

**Mr. Algirdas Butkevičius**

Prime Minister of the Republic of Lithuania  
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**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

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Dear Prime Minister,

**AMNESTY INTERNATIONAL'S RECOMMENDATIONS TO LITHUANIAN EU PRESIDENCY: MID-TERM REVIEW**

In July, Amnesty International issued recommendations as to how the Lithuanian EU presidency might maximise its potential to promote human rights both within and beyond EU borders. We were grateful to the Chancellor for formally accepting our presidency recommendations and assuring us of the government's commitment to human rights in the EU and abroad. Now that the Lithuanian EU presidency has passed its mid-point, we are publishing this letter and the attached evaluation of its progress in implementing our recommendations. We also highlight opportunities for action to be taken before the end of the presidency's term.

Copies of this letter are being sent to relevant Ministers today. For information, on 4 October, we wrote to the Ministries of Justice, Foreign Affairs, and the Interior, to request comment on their progress in implementing our recommendations, and indication of planned action.

We have welcomed your government's accessibility. As you will know, an Amnesty International delegation met with the Minister of Justice, the Vice-Minister of Foreign Affairs and officials of the Ministry of the Interior on Friday 25 October, to discuss this mid-term evaluation. We have appreciated this and other opportunities to discuss the implementation of our recommendations, and look forward to our first Justice and Home Affairs (JHA) debriefing session at the Lithuanian Permanent Representation to the EU in November.

Similarly, we welcome the presidency's efforts to promote effective Roma integration measures. We are grateful for the prioritisation of violence against women by the Lithuanian presidency at the European Crime Prevention Network (ECPN). We hope that the presidency's continued engagement with the issue of the rule of law will lead to a structured and substantive dialogue on the EU's approach to internal human rights issues. EU-level political support for such initiatives is vital if the EU is to defend its credibility as an entity founded on respect for human rights.

However, we feel that the presidency should have been stronger in two areas. Namely, treating migrants and asylum seekers fairly, and ensuring accountability for European involvement in CIA rendition and secret detention programmes. We believe that revision of European migration policies should form an integral part of the EU's work on strengthening human rights and the rule of law within its borders.

We very much look forward to continuing our engagement with your government, and await further progress on the implementation of our recommendations throughout Lithuania's EU presidency.

Yours sincerely,

Dr Nicolas J Beger

Director

**Mid-term evaluation of the Lithuanian EU presidency, Amnesty International, 29 October 2013**

**Fundamental Rights and the Rule of Law**

We appreciate the presidency's continued engagement on the issue of the rule of law. We reiterate our call for the development of an effective internal human rights framework strategy and corresponding action plan, and insist that discussion should go beyond the new 'rule of law mechanism' to confront human rights violations in member states. In particular, the strategy should aim to strengthen the EU and member states' capacity to prevent and redress human rights violations.

**Respecting Roma Rights**

We welcome the presidency's efforts to ensure that a Council Recommendation on effective Roma integration measures in member states be adopted in December. We trust that the presidency will continue these efforts, and ensure that the recommendation offers comprehensive strategies to promote Roma integration and eliminate discrimination, whilst guaranteeing Roma participation at all levels of decision-making.

**Preventing and Combating Violence against Women and Female Genital Mutilation (FGM)**

We welcome the fact that the presidency trio (Cyprus, Ireland, and Lithuania) made combating violence against women a priority, and appreciate that Lithuania signed the Council of Europe Istanbul Convention before its presidency term. We reiterate our call for the inclusion of FGM on the agenda of the next European Council for Social & Health Affairs (EPSCO), in order to encourage the European Commission and member states to produce multi-annual action plans on eliminating FGM. This would be in accordance with the 2012 UN General Assembly resolution on eliminating FGM, which was sponsored by Lithuania. We emphasise the need for sustained vision and action on FGM.

**Fighting Discrimination**

We appreciate that Lithuania has set combating hate crimes as a Council priority, and acknowledge that Council Conclusions on hate crime are expected at the December Justice and Home Affairs (JHA) Council. Although we welcome the positive shift in Lithuania's position on the Anti-Discrimination Directive (ADD), we remain concerned by the lack of political will in the Council to advance the ADD, and would welcome greater transparency regarding the current state of play. Further, while we appreciate Lithuania's interest in the issue of homophobic and transphobic hate crimes, we reiterate our concern that a set of legislative proposals are currently under debate at the Lithuanian parliament which, if passed, would have serious human rights implications for lesbian, gay, bisexual, trans and intersex (LGBTI) people in Lithuania.

**Corporate Accountability**

We are concerned that Lithuania's proposal to introduce a so-called 'safe harbour provision' to the legislative proposal on the disclosure of non-financial information undermines its fundamental objective to increase transparency through mandatory reporting. Instead, the Lithuanian EU presidency should ensure that, at a minimum, the Commission's proposal will not be weakened, and lead the Council to ensure human rights protection is adequately reflected in newly-established measures. Reporting requirements should be based on international standards such as the UN Guidelines for Business and Human Rights, and the OECD Guidelines for Multinational Enterprises.

**Treating Migrants and Asylum Seekers Fairly**

The tragedy of the shipwreck off the coast of Lampedusa highlighted again the need for a fundamental change to European migration policies. We are deeply alarmed, therefore, that leaders failed to take concrete action to protect the lives of migrants and refugees along Europe's borders in the Council Conclusions adopted on 25 October. We regret that the conclusions omitted to address search and rescue capacity, and the need to open safe

routes for refugees to Europe, focusing instead on enhanced border surveillance. This will not save lives, but force people to take riskier routes to reach Europe. Further, it is inadequate that the conclusions make no mention of the need for European states to prioritise people's lives and rights when cooperating on migration control with third countries.

We acknowledge the Council's statement that concrete actions will follow later, but stress that the time to act is now. We welcome the Lithuanian EU presidency's commitment to progress negotiations on the regulation for Frontex-coordinated operations at sea. States must agree to the new interception rules without delay, in order to achieve effective and coordinated rescue measures at EU level, conducted in full compliance with relevant international human rights and refugee laws and standards, and obligations under the Law of the Sea. There should also be clear agreement on disembarkation rules in a place of safety and in a spirit of shared responsibility among member states.

The EU and European governments must acknowledge their responsibilities and take swift and robust action to prevent further loss of life in the Mediterranean, and to protect the human rights of migrants and refugees. Revision of European migration policies should form an integral part of the EU's work on strengthening human rights and the rule of law within its borders.

### **Eastern Partnership**

We are disappointed that the Lithuanian EU presidency has not yet found a place for human rights on the agenda of the Eastern Partnership Summit to be held in Vilnius on 11-12 November. This would directly contravene the EU's stated commitment to raise human rights in all political dialogues, including at the highest level.

### **Accountability for European Involvement in CIA Rendition and Secret Detention Programmes**

Since the European Parliament's adoption last year of a resolution documenting EU countries' alleged complicity in torture and enforced disappearances carried out by the CIA in Europe, not one recommendation has been followed by the Council. We note that the Council has not yet acknowledged collective responsibility for EU-level accountability, and regret that Lithuania has not taken the opportunity as EU presidency to apply pressure. We appreciated the opportunity to meet with high-level officials in Vilnius last month to discuss CIA renditions. However, we are deeply disappointed by Lithuania's refusal to re-open the investigation into CIA detention centres on Lithuanian soil, particularly in view of the new case of Mustafa al-Hawsawi. We urge the Council not to shy away from ensuring that member states conduct effective and exhaustive investigations, and ensure justice for victims.

### **Individuals at Risk**

During the remainder of the presidency, we strongly encourage Lithuania to use all its powers to seek justice for the individuals at risk highlighted in our recommendations. We stand ready to help.