



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
4 December 2015

Original: English

Committee on the Elimination of Racial Discrimination Eighty-eighth session

Summary record of the 2400th meeting

Held at the Palais Wilson, Geneva, on Friday, 27 November 2015, at 3 p.m.

Chair: Mr. Calí Tzay

Contents

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

Combined sixth to eighth periodic reports of Lithuania (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad_sec_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-21190 (E) 031215 041215



Please recycle 



The meeting was called to order at 3 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Combined sixth to eighth periodic reports of Lithuania (continued)
(CERD/C/LTU/6-8 and CERD/C/LTU/Q/6-8)

1. *At the invitation of the Chair, the delegation of Lithuania took places at the Committee table.*

2. **Ms. Saulenaite** (Lithuania) said that, under the Constitution, all persons were equal before the law, the courts and other State institutions. The rights of individuals could not be restricted, nor could individuals be granted any privileges, on the grounds of gender, race, nationality, language, origin, social status, belief, convictions or views. The rights of members of minorities were also protected by domestic legislation covering a number of spheres, including education and equality of opportunity. The draft law on national minorities had been submitted to the Seimas (parliament) and its adoption was expected in the first half of 2016.

3. **Ms. Paliukiene** (Lithuania) said that the Ethnic Minorities Department had been set up in 2015 to integrate minority groups into society, protect their culture and languages and promote social harmony. The Department had a staff of 14 persons and focused on political processes, data analysis, research and general issues relating to minorities. It had a budget of over €1 million and ran a programme for minorities and another specifically for the Roma community. The programme for minorities focused on integration and the teaching of the Lithuanian language to improve beneficiaries' job prospects; it also provided support for the traditions, cultures, languages and rights of minorities and promoted measures to combat discrimination. A study was currently under way to assess the progress made in supporting minorities and to provide a basis for making recommendations on how to develop the Department's strategy for the period 2015-2020.

4. **Ms. Cepuleniene** (Lithuania) said that there were 51 schools in Lithuania providing education in Polish, 34 in Russian, 1 in Belarusian and 32 in other languages. The students at those schools also studied Lithuanian language and literature, benefiting from extra hours of Lithuanian language instruction and following the same curriculum and sitting the same examinations as their counterparts at Lithuanian-language schools. The majority went on to earn school leaving certificates which gave them access to higher education and employment.

5. **Ms. Charauskaite** (Lithuania) said that all persons who spoke Lithuanian had access to employment and enjoyed legal protection.

6. **Ms. Vaideliene** (Lithuania) said that all persons — regardless of whether they were Lithuanian citizens, foreign nationals, Roma, refugees or members of other minorities — had access to health-care services. The compulsory health insurance system was based on transparency. It guaranteed universal coverage and access to services for all residents of Lithuania, including non-citizens and the poor.

7. **Ms. Urbone** (Lithuania) said that members of minorities served in the police force and the civil service, but that she could not provide specific data because no disaggregated statistics were kept. Members of minority groups also sat in the parliament.

8. **Mr. Rakitskis** (Lithuania) said that discussions on the establishment of a national human rights institution were currently under way. A human rights bureau had been established within the Seimas Ombudsman's Office with the aim of promoting, monitoring and raising awareness of human rights. In 2014, a decree had been issued

encouraging the Office to take on the role of a national human rights institution. The Office had held a number of events to disseminate information on and encourage discussion of the human rights situation in the country. The Office belonged to the European Network of National Human Rights Institutions and had increased its cooperation with both State institutions and non-governmental organizations (NGOs) working in the field of human rights protection. It had drafted a statement of compliance with the principles relating to the status of national institutions for the promotion and protection of human rights and would submit an application for accreditation to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights by the end of 2015.

9. **Ms. Charauskaite** (Lithuania) said that the Equal Opportunities Ombudsman's Office had recently increased the size of its staff to 14, had a stable budget of over €400,000 and was widely viewed by the public as being a reliable complaints mechanism. Each year, the Office took part in an awareness-raising project that was partially funded by the European Commission.

10. **Mr. Velkas** (Lithuania) said that the Office of the Inspector of Journalist Ethics sought to strike a balance between freedom of expression, the elimination of hate speech and respect for individual privacy and dignity. The Constitution established that the freedom to express convictions and to impart information was incompatible with criminal acts such as incitement to ethnic, racial, religious or social hatred, the use of violence, discrimination, slander and disinformation. Hate speech was prohibited under the Criminal Code. As a part of the pretrial investigative procedures in cases involving hate speech, the Office examined the content of material made available by any means to the public. The Office received and investigated complaints lodged when petitioners considered that the dissemination of information violated human rights, and it also took action on its own initiative in response to such situations. Most of its caseload involved comments posted on the Internet rather than articles written by journalists. During the period 2013-2015, following investigations into offences targeting persons on the basis of race, nationality, ethnic origin or language, the Office had concluded that there had been grounds for further action in over 250 cases involving harassment or incitement to discord or violence. The victims were mainly Russians, Ukrainians or Poles. Evidence of incitement to hatred had been found in just six cases involving content produced by journalists.

11. **Mr. Valentukevicius** (Lithuania) said that the prosecution service consisted of the Office of the Prosecutor General and local prosecutor's offices and oversaw judicial investigations carried out by investigating judges. In cases investigated by the police, a prosecutor was appointed to bring criminal charges before the courts on behalf of the State. During the period 2013-2014, 124 persons had been found guilty of crimes related to violations of the rights of equality or freedom of conscience. In practice, individuals or groups convicted of incitement to hatred on the basis of race, nationality or ethnic origin were usually sentenced to a fine or a non-custodial sentence. However, where incitement had been committed in conjunction with a more serious offence such as hooliganism, perpetrators were liable to up to 2 years' imprisonment. The Code of Criminal Procedure provided for the right of witnesses or victims to testify anonymously in cases involving crimes categorized as serious or less serious offences, provided they had reason to believe that there was a real danger to them or their family members and their testimony was relevant to the criminal proceedings. Crimes of incitement to racial, religious or ethnic hatred did not fall within the categories in question, so witnesses and victims were not permitted to retain their anonymity in such cases.

12. The Criminal Code established criminal liability for those who created organized groups aimed at discriminating or inciting hatred against particular persons or groups

and was invoked against the organizers of racist marches. The organizers were not well-defined racist groups, but rather racist or neo-Nazi individuals who associated themselves with patriotic celebrations of national festivals. Several years earlier, skinheads who had joined a march carrying a banner bearing the slogan “Lithuania for the Lithuanians” and signs similar to the Nazi swastika had been arrested and charged with administrative and criminal offences and had been punished accordingly. The wording of the Criminal Code covered incitement to hatred directed against particular national, racial, ethnic or religious groups. Lithuanian law was thus in line with article 1 of the Convention, which referred to both national and ethnic origin.

13. In recent years, a good deal of training had been provided to prosecutors and members of the police on issues related to discrimination, incitement to hatred and related intolerance. Interactive training sessions had been run under the European Programme for Human Rights Education for Legal Professionals (HELP) for 15 specialized public prosecutors and defence lawyers; the training addressed questions such as how the courts should deal with crimes related to discrimination, including hate speech, and presented specific cases handled by the European Court of Human Rights, along with hypothetical situations. Instruction had also been given in 2015 to a number of prosecutors and investigating police officers under an Organization for Security and Cooperation in Europe (OSCE) programme, following which the participants would go on to train their own colleagues in how to recognize and investigate such crimes. As for specific cases of racially motivated violence, the statistics in the report indicated that the number of such crimes had been declining steadily in recent years. However, not all victims of racial insults, violence or threats reported the crimes

14. **Ms. Urbone** (Lithuania) said that as part of their basic training, future police officers received instruction on the protection of human rights and freedoms. A special programme had been developed to improve police officers’ intercultural skills; it made reference to United Nations, Council of Europe and European Union instruments prohibiting all forms of discrimination.

15. **Ms. Milasiute** (Lithuania) said that it was important to assess the phenomenon of ultra-nationalist marches in the context of freedom of assembly and freedom of expression, which included the freedom to express views that might be shocking and disturbing. That notwithstanding, freedom of expression had limits. It was not uncommon for such marches, which could start as peaceful assemblies and subsequently turn into racist propaganda events, to be followed by arrests. Ultra-nationalist marches were condemned by politicians at the highest level, and the authorities adopted a zero-tolerance approach to racist propaganda. NGOs advocating human rights held counter-demonstrations on the same national holidays used by nationalists for their marches.

16. **Ms. Urbone** (Lithuania) said that the number of stateless persons living in Lithuania had decreased from 4,844 in 2009 to 4,130 in 2014, and they now made up only 0.11 per cent of the country’s overall population. The Law on Citizenship had been amended in 2013 to simplify the naturalization process for stateless persons and foreigners. Stateless persons born in Lithuania could now obtain Lithuanian citizenship if they had been lawfully residing in the country for the past 5 years, compared with 10 years under the previous system, and were not citizens of any other country at the time they applied for citizenship. Other requirements for citizenship included passing an examination in the national language and having a lawful source of income. The changes to the Law on Citizenship applied to all foreigners, without exception. Since 2011, the Law had prohibited the withdrawal of Lithuanian citizenship from a person who would thus be rendered stateless, the only exceptions being if the person in question had joined the civil service of another country without

the permission of the Lithuanian Government or had obtained Lithuanian citizenship by fraudulent means. The ratification by Lithuania of the Convention on the Reduction of Statelessness in 2013 had marked an important step in addressing the plight of stateless persons in the country.

17. Both citizens and foreigners had to have valid identity documents, and foreigners also had to have documentation evidencing their right to live in the country. It was the responsibility of each individual to obtain the necessary identity documents by applying to the country's immigration authorities and paying the relevant fee. Members of the Roma community tended not to register births, deaths or marriages and frequently applied for identity documents only when they needed them for travel purposes or to access certain services. Because the official identity documents provided by the Lithuanian authorities did not indicate ethnic or national origin, no disaggregated data were available on the number of documents issued to particular groups. A person's origin could be indicated on the passport if the individual so wished. The national identity card, which was issued in a convenient format, was the most widespread form of identification used in Lithuania, and in 2010 the fee for obtaining it had been reduced from €23 to €8.60 to ensure that it was more affordable.

18. **Ms. Charauskaite** (Lithuania) said that questions relating to statistics on discrimination on the grounds of race, nationality, origin, religion and language had regularly been discussed during the training sessions held as part of the Inter-Institutional Action Plan for the Promotion of Non-Discrimination for 2012-2014. Events promoting tolerance and knowledge of other cultures, including the Roma culture, had also been organized. Between 2012 and 2014, an annual survey on changes in public attitudes and causes of discrimination had been conducted. National equality and diversity award ceremonies had also been held to pay tribute to individuals or initiatives that promoted equal opportunities and non-discrimination; such ceremonies included awards for lawyers or journalists of the year, in recognition of their work in the field of human rights. The Ministry of Social Security and Labour had formed a working group made up of representatives of various national and municipal institutions and NGOs to evaluate the previous Action Plan and draft the new Action Plan for 2015-2017, which had been adopted in January 2015. Its objectives included increasing public awareness of issues related to non-discrimination and equality of opportunity and identifying the groups that needed legal protection.

19. **Ms. Slusko** (Lithuania) said that, according to the survey carried out to evaluate the impact of the various integration plans for Roma that had been implemented since 2001, positive results had been achieved in the field of education: the illiteracy rate had decreased from 26 per cent to 10 per cent in 2011, while the percentage of persons who had completed primary education had increased from 31 per cent to 42 per cent. However, the percentage of Roma individuals who had obtained a secondary or higher education had fallen from 28 per cent to 20 per cent. In the field of employment, the proportion of Roma persons whose main source of income was informal individual activity had decreased substantially, while there had been a slight increase in the proportion whose main source of income was from wages. Members of the Roma community were integrated into the labour market through both targeted projects and mainstream measures. Between 2009 and 2012, 37 Roma individuals had been employed in low-skilled jobs under the project entitled "Turn to Roma: innovative measures for participation of Roma in the labour market"; between 2012 and 2015, some 240 Roma individuals had been provided with social and professional rehabilitation services. Differences had been noted in the education levels of Roma women and men, but they were minor. The situation of Roma women in terms of employment was worse than that of Roma men; their position was hampered by early marriage. Approximately one third of Roma mothers gave birth to their first child

before the age of 18. A separate chapter addressing the situation of Roma women had been included in the 2015-2020 Roma integration plan; it focused on the empowerment of women and the discouragement of early marriage. There had been a decrease in negative attitudes towards the Roma population. According to opinion polls, the number of Lithuanians who would not be willing to live or work alongside Roma persons was declining.

20. According to the 2011 Population and Housing Census, 93.3 per cent of the Roma population held Lithuanian citizenship, with most of the remainder holding the citizenship of the Russian Federation or another State. Roma persons not having Lithuanian citizenship generally had permission to reside in the country. The Action Plan for Roma Integration into Lithuanian Society for 2012-2014 had called for two meetings to be held annually with representatives of the Roma community, during which information had been shared on citizenship and the issuance or replacement of identity cards, passports and residence permits. Employees at the Roma Community Centre in Vilnius helped Roma persons to prepare the documents required for obtaining identity cards or passports.

21. The Roma Community Centre carried out cultural programmes and received funding. The Action Plan for Roma Integration into Lithuanian Society for 2012-2014 had received funding of €1.26 million, and a new programme was in preparation. While some funding had been specifically earmarked for activities in support of the Roma community, the community also benefited from mainstream measures. It was therefore difficult to establish precisely how much support was provided to the Roma community. The Action Plan for Roma Integration into Lithuanian Society for 2015-2020 included 26 specific measures that were described on the website of the Ministry of Justice.

22. According to two NGO reports, the education situation of Roma had deteriorated between 2013 and 2015. The two studies had been carried out by the same researcher, who had explained that the 2015 survey was not representative because it had been very difficult to reach well-educated members of the Roma community. As a result, only the most disadvantaged families had been surveyed.

23. **Ms. Charauskaite** (Lithuania) said, with regard to a question about the criteria applied for determining the number of refugees that Lithuania would accept, that the Government acted in accordance with standards established by the European Union. The number of refugees admitted depended on a country's gross domestic product (GDP), the size of its population and the number of asylum applications in recent years. On that basis, Lithuania would accept a total of 1,105 refugees in 2016 and 2017. The country was currently revising its procedures for the integration of migrants. A commission responsible for the revision met every two weeks, and a working group set up by the Ministry of Social Security met every week to review the situation.

24. **Ms. Urbone** (Lithuania) said that no changes had so far been made to the Migration Department and that there was no need to revise its procedures. The Department operated on the basis of the law. If and when the law changed, the Department would adapt its activities accordingly. The parliament was currently considering a bill that might lead to a change in the law, but no decision had yet been reached.

25. **Ms. Milasiute** (Lithuania) said that ratified international treaties formed part of the Lithuanian legal system. Domestic legislation was often adopted to facilitate the application of ratified treaties. However, even treaties that had not been ratified took precedence over domestic law.

26. With regard to the burden of proof in civil proceedings initiated under the Equal Opportunities Act, she said that normally it was the plaintiff who had to provide proof. However, the Code of Criminal Procedure allowed for a number of exceptions, one of which shifted the burden of proof to the defendant if there was prima facie evidence of discrimination.

27. With regard to the implementation of European Union Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, a bill had been brought before the parliament amending the Code of Criminal Procedure and related legislation so as to provide additional guarantees for victims in criminal proceedings. Some of the proposed reforms included the introduction of an individual assessment of victims' needs and the right of victims to be questioned in closed court hearings or in specially equipped interview rooms, possibly in the presence of a psychologist. The Ministry of Justice and the Office of the Prosecutor General would, once the bill became law, issue guidelines on how such individual assessments should be conducted.

28. Lithuania had not made the declaration under article 14 of the Convention recognizing the Committee's competence to receive and consider communications. The Lithuanian Government had issued a statement during the first cycle of the universal periodic review to the effect that it considered the existing system adequate. Not only were domestic remedies available, the country's international commitments allowed individuals to apply to international procedures for redress, including those of the Human Rights Committee and the European Court of Human Rights.

29. As for the possibility of accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Government had explained during the first cycle of the universal periodic review that although Lithuania already provided a number of rights for migrants, including unconditional equal treatment with regard to accommodation, social services and health care, it was not in a position to undertake more extensive commitments. The second cycle of the universal periodic review would assess the situation in Lithuania in the second half of 2016, by which time the situation might have changed.

30. **Mr. Germanas** (Lithuania) said that the International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes had been set up by the Government precisely because of the extremely sensitive nature of the country's history. Lithuania had lost many people under the Nazis, it had lost its independence in the 1940s and thousands of its citizens had been sent off to Siberia. In response to a question about the treatment of non-Lithuanian names, he said there was currently a bill before the Seimas that would address that issue. The Government was anxious to resolve the problem, but it was a matter for the parliament. The question of anti-Semitism too should be seen in the context of the country's history. Lithuania had lost 90 per cent of its Jews, and there were currently only about 5,000 in the country. Lithuania currently had excellent relations with Israel, and a number of roads and schools were named after Jews. Many Israeli leaders of historical importance had been born in or near Lithuania. Still, in Lithuania, as elsewhere, some anti-Semitic incidents had occurred.

31. **Mr. Kemal**, after commending the timely submission and high quality of the State party report, asked why Lithuania had not adopted a comprehensive law on human trafficking, as recommended by the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights, which had noted that Lithuania was a source, transit and destination country for trafficking. Secondly, he asked about the status of the nationality of Roma children born in Lithuania. Would the measures currently being taken cover all such children? Surely they should be automatically entitled to citizenship. Thirdly, he drew attention

to a recommendation by the Committee on Economic, Social and Cultural Rights that the State party should prevent school dropout by Roma children and should introduce temporary special measures such as scholarships for them.

32. **Mr. Diaconu** said that the State party showed a lack of understanding when it claimed that it had sufficient provisions in its legislation to deal with individual complaints and that it therefore did not need to make the optional declaration under article 14 of the Convention. Other countries, including Denmark and the Netherlands, had made such a declaration. The complaints mechanism of the Human Rights Committee presented a special case, and invoking access to it was not relevant to a decision on whether to make the declaration under article 14. Had Lithuania adopted Protocol 12 to the European Convention on Human Rights? The assertion in the report that there would be economic consequences if Lithuania ratified the amendments to article 8 (6), of the Convention was incorrect. The General Assembly, in adopting the amendments, had stipulated that it would cover the extra expenses.

33. With regard to the provision of identity documents for Roma, he noted that a member of the delegation had reported that some of the Roma received assistance from social workers in dealing with the necessary paperwork. The State party should extend such assistance to all Roma who needed it.

34. It was still not clear to him whether the Convention took precedence over the country's domestic legislation and whether Lithuania's legal system was monistic or dualistic. Lastly, he said that policies to combat discrimination could not work unless the State party had data available on its minorities. Perhaps such data existed. If that was the case, the State party should share them with the Committee.

35. **Ms. Urbone** (Lithuania) said that much had been done to deal with the problem of trafficking in persons and to assist victims of human trafficking. In 2012, the Government had adopted an Inter-Institutional Action Plan of the National Programme on Crime Prevention and Control for 2013-2015, specifically strengthening the fight against trafficking. A number of bodies were involved in efforts to combat trafficking, including the Ministry of Internal Affairs, the police, the Ministry of Social Security and Labour, the Ministry of Foreign Affairs and the Labour Exchange. Specific training was provided for officials and any others who might come into contact with the phenomenon, and awareness-raising activities were carried out at schools. Assistance was provided by five NGOs subsidized by the Government: Lithuanian Caritas, the Missing Persons' Families Support Centre, the Klaipeda Social and Psychological Services Centre, the Men's Crisis Centre and the Association of Women Affected by HIV/AIDS and Their Relatives. The NGOs provided food, clothing, legal assistance, transport and psychological, social and professional rehabilitation services to ensure that victims of trafficking could resume normal lives.

36. **Ms. Milasiute** (Lithuania) confirmed that international treaties took precedence over domestic law in the event of a conflict between the two. In practice, though, judges sometimes failed to apply international treaties if a valid Lithuanian law existed on the same subject. For that reason, the applicability of the Convention would be emphasized in a training programme on equal opportunities that the Ministry of Justice was setting up for judges.

37. In an ideal world, Lithuania would make the declaration under article 14 of the Convention and also ratify Protocol 12 to the European Convention on Human Rights, although she noted that other States had reservations about that Protocol. When Lithuania had held an internal debate about whether to make the declaration under article 14 and to ratify the amendments to article 8, the two matters had been considered in parallel and questions had been raised as to who would be responsible for drafting any possible Lithuanian response to complaints brought before the

Committee. An office in Lithuania acted as the government agency for relations with the European Court of Human Rights; it had a heavy caseload, but a small staff. It would need more funding if it had to be responsible also for Lithuania's obligations under article 14. She acknowledged that the requirements of the Committee and the Human Rights Committee were different from each other. However, Lithuania was obliged to set its priorities.

38. **Ms. Charauskaite** (Lithuania) said that the Government was revising its methods of integrating gender considerations and the prevention of racial discrimination in its policies and actions. A requirement to mainstream non-discrimination and gender equality had been introduced for every new law and action plan. At the beginning of 2015, the Government had approved the new National Programme on Equal Opportunities for Women and Men, and the Ministry of Social Security and Labour had adopted an action plan to implement the programme.

39. **Ms. Cepulienė** (Lithuania) said that some progress, albeit gradual, had been made in the area of education in the Roma community. Since 2013, the number of Roma schoolchildren had risen slightly, including in the last two years of compulsory education, which showed that the dropout rate was falling. The number of Roma students at vocational schools had remained steady, with 17 enrolled in 2015.

40. Particular attention was being paid to preschool education, where the level of Roma participation had historically been low. In 2015, 15 Roma children had been enrolled at the kindergarten level and 16 in the final year of pre-primary education, which would become compulsory in 2016. A further 25 children were being prepared for school at the Roma Community Centre in Vilnius.

41. In order to facilitate the integration of Roma students, the Ministry of Education and Science was working with teachers to improve their understanding of Roma culture and to enable them to respond to the specific needs of Roma children. Moreover, a special commission had been set up to provide prompt assistance to all schoolchildren, including members of the Roma community.

42. **Ms. Urbone** (Lithuania) said that some members of the Roma community held Lithuanian citizenship but failed to apply for the documents required to prove it. Under the Law on Citizenship, the children of Lithuanian citizens or of stateless persons legally residing in Lithuania acquired citizenship at birth, regardless of whether they were born in the country. Children with one stateless parent who did not know the identity of the other parent were also granted citizenship if they were entitled to no other citizenship at birth. Under the Law, abandoned children and children whose parents had disappeared or had been temporarily or permanently stripped of their parental rights were considered to have been born in Lithuania and were granted citizenship automatically.

43. **Mr. Vázquez** said that, in its next periodic report, the State party should provide more detailed information on neo-Nazi marches, which had reportedly become regular occurrences in Vilnius and Kaunas. The delegation should comment on reports that marshals at such events had been spotted wearing white armbands similar to those worn by Nazi collaborators in 1941.

44. Turning to education, he asked whether it was true that certain subjects had to be taught in Lithuanian even at Polish-speaking schools and, if so, whether that requirement placed students for whom Lithuanian was an additional language at a disadvantage. He also wished to know whether the module on fundamental human rights and freedoms was already being taught in the police training programme. Did the principle of *ultima ratio* as interpreted by the State party have the same implications as the principles of legality, proportionality and necessity, which the

Committee felt should be respected prior to the imposition of limitations on freedom of expression?

45. **Mr. Avtonomov** invited the State party to describe the situation of the Karaites minority in Lithuania and to outline the measures that had been taken or were planned in connection with the International Decade for People of African Descent.

46. **Mr. Kut** (Country Rapporteur) urged the State party to consider the ratification of the amendment of article 8 of the Convention separately from the possibility of issuing a declaration in accordance with article 14. Did the Government plan to include citizenship and skin colour among the grounds for discrimination prohibited under the Equal Opportunities Act? In how many cases had racist motives been identified as an aggravating circumstance? The delegation should provide an update on the status of the Roma settlement in Kirtimai and on plans to tackle the problems faced by the Roma community.

47. **Ms. Cepulienė** (Lithuania) said that, under the Law on Education of 2011, part of the geography, history and civic education courses had to be taught in Lithuanian, including in Polish-speaking schools. Recent results showed, however, that the requirement had not had an adverse effect on the performance of Polish-speaking students, who had higher average marks in geography and only slightly lower marks in history.

48. **Ms. Milasiute** (Lithuania) said that the principle of *ultima ratio* was used to express the idea that criminal law was the most severe means of punishing offences and should be applied only when other branches of law could not deliver the desired results.

49. **Mr. Valentukevicius** (Lithuania) said that data were gathered on racially motivated crimes from the moment that criminal investigations were launched and that a system had been put in place for that purpose by the Ministry of Internal Affairs. One of the difficulties, however, was that the existence of racist motives was determined only by the courts when they handed down sentences. Thus, statistics were often unavailable specifically about hate crimes. The Criminal Code had been amended in 2009 to provide for stricter criminal liability for hate crimes, including racially motivated murder, various types of bodily harm and the desecration of graves and burial sites.

50. **Ms. Vaideliene** (Lithuania) said that 30 members of the police force were currently receiving instruction so that they could in turn provide training to their colleagues on the collection of data on racially motivated crimes. On 1 January 2016, a system would be introduced to ensure that data on crimes and aggravating factors were gathered throughout criminal proceedings.

51. **Ms. Paliukiene** (Lithuania) said that the Roma settlement in Kirtimai was illegal and that the situation there had not changed. Efforts had been made to promote the social inclusion of the Roma community in Kirtimai through the development of a government programme in which housing had been identified as a key issue. At the beginning of 2015, the Government had adopted a law on support for the acquisition or rental of housing, pursuant to which families on the waiting list for social housing could apply for financial assistance from their local council.

52. **Mr. Kut**, while thanking the delegation for the candid and positive dialogue, said that it was the Government's duty to prevent all forms of discrimination in the implementation of laws. He invited the State party to provide information in its next periodic report on the results achieved by the Inspector of Journalist Ethics and said that the low number of convictions and the lack of appropriate punishments for hate crimes pointed to an inadequate implementation of the Criminal Code.

53. In addition to the above issues, in its concluding observations the Committee was likely to focus on the reduction of statelessness in Lithuania, which was still too gradual, the continuing failure to provide some citizens with identity documents and the situation of the Roma community.

54. **Mr. Germanas** (Lithuania) said that the Government took the Committee's recommendations very seriously and valued its cooperation with the human rights treaty bodies. Lithuania had made a rapid transition from neglect of human rights to respect for them, and the Government continued to make great efforts to improve legislation and practices in various areas of relevance to the Committee.

The meeting rose at 6.05 p.m.