

Strasbourg, 4 July 2011

Working document  
Public

**SECRETARIAT OF THE FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**

**COMPILATION OF OPINIONS OF THE ADVISORY COMMITTEE  
RELATING TO ARTICLE 22 OF THE FRAMEWORK CONVENTION**

**FIRST CYCLE**

**“Article 22**

Nothing in the present framework Convention shall be construed as limiting or derogating from any of the human rights and fundamental freedoms which may be ensured under the laws of any Contracting Party or under any other agreement to which it is a Party.”

Note: this document was produced as a working document only and does not contain footnotes. For publication purposes, please refer to the original opinions.

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In some cases, the Advisory Committee considered that the implementation of the article at issue did not give rise to any specific observations.

This statement is not to be understood as signalling the adequate measures have now been taken and that efforts in this respect may be diminished or even halted. On the contrary, the nature of the obligations of the Framework Convention requires a sustained and continued effort by the authorities to respect the principles and achieve the goals of the Framework Convention.

Furthermore, a certain state of affairs may be considered acceptable at one stage but that need not necessarily be so in other cycles of monitoring.

Finally, it may be the case that issues that appear at one stage to be of relatively minor concern, prove over time to have been underestimated.

## 1. LITHUANIA

Although the situation of minorities appeared satisfactory at the time the State report was transmitted, the Advisory Committee has noted a recent tendency towards reducing the level of protection of national minorities. This tendency is reflected in the legislative changes already made or currently proposed.

The Advisory Committee notes that, according to the supplementary information provided by the authorities on 21 January 2003, the aforementioned ongoing legislative changes are being undertaken “in order to implement more precisely and completely the provisions of the [Framework-]Convention in national legislation”.

In this respect, the Advisory Committee is of the opinion that, as set out in Article 22 of the Framework Convention, State Parties should ensure that persons belonging to national minorities benefit from whichever of the relevant national or international human rights legislation is most favourable to them. Furthermore, the Advisory Committee considers that ratification of the Framework Convention by Lithuania as such should not be used as an argument for and must not result in reductions of the level of protection previously provided.

### **In respect of Article 22**

The Advisory Committee *finds* that, according to the authorities, recent/pending legislative changes referred to in the present opinion are linked to the ratification of the Framework Convention. The Advisory Committee *considers* that ratification of the Framework Convention by Lithuania as such should not be used as an argument for, and must not result in, reductions of the level of protection previously provided. The Advisory Committee *considers* it essential, as set out in Article 22 of the Framework Convention, that Lithuania ensure that persons belonging to national minorities benefit from whichever of the relevant national or international human rights legislation is most favourable to them.