



Civil society monitoring report  
on implementation  
of the national Roma integration strategy  
in Lithuania

*Identifying blind spots  
in Roma inclusion policy*

**Prepared by:**  
PI Roma Community Centre  
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Although the Roma Civil Monitor pilot project, as part of which the report was prepared, is coordinated by CEU, the report represents the findings of the author and it does not necessarily reflect the views of CEU. CEU cannot be held responsible for any use which may be made of the information contained therein.

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## LIST OF ABBREVIATIONS

CHI	Compulsory Health Insurance
EC	European Commission
EU	European Union
NRIS	National Roma Integration Strategy
NRFP	National Roma Focal Point
PES	Public Employment Services
RCC	Public Institution Roma Community Centre

## EXECUTIVE SUMMARY

This report builds further on the findings of previous RCM reports on Lithuania<sup>1</sup> and other existing resources. It focuses on four topics with the aim to update data in some areas such as in housing and focus on new aspects in some other areas, which were not covered by the NRIS or previous monitoring reports, such as on entrepreneurship in employment, hate speech linked to antigypsyism and substance abuse in health.

### Entrepreneurship ideas, opportunities and challenges

As the [previous RCM report](#) showed, Roma still face strong discrimination in labour market. As a result, many Roma jobseekers see self-employment as a preferable form of being economically active. Therefore, this report explores how entrepreneurship may contribute to improving the economic situation of the community.

While there are several measures taken to improve the situation in entrepreneurship and self-employment, there is still discrimination in this area, which prevents individuals from a successful economic activity.

### Online hate speech targeting Roma

Despite systemic general data collection on hate speech, we can claim that online hate speech targeting the Roma is on the increase. The case of Roma being targeted in a violent online computer game proves that while there are mechanisms to prevent and punish online hate speech, the general public is still not aware of its responsibility to refrain from it.

### Housing problems and dismantling of Kirtimai settlement

Desegregation of the main Roma settlement in Vilnius is well under way. However, there are several problems, which are usually not brought up in national reports. These are discrimination while looking for rental housing and the grey economy in the property market in Lithuania. These factors result in many families struggling to find alternative accommodation.

### Substance abuse and drug problems

At the moment, the tackling of the problem of substance abuse and drug dealing concerning Roma are either non-existent or mostly punitive. Harm reduction measures are needed to ensure the wellbeing of family members (especially minors) of the individuals involved.

<sup>1</sup> The first annual cycle of the Roma Civil Monitor was focused on the horizontal precondition of the Roma inclusion – governance, fight against antigypsyism and anti-discrimination. The second cycle concerned the four key policy fields – education, employment, healthcare and housing. All reports are available at: <https://cps.ceu.edu/roma-civil-monitor-reports>

## INTRODUCTION

The territory of Lithuania is divided into 60 municipalities. The Roma community (2,115 people according to the 2011 census) is territorially spread out and lives in 25 municipalities, although in some municipalities, their number is less than 50 persons. Since 1989, the number of Roma in the country has been gradually decreasing. In 1989, there were 2,719 Roma people in Lithuania, while in 2001, their population decreased to 2,571. According to data of 2011, 81 per cent of the minority lived in urban areas and 19 per cent in rural areas. Most of Roma lived in the municipalities and broader districts of Vilnius (38 per cent of the total Roma population, or 814 persons), Kaunas (23 per cent, or 482 persons), Šiauliai (11 per cent, or 224 persons), Marijampolė (10 per cent, or 214 persons), and Panevėžys (7 per cent, or 145 persons). The large majority (93 per cent) of Roma have Lithuanian citizenship, while 2.3 per cent have Russian citizenship, and the rest 2.6 per cent have other or no citizenship.<sup>2</sup>

The main problems faced by the community are lack of adequate and accessible housing (especially in Vilnius), early school-drop outs and lack of access to quality education for children, low levels of employment and a general negative attitude towards Roma by the majority of the population, resulting in variety of problems ranging from discrimination in the access of public services to hate-crimes.

Since 2000, Lithuania has implemented several national Roma integration strategies (NRIS). The first was the Roma Integration Programme 2000-2004, followed by Roma Integration Programme 2008-2010 and Action Plan for Roma Integration into Lithuanian Society 2012-2014. The present NRIS covers the years 2015-2020.

Apart from Vilnius City Municipality, none of the local authorities have participated in the preparation, implementation or monitoring of NRISs. Municipalities in Lithuania are responsible for the provision of housing, education (pre-school, primary, secondary and adult education), local health centres and hospitals, social welfare of their residents and local cultural centres. Therefore, they play a significant role in the public sector. It is estimated that the municipalities are responsible for 22 per cent of total expenditure,<sup>3</sup> and as a result, the involvement of local authorities and all stakeholders at the local level are crucial in promoting Roma integration.

The recent NRIS 2015-2020 was prepared taking into account the shortcomings of previous strategies as well as the recommendations of the EC. It focused on the key four areas suggested by the EC: education, employment, health and housing. It lacked however a strong antigypsyism crosscutting perspective, thus overlooking as the increase of online hate speech, or discrimination and antigypsyism within all priority areas. The strategy also missed the substance abuse element when referring to wellbeing and health issues, which the current report aims to analyse.

This monitoring report reviews the current situation and the implementation of NRIS. It strives to update data in some areas such as in housing and focus on new aspects in some other areas which were not covered by the NRIS or previous monitoring reports, such as on entrepreneurship in employment, hate speech linked to antigypsyism and substance abuse in health. This report is based on an analysis of several information sources, including existing studies, reports and commentaries, produced over the last years by the civil society (the PI Roma Community Centre and other human rights and Roma organisations in Lithuania) as well as existing legal acts and policies. In addition, to provide

<sup>2</sup>2011 Population and Housing Census of the Republic of Lithuania  
<https://osp.stat.gov.lt/en/web/guest/informaciniai-pranesimai?articleId=223122>

<sup>3</sup> *Specialioji ataskaita: Romų integracijai skirtos ES politikos iniciatyvos ir finansinė parama*,  
[https://www.eca.europa.eu/Lists/ECADocuments/SR16\\_14/SR\\_ROMA\\_LT.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR16_14/SR_ROMA_LT.pdf)

a more balanced picture of the situation, short interviews were carried out with the members of Roma community, employees of NGOs as well as with the representatives of the Department of National Minorities (almost 30 in total).

The currently operating Roma organisations include: PI Roma Community Centre, Lithuanian Gypsy Community "*Čigonų laužas*", Lithuanian Roma Community, Roma Integration House, Roma Integration Centre, Lithuanian Gypsy Community "*Čigonų laužas*" Šalčininkai Division. Since 2017 a new organisation opened in Kaunas called Roma Intellectuals Organisation.

# ENTREPRENEURSHIP IDEAS, OPPORTUNITIES AND CHALLENGES

## Definition of the problem

The survey of 2015 carried out by the Office of the Ombudsman for Equal Rights has shown that only one tenth of the Roma minority are economically active. The main reasons for the lack of employment named are the lack of qualifications and discrimination by employers.<sup>4</sup>

Although the lack of qualification has been identified as a problem by NRIS, not much was done to cover this aspect. The issue of discrimination was dealt with even less. As a result, no effective mechanisms or measures are in place to tackle the low level of employment among Roma.

Throughout the work of the RCC in the field since 2004 and more specifically during the preparation for the biggest project so far "Work together with Roma", self-employment was identified as the preferred type of employment by many of the Roma. Among the reasons, given for this preference, was discrimination when looking for a formal employment or on the job, but also the desire to control the processes and be the owner of own time and resources.<sup>5</sup>

## Background and cause of the problem

As the policies and challenges of employment were previously analysed in [the second RCM report on Lithuania](#),<sup>6</sup> this third report gives more attention to entrepreneurship and self-employment. Entrepreneurship is extremely important for all the population, but even more so for the Roma community. The Roma community experiences strong discrimination in the field of employment, and a general lack of qualifications. In many cases, Roma cannot go back to school and wait several years to get qualified or break the cycle of being discriminated when looking for a job. Therefore, a more effective solution would be for government to find sustainable solutions to support Roma self-employment.<sup>7</sup>

Entrepreneurship and self-employment could be extremely useful in increasing the economic activity of the community. Although several measures already exist in order to promote entrepreneurship, there are several challenges, such as discrimination and the lack of qualifications, which prevent more Roma from becoming actively and successfully self-employed.

Interestingly, the NRIS does not include discrimination in the labour market (which is just as relevant when it comes to self-employment) as a key issue, but only lack of skills (among them language skills), qualification, education and support from the family members.<sup>8</sup> However, the formal and informal interviews with the Roma community representatives show that even the fully qualified and already employed people are risking

<sup>4</sup> Diversity Development Group (2015). *The situation of the individuals of Roma origins in comparison with other citizens of Lithuania* <http://www.lygybe.lt/data/public/uploads/2015/12/romu-tautybes-asmenu-padetis-lyginant-su-kitais-salies-gyventojais.pdf>

<sup>5</sup> *Idem*.

<sup>6</sup> Roma Civil Monitor (2018). *Civil society monitoring report on implementation of the national Roma integration strategy in Lithuania: Assessing the progress in four key policy areas of the strategy*.

<sup>7</sup> Diversity Development Group (2018). *The situation of the individuals of Roma origins in comparison with other citizens of Lithuania*. <http://www.lygybe.lt/data/public/uploads/2015/12/romu-tautybes-asmenu-padetis-lyginant-su-kitais-salies-gyventojais.pdf>

<sup>8</sup> [http://www.romuplatforma.lt/wp-content/uploads/2017/02/Romu\\_planas\\_.pdf](http://www.romuplatforma.lt/wp-content/uploads/2017/02/Romu_planas_.pdf)

losing their job if their ethnic identity is revealed, not speaking about numerous rejections before getting employed.<sup>9</sup> In addition to this, based on the interviews with NGOs and the community representatives,<sup>10</sup> many of them are much more willing to work for themselves and would prefer that type of economic activity to regular employment. Entrepreneurship might be one of the possibilities to balance the acute situation in the labour market.

However, even in self-employment the Roma may face discrimination. Although no survey has yet been conducted on this topic, there is numerous cases of anecdotal evidence of such cases. For example, a person might be refused based on their ethnicity when seeking to rent premises for their business.<sup>11</sup> While supporting entrepreneurship and self-employment of Roma *per se* is not a guaranteed solution to the problem of low economic activity, it still is a measure, which could provide more control to Roma to able to produce income, provided the community is granted with resources, including financial or institutional support; and that the government or private initiatives run positive action and awareness raising campaigns.

### Policy answer to the problem

The lack of a strong and systematic commitment of the government to solve or at least improve the situation of low economic activity level of the Roma results in uncoordinated and temporary results. The problem of Roma unemployment is tackled mostly on a project-based initiative level, which is not enough to ensure sustainable results. One of such projects is "Work together with the Roma",<sup>12</sup> which focused on skills such as driving, language, computer literacy, business partner search and negotiations – essential for self-employment. Despite some good results in terms of people trained and employed, the initiative continues on a project-based timeline instead of being systematised into a regular instrument.

The initiative of Employment Services under the Ministry of Social Security and Labour to organise consultation and mediation services for the Roma seems to be a good practice, which needs to be scaled up and built on in order to increase the number of employed and self-employed Roma and potentially improve awareness with employers and investors. The programme takes place in most locations with higher Roma population, and is geographically well-spread. The civil society is an active partner in the programme. According to the consultants, individual consultations with the career coaches lead to the best results. During 2018, this service was used by 569 Roma people, and 83 were successfully employed or started their own business. In 2019 the number of people employed or who started a business has reached 43 by month of August 2019.<sup>13</sup> The project is ongoing and was extended for 2020.

However, the programme could be improved by having stronger ties with the potential employers and partners: private companies and businesses who could hire the Roma or buy their services as well as banks who could provide credit options for self-employment.

<sup>9</sup> <https://jp.lt/romu-tautybes-paneveziiete-rasma-patyrusi-tiek-daug-rasizmo-ir-neteisybes-lietuvius-tureciau-laikyti-savo-priesais/?fbclid=IwAR3EISGKipN5w0jNneJGGGcpnYqG6KPGDa0FKsmJEHO7cUTvkSKT66O1CO0>

<sup>10</sup> [https://manoteises.lt/straipsnis/romu-nedarba-lemia-ne-kilme-bet-socialines-aplinkybes/?fbclid=IwAR2NYTculfCaoX60H79ArbtGvSXFtAI-T\\_n11vhKfpa1I-vo0F0J--zdPOY](https://manoteises.lt/straipsnis/romu-nedarba-lemia-ne-kilme-bet-socialines-aplinkybes/?fbclid=IwAR2NYTculfCaoX60H79ArbtGvSXFtAI-T_n11vhKfpa1I-vo0F0J--zdPOY)

<sup>11</sup> <https://jp.lt/romu-tautybes-paneveziiete-rasma-patyrusi-tiek-daug-rasizmo-ir-neteisybes-lietuvius-tureciau-laikyti-savo-priesais/?fbclid=IwAR3EISGKipN5w0jNneJGGGcpnYqG6KPGDa0FKsmJEHO7cUTvkSKT66O1CO0>

<sup>12</sup> <http://www.romuplatforma.lt/en/roma-in-the-labour-market/>

<sup>13</sup> [https://lygybe.lt/lt/naujienos/romu-nedarba-lemia-ne-kilme-bet-socialines-aplinkybes/1152?fbclid=IwAR3LhI-FIaW24--TGyNuGzDx5nJw\\_-bGdtI-0243MUwMmHLJezclzDhbJF](https://lygybe.lt/lt/naujienos/romu-nedarba-lemia-ne-kilme-bet-socialines-aplinkybes/1152?fbclid=IwAR3LhI-FIaW24--TGyNuGzDx5nJw_-bGdtI-0243MUwMmHLJezclzDhbJF)

# ONLINE HATE SPEECH TARGETING ROMA

## Definition of the problem

The NRIS 2015-2020 has not addressed antigypsyism, either in form of online or offline hate speech or hate crime as distinct issues. While there is very little data available about online Roma-targeted hate speech, several surveys<sup>14</sup> as well as numerous interviews with the Roma community representatives validate that the problem is very acute affecting many people.

The presence of hate speech targeting the Roma is especially present in the social media, such as dedicated nationalist groups on Facebook and anonymous commenting in the main media outlets online (specifically [www.delfi.lt](http://www.delfi.lt)). While these are being reported on *ad hoc* basis by the civil society, there is no consistent approach to monitoring and tackling hate speech online by the government or judicial authorities.

In addition, in the absence of data and effective monitoring and investigation into hate speech online, it is hard to estimate the extent and impact of hate speech on Roma.

## Background and cause of the problem

In Lithuania, the victims of hate speech are usually minority groups, including people of African descent, Jews, Roma, Poles, Russians, Muslims, Jehovah's Witnesses, gay and transsexuals. Statistics shows that in 2012, out of 263 recorded crimes of hate speech, 181 were related to the incitement of anti-Semitism and hate speech against various nationalities or ethnic groups (48 such crimes in 2011), 13 recorded crimes were related to hate speech against people of African descent (12 such crimes in 2011), and 47 recorded hate speech against LGBT persons (208 such crimes in 2011).<sup>15</sup>

The general negative attitude towards the Roma is regularly assessed by the Institute of Ethnic Studies of Lithuania. According to the last survey conducted in 2015, the Roma remain the most disliked ethnic group in the country, with 66 per cent of the population stating that they would not want to have the Roma as their neighbours. Such monitoring is carried out since 2005 and shows that the results have remained stable throughout the last ten years.<sup>16</sup>

Problems concerning racism and antigypsyism were shortly covered in [the first Lithuanian RCM report](#),<sup>17</sup> however, the issues of general hate speech and anti-Roma rhetoric and discourse, especially online, have been described as increasing by the civil society in informal interviews. Therefore, a decision was taken to further analyse this problem.

The latest ECRI report on Lithuania from April 2019 does not tackle the issue of antigypsyism and anti-Roma hate speech.<sup>18</sup> Data on hate speech and hate crime in

<sup>14</sup> Liutauras Labanauskas (2019): *Neapykantos nusikaltimų pažeidžiamų bendruomenių kokybinio tyrimo ataskaita [Research on Hate Speech Effect on Vulnerable Communities]*, <http://www.romuplatforma.lt/vrm-tyrimas-apklaustos-pazeidziamos-bendruomenes-patiriancios-neapykantos-nusikaltimus/>

<sup>15</sup> Ministry of Interior, Data from the Information Technology and Communications Department, 2013, [http://www.ird.lt/infusions/report\\_manager/report\\_manager.php?lang=lt&rt=1](http://www.ird.lt/infusions/report_manager/report_manager.php?lang=lt&rt=1)>Friedrich-Ebert-Stiftung

<sup>16</sup> Petrušauskaitė V. (2014). (Ne)lygios galimybės švietime: ankstyvo romų vaikų pasitraukimo iš ugdymo sistemos Vilniaus mieste analizė. / Etniškumo studijos 2014/1, Vilnius: Lietuvos socialinių tyrimų centras. [Petrušauskaitė V. 2014. (Non)Equal opportunities in education: analysis of dropping out of Roma children from the educational system in Vilnius city.]

<sup>17</sup> Roma Civil Monitor (2018). *Civil society monitoring report on implementation of the national Roma integration strategy in Lithuania: Focusing on structural and horizontal preconditions for successful implementation of the strategy.*

<sup>18</sup> *Idem.*

Lithuania is collected sporadically by the police and the Ombudsman, as well as the independent institutions and NGOs, and is mostly anecdotal. The data therefore is fragmentary, as the state does not collect disaggregated data due to the law protecting personal data. Informal interviews with the community, regularly carried out by the PI RCC indicate that hate speech and hate crime, targeting Roma community is a big and largely unaddressed problem in Lithuania.

When it comes to Roma-targeted online hate speech, it is mainly manifested through online articles, which usually mention and even emphasise the ethnic identity of the person, if the person is Roma. As mentioned above, the previously biggest Roma community settlement of Kirtimai in Vilnius is often associated with drug dealing, and this connection is regularly reinforced by the media. The image of the Roma in the media has been analysed by Dr Frejute-Rakauskiene in 2015,<sup>19</sup> but a more recent study could be carried out on this topic.

As an example of such case is a recent article in the crime section about a young man, who was arrested for carrying drugs. His ethnicity is not mentioned. However, it is mentioned that he was walking out of the apartment where Roma people live. As a result, most of the comments under the article discuss and blame the Roma community for the drug problems.<sup>20</sup>

Another issue related to hate speech online is the lack of awareness of responsibility for this type of behaviour, which results in recurring anti-Roma online campaigns, social media pages and other content, which trigger public attention and outbursts of hate speech.

As the most recent and acute example the marketing campaign of the computer game company "Gangsteriai.lt" can be used. In the summer of 2019, the company has outsourced the marketing campaign to a freelancer, who has used real photos of Kirtimai settlement with clearly identifiable people (including children) and houses and used them as an illustration of live targets for shooting. The images were used as a sponsored promotional Facebook post,<sup>21</sup> inviting users to click on the image to go further to the website of the game.

The issue was first noticed by activists in summer 2019 and taken up by the Lithuanian Centre for Human Rights, and then followed up by the Equal Opportunities Ombudsman, Department for National Minority of the Republic of Lithuania as well as Lithuanian Game Developers Association.<sup>22</sup> An investigation was initiated by the Prosecutor General's Office for possible hate speech used for computer game marketing purposes (still ongoing).<sup>23</sup>

## Policy answer to the problem

The legal and institutional framework to fight hate speech exists in Lithuania. However, this framework has some gaps as well as implementation problems.

<sup>19</sup> M. Frėjutė-Rakauskienė, 2015. [Etninių grupių, imigrantų ir LGBT žmonių reprezentacija Lietuvos interneto dienraščiuose/Nuomonės raiška Lietuvos internetinėje erdvėje: žmogaus teisės, etika ir teisminė praktika](#). Vilnius: Lietuvos žmogaus teisių centras, p. 39-51.

<sup>20</sup> Newspaper 15 minučių, *Nuo istaku iki sunkios dabarties*

<https://www.15min.lt/media-pasakojimai/nuo-istaku-tarpukariu-iki-sunkios-dabarties-kaip-klostesi-vilniaus-romu-taboro-istorija-772?fbclid=IwAR1hgtWtaMt1ANJ1NLPBjBgGbCyNZn13YkVdC1qRuQyMajlWtlmL6diKdiU>

<sup>21</sup> <https://www.delfi.lt/news/daily/lithuania/zaidimo-kurejai-feisbuke-platino-sveiku-protu-nesuvokiama-reklama-kviete-saudyti-i-tabore-gyvenancius-romus.d?id=81788831>

<sup>22</sup> <http://www.lzka.lt/en/>

<sup>23</sup> <https://www.prokuraturos.lt/lt/naujienos/ikiteisminiai-tyrimai-ir-viesojo-intereso-gynimas/pradetas-ikiteisminis-tyrimas-del-nepykantos-kurstymo-reklamuojant-internetini-zaidima/6543>

The Constitution of the Republic of Lithuania<sup>24</sup> in its article 25 prohibits the incitement to social hatred and discrimination. The Lithuanian Constitutional Court has held that the constitutional principle of equality of all citizens under the law should be considered as violated if a certain group of people is treated in a different way compared with other groups of people subject to the same norm, although the groups do not have differences in size and nature to objectively justify such difference in treatment. Additional provisions about the forms of discrimination and liabilities are included in the Law on Equal Opportunities for Women and Men of the Republic of Lithuania<sup>25</sup> and the Law on Equal Treatment of the Republic of Lithuania.<sup>26</sup> The prohibition of hate speech is provided for also in the Criminal Code (Article 170, 1-4): "Incitement against Any National, Racial, Ethnic, Religious or Other Group of Persons".<sup>27</sup>

Despite existing legislation and sanctions to tackle hate speech, the general public is not aware enough of these mechanisms and criminal responsibility for hate speech online.<sup>28</sup>

According to the National News Agency, Lithuanian prosecutors opened about 150 investigations over slander and about 20 over incitement to hatred a year. In most cases, they occur online.<sup>29</sup> According to the OSCE ODIHR report,<sup>30</sup> in 2018 one of the cases was related to Roma.

The State is not doing much to target mainstream society in fighting stereotypes, reduce prejudice, and build trust between Roma and non-Roma. There has been no substantive awareness raising campaigns on this topic for several years. As it was mentioned earlier, the NRIS of Lithuania does not identify hate speech and antigypsyism as a priority area or a problem on its own.

Several international and European policies are relevant for the issue of hate speech in Lithuania. These are the EU Code of Conduct on Countering Illegal Hate Speech Online,<sup>31</sup> as well as Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.<sup>32</sup> Under the Framework Decision, Member States committed to establish criminal liability for actions as public incitement to violence or hatred directed against a group of individuals on the account of certain race, colour, religion, descent or national or ethnic origin or a member of such group; for the incitement dissemination through the public distribution of

<sup>24</sup> The Constitution of the Republic of Lithuania  
<https://www.wipo.int/edocs/lexdocs/laws/en/lt/lt045en.pdf>

<sup>25</sup> Law on equal opportunities of the Republic of Lithuania: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/488fe061a7c611e59010bea026bdb259>

<sup>26</sup> [https://lygybe.lt/data/public/uploads/2016/10/law-on-equal-treatment\\_no.-ix-1826.pdf](https://lygybe.lt/data/public/uploads/2016/10/law-on-equal-treatment_no.-ix-1826.pdf)

<sup>27</sup> Lithuanian Criminal Code, available at: <https://www.lithuanialaw.com/lithuanian-criminal-code-495>. According to the Lithuanian criminal laws, individuals who were of age 16 at the moment of criminal act are responsible for their acts. If during the pre-trial investigation the law enforcement institutions determine that a person allegedly inciting hatred was or is younger than 16 years old, the criminal proceedings concerning him are terminated. While children who committed offences cannot be prosecuted, their parents may be reminded of their failure to exercise their parental authority, article 181 of the Code on administrative offenses envisages that a failure to exercise parental authority shall be punished by a warning or a fine of up to 400 ltl (for reoccurring offenses).

<sup>28</sup> <https://www.lrytas.lt/it/ismanyk/2019/07/22/news/lietuviu-kuriamas-zaidimas-reklamuojamas-i-romus-nukreiptu-sautuvu-11199089/>

<sup>29</sup> <https://www.lrt.lt/en/news-in-english/19/1070347/lithuanian-online-media-under-pressure-over-anonymous-hate-speech>

<sup>30</sup> <https://hatecrime.osce.org/lithuania>

<sup>31</sup> [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-code-conduct-countering-illegal-hate-speech-online_en)

<sup>32</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32008F0913>

written, video or other materials, etc. Later, Lithuania, has also included sexual orientation in its criminal law and other special legal acts dealing with criminal liability.

Council of Europe has maybe the widest definition of hate speech within its European Commission against Racism and Intolerance (ECRI) General Policy Recommendation No. 15 on Hate speech from 8 December 2016, which provides member States with useful guidelines and the largest spectrum of protective grounds.<sup>33</sup>

The European Court of Human Rights (ECtHR) has developed a rich body of jurisprudence on article 10 of the European Convention on Human Rights (ECHR), where the question of free speech limits is addressed in detail. As a party to the ECHR, Lithuania is obliged to interpret and apply its own laws taking into account the provisions of the Convention and the interpretations provided for by the ECtHR. So far, the ECtHR had the opportunity to handle only hate speech cases against an individual or a group of individuals due to their race, nationality, ethnic origin or religion, and sexual orientation. On 15 January 2020, in a landmark ruling, the ECtHR has condemned Lithuania's failure to investigate online hateful comments against a gay couple in the case of *Beizaras and Levickas v. Lithuania* (application no. 41288/15).<sup>34</sup> The Court held, unanimously, that there had been: a violation of Article 14 (prohibition of discrimination) of the European Convention, taken in conjunction with Article 8 (right to respect for private and family life), and a violation of Article 13 (right to an effective remedy). The case raised questions about the State's responsibility to protect individuals from homophobic hate speech.<sup>35</sup> This case, although not directly related to the Roma community or Roma-targeted hate speech online, is still a very important case-law precedent, since is the first time the European court condemned Lithuania on a hate speech case. The case can now be used by the civil society and judicial bodies as an example of successful litigation in similar cases of Roma-related hate speech.

<sup>33</sup> ECRI GPR no 15 states: "*the use of one or more particular forms of expression – namely, the advocacy, promotion or incitement of the denigration, hatred or vilification of a person or group of persons, as well any harassment, insult, negative stereotyping, stigmatization or threat of such person or persons and any justification of all these forms of expression – that is based on a non-exhaustive list of personal characteristics or status that includes "race", colour, language, religion or belief, nationality or national or ethnic origin, as well as descent, age, disability, sex, gender, gender identity and sexual orientation*".

<sup>34</sup> *Beizaras and Levickas v. Lithuania*, available at: [https://hudoc.echr.coe.int/eng#{"itemid":\["001-200344"\]}](https://hudoc.echr.coe.int/eng#{)

<sup>35</sup> In brief, the applicants a gay couple. One of the applicants posted a photograph of them kissing on his Facebook page, which led to hundreds of online hate comments. Some were about LGBT people in general, while others personally threatened the applicants. Both the prosecuting authorities and the courts refused to launch a pre-trial investigation for incitement to hatred and violence against homosexuals, finding that the couple's behaviour had been provocative and that the comments, although "unethical", did not merit prosecution. The ECtHR found that the applicants' sexual orientation played a role in the way they had been treated by the authorities, which had clearly expressed disapproval of them when refusing to launch a pre-trial investigation. Such a discriminatory attitude had meant that the applicants had not been protected, as was their right under the criminal law.

# HOUSING AND DISMANTLING OF KIRTIMAI SETTLEMENT

## Definition of the problem

The situation of Roma households in general in the rest of the country is still worse compared to the majority population. Only 31 per cent of Roma has ownership over their households, compared to the 91 per cent of the majority population. The houses have also half the space per inhabitants, compared to the majority average. Over 50 per cent of Roma households do not have inside toilet and/or shower, compared to below 20 per cent for the majority population.<sup>36</sup>

Inadequate housing conditions and evictions are two of the key problems Roma in Lithuania have been facing since the independence of Lithuania in 1991. The issue of housing has been one of the key priorities of the NRIS of Lithuania and one of the key focus areas of [the second Roma Civil Monitor report on Lithuania](#).

The biggest Roma settlement of Kirtimai (200 inhabitants in 2018) located in the industrial zone in the southern part of Vilnius, on municipal land is illustrative of the housing problems in Lithuania. Since 2016, the settlement has been part of an integration programme<sup>37</sup> which had at its core the dismantling and resettlement of residents, currently almost finalised. However, several evictions continued to be carried out throughout this period, while relocation itself presented several problems and obstacles in the way measures were designed or enacted. As such, this chapter argues that the measures meant to ensure that families from Kirtimai are moved to a more adequate and cleaner environment, respecting the legal provision, were largely ineffective, often leading to even more problems and insecurity than people experienced beforehand.

Among difficulties, relocating the families into social houses or (more frequently) providing a compensation to the families to be able to afford renting private housing was met with discrimination or the inability of families to maintain or find private housing with an official contract – a condition to get compensation.<sup>38</sup> In addition, the length of the contract for a rent subsidy is currently not defined by the authorities.

## Background and cause of the problem

The situation concerning the housing of Roma community in 2019 is still acute and requires attention of both local and national government. The main changes of the current year concern the settlement of Kirtimai in Vilnius, which used to be the biggest and most concentrated Roma settlement in the country since 1960s.

The population of the settlement is rapidly decreasing due to several factors: emigration abroad, evictions and relocation of the families to the social or private housing in the city of Vilnius. The total population decreased from 500 people in early 2000 to 246 people in 2017 and was only five households left in 2019.

The settlement was subjected to destruction since 2012, by the Mayor of Vilnius, Arturas Zuokas. The first houses were destroyed rather suddenly, and the residents were evicted without any alternative accommodation. The evictions happened regularly until 2019 and have put a lot of stress and stigma on the inhabitants of the settlement. According to the informal interviews with the parents of children attending RCC's extracurricular activities,

<sup>36</sup> The situation of the individuals of Roma origins in comparison with other citizens of Lithuania. 2015. Diversity Development Group. Available at: <http://www.lygybe.lt/data/public/uploads/2015/12/romu-tautybes-asmenu-padetis-lyginant-su-kitais-salies-gyventojais.pdf>

<sup>37</sup> *Vilniaus (Kirtimų) romų taboro bendruomenės integracijos į visuomenę 2016-2019 metų programa (Vilnius Municipality, decision number 1-410 [Kirtimai Roma settlement integration programme 2016-2019]).*

<sup>38</sup> *Idem.*

it has also worsened the situation of children in school and their own access to employment. The community has not been willing to start legal proceedings against the evictions, where this has been possible<sup>39</sup> mainly due to the lack of trust and general fear of the authorities.

While no official data is available on the impact of the relocation initiated under the social integration programme of 2016-2019, interviews with residents and former inhabitants of the settlement show various results of the process. Some respondents who have been able to secure decent quality housing away from the settlement stated that they are happy with the developments. At the same time, there are still several households who would prefer to remain in the settlement. While not all the houses in the settlement were built and registered in accordance with the legal requirements, several remaining houses might be able to stay, based on the age of the house and availability of proof of payments for water and electricity. During the coming year(s), the municipality and the NRFP will have to find a way to peacefully resolve the conflicts arising from the resettlement of Kirtimai.

The families who chose to move out from the settlement often find it very hard to secure rental housing in practice. Only the rental of housing with an official contract qualifies those concerned for the compensation from the government. However, renting is challenging due to the following main reasons:

1. Roma families face discrimination in the real estate market, and many landlords refused to rent their flats to Roma based on their ethnicity.
2. Many flats on the market are rented without official contracts, so that the landlord can avoid paying taxes on the rent. This makes it impossible for the families to get the compensation<sup>40</sup> from the municipality.

Although Vilnius Municipality has announced plans of dismantling the settlement of Kirtimai for almost ten years, the measure to provide subsidies for private housing in place of social housing was officially planned to begin in 2016 but started to be actually implemented only as of 2018. Therefore, no studies have analysed the situation in the housing market, the grey economy of renting properties without a contract and the impact it may have on the Roma (or any other vulnerable ethnic or social group).

### Policy answer to the problem

The previous NRIS of Lithuania have identified housing as a focus area, however, it did not specifically address the dismantling of the Kirtimai settlement and the evictions as the practice for the dismantling.

The land of the settlement is legally under the jurisdiction of Vilnius Municipality, therefore there was a need for strong coordination of means between the NRIS and NRFP of Lithuania and the municipality to ensure that the families evicted from the settlement have housing adequate for their needs, which does not worsen their situation in accessing other crucial areas: education, employment, health care. Presently, this has not always been the case.

However, some positive dynamic can be seen in this area. During the years 2018 and 2019 Vilnius municipality has been regularly hosting meetings with the representatives of local authorities, ministries, departments and civil society to discuss the results of the 2016-

<sup>39</sup> Articles 3 and 8 of the European Convention on Human Rights as well as Article 17(1)(2) of the ICCPR and Article 11(1) of the ICESCR, supported by General Comments 4 (right to adequate housing) and 7 (protection against forced evictions) of the Committee on Economic Social and Cultural Rights.

<sup>40</sup> <https://www.15min.lt/media-pasakojimai/nuo-istaku-tarpukariu-iki-sunkios-dabarties-kaip-klostesi-vilniaus-romu-taboro-istorija-772?fbclid=IwAR1hgtWtaMt1ANJ1NLPBjbgGbCyNZn13YkVdC1qRuQyMajlWtlmL6diKdiU>

2019 programme of integration of Vilnius (Kirtimai) settlement Roma community into the society, which focuses on facilitating the resettlement of the residents.

While the civil society and Roma community representatives generally tend to agree that the dismantling of the Kirtimai settlement is likely to have a positive impact on the inclusion of the Roma community and result in less segregation, they are sceptical about the way the process of resettlement has been done, starting with evictions and now with not ensuring enough help in finding rental accommodation. The relocation process does need a stronger coordination mechanism and could be improved. Specific recommendations are listed in the final chapter.

## SUBSTANCE ABUSE AND DRUG PROBLEMS

### Definition of the problem

The substance abuse and drug dealing are important problems affecting citizens of Vilnius disregarding of their origin. However, the Roma community based in Vilnius was particularly affected by the drug dealing and substance abuse happening in and around the former main settlement of the community Kirtimai. The Roma were affected by this in two ways:

- There are members of the community involved in both using drugs and drug dealing business.
- The drug problem is emphasised by the media and general public as well as by some state officials using generalisations for all Lithuanian Roma as a way to avoid dealing with other social and economic issues including antigypsyism.

This problem was not addressed in the NRIS, and the effects it has on the Roma community both health- and discrimination-wise have not been measured or analysed thoroughly.

### Background and cause of the problem

There are no surveys to evaluate the exact extent of the effect of drugs on the Roma community. The RCC placed within the settlement has numerous anecdotal evidences about substance abuse and its victims but also about the way the drug situation is used by the officials to blame the community for bigger problems of drug trafficking on a higher level.

According to the data of Vilnius District Senior Police Headquarters, over 500 drug-related investigations (based on the Code of Administrative Offences Article 71: Drug use without medical prescription) were started in Kirtimai settlement only in 2018. 31 deaths from overdose were recorded in the settlement.<sup>41</sup> The police are almost constantly present in a form of either a police car patrolling or present near the settlement or in a form of a special police booth in the settlement since 2010, however, this has not drastically changed the situation.

Both the real problem of drugs and the one re-created and exaggerated by the media strongly affect other areas of life of the Roma. The kids of the concerned parents are usually placed within foster care or in institutions, which in turn strongly affects their psychological development, their performance in school as well as their social life. As mentioned above, the Roma community overall is affected by increasing hostility and outbursts of hate speech.

There are no data on drug use specifically calculated for the Roma community or even more specifically for the Kirtimai settlement. Three national general population surveys on drug use in Lithuania were carried out in 2004, 2008, 2012 and 2016. The 2008,<sup>42</sup> 2012,<sup>43</sup> and 2016 surveys were carried out in line with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) guidelines and were conducted among randomly selected people aged 15-64.

<sup>41</sup> <https://www.lrytas.lt/gyvenimo-budas/likimai/2019/02/02/news/cigonu-taboro-realybe-narkomanai-uz-doze-kapoja-malkas-ir-lytiskai-santykiauja-8945253/>

<sup>42</sup> Psichoaktyviųjų medžiagų vartojimo paplitimas Lietuvoje 2004 ir 2008 metais <http://old.ntakd.lt/bylos/dokumentai/leidiniai/narkotiku-paplitimas-2009-web.pdf>

<sup>43</sup> Psichoaktyviųjų medžiagų vartojimo paplitimas Lietuvoje 2004, 2008 ir 2012 m. [http://old.ntakd.lt/files/Apklausos\\_ir\\_tyrimai/2012\\_Psichoaktyv\\_medz\\_paplitimas\\_WEB.pdf](http://old.ntakd.lt/files/Apklausos_ir_tyrimai/2012_Psichoaktyv_medz_paplitimas_WEB.pdf)

According to a 2016 survey,<sup>44</sup> prevalence of single-time-use of drugs and psychotropic substances<sup>45</sup> is 11.5 percent among the population aged 15-64, 3.1 percent of the Lithuanian population used drugs and psychotropic substances in the last year. Drugs and psychotropic substances were used by 1.3 percent of the population in the last month. Cannabis is the most popular drug (illegal) in Lithuania (although the deaths were not resulting from the use of cannabis). 10.8 percent of the population aged 15-64 used it at least once in their lifetime. In the recent years following the survey, cannabis was used by 2.7 percent of the population, in the last month, by 1.1 percent of the population in Lithuania. The indicators concerning other drugs and psychotropic substance use are not significant. For example, 1.2 percent of the Lithuanian population used amphetamine at least once in their lifetime, 1.7 percent used ecstasy and 0.7 percent of the Lithuanian population used cocaine at least once in their lifetime.

### Policy answer to the problem

The NRIS only briefly mentions drug use and drug dealing in the context of mobile health clinics, used by the members of Roma community in Kirtimai, Vilnius. It does not go into details on how the problem affects the community nor how it can be addressed.

According to the World Health Organisation, treatment and care for people with drug use disorders in contact with the criminal justice system: *"Drug use disorders should be seen as health-care conditions and should be treated in the health-care system. People with drug use disorders need the availability of accessible, affordable and evidence-based drug dependence treatment and care services along a continuum of care including outreach, screening and brief interventions, assessment and treatment planning, psychosocial and pharmacological treatment interventions at the outpatient and inpatient level, and continued support for recovery through rehabilitation and reintegration."*<sup>46</sup>

Unfortunately, at the moment, the main way the drug problem of Roma is being addressed on a state level is by physically removing the Vilnius Kirtimai settlement.<sup>47</sup> Although Vilnius Municipality has planned the analysis of drug abuse among the Roma in Kirtimai,<sup>48</sup> the results of this survey are not yet public.

While the drug prevention system in Lithuania is shifting from punitive towards supportive, there are no data to show how (if at all) Roma are benefiting if at all from such measures.

The drug prevention is coordinated by the national government body called Drug, Tobacco and Alcohol Control Department, established on 1 April 2011, currently in charge for the implementation of the national Drug, Tobacco and Alcohol Control and use Prevention Programme 2018-2028.<sup>49</sup> The programme emphasises the necessity to develop quality of the health care and social services, as well as accessibility to the individuals, dependent on drugs and psychotropic substances. In addition, each year, the Interinstitutional Action Plan of Drug, Tobacco and Alcohol Prevention is drafted and approved by a resolution of the Government. The above plan covers a three-year period.

<sup>44</sup> *Psichoaktyviųjų medžiagų vartojimo paplitimas Lietuvoje 2004-2016 m.*  
[http://ntakd.lrv.lt/uploads/ntakd/documents/files/GPS%20ataskaita%202004\\_2016.pdf](http://ntakd.lrv.lt/uploads/ntakd/documents/files/GPS%20ataskaita%202004_2016.pdf)

<sup>45</sup> Psychotropic term explained here: [https://en.wikipedia.org/wiki/Psychoactive\\_drug](https://en.wikipedia.org/wiki/Psychoactive_drug)

<sup>46</sup> Treatment and care for people with drug use disorders in contact with the criminal justice system: Alternatives to Conviction or Punishment  
[http://www.unodc.org/documents/UNODC\\_WHO\\_Alternatives\\_to\\_Conviction\\_or\\_Punishment\\_2018.pdf](http://www.unodc.org/documents/UNODC_WHO_Alternatives_to_Conviction_or_Punishment_2018.pdf)

<sup>47</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/cd16b9d0584011e896f6c1bcca8cd3a8>

<sup>48</sup> <https://www.liberalai.lt/content/uploads/2016/04/rezoliucija-d%C4%97l-rom%C5%B3-teikimas-16.04.18.pdf>

<sup>49</sup> Drug, Tobacco and Alcohol Control and use Prevention Programme 2018-2028  
<http://ntakd.lrv.lt/uploads/ntakd/documents/files/National%20Drug%20Programme%20Summary.pdf>

In 2016, amendments to Law No I-1489, of the Republic of Lithuania, on Education regulates the notion of the prevention programme regarding drugs among students for the first time, and from 1 September 2017, the schools were obliged to facilitate participation of students on a permanent basis in at least one coherent, long-term prevention programme. The Ministry of Education and Science approved related national programmes, international programmes and adapted foreign programmes.

According to Communicable Diseases and AIDS Centre, in 2017 there were 13 low-threshold units, including two mobile outreach needle/syringe exchange points, operating in nine cities in Lithuania. Low-threshold units provide various services for injecting drug users – they may exchange needles and syringes, and obtain condoms, disinfectant tissues, bandages and educational/informational material etc. They may also have a short consultation with a social worker and obtain information about the availability of healthcare and social assistance.

Most of the Roma drug users live in Vilnius or Vilnius district, which makes this measure geographically accessible. However, due to the stigma and mistrust between the Roma community and the majority of the population, it is not used wide enough, based on the unofficial interviews. More empirical research is needed on the access of Roma community to the harm reduction programmes in order to make them fully adapted to the needs of the Roma drug users. In 2017, the number of distributed syringes increased, compared to 2016 – from 251,370 to 240,061 respectively. In addition, the number of clients' visits increased from 46,238 visits in 2016 to 48,519 visits in 2017.<sup>50</sup>

The Drug, Tobacco and Alcohol Control Department co-operates with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The core task of EMCDDA is to provide sound and comparable information on drugs in Europe, and is thus reflected in their annual European Drug Report, in the biennial European Drug Markets Report issued in collaboration with Europol, as well as in many other reports and publications available on the website of the EMCDDA. This could be a useful tool for monitoring substance abuse among Roma as well.

<sup>50</sup> <http://ntakd.lrv.lt/en/facts-and-numbers>

## RECOMMENDATIONS

### Entrepreneurship ideas, opportunities and challenges

1. To continue individual consultations and mediation services as well as long-term projects, focusing on entrepreneurship (using the Roma Entrepreneurship Development Initiative (REDI))<sup>51</sup> as an example and possibly expanding it to Lithuania).
2. To ensure that discrimination in the workplace as well as in establishing a business is not tolerated and addressed through a set of case specific measures, including internal guidelines, trainings on diversity and discrimination as well as monitoring mechanisms.
3. To set up a platform of potential employers and Roma community members to develop a set of incentives for employers hiring Roma or supporting Roma lead businesses.

### Online hate speech targeting Roma

4. To ensure functioning of legal mechanisms for punishing hate speech online, possibly as an initiative of the Ombudsman.
5. To have a regular monitoring of online hate speech in the media, including against Roma, by a dedicated and diverse civil society group (funded by the government).
6. To strengthen self-regulation and counter-speech initiatives of the media; to run a sensitisation programme of the media regarding minority and racialised groups, explaining the social dangers of stereotyping.
7. To support more empirical research on hate speech online against Roma as well as some awareness-raising for the general public on hate speech legislations and sanctions.
8. To offer more support to Roma civil society organisations to monitor hate speech against Roma and to facilitate access to justice for victims of hate speech, including free legal aid; support a national campaign promoting diversity and a positive narrative about Roma.
9. To ensure implementation of and compliance with EU standards and other international instruments (e.g. Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, 28 November 2008; European Code of Conduct on Countering Illegal Hate Speech Online 31.05.2016; Additional Protocol to Cybercrime Convention).
10. To ensure implementation of EU standards and instruments (such as Council Framework Decision 2008/913/JHA of 28 November 2008; European Code of Conduct on Countering Illegal Hate Speech Online, Additional Protocol to Cybercrime Convention).
11. For CSOs to use the European Court of Human Rights case-law on hate speech against a gay couple in the case of *Beizaras and Levickas v. Lithuania* (application no. 41288/15) to build similar litigation cases on hate speech against Roma.

<sup>51</sup> Roma Entrepreneurship Development Initiative (REDI). <https://www.redi-ngo.eu/>

## Housing and dismantling of Kirtimai settlement

12. For Vilnius Municipality to ensure the follow up of Kirtimai dwellers relocated to other housing to prevent them from becoming homeless later, especially because of discrimination by private owners.
13. To assist the accommodation seekers with finding new rental housing, when this is not possible for them to do independently, due to discrimination. This can possibly be done by facilitating mutual agreements with the real estate agencies to help Roma find rental properties.
14. To assist and foster community life and the possibility to carry out activities after the settlement is dismantled by ensuring the continuation of NGO work and of the community centre for the former Kirtimai community.
15. To find adequate solutions for those wanting to remain in the Kirtimai settlement, including from a legal perspective.

## Substance abuse and drug problems

16. To financially support a research led by Roma organisations and experts of the extent and impact of substance abuse related to Roma community as well as on the inclusion of Roma as beneficiaries in mainstream preventive and treatment programmes.
17. To ensure the development and financing of harm reduction policies, programmes and practices to help the drug users fight drug addiction without judgement, coercion, blackmailing or discrimination. These include, but are not limited to, drug consumption rooms, needle and syringe programmes, non-abstinence-based housing and employment initiatives, drug checking, overdose prevention and reversal, psychosocial support, and the provision of information on safer drug use. Approaches such as these are cost-effective, evidence-based and have a positive impact on individual and community health.
18. To prevent and sanction the ethnicisation of drug users and the stereotyping of Roma as drug dealers by the media. The Roma community should not be used as a scapegoat for drug related problems in the society.

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