

## **Social Integration, Adaptation, or Segmentation? Minority Rights Issues and Discourses in Lithuania since EU Expansion**

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The latest round of EU expansion (2004) focused international attention on the issues of identity politics and minority rights in the post-Soviet Baltic states. In Latvia and Estonia these issues were framed, by and large, as the “Russian question.” The governments of these two countries were criticized by international actors for denying automatic citizenship to a large number of Russian speakers. Lithuania, in contrast, was not subject to similar criticism. In fact, it was even praised for its inclusive citizenship laws and progressive minority rights legislation which extended cultural rights to traditional minorities (ethnic Poles and Russians). Recent public opinion data, however, suggests that there is increasing intolerance toward small communities of “non-traditional” minorities in Lithuania, such as Muslims, and toward Roma. It appears that progressive legislation (most of which was adopted before Lithuania became an EU member in 2004) and increasing internationalization has not resulted in the cultural and social changes that are necessary for this legislation to be successfully implemented. Is Lithuania capable of making the cultural and social changes associated with the European integration, which imply ethnic and racial tolerance? How are questions about minority rights framed in public and scholarly discourses? To gain insight into these questions, this paper will explore the attempts that have been made by the Lithuanian government and by non-governmental actors to incorporate EU anti-discrimination directives and other international norms against racism and ethnic discrimination into Lithuanian society. This paper will outline the public debates about the status of Lithuania’s Roma community, which has become one of the most visible minority rights issues in Lithuania since EU expansion.

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### **WORK IN PROGRESS! PLEASE DO NOT QUOTE.<sup>1</sup>**

During the late 1980s and early 1990s, Lithuania developed a minority rights regime which offers cultural rights to traditional minorities. Most important policy decisions

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regarding the minority rights regime took place before Lithuania applied for European Union (EU) membership and the EU did not play a decisive role in this process. Lithuania's minority rights legislation, however, did not produce the cultural change necessary for the successful implementation of minority rights. Preserving the dominant ethnic identity (which is still perceived as endangered) remains one of the priorities in Lithuania's social and political life.

In contrast to the other Baltic states (Estonia and Latvia), Lithuania is one of the more ethnically homogenous post-Soviet states. According to the 2001 census, 6.74 per cent of Lithuania's residents identified themselves as Polish, 6.31 per cent as Russian, 1.23 per cent as Belarussian, and 1.2 per cent as Jewish. Approximately 2,571 (or 0.07 per cent of respondents) identified themselves as Roma, although the actual number of Roma may be as high as 4,000 (Department of Statistics 2001; Vaitiekus 1998: 14). In general, the ethnic self-identifications in the census correspond with the language spoken at home.

The country has a 'unipolar ethnic structure' (Bangura 2006: v) in which the Lithuanian majority is dominant, although this characteristic does not apply to south-eastern Lithuania which has a significant number of ethnic Poles and ethnic Russians. It is not surprising, therefore, that questions about minority rights and ethnic relations have been especially pertinent in that part of the country.

Given the troubled history of the country, many ethnic Lithuanians still perceive their native language and nationhood as endangered. As Timothy Snyder points out, 'the

Lithuanian language had not been considered a language of politics for centuries' (Snyder 2003: 32). During the nineteenth century, in some peasant families (traditionally considered the 'core' of the Lithuanian nation), grandparents spoke Lithuanian, parents Belarussian, and children Polish (Snyder 2003: 32). Consequently, starting with the nineteenth century, when Polish- and Russian-speaking Lithuanian elites started to build the Lithuanian nation, they saw the need to 'strengthen' the Lithuanian language and 'defend' it from the influences of the Polish and Russian languages.

This perceived need to strengthen the Lithuanian language and ethnic identity continues to be an important variable in ethnic relations. Even the Soviet Lithuanian elites (the Lithuanian Communist party functionaries) felt that it was their 'duty' to 'Lithuanize' south-eastern Lithuania. In 1950, Mėcislovas Gedvilas and Justas Paleckis, the Lithuanian Communist party leaders, suggested teaching Lithuanian instead of Polish in addition to Russian in the area. They argued that ethnic Poles in eastern Lithuania were in fact 'Polonized' Lithuanians and Belarussians. Similar attempts at 'Lithuanization' were disapproved by Moscow as nationalist, and Lithuania's Poles were able to preserve their right to speak and learn their language during the Soviet period (Kalnins 1998: 47). The Polish minority is currently Lithuania's most politically active and vocal minority, interested in preserving its cultural rights.

Arguably, the political activism of Lithuania's Polish minority strengthened the emerging minority rights regime in post-Soviet Lithuania. This regime offers limited cultural rights for traditional minorities (such as government support for education of ethnic minorities

and language rights), but, by and large, cannot do much to address racism and intolerance towards ‘new’ minorities, such as the Chechens, and ‘old’ minorities, such as Roma.. Lithuania’s minority rights regime is rooted in the Soviet nationalities policy which, despite several attempts at Russification, favoured Lithuania’s ‘titular nation’ and allowed limited cultural rights to the two largest minority groups, ethnic Poles and ethnic Russians. Overall, the current minority rights policies follow this pattern, although recent reports by Western intergovernmental organizations, in particular the EU, highlighted the problems experienced by Lithuania’s Roma and Jews and attempted to re-frame the minority rights regime to address other minority rights issues, such as anti-Semitism and ethnic discrimination.

The burgeoning literature on ‘Europeanization’ has identified several mechanisms of EU influence during the accession process, including ‘legislative and institutional templates’ (incorporation of EU laws and norms), financial aid and assistance, monitoring, and advice on how to incorporate norms and laws (Grabbe 2002). At the same time, some scholars have questioned the influence of EU norms and rules on minority rights regimes, both during the process of accession and after it. For example, Merje Kuus described the ‘ritual of listening to the foreigners’ during the process of Estonia’s EU accession. According to her argument, the importance of local actors, especially their power to interpret or ignore international norms, should not be underestimated (Kuus 2004). Her case studies suggest that local actors, not international interventions, were the crucial variables influencing the development of minority rights regimes in Central and Eastern Europe.

Interestingly, when analyzing the development of the minority rights regime in Lithuania, the local elites rarely mention the influence of international actors. Their focus is on historical roots of the ‘post-colonial’ mentality, which makes ethnic and racial tolerance difficult (Donskis 2005). In 2007, a study conducted by leading Lithuanian scholars pointed out that a civic understanding of the Lithuanian ‘nation’ was lacking, making it difficult to establish a culture of tolerance, which could support anti-discrimination measures recommended by the EU. The study argued that attempts at preserving an ‘archaic’ ethnic identity, which is still perceived as being threatened, created a ‘passive political culture’ and impeded the development of a robust political community (Adomenas et al. 2007: 429). These observations give rise to the question of whether a post-Soviet society is capable of creating a culture supporting progressive legislation protecting minority rights.

## **THE MINORITY RIGHTS REGIME ADOPTED AFTER INDEPENDENCE FROM THE SOVIET UNION (1991-PRESENT)**

During the early years of independence, Lithuanian politicians felt that it was necessary to convince the international community that the country had opted for democracy and peaceful coexistence with its neighbors. Legislation supporting minority rights was supported by international actors (including minority kin-states) and was viewed by Lithuanian elites as a necessary condition for eventual membership in EU and NATO.

The most important pieces of legislation adopted during this period include the 1989 Law on Ethnic Minorities that recognized the rights of minorities to cherish and foster their cultural traditions, history and language; the 1989 Law on Citizenship that extended the citizenship of Lithuania to those residing in Lithuania in 1990; and the 1991 Law on Education that granted access to minority language education and schools for Russian and Polish minority groups. The constitution of Lithuania adopted in 1992 guarantees cultural minority rights and prohibits discrimination based on ethnicity. It allows Lithuania's ethnic minorities to foster their language, culture and customs, and grants minorities the right to administer independently from the state the affairs of their ethnic culture, education, organizations and charities. These legal provisions bind Lithuania's state to support the rights of ethnic minorities. In addition, they help to make sure that Lithuania's traditional ethnic minorities are loyal to their host state.

Lithuania's legal framework for protecting minority rights has received positive evaluations from international actors, including the European Commission in the late 1990s, the UN Human Rights Committee overseeing implementation of the International Covenant on Civil and Political Rights, and the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities. Although Lithuania was not invited to start accession negotiations with the European Union in 1997, the 1997 Commission Opinion described the situation of minorities in Lithuania as 'satisfactory' and referred to the 1991 Law on Citizenship as a 'major contribution', since it granted citizenship to all persons resident in Lithuania. The Opinion further noted that Lithuania's minorities had the right to manage their cultural and educational affairs, and

that 14.6 per cent of school children attended state-supported schools in which all subjects were taught in minority languages. The Opinion also noted that Lithuania's minorities had the right to use their languages for 'official communication' in the areas where they were in the majority (European Commission 1997). Overall, the Opinion confirmed the minority rights model embraced by the Lithuanian government. The monitoring reports in the following years, before the country became an EU member in 2004, maintained that Lithuania's ethnic communities had 'well-established rights'.

Although Lithuania's minority rights regime supports cultural minority rights, its functioning is affected by a very important variable: the historical legacy of 'ethnic insecurity' among the Lithuanian majority. Since the early 1990s, two trends have been shaping Lithuania's minority rights regime. On the one hand, in order to continue to please the international community and to maintain good ethnic relations, the Lithuanian government continued to create minority-friendly laws and programs (such as transposing EU anti-discrimination directives). On the other hand, several important laws (such as the language law or the dual citizenship law) were passed to strengthen the Lithuanian 'ethnic core'. A closer analysis of recent debates surrounding the revised Law on Citizenship (2002) and the fate of the 1989 Law on Ethnic Minorities illustrates this point.

In 1989 the Law on Citizenship established the so-called 'zero-option' for acquiring citizenship. Virtually all permanent residents of the country who sought Lithuanian citizenship were offered it, irrespective of their nationality, duration of residence in the

country and knowledge of the state language. Pre-1940 citizens and their descendants (that is, those who lived in Lithuania before it was occupied by the Soviet Union) were also offered Lithuanian citizenship, without having to renounce their current citizenship.

The Law on Citizenship was amended several times, in 1991, 1993 and 1996. These revisions made it easier to restore Lithuanian citizenship for citizens of Lithuania prior to the Second World War and their descendants. The 1996 revision allowed persons of 'Lithuanian origin' (i.e. ethnic Lithuanians) to retain their citizenship, even if they had become permanent residents of other states. A new Law on Citizenship adopted in 2002 included a similar provision. Given its distinction between (ethnic) 'Lithuanians' and 'non-Lithuanians', this law has been debated in Lithuania and abroad. Lithuania's Jewish community and Polish organizations expressed their concerns about the discriminatory character of the law. It did not allow ethnic Jews, Poles, Russians, Belarussians and members of other minorities to retain their Lithuanian citizenship if they had decided to become citizens of other states.

International actors also expressed their dissatisfaction with the law. In 2005, the Council of Europe European Commission against Racism and Intolerance recommended that the Lithuanian authorities ensure that the provisions regulating Lithuanian citizenship did not discriminate Lithuanian citizens on the grounds of race, color, language, religion and ethnic origin (ECRI 2006: 8). In the following year, Lithuania's Constitutional Court ruled that the 2002 Law on Citizenship was unconstitutional, arguing that any provision



or amendment on double citizenship could not be adopted unless the constitution was changed by popular referendum.

This ruling attracted the attention of Lithuanians living abroad, including those who emigrated soon after the Second World War, as well as more recent economic migrants. It is difficult to underestimate the influence of this group which comprises approximately one million ethnic Lithuanians living outside Lithuania, most of whom are interested in keeping their Lithuanian citizenship. Many argued that changing the 2002 Citizenship Law would greatly weaken the 'ethnic' Lithuanian nation (Marcinkevicius 2007).

Their arguments were taken up by the Conservative party, which was at the time in opposition. In 2007, this political party proposed to amend the Law on Citizenship one more time, retaining the discriminatory provisions regarding dual citizenship for ethnic Lithuanians. The ruling social democrats decided to support their opponents in this matter. Proposals to organize a referendum on dual citizenship were denounced as a 'threat to Lithuania's sovereignty'. The actions of Lithuania's leading political parties in the debate on the Citizenship Law suggest that the preservation of the ethnic Lithuanian 'nation' is considered a national interest by both left and right wing political forces, irrespective of the principle of non-discrimination proclaimed in the Lithuanian Constitution. Political parties representing ethnic minorities, such as the Electoral Action for Lithuania's Poles, an ethno-political party which has two seats in Lithuania's 141-member parliament, have only a negligible influence on matters such as the Citizenship Law.

At the same time, according to the 1989 Law on Ethnic Minorities, Lithuania allows ethnic minorities to ‘develop their culture freely’, to expect financial support from the government for their cultural and educational activities, including teaching the official state language in minority schools. Revisions to the Law on Ethnic Minorities were initiated twice, in 1997 and 2002.

In the second half of the 1990s, it was debated in Lithuania what constitutes an ‘ethnic minority’ and whose rights should be protected by the Lithuanian state. Consequently, a new definition of ‘ethnic minorities’ was drawn up. However, politically active members of ethnic minorities resisted these revisions, as they were concerned that the government was not genuinely interested in protecting the interests of ethnic communities.

In 2002, a new working group was formed to amend the law one more time. The Department of National Minorities and Lithuanians Living Abroad, a government agency created in 1999 to support minority rights and the integration of minorities, prepared a new draft of the Law on Ethnic Minorities. According to this draft, individuals could freely decide whether they wanted to be treated as members of ethnic minorities. However, minority representatives expressed their concern that they had not been consulted in the preparation of the bill. At the end of 2007, no agreement between politicians and administrators working on the law and representatives of minority groups had been reached as to what the final draft of the bill should look like. While the leading political parties have not shown any political will to speed up the process, the

representatives of minority groups remain frustrated and seemingly unable to communicate effectively with government representatives charged with protecting their rights.

International organizations and local non-governmental organizations (NGOs) have pointed out the absence of politically strong institutions able to formulate and implement minority rights policies in Lithuania. The Department of National Minorities and Lithuanians Living Abroad continues to focus on the cultural activities of Lithuania's ethnic minorities. In the past, the Department tried to play a more active role in shaping Lithuania's minority rights regime. It proposed a minority policy strategy which incorporated the provisions of relevant international documents, such as the European Charter on Regional or Minority Languages and the UNESCO Convention against Discrimination. However, this initiative was ignored by the Lithuanian parliament, and the activities of the Department now focus again on cultural issues. Its current activities include the organization of Lithuanian language courses and support for cultural programs pursued by ethnic minority groups. The number of individuals attending Lithuanian language courses and the number of cultural activities supported by the Department are used as ways to measure the 'integration' of ethnic minorities into Lithuanian society.

The nature of the activities pursued by the Department of National Minorities and Lithuanians Living Abroad points to a major flaw in the minority rights regime embraced by Lithuania. Extending limited cultural rights for traditional minorities may, in fact, re-

draw and re-enforce the boundaries between ethnic majority and ethnic minorities, creating an 'us' versus 'them' mentality. Furthermore, if minority rights are discussed only in terms of preserving the cultures and languages practiced by a small number of ethnic groups, then such a minority rights regime can do little to address ethnic intolerance and discrimination. Both issues are becoming more and more salient in Lithuanian society and politics.

### **ETHNIC INTOLERANCE, RESPONSES FROM THE LITHUANIAN GOVERNMENT, AND INTERNATIONAL INTERVENTIONS**

Annual public opinion surveys conducted by human rights monitoring agencies and other organizations suggest that the Lithuanian society has become increasingly intolerant towards certain ethnic groups. The percentage of residents of Lithuania with anti-Roma attitudes increased from 59 per cent in 1990 to 75.4 per cent in 2006. Anti-Semitic attitudes increased from 18 per cent in 1990 to 25 per cent in 2006, and anti-Muslim attitudes from 34 per cent in 1990 to 58.2 per cent in 2006. In public opinion polls conducted in 2007, 68.7 per cent of respondents asserted that they were unwilling to live in the same neighborhood with Roma, and 59.6 per cent of respondents were unwilling to live in the same neighborhood with Muslims (Ethnic Research Centre 2007: 2). The latter finding is particularly interesting, as in the 2001 census only 0.08 per cent of Lithuania's residents identified themselves as Muslims. Most of them are Lithuanian Tatars who are long-time residents of the country. The rise in anti-Muslim attitudes can be explained by

the negative portrayal of Islam and of Muslims in the mass media after the terrorist attacks on the United States on 11 September 2001.

These results point to a particularly strong prejudice against the Roma. At least partially these attitudes are due to the way in which the Roma are portrayed by the mass media. There is a powerful stereotype linking the Roma to criminality, a stereotype often perpetuated by government officials. The actions of the Vilnius municipality in 2004 are a case in point. During this year, the municipality ordered to destroy ‘illegally’ built houses inhabited by Roma residents in the Roma settlement in Kirtimai. The actions of the municipality were condemned by the Equal Opportunities Ombudsperson (an institution established in 1999 to protect human rights), the Ombudsman of the *Seimas* (the parliament), and the European Commission against Racism and Intolerance. On behalf of an individual whose house was destroyed, the Human Rights Monitoring Institute (a Lithuanian NGO) complained to the prosecutor’s office of Vilnius district. Although the court acknowledged that the victim had experienced harm from the local government, as of 2007 the government officials responsible for the demolishing Roma houses had not been sanctioned.

Government actions against discrimination were prompted by the anti-discrimination directives issued by the EU. Responding to the Race Equality Directive, the Lithuanian authorities adopted the Law on Equal Opportunities in 2005 and expanded the mandate of the Ombudsperson for Equal Opportunities to cover all grounds of discrimination. According to Danguole Grigoloviciene, Adviser to the Ombudswoman for Equal

Opportunities, in 2005 the Office of the Ombudsperson for Equal Opportunities received 18 complaints regarding racial or ethnic discrimination, 11 of which concerned members of the Roma community. ‘The biggest resonance was caused by the demolition of Roma houses at the end of 2004. After thorough investigation we issued a warning to the mayor of Vilnius’ (Delfi Report 2006b).

In 2006, 20 complaints were submitted to the Ombudsperson for Equal Opportunities. By and large, these complaints did not receive much attention from the authorities or the public. In 2007, 17% of all complaints received by the Ombudsperson for Equal Opportunities were related to ethnic discrimination. 13% of those complaints were submitted by the Lithuanian Roma community, and 17% came from Lithuania’s Russians. According to Grigoloviciene, in 2007, Lithuania’s Romas were primarily worried about discrimination in workplace and difficulties in obtaining employment in the market dominated by ethnic Lithuanians (Viltrakyte 2008). According to Svetlana Novopolskaja, the representative of Lithuania’s Roma Public Center, one of the reasons why this ethnic group does not know the Lithuanian language well (and later suffer in the job market place) is because the parents do not want to take their children to the Lithuanian kindergartens. They are afraid that their children will experience ridicule and discrimination (Viltrakyte 2008).

In 2007, the European Union Agency for Fundamental Rights criticized Lithuania for failing to adopt adequate measures in the fight against ethnic discrimination. It noted that, although Lithuania has created channels for victims of ethnic and racial discrimination to

express their complaints, these complaints did not typically result in sanctions or compensations. Instead of using punitive measures, government institutions relied on ineffective 'recommendations' or moral pressure (ELTA Lithuanian News Agency 2007).

Lithuanian human rights experts have reached similar conclusions. They continue to criticize the incompetence of law enforcement officers when addressing cases involving anti-Semitism and racism. Such cases are classified by government authorities as 'hooliganism' or 'vandalism' and generally do not lead to prosecutions, despite the fact that Lithuania's criminal code prohibits incitements to hatred and violence against members of ethnic, religious, or sexual minorities. In 2004, Lithuania's courts started to investigate five cases related to incitement to hatred, a number decreasing to two cases in 2005, and increasing to 20 in 2006, with two sentences being passed in 2006. Apparently, international pressure from the UN Committee on the Elimination of Racial Discrimination and the European Commission against Racism and Intolerance made a difference. In 2006, recommendations of these two institutions were discussed in the office of the Prosecutor General, following which the Prosecutor General sent a letter to public prosecutors encouraging them to initiate proceedings even without formal complaints from victims of racial hatred. This explains the rise in the number of court cases in 2006 (Human Rights Monitoring Institute 2006; Ethnic Research Centre 2007: 11).

Adoption of the Law on Equal Opportunities was followed by the 'National Antidiscrimination Programme 2006-2008' which attempts to promote democracy based

on ethnic diversity and non-discrimination. The program was Lithuania's response to a call by the European Commission for national programs promoting equal opportunities. Created and coordinated by the Lithuanian Ministry of Social Security and Labor, the Lithuanian program stated that there was a pressing need for 'research, analysis and education for tolerance' (Ministry of Social Security and Labor 2007). Unfortunately, the initiative does not go beyond an evaluation of the situation. It fails to address the real issues related to ethnic intolerance and discrimination, such as the poverty experienced by ethnic minorities and discrimination in the marketplace. Similarly, the new 'Strategy of Development of Ethnic Minority Policies 2007-2015', approved by the government of Lithuania in October 2007, did not include any measures to reduce unemployment and social exclusion of ethnic minority groups, despite the fact that these issues were identified by the government as the main obstacles for the social integration of minorities (Government of Lithuania 2007a).

Recent sociological studies suggest that Lithuania's labor market is segregated along ethnic lines. Ethnic Lithuanians are more likely to be in the higher echelons of government and administration, while ethnic Poles and Russians are more likely to work as skilled or unskilled workers. Ethnic Poles and Russians report that they have to rely on their ethnic connections when looking for a job (Kasatkina and Beresneviciute 2006: 43; Kasatkina and Leoncikas 2003: 106-108). These findings suggest the absence of equal opportunities in the labour market, but so far this issue has not received the attention of the Lithuanian government.



In 2006, the European Commission against Racism and Intolerance reported that in Lithuania cases of employment discrimination are ‘extremely rare’, due to ‘progressive labor legislation’ adopted following the EU directives on employment. However, the European Commission against Racism and Intolerance acknowledged that ethnic discrimination may be an explanation why different ethnic groups have different employment status (ECRI 2006: 8). According to 2003 data (in 2003 the Lithuanian Statistics Department discontinued the gathering of unemployment data based on ethnicity), the Roma community experienced some of the highest levels of unemployment. In the same year, 18.7 per cent of ethnic Russians were unemployed, compared to 11.7 per cent of ethnic Lithuanians (Poviliunas 2005: 5, 19).

The decision of the Lithuanian government to address the plight of the Roma was inspired by international actors and their willingness to cooperate with Lithuanian human rights NGOs. In 1997-1998, the Lithuanian Human Rights Centre, in cooperation with the Lithuanian youth organization ‘Transylvania’ and a French ethnic minorities group, became engaged in a project sponsored by the Council of Europe. The goal of this project was to integrate ethnic minorities into Lithuanian society (Vaitiekus 1998: 9). The national government recognized the need to integrate Roma only in 2000, when it released the ‘National Programme for the Integration of Roma into Lithuanian Society 2000-2004’. In practice, the focus of this program was on pre-school and artistic education of Roma children. The Lithuanian government seems to have launched this program in the hope of joining the EU. The program states that the ‘desire of Lithuania to integrate faster into the European political, economic and security structures necessitates

to make decisions regarding the social integration of Roma in a more timely fashion’ (Government of Lithuania 2000).

The European Commission against Racism and Intolerance, the Open Society Fund Lithuania, and other organizations praised the efforts of the Lithuanian government to address the problems of the Roma, who are clearly the most marginalized group in society. However, the program was not successful, as it had been prepared without effective consultation with the Roma community. The focus of the program on artistic education did not meet the needs of the Roma community. In addition, the program did not explicitly address the problem of discrimination which directly affects Roma in employment, housing, education, health and other spheres. Finally, as noted by international organizations, the Lithuanian government lacked the political will to take this program seriously. According to the third report of the European Commission against Racism and Intolerance, published in 2006, the Lithuanian government did not provide sustainable funding for the measures outlined in the program (ECRI 2006: 22-29). Furthermore, many initiatives developed very slowly. The Department of National Minorities and Lithuanians Living Abroad, which was made responsible to implement the programme, focused on offering Lithuanian language courses to members of the Roma minority and tried to help them to find employment. These strategies were not successful.

In 2006, the European Commission against Racism and Intolerance and the UN Committee on the Elimination of Racial Discrimination criticized the inadequate progress in addressing the problems experienced by Lithuania’s Roma community. Both

international organizations noted social problems: unemployment, place of residence, health care and education (ECRI 2006; CERD 2006).

Currently, Lithuania's politicians still lack the political will to come up with a strategy to address these issues. Only in 2007, responding to international pressure, did the Lithuanian government release another Roma 'integration' program. As of March 2008, the draft program has not yet been approved by the government (Government of Lithuania 2007b; Savickaja 2007).

The new programme was released after public discussion of the 2006 report of the European Commission against Racism and Intolerance which was, as mentioned above, critical of Lithuania's ability to fight racism and anti-Semitism. The report also noted lack of awareness of discrimination in Lithuanian society. Henrikas Mickevicius, the Executive Director of the Human Rights Monitoring Institute, argued that 'it is essential to fully implement the provisions of the EU Race and Employment Directives of 2000 by creating a mechanism for the Roma population to obtain legal assistance' (Delfi 2006a). The discussions in Lithuania show how important local actors - human rights activists, defenders of minority rights and non-governmental organizations - are in interpreting and transferring international norms to a domestic context. These actors are able to link international norms to local 'traditions', making them legitimate. However, it is not easy to establish a convincing link between the traditional minority rights regime with its roots in the Soviet nationalities policy and the EU's anti-discrimination directives. Furthermore, human rights NGOs are relatively weak in post-Soviet Lithuania. Their

internationalist agenda faces resistance not only from conservative political forces, but also from traditional minority communities.

Currently, there are approximately 300 ethnic minority NGOs registered in Lithuania. The main goal of their activities is to preserve the culture of ethnic minorities, protecting them from assimilation. At the same time, these NGOs promote networking based on belonging to the same ethnic group, creating an ethnically segmented civil society (Department of National Minorities and Lithuanians Living Abroad 2007). Even the Council of Ethnic Communities, which has an advisory role in the creation of ethnic policies in Lithuania, embraces cultural nationalism, hindering the development of cross-cultural civil society.

Resistance from traditional minorities to the EU anti-discrimination discourse is an unintended consequence of international involvement, which was meant to empower ethnic minorities. During a public discussion of the minority situation in Lithuania, organized by Laima Andrikiene, a member of the European Parliament, Vitalijus Karakorskis, Chairman of the Council of Ethnic Communities, argued that the interests of traditional ethnic minorities (ethnic Poles and ethnic Russians) are often misrepresented, as due to the new EU directives, ethnic minorities are often discussed in the same context as gays or lesbians. 'We are rather conservative; we are interested in preserving traditions; thus, any association with the "other" minorities is unacceptable for us. Perhaps we should think about creating the position of an Ombudsman just for

(traditional) ethnic minorities?', Karakorskis went on to express his scepticism regarding the EU's ability to cater to his community (Kilpys 2007).

This discourse raises an important question: are Lithuanians - the Lithuanian-speaking 'majority', traditional and 'non-traditional' (or, to be more precise, not readily accepted) minorities, and the government - willing to respond to international interventions and adopt effective strategies to combat intolerance? Prior to joining the EU, Lithuania's politicians were ready to go an extra mile to get into the Euro-Atlantic security space and to do whatever it takes to prove that their country belongs to the West. Currently, as an EU member, Lithuania has to comply with EU directives. However, EU member states are free to choose how the directives are implemented. In the case of minority rights, Lithuania's politicians have already realized that there is a lot of freedom for interpretation. Thus, some members of the Conservative party in parliament argued against amendments to the Law on Equal Opportunities guaranteeing equal social and economic rights to sexual minorities. They argued that Lithuania is a 'unique' Catholic country and therefore should not be obliged to blindly follow 'unclear' EU directives (Parliament of Lithuania 2007).

The 2005 Law on Equal Opportunities and the 1999 Law on Equal Opportunities for Women and Men were adopted to prevent discrimination, and to at least partially comply with EU directives. The Ombudsperson of the Office of Equal Opportunities monitors the implementation of these laws. However, so far, not all regulations set out in EU anti-discrimination directives have been incorporated into Lithuania's legal system. In 2007,

to better comply with the directives, the Ministry of Social Affairs and Labour proposed amendments to the Law on Equal Opportunities and the Law on Equal Opportunities for Women and Men. When presented with the proposed amendments, parliamentarians did not object to amending the Law on Equal Opportunities for Women and Men to make it fully compliant with EU directives. However, there was a lot of resistance to amending the Law on Equal Opportunities, because the amendments included references to sexual orientation. Apparently, the majority of Lithuania's parliamentarians were opposed to legislating equal rights for gays and lesbians. The bill with the proposed amendments was returned to the Ministry of Social Affairs and Labour, and it is unclear what will happen with it in the future (Parliament of Lithuania 2007).

This example illustrates the limits of the EU's influence on domestic minority rights regimes. International interventions can do little to overcome the sources of resistance to international norms, which, in this case, stem from the country's conservative social culture. In the early 1990s, led by the desire to return to the 'West', the Lithuanian political elite supported relatively progressive legislation which guaranteed support for minority rights. However, they were not able to develop proper implementation mechanisms. So far, the Lithuanian government has not been able or interested to create effective and fair sanctions for those who violate anti-discrimination norms. In addition, local human rights NGOs are not allowed to represent the victims of discrimination in court. Despite their obvious weaknesses, local human rights NGOs are probably the most enthusiastic supporters of international interventions aimed at fighting discrimination and promoting minority rights. Lithuanian NGOs, such as the Human Rights Monitoring

Institute, are engaged in numerous activities fighting discrimination, such as 'shaming' campaigns, lobbying the government to adopt minority-friendly laws, or carefully monitoring legislation. Implementation of the EU's anti-discrimination directives may depend on the strength of civil society and its ability to transform the resistant conservative social culture.

## **CONCLUSION**

Several conclusions can be drawn from the development of Lithuania's minority rights regime. First, this case study suggests that domestic variables (historical experiences and the orientation of Lithuania's elites during the late 1980s and early 1990s) were more important than international interventions in shaping Lithuania's minority rights regime. At the same time, international interventions in general and the EU's anti-discrimination directives in particular did matter, especially regarding the status of Lithuania's Roma's minority. Not only did the EU and other international actors increase the awareness about the despicable social conditions and outright discrimination experienced by the Roma in Lithuania, there is evidence suggesting that the 'National Programme for the Integration of Roma in Lithuanian Society 2000-2004' was created in direct response to international influences.

However, the power of international actors, including the EU, to influence the development of Lithuania's minority rights regime is limited. As the process of amending the Law on Equal Opportunities suggests, it is difficult to integrate EU norms into the

national legal system if there is no social culture supporting such norms. This case study suggests that there are domestic actors (for example human rights NGOs and the Lithuanian Ministry of Social Affairs and Labour) interested in transmitting the norms of ethnic and racial tolerance promoted by the EU and the Council of Europe. However, these domestic actors do not have enough power to re-shape the existing minority rights regime with its roots in the Soviet nationalities policy. This regime favours the so-called 'traditional' minorities (ethnic Poles and ethnic Russians) and does not open avenues for the cultural change needed to support progressive legislation related to minority rights. Such a change can be expected if Lithuania's nascent civil society becomes stronger. In this case, anti-discrimination measures and genuine support for minority rights will become more than a polite ritual of 'listening to the foreigners'.

## REFERENCES

- Adomenas, M., Augustinaitis, A., Janeliunas, T., Kuolys, D. and Motieka, E. (2007) *Lietuviu Tauta: Bukle ir raidos perspektyvos [The Lithuanian nation: its current status and its future]*, Vilnius: Versus Aureus.
- Bangura, Y., ed. (2006) *Ethnic Inequalities and Public Sector Governance*, Houndmills: Palgrave MacMillan.
- CERD (2006) *Concluding observations of the Committee on the Elimination of Racial Discrimination: Lithuania*, Geneva: Committee on the Elimination of Racial Discrimination.



Delfi (2006a) 'Human Rights Monitoring Institute introduces the latest report of the European Commission Against Racism and Intolerance (ECRI)', 24 February 2006. Online. Available HTTP: <<http://search.delfi.lt/cache.php?id=96AD6E0B4E22B7C4&m=txt>> (accessed 6 December 2007).

Delfi (2006b) 'HRMI urges to take seriously the rising level of intolerance in Lithuanian society', 21 June 2006. Online. Available HTTP: <<http://search.delfi.lt/cache.php?id=96AD6E0B4E22B7C4&m=txt>> (accessed 6 December 2007).

Department of National Minorities and Lithuanians Living Abroad (2007) Internet site. Online. Available HTTP: <[http://www.tmid.lt/index.php?page\\_id=308](http://www.tmid.lt/index.php?page_id=308)> (accessed 30 November 2007).

Department of Statistics (2001) *Data of the 2001 population census*, Vilnius: Department of Statistics.

Donskis, L. 'Pokolonijines samones grimasos [Expressions of post-colonial consciousness]', *Politika*, 20 June 2005. Online. Available HTTP: <[http://www.politika.lt/index.php?cid=9299&new\\_id=4558](http://www.politika.lt/index.php?cid=9299&new_id=4558)> (accessed 6 December 2007).

ECRI, *Third report on Lithuania*, Strasbourg: European Commission against Racism and Intolerance. Online. Available HTTP: <[http://www.coe.int/t/e/human\\_rights/ecri/1-ECRI/2-Country-by-country\\_approach/Lithuania/Lithuania\\_CBC\\_3.asp](http://www.coe.int/t/e/human_rights/ecri/1-ECRI/2-Country-by-country_approach/Lithuania/Lithuania_CBC_3.asp)> (accessed 6 December 2007).

ELTA Lithuanian News Agency (2007) 'Lietuvai - ES kritika dėl kovos su etnine diskriminacija [Lithuania is criticized by the EU because of racial discrimination]', 28 August 2007.

Ethnic Research Centre (2007) *Visuomenės nuomones apklausos rezultatai [Public opinion poll data]*. Online. Available HTTP: <<http://www.ces.lt/downloads/structure/files/ETC%202007%2002%2005-19%20apklausa.pdf>> (accessed 6 December 2007).

European Commission (1997) *Agenda 2000 - Commission Opinion on Lithuania's Application for Membership of the European Union*, Brussels: European Commission. Online. Available HTTP: <[http://ec.europa.eu/enlargement/archives/pdf/dwn/opinions/lithuania/li-op\\_en.pdf](http://ec.europa.eu/enlargement/archives/pdf/dwn/opinions/lithuania/li-op_en.pdf)> (accessed 13 December 2007).

Grabbe, H. (2002) 'Europeanization Goes East: Power and Uncertainty in the EU Accession Process', paper presented at the ECPR Joint Sessions of Workshops, Turin, 22-27 March 2002. Online. Available HTTP: <[http://www.cer.org.uk/pdf/grabbe\\_ECPR.pdf](http://www.cer.org.uk/pdf/grabbe_ECPR.pdf)> (accessed 6 December 2007).

Government of Lithuania (2000) *Decision of the Government of Lithuania No. 759, 1 July 2000 on the Programme of Roma Integration into Lithuanian Society 2001-2004*. Online. Available HTTP: <[http://www.tmid.lt/images/default/source/attachments/RIILVP\\_2000-2004.pdf](http://www.tmid.lt/images/default/source/attachments/RIILVP_2000-2004.pdf)> (accessed 6 December 2007).

Government of Lithuania (2007a) *Decision No. 1132, 17 October 2007, on Approval of the Strategy of Development of Ethnic Minority Policies*. Online. Available

HTTP:

<[http://www.tmid.lt/images/default/source/attachments/TMPPS\\_2015.pdf](http://www.tmid.lt/images/default/source/attachments/TMPPS_2015.pdf)>

(accessed 6 December 2007).

Government of Lithuania (2007b) *Draft Programme on Roma Integration into Lithuanian Society 2007-2010*. Online. Available HTTP:

<<http://www.tmid.lt/images/default/source/attachments/Romu%20integracijos%20i%20Lietuvos%20visuomene%202007-2010%20metu%20programa.pdf>>

(accessed 6 December 2007).

Human Rights Monitoring Institute (2006) *Zmogaus teisiu igyvendinimas Lietuvoje 2005 metu apzvalga [Implementation of human rights in Lithuania in 2005]*. Online.

Available HTTP: <[http://www.hrmi.lt/images/img/Zmogaus\\_teises2006-2007\\_maketas.pdf](http://www.hrmi.lt/images/img/Zmogaus_teises2006-2007_maketas.pdf)> (accessed 6 December 2007).

Kalnius, P. (1998) *Etniniai Procesai Rytu Lietuvoje XX amziaus II-ojoje puseje [Ethnic processes in eastern Lithuania during the second half of the twentieth century]*, Vilnius: Zara.

Kasatkina, N. and Leoncikas, T. (2003) *Lietuvos etniniu grupiu adaptacija: kontekstas ir eiga [Adapation of ethnic groups in Lithuania: Its context and process]*, Vilnius: Eugrimas.

Kilpys, V. (2007) 'Vilniuje diskutuota apie tautiniu mazumu padeti Lietuvoje [The situation of ethnic minorities in Lithuania discussed in Vilnius]', 1 June 2007.

Online. Available HTTP:

<<http://www.bernardinai.lt/index.php?url=articles/63088>> (accessed 5 December 2007).

- Kuus, M. (2004) ‘“Those Goody Goody Estonians”: Toward Rethinking Security in the European Union Candidate States’, *Society and Space*, 22: 191-207.
- Leoncikas, T. (2005) ‘Tolerancija visuomeneje: tyrimu duomenys [Public tolerance: research findings]’ in: Zmogaus Teisiu Centras [Human Rights Monitoring Centre] *Tautiniu mazumu teises [Ethnic minority rights]*, Vilnius: Zmogaus Teisiu Centras.
- Lithuanian Ministry of Social Security and Labour (2007) *2007-ieji paskelbti Europos lygiu galimybiu visiems metais [2007 was Designated as the Year for Equal Opportunities in Europe for Everyone]*. Online. Available HTTP: <<http://www.socmin.lt/index.php?-1310876980>> (accessed 6 December 2007).
- Marcinkevičius, R. (2007) ‘Dviguba pilietybe pastumetu antrajam sajudziui [Dual citizenship may lead to a second independence movement]’, Portalas lrt.lt, 18 April 2007, Online. Available HTTP: <[http://www.ivaizdis.lt/res\\_zinpr\\_det.php?id=14456](http://www.ivaizdis.lt/res_zinpr_det.php?id=14456)> (accessed 5 December 2007).
- Parliament of Lithuania (2007) *Minutes of the sixth (327) parliamentary session, 18 September 2007*. Online. Available HTTP: <[http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=304466](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=304466)> (accessed 29 December 2007).
- Poviliunas, A. (2005) *Regional and Local Implementation of NAP/inclusion: Lithuania, Third Report 2005*. Online. Available HTTP: <[http://ec.europa.eu/employment\\_social/social\\_inclusion/docs/4lt\\_report\\_en.pdf](http://ec.europa.eu/employment_social/social_inclusion/docs/4lt_report_en.pdf)> (accessed 6 December 2007).

Savickaja, G. (2007) telephone interview with the authors, 27 November 2007, Head of the Integration programme division at the Department of National Minorities and Lithuanians Living Abroad, Vilnius.

Snyder, T. (2003) *The Reconstruction of Nations: Poland, Ukraine, Belarus 1569-1999*, New Haven and London: Yale University Press.

UNICEF (2007) *TransMONEE database*, 2007 version.

Vaitiekus, S. (1998) *Cigonai [Gypsies]*, Vilnius: Tyto Alba.

Viltrakyte, S. (2008) "Priesiskumas kitai rasei: kaip apsiginti?" [Animosity towards a Different Race: How to Protect Yourself?], lrt.lt, 14 March 2008. Online. Available HTTP: <http://www.lrt.lt/news.php?strid=5082&id=4400456> (accessed 14 March 2008).

World Bank (2007) *World Development Indicators*, Online database.