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Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government generally respected religious freedom. The government demonstrated a trend towards improvement in respect for and protection of the right to religious freedom.

There were some reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. embassy worked to promote equality and religious freedom through outreach activities, public speaking engagements, and support for civil society efforts to promote tolerance.

Section I. Religious Demography

Roman Catholicism is the dominant and most influential religion. A 2007 poll commissioned by the Ministry of Justice (MOJ) indicated approximately 80 percent of respondents are Roman Catholics. According to the 2001 national census (the most recent available), the Russian Orthodox Church, the second largest religious group, has 140,000 members (approximately 4 percent of the population) living mainly along the border with Belarus. There are approximately 27,000 Old Believers, Russian Orthodox practitioners who do not accept the church's reforms in the 17th century; 20,000 Lutherans; and approximately 7,000 Reformed Evangelicals. The Jewish community numbers approximately 4,000, the Sunni Muslim community 2,700, and the Greek Catholic community 300. The Karaites, a distinct ethnic group in the country since 1397, have approximately 250 members.

Less than 0.5 percent of the population belongs to what the government refers to as "nontraditional" religious communities. The most numerous of these are Jehovah's Witnesses, Full Gospel Word of Faith Movement, Pentecostals/Charismatics, Old Baltic faith communities, Baptists, Seventh-day Adventists, New Apostolic Church, Methodists, and The Church of Jesus Christ of Latter-day Saints (Mormons).

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Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. The constitution provides that a person's freedom to profess and propagate a religion or faith may be limited only when necessary to protect health, safety, public order, or the fundamental rights and freedoms of others.

The criminal code contains three provisions to protect religious freedom. The code prohibits discrimination based on religion and provides for punishment of up to two years' imprisonment. Interference with religious ceremonies (only of traditional religious communities) is punishable with imprisonment or community service. Inciting religious hatred is punishable by imprisonment of up to three years, and legal entities can also be prosecuted for violations under this article.

It is unlawful to make use of the religious teachings of churches and other religious organizations, their religious activities, and their houses of prayer for purposes that contradict the constitution or the law. The government may also temporarily restrict freedom of expression of religious conviction during a period of martial law or a state of emergency. The government has never invoked these laws.

No single government agency handles all religious issues. A department in the MOJ adjudicates religious groups' requests for registration; and the prime minister's staff includes an adviser on religious issues. The prime minister also has several unpaid advisors on various topics, such as the Jewish community and Holocaust legacy issues.

The Office of the Equal Opportunities (OEO) ombudsperson is authorized to adjudicate complaints about state institutions, educational institutions, employment, and product and service sellers and producers that discriminate on the basis of religion.

The parliament ombudsperson examines whether state authorities properly perform their duty to serve the population. The law on the parliament ombudsperson specifically notes religious beliefs as being under the purview of the office. The OEO and parliament ombudspersons have the authority to investigate complaints, recommend changes to parliamentary committees and ministries regarding legislation, and recommend cases to the Prosecutor General's Office for pretrial investigation if warranted.

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While there is some overlap between the two offices, the OEO ombudsperson appears to have greater authority to hear complaints of individual acts of religious discrimination.

The Journalist Ethics Inspectorate has the authority to investigate complaints under the Law on Provision of Information to the Public, which bars publishing material that “instigates war, national, racial, religious, social and gender hatred.” It has the authority to levy administrative fines on newspapers under administrative law or refer cases to law enforcement for criminal prosecution.

There is no state religion. However, under the 1995 Law on Traditional Religious Communities and Associations, some religious groups enjoy benefits not available to others, including government funding, the right to teach religion in public schools, and the right to register marriages. The law enables all registered religious groups to own property for prayer houses, homes, and other uses and permits construction of facilities necessary for their activities.

The law divides registered religious communities into state-recognized “traditional” religious communities, other state-recognized religious groups, and all other registered communities and associations. The constitution recognizes “traditional” churches and religious organizations, as well as other churches and religious organizations, provided that they have a basis in society and their teachings and rituals do not contravene morality or the law.

By law the government acknowledges as traditional only those religious groups that can trace their presence in the country back at least 300 years. The law enumerates nine traditional religious communities: Latin Rite Catholics (Roman Catholics), Greek Rite Catholics, Evangelical Lutherans, Evangelical Reformed Churchgoers, Orthodox Christians (Moscow Patriarchate), Old Believers, Jews, Sunni Muslims, and Karaites.

By law, “traditional” religious communities and associations may register marriages, establish joint private/public schools, provide religious instruction in public schools, and be eligible to receive government assistance. Their highest ranking religious leaders are eligible to apply for diplomatic passports, their clergy and theological students are exempt from military service, and they may provide military chaplains. The law does not require traditional religious communities and associations to register their bylaws. Traditional religious communities are not required to pay social and health insurance taxes for clergy and members of monastic orders who work at monasteries. The state provides minimal social

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security and health care contributions to spiritual leaders and members of monastic orders of the traditional and other state-recognized religious communities. Other religious communities by law must pay for these benefits on behalf of their spiritual leaders.

While only traditional religious communities are entitled to receive annual state subsidies, nontraditional groups are eligible for government support for cultural and social projects. Registered nontraditional religious communities can act as legal entities, but they do not entitled to receive regular subsidies or tax exemptions, and they do not qualify for certain social security and health care contributions, social benefits, or exemptions from military service for clergy and theological students as is provided for communities that the government recognizes as “traditional.” Municipalities or other government sources may, however, provide funding for other religious communities.

The law stipulates that the parliament may grant state recognition to “nontraditional” religious communities that have societal support and have been registered in the country for at least 25 years. Upon receiving an application requesting this status, the MOJ must review the documentation and make a recommendation to parliament. Three applications for status as a “state-recognized religious association” were pending from the New Apostolic Church (which applied in 2003), Pentecostals (Evangelical Belief Christian Union; applied in 2002), and United Methodist Church of Lithuania (applied in 2001).

The religious associations of the Evangelical Baptist Union of Lithuania and the Seventh-day Adventist Church are the only state-recognized nontraditional religious groups. By law they receive some privileges from the government but not to the extent that traditional religious groups do. They are entitled to perform marriages and do not have to pay social security and healthcare taxes for clergy. However, unlike traditional communities, the Evangelical Baptists and Seventh-day Adventists are not eligible for annual subsidies from the government, and their clergy and theological students are not exempt from military service.

In order to register, nontraditional religious communities must apply to the MOJ, and provide a statement describing, among other things, their religious teachings and a founding statement signed by no fewer than 15 adult citizen members. The MOJ has six months to review the application. The Division of Legal Persons and Religious Affairs of the Ministry of Justice Registers’ Department is responsible for processing initial registration applications. Upon approval of their application, religious communities are registered as legal entities in the Register of Legal

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Entities, which is managed by the National Registry Center. Traditional religious communities and associations are registered for free, while nontraditional communities pay a registration fee of 107 litas (\$38). As of May there were 1,084 traditional and 184 nontraditional religious associations, centers, and communities officially registered with the State Register of Legal Entities.

Religious communities must register to obtain official status, which is a prerequisite for opening a bank account, owning property, or acting in a legal or official capacity as a community. Unregistered communities have no legal status or state privileges. However, there were no reports that the government prevented any unregistered groups from worshiping or seeking new members.

The constitution establishes public educational institutions as secular. The law permits and funds religious instruction in public schools but only for traditional and other state-recognized religious groups.

The number of wholly private religious schools is relatively small. There were 30 schools with ties to Catholic or Jewish groups, although students of different religious groups often attended these schools. All accredited private schools (religious and nonreligious) receive funding from the Ministry of Education and Science through a voucher system based on the number of pupils. This system covers program, but not capital, costs of school operation. Founders generally bear responsibility for covering capital outlays; however, the ministry provides funding for capital costs of traditional religious private schools where there is an international agreement to do so. For example, an international treaty between the government and the Holy See stipulates that private Roman Catholic schools are to be funded by the government; hence, the government covers the operational costs of schools owned by the Roman Catholic Church.

The interministerial Commission to Coordinate Activities of Governmental Institutions that Deal with Issues of Religious, Esoteric, and Spiritual Groups coordinates investigations of religious groups if there is a concern that actions of a group or actions affecting a group may not be in line with the principles of a democratic society, human rights, and fundamental freedoms. The Minister of Justice appoints the chairperson of the commission, which includes representatives of the Ministries of Justice, Interior, Education, Health, Foreign Affairs, Culture, Vytautas Magnus University, the Prosecutor General's Office, and the State Security Department. No religious group has membership on the commission. The government established the commission in 2000 following calls by some parliamentarians for increased control of "sects." The commission decides which

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problems to examine based on concerns expressed in general public discussions, concerns raised by government or parliamentary officials, or on its own initiative. The commission reports annually to the parliament and government. To date, the commission has neither concluded that particular groups were sects nor taken actions to limit a religious group's activities. The commission was not approached with any problems related to actions of religious, esoteric, or spiritual groups at governmental institutions during the year.

On December 21, parliament passed the "Law on the Procedure for Registration of the Rights of Religious Communities to the Existing Real Property of Religious Nature." This law was adopted to ease legal registration of prayer houses, which formerly were nationalized by the Soviet state.

On June 21, parliament passed long-pending legislation, "The Law on Goodwill Compensation for the Immovable Property of Jewish Religious Communities," to compensate for the seizure of Jewish property during the Holocaust. The bill provides for the payment of 128 million litas (approximately \$50 million) over a 10 year period to a foundation managed by the Jewish Community of Lithuania, the Religious Community of Lithuanian Jews, and other organizations fostering Jewish religion, health care, culture and education. An immediate payment of 3 million litas (\$1.15 million) to Holocaust victims was scheduled to be paid out by 2012 via the foundation.

The government is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research.

The government observes the following religious holidays as national holidays: Easter Monday, Assumption Day, All Saints' Day, Christmas, and the day after Christmas.

Government Practices

There were no reports of abuses of religious freedom.

Following the restoration of the country's independence, the government began returning religious community properties confiscated by Nazi and Soviet occupiers under "The Law on the Procedure for the Restoration of the Rights of Ownership of Religious Associations to Existing Real Property," which gave all religious communities (irrespective of their status) one year to present claims regarding restoration of remaining real property (not land), and established a procedure for

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evaluating claims. During the year the government paid 11.3 million litas (\$4.4 million) to religious communities in compensation for religious buildings, and 1.9 million litas (\$740,000) to support religious community activities.

During the year there were 15 Catholic chaplains providing services to the military. There were no chaplains from other religious groups because they did not have an adequate number of followers in the military. The Ministry of Defense (MOD) provided material support and places of worship for members of the military. The chaplaincy is permitted to ask the MOD to provide support for religious services for other religious groups based on need or requests from service members.

While the law permits and funds religious instruction in public schools for traditional and other state-recognized religious groups, in practice parents can choose either religious instruction or secular ethics classes for their children. Schools decide which of the traditional religious groups will be represented in their curricula on the basis of requests from parents for children up to age 14. (After age 14 students present the requests themselves.)

Improvements and Positive Developments in Respect for Religious Freedom

The government designated 2011 as “The Year of Remembrance for the Victims of the Holocaust in Lithuania.” It implemented a comprehensive action plan during the year, including events on September 23 commemorating the “National Memorial Day for the Genocide of Lithuanian Jews” and an international effort to transform the Paneriai Memorial Complex into an open-air Holocaust and massacre museum. In September President Grybauskaite awarded Life Saving Crosses to 55 citizens who saved Jews during the Holocaust. Throughout the year the government and civil society worked together to promote Holocaust education in schools and preserve Vilnius’ historic Jewish cemetery. The government completed preservation of part of the ancient Jewish Snipiskes cemetery and rededicated it in June.

Section III. Status of Societal Respect for Religious Freedom

There were a number of reports of societal abuse based on religious affiliation, belief, or practice. Anti-Semitism was manifested especially on the Internet, and acts of vandalism were reported throughout the year. Acts of vandalism took place before the opening of a Jewish memorial, on Hitler’s birthday, and in reaction to the passage of legislation compensating for the seizure of Jewish property during

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the Holocaust. The president and political leadership usually, but not always, criticized such actions and comments when they occurred.

On April 20, Adolf Hitler's birthday, a banner with anti-Semitic slogans, including "Hitler was right" and "Juden Raus" (Jews Out) was posted on the fence of a synagogue in Kaunas. In Vilnius on the same day, three Nazi-era German flags were raised on a hill near the center of the city. A flag with a swastika, Hitler's birth date, and the inscription "88 Forever" was hung on a bridge in a district of Vilnius. In Panevezys, a poster with Nazi German swastika signs and inscriptions "Sieg Heil, mein Fuehrer" was found on a bridge railing. Police initiated investigations into these incidents as a violation of public order.

On July 10, the Paneriai Memorial, a tribute to Holocaust victims (mainly Jews), was vandalized with red paint and anti-Semitic phrases such as "Hitler was right" in Russian, and lewd images were drawn on the memorial. The graffiti also alluded to the government's decision to allot 128 million litas (\$52 million) for Holocaust compensation. In July the Holocaust memorial in Plunge (built with bricks from the former Plunge synagogue), was vandalized a week before it was to be dedicated by government officials. Despite the vandalism, the memorial wall to the 2,200 Jews of Plunge killed by the Nazis in 1941 was dedicated as planned.

Section IV. U.S. Government Policy

The U.S. embassy maintained a regular dialogue on religious issues with senior officials in the government, parliamentarians, religious leaders, and concerned nongovernmental groups. The ambassador and embassy staff members worked regularly with the Jewish community and other communities to promote religious freedom and tolerance.

The U.S. embassy actively engaged with the government to resolve the long-pending issue of compensation for Jewish communal property seized by Nazis and Soviets. The U.S. embassy supported the protection of Jewish cemeteries, in particular Snipiskes Cemetery, through frequent outreach to the highest levels of national and local government, the Committee for the Preservation of Jewish Cemeteries in Europe, the local Jewish community, and others. Training sessions took place in Kaunas within the framework of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research grant awarded to the embassy (in 2010) for a Holocaust education teacher training program. In addition, the U.S. embassy sent two teachers to the Holocaust Training Program in the United States from July 4 to 13, and also sent a Vytautas Magnus University

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professor to participate in a six-week program on religious pluralism at UC Santa Barbara.