

Report on Part V “Essential measures to prevent discrimination against minorities in the administration of justice”

**Intended for the Eighth session of the Forum on Minority Issues of the
United Nations Human Rights Council
November 25, 2015, Geneva**

Dear Chairman, Dear participants of the forum!

Lithuania was the first country in Central and Eastern Europe to adopt the Law ‘On National Minorities’ in 1989. The Government established the Department for Migration and National Minorities, whose main task was to take care of the needs of minorities and preservation of the national identity of every ethnic group in Lithuania.

In 2010, Lithuania repealed the law “On National Minorities”. In 2009, the Department for Migration and National Minorities was abolished, and its functions were transferred to a Department of the Lithuanian Ministry of Culture.

We are grateful to Lithuania for the fact that this year the Department renewed its activities.

However, the current situation concerning the rights of national minorities still remains acute and disturbing.

We fully support point 43 on Compulsory training and education of law enforcement and judicial officials...

Almost all Russian-speaking weekly newspapers (ed. *weeklies*) in Lithuania are being put under pressure. In the report of the Department of State Security of Lithuania for the past few years, they were identified as an instrument of Russian aggressive policy, which inevitably leads to their elimination. The same pressure is exerted on some Russian-speaking organisations. As well as on cultural projects aimed at support and development of the Russian language in Lithuania. The Russian school of Lithuania (note ed.: *here the author uses singular version of the word ‘school’ in order to speak about all Russian schools in Lithuania*) and advocacy of national minorities are stigmatised. Any opinion different from the State mainstream belief is announced as defamatory, propagandistic and unlawful.

There are cases when Roma representatives leaving Kirtimai district in Vilnius in order to participate in the elections and vote for the leader of their community, who was running for the deputy of the Vilnius local government, were subjected to the repeated document checks and, according to the applicants of the Centre, were put under pressure.

Searches in two Russian schools in Vilnius were carried out during the educational process in full view of minors. Students and parents were intimidated at the whole-school assembly, many expressed distrust of law enforcement institutions and the judicial system of Lithuania. According to minors, they were interviewed in absence of their guardians (ed.: *original “representatives”*)

however, everyone rejected an opportunity to file a complaint in the court out of fear of persecution.

The Centre and the Baltic Youth Association "Juvenis" hosted an international Forum "Ethno-Nationalism - a threat to security and stability in the world". The event was held in the house "Simon-Dach-Haus" (Klaipeda, German Information and Cultural Centre).

Participants at the Forum were to discuss: the demarcation of borders between patriotism and nationalism, [and] developing ways to counteract nationalistic manifestations.

On 24 August upon their arrival, the Forum participants from Latvia started to receive notices about the 5-year ban on entry into the Republic of Lithuania, with the requirement to leave the country immediately. They were refused entry based on the grounds that their "arrival and stay in Lithuania would constitute a threat to national security or public order."

Attempts to find out what threat was posed by Alexander Kuzmin – a human rights activist, member of the board of the Latvian Human Rights Committee and the MEP's Assistant, were not successful.

We want to draw the attention of the United Nations to this tendency of reprisal against dissidence, the ban on maintaining contact for the purposes of study and discussion on human rights and fundamental freedoms and on improvement of the protection of rights of national minorities.

In September and October, the Department of especially serious crimes of the criminal police carried out inspection at the request of the mayor of the city of Klaipeda in order to find out whether we had the right to organise this type of an event on the rights protection.

We are concerned with the decision of the Constitutional Court of the Republic of Lithuania No 25/3 (On the conformity of point 6 Article 3 of the Law "On the Central Electoral Commission" of the Republic of Lithuania in the version dated of 10 April 2003 of the Constitution of the Republic of Lithuania of 10 May 2006), by which the citizens of Lithuania were divided into full-value and not-full-value citizens with regard to their state language proficiency. And the citizens, who are not sufficiently proficient in the state language should not benefit from more lenient conditions for participation in governing of their country.

We fully support points 49 and 50.

The complaints relating to hate speech against minorities are often ignored by public authorities, and for this reason, official statistics on hate crimes do not reflect the real situation. Victims of crimes often distrust the authorities and are afraid of further victimisation; there is a perception of futility of the fight against crimes and distrust of the legal system among the victims.

Thank you for attention!

Best regards,

Oksana Bekeriene

Head of "Centre for Research and Protection of Fundamental Rights".