communities are greatly concerned about the implementation of the rights of their association and organization. Nineteen nationalities in total, i.e. Russians, Poles, Byelorussians, Ukrainians, Jews, Tartars, Latvians, Romany, Germans, Armenians, Uzbeks, Azerbaijanis, Georgians, Estonians, Karaites, Greeks, Romanians, Bulgarians and Hungarians, living in Lithuania, have their individual public organizations. More than 200 public organizations of national minorities are currently functioning in the country, compared to some 60 at the beginning of 1993. Their cultural programmes are supported by the State. National minorities have the right and possibility to receive, without any impediments, financial support from their historic native countries and international organizations. Some LTL 500,000 are allotted to them through the Department of National Minorities and Lithuanians Living Abroad. Public organizations of national minorities promote ethnic culture and organize various public events.

127. At the beginning of 1998, the number of amateur groups of national minorities of different genres amounted to some 100, of which more than 60 were Polish, more than 20 Russian, 5 Byelorussian, 2 Tartar, 6 German, 5 Ukrainian and 5 Jewish.

128. In 1999, the number of religions registered in the Republic of Lithuania was well over 30, and the total number of religious communities exceeded 1,000. Various religious organizations are in action, a religious press is in publication, religious mass media are in existence, and periodicals and broadcasts in the languages of national minorities are available in the country. Religious rites are performed in the Lithuanian, Russian, Polish, Byelorussian, Ukrainian, Latvian, German, Hebrew, Armenian, Romanian and Arabic languages. National minorities have their houses of worship and communities of monks and nuns. Educational establishments and study institutions train catechists for teaching religion at schools of general education and priests of various religious confessions.

129. The Law on Religious Communities and Associations of the Republic of Lithuania, which came into force in the autumn of 1995, states that the State recognizes nine traditional religious communities and associations existing in Lithuania, which comprise a part of the historical, spiritual and social heritage of Lithuania: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Judaism, Sunni Muslim and Karaite. Recognition given by the State means that the State supports the spiritual, cultural and social heritage of religious communities. Thirty churches belong to the Old Believers and 50 churches belong to the Russian Orthodox. New Russian Orthodox houses of worship have been established in Klaipėda, and two Orthodox churches are currently functioning therein. A new Old Believers' church started to operate in Šiauliai. The Holy Euphrosin convent and the Holy Spirit convent were restored to the Russian Orthodox Church in Vilnius in 1994 and 1995, respectively.

130. In 71 parishes, located in Vilnius, Kaunas and various regions of eastern and south-eastern Lithuania, church services are held in the Polish language. Evangelical Germans and Latvians also have their own houses of worship in which church services are held in the German and Latvian languages. The Lithuanian Karaites have their houses of worship - kieneses - in Vilnius and Trakai, and the Judaists have synagogues. The Tartars have four functioning mosques. The Holy Trinity church was transferred to the ownership of the religious community of Greek Catholics (Unites) in Lithuania.

131. The Romany, Karaite and Tartars living in Lithuania are ethnic groups, since representatives of those nationalities have not established their own national States. The ancestors of those ethnic groups, as well as the ancestors of a certain part of the Russian, Polish, Jewish and German national minorities, lived in the territory of Lithuania more than 500 years ago; however they are not considered to be the country's indigenous population since they came or were brought to the territory of Lithuania in the early Middle Ages. Nevertheless, the Republic of Lithuania caters for the interests of the said historic ethnic groups in the best possible way. Wide implementation in 1996/97 of the Government Programme for the Celebration of the Anniversary of 600 Years Since the Settlement of the Tartars and Karaite in the Grand Duchy of Lithuania, the work done and the events organized in relation thereto testify to that.

132. Persons belonging to other nations, non-Lithuanian-speaking populations and persons of other religions and faiths who live in the Republic of Lithuania have wide possibilities to maintain and foster their national cultural self-consciousness.

133. Provisions for the promotion of awareness of the history, traditions, languages and culture of national minorities living in the State's territory are being implemented in the Republic of Lithuania. It has been several years since the examination in history for the secondary school-leaving certificate has included a special question on national minorities living in Lithuania. Textbooks and teaching programmes reflect the contribution of the nationalities, which had lived or are still living in Lithuania to the evolution of Lithuania's statehood and the relations between the Lithuanians and other nations (including such dramatic events as the genocide of the Jewish population during the Second World War). Such work is often done with efforts by and on the initiative of non-governmental organizations. For example, in 1997/98 the Lithuanian Human Rights Centre implemented the project "Integration of the National Minorities into Lithuanian Society" of the Council of Europe programme "Confidence-building Measures in a Civic Society". The project covered several tens of Lithuanian, Russian and Polish schools in various places in Lithuania, and the programme itself focused a lot of attention on raising awareness of the lifestyle and culture of gypsies and promoting mutual confidence and tolerance. In Lithuanian educational establishments, the Lithuanian Jewish community and certain international Jewish organizations promote and help, within their capacity, to increase students' awareness of the dramatic history of the Jewish nation and the subject of the Holocaust.
