

**Address by Mr. Arminas Lydeka, Chairman of the Committee on Human Rights of the
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ASSESSMENT OF THE SITUATION OF HUMAN RIGHTS IN LITHUANIA

Effective protection of human rights is one of the keystones of the law and democracy within the state as well as of the social solidarity. Lithuania has rather in depth awareness of this approach. Lithuania began to frame its human rights protection system only after the liberation of the occupation. The Russian occupants had no interest, nor concern even to allude to the protection of the Human Rights. Only in 1990, after the re-establishment of the independence, Lithuania started creating its Human Rights protection system. It all started from zero, and today we are pleased to see that the noticeable progress has been made.

The will of the political state to ensure the human rights and freedoms to the widest possible extent has been continually and consecutively expressed from the very first steps of the re-established statehood.

The human rights protection system in Lithuania was built primarily through reception of the international legal standards. A particular important role in that process should be attached to the European Convention for the Protection of Human Rights and Fundamental Freedoms and its optional protocols. The Constitutional Court of the Republic of Lithuania has acknowledged that the laws of the Republic of Lithuania should not create any obstacles to application of the Convention provisions in the courts. The Supreme Court of Lithuania has recognized the jurisprudence of the European Court of Human Rights as the source of the Republic of Lithuania law.

Every democratic country aims to ensure that human rights and freedoms would not be restricted by ungrounded and unlawful actions of authorities, which are delegated by citizens. In this respect a number of legal institutions are established to assess activities of administrative institutions, to defend and restore citizens' rights, violated by authorities.

The provision "*state authorities shall serve the people*", enshrined in the Constitution of the Republic of Lithuania is closely related to constitutional recognition of human rights and freedoms as inborn. Recognition, respect and protection of these rights are the fundamental task for each democratic state.

Following the practice of many European and world countries, the **Seimas Ombudsmen's Office** was established in Lithuania on the 8th of December 1994. Lithuania was the first country to establish the Seimas Ombudsmen's Office not only among the Baltic countries but one of the first among the post-Communist countries of Central and Eastern Europe.

Many human rights violations result from **discrimination against specific groups**. The rights to equality and the principle of non-discrimination, explicitly set out in international and regional human rights treaties, are therefore central to human rights.

Lithuania can be called a pioneer in the field of specific laws on equal opportunities since the Law on Equal Opportunities of Women and Men, which came into effect on the 1st of March 1999, can be placed among the first ones passed in the whole region of Central and Eastern Europe.

In the year of 2005 the new Law on Equal Treatment came into force assuring the persons a right to file complaints to the Equal Opportunities Ombudsman in case of discrimination on

grounds of age, sexual orientation, disability, race and ethnic origin, religion or beliefs. Prior to that, Lithuania had no appropriate legal base and mechanism providing how such people could protect their violated rights. The need for the Law on Equal Treatment from its very first day of going into effect was confirmed by an increased number of complaints regarding new form of discrimination defined by law.

The rights of the Children form the constituent part of human rights system. Institution of the Controller for Protection of the Rights of the Child was established on the 1st of September 2000. The principal mission and the task entrusted to this officer is a propagation of the rights and lawful interests of the child fixed in national and international legal acts and their representation in the state, using all possible and effective measures. The proper protection and defence of the rights of the children remains the main aim of the state.

Personal data protection is one of the human rights – the right to inviolability of one's private life. The State Data Protection Inspectorate is one of the authorities helping to implement this right in Lithuania. The Inspectorate aspires that personal data protection in the Republic of Lithuania is compatible with the requirements of the European Union and is properly ensured in information society environment.

Consumer protection is one of the important areas of the national economic and social policy. The Lithuanian legal acts regulating the protection of consumers' interests are essentially harmonized with the requirements of the EU legislation. The State has been successfully adopting the principles of consumer protection in the EU. The Lithuanian Law established the requirements and liability not only for the safety of goods, but also for the safety of services. The State Consumer Rights Protection Authority was established in Lithuania in 2001. The Authority helps consumers to resolve their problems without having to initiate a formal legal action.

The issues of the protection of the **national minorities** are solved by the Human Rights Committee at the Seimas, also the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania. The Department forms and implements the state politics of the harmony of national relations.

The surveys carried out in Lithuania revealed that the residents of Lithuania tend to be critical not only to the situation of human rights but also to the system of the protection of human rights. The majority of people were sceptical about the efficiency of the protection system of human rights, the transparency and clearance of its activities, openness and accountability for the public. The residents of Lithuania still have no confidence in the system protecting the human rights. However, the carried surveys also showed that the attitude of people towards the human rights and their implementation in Lithuania undergo positive changes. That allows seeing the perspectives of the human rights policy in Lithuania with optimism.

It is worth mentioning that Lithuania has ratified basic Conventions and joined the main international agreements regulating the protection of human rights. The main institutions are established and function effectively. The legal basis for the more efficient system of the protection of the human rights is constantly improved. However, it is not so easy to change the mindset and consciousness of the people.

I must admit that still there are some problematic points in the field of Human Rights and one of the main problems is the lack of tolerance. I am particularly disappointed about the authorities of Vilnius City municipality, who refused to issue the license for the campaign "For Diversity. Against Discrimination". This incident demonstrated that the society is not tolerant enough and it clearly reveals and points out to the field to which we must pay more attention and work more closely. We need to understand that social life obliges us to tolerate even things we do not

like, and that this is to our advantage. The only way to live in peace with others is to learn to accept differences.