

LITHUANIA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of religion, freedom of religious practice, and state recognition of religious organizations, provided they do not contradict the constitution or the law. The government recognized two nontraditional religious groups; three religious associations' long-standing applications for state-recognized status continued to await parliamentary action. Nontraditional religious groups could register with the government without having recognized status. The government addressed Holocaust legacy issues through initiatives including restitution or compensation for seized property to the Jewish community, the creation of a new commission to address issues of Jewish history and culture, and public commemorations. Muslim community leaders expressed concerns regarding nonhalal meals at the Pabrade Foreigner Registration Center.

There were anti-Semitic postings on the internet, nationalist marches press reports characterized as neo-Nazi, and acts of vandalism at a Jewish monument in Kaunas. Nongovernmental organizations (NGOs) and members of the Muslim community reported an increase in anti-Muslim sentiment following the country's decision to accept additional refugees from the Middle East.

The U.S. embassy continued engaging with government officials to combat anti-Semitism and resolve long-standing restitution issues for the Jewish community. Embassy representatives met with government officials, religious leaders, and NGOs to discuss greater inclusion of religious minorities, including Muslim refugees, in society.

Section I. Religious Demography

The U.S. government estimates the population at 2.9 million (July 2015 estimate). The 2011 census reports 77.3 percent is Roman Catholic and 6.1 percent does not identify with any religious group. Religious groups together constituting less than 5 percent of the population include Russian Orthodox, Old Believers, Lutherans, Reformed Evangelicals, Jews, Muslims, Greek Catholics, and Karaite Jews. Karaites traditionally live in Trakai and in the greater Vilnius region. The non-Karaite Jewish population is mainly concentrated in larger cities. The majority of Muslims, of Tatar origin and long established in the country, live in Vilnius and Kaunas. The Muslim community also includes recent converts, migrants, refugees, and temporary workers from the Middle East and Africa.

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Less than 0.5 percent of the population belongs to religious groups the government designates as “nontraditional.” The most numerous are Jehovah’s Witnesses, members of the Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Old Baltic faith communities, Baptists, Seventh-day Adventists, Methodists, and members of the New Apostolic Church and The Church of Jesus Christ of Latter-day Saints (Mormons). Approximately 10 percent of the population did not answer the census question about religious affiliation.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution stipulates there is no state religion and provides for the right of individuals to choose freely any religion or belief, to profess their religion and perform religious practices, individually or with others, in private or in public, and to practice and teach their beliefs. It states no one may compel another person (or be compelled) to choose or profess any religion or belief. The constitution allows limits on the freedom to profess and spread religious beliefs when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others. It restricts freedom of expression if it incites religious hatred, violence, or discrimination. It stipulates religious belief may not serve as justification for failing to comply with laws.

The constitution acknowledges the freedom of parents or guardians to oversee the religious and moral education of their children without interference and stipulates public education shall be secular, although schools may provide religious instruction at the request of parents. The constitution grants recognition to “traditional” religious groups and provides for recognition of other religious groups if they have support in society and their teachings and practices do not conflict with law or public morals. It states the status of religious groups shall be established by agreement or law and recognized religious groups shall be free to carry out their activities as long as they are not in conflict with the constitution or laws.

The Journalist Ethics Inspectorate investigates complaints under a law that bars publishing material that instigates hatred, including religious hatred. The inspectorate may levy administrative fines on newspapers under administrative law or refer cases for criminal prosecution.

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The government may temporarily restrict freedom of expression of religious belief during a period of martial law or a state of emergency, although it has never invoked this right.

The law defines religious groups as 1) religious communities, 2) religious associations, which are comprised of at least two religious communities under common leadership, and 3) religious centers, which are higher governing bodies of religious associations.

By law the government recognizes as “traditional” those religious groups able to trace back their presence in the country at least 300 years. The law lists nine “traditional” religious groups: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Jewish, Sunni Muslim, and Karaite Jews. Traditional religious groups may perform marriages that are state-recognized, establish joint private/public schools, provide religious instruction in public schools, and receive annual government subsidies. Their highest ranking 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 state provides social security and healthcare insurance contributions for clergy, religious workers, and members of monastic orders of the traditional religious groups. Traditional religious groups are also not required to pay social and health insurance taxes for clergy and members of monastic orders.

Other (nontraditional) religious associations may apply to the Ministry of Justice (MOJ) for state recognition if they have been officially registered in the country for at least 25 years. Parliament votes whether to grant this status upon recommendation from the MOJ. The Evangelical Baptist Union of Lithuania and the Seventh-day Adventist Church are the only state-recognized nontraditional religious groups.

Recognition entitles nontraditional religious groups to perform marriages and provide religious instruction in public schools. Unlike traditional groups, however, they are not eligible for annual subsidies from the state budget, and their clergy and theological students are not exempt from military service. The law provides recognized nontraditional religious groups with legal entity status, but they do not qualify for certain social security and health care contributions by the state.

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The MOJ handles official registration of religious communities, associations, and centers. Traditional and recognized nontraditional religious communities and associations need only establish their ties to their recognized groups. The law does not require traditional religious groups to register their bylaws; it does not specify if nontraditional groups must do so.

Nontraditional groups must submit an application to the MOJ's Department of Registers, providing a statement describing their religious teachings and a founding statement signed by no fewer than 15 adult citizen members. Upon approval of its application, a religious community is registered as a legal entity with the State Enterprise Center of Registers. Traditional religious communities and associations are registered free of charge, while nontraditional communities pay a fee of 32 euros (\$35). As of November 1, there were 1,107 traditional and 187 nontraditional religious associations, centers, and communities officially registered in the register of legal entities.

Official registration is a prerequisite for opening a bank account, owning property, and acting in a legal or official capacity as a community. The law allows all registered religious groups to own property for use as prayer houses, homes, and other functions, and permits construction of facilities necessary for religious activities. All registered groups are eligible for public funds from municipalities for cultural and social projects.

Unregistered communities have no legal status; however, the constitution allows them to conduct worship services and seek new members.

The criminal code prohibits discrimination based on religion and provides for up to two years in prison for violations. The code penalizes interference with religious ceremonies of recognized religious groups by imprisonment or community service, and penalizes inciting religious hatred by imprisonment of up to three years.

The Interministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritual Groups coordinates investigations of religious groups if there is a concern a group's actions may be inconsistent with what the commission perceives to be "principles that stress respect for human freedom of expression and freedom of religion."

The law permits registered groups to apply to the MOJ for the restitution of religious property owned before June 19, 1948. Some religious properties were

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confiscated and redistributed by the Soviet Union. Other properties remained intact but were nationalized, often serving as museums. Religious communities can register property nationalized but not confiscated by the Soviet Union to establish a claim. Following receipt of such a claim, the ministry conducts an investigation. If the ministry determines the claim is legitimate, it drafts a resolution officially returning the property to its original owner.

A compensation fund for Jewish-owned property nationalized under totalitarian regimes is designed to support Jewish educational, religious, scientific, cultural, and healthcare projects with public benefits. Pursuant to the law, the government is committed to disbursing 37 million euros (\$40 million) over the course of the decade ending March 1, 2023 to the Foundation for the Disposal of Good Will Compensation for the Immovable Property of Jewish Religious Communities, a public institution that oversees the fund and is governed by national and international Jewish leaders.

The law permits and funds religious instruction in public schools for traditional and other state-recognized religious groups. Parents may choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curricula on the basis of requests from parents for children up to age 14, after which students present the requests themselves.

There are 30 private religious schools with ties to Catholic or Jewish groups, although students of different religious groups may attend 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. This system covers only the program costs of school operation. Founders generally bear responsibility for covering capital outlays; however, the Ministry of Education and Science funds capital costs of private schools of traditional religious groups where the government has signed an agreement with a religious group to do so. To date the Catholic Church is the only religious group with such an agreement. Under this accord, the government funds both the capital and operating costs of private Catholic schools.

The Office of the Equal Opportunities (OEO) Ombudsperson adjudicates complaints of discrimination based on religion directed against state institutions, educational institutions, employers, and product and service sellers and producers.

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The parliamentary ombudsperson examines whether state authorities properly perform their duties to serve the population. The law on the parliament ombudsperson specifically includes religious discrimination within the purview of the office. The OEO and parliamentary ombudspersons may investigate complaints, recommend changes to parliamentary committees and ministries regarding legislation, and recommend cases to the prosecutor general's office for pretrial investigation.

While there is some overlap between the OEO and parliamentary ombudspersons, the OEO ombudsperson has greater authority to hear complaints about individual acts of religious discrimination.

Government Practices

Three applications for status as a state-recognized religious association continued to await parliamentary approval: the New Apostolic Church (pending since 2003), the Pentecostals Evangelical Belief Christian Union (pending since 2002), and the United Methodist Church of Lithuania (pending since 2001).

In July a citizen filed a petition against the government with the European Court of Human Rights alleging that during her stay at a government-run psychiatric hospital, she was not allowed to practice Ojas – a meditative religion – and that psychiatrists criticized her religious beliefs. In September the OEO received a complaint from a Muslim prisoner who said he was not allowed to pray after being placed in solitary confinement in Pravienske Prison. The ombudsperson decided that there were insufficient grounds to rule the prisoner had been discriminated against because of his religion.

The government provided restitution or compensation to a number of religious groups, including the Jewish community, for property seized during World War II and by the Communist regime. Information on which property the government restituted and to which religious groups was unavailable.

Muslim community leaders expressed concern that a 2014 OEO ruling mandating that the Foreigners' Registration Center in Pabrade, used to temporarily house migrants without legal status and asylum seekers, provide meals consistent with detainees' religious beliefs was not effectively enforced, particularly with respect to the conditions under which meals were prepared.

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The government provided 640,000 euros (\$696,409) to traditional religious groups to reconstruct religious buildings seized during the Nazi or Soviet eras and to support other religious community activities. The Roman Catholic Church received 571,000 euros (\$621,328), 89 percent of the total, the Archdiocese of the Lithuanian Orthodox community received 33,000 euros (\$34,923), and the remaining 33,000 euros (\$35,909) was divided up among the Lithuanian Church of Old Believers, the Vilnius Old Believers, the Lithuanian Evangelical Lutheran Church, the Evangelical Reformed Church of Lithuania Unitas Lithuanian Synod, the Spiritual Center of Lithuanian Muslims, the Jewish religious community, the religious community of Kaunas Jews, the religious community of Vilnius Jews Chassidie Chabad Lubavitch, the St. Joseph Basilian Vilnius Monastery, and the Lithuanian Karaite Jewish religious community.

The government supported Jewish educational, cultural, scientific, and religious projects. These projects included youth camps, photo exhibitions, and a mini-Limmud learning conference. On January 14, the government created a new commission, composed of government officials and representatives from the local and international Jewish communities, to address issues of Jewish culture and history and private property restitution, which continued to be a concern for the Jewish community. The commission met for the first time in May and decided to focus efforts on education and preservation as well as restitution of Jewish properties. The commission did not have funds to disburse for projects.

In April government representatives, including Vice Chancellor Rimantas Vaitkus and members of parliament, participated in the March of the Living event. Marching from the Paneriai railway station to the Paneriai Memorial, participants retraced the steps the Jewish prisoners of the Vilnius Ghetto took to the sites where they were massacred in the forest by Nazis during World War II. Earlier that day, Prime Minister Algirdas Butkevicius said it was a “duty” for the world to understand “the pain of the victims and to know the names of the heroes.”

On September 22 – the National Memorial Day for the Genocide of the Jews – President Dalia Grybauskaite awarded 47 Life Saving Crosses to those who risked their lives to rescue Jews during World War II. Later that day, government officials, led by Speaker of Parliament Loreta Grauziniene, participated in a memorial service at the Paneriai massacre site. Also in September the government revoked the national medal awarded posthumously to anti-Soviet partisan Pranas Koncius because of his participation in the Holocaust. On October 19, President Grybauskaite visited the Yad Vashem Memorial during a visit to Israel.

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The government and civil society continued to work together to promote Holocaust education and tolerance in schools. Students across the country participated in Holocaust commemoration marches in September, and students in Utena completed Righteous Among the Nations (a reference to an honorific title used by Israel for non-Jews who risked their lives to save Jews during the Holocaust) learning projects.

In June the government participated in the opening of a restored Jewish synagogue in Seduva, and in October Prime Minister Butkevicius spoke at the unveiling of a Jewish monument there.

As in past years, the only chaplains offering religious services to military personnel were Roman Catholic.

On October 12, the Order and Justice Party posted a joke conflating Middle Easterners with terrorism on its official website, generating media attention. Birute Sabatauskaite, director of the Lithuanian Center for Human Rights, criticized the Order and Justice Party, stating the “joke” represented growing anti-Muslim sentiment within the refugee debate.

In August police arrested a suspect in connection with a 2010 act of vandalism in which he allegedly put a pig’s head with a hat and pigtails in front of a synagogue. In October a court sentenced him to 10 months of probation and compelled him to pay restitution of 1,000 euros (\$1,088) to the Kaunas Jewish Community.

In January the government announced plans to renovate the Vilnius Sports Palace, which was constructed in the 1970s above part of the Snipiskes Jewish Cemetery. In considering the project, the government consulted with the Lithuanian Jewish Community and the London-based Committee for the Preservation of Jewish Cemeteries in Europe. Some international Jewish leaders expressed concerns that the planned renovation would further desecrate the cemetery. According to the Lithuanian Jewish Community, preservation of Jewish cemeteries in the country remained inconsistent, often depending on attitudes and actions of individual municipalities.

On February 25, the parliamentary Committee of Human Rights co-hosted the conference “Religious Minorities and Their Place in Today’s Lithuanian Society.”

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On April 28, the OEO introduced the religious diversity award at the National Equality and Diversity Awards it cosponsored. Professor Milda Alisauskiene won the inaugural award for her work to improve public acceptance toward and tolerance of religious minorities.

The government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

Anti-Semitic comments were common on the internet. Comments stated that Jews dominated the economy, controlled the United States, and were arrogant for believing they are a chosen people. In June police found a swastika painted on a Jewish monument in Kaunas. In August police found swastikas painted on the walls of an apartment building in Kaunas. In October a famous artist and composer generated media attention after posting a Holocaust joke to Facebook.

Press reports classified a February 16 nationalist march in Kaunas, where more than 10,000 Jews were massacred during the Holocaust, as “neo-Nazi” and reported the presence of participants wearing or carrying Nazi symbols. The march, reportedly organized by the Lithuanian Nationalist Union, attracted approximately 400 participants.

A similar march organized by the same Lithuanian Nationalist Union and involving up to 1,500 participants occurred on March 11, national independence day, in Vilnius. According to the Simon Wiesenthal Center, municipal authorities rejected its request to prohibit the event or move it out of the center of the city.

As the country prepared to accept 1,105 refugees as part of the European Union mechanism for resettlement, NGOs such as the Institute for Ethnic Studies and members of the Muslim community reported an increase in anti-Muslim sentiment prior to the arrival of the first refugees on December 15. On September 30, approximately 100 people gathered in Vilnius to protest the resettlement of predominantly Muslim refugees from the Middle East and Africa. Protest organizers said refugees posed a terrorist risk. A similar march occurred in Kaunas on October 17.

Section IV. U.S. Government Policy

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The U.S. embassy continued to maintain a regular dialogue with senior government officials, including members of parliament and officials from the Ministries of Justice and Foreign Affairs, on the importance of religious freedom. Embassy officials continued to engage with the government on combating anti-Semitism and to urge it to resolve the long-pending issue of compensation for Jewish private property seized during the Nazi and Soviet eras, as well as to take steps to integrate religious minorities, including Muslim refugees, into society.

The Ambassador and embassy staff met regularly with the Jewish community and other religious groups to discuss issues of concern. In April embassy officials participated in commemorative events to mark the liquidation of the Vilnius ghetto. In November embassy representatives met with Jewish community leaders, a member of parliament, and senior government officials to discuss the issue of private property restitution.

Embassy representatives also met with religious leaders and NGOs to discuss greater inclusion of Muslim refugees and religious minorities in society. In August embassy officials visited the Foreigner Registration Center in Pabrade and the Refugee Reception Center in Rukla to discuss issues of concern – including appropriate dietary options – with the respective directors. In November embassy representatives met with Muslim community leaders to discuss anti-Muslim sentiment and the community's plan to aid in the integration of arriving refugees from the Middle East. Also in November embassy officers met with the OEO ombudsperson to discuss investigations into citizen complaints on the abridgement of religious freedom.