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Lithuania: Freedom of assembly must be respected -- diversity must be promoted

As Lithuania, which is set to become home to the European Institute for Gender Equality later this year, bans an event aimed at promoting tolerance and respect for diversity, Amnesty International reminds Lithuania of the commitments it willingly entered into when joining the European Union (EU) -- the 'union of values' -- to respect and protect human rights. Such commitments not only include individual human rights such as to peaceful freedom of association, assembly and expression, but also include the obligation to extend such rights to all individuals. The Lithuanian authorities are not at liberty to pick and choose to whom they grant these rights and they should exercise their leadership to promote respect for diversity, not foster a climate of intolerance.

On 21 May 2007, the mayor of Vilnius, Juozas Imbrasas, refused to give permission for an EU-sponsored anti-discrimination truck tour currently touring 19 member states as part of a 'For Diversity. Against Discrimination' information campaign to make its planned stop in Vilnius this Friday. The purpose of the bus is to raise awareness and distribute information about the EU's "For Diversity. Against Discrimination" campaign, as well as the European Year of Equal Opportunities for All. The Vilnius City Council also voted unanimously to ban a tolerance campaign rally in support of human rights of various groups, including the rights of lesbian, gay, bisexual and transgender persons, due to take place on 25 May, citing "security reasons". The European Commission has commented on the bans stating that "the decision by the city authorities shows how much still needs to be done to change behaviour and attitudes towards discriminated groups and to promote awareness of diversity,".

The mayor of Vilnius has also supported the decision by local bus drivers in Vilnius not to drive buses which had advertisements supporting LGBT rights on them. The mayor stated that "with priority for traditional family and seeking to promote the family values, we disapprove the public display of 'homosexual ideas' in the city of Vilnius." The advertisement had been paid for by the Lithuanian Gay League with money granted from the EU.

The rights to freedom of expression, peaceful assembly and association are recognized in numerous human rights treaties including the International Covenant on Civil and Political Rights and the European Convention on Human Rights and Fundamental Freedoms to which Lithuania is a state party. Although the rights to freedom of expression, peaceful assembly and association are not absolute rights, any interference with these rights has to be prescribed by law, and be necessary and proportionate to meet a legitimate aim under international law. According to international human rights law, states have an obligation to protect the right to peaceful assembly even if a peaceful gathering may attract violent counter-demonstrations. In other words, whilst a demonstration may annoy or give offence to persons opposed to the ideas or claims that it is seeking to promote, the participants must be able to hold the demonstration without having to fear that they will be subjected to physical violence by persons or groups opposed to their ideas.

The European Parliament has recently voiced deep concern at recent developments in Europe resulting in discrimination against lesbian, gay, bisexual and transgender (LGBT) persons and hindering their right to freedom of assembly. On 26 April 2007, it issued a resolution condemning homophobia in Europe and urging the member states to strengthen the protection of human rights of lesbian, gay, bisexual and transgender persons. On 10 May 2007, 26 members of the European Parliament co-signed an open letter sent to the mayors of capitals and major cities in Central and Eastern Europe, remarking that LGBT prides and equality marches “are peaceful demonstrations that invoke the core principles of a Europe that is tolerant and appreciative of its diversity”, and calling upon the authorities of Central and Eastern Europe to do all in their powers to support the organizers of those marches, to protect against those that would wish harm upon participants, and to refrain from erecting administrative barriers against organizers.

Amnesty International urges the Lithuanian authorities to offer Lithuanian lesbian, gay, bisexual and transgender persons another opportunity to stage a tolerance event and to provide adequate police protection during such an event. Amnesty International also calls on the Lithuanian authorities to respect the right to peaceful freedom of assembly for all, the right not to be discriminated against on the basis of sexual orientation or gender identity and to actively promote respect for diversity in their country. Amnesty International has made similar calls over the past year to the authorities in Latvia, Poland and Russia, expressing concern that they have fostered a climate of intolerance against LGBT persons and obstructed public events organized by LGBT groups, amid homophobic language used by some highly placed politicians.

See also:

<http://web.amnesty.org/pages/lva-030507-background-eng>

<http://web.amnesty.org/library/Index/ENGEUR010202006?open&of=ENG-LVA>

<http://web.amnesty.org/library/Index/ENGEUR010192006?open&of=ENG-LVA>