

## Key Issues Affecting Women's Enjoyment of Human Rights in Lithuania

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*To prepare this report, the questionnaire was developed by the authors of the report and sent to 52 women's NGOs in Lithuania. The following thirteen NGOs have answered our questions:*

Lithuanian Association of Adult education	Vilnius
Elderly Women's Activities Center	Kaunas
Lithuanian Housewives' Association	Vilnius
Lithuanian Women's Association	Vilnius
Lithuanian Women's League	Vilnius
Social Innovation Fund	Kaunas
Vievis Shelter for Women and Children	Vievis
Widow's Society "Gela"	Silute
Women's Activity Center of Marijampole District	Marijampole
Women's Club "Rasa"	Vievis
Women's Gathering of Jurbarkas	Jurbarkas
Women's Information and Studies Center of Kretinga	Kretinga
Women's Studies Center of the Vilnius University	Vilnius

*The report was prepared on the basis of information received from the questionnaire and consultation with women's groups at the grassroots level (unemployed and socially disadvantaged) and by using the information and statistical data publicised in the publications: "Women and Men in Lithuania", 1999, "Women in Lithuania", 2000, "Lithuanian Human Development report, 1999".*

*In summarising the questionnaire information, we can determine the priority of the issues concerning women's human rights in Lithuania as follows (most important to least important): economy (unemployment), social system, politics and legislation, education, family, culture, health, trafficking and prostitution.*

### Introduction

During the last several years, the governmental steps to fulfil the obligations to implement the CEDAW (Convention on the Elimination of Discrimination against Women) are favourable. Much has been done in the fields of legislation and development of the national machinery. However, a strategy, mechanisms, programs and funds *were not enough developed*. According to CEDAW philosophy we are now in the stage of the declaration of equal opportunities, but equal access and equal results need to be promoted more forcefully.

Key issues for Lithuanian women are highlighted as follows per the CEDAW articles:

#### ARTICLES 1-3

The Law on Equal Opportunities was adopted in 1999, but the system of legislation and mechanism of protecting women's human rights are not sufficient enough to achieve optimal results. We need to give more attention to overcome the stereotypes and structural barriers. The legislation system needs to be improved because the new law of equal opportunities does not protect discrimination by age. We also think that we need an amendment of part of this law - definition of discrimination. The definition in the law is the following:

**"Violation of equal rights for women and men (discrimination)** means passive or active conduct expressing humiliation and contempt, also restriction of rights or granting of privileges by reason of the person's sex, except when relating to:

- 1) Special protection of women during pregnancy, childbirth and nursing;
- 2) Compulsory military service prescribed by the law exclusively for men;
- 3) Different pensionable age for women and men;
- 4) Requirements for safety at work applicable to women aimed at protecting the women's health owing to their physiological properties;
- 5) Specific work, which can be performed only by a person of a particular sex."

To avoid misunderstanding at all levels (government, county, municipality, institutions and women's NGOs) about the necessity to arrange special activities to forward women's human rights, we need to add to this definition the explanation of the possibility to use **temporary special measures** to make equal opportunities **de facto**. Without this amendment it will be difficult to encourage institutions to implement quotas and other temporary positive measures which we really need now in Lithuania to achieve equal results in diverse spheres. In some practical cases we are confronted with the problem that officials do not understand that these temporary special measures ("positive discrimination") are not against the law of equal opportunities, nor do they know about the Convention and Article 4.

We also suggest the creation of a special department of women's affairs under the direct responsibility of the Prime Ministry Cabinet, with the status of Ministry. Perhaps this effort could be an interim measure to promote the adoption of gender equality.

#### **ARTICLE 4: TEMPORARY SPECIAL MEASURES**

Temporary special measures are not widely implemented because of the reasons mentioned in the above Article; that is, there is no clear definition of discrimination. Furthermore, the definition of temporary special measures does not exist in other parts of the Law of Equal Opportunities, broadening the misunderstanding of these measures with the public at large. We need more awareness about the good practice and necessity of implementing the temporary special measures throughout the world to help to achieve good results in equality. The promotion of implementing the temporary special measures must be a very important task of government policy. In the following Articles, some recommendations of the concretely needed temporary special measures will be introduced.

#### **ARTICLE 6: TRAFFICKING IN WOMEN AND PROSTITUTION**

The low standard of living and unemployment have generated conditions for trafficking in women. New forms of trafficking, such as sex tourism to richer countries (such as Germany), have appeared and have resulted in the exploitation of women and young girls. Poverty and unemployment force many women into prostitution. There are not enough measures to prevent all forms of trafficking in women and prostitution. Journalists and families (affected by trafficking) have exposed and publicised many cases of trafficking, but only in a few cases has this led to court cases and jail sentences.

Recommended measures:

- Improve legislation protecting victims of trafficking and introduce more efficient measures against prostitution, including punishing the traffickers and pimps with longer and more severe sentences.
- Provide funding to train councillors and professionals to work with victims of trafficking.
- Promote the relevant preventive measures –
  - Educating women at the grassroots level about the reality of trafficking and the potential of being deceived by false promises.
  - Developing *official* temporary job programs abroad in a wide range of professions, such as nursing, housekeeping, waiters, maids, hotel workers, etc.

Analyses of opinions of women NGOs to address this issue creates two different approaches:

- 1) to legalise prostitution and create a system of strong control: health control and economical control;
2. to view prostitution as a blatant form of women discrimination and make stronger punishment for pimps and those who **buy the service**. Currently, the penalty in the criminal court for prostitution is too low.

#### **ARTICLE 7 (C): WOMEN IN POLITICAL AND PUBLIC LIFE (PARTICIPATION IN NGOS)**

Women make up 52.8% of the population, but their involvement in political life and public administration is very low. The last municipal election showed a decrease in women's participation in public administration: women members of local governmental councils decreased from 22% in 1997 to 17.6% in year 2000. The statistics show that since independence the number of women in Parliament (Seimas) has not been more than 20%. Currently, only 3.6% of mayors are women and there is only one woman as a minister. There is low women activity within political parties. From 28 political parties, only three parties have women leaders. During the last local government (municipalities) elections, only 10-20% of women were included on each party's election list in the first ten positions.

In the highest level of Officials (Level A-decision makers), only 33.4% are women.

Recommendations:

- Change the laws of elections (to Parliament and to Municipalities) by implementing quotas (suggestions are that 50% of candidates be women).
- Implement a quota for governmental Officials (Level A) of 40% or 50% women.
- Promote implementation of quotas in political parties (only the Social Democrat Party currently has a quota).
- Promote via mass media a positive image of women in politics and public administration..

#### **NGO Involvement**

The democratic space for women's NGOs has been decreasing because no funds are available at the national, regional and local levels of the government to promote women's human rights and to implement Convention and "Plan of Action for the Advancement of Women". There is very low practice of sponsoring or philanthropy in our country. The existing legislation is not conducive for the private sector to give to charity or to fund NGOs. The Law on Charity Funds does not allow the NGOs to generate any income. Very many women's NGOs are at risk of cancelling their activities because of lack of funding. The civil women's NGOs receive minimal to no support from the government or municipalities.

Recommended measures:

- Implement temporary measures to promote philanthropy and sponsorship by changing the tax law related to profit. For example, give the opportunity to private organizations to give 3% of their tax on profit directly to support charitable foundations (NGOs) or implement a tax reduction policy for grant-making companies.
- Promote policies aimed at the advancement of women through wider involvement and financial support of women's NGOs at all levels.
- Establish a special committee with the participation of governmental and NGO representatives to monitor and promote the implementation of the CEDAW Convention and allocate a special fund in the governmental budget to this special committee to fund the implementation of women's NGO projects.

#### **ARTICLE 10: EDUCATION**

There is a lack of proper information on gender issues in school, college and university curricula. There is gender stereotyping in textbooks and manuals, showing women in their traditional roles in the home, and showing men as businessmen, as the career maker, and as the family provider. There is not enough awareness about CEDAW and how to promote it. There are no manuals studying gender issues, especially introducing the CEDAW mechanism.

One of the ways of promoting CEDAW and women's human rights is by using non-formal adult education mechanisms. Despite the fact that we have a law promoting non-formal adult education and that the infrastructure of implementing this law is already established, there is no budget in the Ministry of Education and Sciences to implement it.

In Lithuania, education is one of the spheres in which women's accomplishments have been tremendous. It is notable that women put much effort into acquiring the highest level of education as possible, even more than men. Nevertheless, we have some problems in this sphere:

1. This is a sphere in which men or women tend to strongly dominate. For example, in college, girls tend to choose trade and business (78.4%), teaching professions (91.9%), and nursing and treatment (91.8%). Boys tend to choose engineering (71.3%) and transportation and communication (69.3%). A similar situation exists at universities.
2. There are more women with higher education in society; however, they have lower job positions and salaries. This is closely related to Article 7 (women Officials in Level A). It is also related to the number of women in academic careers: the percent of women with Doctoral Degrees is 30% and Doctor Habilitus is 12%. Only 9% of professors are women, and only 7% of academics are women. Universities are not in a hurry to encourage women to seek academic careers. Recently, however, there have been market changes. For example, the rector of Vilnius University, taking into account equal gender opportunities, issued a decree in April 1997 which provided temporary measures to ensure that women hold 40 to 50% of the top positions within Vilnius University.
3. Although more women are engaged in teaching and education, it is not women who determine the educational policy. Ministers of Education and university rectors have been men. Headmasters and heads of education departments have mostly been men.
4. There is a lack of support and encouragement for young mothers who are students and need special programs, including programs in career counselling.

Recommended measures:

- Establish a gender quota for admissions to universities and colleges (see item 10.1). *Universities and colleges are afraid to implement positive discrimination or temporary measures (such as quotas) because of the vague definition of discrimination in the Law of Equal Opportunities.*
- Establish a gender quota for the higher positions in education administration.
- Promote non-formal lifelong education to ensure the awareness of CEDAW and women's human rights, allocate a special fund in the budget of the Ministry of Education to support women's NGOs working in this sphere.
- Implement gender equality programs in teacher training and school curricula.
- Financially support and develop formal and non-formal adult education, including NGO activities as a tool to prevent all kinds of discrimination against woman.
- Promote career seeking through non-formal adult education using women's NGO involvement in this process to promote women in academic careers.

#### **Articles 11 and 13: Discrimination against Women in Labour Market**

Unemployment is a major problem in our society, especially for women. The official labour exchange data is not relevant to real life. In addition to the official unemployment rate, there is hidden unemployment and informal employment. It is important to note that in Lithuania, the gap between survey data and labour exchange data on unemployment rate is the one of the widest in Europe. The real unemployment rate is at least twice higher than the official rate (approximately 20%). The women's unemployment situation is worse than men, especially for certain groups. For example, even official statistics shows that among unemployed aged 30-49, women make up 55,9% compared with 50.2% of men in the same age group; among unemployed aged 50-54, women make up 11,9% compared with 8,5% of men in the same age group. Additionally, better educated women than men

are unemployed. For instance, among unemployed women with college and university education make up 24,4% in compare with 15,9% for men. The main forms of discrimination against women in the labour market include discrimination by age, difference in salary (men's salaries are 1.4 times higher than women's), inequality in management positions, and discrimination against young women returning from maternity leave. Although illegal, job advertisements contain sex and age discrimination. Unfortunately, the Law of Equal Opportunities does not prohibit discrimination by age.

Access to free re-training for the unemployed is very limited because of lack of funds and the existing bad practice in implementing the law of supporting unemployed people, which is ambiguous. Very often, the labour exchange office requires in advance a three-part agreement among the labour exchange office, the future employer and an unemployed person who needs training. To have this three-part agreement is not strongly stressed in the law; unfortunately, the labour exchange office requires such an agreement in order for the unemployed to join free training courses relevant to the current labour market demands, such as new information technology, accounting, business administration, etc. Because of existing age discrimination practices, it is nearly impossible to obtain this agreement in advance. This undemocratic restriction makes access to modern free courses impossible even for unemployed women over 40 years old and those who have been unemployed for a long time (more than two years).

Unemployment benefits are very low (about US\$ 40-60) and only for six months. For very many women, especially those over 45 years of age, single women, and the long-term unemployed, unemployment is not only a psychological problem, it is a matter of physical survival. Unemployment and a poor economic situation leads to poverty, prostitution, depression, and even suicide. The links between unemployment and psychological problems are often raised in discussion with unemployed and socially disadvantaged groups. Labour exchange offices usually organise only vocational training or retraining courses (long-term courses), but there is a great demand of the short and even non-formal courses helping to increase self-esteem and obtain job-seeking skills. In the situation of lack of funds, the short-term courses can increase the access for training and will be very effective.

As a consequence of unemployment, many women become active in the black market (informal employment). In this case, they lose their rights to social security and health insurance. All in all, unemployment leads to the feminisation of poverty. We can say that unemployment became a type of social (structural) violence against women. Unfortunately, we do not have the appropriate research of all kinds of discrimination and violence against women in the labour market.

The national government and municipalities do not pay enough attention to solving the problems of the unemployed.

Until 1996, women made up more than half of the workforce. Between 1996 and 1998, their share in the labour market fell slightly, and in the 1998 reached 47,5%. The number of working women over the age 45 also decreased.

Women enter the labour market with a higher level of education that man do, but this does not adequately determine their position in it.

Statistical data show that in no economic sector do women earn more than men. In 1998 women earned an average of 77,2% the amount earned by men.

Recommended measures:

- Develop a national plan for employment, ensure the implementation within the context of gender, and within appropriate employment policy.
- Implement temporary special measures to ensure the free access to re-training for women 45 and older with college and higher education, for single women, for young women returning after maternity leave, and for long-term unemployed women. The labor market will receive a well-educated labor force, which will benefit the socio-economic development of the country.
- Promote NGO involvement in vocational and non-formal skills training for unemployed women.
- Make an amendment to the Law of Supporting of Unemployed to increase the period of receiving social benefits for those with special needs (who were mentioned above) and to cancel the obligatory requirement of the three-part employment agreement to enable the unemployed to receive free re- training.
- Initiate independent research in the field of unemployment and define the type of discrimination against woman in the labour market.
- Encourage entrepreneurship among women by making available long-term credits and low interest rates.
- Ensure vocational reintegration, counselling services, and proper work conditions for women returning from maternity leave.
- Increase funding for training unemployed women about self-esteem and empowerment issues to ensure their personal development and active citizenship. Use the NGOs' experience and involve them in offering such training to create a positive growth and development atmosphere.
- Increase the number of short-term, concentrated non-formal courses to increase re-training accessibility. Increase NGOs involvement in re-training of unemployed women, especially in providing short-term non-formal courses.

#### **ARTICLE 12: HEALTH CARE AND FAMILY PLANING.**

The difference between life expectancy of women and men in Lithuania is about 10 years. Its shows that women's health is far better than men's. Nevertheless, women do have specific health problems, many of each are related to the reproduction.. The

problem of anaemia during the pregnancy is described in the governmental report. But it is important to stress that such a high rate of anaemia is most likely associated with insufficient nutrition, which is more the social problem than a medical one, but a serious health problem nonetheless. Another problem is a high rate of abortions.

We also can mention that national increase of population decreased from 4.6 in 1990 to -1.0 in 1998.

Disease of population started in 1994 (-1.1) and has lasted during following five years.

### **ARTICLE 13: ECONOMIC AND SOCIAL RIGHTS**

#### **Elderly Women**

The poor economic situation primary affects the already low social status of elderly women. The low income (including pension) leads the elderly women toward poverty, social exclusion, and even suicide. The governmental support is not sufficient to satisfy even their basic needs; the average pension they receive is US\$ 70 per month. It is usually impossible to exist from this money without additional financial support from the relatives. The women's pensions are often lower than men's because their salaries also were lower. The situation for women over 60 is extremely difficult because usually they are already alone.

The opinion of the women's NGOs is that the government needs to give more attention and financial support to develop the services for elderly people at home. Elderly people, if they receive appropriate help at home, prefer to stay at home than use the governmental houses for elderly people.

Recommended measures:

- Increase governmental support for single women over 60 (increase pension, social benefits, governmental subsidies in transportation and utilities, etc.).
- Create conditions for safe living (for example, increase services at home, to provide free legal consultations, increase the number of hospices) .
- Increase the social involvement of elderly women by reintegrating them into society through training and by involving as volunteers with NGO activities, by creating access to new technology, by supporting NGO activities for elderly women, etc.).
- Create the governmental fund to support the activities of NGOs for elderly people.

### **ARTICLE 14: RURAL WOMAN**

During the period of transition to the market economy, large collective farms were broken down and many small private farms were created. The small farmers have specific problems and needs, and women have been especially affected by the situation as small farms are not competitive in the market. Women have to work very hard because there is not enough agricultural machinery and low interest loans are not available to them.

There is a growing number of disadvantaged families in the rural areas, and the general population has become older (pensioners) as the younger people leave in search of other opportunities. Rural women pensioners make up 33% of the rural population compared to 17% male pensioners. In the rural population, 38% of women have a very low income (US\$ 50-100 per month) compared with 35% of men. Twenty percent of women earn less than US\$ 50 per month, compared with 15% of men. Of the entire population, only 11% of those with higher education live in rural areas as opposed to 89% residing in cities. Of all children who do not attend school, 85% reside in rural areas. Additionally, there is a limited market for agricultural products and handicrafts and there is a lack of information and re-training possibilities to join the modern labour force.

The majority of farmers do not pay social insurance contribution, because small farmers can provide themselves with essential food products, but their incomes are so meagre that they cannot afford to pay voluntary social insurance payment. As a consequence, most will not be eligible for old age pensions and will not receive suitable health care.

Recommended measures:

- Create special programs and funds to help rural women to survive and develop their business (for example, rural tourism).
- Develop training, initiate projects to promote small agricultural businesses, assist rural women with credits, and promote the marketing of agricultural products and handicrafts through new technologies and the Internet.
- Establish women resource centres to provide the needed assistance to rural women.

### **ARTICLES 15 AND 16: WOMEN'S EQUALITY UNDER THE LAW AND IN THE FAMILY**

The Law on Equal Opportunities was adopted in 1999. The law, however, excludes family life and children affairs. Domestic violence and other forms of discrimination on the grounds of sex are not sufficiently emphasised. Moreover, there is not enough awareness at all levels of society, in law enforcement, and in the judicial system about the meaning of discrimination against women, including violence. There is a need for the adoption of Family Code as soon as possible. In the last session of the Seimas this law was not passed and it was postponed to the autumn session.

Women have less access to employment, re-training, and higher salaries in comparison with men. Statistics show that women's salaries are 1.4 times less than men. This influences women's position in families and creates the stereotypes that the man is the

head of family. This does not provide women with the opportunity to feel as an equal partner in the family. The Law does not protect women from domestic violence (we have not adopted the family code). Often women are not protected enough in the divorce process and there are problems in dividing the property and home. Very often, due to the poor economic conditions of the family, after divorce women live in the same flat with their former husbands, even when the reason for divorce was domestic violence.

Another problem is child support (alimony). Former husbands try to avoid paying alimony and hide their salaries. There is no sufficient governmental mechanism to force them to pay this benefit to their children.

Unfortunately, the police do not divide statistics on domestic violence for men and women, so we have no data on who was the initiator in domestic violence cases.

Recommendation measures:

- Promote free attorney consultation for socially disadvantaged women on family issues, especially during the divorce process.
- Propagate the concept of pre-nuptial agreements.
- Pass the family code in the Seimas.

## **CONCLUSIONS:**

1. There is little awareness at the grassroots level about CEDAW (convention and committee) in Lithuania. Even leaders of well-known women's NGOs do not know about CEDAW and the possibilities of involving NGOs in preparing the alternative report. We have had no training on the Convention, so we have no experts and trainers on the matter. There is little awareness of CEDAW at all levels of the government, and training of officials is needed.
2. There is no independent research in all kinds of violence and discrimination against women. In order to be able to promote women's rights effectively, it is important to realize what kinds of discrimination exist in Lithuania to establish the priorities to address.
3. Despite having a law on equal opportunities, there is no effective mechanism to make this law work at the grassroots level for women. There are no special funds available in the governmental budget to implement the law. It is necessary to create the infrastructure to implement this law at all levels (government, county, municipality and NGOs).
4. We have no national committee for women who could be responsible for preparing the amendments to existing laws or to promote the creation of new laws or legal acts. For example, laws for family life, trafficking, domestic violence, or implementing efficient temporary measures using Article 4 of the Convention). Such a mechanism should be created and should include the participation of NGO representatives. The special fund in the governmental budget needs to be allocated for women's NGOs projects. The suggested Committee could be responsible for the granting of the women's NGOs projects.