



Lithuania's non-discrimination policy:

**The case of the Lithuanian Jewish and
Roma communities**

research summary

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INTRODUCTION



Lithuania can be considered to be a homogeneous country. According to the 2021 census, 84.61% of the Lithuanian population considered themselves to be of Lithuanian nationality.¹ The largest ethnic minorities at the time of the census were Poles (6.53%) and Russians (5.02%). In 2021, the Roma and Jewish communities in Lithuania accounted for 0.08% of the population.

According to the 2019 Eurobarometer survey, only 18% of Lithuanians thought that discrimination based on ethnic origin is widespread in the country (the EU average is 59%), and only 15% of respondents agreed that religious discrimination is widespread (EU average is 47%).² On the other hand, public opinion polls reveal a different situation. Despite the small number of Jewish and Roma communities in Lithuania in 2022, a significant amount, as many as 58.6% of Lithuanians would not want to live in a neighbourhood with members of the Roma community and 8.9% with Jewish people.³ The survey also revealed that 51.1% of the population indicated that their attitudes towards the Roma had either worsened a lot or got worse rather than better over the last five years.

In terms of public attitudes and social indicators, the Roma remain one of the most vulnerable minority groups in Lithuania. Increasing historical self-awareness about Jews in Lithuania and the fight against antisemitism at the level of state policy is still stalled - the history of Lithuanian Jews in formal and informal education is not sufficient, and the manifestations of antisemitism are still visible to the naked eye.⁴

Despite high levels of discrimination and discriminatory experiences, neither the Jewish nor the Roma communities report such incidents to the Office of the Equal Opportunities Ombudsperson, the main body dealing with discrimination complaints. According to the Equal Opportunities Ombudsperson, there were no complaints of discrimination experienced by Roma in 2012-2014, nor in 2018-2021. Reasons for not reporting are a lack of trust in state institutions, a lack of confidence in getting positive results, and a lack of recognition of cases of discrimination.

1 Official Statistics Portal (2023). Population 2021. Available in Lithuanian at: <https://osp.stat.gov.lt/lt/statistiniu-rodikliu-analize?hash=c226857c-6210-4079-a307-0ae82aabe51b#/>

2 European Commission (2019). Special Eurobarometer 493, 'Discrimination in the European Union'. Available in English at: <https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/survey/getsurveydetail/instruments/special/surveyky/2251>.

3 Blažytė G., Diversity Development Group (2022). "Public attitudes towards ethnic and religious groups: 2022". Available in Lithuanian at: <http://www.ces.lt/wp-content/uploads/2023/01/2022-m.-rugsejo-16-27-d.-duomenys.pdf>.

4 For instance, after the introduction of the Opportunity Passport (Galimybių pasas), a protest was organised at the Seimas of the Republic of Lithuania. It compared anti-vaccination protesters to the Holocaust, Jewish ghettos, and Stars of David. After the beginning of the Russian war in Ukraine, war graffiti appeared on the Holocaust memorial complex in Paneriai with Russian symbols - the letters Z and V. In 2023. Member of the Parliament of the Republic of Lithuania Remigijus Žemaitaitis, who criticised Israel's policy towards Palestine, made anti-Semitic statements, quoting an anti-Semitic poem "a Jew climbed a ladder and fell by accident. Take a stick, children, and kill that Jew."

The aim of the study is to identify the shortcomings of the Lithuanian legal framework in the field of non-discrimination, to give a platform and amplify the current experiences of antisemitism, antigypsyism, and xenophobia among the Jewish and Roma communities in Lithuania, and to develop policy recommendations to state institutions with a view to improving the response to the various forms of discrimination in Lithuania, as well as to raise public awareness on antisemitism, antigypsyism and xenophobia.

Objectives of the study:

- a)** To conduct a review of the legal framework and strategic documents of the European Union and Lithuania and to identify the shortcomings of the Lithuanian legal framework in the area of non-discrimination, especially in relation to the Roma and Jewish communities;
- b)** to voice the experiences and needs of the Roma and Jewish communities;
- c)** to reveal and highlight the impact of discrimination on individuals and communities;
- d)** develop policy recommendations to public authorities.

To achieve the objectives of the study, **a qualitative methodology** was chosen, combining three complementary methods: legal framework analysis, semi-structured interviews and focus group discussions. This research design was chosen in order to achieve the objectives of the study - to provide an overview of the Lithuanian legal framework, identify gaps and formulate recommendations from the direct experiences of communities - in a more comprehensive and targeted manner.

Definitions used

An ethnic or national minority is usually understood as a numerically smaller group of persons, which distinguishes itself from the majority of the population of a state or region on the basis of language, culture and ethnicity and supports direct or indirect solidarity with its culture, traditions, religion and language. In the Lithuanian language, the word “nation” can mean both an ethnic group and a political entity, therefore, according to Natalija Kasatkina, Lithuanian scientists tend to attribute the concepts of nation and nationality to everyday usage, while for scientific analysis they choose the more neutral and broader term of ethnicity.⁵

Although the term “ethnicity” is used in the Equal Opportunities and other laws of the Republic of Lithuania, neither the concepts of nationality nor ethnic minority are defined at the legislative level. In this study, both terms are used synonymously - the literature review refers to the terms originally used in the studies and the analytical part uses both terms.

The Constitution of the Republic of Lithuania also uses the concept of **national community**.

5 Kasatkina, N. (2007). *Etniškumo tyrimai: tendencijos ir esminės sąvokos*. Filosofija. Sociologija 18 (4).

According to Marijuš Antonovič, a lecturer at Vilnius University's Institute of International Relations and Political Sciences, the distinction between the concepts of national community and national minority is drawn by those who oppose the strengthening of the protection of the rights of national minorities (especially Poles) in Lithuania.⁶ The difference is claimed to be based on the fact that the national community refers to the fact that its members have their own (ethnic) state (like, for example, Poles), while national minorities do not (like, for example, Karaims, Tatars, Roma). However, from the point of view of international law, for the protection of national minorities, whether the minority has its own ethnic state or not is not important. From this point of view there is no fundamental difference between a national community and a national minority.

Although from a formal point of view, Jews are a national minority in Lithuania, usually the members of the Jewish community do not identify with this term. They more often perceive themselves as an ethno-religious, cultural community. Due to these and other differences between the studied groups, the concepts of **Roma and Jewish communities** are used in this study. It is not a formal term, but it aims to summarise the experiences of the different groups under study and to take into account the different concepts of ethnic (or religious) affiliation of Jews and Roma.

This study is guided by the definition of **discrimination** in the Law on Equal Opportunities of the Republic of Lithuania: "direct and indirect discrimination, harassment, or order to discriminate on the basis of gender, race, nationality, citizenship, language, origin, social status, faith, beliefs, or attitudes, age, sexual orientation, disability, ethnicity, or religion".

According to Article 2(9) of the Law on Equal Opportunities, **direct discrimination** is the treatment of a person when, on the basis of enumerated grounds of discrimination, he or she is "subjected to less favourable treatment than another person in similar circumstances is, has been, or would be subjected to" (the exceptions to this are provided for by law). Indirect discrimination occurs when the implementation of formally neutral legal norms, practices or conditions results in an actual restriction of human rights or privileges and unequal treatment on the basis of certain characteristics of a person's identity (Article 2(5) of the Law on Equal Opportunities). Although the study does not seek to classify different experiences of discrimination, the use of the term discrimination refers to both forms of discrimination.

Structural discrimination is often associated with the power structures that underpin the functioning of systems - legislation, institutional practices and social norms are examples of structures in which individuals can be privileged or discriminated against depending on their position in the social hierarchy.⁷ Systemic discrimination encapsulates structural discrimination and manifests itself in all systems of societal action - for example, political, legal, economic, educational, health and law enforcement.⁸

6 Antonovič, M. (2018). *Tautinės mažumos ar tautinės bendrijos?* Available in Lithuanian at: <https://www.tspmi.vu.lt/komentarai/tautines-mazumos-ar-tautines-bendrijos-m-antonovic/>

7 Braveman, P. A. et al. (2022). Systemic and Structural Racism: Definitions, Examples, Health Damages, and Approaches to Dismantling. *Health Affairs*. 41 (2), pp. 171-178. Available in English at: <https://doi.org/10.1377/hlthaff.2021.01394>.

8 *Ibid.*

It is also important for this study to consider **intersectional discrimination**, where certain groups in society experience discrimination, intolerance and/or disempowerment not because of one but because of several identities or traits that create a new social situation - for example, the experiences of Roma women are uniquely different from those of Roma men. Often, intersectional discrimination goes unrecognised and as a result, the doubly or triply marginalised are not given attention in the legal, political or social spheres.⁹ In Lithuania, research on intersectional discrimination is scarce, and usually this type of discrimination is only one aspect of the research.¹⁰ Moreover, the concept is not sufficiently amplified in the public and political spheres, and it is also lacking in the realm of education.

The concept of **xenophobia** is often used in the context of ethnic discrimination. According to the European Commission, xenophobia is “attitudes, prejudices and behaviours that reject, alienate and often denigrate individuals on the basis of the perception that they are outsiders or strangers to a community, society or national identity”.¹¹ Both Roma and Jewish communities are often treated as outsiders to the Lithuanian nation, and their characteristics are distorted and juxtaposed with those of the so-called general society. For example, despite the fact that the Roma have lived in Europe for over 500 years, different origin stories of this ethnic group emphasise the exotic nature of the Roma, as if they have nothing in common with Europeans.¹² Both communities are often attributed negative traits that generalise the entire ethnic group, where the characteristics or actions of individuals are attributed to the entire community, and the image of the community is created by singling out and emphasising the characteristics and actions of individuals.¹³

The terms **antisemitism** and **antigypsyism** are commonly used to refer specifically to discrimination against Roma and Jews. Antigypsyism refers to various forms of discrimination against people of Roma origin and nationality. Although the concept of antigypsyism is not unambiguous in all EU countries, there is a moving consensus among international organisations, national governments, Roma leaders, NGOs and academics that antigypsyism should be understood as a specific form of racism against Roma and as one of the root causes of their social exclusion and inequality.

9 Crenshaw, K. (1989). Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Anti-Discrimination Doctrine, Feminist Theory, and Anti-Racist Politics. *University of Chicago Legal Forum*. 1989 (1), pp. 139-167. [žiūrėta 2022 m. liepos 5 d.]. Available in English at: <http://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>

10 Vaigė, L. (2013). Moterų tautinėse mažumose daugialypė diskriminacija. *Tautinių mažumų apsauga: tarptautinės teisės aspektai*. Vilnius: Mykolo Romerio Universitetas, pp. 128-163.

11 European Commission (2022). Xenophobia. [žiūrėta 2022 m. liepos 5 d.]. Available in Lithuanian at: https://home-affairs.ec.europa.eu/pages/glossary/xenophobia_en.

12 Simoniukštytė, A. (2006). *Lietuvos romai: tarp istorijos ir atminties. Lietuvos etnologija: socialinės antropologijos ir etnologijos studijos*. 6 (15), pp. 123-154.

13 Lietuvos žydų (litvakų) bendruomenė (2018). Rekomendacijos dėl veiksmų kovojant su antisemitizmu ir romafobija Lietuvoje. Vilnius: Lietuvos žydų (litvakų) bendruomenė, pp. 1-131. Available in Lithuanian at: <https://www.lzb.lt/2018/03/15/rekomendaciju-del-veiksmu-kovojant-su-antisemitizmu-ir-romafobija-lietuvoje/>; Beresnevičiūtė V. ir Leončikas T. (2009); Beresnevičiūtė, V. ir Frėjutė-Rakauskienė, M. (2006). Etninė tematika ir nepakantumas Lietuvos žiniasklaidoje: dienraščių analizė. *Etniškumo Studijos*. 1, pp. 19-44. Available in Lithuanian at: http://www.ces.lt/wp-content/uploads/2012/03/EtSt_Beresneviciute_Frejute-Rakauskiene_2006.pdf.

The Holocaust Encyclopaedia succinctly defines antisemitism as prejudice or hatred against Jews.¹⁴ On 26 May 2016, the International Holocaust Remembrance Alliance (IHRA) issued a non-legally binding, practical definition during its plenary session, which states that antisemitism encompasses rhetorical and physical forms of expression directed against Jewish or non-Jewish persons and/or their property, Jewish community institutions and religious buildings, and which are based on a perception of Jews or on a hatred of Jews.¹⁵ According to the IHRA, one of the common expressions of antisemitism is to accuse Jews of having conspired to harm humanity, or of being the reason “why things go wrong”. This is expressed verbally, in writing, in images and actions, and through the use of threatening stereotypes and negative character traits. Antisemitism can also take the form of hatred of the State of Israel, understood as an expression of Jewish collectivity, but this does not equate to criticism of Israel as any other country. When it comes to forms of antisemitism, the term everyday (“casual”) antisemitism is also often used. Such antisemitism is generally considered to be the use of certain ingrained negative stereotypes in everyday speech, often unintentionally or without active anti-Jewish prejudice. Although everyday antisemitism often takes the form of tropes, nonsensical remarks, it is also an integral part of antisemitism.

In Lithuania, empirical research on ethnic minorities has tended to focus on the largest Lithuanian minorities - Poles and Russians.¹⁶ The problem of discrimination against Jews and Roma in Lithuania has been more often examined through the prism of history, with a number of articles exploring the historical development of the (dis)integration of these ethnic groups.¹⁷ However, much less attention has been paid to the contemporary institutional, structural, systemic and multidimensional discrimination of Lithuanian Jews and Roma. Research on discrimination and hate crimes in Lithuania has tended to focus on stereotypes and prejudices disseminated in the media, while hate incidents experienced by individuals have been studied much less frequently.¹⁸ Thus, research on

14 Holocaust Encyclopedia (2023). Available in English at: <https://encyclopedia.ushmm.org/content/en/article/antisemitism>

15 The International Holocaust Remembrance Alliance (2016). Available in English at: https://www.holocaustremembrance.com/sites/default/files/press_release_document_antisemitism.pdf.

16 For instance, Gaidys, V. (2020). Etninės grupės visuomenės nuomonės apklausose. *Lietuvos socialinė raida: socialinių ir etninių mažumų grupių įtrauktis Lietuvoje*. Vilnius: Lietuvos Socialinių Tyrimų Centras, pp. 65-75; Frėjutė-Rakauskienė, M., Marcinkevičius, A. ir Šliavaitė, K. (2016). Etninių mažumų grupės Lietuvoje: demografinė kaita ir socialinės padėties aspektai. Lietuvos Gyventojų grupių socialinė kaita. Vilnius: Lietuvos socialinių tyrimų centras, pp. 85-108; Labanauskas, L. (2016). Rusakalbis jaunimas Visagine: antros ir trečios kartos migrantų tautinis tapatumas. *Lietuvos gyventojų grupių socialinė kaita*. Vilnius: Lietuvos socialinių tyrimų centras, pp. 125-141; Šliavaitė, K. (2012). Etninės mažumos darbo rinkoje: kalbos, pilietybės ir socialinių tinklų reikšmė (Visagino atvejis). *Etniškumo Studijos*. 1-2, pp. 103-125; Petrušauskaitė, V. ir Pilinkaitė-Sotirovič, V. (2012). Rusai Lietuvoje: etninės grupės raida ir socialinės integracijos iššūkiai 2001-2011 m. *Etniškumo studijos*. 1/2, pp. 14-50.

17 For instance, Malinauskaitė, G. (2013). Holocaust Memory and Antisemitism in Lithuania: Reversed Memories of the Second World War. *International Conference “Antisemitism in Europe Today: The Phenomena, the Conflicts”*. Berlin: The Jewish Museum Berlin, pp. 1-6; Sirutavičius, V. (2011). „Kova už lietuvių kalbos teises“, arba dar kartą apie „murzintojų“ bylą (antisemitizmas ir jo raiška Lietuvos viešajame gyvenime 1922-1924 m.). *Lietuvos istorijos metraštis*. 2, pp. 51-76; Simoniukštytė, A. (2006). Lietuvos romai: tarp istorijos ir atminties. *Lietuvos etnologija: socialinės antropologijos ir etnologijos studijos*. 6 (15), pp. 123-154; Donskis, L. (2006). Another Word for Uncertainty: Antisemitism in Modern Lithuania. *NORDEUROPAforum - Zeitschrift für Kulturstudien*. 16 (1), pp. 7-26; Venclauskas, L. (2003). Stereotipų mįslės: antisemitizmas Lietuvos ir Prancūzijos spaudoje 1940-1942 metais. *Darbai ir dienos*. 34, pp. 321-347.

18 Labanauskas, L. (2019). Neapykantos nusikaltimų pažeidžiamų bendruomenių kokybinio tyrimo ataskaita. Vilnius: Vidaus Reikalų Ministerija, pp. 1-100.

discrimination against Jewish and Roma ethnic groups in Lithuania is necessary to amplify the still unresolved and unmet needs of communities and to better understand the appropriate measures to implement them.

LEGAL ANALYSIS



In 1989, with the adoption of the Law on National Communities, the first institution coordinating national minority issues was established in Lithuania - the Department of Nationalities under the Government of the Republic of Lithuania (LRG). In 1994, on the proposal of the Seimas, this institution was transformed into the Department of Regional Problems and National Minorities under the LRG, and in 1999 - into the Department of National Minorities and Diaspora under the LRG. These changes were implemented in response to the accelerating emigration and the desire to maintain the connection of foreign Lithuanians with the Republic of Lithuania.¹⁹ A decade later, it was decided to abolish the Department of National Minorities and Diaspora and to transfer its rights and responsibilities to the Ministries of Culture, Education and Science and Foreign Affairs. At the same time, the Law on National Minorities also ceased to be valid. Finally, in 2015, the institution implementing the state policy on national minorities was re-established and the Department of National Minorities under the Government of the Republic of Lithuania was established, which has been operating ever since. One of its main functions is to analyse information on issues related to the implementation of the national minorities policy, to summarise the practice of applying laws, government decisions and other legal acts on these issues, and to organise the publicity of the state policy on national minorities and the publication of publications.

However, the Law on National Minorities, which was in force between 1989 and 2010, has not been reinstated.

On the other hand, Lithuania has signed and/or ratified a number of international human rights treaties, including those guaranteeing the rights of national minorities. As a member of the European Union, Lithuania undertakes to implement the binding instruments adopted at the EU level, as well as to transpose some of them into national law. The study reviews international and EU law and strategic documents, Lithuania's legal framework and Lithuania's strategic planning documents implementing international commitments.

International conventions

In 1995, the Seimas of the Republic of Lithuania adopted a statement on racism, xenophobia, antisemitism and intolerance, in which the Seimas spoke out against racially hateful ideologies, violence and discrimination, and against any actions that cause tension and distrust between different racial, ethnic, national, religious or social groups. At the same time, Lithuania pledged to strive for the Republic of Lithuania to accede to the relevant international instruments, and urged the Government of the Republic of Lithuania to fully support preventive measures against the persistence

¹⁹ Varnaitė D. *Tautinių mažumų departamentas prie Lietuvos Respublikos Vyriausybės*. Available in Lithuanian at : <https://www.vle.lt/straipsnis/tautiniu-mazumu-departamentas-prie-lietuvos-respublikos-vyriausybes/>

of intolerance, in particular by fostering mutual understanding and trust.

On 12 June of the same year, Lithuania's objective to become a member of the European Union was formally recognised, and at the end of the year the official application for EU membership was submitted. This led to accession to various international human rights instruments dealing with racial and ethnic discrimination:

- International Convention on the Elimination of All Forms of Racial Discrimination (ratified in 1998, entered into force in 1999),
- Framework Convention for the Protection of National Minorities (ratified and entered into force in 2000),
- European Convention for the Protection of Human Rights and Fundamental Freedoms (ratified and entered into force in 1995),
- The European Social Charter (ratified and entered into force in 2001).

EU law and strategic documents

The European Union is committed to fighting discrimination, racism and xenophobia, including antigypsyism and antisemitism. To this end, it has adopted various pieces of legislation prohibiting discrimination, as well as adopted measures to combat racism, antigypsyism and antisemitism. Moreover, it has monitored Member States' compliance with these pieces of legislation and measures, and raised awareness of these challenges and their consequences. This includes:

- 1. The legal system.** Documents adopted at European Union level include the Racial Equality Directive (2000/43/EC), the framework decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (2008/913/JHA), and other legislation combating antisemitism and antigypsyism, criminalising hate speech and incitement to violence based on racial or ethnic origin, religion or belief.
- 2. Action plans and integration programmes.** The EU itself adopts and encourages Member States to develop and implement a range of integration strategies to improve the social inclusion of Roma, as well as action plans to combat antisemitism and other forms of racism. The study reviews the EU Action Plan against Racism (2020-2025), the EU Strategy on Combating antisemitism and fostering Jewish life (2021-2030), and the EU Roma Strategic Framework (2020-2030).
- 3. European Parliament resolutions.** The EP resolutions call on Member States to coordinate EU and national efforts to combat discrimination, thus making it a priority issue. For example, the 2005 resolution on the Holocaust, antisemitism and racism, the 2006 resolution on the situation of Roma women in the European Union (2005/2164(INI)), the 2018 resolution on the rise of neo-fascist violence in Europe, etc.

- 4. Media regulation.** For example, the Audiovisual Media Services Directive (2010/13/EU) aims to combat hate speech and incitement to violence in audiovisual media, including online platforms. It helps to prevent the spread of antigypsyism and antisemitism through media channels.
- 5. Education and awareness.** The EU supports initiatives to promote tolerance, diversity and mutual respect through education and awareness campaigns. These efforts aim to combat stereotypes, prejudice and discrimination based on race, ethnicity, religion and belief.
- 6. Countering Holocaust denial and distortion.** The EU stresses the importance of preserving the memory of the Holocaust and preventing its denial or distortion. Efforts are made to ensure that education programmes and public discourse accurately reflect historical facts and promote understanding and remembrance.
- 7. Monitoring and reporting.** The EU regularly monitors and reports on the human rights situation, including the situation of minorities affected by anti-gypsyism and antisemitism. This information helps to identify areas for further attention and action.

While these actions and legislation are important steps, countering antigypsyism and antisemitism is an ongoing process in which both the EU and its Member States must engage.

The Lithuanian legal framework

The Constitution of the Republic of Lithuania, the country's main document, enshrines some of the rights of national minorities. For example, Article 37 of the Constitution guarantees the right of national communities in Lithuania to preserve their language, culture and customs. Article 45 declares that national communities shall independently manage national cultural affairs, education, charity, and mutual assistance, but the State shall provide them with support.

Currently, there are two laws in force in Lithuania that establish and protect equal opportunities: the Law on Equal Opportunities for Women and Men of the Republic of Lithuania, adopted in 1998 and entered into force in 1999 and the Law on Equal Treatment of the Republic of Lithuania, adopted in 2003 and entered into force in 2005. The latter is considered to be crucial to ensuring equal opportunities and non-discrimination on grounds of age, sexual orientation, disability, race or ethnic origin, religion or belief.

The Law on Equal Opportunities also establishes the mandate of the Equal Opportunities Ombudsperson, who deals with complaints and enquiries from citizens. In accordance with Article 17 of the Law on Equal Treatment, the Ombudsperson, in accordance with the principles of legality, impartiality and fairness, shall investigate complaints in accordance with the procedure laid down in this Law, conduct investigations on his/her own initiative and provide advice on inquiries; carry out independent investigations into cases of discrimination and independent reviews of the situation of discrimination, publish independent reports, provide conclusions and recommendations on

any issues related to discrimination in relation to the implementation of the aforementioned Law, as well as proposals to state and municipal institutions and bodies on the improvement of legislation and priorities for the implementation of equal rights policy, carry out preventive and educational activities, and disseminate the promotion of equality of opportunity; exchange information with other institutions and bodies of the Republic of Lithuania and foreign states, and with international organisations. In addition, the Equal Opportunities Ombudsperson monitors the implementation of the United Nations Convention on the Rights of Persons with Disabilities.

Anti-discrimination provisions and guarantees are also enshrined in the Labour Code of the Republic of Lithuania, which entered into force in 2017. It contains most of the provisions relating to employment relations that were previously set out in the Law on Equal Treatment. In addition, the Labour Code introduces an obligation for public and private entities employing more than 50 employees to adopt measures to promote and implement equality policies in the workplace. The Labour Code also introduces a broader list of grounds for non-discrimination: in addition to those provided for in the LGA, the Labour Code covers medical conditions, the intention to have a child/children, adoptive child/children, foster child/children, or ward/ward child/children.

The Law on Education of the Republic of Lithuania, adopted in 1991, stipulates that in areas where a national minority communities traditionally live in large numbers, the municipality, at the request of the community, shall guarantee education in the language of the national minority or in the language of the national minority. In these schools, the subject of the Lithuanian language is an integral part of the curriculum and its teaching is given at least the same time as that of the mother tongue (Article 28(7)). At the same time, it is stated that general education and non-formal education schools shall provide opportunities for pupils belonging to national minorities to foster their national, ethnic and linguistic identity, to learn their mother tongue, history and culture. In these schools, the subject of the Lithuanian language is an integral part of the curriculum and is taught at least as much as the mother tongue (Article 30(2)).

The Constitution of the Republic of Lithuania and the Law on Religious Communities and Societies of the Republic of Lithuania, adopted in 1995, declare that there is no state religion in Lithuania, but everyone has the right to freely choose any religion or belief and to profess it. Article 26 of the Constitution establishes the freedom of thought, belief and conscience and the freedom to exercise it.

Freedom of expression is enshrined in Article 25 of the Constitution of the Republic of Lithuania, which states that a person has the right to hold opinions and to express them freely. A person shall not be prevented from seeking, receiving and imparting information and ideas. However, the freedom to express one's convictions and disseminate information is incompatible with criminal acts such as incitement to national, racial, religious or social hatred, violence and discrimination, defamation and disinformation.

Statements intended to insult, belittle, dehumanise a particular national, racial or other group of people or a member of such a group, i.e., to show the real or perceived vulnerability, inferiority, or limitation of such a group of people or a particular member of such a group, shall be considered hate speech, which is punishable under Article 170 of the Criminal Code of the Republic of Lithuania.

Back in 1989, in Soviet Lithuania, the Law on National Minorities of the Republic of Lithuania was adopted, guaranteeing the freedom of development for national minorities living in Lithuania and respect for every nationality and language. However, the Law on National Minorities, which expired in 2010, has never been renewed, and all attempts to adopt a new law have so far failed. In the opinion of the authors of the study, the law would serve as a clear message from the state to Lithuania's national minorities that it recognises and respects the unique identity, culture, language and history of national minorities. A separate law can demonstrate that the state is interested in preserving and valuing this diversity within the national framework.

Lithuanian strategic documents

Although the legislation on non-discrimination is in line with international obligations and recommendations of international organisations, the tradition of strategic plans in Lithuania is still weak.

Article 3(2) of the Law on Equal Treatment of the Republic of Lithuania obliges state and municipal institutions, within their competence, to develop and implement programmes and measures aimed at ensuring equal opportunities irrespective of age, sexual orientation, disability, race or ethnicity, religion or belief. In accordance with this provision, plans for the promotion of non-discrimination and the integration of Roma into Lithuanian society are being developed and implemented in Lithuania.

Despite international and EU recommendations, Lithuania does not yet have separate strategic plans for the LGBTQ+ community, combating racism or antisemitism. According to the European Commission's recommendations, Member States should have adopted actions to combat racism and antisemitism by the end of 2022, but to the authors' knowledge, no such strategic documents have been prepared so far.

The study's review of the Action Plans for the Promotion of Non-Discrimination revealed that, although the content and form of the plan is gradually changing from year to year, the strategic documents are still lacking a strategic vision to ensure an appropriate non-discrimination policy in Lithuania. This is mainly a list of measures, the necessity of which is based on some sociological research.

While some measures can be considered to cover all groups protected by the law (for example, reducing discrimination on the grounds set out in the Law on Equal Treatment by raising public awareness and fostering respect), the measures are too abstract to make a substantial difference to the rights of individual groups. None of the plans included specific measures to combat antisemitism, which has only increased in recent years.

In 2017, 0.0051% of the total state budget was allocated to non-discrimination policy in Lithuania. It is clear that insufficient funding hinders the development of a strategic vision of non-discrimination policy in Lithuania and the effective implementation of the envisaged measures.

A review of all the plans that have been designed to integrate Roma into Lithuanian society shows

that the documents lack measures to address the specific problems identified in sociological studies, as well as concrete indicators to document the implementation and progress of the plan. For example, although studies show that the vast majority (96%) of Roma still live below the poverty line and 61% live in households with severely deprived material wellbeing²⁰, the Plan does not include specific measures and figures.

Although Roma children's 'drop-out' from the education system is still a problem, the Plan does not set out the change it aims to bring about in terms of the number of children enrolled in pre-school, pre-primary and mainstream education systems. The 2022-2023 Plan includes a measure to help educational institutions organising pre-school, pre-primary and general education to properly organise the education of Roma pupils with different educational needs, as well as to improve the skills of teachers and others involved in the educational process to work with different groups of pupils with special educational needs (Roma), but does not include the enrolment of Roma children in educational institutions as an objective and the measures to achieve it.

20 Kontvainė, V. (2020). *Romų Tautybės asmenų padėtis 2020 m.* Vilnius: Diversity Development Group, pp. 1-65. Available in Lithuanian at: [https://tmde.lrv.lt/uploads/tmde/documents/files/Rom%C5%B3%20pad%C4%97tis%202020_TYRIMO%20ATASKAITA_galutin%C4%97%20\(002\).pdf](https://tmde.lrv.lt/uploads/tmde/documents/files/Rom%C5%B3%20pad%C4%97tis%202020_TYRIMO%20ATASKAITA_galutin%C4%97%20(002).pdf)

RESULTS OF THE QUALITATIVE STUDY



Experiences of the Roma discrimination: testimonies and trends in Lithuania

The study explores the experiences of Roma community members and community leaders, provides testimonies of the challenges faced by the Roma community in Lithuania, and offers insights for policy-making. It also provides key insights from a focus group discussion with representatives of institutions and NGOs.

Experiences of discrimination of the Lithuanian Roma

According to Roma testimonies, discrimination is made up of various everyday situations and experiences. Respondents shared both unpleasant situations they encounter on the street and concrete experiences in specific areas of life: school, the labour market, the rental market.

Roma in education

Attention was firstly drawn to the fact that school communities often act passively towards Roma pupils, without motivational or conventional control measures, considering these children as “problematic”. According to the Roma, the so-called “dropping out” of school at an early age is not only the responsibility of the Roma themselves, but also the lack of attention given to these children by school communities, which often have an indifferent or even discriminatory attitude that their situation makes them exceptionally difficult pupils:

“We have one school where my brothers go, my brother’s children went to school, and I started to keep some statistics on this particular school, because there is close to, well, let’s say there is one place where most of the Roma live, and several generations used to go to that school and nobody graduated, nobody, just, very condescendingly.” (M_R_lead1)

The research conducted by V. Petrušauskaitė also showed that formal education in Lithuania does not sufficiently take into account the specific needs of individual groups, including the Roma, thus not ensuring equal opportunities and social justice for all children and young people attending

educational institutions.²¹ Parallel to this passivity, which Roma say is widespread in educational institutions, Roma are often subjected to classroom-based discrimination from their classmates or teachers:

“There was one time when a teacher said: “You go to your settlement²² on your own.” I say: “I won’t go, teacher, so why don’t you, teacher, go?” She said: “I have nothing to do there.” I said: “Well, maybe you’ll have something to do, maybe you’ll go and see, maybe you’ll like it.” She got angry with me, wanted to take me to the principal’s office.” (V_R_19)

When it comes to Roma education and literacy, it is important to note that literacy and school attendance are not a given in this difficult socio-economic and often exclusionary context. Thus, education among Roma is not only a question of inclusion of young people in the school community, but also a question of literacy among older young people and adults. Low levels of education are a huge part of the discrimination coin, causing many disadvantages in a society where literacy is generally taken for granted:

“There are such people in the municipality that don’t see us: ah, the Roma are illiterate [illiterate], not interested... They immediately ignore us like that. This cannot be the case. We are also human, and it also happens that other people do not know how to read and write. Life was like that, it didn’t work out, maybe something happened. Yes, they write you off right away.” (V_R_19)

Therefore, the importance of the inclusion of young people in the education system and their retention in it is essential - it is both a key means of inclusion and a preventive measure for Roma to experience intersectional discrimination and exclusion in the future.

Experiences of employment

Employment difficulties are one of the most clearly recognised and voiced cases of discrimination by Roma, about which almost all interviewed Roma shared negative stories:

“I had to [look for a job], but as you may know, it is very difficult for Roma people to get a job because they don’t want to hire us. <...> It is even more difficult for those who can neither read nor write. Now, for example, to get a job as a cleaner, you have to have a ten-grade education.” (M_R_25);

According to the respondents, it is even more difficult to get a job outside the big cities. A social

21 Petrušauskaitė, V. (2014). (Ne)lygios galimybės švietime: ankstyvo romų vaikų pasitraukimo iš ugdymo sistemos Vilniaus mieste analizė. *Etniškumo studijos* 2014/1. P. 7. Available in Lithuanian at: https://lsta.lt/wp-content/uploads/2023/03/Etniskumo-studijos-2014_1-final.pdf.

22 The settlement here refers to Vilnius Kirtimai settlement, where most of the local Roma population used to live and which was demolished for over 5 years when the interview took place.

worker (intermediary) who participated in the study, who herself helps Roma people find work in various other areas of life, said when talking about employment in the province: “But it is discrimination, with work it is a tragedy. Well, where to recruit, I don’t know <...>. There is such a thing as “a Roma woman works next door”. There is this thing, it’s very difficult, I don’t know, I don’t know when it will end.” (Int.) According to the community leader, the situations when Roma’s appearance is assessed and employment is refused because of this are typical and constantly recurring.

Therefore, employment remains one of the most sensitive problems identified by the Roma, where, according to the Roma, especially deep negative attitudes of the society prevent the progress of the self-sufficiency and inclusion of the Roma.

Experiences in acquiring housing

In terms of acquiring housing, the Roma also face great difficulties and have many unsuccessful stories. The great challenges to find employment and the reluctance of rent housing to Roma most sharply reveal the damage of stereotypes and attitudes prevailing in society - it is difficult for Roma to secure such basic needs as the opportunity to earn or own a home, often only because of their appearance and the stereotypes about their appearance:

“Others have a very hard time, others are not given an apartment, <...>. He sees a Roma person, that’s all, he won’t give it. Think that he will do something to it. And it’s very difficult. I remember we went to look at the apartment. I went because I am literate, I can read, write, everything there. We drove, on the phone they said ok, OK, drive. We arrived, they saw us and somehow understood, and didn’t really want to give us anything. And he didn’t.” (V_R_19)

Informants testify about repeated cases and do not notice longterm changes. Although negative public attitudes and the resulting fear of Roma persons are identified as the biggest obstacles during the interviews. Thus, the available means of assistance - mediators and effective compensation mechanisms - are exceptionally important.

The case of the demolition of the Vilnius Kirtimai settlement

When talking about acquiring housing, the interviewed Roma who live in Vilnius and grew up in the Kirtimai settlement inevitably shared their experiences when they were forced to move out of their homes in the settlement and on what principle this eviction was carried out. It is a rather exceptional case, the consequences of which people still feel today, recalling incorrect eviction procedures or still not having secure housing. This case reveals many aspects of discrimination and was named by all the study participants who grew up or lived there. Therefore, although it is related exclusively to the Roma community in Vilnius, it is an illustrative example of wider discrimination.

In the eyes of the majority of the society and the institutions, the Kirtimai settlement is seen as a cradle of various criminal and other similar problems, but for the people who lived there, it was above all a home. Social relations, as well as connections and contacts with institutions and educa-

tional institutions, were created in this settlement, which the forcibly evicted residents often had to create anew.

The institutions of the European Union have for a long time paid great attention to informal Roma settlements and promoted desegregation, i.e. striving to ensure quality housing, available infrastructure of services, reducing social exclusion, etc. for Roma living in informal settlements.²³ These processes are designed to promote inclusion and ensure human rights. However, in the case of Vilnius Kirtimai settlement, informants testify not only about the brutal process of demolishing the settlement itself, but also about the failure to ensure the right to housing even after the settlement was demolished:

"<...> the policemen from the 2nd commissariat came and ordered us to demolish our house. But <...> did not have an official document that we should demolish our house. They came of their own free will. <...> If we don't demolish it, we will get fined. But go wherever you want, that's what he said. Go wherever you want." (M_R_26)

"<...> The period was difficult, because until now the grandmother, how many years have passed, five years have passed, and she has not received anything [housing] yet." (M_R_25)

The settlement's case illustrates the relationship between police officers and the Roma community:

"There were many images of the police attacking children, not seeing them, a child, not a child, a woman, pregnant, not pregnant, there was no difference, old, young - they beat everyone." (V_R_19);

"the police come and say: you have to demolish your house, when they demolished that house in the settlement, and if you don't demolish it, you will go to the centre of Panevėžys, to the correctional facility." (M_R_25).

Informants' accounts testify that the degrading attitude and behavior of police officers was a large part of the unethical demolition and eviction of the settlement. Therefore, the evaluation of the consequences of the demolition of the settlement, damage compensation mechanisms and ensuring the right to housing for the Roma community who lived there remain relevant to this day.

"Lack of motivation" or long-term exclusion and discrimination?

Often, when talking about Roma integration and various inclusion measures, one comes across

23 Europos Parlamentas (2022). 2022 m. spalio 5 d. Europos Parlamento rezoliucija dėl romų bendruomenių, gyvenančių ES gyvenvietėse, padėties (2022/2662(RSP)). Available in Lithuanian at: https://www.europarl.europa.eu/doceo/document/TA-9-2022-0343_LT.html

a stereotypical attitude prevalent in society that the Roma themselves lack motivation, that they do not take responsibility for their own situation, do not take action for their inclusion, and that is precisely why one or another integration measure is ineffective. Such an accusatory attitude is problematic for many of the reasons already mentioned. First of all, motivation is not an exclusively personal quality that a person has or does not have, just as it is not a cultural feature of a nation - it depends on the context of the person, on experiences, on social and economic status, emotional state and other factors. Growing up in a community where certain life patterns are common, constant experience of exclusion and often living on the edge of poverty, when a person's family, relatives and acquaintances constantly share similar stories of rejection, inability to get employment, rent housing and other similar experiences, trust in opportunities and motivation to become more actively involved in societal life are not self-explanatory, which is why talking about a personal lack of motivation becomes problematic.

Systematic, long-term discrimination against the Roma community, slow changes in integration and low involvement of the Roma community point to a situation of a catch-22, when faced with negative attitudes from public service providers, representatives of institutions, potential employers, educational institutions and simply members of society, Roma tend to do not trust the institutions, the services provided by them, the assistance provided by the state in general and the opportunities provided by the society, as a result, they apply for certain services or get involved in the societal life less. G. Čeledinaitė calls such a situation a closed circle of experience of discrimination, referring specifically to the tendencies of the national communities to close off from the rest of society, caused by the hostility and discrimination by the rest of society, which in turn deepens the hostility and the separation.²⁴

Therefore, motivation and trust in public services and the possibilities offered by certain integration measures can be lost in such circumstances and must be actively encouraged.

Intersectional discrimination

The essential difference between the Roma community, both from other ethnic communities and from other minority groups in society, is that the situation of the community is difficult when assessing practically all social indicators, and the community lives in a certain social isolation from this point of view. Therefore, it is not enough to look at the Roma as an ethnic minority, because the stigma of the Roma ethnicity is intertwined with countless other issues - living in poverty or at risk of poverty; discrimination in the labor market; experience in a prison; being a single woman with many children; little education. Therefore, stigma in many cases is not limited to the fact that a person is of Roma origin, it is multi-layered.

For example, according to the testimonies of the informants, a large part of the responsibility for the family and the family's well-being falls on the shoulders of women. Stating that men get involved in housework and family life a little more, the informant emphasised that "And the house, and children, and everything... And money, everything. Everything by women." (M_R_29). Such an

24 Čeledinaitė, G. (2015). Žydų tautinės mažumos diskriminacijos patyrimas socialinių transformacijų kontekste. Jaunųjų mokslininkų psichologų darbai, 4, p. 1–6

expectation not only imposes unequal responsibilities on women in the household, but also intertwines with various experiences of discrimination in society, thus reinforcing them.

Exclusion caused by experiences of discrimination

The experiences of constant discrimination and their totality form a specific relationship with the rest of society, a relationship based on exclusion, in which Roma people grow up and live. When asked about this general potential separation, all informants said they felt it growing up and still feel it:

“<...> there was always a separation that we are Roma and there is another nationality, other people. <...> It was felt, because we always had this rejection from people, I don't know how to say it right here. It felt that we were a little bit out of their league.” (M_R_25);

The long-term experiences of systematic discrimination and exclusion cause feelings of injustice for many Roma, first of all, that they are not considered equal participants in society and citizens: “Although we are also citizens of Lithuania, we were born here and grew up here, and our mothers, grandmothers, and parents, all... But somehow they separate us.” (M_R_25) and that everyone is still judged equally based on bad examples. The latter feeling of injustice was mentioned by many interviewed Roma.

Such a sense of injustice and exclusion is undoubtedly shaped by the various discriminatory experiences discussed earlier, all of which create this general sense of exclusion. The interviewed Roma have grown up and are constantly accompanied by a general sense of exclusion – that they are not their own, different, insufficient or inadequate – which also shapes the Roma's own perception of themselves as a part (or not) of society. “It is not like people get used to us. We are always rejected.” (M_R_25). Therefore, the political recognition of Roma as Lithuanian citizens, co-creators and participants of society should be the basis and starting point for the comprehensive and long-term reduction of Roma exclusion.

Roma expectations of media, formal education and politics

Although, according to media monitoring data, the representation of Roma in the media is changing positively, in 2021, more than a third of media publications still mentioned Roma in a negative context.²⁵ It is clear from the interviews that the Roma still have a great distrust of the media and anger at the recent (and still occurring) negative tendency of the ways to write about the Roma in an exclusively criminal, negative context. In particular, there is dissatisfaction with the tendency for articles to emphasise Roma ethnicity when describing the crime, and frustration that this has strongly contributed to and, according to Roma, a huge stigma:

25 Media4change (2021). Žiniasklaidos monitoringas: Vasaris 2021. Available in Lithuanian at: https://www.media4change.co/wp-content/uploads/2021/04/7%CC%8CiniasklaidosMonitoringas_Vasaris2021-1.pdf

“Because our media put such a stamp on all of us that we only know how to sell drugs, steal, smash something... They spread such information about us and that’s it.” (M_R_26);

Since there is little public information about the Roma, their history and culture in Lithuania, the role of the media, especially when the association with crime is actively created and supported, seems particularly significant for the Roma.

All Roma interviewed in the study mentioned that there is a lack of historical and cultural knowledge about Roma in Lithuania in general, and especially in school curriculum. Roma history and cultural representation are not only rather invisible in the public space, but are not integrated into formal education, which creates a favorable environment for the spread of stereotypes. It also illustrates the low awareness of the Roma as part of our history and society.

All the Roma leaders who participated in the study named political support and inclusion of Roma in decision-making as one of the most important needs and expectations for state and municipal institutions. According to all three interviewed Roma leaders, political support is one of the essential conditions for improving the situation of Roma in Lithuania. When asked what ways she sees in achieving the progress of Roma rights, the community leader said:

“What ways, only with the help of civil servants. <...> and with the help of the state to reduce the exclusion, to reduce the exclusion of the Roma, to create certain projects and to do those projects so that it is not just a check mark” (M_R_lyd2).

Discrimination of Roma and challenges of ensuring rights from the perspective of institutions and NGOs

This part examined the insights from the focus group discussion, which included representatives of different institutions working on different issues affecting the Roma community. Key challenges or aspects to be improved identified by representatives of different institutions and NGOs:

- 1.** Lack of funding for the planned measures;
- 2.** The ineffectiveness of existing measures (including the impossibility of implementing certain planned measures due to negative public attitudes);
- 3.** Failure to ensure the effectiveness, assessment and monitoring of implemented programs and individual measures;
- 4.** The ambition of the strategic documents and the commitment of the state to implement the intended vision are insufficient;
- 5.** Short-term duration of strategic plans and lack of their continuity;
- 6.** Lack of institutional coordination, responsibility and leadership in developing and implementing integration programs and action plans;

7. Limited assessment of the complexity of the Roma situation among the representatives of the institutions.

The positions expressed during the focus group discussion with the representatives of the institutions allow us to assume that the state institutions see the challenges that the community is facing, but to a large extent they assess the current situation as progressing within the limits of the currently available and implemented measures. In relation to the Roma community, it is recognized that there is no strategic state approach to comprehensively reducing exclusion and increasing inclusion, which is associated with a lack of institutional responsibility - the preparation of the Roma integration program is overseen by the Department of National Minorities, which does not have the institutional power to cover the various dimensions of inclusion for which different ministries are responsible, and implement them or assign them to the relevant ministries. The need for a strategic policy was not expressed by the representatives of the Vilnius city municipality, who work directly with integration measures and emphasise the search for working measures and the adaptation of existing ones. The content of the discussions and the different positions that have emerged allow us to assume that there is a lack of long-term and strategic institutional determination and opportunities to create it, and the current assessment of the complexity of the Roma situation in certain cases is limited.

Experiences of the Jewish discrimination: testimonies and trends in Lithuania

The study examines the testimonies and experiences of the Jewish community members and community leaders who participated in the study, presents stories that illustrate the challenges faced by the Jewish community in Lithuania, and offers insights for policy making. It also presents the challenges faced by the representatives of institutions working on issues affecting the Jewish community in the implementation of the policy of ensuring rights and combating antisemitism.

Experiences of discrimination of Lithuanian Jews

Although it is not easy to define and grasp the roots of contemporary antisemitism, the participants of the study testify to its various forms of expression.

Life with the experience of the Holocaust

Living with the stories of loved ones or acquaintances who have experienced the trauma of the Holocaust is central to understanding the depth of the damage of contemporary antisemitism. The interviewees shared various stories that reveal the scope of the collective trauma while growing up among Holocaust survivors, their relatives, and its consequences for many Lithuanian families and society in general.

Growing up in such a collective trauma undoubtedly shapes the worldview of individuals and their general existence in society, memories cause pain and provoke unpleasant emotions:

“Those terrible murders, they cripple not only the dead, <...> how can a person not feel this his whole life, how can he, if innocent people were killed there, it is not only that they were killed, but tortured, humiliated. <...> it is something indescribable, incomprehensible.” (Ž_V_lyd1)

“I was born with stories about family murders, my grandfather’s mother was killed by the Lithuanian police, my grandmother spent two years in a concentration camp, <...> I grew up in a family that was very clearly affected by antisemitism and the constitution of our family was that they would try to destroy you all your life, that you were Jewish and you would have to represent yourself both physically and morally <...>” (Ž_V_45)

As the community leader emphasised, the experience of trauma caused by the Holocaust is not isolated in the past, it affects the whole life, affects the person’s presence in society, affects the whole family and the environment. So any words or actions that justify or even encourage similar events today refer to this personal and collective trauma, which is especially important to bear in mind when fighting antisemitism at the political level. “And the Jewish community in Lithuania has not yet recovered from deep trauma.” (Ž_V_45).

Experiences of antisemitism

All the respondents who participated in the study testified about encounters with antisemitism of different types - some experienced it personally at work, others’ children experienced it at school, some encountered it intensively and actively, others spoke about an everyday, “cultural” form of antisemitism.

Often everyday expressions or sayings that refer to Jews, according to the informants, may not even necessarily be conscious or intentional, but they are still an integral part of antisemitism and part of its prevalence in general. Although unintentional, these expressions hold negative connotations and contain the traumatic experience of the Jewish people.

“<...> A mother with two children comes to that playground. and that boy is about six years old, about that age, and something is wrong with his bike and he shouts nervously: “that bike of mine is kind of Jewish!”. A six-year-old child. <...> who, from where, how, what is then spoken in the family? <...> This shows attitudes of people.” (Ž_M_48).

“Well, two days ago I almost had a fight at our cafe with a neighbor who called the police lying <...> because I didn’t let him tear the LGBT flag <...>, when he called the police he didn’t classify me as a person, he classified me as a Jew” (Ž_V_45).

Another manifestation of antisemitism, which the informants drew attention to, are the characters - Jews - who are still common during Mardi Gras (Užgavėnės), and other forms of “traditions”, manifestations of culturally common expressions. The various testimonies of the research participants illustrate that antisemitism is not limited to the older generation, that certain attitudes, although not necessarily conscious, are transmitted to persons of all ages, as also evidenced by research of hate speech in Lithuania.²⁶

Testimonies and informants’ reflections show that, although the roots of antisemitism are not readily apparent, it is experienced in various forms in everyday life and is in all cases described as unpleasant. This is an integral part of the spread of antisemitism and that is why it is important to fight it at the state level.

Antisemitism in the media and social media

One of the most sensitive areas mentioned by the interviewees, in which expressions of antisemitism are evident and, according to them, very abundant, are anti-semitic comments in mass media and social media platforms:

“Those comments are such nonsense, hate and insults. Wherever they write about Jews, the situation becomes more tense. <...> and the comments start, the comments are terrible, I think people can’t comment like that, it means that there is still a lot of unfinished business somewhere regarding this. When I read the comments, it’s not that I’m in a bad mood, it’s sometimes scary.” (Ž_V_lyd2)

Respondents also notice manifestations of antisemitism in other information formats, both in social media among young people and in newspaper format in mailboxes, which are clearly more directed towards an older audience. In the opinion of the informant, for such acts “<...> people should feel a real administrative fine. Of course, it probably wouldn’t change their attitude, but at least it might stop them from doing such things” (Ž_M_48). Encountering such cases creates feelings of horror, fear and insecurity.

Although there is much discussion about the harmfulness of such comments in the public sphere, there is still not enough attention paid to the seriousness of their harm and their monitoring strategies. Anti-semitic comments contain a particularly painful historical experience, reminiscent

26 Labanauskas, L. (2019). *Neapykantos nusikaltimų pažeidžiamų bendruomenių kokybinio tyrimo ataskaita*. Vilnius: Vidaus reikalų ministerija, pp. 1-100; Lietuvos žydų (litvakų) bendruomenė (2018). *Rekomendacijos dėl veiksmų kovojant su antisemitizmu ir romafobija Lietuvoje*. Vilnius: Lietuvos žydų (litvakų) bendruomenė, pp. 1-131. Available in Lithuanian at: <https://www.lzb.lt/2018/03/15/rekomendaciju-del-veiksmu-kovojant-su-antisemitizmu-ir-romafobija-lietuvoje/>

of traumatic stories heard from relatives, caused by events for which a large part of the world still bears a moral debt and thus need systemic state level measures to prevent them.

Expectations of Lithuanian Jews for formal education and politics of memory

All the informants who participated in the study, when asked about the importance of education for deepening historical consciousness and reducing antisemitism, answered unequivocally that within their knowledge in formal education, i.e.. in the school history curriculum, the importance, significance and consequences of the Holocaust for Lithuanian society are not reflected.

“It is a fact that there is a lack of education in schools about both the Holocaust and Jewish culture.<...> One lesson is devoted to the Holocaust, exactly one, in the entire program.” (Ž_M_48)

It is emphasised that a systematic approach should be taken when it comes to teaching the Holocaust in schools, as currently it is based on the personal interest and choice of teachers to elaborate on this topic.

When talking about the need to strengthen education and deepen historical self-awareness, the informants also emphasised that it is important to pay attention not only to the tragic part of history, but also not to position it as an exclusively Jewish tragedy, because it is “one of the greatest tragedies of Lithuania as a state, equally as well as deportations, like January 13” (Ž_M_48). Informants emphasised not only the deepening of the content of formal educational, but also the inclusion of non-formal educational approaches as necessary for profound changes in society towards the Jewish community.

Regarding Lithuania’s memory politics, attention was drawn to the fact that Lithuania still does not have a museum reflecting Jewish culture and history:

“All the people who come to Lithuania say how many Jews there were in Lithuania, and we don’t have any normal museum that would make sense of it. Not only about the Holocaust, but also about everything in general.” (Ž_M_29).

The representatives of the community express the need to deepen the historical knowledge of pedagogues and schoolchildren about the Holocaust and Jewish culture before the Second World War, to strengthen educational programs, to actively commemorate painful dates for the community as tragic commemorations of Lithuanian history, and not exclusively as Jewish ones, thus not establishing and deepening separations.

Discrimination against Jews and the challenges of ensuring rights from the perspectives of institutions and NGOs

This section explored insights from a focus group discussion involving representatives of different

institutions working on different issues affecting the Jewish community. Key challenges or aspects to be improved identified by representatives of different institutions and NGOs:

- 1.** The lack of a principled position of the state that actively recognises Jewish history as the history of Lithuania;
- 2.** Failure to properly ensure the nurturing of historical memory - the Lithuanian Jewish Museum of the Holocaust and Jewish Culture, which has not yet opened its doors, the poverty of the representation of the Jewish community in the currently operating museums;
- 3.** The lack of continuous and in-depth research into the history of Lithuanian Jews;
- 4.** The absence of a strategy to combat antisemitism and the lack of initiative to create such a strategy;
- 5.** The challenges of identifying and addressing hate crimes;
- 6.** The particularly poor representation of the Holocaust as a historical event for the development of public self-awareness and understanding in the education system, as well as the lack of education about the Jewish contribution to the formation of the Lithuanian state before and after Independence;
- 7.** The lack of fostering, vibrant Jewish life - after renovating significant historical places or (religious) buildings, infrastructure available for use by Jews themselves and the opportunity to foster their culture are not ensured;
- 8.** The Goodwill Compensation Law of the Republic of Lithuania for the Real Estate of Jewish Religious Communities adopted in 2011 is insufficient (otherwise known as the symbolic law) and there is a lack of education about Jewish property confiscated during the Holocaust.

During the focus group discussion, various improvement aspects were identified that would help ensure the inclusion, safety, and justice of the Jewish community in Lithuania and would contribute to the direction of fostering Jewish life, which, among other things, is promoted by the strategy of the European Commission. Needs and expectations were most clearly identified by the NGO sector, especially emphasizing the principled positioning of Jewish history as a part of Lithuanian history in various contexts affecting the Jewish community and in the state's policies in general. The key importance of formal and informal education, the importance of nurturing historical memory and Jewish life, and the need to investigate and reduce anti-Semitic hate speech and other anti-Semitic expressions are emphasized. Seconding a significant part of the challenges and needs, a considerable number of representatives of the institutions did not express an articulated political determination and concrete measures to respond to the challenges and needs. In addition, some representatives of the institutions gave a reserved response to the need for a systematic, state-level fight against antisemitism, arguing that this is due to the much worse situation of the prevalence of antisemitism in other countries.

CONCLUSIONS

The legal analysis of Lithuania's non-discrimination policy showed that the legal regulation in Lithuania essentially complies with international and European standards related to the prohibition of discrimination, incitement of hatred or denial, distortion and belittling of the Holocaust.

However, the implementation of these provisions can be considered insufficient. This is revealed by the research reviewed in the study and the data collected during the study from the Roma and Jewish communities in Lithuania.

In addition, the Law on National Minorities has ceased to be valid in Lithuania since 2010, and subsequent attempts to adopt the new one have not received support. Therefore, there is currently no law codifying all civil, political, social and other rights belonging to national minorities in Lithuania.

The tradition of strategic documents in Lithuania remains weak. Despite international recommendations, Lithuania still has not adopted an antisemitism strategy or an action plan for combating racism. The strategic documents being implemented in Lithuania - Roma integration plans and Non-discrimination promotion plans - lack adequate funding and strategic vision. Although their content changes over the years, the Roma community is still viewed as recipients of aid rather than equal citizens. The Non-Discrimination Action Plan generally does not take into account aspects of nationality or ethnic origin.

The strategic documents adopted by the EU can serve as documents showing the right direction, but this requires the political will of the Lithuanian authorities and the understanding that the Jewish and Roma communities are equal participants in Lithuanian society, who must be guaranteed equal opportunities and protection from discrimination.

The conducted qualitative study of the Lithuanian Jewish and Roma communities illustrates that the existing legal framework, which protects individuals from non-discrimination, does not prevent intersectional and structural discrimination of Roma people, the feeling of insecurity and fear caused by anti-Semitic experiences for Jewish people, does not ensure the nurturing of Jewish life.

According to the research, the Roma community in Lithuania experiences discrimination based on deep-rooted stereotypes both in everyday life, on the street, and in various specific areas of life, such as trying to get a job or rent an apartment.

Testimonies collected during the research substantiate the importance of regulating intersectional discrimination and the lack of inclusion measures based on this basis. Inclusion measures for the Roma community cannot be separated from the fact that persons belonging to this community often suffer from several grounds of discrimination at the same time. In the case of the Roma, the stigma of ethnicity is intertwined with countless other factors - living in poverty or at risk of poverty; experience in a prison; being a single woman with many children; low education etc. This is not reflected in the Lithuanian legal framework.

The means of promoting motivation and fostering trust in institutions are particularly important. As a result of structural discrimination, Roma find themselves in closed-circle situations, when, after many times facing negative attitudes from public service providers, representatives of institutions, potential employers, educational institutions and simply members of society, Roma tend to distrust institutions, the services they provide, the assistance provided by the state and society in general. Opportunities, as a result of which they apply for certain services or engage in public life less. The consequences of such a situation in society and among institutions are often considered passivity and a lack of personal motivation, but trust in the possibilities offered by certain integration measures among Roma is not self-evident in such circumstances - due to long-term, systematic discrimination, it can be lost and must be actively encouraged.

The Jewish community in Lithuania faces less active, direct discrimination from institutions and public service providers, daily socioeconomic exclusion is not felt. However, anti-Semitic comments and other expressions are still diverse and refer to uniquely traumatic experiences. The historical experience, which is still alive in the stories of great-grandparents and grandparents, gives a particularly strong, negative emotional charge to anti-Semitic expressions that still exist today.

At the state policy level, the principled position that the tragic history of Lithuanian Jews is a Lithuanian tragedy and a part of Lithuanian history is not felt, there is a lack of leadership in developing historical awareness about the Holocaust and its consequences for society as a whole. Jewish life is also not nurtured - places relevant to the Jewish community, (religious) buildings and surrounding infrastructure in Lithuania are not adapted for their use, renovation works are often limited to turning these places into museum exhibits.

One of the most sensitive and painful areas identified by the Jewish community is the endless anti-Semitic comments in the media and social media. Although a lot is talked about the harmfulness of comments in the public space, there is still not enough attention paid to the seriousness of their harm and preventive measures. Anti-Semitic comments contain a particularly painful historical experience, reminiscent of traumatic stories heard from relatives, caused by events for which a large part of the world still bears the debt of historical justice.

Therefore, the existence of legal norms is not sufficient if vulnerable communities cannot use them or if they do not ensure the comprehensive implementation of the rights of communities, their protection and inclusion. Long-term visions of non-discrimination and a principled political position are needed in order to ensure the high-quality implementation of these norms and to achieve fundamental, long-term changes.

RECOMMENDATIONS



For improvement of legislation:

- 1.** To adopt the Law on National Minorities, which would transpose the provisions of the Convention on National Minorities and other international obligations ensuring the full-fledged life of national minorities in Lithuania.
- 2.** To include the concepts of intersectional and structural discrimination in the Law on Equal Opportunities, to take them into account when preparing and implementing strategic documents.
- 3.** Adopt separate strategic plans for the fight against antisemitism and the fight against racism.
- 4.** Ensure funding of relevant strategic documents and the activities provided for in them.
- 5.** Create reliable monitoring mechanisms to evaluate the impact of strategic documents and measures.
- 6.** Ensure long-term visions and commitments.
- 7.** To approve strategic documents at the level of the government, not at the level of ministries.
- 8.** Taking into account the fact that systemic long-term discrimination operates on the principle of a closed circle, additional motivational measures to promote and maintain the inclusion of Roma should be provided in parallel when creating integration measures.
- 9.** Ensure that Roma integration measures take into account the intersectional discrimination of Roma, i.e. to assess the dimensions of socio-economic status, age and other discriminatory grounds.
- 10.** To create strategies and measures for the implementation and integration of rights in accordance with the political-ideological attitude that recognizes Roma as citizens of Lithuania, co-creators and participants of society, in contrast to measures according to which Roma are treated as passive recipients of aid.
- 11.** Implementation of ensuring rights, creating strategic means of fostering Jewish life and combating antisemitism in accordance with the political-ideological attitude that the history of Lithuanian Jews is the history of Lithuania, which caused consequences for the entire society, that Lithuanian Jews who suffered during the Holocaust were Lithuanian citizens, just like those living in Lithuania today (Litvaks).

For education and awareness raising:

- 12.** Organise training for state officials, employees of law enforcement institutions, municipal employees about antisemitism and antigypsyism, discrimination and hate crimes.
- 13.** Develop educational programs and awareness-raising campaigns aimed at promoting understanding and reducing prevailing stereotypes in society regarding the Roma and Jewish communities.

For strengthening community inclusion:

- 14.** To promote the leadership of members of the Roma community, especially to popularise good examples of inclusion among members of the Roma community and the general public, without exoticizing these cases.
- 15.** Involve Roma and Jewish communities in decision-making processes, organise consultations and receive recommendations on the implementation of strategies.
- 16.** Support civil society organisations fighting discrimination and promoting social inclusion.
- 17.** Establish paid positions of Roma mediator(s) and try to recruit persons of Roma origin, thus promoting inclusion, trust in state institutions and the opportunities provided by integration measures, and in the long run independence to participate in public life.
- 18.** Strengthen attention to young Roma attending educational institutions, create a motivational system for retention in the learning process, for example, employ more teaching assistants or award scholarships to older students, in order to ensure the sustainable participation of Roma in the education system.
- 19.** Ensure that the consequences of the eviction of Roma persons from the Vilnius Kirtimai settlement are assessed and addressed at the institutional level, i.e. the still missing need for housing and other necessary services are ensured.
- 20.** To strengthen the relationship between members of the Roma community and health care institutions in order to improve the health of community members and increase life expectancy.

For fostering the Holocaust memory and Jewish life:

- 21.** To deepen the historical knowledge of educators and students about the Holocaust, to strengthen the educational program with inclusive educational methods, for example, trips to historical places.
- 22.** Expand the understanding of the Jewish community in Lithuania as exclusively associated with the tragedy of the Holocaust, i.e. to deepen the knowledge of the general public about Jewish culture before the Second World War, the

community's contribution to the state of Lithuania before and after independence.

- 23.** To remember significant and painful events for the Jewish community as events in the history of Lithuania in order to reduce the separation between the history of Lithuanians and Jews in Lithuania.
- 24.** To adequately represent the history of Lithuanian Jews through non-formal education methods - to establish a museum to actualize and remember Jewish culture and history in Lithuania, to take into account the representations of historical figures in public space and public discourse that are ambiguously evaluated in society, but unacceptable to the Jewish community.
- 25.** Foster Jewish life in Lithuania, for example, after renovating significant historical places or (religious) buildings, ensure the possibility of using them for members of the Jewish community, create infrastructure for this, instead of limiting these initiatives to museum exhibits.

For the collection of equality data:

- 26.** Regularly collect equality data related to nationality and ethnicity.
- 27.** Conduct research on cases of discrimination, contemporary manifestations of antisemitism and antigypsyism and experiences of communities.
- 28.** To develop sustainable and long-term studies of Jewish history in Lithuania.

For preventing hate speech and hate crimes:

- 29.** Strengthen monitoring and response to anti-Semitic and anti-Gypsy hate speech in media and social networks.
- 30.** Initiate the preparation of legal acts necessary for the application of administrative responsibility for hate speech.
- 31.** Assess the latency of anti-Semitic crimes, establish a monitoring system and develop appropriate measures to help respond to it.
- 32.** Ensure financial support for non-governmental organisations in the fight against, among other things, anti-Semitic hate speech.

For strengthening media responsibility:

- 33.** Promote the media's responsibility in shaping public attitudes and attitudes towards national and ethnic minorities in Lithuania.
- 34.** Ensure monitoring of hate speech, promptly remove hateful comments or limit the commenting function.
- 35.** To not publish information about the ethnicity of suspected criminals, unless it is necessary.