



## Lithuania

### International Religious Freedom Report 2008

Released by the Bureau of Democracy, Human Rights, and Labor

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The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

There were some reports of vandalism of Jewish graves and monuments and anti-Semitic comments, including an unsanctioned march of skinheads shouting anti-Semitic slogans in Vilnius. The political leadership usually criticized such offenses and anti-Semitic acts when they occurred, although political leaders did not criticize the skinhead march until one week after it took place.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights and tolerance and in discussions on the country's strategy for addressing its Holocaust legacy. The U.S. Embassy promoted religious freedom and tolerance through various media and public speaking events.

#### Section I. Religious Demography

The country has an area of 25,174 square miles and a population of 3.4 million.

The Government recognizes nine "traditional" religious groups: Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.

Roman Catholicism remains dominant and influential. A 2007 poll commissioned by the Ministry of Justice showed that 80.2 percent of respondents were Roman Catholics. The Eastern Orthodox Church, the second largest religious group, has 140,000 members (approximately 4 percent of the population), mainly along the border with Belarus. There are 27,000 Old Believers, Russian Orthodox practitioners who did not accept the church's reforms in the 17th century. There are an estimated 20,000 Lutherans, primarily in the southwest. The Evangelical Reformed community has 7,000 members, with concentrations in Vilnius and the eastern town of Birzai. The Jewish community numbers 4,000. Almost 75 percent of the country's Jews live in Vilnius. The majority of local Jews are secular, and only an estimated 1,200 belong to 1 of the 8 Jewish communities. The Sunni Muslim community has 2,700 members. The Greek Catholic community has an estimated 300 members.

The Karaites have been in the country since 1397. Karaites speak a Turkic-based language and use the Hebrew alphabet. Some consider Karaites to be a branch of Judaism; their religion is based exclusively on the Old Testament. The Government recognizes the Karaites as a distinct ethnic group. Two houses of worship, one in Vilnius and one in nearby Trakai, serve the Karaite religious community of approximately 250 members. The Karaites' only religious leader is also their community president.

Less than 5 percent of the population belongs to what the Government refers to as "nontraditional" religious communities. The most numerous of these are the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Jehovah's Witnesses, Baptists, Seventh-day Adventists, the Church of Jesus Christ of Latter-day Saints (Mormons), and the New Apostolic Church. A total of 1,074 "traditional" and 180

"nontraditional" religious associations, centers, and communities have officially registered with the State Register of Legal Entities.

## Section II. Status of Religious Freedom

### Legal/Policy Framework

Article 26 of the Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors. The Constitution provides that a person's freedom to profess and propagate his or her religion or faith "may be subject only to those limitations prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, a person's health or morals, or the fundamental rights and freedoms of others."

The Criminal Code contains three provisions to protect religious freedom. The code prohibits discrimination based on religion and provides for punishment of up to 2 years' imprisonment. Interference with religious ceremonies is also punishable with imprisonment or community service. Inciting religious hatred is punishable by imprisonment of up to 3 years, and legal entities can be prosecuted for violations under this article.

It is unlawful to make use of the religious teachings of churches and other religious organizations, their religious activities, and their houses of prayer for purposes that contradict the Constitution or the law. The Government may also temporarily restrict freedom of expression of religious conviction during a period of martial law or a state of emergency. The Government has never invoked these laws.

There is no state religion. However, under the 1995 Law on Religious Communities and Associations, [some religious groups enjoy benefits not available to others](#), including government funding, the right to teach religion in public schools, and the right to register marriages. The Law on Religious Communities and Associations enables all registered religious groups to own property for prayer houses, homes, and other uses and permits construction of facilities necessary for their activities.

The law divides registered religious communities into state-recognized "traditional" religious communities, other state-recognized religious groups, and all other registered communities and associations. The Constitution recognizes "traditional" 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 contravene morality or the law.

Government authorities acknowledge as traditional only those religious groups that can trace their presence in the country back at least 300 years. The law enumerates nine traditional religious communities: Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.

"Traditional" religious communities and associations may register marriages, establish subsidiary institutions, establish joint private/public schools, provide religious instruction in public schools, and be eligible to receive government assistance. Their highest religious leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may provide military chaplains. The Ministry of Justice does not require traditional religious communities and associations to register their bylaws. Traditional religious communities do not have to pay social and health insurance for clergy and other employees, and they are not subject to a value-added tax on basic utilities.

The law stipulates that the Government may grant state recognition to "nontraditional" religious communities that have societal support and have been registered in the country for at least 25 years. Nontraditional religious communities must apply to the Ministry of Justice and provide a description of their religious teachings and a founding statement signed by no fewer than 15 members who are adult citizens. The Ministry must review the documents within 6 months and make a recommendation to Parliament for final approval.

In practice state-recognized nontraditional religions receive some privileges from the Government, but not to the extent that traditional religious groups do. The Evangelical Baptists, 1 of 11 Baptist groups in the country,

are the only state-recognized "nontraditional" religion. They are entitled to perform marriages and do not have to pay social security and health care taxes for clergy and other employees. However, unlike "traditional" communities, the Baptists are not eligible for annual subsidies from the Government, do not receive the value-added tax exemption on utilities, and their clergy and theological students are not exempt from military service.

The Ministry of Justice's Religious Affairs Department is responsible for processing initial registration applications, but the State Register of Legal Entities, under the national Registry Center, manages the database of registered religious communities. Religious communities can file applications at local registration centers throughout the country. Registration centers forward new applications to the Religious Affairs Department and process renewal registrations locally. New communities affiliated with traditional religious groups register for free, while nontraditional communities pay a registration fee of \$42 (107 litas).

Religious communities must register to obtain official status, which is a prerequisite for opening a bank account, owning property, or acting in a legal or official capacity as a community. Unregistered communities have no legal status or state privileges. However, there were no reports that the Government prevented any such groups from worshiping or seeking new members.

While only traditional religious communities receive annual state subsidies, nontraditional groups are eligible for government support for their cultural and social projects.

Following the restoration of the country's independence, the Government began returning religious communities' property confiscated by Nazi and Soviet occupiers. The law grants all religious communities equal opportunity to reacquire property once used for religious services. The Government successfully resolved a number of claims by religious communities for restitution, mostly in the early and mid-1990s. Some claims were pending at the end of the reporting period. The return of Jewish communal property has been particularly slow and contentious. The Jewish community, working with the World Jewish Restitution Organization, has developed a list of properties that have been documented as being part of the Jewish community holdings at the start of World War II. The Government has failed thus far to introduce the legislation necessary to affect the return of these properties to the Jewish community.

No single government agency handles all religious issues. A department in the Ministry of Justice adjudicates religious groups' requests for registration. The Prime Minister's advisor for Cultural and Jewish Affairs follows relevant issues within the Jewish community.

The Office of the Equal Opportunities (OEO) Ombudsperson is authorized to adjudicate complaints about state institutions, educational institutions, employment, and product and service sellers and producers that discriminate on the basis of religion (previously, the OEO heard complaints on gender-discrimination issues only).

The Parliament Ombudsperson examines whether state authorities properly perform their duty to serve the population. The law on the Parliament Ombudsperson specifically notes religious beliefs in defining the functions of the office. The OEO and the Parliament Ombudspersons have the authority to investigate complaints, recommend changes to parliamentary committees and ministries regarding legal acts, and recommend cases to the Prosecutor General's Office for pretrial investigation if warranted.

While there is some overlap between the two bodies, the OEO Ombudsperson appears to have greater authority to hear complaints of individual acts of religious discrimination.

The Journalist Ethics Inspectorate has the authority to investigate complaints under Article 20 of the Law on Provision of Information to the Public, which bars publishing material that "instigates war, national, racial, religious, social and gender hatred." It has the authority to levy administrative fines on newspapers under administrative law or refer cases to law enforcement authorities for criminal prosecution.

In 2000 the Government and the Holy See agreed to allow the Catholic Church to provide religious support to Roman Catholic members of the military through chaplains. In 2002 the Ministry of Defense and the Roman Catholic Church signed an agreement on chaplains' activities. During the reporting period, there were 16 Catholic chaplains providing services to the military. Other traditional churches and religious groups provide similar support. The chaplaincy may ask the Ministry of Defense to provide religious services for other religious groups based on need or requests from service members. The Ministry of Defense provides material

support and places of worship.

The Government observes Easter Monday, Assumption Day (August 15), All Saints' Day (November 1), and Christmas (December 25 and 26) as national holidays.

Conscientious objectors may petition for alternative military service within military structures, but there is no option for alternative nonmilitary service, despite requests by members of Jehovah's Witnesses. Persons enrolled in alternative military service receive noncombat assignments but must follow military regulations and reside on military installations.

The Constitution establishes public educational institutions as secular. The Law on Education permits and funds public school religious instruction only for "traditional" and state-recognized religious beliefs. In practice parents can choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curriculums on the basis of requests from parents for children up to age 14 (after age 14, the pupil decides). During the reporting period, the Ministry of Education and Science received no complaints about any school not providing requested religious instruction.

The number of wholly private religious schools is relatively low. There were approximately 30 schools with ties to Catholic and Jewish groups, although students of different religious groups often attended these schools. All accredited private schools (religious and nonreligious) receive funding from the Ministry of Education and Science through a voucher system based on the number of pupils; private Roman Catholic schools receive additional funds from the Government to cover operational costs. This system covers program but not capital costs of school operation. Founders generally bear responsibility for covering capital outlays; however, the Ministry provides funding for capital costs of traditional religious private schools where an international agreement to do so exists.

In 2007 public schools provided religious education to students from the following religious groups: 260,335 Roman Catholics; 3,437 Russian Orthodox; 699 Evangelical Lutherans; 381 Greek Catholics; 266 Jews; 96 Evangelical Reformed Lutherans; 15 Old Believers; and 5 Muslims. A total of 211,471 students studied ethics.

The interministerial Commission to Coordinate Activities of Governmental Institutions which Deal with Issues of Religious, Esoteric, and Spiritualist Groups coordinates investigations of religious groups if there is a concern that actions of the group or actions affecting the group may not be in line with the principles of a democratic society, human rights, and fundamental freedoms. The Minister of Justice appoints the chairperson of the Commission, which includes representatives of the Ministries of Justice, Interior, Education, Health, Foreign Affairs, the General Prosecutor's Office, and the State Security Department. No religious groups have membership on the Commission. The Government established the Commission in 2000 following some parliamentarians' calls for increased control of "sects." The Commission decides what issues to examine based on concerns in general public discussions or concerns raised by government or parliamentary officials. The Commission has never concluded that particular groups were sects or taken actions to limit a religious group's activities. The Commission has been mostly inactive for several years, considering only two cases since 2006.

In 2006 the Commission concluded that so-called magical services (for example, as offered by psychics and astrologers) were properly regulated by law and no new regulations were necessary.

In 2006 the Commission decided to examine the issue of cemetery vandalism, which occurs every year, to determine if these cases are motivated by religious hatred. The Commission, however, has not met formally to discuss the issue and was not active during the reporting period.

#### Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report.

While registered "nontraditional" religious communities can act as legal entities, they do not receive regular

subsidies, tax exemptions, social benefits, or exemptions from military service enjoyed by traditional communities. In 2007 the Government allocated \$3,031,000 (7,579,000 litas) to traditional religious communities for capital costs associated with houses of worship, schools, and other facilities. No other religious communities received this type of support, but funds from municipal or other government sources may be available for their use.

The state additionally funds social security and health care contributions for spiritual leaders of traditional and state-recognized religious communities. Other religious communities must pay for these benefits on behalf of their spiritual leaders.

Four applications for status as a "state-recognized religious association" were pending: from the Seventh-day Adventist Church (applied in 2005), the New Apostolic Church (applied in 2003), the Pentecostals (Evangelical Belief Christian Union, applied in 2002), and the United Methodist Church of Lithuania (applied in 2001). In 2005 the Ministry of Justice recommended to the Parliament that the Seventh-day Adventist Church be granted the status of a state-recognized religious association, but the Parliament had not taken action on this issue by the end of the reporting period.

The Seventh-day Adventists and the Pentecostals officially complained to the OEO Ombudsman, who continued an investigation at the end of reporting period.

During the period covered by this report, the OEO Ombudsperson received four complaints related to religious discrimination; one (from the Seventh-day Adventists and the Pentecostals mentioned in the paragraph above) was found to have merit.

The Parliament Ombudsperson received no complaints related to religious discrimination during the reporting period.

At the end of the reporting period, the Government continued to negotiate with local and international Jewish groups about communal property restitution to enable the secular Jewish community to benefit from the restitution process, but no enabling amendments have been introduced to Parliament since the Government established the commission in 2002, despite annual promises to introduce such enabling amendments.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Improvements and Positive Developments in Respect for Religious Freedom

During the period covered by the report, the State Register of Legal Entities registered ten traditional religious communities. The state did not deny registration to any traditional religious group that applied.

On March 12, 2008, Israel's Yad Vashem bestowed the title of "Righteous Among the Nations" on 17 Lithuanians who rescued Jews during the Holocaust. Eleven received the award posthumously. On December 11, 2007, Yad Vashem awarded two other Lithuanians the "Righteous Among the Nations" award, both posthumously.

The country is still working to better understand its past and to make just recompense for its Holocaust involvement. During the reporting period, the Commission to Investigate Crimes of the Holocaust and Soviet Occupation published 3 books, organized 7 seminars for 258 teachers, organized a Holocaust remembrance day on September 23, 2007, and celebrated International Tolerance Day at the Parliament on November 15, 2007. With the Commission's support, twenty teachers participated in a Holocaust education training program in Israel.

#### Section III. Societal Abuses and Discrimination

On May 27, 2008, the Conference of the Lithuanian Jewish Community released a statement to the press expressing dismay at the "increase in instances of anti-Semitism and xenophobia aimed at Jews and other ethnic groups in Lithuania" and disappointment with the "obvious unwillingness of some politicians and civil servants to put forward a suitable reaction to openly Jew-phobic" incidents.

On the weekend of May 24-25, 2008, a statue honoring the Jewish pilot Yakov Smushkevich was vandalized with paint in the northeastern town of Rokiskis.

On May 15, 2008, vandals broke two windows of the Klaipeda Jewish Community's community center. No one was injured in the attack.

On May 13, 2008, in the forests near the small town of Varnikai in the Trakai region, a wooden monument to the Holocaust was burned down. Police began a pre-trial investigation. The monument commemorated the 1,446 Jews in the village, 597 children among them, who were killed in 1941. On May 21, the Prime Minister visited the site, condemned the destruction of the monument, and promised that the Government would allocate funds to rebuild it.

On May 9, 2008, vandals painted swastikas on four Soviet-era statues on a bridge in Vilnius. One of the statues was also defaced with the phrase "whore of Communism." A box marked "bomb" was also left near the statues, although it contained no explosives. The date of the act of vandalism coincided with the victory of the Soviet army over the Nazis. Police started a pre-trial investigation, but no suspects were identified by the end of the reporting period.

On April 30, 2008, anti-Semitic and racist graffiti appeared in the city of Klaipeda. Police did not begin a pre-trial investigation until May 11. No suspects were identified by the end of the reporting period.

On April 20, 2008, the anniversary of Adolf Hitler's birthday, unknown persons hung a large flag with a swastika from an abandoned building in the city of Klaipeda. The city fire department removed it the same day.

On March 11, 2008, an unsanctioned march of skinheads shouting anti-Semitic and anti-Russian slogans took place in Vilnius. The march attracted considerable media attention. One member of the Vilnius city council condemned the march immediately. On March 18, the Prime Minister condemned it, followed on the next day by the Government's Minorities Department, which issued a public condemnation in the media. On March 20, 2008, the President publicly condemned the march.

On December 6, 2007, the Chabad Lubavich organization had a lighting ceremony in Siauliai city with a large menorah, which vandals knocked down the same night. The municipality worked with the local Jewish community to repair the broken menorah and put it back up. Police began a pre-trial investigation into the vandalism. No suspects were identified during the reporting period.

On September 8, 2007, vandals damaged one of the gravestones at the Jewish cemetery in Panevezys. Police began a pre-trial investigation, but no suspects were identified during the reporting period.

In August 2007 an Italian exchange student was attacked in Vilnius. Press reported that the attacker apparently thought the student was a Muslim. Police started a pre-trial investigation, which continued at the end of the reporting period.

Throughout the reporting period, anti-Semitic comments were written on unscreened Internet blogs and in unscreened Internet news portals' comments sections. Prosecution of anti-Semitic hate speech has increased significantly over the past two years. Prosecutors speculated that the increase in hate speech is fueled by the ability to use the Internet anonymously.

As of the end of the reporting period, international and local Jewish communities were still concerned about a historically significant Jewish cemetery in Vilnius. The cemetery became a prominent issue in 2005 when international Jewish groups expressed concern about the construction of a commercial/residential complex on or near the grounds of the cemetery. The Russian colonial authorities closed the cemetery in 1831 and constructed fortifications on part of the land. The Soviets subsequently destroyed visible vestiges of the

cemetery, disturbing some graves and constructing a sports complex on part of the site.

On June 25, 2008, a study to determine the boundaries of the cemetery began. The study was based on the recommendations of a group of ten Lithuanian and international experts who met in Vilnius in May 2007 at the invitation of the Government. The group unanimously called for a halt to construction and a thorough study of the site. Construction, however, continued and the building in question was virtually complete at the end of the reporting period. The "experts group" was arranged by the Prime Minister's working group on the cemetery, which has been operating since 2006 with a mandate to establish the boundaries of the cemetery and propose ways to protect and memorialize it.

On April 8, 2008, the Government granted the cemetery cultural heritage status; however, as the boundaries of the site were yet to be determined (dependent on the results of a yet-to-be completed geophysical and archeological study), the Government did not grant cultural heritage status to the ground directly under the Soviet-era sports arena at the center of the cemetery and the ground directly under two recently constructed buildings on or near the grounds of the cemetery. The Government alleged that any remnants of the cemetery would have been removed in the digging of foundations for those buildings.

At the end of the reporting period, there had been no decision on the appeal of the March 21, 2007, \$1,180 (3,000 litas) fine of the director of MTV Lithuania for broadcasting the program Popetown. In December 2006 a complaint was filed with the OEO Ombudsperson that alleged the television channel "defamed and debased" the Roman Catholic religion. Also in December the Lithuanian Bishops' Council tried to stop the broadcast of the program through a legal suit but failed. The Journalist Ethics Inspectorate and the Lithuanian Journalists and Publishers Ethics Commission issued statements condemning the broadcast of the program. The official condemnations, however, did not fault MTV Lithuania for religious hatred but for broadcasting the program too early in the evening when children could watch.

#### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintained a close and regular dialogue on religious issues with senior officials in the Government, parliamentarians, and presidential advisors, as well as with religious leaders and concerned nongovernmental groups. Religious groups used the Embassy as a vehicle to voice their complaints, and the Embassy encouraged religious leaders to share their views and concerns on the status of religious freedom.

In March 2008 the Ambassador led a discussion on tolerance for a group of alumni of U.S.-funded travel and education programs, such as the Fulbright and International Visitor programs.

In March 2008 embassy staff participated in a high school "tolerance day" in Kaunas.

In January 2008 the Ambassador spoke with educators in Kedainiai about tolerance and preserving the city's Jewish heritage.

In December 2007 the Embassy hosted a speaker from the United States who presented programs about tolerance in two of the country's largest cities.

In July 2007 the Embassy worked with Klaipeda and a parliamentarian from the region to make the message of tolerance a part of the city's popular jazz festival. Media representatives and thousands of concert goers heard the message.

The Embassy actively discussed the restitution of Jewish communal property with government officials and community leaders. The Embassy also maintained regular contact with U.S.-based missionary groups. The Embassy worked with local and international Jewish groups to encourage the Government to research the historical boundaries of the Jewish cemetery in the Snipiskes area of Vilnius and to provide comprehensive cultural heritage protection. The Ambassador publicly criticized anti-Semitic statements in the media and encouraged a similar response from the highest officials of the Government. The Embassy spoke with government officials and the local Jewish community about the March 2008 skinhead march and other anti-

Semitic incidents. The Embassy supported the efforts of the Jewish Museum in Vilnius to teach local youth about the Holocaust, anti-Semitism, and tolerance in schools across the country, with a particular emphasis on rural communities.

In July 2007 in a leading daily newspaper the Embassy addressed the importance of ensuring a diversity of cultural treasures and guarding against discrimination in the preservation of cultural heritage--especially where a national, religious, or ethnic group is unable to ensure adequate preservation on its own.

Released on September 19, 2008

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