

URGENT ACTION

DEMAND PARLIAMENT REJECTS HOMOPHOBIC LAW

On 14 July, the Lithuanian parliament will vote whether to overturn a Presidential veto on a law that will institutionalize homophobia, violating the right to freedom of expression and the right to be free from discrimination.

On 26 June 2009, President Valdas Adamkus vetoed the “Law on the Protection of Minors against the Detrimental Effect of Public Information”. This wide-ranging censorship law was passed by the Seimas (Lithuanian Parliament) on 16 June, in violation of the right to freedom of expression which is protected by international and regional human rights treaties to which Lithuania is a party. The law was widely criticized for its discriminatory restrictions on public information on homosexuality.

On 7 July, the Seimas voted to reconsider the bill, with 90 Parliamentarians voting in favour and 20 against. The Seimas will sit in plenary on Tuesday 14 July, to decide whether to overturn the Presidential veto. If the veto is overturned, the bill will become law.

One clause of the law seeks to ban materials that “agitate for homosexual, bisexual and polygamous relations” from schools or public places and media where they could be viewed by children, on the grounds that they would have a “detrimental effect on the development of minors.”

This provision could be used to prohibit any legitimate discussion of homosexuality, impede the work of human rights defenders and further the stigmatization of and prejudice against lesbian, gay, bisexual and transgender people. It would institutionalize homophobia and violates the right to freedom of expression and the right to be free from discrimination.

The law classifies public information about homosexuality and bisexuality with other prohibited material that portrays physical or psychological violence, the display of dead bodies, and other clearly salacious information. The same article of the law also bans information that “encourages gambling, encourages and suggests participation in the games of chance, lotteries and other games that imply easy win”, “displays a hypnosis session” or “promotes bad eating, sanitary and physical passivity habits”.

PLEASE WRITE IMMEDIATELY in English or your own language:

- calling on the Speaker of the Seimas to ensure that any legislation ensures that all persons in Lithuania, including children, fully enjoy the right to freedom of expression – including the right to seek, receive and impart information, without discrimination of any kind;
- asking him to ensure that any discrimination is prohibited and to guarantee to all persons equal and effective protection against discrimination, including discrimination based on sexual orientation or gender identity;
- urging the Speaker of the Seimas to provide adequate non-discriminatory information and support to lesbian, gay, bisexual and transgender young people.

PLEASE SEND APPEALS IMMEDIATELY:

Speaker of the Seimas
Arunas Valinskas
Gedimino ave. 53,
LT-01109 Vilnius
Lithuania
Fax: + 370 5 2396279
Email: Arunas.Valinskas@Irs.lt

And copies to:
Committee on Education, Science and
Culture
Valentinas Stundys, Chairperson
Fax: + 370 5 2396459
Email: sviemkkt@Irs.lt (Division), or
Valentinas.Stundys@Irs.lt

Committee on Human Rights
Arminas Lydeka, Chairperson
Fax: + 370 5 2396499
Email: zmteiskt@Irs.lt (Division), or
Arminas.Lydeka@Irs.lt

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after 14 July 2009.

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ADDITIONAL INFORMATION

The Seimas needs 71 votes to overturn the veto. In their original consideration of the draft law on 16 June, 67 representatives from all parliamentary parties voted in favour of adopting the law, three against, with four politicians abstaining.

On 23 June, 32 members of the Parliamentary Assembly of the Council of Europe, of which Lithuania is a member, adopted a written declaration in response to the Lithuanian law. The declaration called on the President of Lithuania to refer the law back to the Parliament for revision in the light of Lithuania's international human rights obligations and the Parliament of Lithuania to eliminate all discriminatory references to homosexual and bisexual relationships in this law.

In response to similar legislation in the UK, the UN Committee on the Rights of the Child expressed concern that "homosexual and transsexual young people do not have access to the appropriate information, support and necessary protection to enable them to live their sexual orientation."

The law also contradicts Lithuania's public commitments undertaken in signing a joint statement on human rights and sexual orientation and gender identity at the UN General Assembly on 18 December 2008 and now signed by 67 states. As a signatory to that statement, Lithuania has reaffirmed its commitment to "promote and protect the human rights of all persons, regardless of sexual orientation or gender identity" and "ensure adequate protection of human rights defenders, and remove obstacles which prevent them from carrying out their work on issues of human rights and sexual orientation and gender identity."

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