

NEWS REPORT

Date: 6 August 2009
Expert: Gediminas Andriukaitis
Title: The law on the protection of minors
Country: Lithuania

Context

Issue at stake: The newly passed law states that propagation of homosexuality is considered as information causing detrimental effect to minors
Ground of discrimination: of sexual orientation

Source: legislation

Field: other

Legislative provisions: The Law on the Protection of Minors against the Detrimental Effect of Public Information, July 14, 2009 (No. XI-333).

Content

Law: The Parliament, overruling Presidents' veto by 87 votes to 6 (25 abstentions), adopted the Law on the Protection of Minors against the Detrimental Effect of Public Information on July 14, 2009. The amendments will enter into force on March 1, 2010.

The law defines public information, which might have a detrimental effect to minors, and sets the rules for its provision to the public. Among other clauses, it has provisions which were widely criticised by various local and international NGOs (Amnesty International, ILGA Europe, etc.), foreign governments and experts. The new amendments of the law state, that the following information, *inter alia*, has detrimental effect to minors:

- Propagation of homosexual, bisexual and polygamous relationships.
- Information, which distorts family relationship and its values.

The law was widely criticised for its vague wording and the lack of clear definitions by the President as well. Most of the critics expressed concerns that the aforementioned provisions leave too much room for interpretation, which might be disadvantageous towards sexual minorities, the right to freedom of expression and information.

The debate around the adoption of the law and the arguments of its initiators unambiguously focussed on the possibility of banning agitation for homosexuality from schools and public life. The initiators of the amendments stated, that they see a causal link between the propagation of homosexual life-style and the growing number of homosexuals in the country.

The law does not provide definitions for “propagation”, “family values”, “homosexual, bisexual and polygamous relationship” as well as other important concepts. Thus it is not clear how it will be interpreted in practise. Since the law has a separate provision, banning information of erotic or pornographic character, there is a risk, that afore-mentioned clauses might be used with the purpose of preventing the provision of any information on homosexuality, bisexuality or polygamy to minors. This would clearly be not in line with other national laws as well as Lithuania’s EU and international commitments.

Internet link:

The Law on the Protection of Minors against the Detrimental Effect of Public Information, July 14, 2009 (No. XI-333), available in Lithuanian at Official database of the Parliament:

[http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?
p_id=349306&p_query=&p_tr2=](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=349306&p_query=&p_tr2=)