

# **Lithuania 2023 Human Rights Report**

## **Executive Summary**

There were no significant changes in the human rights situation in Lithuania during the year.

There were no credible reports of significant human rights abuses.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading**

## **Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibited such practices and there were no credible reports that government officials employed them.

### **Prison and Detention Center Conditions**

Some prison and detention center conditions, including those housing asylum seekers, refugees, and economic migrants, were poor due to inadequate sanitation, poor medical care, and violence.

**Abusive Physical Conditions:** The most significant problems were prisoner-on-prisoner violence, inadequate sanitation, poor medical care, and abusive behavior by prison authorities and guards as punishment against inmates.

A February 23 report published by the Council of Europe Anti-Torture Committee (CPT) expressed concern that many of its long-standing recommendations to improve prison and detention facilities were not implemented. The CPT recommended the government improve the situation in prisons and address levels of violence, including prisoner-on-prisoner violence; the informal prisoner hierarchy; and the widespread smuggling of illegal drugs into prisons, as well as the need to assist prisoners with drug related problems. The CPT report, based largely on findings from its 2021 visit, noted its delegation received many credible allegations of interprisoner violence, including beatings and violence of a sexual nature, as

well as extortion, psychological pressure, and coercion to commit new crimes. The CPT expressed concern about a lack of adequate custodial staff in some facilities and asserted healthcare teams were under resourced. The report noted credible allegations authorities and guards in Alytus Prison punched, kicked, and hit prisoners with truncheons for allegedly complaining about their treatment by staff or their conditions of detention.

**Administration:** Prison authorities generally investigated credible allegations of mistreatment.

**Independent Monitoring:** The government permitted monitoring of prisons and detention facilities by independent nongovernmental observers. The CPT visited the country in December 2021 and published its findings.

## **d. Arbitrary Arrest or Detention**

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

### **Arrest Procedures and Treatment of Detainees**

Except for persons arrested while committing a crime, warrants were generally required for arrests, and judges could issue them only upon the presentation of reliable evidence of criminal activity. Police could detain suspects for up to 48 hours before formally charging them. Detainees had

the right to be informed of the charges against them at the time of their arrest or their first interrogation. The government generally observed these requirements.

The law provided for access to attorneys and the government provided attorneys to indigent persons. A detained person had the right to meet with lawyers of his or her choice in private before his or her first interrogation.

### **e. Denial of Fair Public Trial**

The constitution provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

### **Trial Procedures**

The constitution and law provided for the right to a fair and public trial, and the judiciary generally enforced this right.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **f. Transnational Repression**

Not applicable.

## **g. Property Seizure and Restitution**

The government had laws and mechanisms in place to address communal property restitution, and nongovernmental organizations (NGOs) and advocacy groups reported the government made progress on the resolution of Holocaust-era claims, including for foreign citizens.

On January 1, an updated Holocaust symbolic compensation law went into effect and provided a new €37 million (\$39.9 million) compensation mechanism for private and heirless Jewish property. Up to €10 million (\$10.8 million) of the total was allocated for individual requests for compensation for property not covered by previous legislation. Funds from the compensation mechanism were designated for distribution through a philanthropic foundation created in 2011 to receive government compensation for Communist and Nazi seizures of Jewish community-owned property. The foundation distributed funds to individuals and to Jewish educational, cultural, scientific, and religious projects.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in 2020, can be found on the Department's website at: <https://www.state.gov/reports/just-act-report-to-congress/>.

## **h. Arbitrary or Unlawful Interference with Privacy, Family,**

## **Home, or Correspondence**

The constitution prohibited such actions and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provided for freedom of expression, including for members of the press and other media, and the government respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

**Freedom of Expression:** The constitutional definition of freedom of expression did not permit slander; disinformation; or incitement to violence, discrimination, or national, racial, religious, or social hatred. Inciting hatred against a group of persons was punishable by imprisonment for up to two years. Inciting violence against a group of persons was punishable by imprisonment for up to three years. To deny or “grossly to trivialize” Soviet or Nazi German crimes against the country or its citizens or to deny genocide, crimes against humanity, or war crimes, was illegal.

The government enacted a series of states of emergency which began in February 2022 and ended on May 2, 2023. These states of emergency included a ban on rallies or marches in support of Russia's war against Ukraine and restrictions on freedom of individual expression in support of Russia's illegal full-scale invasion of Ukraine.

**Censorship or Content Restrictions for Members of the Press and Other**

**Media, Including Online Media:** In September 2022, the Seimas (parliament) passed an amendment to the Law on the Provision of Information to the Public that imposed a temporary ban on rebroadcasting and online distribution of radio, television, or individual broadcasts by entities established, directly or indirectly owned, controlled, or financed by the governments of Russia or Belarus. Channels distributed by European Union countries were exempted from the ban.

The Radio and Television Commission of Lithuania could impose a 72-hour suspension on television programs that posed a threat to public and national security. The commission could impose this suspension without a court order on television programs from countries both inside and outside the EU, the European Economic Area, and from European states that ratified the Council of Europe's Convention on Transfrontier Television. On September 14, the Radio and Television Commission blocked 53 internet addresses that provided access to Russian television channels prohibited from broadcasting in the country.

**Libel/Slander Laws:** Under the law, insulting or defaming the president of the country in mass media was a crime punishable by a fine. Authorities did not enforce the law.

## **Internet Freedom**

The government did not generally restrict or disrupt access to the internet or censor online content, but it blocked online addresses providing access to internet-distributed pro-Russia propaganda.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **Freedom of Peaceful Assembly**

Under the state of emergency that ended on May 2, the government prohibited organizing and participating in meetings that had the purpose of supporting the actions of the Russian or Belarusian governments.

### **Freedom of Association**

Although the law provided for this freedom and the government generally respected it, the government continued to ban the Communist Party and other organizations associated with the Soviet period.



## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](https://www.state.gov/religiousfreedomreport/).

## **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law provided for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights.

On April 20, the Seimas passed the Law on the Setting of Restrictive Measures because of War in Ukraine. The new law suspended most visa issuances for Russians and Belarusians, limited Russian citizens' movement across Lithuanian borders, and prohibited Russians and Belarusians from bringing Ukrainian currency into Lithuania or acquiring real estate in Lithuania.

## **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**Access to Asylum:** The law provided for the granting of asylum or refugee status, and the government had an established system for providing protection to refugees. Some asylum seekers, mostly from the Middle East and Africa, crossed into Lithuania from Belarus. Following a maximum statutory length of one year in detention, many left Lithuania and traveled on to other countries in the EU.

On April 25, the Seimas adopted amendments to the Law on the State Border and Its Protection, legalizing the turning back of irregular migrants who entered Lithuania from Belarus outside of authorized border checkpoints. The State Border Guard Service estimated they refused entry to over 21,000 individuals who attempted entry into Lithuania from Belarus since August 2021.

UNHCR stated the new law fell short of offering sufficient protections and legal options for those seeking protection, could authorize “pushbacks,” and could potentially lead to individuals not being granted effective access to the right to seek asylum. Amnesty International and local human rights organizations criticized the law. On April 28, a group of approximately 50 individuals staged a protest against the law outside the Presidential Palace in Vilnius.

**Freedom of Movement:** On June 7, the country’s Constitutional Court ruled that the indefinite detention of individuals who crossed the border irregularly from Belarus was unconstitutional. The ruling was in response to

a complaint by an Iraqi national, detained from August 2021 until February 2022 after crossing the border irregularly. The minister of internal affairs asserted the detention of migrants was necessary to control the threat and “to counter Belarusian hybrid attacks.” On September 21, the Seimas held the first reading of legislation to address the ruling by the Constitutional Court.

**Durable Solutions:** In cases where asylum was not granted, the government facilitated the return of individuals to their countries of origin. In cases where return to their country of origin presented the asylum seeker with the threat of serious harm or danger, the Migration Department could issue a temporary residence permit to the migrant.

**Temporary Protection:** The government provided temporary protection to more than 86,000 persons from Ukraine who were fleeing Russia’s illegal full-scale invasion. In the first half of the year, the Migration Department granted temporary protection to 7,397 persons, largely from Belarus and Russia, many of them human rights defenders and prodemocracy dissidents.

## **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **g. Stateless Persons**

There were an estimated 2,721 stateless persons residing in the country.

The law permitted persons born in the country or legally residing there for 10 years, and who were not citizens of any other country, to apply for citizenship. Applicants were required to possess an unlimited residence permit, knowledge of the Lithuanian language and constitution, and the ability to financially support themselves. Stateless persons predominantly had long-term (permanent) residence permits. The Lithuanian Red Cross provided counselling and advice to stateless persons on the procedures for acquiring citizenship.

## **Section 3. Freedom to Participate in the Political Process**

The constitution provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

**Abuses or Irregularities in Recent Elections:** Presidential elections, including a runoff between the two candidates receiving the most votes, as well as European Parliamentary elections, took place in 2019. National parliamentary elections took place in 2020. Observers evaluated all these elections as generally fair and free of abuses or irregularities.

**Political Parties and Political Participation:** The government outlawed the

Communist Party on August 23, 1991.

## **Section 4. Corruption in Government**

The law provided criminal penalties for official corruption, and the government generally implemented the law effectively. There were isolated reports of official corruption during the year.

**Corruption:** Most reports or allegations of government corruption came from the public procurement, construction, land management, and territorial planning sectors. The Law on Protection of Whistleblowers encouraged citizens and business leaders to report suspected corruption crimes.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction to monitor and investigate human

rights conditions or cases and publish their findings. Government officials were often cooperative and responsive to the views of these groups.

**Government Human Rights Bodies:** The Office of the Parliamentary Ombudsperson investigated complaints regarding abuse of office or other abuses of human rights involving public administration, implemented the national prevention of torture mechanism under the UN's Optional Protocol to the Convention against Torture, and served as an accredited national human rights institution. The parliamentary ombudsperson was responsible for reporting and monitoring human rights problems, cooperating with international and domestic human rights organizations, and promoting human rights awareness and education.

The equal opportunities ombudsperson operated as an independent public institution accountable to the Seimas and was responsible for the enforcement of the Law on Equal Opportunities for Women and Men and the Law on Equal Treatment.

A children's rights ombudsperson was responsible for overseeing observance of children's rights and their legal interests. It could initiate investigations of possible abuses of such rights, either upon receipt of a complaint or on its own initiative.

The Seimas Human Rights Committee prepared and reviewed draft laws and other legal acts related to civil rights and presented recommendations to

government institutions and other organizations concerning problems related to the protection of civil rights. It also received reports from the Office of the Parliamentary Ombudsperson.

## **Section 6. Discrimination and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** Rape of a person and domestic violence, regardless of gender, were criminal offenses. Spousal and domestic or intimate partner rape and other forms of domestic and sexual violence including so-called corrective rape of lesbian, gay, bisexual, transexual, queer, or intersex (LGBTQI+) persons were criminalized. Penalties for domestic violence depended on the level of injury to the survivor or victim and ranged from mandatory public service to life imprisonment. The maximum penalty for rape was fifteen years in prison. The government enforced the law effectively.

Domestic abuse remained a pervasive problem. In August the Ministry of Social Security and Labor, together with NGOs, established a National Information Center on Sexual Violence tasked with preparing guidelines and recommendations for specialists working with victims of sexual violence and creating an online platform for both specialists and victims. On July 1, amendments to the Law on Domestic Violence entered into force, which introduced domestic violence restraining orders as a law enforcement tool.

The government allocated over €3.1 million (\$3.35 million) to implement its 2022-2023 action plan for the prevention of domestic violence, which included €1.53 million (\$1.65 million) for specialized victim assistance centers in 2023.

The government operated a 24/7 national hotline and 29 crisis centers for survivors of domestic violence. Although there was no rape crisis center, a network of specialized NGOs provided social, psychological, health, and legal assistance to survivors of domestic and sexual violence. The Ministry of Social Security and Labor supported psychological consulting support services.

**Discrimination:** The law provided for the same legal status and rights for women as for men, including family, religious, personal status, and nationality laws, as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The government enforced the law effectively. Women experienced unequal access to pension benefits. The International Labor Organization reported the gender wage gap was 13 percent.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

According to the Human Rights Coalition, some young women and girls in rural areas, mostly from Roma communities, had limited access to



reproductive health services and modern contraceptives due to limited economic resources, social stigma, and lack of parental consent.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception and post exposure prophylaxis were available as part of the clinical management of rape.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law prohibited discrimination against ethnic or national minorities, but intolerance and societal discrimination persisted. According to the most recent census (2021), approximately 15 percent of the population were members of minority ethnic groups, including Russians, Poles, Belarusians, Ukrainians, Tatars, Karaites, and Jews.

Roma continued to experience societal discrimination. Housing was a significant challenge. According to a 2022 public opinion poll, 58 percent of residents responded they would not want to live in a neighborhood with Roma and 59 percent said that they would not want to rent an apartment to a Romani applicant.

The government allocated over €180,000 (\$194,580) for its 2020-2023 Roma integration action plan, which included programs supporting Roma culture, promoting employment, and improving health and education.

## Children

**Child Abuse:** There were laws prohibiting violence against children and child abuse. Sexual abuse of children remained a problem despite prison sentences of up to 13 years for the crime. The government generally enforced the law effectively.

The government operated a children's support center to provide medical and psychological care for children, including those who suffered from various types of violence. It also operated a national center in Vilnius to provide legal, psychological, and medical assistance to sexually abused children and their families.

**Child, Early, and Forced Marriage:** The legal minimum age for marriage was 18 and it was effectively enforced by the government.

**Sexual Exploitation of Children:** The law prohibited the sale, grooming, or use of children for sexual exploitation, including sex trafficking. The minimum age of consensual sex was 16. The law prohibited child pornography and other forms of online child sexual exploitation and abuse and provided for penalties of imprisonment for up to five years. Persons who offered to purchase, acquire, sell, transport, or hold a child in captivity were subject to imprisonment for three to 12 years. Authorities enforced these laws. Persons convicted of sexual crimes were prohibited from working or volunteering in places where they might have contact with

children.

On July 24, five government ministries and offices signed an agreement to combat sexual violence against children. The agreement defined and clarified the actions and responsibilities of each institution in addressing violence against children. The State Child Rights Protection and Adoption Service operated a countrywide Child Helpline to assist victims.

## **Antisemitism**

The Jewish community consisted of 2,256 persons based on the latest 2021 census data. There were reports of antisemitism on the internet and in public.

As of May 1, a new law required the removal of symbols of totalitarian and authoritarian regimes, including those commemorating Nazi collaborators. Local governments were given 20 working days to submit a list of these symbols to the state-funded Genocide and Resistance Research Center of Lithuania for review by an interinstitutional commission. On June 29, at its first meeting, the nine-person commission examined 21 objects and identified three monuments and two streets as propagating totalitarian and authoritarian regimes. This included the monument to Nazi collaborator Juozas Krikštaponis in Ukmerge, which the commission recommended be removed by November. The implementation of the decision was pending due to an appeal of the recommendation by four applicants.

On August 21, the interinstitutional commission postponed a decision on the removal of a commemorative plaque to Nazi collaborator Jonas Noreika in Siauliai district pending the submission of a new report by the Genocide and Resistance Research Center. A separate memorial plaque honoring Noreika was removed from the wall of the library of the National Academy of Sciences in Vilnius in May due to building reconstruction.

Vandals defaced Holocaust memorial sites with the letters “V” and “Z,” symbols associated with Russia’s war against Ukraine, several times during the year. In April and May, the Jewish community of Ukmerge reported “Z” letters were drawn at a local Holocaust massacre site. The police opened an investigation. In August vandals drew swastikas on the benches and stones in a local park in Alytus.

The Vilnius District Prosecutor’s Office launched an investigation of Seimas member Remigius Zemaitaitis for promoting hate and inciting hatred against a group of persons on the basis of their nationality following remarks he made online in June and expanded upon in October, following Hamas’s October 7 terrorist attack on Israel. A wide range of leaders condemned his remarks as antisemitic, including the president, prime minister, speaker of the Seimas, and foreign minister. On November 21, the Seimas sought a required opinion from the Constitutional Court, based on the conclusions of an ad hoc committee suggesting that there were grounds for expelling Zemaitaitis from parliament over his antisemitic comments. The committee

concluded that Zemaitaitis deliberately, repeatedly, and purposely disseminated information about the Jewish people and persons of Jewish ethnicity that did not correspond to the truth in his Facebook posts.

For further information on incidents of antisemitism, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** The law did not criminalize consensual same-sex sexual conduct between adults or LGBTQI+ persons, cross-dressing, or other sexual or gender characteristic-related behaviors. Facially neutral laws, such as laws on immorality or loitering, were not disproportionately applied to LGBTQI+ persons.

**Violence and Harassment:** Police or other government agents did not

incite, perpetrate, condone, or tolerate violence or harassment against LGBTQI+ individuals or those reporting such abuse. There were incidents of violence or harassment of LGBTQI+ persons by nonstate actors. Societal attitudes toward LGBTQI+ persons remained largely negative, and LGBTQI+ persons experienced stigma, discrimination, and violence. Advocacy groups reported that hate crimes against LGBTQI+ persons were often not properly identified and assessed, which discouraged victims from reporting these crimes. A rainbow crosswalk in Vilnius was a regular target of vandals and was painted over three times in July. Transgender persons were vulnerable and regular targets of exclusion.

**Discrimination:** The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. Authorities enforced the law. There was no legal basis for same-sex couples to be recognized by the state outside of civil or religious marriage; three same-sex couples sued the government for not recognizing same-sex partnerships and marriages. The first couple applied to the national court on April 14 asking it to recognize same-sex civil partnership; the court rejected the request in April. The couple appealed the decision on May 8, and the case was pending. A second couple who wanted to enter a same-sex marriage applied to the court on April 11. Their request was rejected in July. The couple appealed the decision on August 28 and the case was pending. A third Lithuanian-foreign citizen couple previously married in the Netherlands sought to have their marriage officially entered

in the Lithuanian civil register, but the government refused to do so. They applied to the first instance court on April 10 and the case was still pending.

Transgender Europe reported that transgender individuals faced negative attitudes and recognition in society, and legal barriers and discriminatory practices that often prevented them from accessing health care services.

Transgender rights activists reported “feelings of uncertainty” and hopelessness caused psychological distress for transgender minors. Among the main obstacles faced by transgender individuals were the lack of information, resources, support, and access to health care.

**Availability of Legal Gender Recognition:** Transgender persons age 18 and older had the right to change their gender identity marker on government identification documents. Adult transgender persons could change their legal name at the civil registry office with proof of a psychiatric “transsexualism” diagnosis. A court procedure was necessary to change one’s gender marker and personal identification code, which also indicated the person’s legal gender. The Civil Code recognized the right of an unmarried adult person to change their gender, but there was no legislation to regulate the administrative procedure for legal gender recognition and ensure full access to gender-affirming medical care.

**Involuntary or Coercive Medical or Psychological Practices:** No laws prohibited so-called conversion therapy practices. According to LGBTQI+ advocates, there was no publicly available information about how or if these

practices occur. There were no reports of surgeries performed on intersex children or nonconsenting adults.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

The country restricted freedom of expression on LGBTQI+ topics. The Law on the Protection of Minors from the Negative Effects of Public Information restricted any information that encouraged “a concept of marriage and family other than the one stipulated in the Constitution of the Republic of Lithuania or in the Civil Code of the Republic of Lithuania” as detrimental to children.

It was illegal to publish material targeting minors that, among other things, promoted the sexual abuse and harassment of children, sexual relations among children, or sexual relations in general. LGBTQI+ groups stated this law served to limit LGBTQI+ awareness-raising efforts and alleged government agencies that oversaw publishing and broadcast media applied it prejudicially against coverage of LGBTQI+ topics.

In 2013 the Office of the Inspector of Ethics of Journalists concluded that the book *Amber Heart*, which depicted a homosexual relationship, had a negative effect on children and imposed restrictions on its distribution. On January 23, the European Court of Human Rights issued a decision stating that Lithuania violated the right to freedom of expression guaranteed by the Convention on the Protection of Human Rights and Fundamental Freedoms. On November 7, the Seimas rejected proposed amendments to the law that



would have removed these restrictions in line with the court ruling.

On July 1, the Vilnius Pride 2023 march of the LGBTQI+ community took place in the capital. The march was peaceful, though there was a sizeable presence of protesters.

## **Persons with Disabilities**

Persons with disabilities had equal access to education, employment, health services, public buildings, and transportation. The law mandated that newly constructed or renovated buildings must be accessible to persons with disabilities. The law prohibited discrimination against persons with disabilities. There was, however, no proactive enforcement of these requirements.

Experts noted that persons with disabilities, especially in some rural areas had difficulty receiving appropriate care. The government's Equal Opportunities Ombudsperson was responsible for investigating claims of discrimination based on disability. In December 2022, the government and Seimas approved disability policy reforms scheduled to start in 2024, including a new disability assessment model and independent living services. The reforms would provide for more targeted support for people with disabilities, increase the availability and speed of services and assistance, provide personalized services and assistance more quickly, and make public information more accessible to everyone.

The law required that all schools provide compulsory and universally accessible education to accommodate students with disabilities. Some government and NGO leaders noted that many schools and teachers lacked the resources to effectively integrate children with disabilities into schools.

According to the NGO Lithuanian Forum for Persons with Disabilities (LFPD), deinstitutionalization was slow with too little attention paid and inadequate funding devoted to the creation of independent living arrangements for individuals with disabilities. Local communities often opposed such arrangements.

During the year, an Equal Opportunities Ombudsperson Institution analysis on the availability of assistance to victims of violence asserted institutions providing assistance to victims were not adequately prepared to help women with disabilities, and noted there was a significant lack of information about how and what assistance could be obtained. According to an LFPD survey conducted in 2022, more than 80 percent of women with disabilities experienced physical violence at least once.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provided for the right of workers, except members of the armed

forces, to form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibited employer discrimination against union organizers and members and required reinstatement of workers fired for union activity. These provisions also applied to migrant workers.

There were some specific legal limits to these rights. The law prohibited sympathy strikes. It also prohibited law enforcement officials, first-aid medical workers, and other security-related personnel from collective bargaining and striking, although they could join unions. The law did not afford workers in essential services, whose right to strike was restricted or prohibited, alternative procedures for impartial and rapid settlement of their claims or a voice in developing such procedures.

Labor-management disputes were settled by a labor arbitration board formed under the jurisdiction of the district court where the registered office of the enterprise or entity involved in the collective dispute was located. Although the law established the binding character of the decision upon the parties, the decisions could not lay down rights or obligations of individuals and were not enforceable by the courts. Labor code procedures made it difficult for some workers to exercise the right to strike. The law allowed an employer to hire replacement workers in certain sectors to provide for minimum services during strikes.

The government generally respected freedom of association, collective bargaining, and the right to strike for workers, but did not effectively

enforce applicable laws, and penalties were less than those for other laws involving denials of civil rights such as discrimination. Penalties were regularly applied against violators. Persistent harassment and intimidation of employees, commonly called mobbing, occurred in the workplace. According to the International Trade Union Confederation, the judicial system was slow to respond to cases of unfair dismissal and no employer faced penal sanctions for antiunion discrimination as envisaged in the law. No courts or judges specialized in labor disputes.

Employers did not always respect collective bargaining rights and managers often determined wages without regard to union preferences, except in large factories with well-organized unions.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibited all of the worst forms of child labor. The statutory minimum age for employment was 15 and it applied to children working in all sectors. Children age 13 or older could perform light work with permission from a parent. Teenagers who were no longer subject to

compulsory full-time education under national law could work up to eight hours a day and 40 hours a week. The law prohibited children younger than 18 from performing nighttime or overtime work, or in jobs that posed a risk to their physical safety, health, or development. The government effectively enforced child labor laws. Penalties were commensurate with those for other analogous serious crimes and were regularly applied against violators. There were no confirmed reports during the year of the worst forms of child labor.

#### **d. Discrimination (see section 6)**

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The national monthly minimum wage was higher than the poverty income level. The standard workweek was 40 hours. The Labor Code allowed an employee to work a maximum of 60 hours in a seven-day period. During a period of seven consecutive calendar days, more than eight hours of overtime could not be worked, unless the employee expressed consent to work up to 12 hours of overtime per week in writing. The maximum overtime per year was 180 hours. For overtime work, a wage of at least one and a half times the salary of an employee was paid. For overtime work on a day off, or overtime work at night, no less than double the employee's salary was paid, and for overtime work on a holiday, no less than two and a half times the employee's salary.

**Occupational Safety and Health:** Occupational safety and health (OSH) standards were appropriate for the main industries in the country, such as petroleum refining, food processing, energy supplies, chemicals, furniture, wood products, textiles, and clothing. Occupational risk was assessed by each company. The law applied to both national and foreign workers. Responsibility for identifying unsafe situations remained with OSH experts and not the worker. The government conducted proactive inspections for unsafe conditions and also responded to workers' OSH complaints. The law provided workers the right to remove themselves from situations that endangered health or safety without jeopardy to their employment. Violations of health and safety standards were more common in construction, manufacturing, and wholesale and retail trade companies.

**Wage, Hour, and OSH Enforcement:** The government effectively enforced minimum wage, overtime, and OSH laws. Penalties were commensurate with those for similar crimes and were regularly applied against violators. Penalties were related primarily to workplace accidents and occupational illnesses. The State Labor Inspectorate was responsible for implementing labor laws and made efforts to do so in both the formal and informal sectors. The inspectorate had a staff sufficient to enforce compliance. Workers dissatisfied with the results of an investigation could appeal to the court system.

Inspectors had the authority to make unannounced inspections and initiate

sanctions. Workers had the legal right to request compensation for health concerns arising from dangerous working conditions. During the first half of the year, the Labor Inspectorate identified 1,210 persons who worked illegally in companies, farms and for private individuals.

In 2021, unofficial economic activity accounted for roughly 23.1 percent of GDP. The government enforced labor laws in the informal economy whenever informal or illegal activity was uncovered.