
Resolution CM/ResCMN(2019)4 on the implementation of the Framework Convention for the Protection of National Minorities by Lithuania

*(Adopted by the Committee of Ministers on 27 March 2019
at the 1342nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution Res(97)10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution Res(97)10;¹

Having regard to the instrument of ratification deposited by Lithuania on 23 March 2000;

Recalling that the Government of Lithuania transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 23 February 2017;

Having examined the Advisory Committee's fourth opinion on Lithuania adopted on 30 May 2018,

Adopts the following conclusions in respect of Lithuania:

The authorities are invited to take account of the observations and recommendations contained in Sections I and II of the Advisory Committee's fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action:²

- Adopt, in close consultation with minority representatives, a comprehensive legal framework protecting the rights of persons belonging to national minorities, while maintaining an open and inclusive approach to the personal scope of application of the Framework Convention;
- Take resolute awareness raising measures to address negative stereotypes against Roma^{*} in the population at large and implement specific training involving teachers, police officers and employees of local public administrations; continue efforts to ensure effective equality of Roma in accessing rights to education, employment, housing, health and effective participation while paying particular attention to Roma women;

¹ In the context of adopting Resolution Res(97)10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

² The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

* The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

- Bring the legislative framework on the use of minority languages in dealings with administrative authorities, in private signs and topographical indications, and pertaining to the spelling of surnames and first names in official documents, into line with Articles 10 and 11 of the Framework Convention;
- Ensure that education reform does not result in discrimination against students from minority language schools through pursuing an evidence-based rather than deadline-driven policy as regards transition measures, and through involving minority language teachers in a strong advisory role; develop and implement a conceptual approach towards bi- and multilingual teaching in schools and pre-schools and support the exposure of children from national minorities to a Lithuanian-language environment and vice versa; consider the possibility of reflecting exam results in minority languages in the final grade relevant for entrance into university.

Further recommendations:

- Ensure that the 2021 population census provides a sound basis for policy-making on minority rights through guaranteeing the right to free and voluntary self-identification, the possibility of declaring more than one ethnic affiliation and the collection of data on first and other languages;
- Ensure that the responsibilities of the Equal Opportunities Ombudsperson, the Seimas Ombudsmen's Office, and the Ombudsperson for Children's Rights are underpinned by appropriate resources, including allocations to help raise the profile and awareness of these institutions among persons belonging to national minorities;
- Revisit the support scheme for minority cultures in a way that minority organisations can apply for multi-year projects and, where necessary, have access to long-term baseline funding; secure the legal and budgetary situation of the House of National Communities in Vilnius and the Cultural Centre of Various Nations in Kaunas and ensure continuous baseline funding for staff and utilities;
- Combat stereotypes against persons belonging to national minorities in political discourse and society at large and improve the identification and sanctioning of cases of alleged discrimination and ethnically-based hostility, including hate crime; ensure that information on the ethnic affiliation of alleged perpetrators of offences is not revealed to the media unless disclosure is strictly necessary;
- Stabilise support for minority media through the Lithuanian Press, Radio and Television Support Fund through establishing, *inter alia*, a separate funding line within the Fund earmarked for national minority media;
- Ensure that the education system strengthens the knowledge of persons belonging to the majority on the cultures, histories, languages and religions of national minorities; undertake urgent action to ensure that teaching and learning materials as well as teacher training reflect objective information about Roma; ensure sufficient and sustainable funding of structures and staff required to support Roma children's equal access to education, such as social assistants and mediators, starting from pre-school level;
- Encourage municipalities to develop suitable consultative mechanisms enabling effective participation in decision-making of persons belonging to minorities, including numerically small communities.