

COMMUNITIES' BRIDGES

Vilnius • 2021

Mokymų apie Pabėgėlių teises ir kultūrinę įvairovę dalyvio medžiaga.

Training about Refugee Rights and Cultural Diversity participant material.

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Asylum and who are the refugees?

In the international law two international protection regimes are established:

- Refugee status;
- Subsidiary protection.

The definition of the refugee status was internationally adopted in 1951 by The Convention Relating to the Status of Refugees (also known as the 1951 Refugee Convention or the Geneva Convention of 28 July 1951).

The refugee is someone who:

- Has well-founded fear of being persecuted;
- Persecution is based on grounds of race, religion, nationality, membership of a particular social group, political opinion;
- Person is outside of his country of citizenship;
- Unable or unwilling to return to their country of origin.

Person cannot be recognized as refugee if he or she has committed a crime against peace, a war crime, or a crime against humanity. Also, if he or she has committed a serious non-political crime. In addition, person cannot be recognized as refugee if he or she has been guilty of acts contrary to the purposes and principles of the United Nations.

As mentioned, another form of asylum is subsidiary protection. Subsidiary protection is granted when asylum-seeker is outside his country of origin and is unable to return to it owing to well-founded fear that:

- 1) he will be tortured, subjected to cruel, inhuman or degrading treatment or punishment;
- 2) there is a threat of death penalty or execution;
- 3) there is a serious and individual threat to his life, health, safety or freedom by reason of indiscriminate violence in situations of international or internal armed conflict.

Main difference between refugee status and subsidiary protection, is that granting refugee status depends on the reasons of the persecution.

The countries, from which asylum-seekers come are the ones with the most horrific human rights situation. You don't need necessary to have a war in country, to recognize person as refugee or grant subsidiary protection.

It can be summarized, the idea of “asylum” is to protect the fundamental human rights, liberty and dignity of a human being.

World statistics show us that 68% of refugees originate from just five countries (as of end-2020):

1. Syrian Arab Republic - 6.7 million;
2. Venezuela - 4.0 million;
3. Afghanistan - 2.6 million;
4. South Sudan - 2.2 million;
5. Myanmar - 1.1 million.

39% of refugees were hosted in five countries:

1. Turkey 3.7 million people;
2. Colombia 1.7 million, including Venezuelans displaced abroad (as of end-2020);
3. Pakistan 1.4 million;
4. Uganda 1.4 million;
5. Germany 1.2 million.

In Lithuania, the refugee population is following:

2016	2017	2018	2019	2020
425	599	423	646	321

In 2020 most refugees in Lithuania were recognized from following countries:

1. Russia 28%
2. Belarus 25%
3. Tajikistan 19%
4. Other 16%
5. Turkey 5%
6. Iraq 4%
7. Afghanistan 3%

Total number of applications to grant asylum in 2020 were 321. In 80 of those requests the outcome was to grant refugee status, 1 request was granted subsidiary protection. In 266 cases Migration department dismissed the request to grant asylum.

From 2021 end of March, Lithuania experiencing influx of the asylum-seekers crossing the Lithuanian-Belarus border. In April the number of the new asylum-seekers was 70, in May - 77, in June - 473 and in July reached 2023, on August the number raised over 4000 (on the 3rd of August).

The new asylum-seekers mostly come from the 5 countries (on the 3rd of August)):

1. Iraq (mostly kurdish nationals) - 2 714;
2. Republic of Congo – 200;
3. Cameroon – 131;
4. Syria – 129;
5. Iran – 91, same as Russia – 91.

Most of the new asylum-seekers belong to the vulnerable group. It means, that they have special needs: minors; health care attention; have traumas; disabled; pregnant women; single parents with minor children; unaccompanied minors. Because Lithuania do not have capacity to accomodate all the new arriving asylum-seekers, most of them are accommodated at the border control crossing points and nearby Lithuanian-Belarus border cities (schools or dormitories). Accomodation conditions are harsh. The government of Lithuania against influx responded by introducing draconian laws which severely restricts and violates rights of the asylum-seekers. Furthermore, authorities of Lithuania created a tent camp in the Foreigners registration centre (city of Pabrade), and are planing to expand tent camp and build module houses around different areas. In addition, Lithuanian authorities building concertina type barbed wire and in plans to built 2 meters height wall all along the Lithuanian-Belarus border.

Based on unconfirmed information current influx of an asylum-seekers partly organized by the Belarus authorities. At the same time, the human right situation in Iraq Kurdistan, Republic of Congo, Guinea, Iran, Syria, Afganistan is dire.

Today in Lithuanian news media asylum-seekers are labeled as illegal migrants, who should be deported and punished for the the illegal border crossing. Important note should be taken, asylum-seekers are not and could not be illegal migrants. By lodging asylum application, foreigner becomes an asylum-seeker and have right to stay in the country during asylum examination procedures. Principle of *non-refoulment* should strictly applied to the asylum-seekers.

Another note, in the Criminal code of Lithuania it is stated that:

Article 291. Illegal Crossing of the State Border

1. A person who illegally crosses the state border of the Republic of Lithuania shall be punished by a fine or by arrest or by a custodial sentence for a term of up to two years.

2. An alien who unlawfully enters the Republic of Lithuania seeking to exercise the right of asylum shall be released from criminal liability under paragraph 1 of this Article.

This principle, of releasing asylum-seeker from criminal liability, is called non-penalisation principle and comes from the Article 31 of the Convention of the refugee status:

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

What if...you want asylum in Lithuania?

First step is to lodge a request to grant asylum. In Lithuania, you must personally lodge request at the State border guard service (border control check points) (*Valstybės sienos apsaugos tarnyba prie LR VRM*) or at the Migration department (*Migracijos departamentas prie LR VRM*) chapters. There is no special form for the asylum application, and you can request asylum verbally. When you express request for the asylum you become an asylum-seeker. After initial procedural actions (taking fingerprints, initial interview), Migration department issues foreigners registration card.

An asylum-seekers have following rights:

- ✓ to be accommodated at the Foreigners' Registration Centre or the Refugee Reception Centre and to use the services provided therein;
- ✓ to receive compensation for the use of means of public transport where such use of the means of public transport is linked to the examination of the application for asylum;
- ✓ to make use of services of an interpreter free of charge;
- ✓ state guaranteed legal aid during appeal procedures and detention cases;
- ✓ to receive health care;
- ✓ to receive a monthly allowance.

There are two types of asylum examination procedures: general or accelerated/fast-track. The general asylum examination procedure takes up to 6 months of examination. If the asylum application is being examined in accelerated/fast-track the decision can be made in 10 days. Later the Migration department grants asylum (refugee status or subsidiary protection) or declines the request. If decision is to decline, then appeal procedure can follow. During appeal procedure state guaranteed legal aid is provided and an asylum-seeker is represented by government appointed lawyer.

Currently it is declared an extreme situation, because of the influx. Thus Migration department is obliged to make a decision in 10 days, while other rights of an asylum-seekers (right to appeal, freedom of movement, access to health care) are severely restricted.

If the asylum case is positive (asylum-seeker recognized as refugee and issued permanent residence permit or granted subsidiary protection and issued temporary residence permit), then integration period can start. Integration period is not obligation, it is personal choice of the person.

If the asylum-seeker recognized as refugee, then the list of rights from the 1951 by The Convention Relating to the Status of Refugees are applied.

<p>Article 4 Religion</p>	<p>Treatment at least as favorable as nationals with respect to freedom to practice religion and freedom as regards the religious education of their children.</p>
<p>Article 7 Exemption from reciprocity</p>	<p>Same treatment as is accorded to aliens generally.</p>
<p>Article 12 Personal status</p>	<p>Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a state, subject to compliance, if this be necessary, with the formalities required by the law of that State.</p>

Article 13 Movable and immovable property	Treatment as favorable as possible and not less favorable than that accorded to aliens generally.
Article 14 Artistic rights and industrial property	Same protection and respect of the protection of industrial property, such as inventions, designs or models, trademarks, trade names, and of rights in literary, artistic, and scientific works of a refugee as nationals.
Article 15 Right of association (non-political and non-profit-making associations and trade unions)	The most favorable treatment accorded to nationals of a foreign country, in the same circumstances.
Article 16 Access to courts	A refugee shall have free access to the courts of law and the same treatment as a national in matters pertaining to access to the Courts, including legal assistance.
Article 17 Wage-earning employment	The most favorable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage earning employment.
Article 18 Self-employment	Treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies.
Article 19 Liberal professions	Treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances.
Article 21 Housing	Treatment as favorable as possible and, in any event, not less favorable than that accorded to aliens generally in the same circumstances.
Article 22 Public education	Same treatment as is accorded to nationals with respect to elementary education.

	Treatment as favorable as possible, and, in any event, not less favorable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.
Article 23 Public relief	The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.
Article 24 Labor legislation and social security	The same treatment as is accorded to nationals in respect of the labor rights and social security.
Article 25 Administrative assistance	When the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting States in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities or by an international authority. The authority shall deliver or cause to be delivered under their supervision to refugees such documents or certifications as would normally be delivered to aliens by or through their national authorities.
Article 27 Identity papers	The states shall issue identity papers to any refugee in their territory who does not possess a valid travel document.
Article 28 Travel documents	The states shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory.
Article 29 Fiscal charges	The states shall not impose upon refugees' duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.

Article 32 Expulsion	States shall not expel a refugee lawfully in their territory save on grounds of national security or public order. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law.
Article 33 Prohibition of expulsion or return (refoulement)	No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
Article 34 Naturalization	As far as possible facilitate the assimilation and naturalization of refugees. They shall make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

Used sources:

The Convention Relating to the Status of Refugees

Republic of Lithuania Law on the Legal Status of Aliens (*Lietuvos Respublikos Užsieniečių teisinės padėties įstatymas*)

Statistics of the Migration department under Ministry of Interior available at official internet page: migracija.lrv.lt

Integration

When foreigner is granted asylum (refugee status or subsidiary protection) he is entitled to integration. Such foreigner can choose:

- ✓ Proceed integration in the Refugee reception center (city of Rukla);
- ✓ Start integration in the chosen municipality;
- ✓ Live by themselves without support for integration.

Integration at the Refugee Reception Center	Integration at the municipality
Integration period at the Refugee reception center can last up to 3 months, with a	Integration period in the municipality can last up to 12 months, with a possibility to

possibility to extend up to 6 months if person is considered as vulnerable.	extend up to 36 months if foreigner belongs to the vulnerable group.
Accommodation	A lump-sum settlement EUR 250 for an adult; EUR 125 for a child; EUR 1 375 for an unaccompanied minor upon coming of age
Social, psychological and health care services	Paid a monthly benefit for basic necessities which reaches EUR 250 per person for up to six months and EUR 125 from the seventh until the twelfth month. A family of two persons are paid EUR 375 for up to six months and EUR 187,5 from the seventh until the twelfth month. If a family consists of more than three persons, every other person is additionally paid EUR 62,5 per month for up to six months and EUR 31,25 from the seventh until the twelfth month
Basic necessities, a monthly petty money is provided 87.5 EUR.	A benefit (EUR 58,5) for school-aged children for the acquisition of essential school supplies is paid
A benefit for children is provided for the acquisition of school supplies 58,5 EUR.	A monthly compensation in the amount of EUR 62.4 for the expenses of children's education according to the pre-school and/or pre-primary education curricula is paid
A monthly compensation in the amount of EUR 62.4 for the expenses of children's education according to the pre-school and/or pre-primary education curricula is paid	Free of charge Lithuanian language lessons
Lithuanian language and culture courses are organized	NGO is appointed to be responsible for the integration. Mentors from Lithuanian Red

	Cross or Caritas will help find a job, rent an apartment, pay benefits and receive social services, organize Lithuanian language courses, organize kindergarten or school for the children, consult foreigners on social issues
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Used sources:

Description of the Procedure of Provision of State Support for the Integration of Persons Who Have Been Granted Asylum (*Valstybės paramos prieglobsčio gavėjų integracijai teikimo tvarkos aprašas*)

Rights of the foreigners

Right	Refugee status or permanent residence permit	Subsidiary protection or temporary residence permit	Citizen of Lithuania
Maternity benefit	The minimal maternity benefit can be no smaller than EUR 240 per month.	Same	Same
Paternity benefit	The minimal paternity benefit can be no smaller than EUR 240. The maximal paternity benefit is EUR 2336,56	Same	Same
Child care benefit	Childcare allowance is paid to one of the parents or guardian or one of the grandparents (grandparents have the right to receive the childcare benefit only if one of parents (adoptive	Same	Same

	parents) of the child has the right caring for the child). The benefit is paid if you have a record of social security payments for at least 12 of the previous 24 months, until the first day of the child care leave.		
Child benefit	In Lithuania, every child until the age of 18 receives a monthly 70 EUR financial contribution. The term can be extended up to the age of 21.	Same	Same
Lump-sum for baby born	For each born or adopted child, regardless of the fact that the benefit has already been paid out to the child after he/she is born, a single payment in the amount of 11 base social benefits (440 Euros) is granted.	Same	Same
Lump-sum benefit for pregnant women	A pregnant woman who is not entitled to maternity allowance under the Law on Sickness and Maternity	Same	Same

	Social Insurance is entitled to a lump sum benefit of amount of EUR 257,20		
Benefit for multiple births	In the case of twins, the monthly amount is four times the basic social benefit (EUR 156)	Same	Same
Child care benefit for those in training or education	A parent or guardian of a child is entitled to a monthly benefit equivalent to six times the basic social benefit (EUR 234) during a period of training or studies and for 12 months after the period is over.	Same	Same
Financial assistance	Financial assistance to disadvantaged residents (family allowances, social allowances, compensation for heating, cold and hot water expenses, and others) or social services	Some exemptions	Same
Unemployment benefit	In order to qualify for unemployment benefit, a jobseeker is required to have been employed for at least 12 months in the last 30	Same	Same

	months prior to registration.		
Health insurance	Compulsory	Compulsory	Compulsory
Education	No restrictions	No restrictions	No restrictions
Political rights	Have the right to vote and to be elected in municipal elections. Also have right of association. Can be members of public institutions, small community and religious organisations, as well as members of religious communities and societies	None, only can be members of public institutions, small community and religious organisations, as well as members of religious communities and societies.	No restrictions

For more information, please contact SoDra:

Internet page: <https://www.sodra.lt/en>

Phone number 1883 or (+370 5) 250 0883

E-mail: info@sodra.lt

Working hours:

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

Konstitucijos av. 12-101, 09308 Vilnius

And

Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*):

Internet page: <https://socmin.lrv.lt/en/>

Phone number: +370 5 266 42 01

E-mail: post@socmin.lt

Working hours:

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

A. Vivulskio st. 11, 03610 Vilnius

For more information regarding unemployment benefit please contact Employment Service Under the Ministry of Social Security and Labour of the Republic of Lithuania (*Užimtumo tarnyba*):

Internet page: <https://uzt.lt/en/>

Phone number: 1883 or +370 5 250 0883

E-mail: info@uzt.lt or eures@uzt.lt

Working hours:

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

Geležinio Vilko str. 3A, 03131 Vilnius

Permanent residence permit and long-term resident of the Republic of Lithuania to reside in the EU

If you have lived in the Republic of Lithuania for 5 consecutive years and have not departed from the territory of the Republic of Lithuania and other EU member states for a period not exceeding 6 consecutive months or for a period not exceeding 10 months during the whole 5 years, you had a temporary residence permit in the Republic of Lithuania, have passed the examinations of the official language and the basic of the Constitution of the Republic of Lithuania, you may apply for a permit of a long-term resident of the Republic of Lithuania to reside in the EU.

Five-year period of residence in the Republic of Lithuania shall not include the time lived in the Republic of Lithuania:

- under visa-free regime;
- with a Schengen visa;
- with a national visa issued by the Republic of Lithuania or another state of the Schengen Area;

- an EU residence card issued by another Member State of the EU;
- a residence permit issued by another state of the Schengen Area.

If the foreigner is issued with the temporary residence permit, based on the studies, only half of the lived time will be included. However, if the foreigner completed studies, obtained a higher education qualification, the period of residence will include the entire period lived with a temporary residence permit.

If you have been issued a permit of a long-term resident of the Republic of Lithuania to reside in the EU, you have the right to reside in the Republic of Lithuania, to choose and change your place of residence in the Republic of Lithuania, to depart from the Republic of Lithuania and to come back to the Republic of Lithuania during the period of validity of the permit.

If you possess a permit of a long-term resident of the Republic of Lithuania to reside in the EU, you have the right to reside in the territory of another member state of the EU during the period exceeding 3 months for the purposes of economic activity, studies, vocational training or other purposes. After having come to another member state of the EU you have to apply to the migration service of the state requesting to issue a residence permit within 3 months after the arrival at the latest. In such cases another EU member state in which you are seeking to obtain a residence permit may require you to present documents evidencing that you have constant and regular income and health insurance.

If you possess a temporary residence permit in the Republic of Lithuania or a permanent residence permit in the Republic of Lithuania and intend to settle in another EU member state, you have to apply to the migration services of the state or diplomatic or consular institutions of the state for a residence permit in that state under the ordinary procedure applicable to all foreign nationals in that state.

What if...you decide to buy property?

You can buy house, flat, building without any restrictions, and you don't need any permissions. You can buy house, flat, building directly from the owner, or you can use real estate agency. Main steps is to sign agreement and make payment. The sales contract should be notarized and new ownership updated in the Center of Registration. It should be mentioned, that acquired property does not grant resident permit in Lithuania.

Regarding acquiring land, the legal persons must meet criteria of European and transatlantic integration principle embarked on by Lithuania in order to acquire land. This means, that legal persons must be set up in:

1) the European Union member states or states parties to the Europe (Association) Agreement concluded with the European Communities and their member states;

2) Member states of the Organisation for Economic Co-operation and Development, North Atlantic Treaty Organisation and states parties to the European Economic Area Agreement.

Same criteria applies to the foreigners with permanent residence. Acquiring land for purposes for farming/agriculture or forests is forbidden.

Used source:

The Constitutional law of the Republic of Lithuania on the implementation of paragraph 3 of Article 47 of the Constitution of the Republic of Lithuania (*Lietuvos Respublikos Konstitucijos 47 straipsnio 3 dalies įgyvendinimo konstitucinis įstatymas*).

What if...you want to become citizen of Lithuania?

You can acquire Lithuanian citizenship:

- ✓ By birth;
- ✓ By naturalization;
- ✓ By simplified procedure;
- ✓ By the way of exemption;

Through naturalization you can acquire citizenship if you have continuously lived in the Republic of Lithuania for 10 years. If you are married to a citizen of the Republic of Lithuania, you can apply for the citizenship of the Republic of Lithuania if you and your spouse have jointly and continuously lived in the Republic of Lithuania for 7 years.

For more information, please contact Migration department:

Internet page: migracija.gov.lt

Phone number: 8 707 67000

E-mail: info@migracija.gov.lt

Working hours:

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

L. Sapiegos g. 1, 10312 Vilnius

What if...you want to receive public services?

In Lithuania, the public services are usually accessible via e-government system, which is called *valdžios e. vartai*. Usually to login to the e-government system you must use your bank account.

If you have personal question or request you can send inquiries via email or post. If you send your request via email your document must be signed by digital signature and have attached document proving your identity. If you decide to send request via post, then additionally to request you should attach copy of your identity document. In case you sent your request via post, we recommend to send it as registered letter and keep the check. The check would give you ability to trace the letter and prove that you sent your request. Also, we recommend to mention in request, that answer you wish to receive via email, as it will be more convenient.

After receiving your request, institution will have 20 working days to give you reply. If, after 20 working days, the institution won't reply, then you can contact institution and ask about your request (for example, in case you sent it via post, you can give registration number to the official). If you won't have any reply after 20 working days, then you can submit a complaint against institution.

What if...you need state guaranteed legal aid?

Please contact State guaranteed legal aid service (*Valstybės garantuojama teisinės pagalbos tarnyba*):

Internet page: <https://vgtpt.lrv.lt/en/>

Phone number: 8 700 00 211

E-mail: teisinepagalba@vgtpt.lt

Working hours:

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

Odminių g. 3, 01122 Vilnius

What if...authorities violated your human rights?

Please contact the Seimas Ombudsmen's Office (*Seimo kontrolieriaus įstaiga*):

Internet page: <https://www.lrski.lt/en/>

Phone numbers: +370 706 65105 // 8 800 22100 (Free line)

E-mail: ombuds@lrski.lt

Working hours

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

Gedimino ave. 56, 01110 Vilnius

What if...you bought broken products?

Please contact State Consumer Rights Protection Authority (SCRPA) (*Valstybinė vartotojų teisių apsaugos tarnyba*):

Internet page: <https://www.vvtat.lt/en>

Phone numbers: +370 5 262 6760 // +370 5 262 6751

E-mail: tarnyba@vvtat.lt

Working hours

I-IV 8.00 - 17.00

V 8.00 - 15.45

Lunch break I-V 12.00 - 12.45

Vilniaus str. 25, 01402 Vilnius

What if...you experienced discrimination, hate crime or harassment?

Please contact Office of the Equal Opportunities Ombudsperson (*Lygių galimybių kontrolieriaus tarnyba*):

Internet page: <https://www.lygybe.lt>

Phone number: +370 706 63899

E-mail: lygybe@lygybe.lt

Working hours:

I - IV 7.00 – 6.00

V 7.00 – 3.45

Lunch break 12.00 - 12.45

Working hours on last working day preceding the public holiday 1 hour shorter

Gedimino Ave. 11, 01103 Vilnius

A complaint shall be filed within three months from the day of action against which the complaint is filed. Complaints filed after the expiry of this time limit are not examined. The complaint shall be submitted in writing by:

- post (Gedimino Ave. 11, LT-01103 Vilnius);
- e-mail (lygybe@lygybe.lt);
- filling in the electronic complaint form via <https://www.lygybe.lt/en/e-complaint>
- delivering the written complaint directly to the registry of the Office of the Equal Opportunities Ombudsperson (Gedimino Ave. 11, LT-01103 Vilnius).

What if...child rights are being violated?

Please contact State Child Rights Protection and Adoption Service (SCRPAS) under the Ministry of Social Security and Labour (*Valstybės vaiko teisių apsaugos ir įvaikinimo tarnyba*):

Internet page: <https://vaikoteises.lt/home/>

Phone number: +370 5 231 0928

E-mail: info@vaikoteises.lt

Working hours

V-IV– from 8.00 AM to 5.00 PM

V – from 8.00 AM to 3.45 PM

Lunch break – from 12.00 PM to 12.45 PM

Labdariai str. 8, 03221 Vilnius

The Ombudsman for Children Rights (*Vaiko teisių apsaugos kontrolieriaus įstaiga*) – in accordance with the procedure laid down by the law exerts a role of supervision and control of ensuring children rights and legitimate interests and their protection, investigates cases of violation of children's rights and legitimate interests, seeks to improve the situation of the children's rights protection in Lithuania.

Internet page: vtaki.lt

Phone: (8 5) 210 7176

E-mail: vtaki@vtaki.lt

Working hours:

I - IV 7.00 – 6.00

V 7.00 – 3.45

Lunch break 12.00 - 12.45

Plačioji str. 10, 01308 Vilnius

What if...you want to create a family?

Marriage is a voluntary agreement between a man and a woman to create legal family relations executed in the procedure provided for by law. Marriage may be contracted only with a person of the opposite gender. Marriage can be contracted by a man and a woman of their own free will. Any threat, coercion, deceit or any other lack of free provide the grounds on which the marriage declared null and void.

The minimum age to marry is 18. The minimum age can be lowered till 16, but only by the decision of the court. In cases of the pregnancy, court lower the marriage age below 16. Marriage between parents and children, adopters and adoptees grandparents and grandchildren, real or foster-brothers and real or foster-sisters, cousins, uncles and nieces, aunts and nephews shall be prohibited. Marriage can be registered only between man and women.

In Lithuania you can have civil or religious marriages. In order religious marriage to be officialy recognized, persons still need to pass the civil procedure.

When submitting an application, the presence of both persons is obligatory.

Marriages are registered at the Civil registry (*Civilinė metrikacija*).

After marriage, all the acquired property and credits are presumed to be belonging to both spouses. After the commencement of their marriage property becomes joint community property. All property is be presumed to be joint community property unless it is established that it is the individual property of the spouse.

The spouses are equal in every aspect of the life. The Civil Code of the Republic of Lithuania states:

Article 3.27. The duty of spouses to support each other

1. Spouses must be loyal to and respect each other; they must support each other morally and financially and contribute toward the common needs of the family or the needs of the other spouse in proportion to their respective capabilities.

2. Where due to objective reasons one of the spouses is unable to make a sufficient contribution toward the common needs of the family, the other spouse must do that in accordance with his or her abilities.

What if...you want to divorce?

Marriage in Lithuania can be dissolved by:

- Mutual agreement
- Request from one of the spouses;
- One the basis of the fault of one or both of the spouses

A marriage shall be considered to be dissolved on the date when the divorce judgement becomes final and consequences are followed. After divorce, a spouse may retain his or her married surname or the surname he or she had before the marriage. Where a marriage is dissolved on the basis of the fault of one of the spouses, the court may, at the request of the other spouse, prohibit the spouse at fault from retaining his or her married surname, except in cases where the spouses have children.

Rights of children

Minor and children is considered a person who is above 18 years old. Importantly, parents have their duties in relation to their children no matter if the children are born during marriage or outside the marriage. The status of the children is the same disregarding are they born during marriage or outside the marriage. The power over child is end when the child reaches 18 years:

In Lithuanian law it is established, that both of the spouses must raise their children and duties are even:

Article 3.30. Duties of the spouses in respect to their children

Spouses must maintain and bring up their children of minor age, care for their education and health, ensure the child's right to personal life, inviolability of his or her

personality and freedom, the child's property, social and other rights laid down in the domestic and international law.

In the Civil code of Lithuania the children rights are explicitly stated:

Article 3.161. Children's rights

1. Every child shall have an inalienable right to life, healthy development and a name and surname from birth.

2. A child shall have a right to know his or her parents unless that prejudices his or her interests or the law provides for otherwise.

3. A child shall have a right to live with his or her parents, be brought up and cared for in his or her parents' family, have contact with his or her parents no matter whether the parents live together or separately, have contact with his or her relatives, unless that is prejudicial to the child's interests.

4. Children shall have no ownership rights to the property of their parents and the parents shall have no ownership rights to the property of their children. Children's property rights are defined in this and the other Books hereof.

5. Children born within or outside marriage shall have equal rights.

6. Children's rights shall not be affected by their parents' divorce, separation or nullity of marriage.

In considering any question related to a child, the child, if capable of formulating his or her views, must be heard directly or, where that is impossible, through a representative. Any decisions on such a question must be taken with regard to the child's wishes unless they are contrary to the child's interests.

What if...you want family reunification?

Law on the Legal Status of Aliens of the Republic of Lithuania Article 2 part 26:

Family members mean the spouse or the person with whom a registered partnership has been contracted, minor children/adopted children (hereinafter: 'children'), including the minor children of the spouse or the person with whom a registered partnership has been contracted, on condition that they are not married and are dependent, as well as direct relatives in the ascending line who have been dependent for at least one year and are unable to use the support of other family members residing in a foreign state.

Foreigners who have been granted asylum are entitled to reunify with their families. Family member may apply for a residence permit in the Republic of Lithuania on the grounds of family reunification personally or you may apply on behalf of this family member.

within 3 months from the date of granting the refugee status or subsidiary protection for you, family members of refugees or those who were granted subsidiary protection are subject to a more simple procedure for issuing a residence permit.

Family members of a refugee (except a minor child of a refugee) are issued a temporary residence permit in the Republic of Lithuania; for the first time, it is issued for 1 year, and later changed for 2 years. A minor child of a refugee is issued a permanent residence permit in the Republic of Lithuania which is valid for 5 years.

Used sources:

Republic of Lithuania Law on the Legal Status of Aliens (*Lietuvos Respublikos Užsieniečių teisinės padėties įstatymas*)

Civil Code of Lithuania (*Lietuvos Respublikos Civilinis kodeksas*)

What if...you have conflict with employer?

Please contact State labour inspectorate of the Republic of Lithuania (*Darbo ginčų komisija DGK*):

Internet page: <https://www.vdi.lt/Forms/EN.aspx>

Phone: +370 5 265 0193

E-mail: info@vdi.lt

E. inquiry: <https://www.vdi.lt/Forms/inquiry.aspx>

19 Algirdo str., 03607 Vilnius

What if...you want to start business?

Living in Lithuania you can establish such types of business:

- ✓ Self-employment as private person (individual activity (*individuali veikla pagal pažymą*) or business certificate (*verslo liudijimas*));
- ✓ Establishing joint-stock company (*uždaroji akcinė bendrovė*);
- ✓ Establishing small partnership (*mažoji bendrija*);
- ✓ Establishing personal enterprise (*individuali įmonė*).

If you decide to start self-employment, then you can choose between business certificate (*verslo liudijimas*) or individual activity (*individuali veikla pagal pažymą*).

Business certificate (*verslo liudijimas*) is issued only for certain types of activities. Having business certificate means, that that you have paid a fixed fee for a business certificate and have the right to perform the activities indicated in the business certificate for a certain period of time.

Individual activity (*individuali veikla pagal pažymą*) has vast list of activities of which you can choose to start. Also there is no fixed fee for starting individual activity, time-limit and the procedure is simple. Thus individual activity is more common and convenient as form of self-employment.

No matter of the form of self-employment, to be self-employment you must approach State Tax Inspectorate. In self-employment situation you are personally responsible for your commercial activity.

Most popular and common forms of business enterprises in Lithuania are:

- ✓ Joint-stock company (*uždaroji akcinė bendrovė*);
- ✓ Small partnership (*mažoji bendrija*);
- ✓ Personal enterprise (*individuali įmonė*).

	Small partnership (Mažoji bendrija)	Private limited liability company (Uždaroji akcinė bendrovė)	Individual enterprise (Individuali įmonė)
Minimum number of participants	1 (member)	1 (shareholder)	1 (owner)
Founders	Private persons	Private and/or legal persons	Private persons
Maximum number of participants	10 members.	Unlimited	1 owner.

Minimum amount of the capital.	Members chooses themselves	Not less than 2 500EUR	This requirement is not applicable.
Participant's liability for the commitments of the legal entity	A small partnership member has limited civil liability	A shareholder has limited civil liability	Owner of an individual enterprise has unlimited civil liability
Internal structure	<p>Founders (members) of the small partnership can choose one of the two structures of the small partnership:</p> <p>A meeting of members of the small partnership; and the single-person management body, i.e., the head of the small partnership, with whom a civil agreement is concluded.</p>	<p>a general shareholders' meeting and head of the company.</p> <p>A supervisory council and the board, can be established.</p> <p>A job agreement is concluded with the head of the company.</p>	<p>Usually, the owner of an individual enterprise is the head of the company.</p> <p>When another person is appointed the head of an individual enterprise, this person acts on behalf of the individual enterprise, and the owner of the individual enterprise acts only within his competence as a meeting of members.</p>
The principle of voting	Usually, it is 1 member per one vote, but may specify otherwise.	1 share per 1 vote	The decisions are made by the owner of the individual enterprise.
Distribution of profit	Profit is distributed proportionally	The amount of dividends paid to	Everything goes to the owner of the

	according to the amount of the contributions made, but may specify.	shareholders is proportionate to the nominal value of shareholders' shares.	individual enterprise.
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For more information please check:

Enterprise Lithuania, <https://www.enterpriselithuania.com/en/start/types-of-companies/>

RenkuosiLietuva, <https://www.renkuosilietuva.lt/en/starting-a-business/>

Information from the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania:

Internet page: <https://www.vmi.lt/evmi/en/>

Phone number: 1882 or +370 5 260 5060

Training “CULTURAL DIVERSITY”

Session 1. Differences

Handout # 1

Top 10 benefits of diversity in the workplace

#1: Variety of different perspectives

Diversity in the workplace ensures a variety of **different perspectives**.

Since it means that employees will have different **characteristics and backgrounds**, they are also more likely to have a variety of different **skills and experiences**.

Consequently, employees in a company with higher workplace diversity will have access to a **variety of different perspectives**, which is highly beneficial when it comes to planning and executing a business strategy.

#2: Increased creativity

In addition to having a variety of different perspectives from people with different backgrounds, the exposure to a such variety leads to increased creativity.

When you put together people who see the same thing in different ways, you are more likely to get a **melting pot of fresh, new ideas**, thus improving the creativity of your workforce.

#3: Higher innovation

Diversity in the workplace leads to **higher innovation rate**.

According to [Josh Bersin's research](#), inclusive companies are **1.7 times more likely** to be **innovation** leaders in their market.

In a diverse workplace, employees are exposed to **multiple perspectives and worldviews**. When these various perspectives **combine**, they often come together in **novel** ways, opening doors to **innovation**.

#4: Faster problem-solving

Companies with higher workplace diversity **solve problems faster**.

[Harvard Business Review](#) found diverse teams are able to **solve problems faster** than cognitively similar people.

Employees from diverse backgrounds have different experiences and views, which is why they are able to will **bring diverse solutions** to the table. Thus, the best solution can be chosen **sooner**, which leads to **faster** problem-solving.

#5: Better decision making

Workplace diversity leads to **better decision-making** results.

A [white paper from the online decision-making platform Cloverpop](#) has found a **direct link** between workplace diversity and decision-making. Researchers found that when diverse teams made a business decision, they **outperformed** individual decision-makers **up to 87%** of the time.

When employees with different backgrounds and perspectives come together, they come up with **more solutions**, which leads to the more **informed** and improved decision-making **processes and results**.

#6: Increased profits

Companies with greater workplace diversity achieve **greater profits**.

McKinsey & Company, a global management consulting firm, conducted [research](#) that included 180 companies in France, Germany, the United Kingdom, and the United States. They found out that companies with more diverse top teams were also **top financial performers**.

Companies with a diverse workforce make **better decisions faster**, which gives them a **serious advantage** over their competitors. As a result, companies with diversity in the workplace achieve **better business results and reap more profit**.

#7: Higher employee engagement

Workplace diversity leads to **higher employee engagement**.

Deloitte conducted [research](#) that captured the views and experiences of 1,550 employees in three large Australian businesses operating in manufacturing, retail and healthcare. This research showed that **engagement is an outcome of diversity and inclusion**.

The **link** between workplace diversity and employee engagement is pretty **straightforward** - when employees feel **included**, they are more **engaged**.

#8: Reduced employee turnover

Workplace diversity is beneficial for **employee retention**.

Companies with a diverse workforce are generally more **inclusive** of different individual characteristics and perspectives.

Diversity and inclusion in the workplace cause all employees to feel **accepted and valued**. When employees feel accepted and valued, they are also **happier** in their workplace and **stay longer** with a company. As a result, companies with greater diversity in the

workplace have **lower turnover** rates. By creating commitment to diversity and employees create a sense of belonging to the company and are less likely to leave.

#9: Better company reputation

Companies that are dedicated to building and promoting diversity in the workplace are seen as **good**, more **human** and **socially responsible** organizations which ultimately creates a better reputation for the brand.

Workplace diversity also makes your company look more **interesting**. Finally, if you present a diverse workforce, you will make it easier for many different people to **relate** to your company and your brand, opening doors to **new markets, customers and business partners**.

#10: Improved hiring results

Diversity in the workplace boosts a company's **employer brand** and presents a company as a more **desirable place to work**. Workplace diversity is an **especially** beneficial asset for **attracting** top talent from **diverse talent pools**.

According to a survey conducted by [Glassdoor](#), **67% of job seekers** said a diverse workforce is **important when considering job offers**.

<https://www.talentlyft.com/en/blog/article/244/top-10-benefits-of-diversity-in-the-workplace>

Training “CULTURAL DIVERSITY”

Session 2. Identity

Handout # 2

DESCRIBE YOUR FAMILY MEMBERS/FRIENDS

1. Choose two of your family members/friends
2. Tick three main characteristics of your family members/friends out of all offered in the table

Characteristics	Family members/Friends	
	Name: _____	Name: _____
Kind		
Hard-working		
Disciplined		
Likes to read books		
Likes farming		
Likes drawing		
Dark skinned		
Fair-haired		
Friendly		
Strict		

Answer to the following questions:

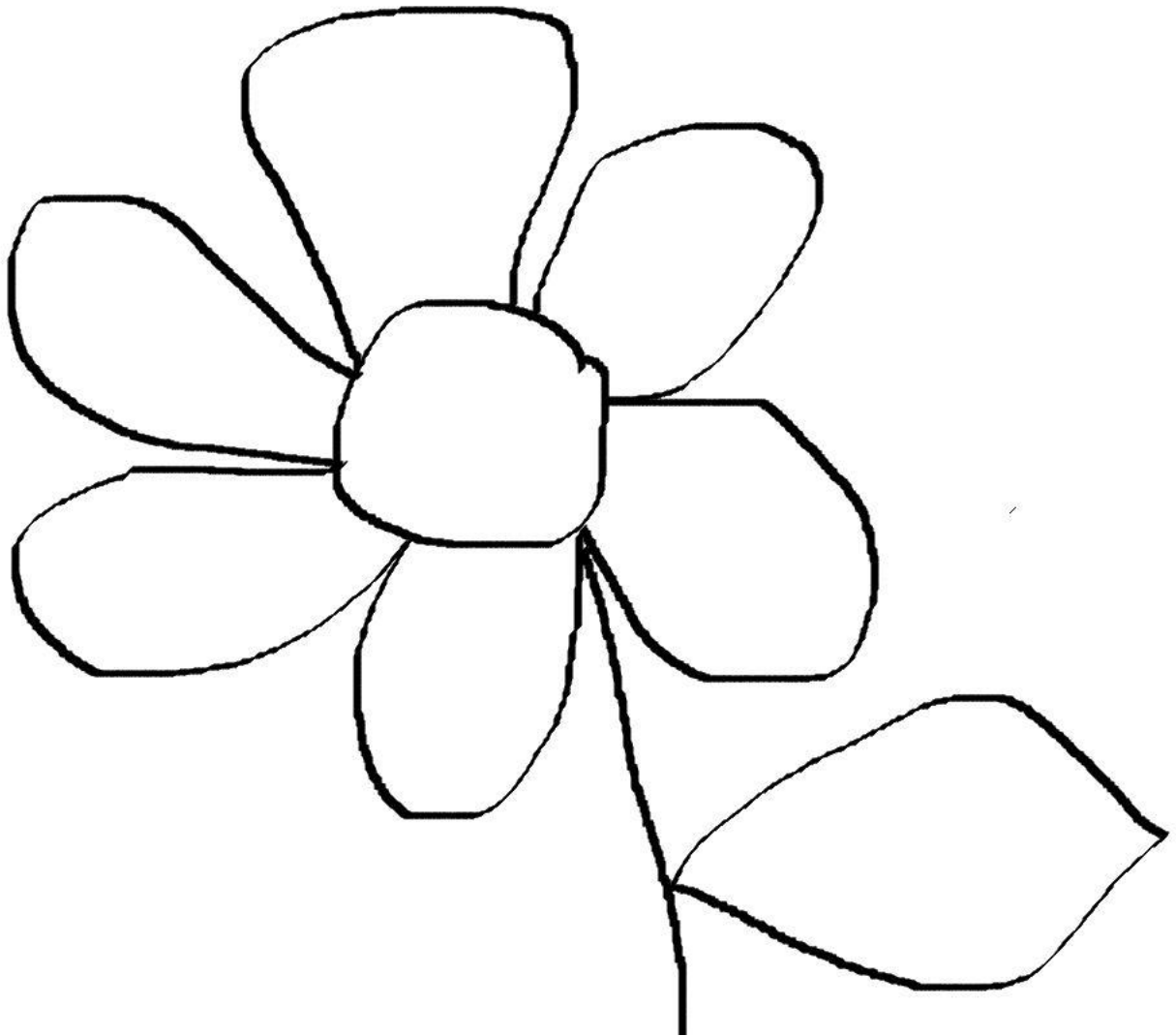
1. Why they are different?
2. Do they usually coexist?
3. Is it possible to be different and to stay connected?

Training “CULTURAL DIVERSITY”

Session 2. Identity

Handout # 3

Identity Flower



- **Why we can belong to different groups of people at the same time?**
- **Why does every identity consist of these different components?**
- **What is the difference between human features and human identity?**

Training “CULTURAL DIVERSITY”

Session 3. Stereotyping

Handout # 4

What is Stereotyping?

Introduction

Stereotypes are generalizations about the personal attributes or characteristics of a group of people (e.g., Allport, 1954). Societal stereotypes exist about a broad range of social groups and can vary by context or situation. Many stereotypes have a long history and were created as a result of specific economic, political, or social circumstances. Stereotyping is a cognitive process in that it involves associating a characteristic with a group, but it can also involve, lead to, or serve to justify an affective reaction toward people from other groups (e.g., Allport, 1954; Link and Phelan, 2001).

Stereotypes are learned, and can be both explicitly and implicitly taught or reinforced to people through many different social influences, including but not limited to friends and family, neighbours, teachers, peer groups, as well as larger societal influences. As one important example, the media have often been studied and discussed in terms of the role that they play in creating, promoting, and sustaining stereotypes of many different groups through the representations that they present, as the media have a large influence on many people. Some groups are generally underrepresented in the media, yet the images that do exist in the media are disproportionately stereotypical (e.g., Mastro and Greenberg, 2000). These media representations can affect people's endorsement of stereotypes, especially if people do not have frequent, close contact with members of the groups being represented outside of what they see in the media.

<https://www.sciencedirect.com/topics/medicine-and-dentistry/stereotyping>

Training “CULTURAL DIVERSITY”

Session 4. Critical thinking

Handout # 5

What is Critical Thinking?

Critical thinking is the ability to think clearly and rationally, understanding the logical connection between ideas. Critical thinking has been the subject of much debate and

thought since the time of early Greek philosophers such as Plato and Socrates and has continued to be a subject of discussion into the modern age, for example the ability to recognise [fake news](#).

Critical thinking might be described as the ability to engage in reflective and independent thinking.

In essence, **critical thinking requires you to use your ability to reason. It is about being an active learner rather than a passive recipient of information.**

Critical thinkers rigorously question ideas and assumptions rather than accepting them at face value. They will always seek to determine whether the ideas, arguments and findings represent the entire picture and are open to finding that they do not.

Critical thinkers will identify, analyse and solve problems systematically rather than by intuition or instinct.

Someone with critical thinking skills can:

- Understand the links between ideas.
- Determine the importance and relevance of arguments and ideas.
- Recognise, build and appraise arguments.
- Identify inconsistencies and errors in reasoning.
- Approach problems in a consistent and systematic way.
- Reflect on the justification of their own assumptions, beliefs and values.

Read more at: <https://www.skillsyouneed.com/learn/critical-thinking.html>

Training “CULTURAL DIVERSITY”

Session 5. Cultural Diversity and Coexistence

Handout # 6

CULTURAL DIVERSITY

Questions and Answers

- What do you mean by cultural diversity?

Cultural Diversity is **the existence of a variety of cultural groups within a society**. Cultural groups can share many different characteristics. ... Culture, religion, ethnicity, language, nationality, sexual orientation, class, gender, age, disability, health differences, geographic location and lots of other things.

- Why should cultural diversity be preserved?

It is important to preserve our cultural heritage, **because it keeps our integrity as a people**. The importance of intangible cultural heritage is not the cultural manifestation itself but rather the wealth of knowledge and skills that is transmitted through it from one generation to the next.

- Why is cultural diversity necessary for the development of people?

It helps dispel negative stereotypes and personal biases about different groups. In addition, cultural diversity helps us **recognize and respect “ways of being”** that are not necessarily our own. ... As people from diverse cultures contribute language skills, new ways of thinking, new knowledge, and different experiences.

<https://www.ohchr.org/en/professionalinterest/pages/culturaldiversity.aspx>

Training “CULTURAL DIVERSITY”

Session 5. Cultural Diversity and Coexistence

Handout # 7

WHAT DOES “CULTURALLY DIVERSE” MEAN?

The term “culturally diverse” is often used interchangeably with the concept of “multiculturalism.”

Sociologist Dr. Caleb Rosado, who specializes in diversity and multiculturalism, described seven important actions involved in the definition of multiculturalism:

- **recognition** of the abundant diversity of cultures;
- **respect** for the differences;
- **acknowledging** the validity of different cultural expressions and contributions;
- **valuing** what other cultures offer;
- **encouraging** the contribution of diverse groups;
- **empowering** people to strengthen themselves and others to achieve their maximum potential by being critical of their own biases; and
- **celebrating** rather than just tolerating the differences in order to bring about unity through diversity.

<https://www.partnershipinternational.ie/why-is-cultural-diversity-important/>

Training “CULTURAL DIVERSITY”

Session 5. Cultural Diversity and Coexistence

Handout # 8

Value of Multicultural Education in America

Multicultural education emerged in the 1990 s to address the educational needs of our modern society, a society that is a blend of diverse cultures. Carrying the legacy of the 1960 s and 1970 s, a period of profound social change when the people of our nation re-examined their cultural heritage, multicultural education presents and examines the values and practices of other cultures objectively and critically. Although founded on Western culture, American culture has always been diverse, both religious and ethnic. Multicultural education views

such diversity as subcultures to Americas majority culture, rather than separate from it.

Controversy surrounds whether or not multicultural education should be implemented in our public school system. While proponents believe multicultural education will begin to unite a divided nation, opponents of this idea believe it will cause racial schisms fragmenting our nation. "The reason for the controversy over multicultural education is that in practice it offers a specific paradigm for understanding both Western and non-Western cultures (Schmidt ix). " Western Traditionalists prefer the "melting pot" ideology that America is a culture based on the pursuit of personal freedom and economic opportunities regardless of ethnicity. It is the coming together of separate cultures into one common culture, American. People from non-Western cultures choose to immigrate to America, and should therefore be taught by a public school system based on Western culture. A look at a 1990 census shows that the American population has changed more noticeable in the last ten years than in any other time in the twentieth century, with one out of every four Americans identifying themselves as African American, Hispanic, Asian, Pacific Islander, or American Indian (U. S.Census).

A variety of people, from educators to philosophers, agree that an important first step in successfully joining multiple cultures is to develop an understanding of each other's background. By exposing children to the ideas and customs of other cultures, they can better understand and appreciate the differences that coexist in our society. "If we teach children to identify only with members of their own race or ethnic culture, we run the risk of promoting and sanctioning ethnocentrism and prejudice (Ravitch 10). " Through multicultural education, America's youth are exposed to the ethnic diversity of our society and are taught tolerance, a respect for differing opinions, and the cooperation of working towards a common goal. Multicultural education is an idea which first took seed in the 1960 s, germinated during the following two decades, and came to fruition in the 1990 s.

It is a means to becoming a tolerant society; a place where people having a variety of cultural and ethnic backgrounds can live harmoniously. Multicultural education addresses how the contributions of these different groups have enriched our society. A society where "our common culture is multicultural (Ravitch 10). " One of the strengths of multicultural education is learning about other cultures in order to gain a broader understanding of the world. It promotes positive change for persons of all cultures.

It involves not only teaching the majority group about minorities, but also teaching minority groups about the majority. The Western Traditionalist view of America as a "melting pot" is based on the historical influx of immigrants attempting to escape poverty, religious persecution, and oppression, in search of economic opportunities, personal freedom, and a better quality of life. People of differing cultural and ethnic backgrounds sought this land of opportunity with the hope of becoming an American. "The point of America was not to preserve old cultures, but to forge a new, American culture (Schlesinger 21). " The majority of Americans are from white European descent, and the foundations of our nation were based on Western culture. Civics, a curricular area taught from elementary school to high school, strives to teach the American ideals of freedom, the pursuit of happiness, and the duties and obligations of its citizens. These ideals are not based on non-Western cultures, and therefore are not expected to be adapted to address minority groups. Proponents of the Western Traditionalist ideology oppose multicultural education claiming that it will, instead of uniting cultures, actually divide them.

A presumably united nation may become fragmented if each subculture is not assimilated into the common culture. They also believe that it contradicts democratic tradition, the cornerstone of American society. "The genius of America lies in its capacity to forge a single nation from peoples of remarkably diverse racial, religious, and ethnic origins. It has done so because democratic principles provide both the philosophical bonds of union and practical experience in civic participation. The American Creed envisages a nation composed of individuals making their own choices and accountable to themselves, not a nation based on inviolable ethnic communities (Schlesinger 134). " People are free to live as they please, keeping their ethnic heritage intact, with the understanding that their subculture is subordinate to the common culture of America, a nation founded upon Western cultural ideals. These foundations of our nation, the ideals that compel people from the corners of the globe to immigrate here, unify its citizens into Americans. Multicultural education does not disregard the idea of a common culture.

However, multiculturalism, often confused with multicultural education, does.

"Multiculturalism encourages immigrants and other minorities to retain their foreign cultures

by not assimilating into the Euro-American culture (Schmidt 3). " All cultures are presumed to be equally worthy of study and respect. No one culture is considered to be superior or inferior to another. Multiculturalism denies Western cultural superiority, which challenges the Western Traditionalist view. Multicultural education recognizes that American culture is a mixture of diverse ethnic groups, but these diversities are subordinate to Americas majority culture rather than equal to it. Through multicultural education, students become aware of ethnic groups and how they are similar and different from each other. "Cultural differences enrich rather than diminish our society (Hanley 1). " Therefore, multicultural education is a necessary component of the public school curriculum. Its objectives include teaching commonalities of all people through understanding their social and cultural differences, using instructional methods that value cultural knowledge and differences, and the teaching of tolerance, as students become agents of social change. "In a democratic, multicultural society all children must be educated about the multiple strands of the past that have created the webs of the present.

For example, African American students must learn about Asian Americans and Latino Americans, all of whom need to understand the journey of Native Americans, and vice versa (Hanley 3). " When students learn about different ethnic groups, it leads to an understanding of the commonality of people. It is the similarities of people, regardless of their ethnicity, that leads to a sense of humanity and a common culture. "It is the role of the public school to open the children's minds to new worlds, new ideas, new possibilities (Ravitch 8). " It is imperative that educators teaching children from different cultures, specifically non-Western ones, be sensitive to the cultural differences that may inhibit learning in order to effectively teach these children. Teachers must delve beneath the surface of cultural traits in order to understand the social realities and pressures that influence the child's ability to acquire and understand new information. Acquiring knowledge includes acquiring a set of cultural norms, which may vary substantially from the child's native culture. "Each child's culture forms the template through which he or she perceives the world, and the second culture is naturally filtered through the first (Meyer 17). " Contact between cultures may result in misunderstandings because of differing perceptions, behaviours, customs, and ideas. Educators must be encouraged to use multicultural education as a vehicle to bridge the differences between the foreign and American cultures. Multicultural education can also be a vehicle in which to teach tolerance.

Exposure to different cultures fosters an appreciation for the differences and similarities between ethnic groups. Teaching about the differences and similarities between cultures does not divide our nation, but rather encourages a sense of commonality, which helps to alleviate misunderstandings often leading to racial conflicts. Through the public school system and the multicultural education movement, a step has been taken to actively change our society, which is running rampant with racism and discrimination. Students learn acceptance and tolerance, and are empowered as agents of social change. Knowledge alone is not enough to shape a society. The members themselves have to be willing to put forth the time and effort to right the wrongs and create the changes in an evolving society.

Multicultural education has emerged to address the educational needs of a society that continues to struggle with the realization that it is not monocultural, but is a melange of many cultures. "Diversity need not lead to separateness. But the failure to develop intergroup understanding through constructive multicultural education virtually guarantees the societal division based on ignorance. Therefore, all elementary schools should expose their students to a broad range of our nations racial, ethnic, cultural, and religious diversity (Handley 4). " An ethnically diverse nation, such as ours, is enriched through its variegated members and their unique heritages. We should applaud the differences among ourselves, honour the contributions of all our citizens, and celebrate the commonalities that unite us into one culture, America.

Training “CULTURAL DIVERSITY”

Session 5. Cultural Diversity and Coexistence

Handout # 9

Cultural Diversity: A Vision

“THE CULTURAL WEALTH OF THE WORLD IS ITS DIVERSITY IN DIALOGUE”

The UNESCO Universal Declaration on Cultural Diversity was adopted unanimously in a most unusual context. It came in the wake of the events of 11 September 2001, and the UNESCO General Conference, which was meeting for its 31st session, was the first ministerial-level meeting to be held after those terrible events. It was an opportunity for

States to reaffirm their conviction that intercultural dialogue is the best guarantee of peace and to reject outright the theory of the inevitable clash of cultures and civilizations.

Such a wide-ranging instrument is a first for the international community. It raises cultural diversity to the level of “the common heritage of humanity”, “as necessary for humankind as biodiversity is for nature” and makes its defence an ethical imperative indissociable from respect for the dignity of the individual. The Declaration aims both to preserve cultural diversity as a living, and thus renewable treasure, that must not be perceived as being unchanging heritage but as a process guaranteeing the survival of humanity; and to prevent segregation and fundamentalism which, in the name of cultural differences, would sanctify those differences and so counter the message of the Universal Declaration of Human Rights.

The Universal Declaration makes it clear that each individual must acknowledge not only otherness in all its forms but also the plurality of his or her own identity, within societies that are themselves plural. Only in this way can cultural diversity be preserved as an adaptive process and as a capacity for expression, creation and innovation. The debate between those countries which would like to defend cultural goods and services “which, as vectors of identity, values and meaning, must not be treated as mere commodities or consumer goods”, and those which would hope to promote cultural rights has thus been surpassed, with the two approaches brought together by the Declaration, which has highlighted the causal link uniting two complementary attitudes. One cannot exist without the other.

The Declaration, accompanied by the main lines of an action plan, can be an outstanding tool for development, capable of humanizing globalization. Of course, rather than give instructions, it provides general guidelines to be turned into ground-breaking policies by Member States in their specific contexts, in partnership with the private sector and civil society. This Declaration, which sets against inward-looking fundamentalism the prospect of a more open, creative and democratic world, is now one of the founding texts of the new ethics promoted by UNESCO in the early twenty-first century. My hope is that one day it may acquire the same force as the Universal Declaration of Human Rights.

Koïchiro Matsuura Director-General of UNESCO

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EXCERPT

from UNESCO Universal Declaration on Cultural Diversity

(Adopted on 2 November 2001)

Article 1 – Cultural diversity: the common heritage of humanity

Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind. As a source of exchange, innovation and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense, it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations.

Article 4 – Human rights as guarantees of cultural diversity

The defence of cultural diversity is an ethical imperative, inseparable from respect for human dignity. It implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities and those of indigenous peoples. No one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope.

Article 5 – Cultural rights as an enabling environment for cultural diversity

Cultural rights are an integral part of human rights, which are universal, indivisible and interdependent. The flourishing of creative diversity requires the full implementation of cultural rights as defined in Article 27 of the Universal Declaration of Human Rights and in Articles 13 and 15 of the International Covenant on Economic, Social and Cultural Rights. All persons have therefore the right to express themselves and to create and disseminate their work in the language of their choice, and particularly in their mother tongue; all persons are entitled to quality education and training that fully respect their cultural identity; and all persons have the right to participate in the cultural life of their choice and conduct their own cultural practices, subject to respect for human rights and fundamental freedoms.

Article 6 – Towards access for all to cultural diversity

While ensuring the free flow of ideas by word and image care should be exercised so that all cultures can express themselves and make themselves known. Freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of

expression and dissemination are the guarantees of cultural diversity.

Article 7 – Cultural heritage as the wellspring of creativity

Creation draws on the roots of cultural tradition, but flourishes in contact with other cultures. For this reason, heritage in all its forms must be preserved, enhanced and handed on to future generations as a record of human experience and aspirations, so as to foster creativity in all its diversity and to inspire genuine dialogue among cultures.

http://portal.unesco.org/en/ev.php-URL_ID=13179&URL_DO=DO_TOPIC&URL_SECTION=201.html

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