**COMMENTS SUBMITTED TO THE 40TH SESSION OF THE UPR WORKING GROUP (review of Lithuania, 26 January 2022, 14:30 - 18:00)**

Speaker: Mr. Darius Domarkas, Head of the Public Security Policy Group of the Ministry of the Interior of the Republic of Lithuania

Madam Vice-President,

Distinguished delegates,

* I appreciate the privilege to address this session of United Nations Human Rights Council working group, and would like to present developments, that fall under the responsibility of the Ministry of the Interior.
* As it was already mentioned in an opening statement by the head of delegation, this year Lithuania suffered an unprecedented hybrid attack by the means of **instrumentalised migration**.
* Our asylum and reception systems were intentionally overwhelmed with the deliberate and malign goal to limit our response capabilities, and to endanger lives of irregular migrants.
* Thanks to the cohesion of our national institutions, also involvement and support of international allies and NGOs, we managed to adapt our procedures, and currently our asylum system is functioning properly and according to the requirements of international law.
* Let us highlight some of the facts, also referring to the question, submitted by the distinguished delegations of Spain, Estonia, Luxembourg, Mexico, Morocco, Portugal:
	+ Almost all asylum applications are examined, strictly applying individual approach – around 3300.
	+ Asylum seekers have access to legal aid, all asylum procedures are transparent and drafted into law – procedures fully respect the rights of an asylum seeker – judicial appeals are foreseen etc.
	+ Accommodation facilities fully conform to the climate conditions, access to essential needs (water, food, medical, social, education) is ensured and is constantly improved.
	+ Vulnerable groups (families, minors, LGBT) are accommodated separately (under the jurisdiction of Ministry of Social Security and Labour), possibility for children to attend schools ir guaranteed, they are being integrated into general education schools. Asylum procedures are also prioritized for vulnerable groups.
* Let us underline, that current situation was caused not by natural migration/refugee process, but by artificially created hybrid attack, so Lithuanian asylum system can’t be judged referring only to this migration crisis.
* Looking ahead, we firmly believe, that root migratory causes have to be targeted, an involvement of international community is necessary in order to support development processes in the origin countries.
* Addressing the question of **statelessness**, submitted by the honorable delegation of the UK, Uruguay, we would like to point out, that despite the fact, that that 98% of stateless persons in Lithuania have permanent residence permits, Lithuania is taking further measures aiming at reducing the number such persons.
* The number of stateless persons in Lithuania is constantly decreasing – we had 2904 stateless persons at the beginning of 2020, and 2501 at the end of 2021.
* In 2020, the Migration Department contacted stateless persons directly, informing of the possibility to acquire Lithuanian citizenship. These persons were provided with the necessary advice and assistance.
* In 2021 129 stateless persons acquired Lithuanian citizenship. This process will continue in the future.
* **Domestic violence** is a trans-sectoral challenge. Supplementing the insights, provided today by the head of delegation and Ministry of Social Security and Labour, and referring to the questions, submitted by the honorable delegations of France, Ireland, Japan, Malaysia, Marshall Islands, Paraguay, Philippines, we would like to highlight the fruitful cooperation between two Ministries, that resulted in new draft Law on the Protection against Domestic Violence. The draft Law aims to introduce a new prevention measure – protection order. This measure would greatly increase the level of protection of victims. The proposed legal regulation also corresponds to the recommendations of CEDAW, that were referred to in a question submitted by distinguished delegation of Belgium.
* Referring to the question submitted by the honorable delegation of Sweden, we want to stress, that we noticed a one-time spike in domestic violence cases, at the very beginning of the pandemic. We reacted at once – an action plan was drafted and adopted, which included tailor-made measures to improve access to help for the victims during the pandemic, also preventive actions directed at possible perpetrators were foreseen.
* Response to **human trafficking** in Lithuania is coordinated at the highest level – the coordinating body (commission) is established by the Government, it includes representatives from all relevant actors (government and NGOs).
* Identifying modern slavery victims is paramount, therefore since 2015 we have recommendations on improving identification of victims adopted by joint Order of the Ministers of the Interior and Social Security and Labour and the Prosecutor General. Recommendations are updated on annual basis according to lessons learned from first responders and NGO’s.
* In 2018, the State Labour Inspectorate undertook more than 19 000 inspections in the context of illegal work and more than 6 000 illegal workers were identified.
* In 2020, a specialized group of inspectors for prevention of human trafficking for forced labour was established.
* Trainings for first responders are organized on the annual basis as well.
* This is the information we wanted to share referring to the relevant question, submitted by the distinguished delegation of the UK, the United States, Liechtenstein, Nepal.
* Several honorable delegations, namely UK, Sweden, Belgium, the United States, Canada, India, Croatia, Norway, Portugal submitted questions, regarding fight against **hate crime and** **hate speech**.
* First thing we would like to underline, is a great improvement in number of hate crime cases reported (82 in 2021, compared to 21 in 2018) and number of cases, submitted to the courts (23 in 2021, compared to 5 in 2018). We believe this shift happened in part due to judgement of European Court of Human Rights in the case of *Beizaras and Levickas.*
* We would also like to point out 5 pillar approach that we are basing our response to hate speech:
	+ Building trust between law enforcement and the vulnerable communities. Lack of trust might result in under-reporting
	+ Improving hate crime recording and hate crime investigations
	+ Strengthening skills of law enforcement and judiciary
	+ Strengthening NGO-government cooperation
	+ Supporting the victims of crime
* These are some of the concrete measures, that implement the 5 pillar approach:
	+ In 2020, the Practical Guide for officers on cooperation with communities vulnerable to hate crimes has been developed, also roundtable discussions between police officers, prosecutors and representatives of communities were organized.
	+ Since 2018 [Office of the Inspector of Journalist Ethics](https://www.zeit.lt/lt/pranesk-apie-nesantaika/447) and Lithuanian police developed tools, to address hate incitement online. More than 3000 reports were received, 9 pre-trial investigations into the alleged incitement to hatred were started in 2021.
	+ In 2020 the Prosecutor General updated the Recommendations on the Conducting Pre-Trial Investigation of Hate Crimes. These recommendations aim to unify the practices and ensure efficient investigation of hate crimes.
	+ Skills of law enforcement and judiciary are constantly improved by trainings, that are organized by OSCE, Equal Opportunities Ombudsman and other entities. Special trainings on hate crimes against LGBT persons were organized for police officers in 2019 and 2021 (training manual was developed by the Council of Europe and was adapted for Lithuanian law enforcement).
	+ Since 2020, the working group on an effective response to hate crimse was established by order of the Minister of the Interior. The working group consists of representatives of 7 national public authorities and 11 NGOs (*Jewish and Roma communities are also members of the group*). Such multi-actor platform of co-operation contributes to building mutual understanding and better involvement NGOs in decision-making.
* Summing up, we would like to stress, that respect for human rights is an underlying foundation in the course of ensuring public security and the efforts to strengthen it will continue.