



HUMAN RIGHTS MONITORING INSTITUTE

ACTIVITY REPORT
2008

Vilnius
2009

ACTIVITY REPORT 2008

Human Rights Monitoring Institute (HRMI) has been founded in 2003 with the mission to promote an open democratic society through the consolidation of human rights and freedoms. The strategic goals of the Institute are: to develop the capacity of the civil society to follow and influence the governmental human rights policy and practice; to encourage Lithuanians to exercise their rights and, in certain cases, to assist in defending those rights; to develop a culture respectful of human rights in Lithuania by raising awareness of human rights violations, their causes and consequences, stimulating public discussions and dialogue between civil society and state institutions concerning human rights, motivating state institutions and officials to bring about tangible improvements in legislation, programmes and services, intended to ensure and consolidate the protection of human dignity and human rights and increasing governmental accountability in policies and practices affecting human rights.

HRMI conducts daily monitoring of public institutions' activities, publicly reacts to human rights abuses or potential violations, carries out research, prepares conclusions and recommendations, and initiates strategic litigation.

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INTRODUCTION

In 2008, the 60-th anniversary of the *Universal Declaration of Human Rights* – the first international document which proclaimed that all human beings have certain inalienable rights and freedoms – was commemorated. The provisions of the Declaration that recognised the principles of freedom, equality, security and respect for human rights and fundamental freedoms are more relevant than ever.

The year 2008 was not marked by strict compliance with the provisions of *the Declaration*. On the contrary, the year was marked by the unprecedented burst outs of intolerance towards various social groups in the virtual space and public statements.. The analysis carried out by the Human Rights Monitoring Institute on how electoral programmes of political parties reflect issues related to the promotion and protection of human rights, demonstrated that political parties treat the content of human rights fairly narrowly and do not pay attention to social, economic and solidarity rights. No wonder that the public opinion poll carried out by the Market and Opinion Research Centre Vilnius presented during *the Human Rights Awareness Month 2008* revealed that the confidence in the state institutions which should primarily serve the people and protect human rights has further decreased.

An international conference on *Feasibility of Establishing a National Human Rights Institution* took place in Lithuania on 17th March, 2008. The foreign and Lithuanian human rights experts once again came to the conclusion that in order to improve the human rights situation in Lithuania, it is necessary to establish the National Human Rights Institution in accordance with the *Paris Principles*. The National Human Rights Institution would monitor Lithuania's compliance with the international agreements to which it is the party, identify the problems related to the implementation of human rights and make recommendations how to solve them. Unfortunately, the question was not incorporated in the political agenda.

In these circumstances, during 2008 the Human Rights Monitoring Institute together with partners through a range of activities related to monitoring, research, advocacy and education, and strategic litigation attempted to fill in the gap and perform some of the functions commonly ascribed to the national human rights institutions.

Besides yearly campaigns, such as *the Week against Racism* and *the Human Rights Awareness Month*, Human Rights Monitoring Institute conducted a number of integrated programmes. In 2008, HRMI continued implementation of the Programme on *Strengthening the Capacities of Supporting and Defending Human Rights in Lithuania*. The aim of the programme was to strengthen national capacities to defend and promote human rights and liberties. The programme covered the period of 2007-2008.

In 2008 HRMI launched the implementation of the project *Closer View on Multiple Discrimination* supported by the PROGRESS, the EU programme. Project partners: the Office of Equal Opportunities Ombudsperson and the Lithuanian Centre for Human Rights.

I. MONITORING AND ADVOCACY

1.1. Manifestations of Intolerance and Discrimination in the Media

HRMI actively reacted to a numerous manifestations of intolerance in the Lithuanian media.

E.g., HRMI submitted a complaint to the *Ethics Commission for Journalists and Publishers* (ECJP) and the „Lietuvos Rytas“ company regarding the comments published on the website www.lrytas.lt that were inciting hatred and physical violence against homosexuals. Publication of these comments increased the tension that existed because of the earlier refusal to allow public organized by the organisation representing homosexuals.

HRMI asked ECJP to evaluate the comments and take the necessary actions in order to remove the comments and prevent similar occurrences in the future. Nevertheless, after the media reported about a racist attack, daily electronic paper www.lrytas.lt was filled with numerous comments expressing hatred and inciting violence. HRMI submitted a request to Vilnius Regional Prosecutor to commence pre-trial investigation. The editor of the daily „Lietuvos rytas“ was requested to remove the racist comments from the website www.lrytas.lt. Shortly, the editor informed that all the comments were removed.

Considering that most of the mentioned and similar comments were offensive, exciting hatred and violence, in its communications with the institutions HRMI requested that

1. Publishers of internet websites remove specific offensive comments;
2. Vilnius Regional Prosecutor's Office commences a pre-trial investigation with regard to actions of the authors of offensive comments;
3. Office of the Inspector of Journalist Ethics and the Ethics Commission for Journalists and Publishers evaluate the offensive comments.

Public statements and complaints submitted to the Prosecutor General's Office regarding comments inciting hatred:

1. 10/11/2008 regarding comments inciting violence towards Chechen people;
2. 28/10/2008 regarding public statement inciting racial discrimination;
3. 09/10/2008 regarding comments urging hatred;
4. 22/09/2008 regarding comments urging hatred towards Roma people;
5. 22/09/2008 regarding anti-Semitic comments;
6. 12/09/2008 regarding comments in the daily electronic paper www.delfi.lt;
7. 09/09/2008 regarding comments urging hatred towards Roma people;
8. 20/08/2008 regarding real aims of the EU's "Tolerance truck";
9. 19/08/2008 complaint regarding the article written by the „Lietuvos Rytas“ journalist Arūnas Karaliūnas;
10. 12/08/2008 Vilnius Yiddish Institute and Human Right Monitoring Institute condemn increasing anti-Semitism and racism and urges to take the necessary actions;
11. 15/07/2008 regarding comments in the daily electronic paper www.delfi.lt;
12. 12/06/2008 regarding comments about homosexuals in the daily electronic paper www.delfi.lt;
- 02/06/2008 regarding comments in the daily electronic paper www.delfi.lt;
13. 23/04/2008 regarding comments publicized in the daily electronic paper www.lrytas.lt;
14. 22/04/2008 regarding racist comments in the daily electronic paper www.lrytas.lt;
15. 17/04/2008 regarding racist comments in the daily electronic paper www.lrytas.lt;
16. 17/04/2008 regarding discriminative comments related to Roma minority in the daily electronic paper www.delfi.lt;
17. 10/04/2008 letter to the Parliament Committee on Legal Affairs requesting recognition of racial and other hate as an aggravating circumstance of criminal liability;
18. 03/04/2008 regarding discriminative article and comments urging hatred;
19. 03/04/2008 regarding comments inciting hatred towards homosexuals.

HRMI appealed to the law enforcement authorities and the Ethics Commission for Journalists and Publishers not only regarding redears' comments inciting hatred, but regarding articles written by

journalists, because they were potentially violating the law. E.g. HRMI appealed to the ECJP with a request to evaluate the article "The Sprouts of gypsy lifestyle started growing in Žirmūnai" (Žirmūnai – one of the Vilnius areas), published in the daily electronic paper www.lrytas.lt, written by the "Sostinė" (part of the daily newspaper "Lietuvos Rytas" devoted to the life of the capital city) correspondent Arūnas Dumalakas. „Gypsy lifestyle" was described in the article as follows: „in the surroundings where gypsies establish themselves, the environment falls into disarray, the hills of rubbish start growing and suspicious people are hanging around".

On 12th of August, 2009, HRMI in cooperation with other non-governmental organisations appealed to the Ethics Commission for Journalists and Publishers and the Office of the Inspector of Journalist Ethics with regard to the article "Kaunas does not want to let the homosexuals to enter the city", written by the journalist A. Karaliūnas and published in the "Lietuvos Rytas" daily, NGOs emphasized that the „Tolerance truck" is a part of the EU campaign "For diversity. Against discrimination". The criticised article attempted to present the "Tolerance truck" as an initiative devoted to the rights homosexual individuals exclusively. NGOs requested to recognise that the journalist violated a number of rules of the Code of Ethics of the Lithuanian Journalists and Publishers and other legal acts.

1.2. Research and Analysis

1.2.1. Human rights in the election programmes of the political parties: analytical review

HRMI looked into how the political parties understand the human rights and how they are reflected in their electoral programmes for the 2008 Parliamentary elections. The analysis has revealed that most of the parties are unable to understand the meaning of human rights, its' content and scope, most of them promise to implement unfeasible and redundant measures, whereas serious problems, related to the implementation of human rights, were not addressed. In sum, it was noted that Lithuanian political parties lack appreciation that human rights is an important constituent element of a modern Lithuanian statehood and fundamental condition for the efficient democracy, therefore protection of human rights is interpreted fairly narrowly.

1.2.2. Popular opinion about human rights: opinion poll

On 5th December, 2008 Human Rights Monitoring Institute presented the public opinion poll, conducted by the Public Opinion and Market Research Centre Vilmorus on 7-15th November, 2008. The public opinion poll aimed to assess the awareness of Lithuanians on human rights issues, to ascertain what traditional social groups are perceived as the most discriminated against, what aspects of the private life people feel most sensitive about, and above all, to determine whether people trust the existing human rights protection mechanisms and if they are determined to protect their violated rights. It was a third public opinion poll. The first two, almost identical; to the third, polls were carried out in 2004 and 2006. Results of the poll demonstrated a paradox – awareness of human rights and their protection mechanisms is rising, however a significant number of members of Lithuanian society does not believe that the state would protect their infringed rights and the majority does not even seek any remedy.

1.3. International Conference on Feasibility of Establishing a National Human Rights Institution in Lithuania

The Human Rights Monitoring Institute held an international conference on Feasibility of Establishing a National Human Rights Institution in Lithuania on 17th March, 2008. The international, foreign and Lithuanian experts have arrived at a conclusion that the establishment of the National Human Rights Institution would be a timely and necessary step. The conference was opened by the President of the Republic of Lithuania Valdas Adamkus. Conference speakers - Ainė Ramonaitė, Associate Professor at

the Institute of International Relations and Political Science; Santiago Martinez de Orense, Representative of the Office of the UN High Commissioner for Human Rights; Markus Jaeger, Deputy Director of the Office of the Council of Europe Commissioner for Human Rights; Edita Žiobienė, Associate Professor at the Mykolas Romeris University, and the Director of the Lithuanian Human Rights Center; Robert Archer, Executive Director of the International Council on Human Rights Policy; William Binchy, a member of the Irish Human Rights Commission; Michel Forst, Secretary General of the French Human Rights Commission; Birgitte Koford Olsen, the National Department Director of the Danish Institute for Human Rights - have shared their thoughts about the most feasible model of the national human rights institution for Lithuania. The international conference was concluded by the Resolution on Establishment of the National Human Rights Institution in Lithuania.

1.4. Public Statements and Appeals to the Public Authorities

1.4.1. Concerning the Draft Law Amending Article 60 of the Criminal Code

On 7th April, 2008 HRMI addressed the Parliamentary Committee on Legal Affairs, the principal committee for consideration of the above mentioned amendment.

The draft amendment introduced hate motive as a circumstance aggravating criminal liability. HRMI encouraged adoption of the draft. The Institute pointed out that due to the lack of the appropriate legal regulation, most of the racist criminal acts are qualified as violations of public order or hooliganism. HRMI have reminded that international bodies such as the European Commission against Racism and Intolerance (ECRI) and the United Nations Committee on the Elimination of Racial Discrimination (CERD) were encouraging Lithuania to recognize racist motives as aggravating circumstances.

1.4.2. On the Draft Law Amending the Law on Equal Treatment

On 9th June, 2008 HRMI in cooperation with other non-governmental organisations submitted an appeal to the Chair of the Seimas, the Seimas Committee on Human Rights and the Political Groups in the Parliament concerning the Draft Law Amending the *Law on Equal Treatment*.

Non-governmental organisations expressed their disapproval of the amendment, approved by the Seimas, according to which the grounds of discrimination set in the Law on Equal Opportunities were replaced with those listed in the Article 29 of the Constitution of the Republic of Lithuania. Hereby the grounds of discrimination - such as age, disability and sexual orientation, were expunged from the Law. NGOs pointed Seimas' attention to the fact the amendment was initiated to fully implement the EU directives, however the outcome produced was the opposite: the amendment removed discrimination grounds that are set in the Article 13 of the Treaty Establishing the European Community and the Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.

1.4.3. Call on public authorities to take adequate steps against a wave of anti-Semitism

On 12th August, 2008 the Human Rights Monitoring Institute and Vilnius Yiddish Institute condemned the rising wave of anti-Semitism and racism and called upon public authorities to take counter steps. HRMI have alleged that "the recent act of vandalism against the Jewish Community building, increasing number of anti-Semitic and racist attacks, and pseudo-patriotic publications became a matter of great concern among non-governmental organisations, representatives of academia and cultural elite. Increasing atmosphere of discord indicates the inability of Lithuania to comply with international political commitments and legal obligations to promote tolerance and ensure the protection of human rights".

1.5. Participation in Working Groups and Commissions

In 2008, HRMI employees, board members and experts participated in the following working groups:

- Judicial Selection Committee - Henrikas Mickevičius, Executive Director;
- National Council of the State Guaranteed Legal Aid System (Inga Abromavičiūtė, delegated expert);
- Parliamentary Working group to prepare a new draft Law on the Citizenship, Jolanta Samuolytė, HRMI Legal Director;
- Parliamentary Working group to develop recommendations addressing racism, anti-semitism and other forms of intolerance - Henrikas Mickevičius, Executive Director.

II. STRATEGIC LITIGATION

In 2008, Human Rights Monitoring Institute continued strategic litigation in order to address structural problems and/or protect interests of most vulnerable groups.

2.1. L v. Lithuania (Application No. 27527/03)

On September 11th, 2007 the European Court of Human Rights concluded that there had been a violation of Article 8 of the European Convention for Human Rights – right to respect for private and family life – in respect of L. In order to meet applicant's claim for pecuniary damages, Lithuania was obligated to adopt the subsidiary legislation regarding gender reassignment within three months of the judgment becoming final. In the absence of the said subsidiary legislation within three months of the judgment becoming final, Lithuania was obligated to pay to the applicant EUR 40,000 in pecuniary damage. In addition, L was granted EUR 5.000 in non-pecuniary damages.

On the 31st March 2008, a panel of five judges of the Court's Grand Chamber did not accept the request by Lithuanian Government to refer the case *L v. Lithuania* to the Grand Chamber for reconsideration. *Ipso facto* judgment passed in this case on September 11th, 2007 became final according to the provisions set out in Article 44 § 2 of the Human Rights Convention.

Lithuania compensated the pecuniary and non-pecuniary damage to the applicant after the Court's decision came into force, but did not adopt the necessary Law on Gender Reassignment. HRMI continues to monitor the full implementation of the decision.

2.2. Erica v. Lithuania (Civil Case No. 2-1450-553/2008)

As the Law on Gender Reassignment was not adopted, persons that went through the full gender-reassignment could not have their identity documents changed.

In the case of *Erika v. Lithuania* the applicant could not change the necessary identity documents after completion of the gender-reassignment procedure abroad, so she requested the court to obligate the proper public authorities to issue new identity documents reflecting the change of her gender.

On 20th March, 2008, Vilnius 2nd District Court fully satisfied the request and obligated the relevant public authorities to change the following entries in the applicant's identity documents: personal code, gender entry from male to female and the name and surname. Public authorities changed all the necessary identity documents in accordance with the court decision.

2.3. D.D. v. Lithuania (Application No. 13469/06)

In the case of D.D. v. Lithuania at the European Court of Human Rights HRMI represents interests of legally incapable person placed in special psychoneurological institution. The case raises questions related to the concept of legal incapacity in Lithuania, in particular the lack of a possibility of partial restriction of legal capacity, and the lack of full guarantees for the right to a fair trial in reaching court decision on legal incapacitation. The applicant complains about the violation of the Articles 5, 6, 8, 13 and 14 of the European Convention of Human Rights.

Considering the importance of the questions raised by the case, the third party interventions have been submitted by the Harvard Project on Disability and the European Group of National Human Rights Institutions.

In the preparation of the response to the Government's position in the case, HRMI draw upon the expertise of INTERIGHTS (the International Centre for the Legal Protection of Human Rights), based in London.

By the end of 2008 the case of D.D. v. Lithuania has been pending.

2.4. Saicha Marcinkevič v. Ltd. „Disona“ (Civil Case No. 2A-1020-464/2008)

For the first in Lithuania, in this case HRMI successfully applied so-called test for discrimination method.

In autumn, 2007 upon recommendation by the Lithuanian Labour Exchange, Roma person Saicha Marcinkevič asked for an employment as a dish cleaner at the restaurant belonging to the Ltd. „Disona“. Immediately before arrival for the personal interview, over the telephone she was assured that the vacancy is available. However, during meeting at the restaurant premises the administration of the restaurant informed the applicant that the position was filled. After unsuccessful job interview, upon HRMI's request the court bailiff called the restaurant to inquire about the availability of the position, and received a confirmation that the job of a dish cleaner is not filled. Indeed, another woman on non-Roma origin, who agreed to act as if she is looking for the job, was accepted. During the job interview with this person, representative of administration let drop that there was a woman who was sent by the Lithuanian Labour Exchange on the same day, but she was a "gypsy", and the restaurant staff did not want to work with the "gypsy", so they could not recruit her.

On 30th June, 2008 Vilnius District Court recognized the fact of direct discrimination of Ms. Marcinkevič on the ground of ethnic origin and awarded her pecuniary and non-pecuniary damages. The defendant challenged the decision before the appeal court, which on 10th December, 2008 left the decision of the first instance court unchanged.

2.5. Case of Gataevs

In autumn 2007, a couple of Chechen origin Malik and Chadizat Gataevs were arrested on suspicion of the use of violence and extortion of money from the children under their guardianship. Since the State Security forces are heavily involved in the case, HRMI has been following the pre-trial investigation and trial stages of the case.

III. AWARENESS RAISING AND HUMAN RIGHTS EDUCATION

3.1. Week against Racism 2008

March 21 was declared the International Day for the Elimination of All Forms of Racial Discrimination by the United Nations as a reaction to the murder of peaceful anti-apartheid demonstrators in South-Africa, in 1960.

Human Rights Monitoring Institute joined the international UNITED network, the largest anti-racism network of more than 560 NGOs in 49 countries, in the annual European-wide Action Week to actively engage Lithuanians against racism and promotion of equality. Main target group of the campaign is the youth.

Among HRMI partners in the week-long campaign were the Tolerance Centre, Department for National Minorities and Lithuanians Living Abroad, International Commission for the Evaluation of the Crimes of Nazi and Soviet Occupation Regimes in Lithuania, Human Rights Centre, Council of Europe campaign "All different - all equal", Office of Equal Opportunities Ombudsperson, Roma Community Centre, European Law Students' Association (ELSA), Lithuanian Chapter.

The Campaign programme of Action Week against Racism 2008 included:

March 14

Press Conference to launch the campaign and Seminar for Journalists on Racism, Concert bus, featuring Roma and Afro-Band, and the Living Library at the Municipality Square, Gedimino avenue, Vilnius. City sightseeing bus, marked with the symbols of the Action Week against Racism, drove through the streets of Vilnius. The popular music bands performed on the open platform during the ride. After making the circle the bus returned to the Municipal Square on Gedimino avenue, where the Living Library took place and an information about the Week was distributed.

March 15-23

Civic actions in all regions of Lithuania conducted by youth groups. Civil actions directed against racism were organised by the local youth organisations in all the regions of Lithuania. They took place together with the discussions on racial discrimination. Civil actions were coordinated by the youth campaign "All different – all equal".

Virtual Photography Exhibition "Another Culture: searches and discoveries" on the Alfa.lt web site. Readers had an opportunity to visit the virtual photography gallery consisting of three parts: photos of individuals belonging to national minorities in Lithuania, Lithuanian Roma and refugees in Lithuania. Through language of photography four artists - Giedrė Valtaitė, Gintaras Česonis, Gvidas Kovėra and Juozas Kamenskaskas narrated a story about the traditions and culture of Jews, Roma people, Armenians and Tartars living in Lithuania. The exhibition was also available in the shopping centre „Europa“, Vilnius.

March 18

Discussion „Racial discrimination in Lithuania: myth or reality?“ ELSA Vilnius (European Law Students' Association) and HRMI organised a discussion attended by Henrikas Mickevičius HRMI Executive Director, Jolanta Samuolytė, HRMI Research Director, Rimvydas Valentukevicius, Senior Prosecutor of the Special Investigations at the General Prosecutor's Office, and Stanislav Vidtmann, Deputy Director of the Department on National Minorities and Lithuanians Living Abroad.

Football Competition Against Racism. The campaign included social advertising. The video clip, aiming at attracting attention to the problem of was broadcasted on the public transport (buses and trolleybuses) in the main cities of Lithuania. Clear Channels posters posted in public places around the main cities encouraged tolerance and confronted racism and ethnic discrimination.

After neo-Nazi march in the centre of Vilnius on the 11th March the popular news portal www.delfi.lt organised a virtual conference with Jolanta Samuolytė, HRMI Research Director.

3.2. International Human Rights Summer School

The first International Human Rights Summer school was organised on 23rd July – 1st August, 2008. HRMI organised the Summer school in cooperation with the Mykolas Romeris University (Lithuania), Elon University (USA), European Humanities University (Belarusian University in Exile, Vilnius, Lithuania) and non-governmental organisation Bring Human Rights Home, USA. The Patron of the Summer school was Česlovas Juršėnas, Speaker of the Seimas (Lithuanian Parliament).

The Summer school that took place at the premises of the Mykolas Romeris University. In attendance were Belarusian, Lithuanian and American graduate and postgraduate students.

Lectures were delivered and workshops conducted by academics and expert practitioners in the field of international human rights from Switzerland, Great Britain, USA, Lithuania and Belarus. The last two days of the School were devoted for a moot court. Foreign lectures and students visited principal institutions working in promotion and protection of human rights in Lithuania. Among the institutions visited were: the Office for Equal Opportunities Ombudsperson, the Children's Rights Ombudsperson Institution, the European Commission Delegation to Lithuania and State Boarder Guard Service at the Ministry of the Interior of the Republic of Lithuania. Students and lecturers have visited the KGB Museum in Vilnius and Museum of the Ninth Fort of Kaunas.

3.3. Human Rights Awareness Month 2008: 60th Anniversary of the Universal Declaration of Human Rights

Traditionally, Human Rights Monitoring Institute announced December as Human Rights Awareness Month. *Human Rights Awareness Month 2008* was devoted to commemoration of the 60th Anniversary of the Universal Declaration of Human Rights – one of the most important international documents of the XXth century that had a significant impact for the development of the world and particular states after the 2nd World War.

HRMI joined the international community and together with partners organised series of discussions, seminars, competitions, exhibitions. HRMI also produced the occasional publication, a number of national and regional newspapers published the text of the Declaration on the 10th of December and some of the public institutions agreed to distribute the text of the Declaration on December 10.

Among the commemorative events organised in cooperation with government institutions and non-governmental organisations were:

Exhibition in the Seimas of the Republic of Lithuania. An exhibition of the Universal Declaration, opened on the 10th December, was organised by HRMI and United Nations Development Programme Office in Lithuania. During the opening ceremony, the Office of Equal Opportunities Ombudsperson presented the publication „Free and Equal“ and the Lithuanian Centre for Human Rights screened documentaries related to human rights. Among others, the event was attended by Arūnas Valinskas, the Speaker of Seimas and Arminas Lydeka, Chair of the Seimas' Committee on Human Rights.

Exhibition, Launch of Publication and Reception at the Ministry of Foreign Affairs. On December 10, the Ministry of Foreign Affairs, in cooperation with HRMI, hosted a reception to commemorate the anniversary of the Declaration. It featured opening of the UDHR exhibition and launch of publication, incorporating main international human rights documents and commentaries by Jolanta Samuolyte, HRMO Research Director. Among the guests were the Members of Seimas, representatives of public institutions, Judges of the Constitutional Court, foreign ambassadors, and members of human rights community.

Declaration at Schools. The exhibition opened at the Ministry of the Foreign Affairs began its journey around all the schools in Lithuania on 24 December, 2008. Thirty six schools from Vilnius, Kaunas, Šiauliai, Telšiai, Prienai district, Panevėžys district and other towns had an opportunity to display the exhibition and get acquainted with the essential document, listing human rights. The exhibition continues travelling in 2009.

Declaration for every citizen. As part of the campaign, visitors of a number of public institutions received a copy of the Universal Declaration of Human Rights while collecting documents, such as passports, ID cards, driving licenses or birth certificates.

Publication of the Declaration in Mass Media. On 10th December a number of Lithuanian newspapers and electronic portals published the text of the UDHR. The following newspapers and electronic portals joined the campaign: Delfi.lt, Alfa.lt, Balsas.lt, Infolex.lt, Bernardinai.lt, Lrytas.lt, regional newspapers „Šilutės naujienos“, „Merkio kraštas“, „Gyvenimas“, „Krašto vitrina“, „Naujasis Gėlupis“, „Banga“, „Vakarų ekspresas“, „Šilo karčema“, „Kalvarijos kronika“, „Kazlų Rūdos kronika“, „Santakos laikraštis“, „Šiaurės Rytai“, „Kupiškėnų mintys“, „Panevėžio balsas“, „Sekundė“, „Sidabrės laikraščio redakcija“, „Bičiulis“, „Vienybės redakcija“, „Auksinė varpa“, „Šiaulių kraštas“, „Mūsų Ignalina“, „Molėtų vilnis“, „Molėtų žinios“, „Utenis“, „Šviesa“, „Šilalės žinios“, „Tauragiškių balsas“, „Žemaičių būdas“, „Santarvės laikraštis“, „Plungė“, „Kalvotoji Žemaitija“, „Širvintų kraštas“, „Švenčionių kraštas“, „Gimtoji žemė“, „Karštas komentaras“, weekly newspapers „Dialogas“, „Savivaldybių žinios“.

Human Rights Champion of the Year Award. Annual award is given to a person, who has made significant contribution to the promotion and protection of human rights during the current year. The Selection Committee selected the 2008 winner and the award was presented during one of the commemorative events. The Human Rights Champion Award was given to the lawyer Liudvika Meškauskaitė, who for a number of years has been representing victims of human rights violations in Lithuanian courts and the European Court of Human Rights and contributing to progressive developments of legal standards for the protection of human rights. In 2008, two Lithuanians represented by Liudvika Meškauskaitė won their cases against Lithuania at the European Court of Human Rights.

National graffiti competition "Screaming Walls". This project gave an opportunity to young artists to express their perception of human rights and civic activism. 10 best works were selected and displayed in public places assigned by the local authorities. The concluding event took place on the 17th December, when the best graffiti artists received awards. Awards ceremony was followed by the discussion on the limitations to freedom of expression. Graffiti art works were placed on the website Balsas.lt.

Living library. Living library has become a traditional feature of the Human Rights Awareness Month. The aim of the Library to fight stereotypes and prejudices, raise awareness and deepen the knowledge of "otherness". Living Libraries were organised in a few cities and towns by HRMI partner the youth campaign „All different – all equal“. The main Living Library event took place in the coffee-bar „Coffee Inn“ (Vilnius) on 10th December.

Training for young journalists. Target group: young journalists writing articles for regional and youth newspapers and blogs on issues related to human rights. Training took place in regional center Zarasai. Participants were familiarised with the human rights situation and problems in Lithuania, which they were 'solving' during workshops conducted, inter alia, by Jolanta Samuolytė, HRMI Legal Director, Erika Leonaitė, Lecturer at the Institute of International Relations and Political Science, Romas Sakadolskis, lecturer at the Institute of Journalism and formerly radio journalist at the Voice of America, Deividas Velkas, Advisor to the Inspector of Journalist Ethics, Džina Donauskaitė, journalist of independent newspaper "Atgimimas".

Trainings for peer educators. Trainings were devoted for informal young community leaders with the intend that they will use the acquired knowledge during municipal events. Participants were introduced to the concept of human rights, equality and non-discrimination. They studied the methodology of the Living Library and conflict resolutions techniques. Trainings took place in Zarasai.

Trainings for coordinators of youth affairs in the municipalities. The first training of the planned series took place on 18th December in Vilnius. Participants – public officials in charge of youth affairs - discussed human rights issues relevant for today's Lithuania, they were acquainted with results of the

most recent sociological survey, and learnt about way to involve the youth in civic activism. The seminar was conducted by Henrikas Mickevicius, HRMI Executive Director, Dovilė Šakalienė, HRMI Project Manager, Margarita Jankauskaitė, Project Manager of the Centre of Equality Advancement, and Mindaugas Reinikis, Director of Civic Responsibility Foundation.

Social interventions on the topic of human rights. On 10th December, HRMI in cooperation with the youth Theatre group "Žvilgsnis" from the Youth centre "Babilonas" staged street performances in Vilnius. Both actors and spectators were involved in the creation of mini theatre plays and social experiment on human rights related issues.

3.4. Trainings and Discussions

3.4.1. Continuation of the series of seminars for journalists

In the framework of *the Programme of Enhancing the Culture Respectful of Human Rights*, funded by the Ministry of Foreign Affairs of the Kingdom of Netherlands, and in cooperation with the Lithuanian Journalists Center, HRMI continued the round of seminars for journalists (5 seminars were held in 2007. see HRMI Activity Report, 2007).

The 6th seminar *Racism in Lithuania is a Reality*, was moderated by Henrikas Mickevicius. It was emphasized during the seminar that rapidly growing xenophobic disposition and increasing racist attacks may lead to the weakening or even disintegration of democracy in Lithuania. Participants reviewed the recent racist incidents, analysed their causes and looked into the ways of possible counteraction. Among speakers were Tadas Leončikas, the Acting Director of Ethnic Research Centre at the Social Research Institute, and Rimvydas Valentukevičius, Senior Prosecutor of the Special Investigations Department at the General Prosecutor's Office. 12 journalists representing various mass media outlets (press, radio and television) attended the seminar.

The issue of racism and xenophobia became topical after the racist attack against Berneen, the Lithuanian TV star of Afro-Eastern origin, and the skinheads' march on the streets of Vilnius during the Independence Day when slogans reflecting racial hatred, such as "Lithuania for Lithuanians" and "Juden raus" ("Get out, Jews"), were yelled out.

3.4.2. International seminar "Integration of Roma into the Labour Market: tools and obstacles"

On 31 of March 2008, Human Rights Monitoring Institute and SOPA (public institution providing social assistance) hosted an international seminar on good practices in integration of Roma into labour market. The aim of the seminar was to get acquainted with the experience of national schemes developed in other countries for integration of Roma people into labour market and to discuss the effective models of social inclusion, in general. The experts from Spain, Netherlands, Slovakia and Lithuania conducted the seminar. The seminar was supported but the European Commission, the Ministry of Foreign Affairs and Cooperation of Spain and the Vilnius Municipality.

3.4.3. Discussion "Rinau family dispute: Legal aspects"

On 17th November 2008, HRMI in cooperation ELSA Vilnius (European Law Students Association, Vilnius branch) organised discussion *Rinau family dispute: Legal aspects*. The dispute between parents living in different countries – Lithuania and Germany- about the guardianship rights to their daughter was closely followed by the mass media and has reached the European Court of Justice. This illustrative case was discussed from legal perspective by Inga Juozapavičienė, Advisor to the Children's Rights Ombudsperson, and Valdas Čeglikas, Court Bailiff in charge of execution of court judgement in the case. Jolanta Samuolytė, HRMI Research Director moderated the discussion. In attendance were practising lawyers, law students, representatives of non-governmental organisation and mass media.

3.5. Info Bulletin

HRMI continued to distribute Info Bulletin on important human rights topics.. The info bulletin reaches over 2000 registered recipients. Among the main topics addressed through the Info Bulletin were HRMI position on the Draft Law on the Protection of Life in the Prenatal Phase, principal areas of concern and recommendations provided by the *United Nations* Committee on the Elimination of Discrimination against Women (CEDAW); analysis of the political parties programmes before the Parliamentary elections of 2008.

3.6. HRMI and Mass Media

HRMI regularly provides opinions and comments on variety of topical human rights issues for the national and foreign media. In 2008, HRMI staff members 56 times attended radio and television programmes, and were quoted by media in over 100 instances. Numerous HRMI statements were noted and prompted further articles or production of TV and radio programmes.

Among the media outlets that quoted HRMI staff members or invited to give their opinions were National TV and Radio, private TV Channels: LNK, Lietuvos Rytas, 5th Channel, Polish TV Polonia, Pervyj Baltijskij Kanal; Radio Channels: News Radio, M-1 Plus, Radiocentras, Radio France; national and regional daily papers: Lietuvos Rytas, Kauno diena, Lietuvos Žinios, Vakarų ekspresas, Klaipėda, XXI Amžius, Sekundė, Daily L.T.; weekly papers: Veidas, Laikas, Kontrastai, national news agency BNS, news portals: Delfi.lt, Balsas.lt, Bernardinai.lt, LRT.lt, Lrytas.lt, INFOLEX.lt, Alfa.lt, 15min.lt.

IV. INTERNATIONAL COOPERATION

4.1. On Extradition – Birnberg Peirce Law Firm, London

In November, 2008, HRMI delivered a report on imprisonment conditions of women with mental disorders in Lithuanian penal institutions upon the request of Birnberg Peirce Law Firm in London. Report was used in the case of extradition of a Lithuanian citizen from Great Britain to Lithuania. The main issue was whether conditions in penal institutions, where women with mental disorders can be imprisoned comply with the standards developed by the case law under Article 3 of the *European Convention on Human Rights*. HRMI independent report was based on the visits to the Lukiškės Pre-Trial Detention center, Lukiškės prison, and Panevėžys Women's Corrective Institution.

4.2. Preparation of the information on the protection of the right to private life and submission for the Electronic Privacy Information Centre

The HRMI submitted the information regarding the implementation of the right to respect for private life in 2007 and 2008 to the Electronic Privacy Information Centre, established in Washington DC, USA. The information intended for the World report on the topic mainly consisted on the legal framework for the protection of privacy , and legal practice by relevant public institutions and courts.

4.3. CHAIR of the Board Member continued his work at the UN Committee on the Rights of the child

On 21 February, 2007 Dainius Pūras, Board Member of Human Rights Monitoring Institute and later Chair of the Board, during the 11th meeting of the State Parties to the UN Convention on the Rights of a Child was elected as one of the 9 new members of the UN Committee on the Rights of the Child. Dainius Pūras is the first representative from Lithuania elected to one of the UN expert committees

that monitor implementation of human rights conventions since the entry of Lithuania into the UN in 1991. Mr. Dainius Pūras was elected for the term of 3 years,.

4.4. Participation in the *Victims in Europe* project

In September 2008, HRMI within the Europe-wide project *Victims in Europe* provided information related to the protection of the victims of crimes and their rights in criminal proceedings for the implementing agency Portuguese Association for Victim Support .

The aim of the survey conducted within the project was to identify relevant legal provisions and collect information on the organisational practice and effectiveness of measures designed to provide support for the crime victims and, thus, to conclude on the quality of implementation of the European Union Framework Decision's on the status of victims in criminal proceedings, adopted on 15th March, 2001. The main issues addressed by the survey were: definition of a victim; recognition and respect; implementation of the right to be heard; victim questioning; implementation of the right to receive information; provision of special legal aid and assistance to the victims; victims' expenses in criminal proceedings; implementation of the right to protection and compensation; mediation in criminal cases; and victims resident in another state.

4.5. Expert activities abroad

During 2007, Henrikas Mickevičius, in his capacity of an expert of the Council of Europe, conducted training courses on the application of the European Convention on Human Rights for Russian, Belarusian and Georgian lawyers, including judges, prosecutors and private attorneys.

In September, upon invitation by the Council of Europe Commissioner for Human Rights and the President of the Irish Human Rights Commission (IHRC), Henrikas Mickevicius served as the rapporteur of the 5th Round Table discussion of National Human Rights Institutions, organised by the Council of Europe Commissioner for Human Rights and European Association of National Human Rights Institutions in Dublin, Ireland.

V. STRUCTURE

5.1. HRMI Board

Dainius Pūras – Chair of the Board
Associate Professor at the Vilnius University, Member of the UN Committee on the Rights of a Child

Henrikas Mickevičius
Executive Director

Arūnas Pemkus
Chair of the Board of the PR Company „Integrity“

Tadas Vizgirda
Executive Vice President of the Air Baltic Corporation, Chair of the Council of the NGO *Save the Children*

5.2 Employees:

Till August, 2008:

Henrikas Mickevičius, Executive Director

Jolanta Samuolytė, Research/Legal Director

Aina Damkutė, Project Coordinator

Dovilė Šakalienė, HRMI Representative in Geneva

From August till November, 2008:

Henrikas Mickevičius, Executive Director

Jolanta Samuolytė, Research/Legal Director

Dovilė Šakalienė, Project Manager

Aina Damkutė, Project Coordinator

From November, 2008:

Henrikas Mickevičius, Executive Director

Jolanta Samuolytė, Research/Legal Director

Dovilė Šakalienė, Project Manager

Natalija Bitiukova, Project Coordinator

5.3. Experts and consultants

Daiva Brogienė, PhD candidate at Vilnius University

Deividas Velkas, Advisor to the Inspector of Journalists' Ethics

Diana Gumbrevičiūtė-Kuzminskienė, Private Lawyer

Dovilė Juodkaitė, Director of the „Global Initiative in Psychiatry“

Gintautas Sakalauskas, Researcher at the Institute of Law

Inga Abromavičiūtė, Private Lawyer

Laura Ūselė, Researcher at the Institute of Law

Liudvika Meškauskaitė, Private Lawyer

Margarita Jankauskaitė, Project Manager, Centre of Equality Advancement

Morta Vidūnaitė, Lecturer at the Institute of International Relations and Political Science, Vilnius University

Otilija Gabrėnaitė, Researcher at the Centre for Legal Projects and Research

Petras Ragauskas, Deputy Director of the Institute of Law

Raimonda Vengrytė, Researcher at the “Global Initiative in Psychiatry”

Tadas Leončikas, Acting Head of the Ethnic Research Centre at the Institute for Social Research

Vida Beresnevičiūtė, Researcher at the Centre of Ethnic Studies

Vita Petrušauskaitė, Researcher at the Centre of Ethnic Studies

5.4. Volunteers and interns

Eglė Jackevičiūtė

Natalija Bitiukova

Jevgenija Nesterova

Rita Griguolaitė

Michal Juhás

Vitalij Levičev

Mažena Lavrynovič

Miglė Poškutė

Vaiva Martinonytė

Julija Šlekonytė

Sigita Rukšėnaitė

Nerijus Kliukas

Michal Adam Lewandowski

VI. FINANCIAL RESOURCES

HRMI activities in 2008 were financed by:

- European Commission;
- Ministry of Foreign Affairs of the Kingdom of Netherlands;
- The Open Society Fund – Lithuania;
- Individuals donations through allocation of 2 per cent of income-tax;
- Funds collected during the Midsummer Charity Event „Classics Under Stars“ organised at the Capitals Golf Club in June, 2008.