

SHADOW REPORT on the Implementation of CEDAW in Lithuania

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December 2023, Lithuania

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I. INTRODUCTION

This **Shadow Report on the Implementation of CEDAW in Lithuania** was drafted by the biggest umbrella association of women's organizations in Lithuania - **Lithuanian Women's Lobby (LMLO)**, which unites more as 40 the most active Lithuanian non-governmental organisations, Gender studies centres of the Universities, Trade unions. Lithuanian Women's Lobby (LMLO) is a member of the European Union (EU) umbrella association of women's organizations of the EU member states – European Women's Lobby (EWL).

Number of the women's organisations – members of the LMLO - contributed to this Shadow Report by providing information on particular issues, including concrete examples.

They are:

European Innovation Centre

Equality Advancement Centre

Kaunas Region Women's Crisis Centre

Klaipeda Social and Psychological Support Centre

Kretinga Women's Information and Training Centre

National Association of Women Rights

National Association against Trafficking in Human Beings

Social Innovation Fund

Taurage Women's Employment Information Centre

Women's Activity Innovation Centre

Women's Issues Information Centre

Centre of the Support for the Families of Missing People

Gender equality researchers from Vilnius University and Mykolas Romeris University

This Shadow report is drafted on the basis of the information, provided by the LMLO members, the results of monitoring, held by LMLO, of implementation of Concluding Observations on the Sixth periodic report of Lithuania of the Committee on the Elimination of Discrimination against Women (CEDAW/C/LTU/CO/5) for the period since November 2019 to September 2023, also taking into account information provided for in the 7th Periodic Report of the Government of Lithuania on the implementation of CEDAW Convention (Draft presented for the Commission on Equal Opportunities for Women and Men on September 20, 2023). This Shadow report was discussed with the LMLO members during thematic meetings and approved by the LMLO Board.

Quite a number of developments, in particular legislative changes, happened during this period. The actions taken to implement the Recommendations of the CEDAW Committee (further – CEDAW recommendations) are reflected in the 7th Report of the Government. LMLO observes some positive developments in the area of combating violence against women and domestic violence, in elimination of the stereotypes, leading to the gender-based choices of professions and occupations, in promotion of gender balance in politics, in the efforts to improve gender equality policies on municipal level and more cooperation with the women's organisations

LMLO draws the attention, that on June 11, 2021 Ministry of Social Security and Labour approved Action plan (further – Action plan), aimed at implementation of the Concluding Observations of the CEDAW Committee.¹ This Action Plan was positively evaluated by the CEDAW Committee.² This Action plan covers quite a number of the recommendations of the CEDAW Committee, concrete actions and measures are foreseen, as well as institutions responsible for implementation, concrete deadlines of implementation. Separate column is foreseen for comments on the status of implementation. However The Action Plan does not include implementation and coordination mechanisms, no indicators of implementation, no accountability and publicity of the results reached. This gap created an obstacles for LMLO to effectively monitor implementation of the Action Plan.

While recognising efforts of the Government to continue improving legislation, leading towards gender equality de jure, LMLO is concerned about slow gender equality progress de facto and effectiveness of implementation of the CEDAW Recommendations. These concerns are based on the results of the LMLO systematic monitoring of the implementation of the CEDAW Recommendations. The latest monitoring round took place on March-June 2023. The detailed report of the monitoring leads to the conclusion, that many CEDAW recommendations were implemented partially or it was impossible to find information about implementation of some of them. Everyday work of women's organisations on the grassroots level also allows to state that the progress towards de facto gender equality remains slow. Emerging global challenges, which happened during the period since 2019, such as Covid crisis, war – related challenges and those caused by climate changes had disproportionate negative impact first of all on women's lives. So, despite of some gender equality progress reached, Lithuanian women experience a number of problems, which need solutions, more careful attention and efforts from the Government.

The most important areas of concern are:

- broad range of issues in **employment area**, such as, first of all **gender pay gap**, which is not closing, which is closely related to both **horizontal and vertical gender segregation in the labour market**, and which influences **feminisation of poverty**, in particular of older women, as pensions are directly dependant on salaries, **poor employment opportunities (and low salaries)** for women from disadvantaged groups, rural women, women 55+, single mothers, women with disabilities, gender-blind and insufficient governmental support for women, in particular rural women, starting businesses and women with disabilities.
- rather **formal attention of employers to gender equality planning** at the workplace, employers' low understanding of the importance of gender equality planning at workplace, lack of legally established necessity to monitor and report on the results of implementation of gender equality plans; insufficient awareness-raising towards changing the employers' attitude regarding women's role in the labour market.
- **violence against women**, in particular sexual violence, domestic violence, cyberviolence, trafficking in women in particular for the purposes of sexual exploitation is an issue which needs powerful and continuing efforts addressing prevention, protection, prosecution, specialised support to victims, consistency of the laws and number of other issues. Violence against women must be addressed

¹ <https://www.e-tar.lt/portal/lt/legalAct/05d20380caab11eba2bad9a0748ee64d>

² The Committee welcomes the development and approval of an action plan to implement the concluding observations by the CEDAW Committee on Lithuania's sixth periodic report (...) https://socmin.lrv.lt/uploads/socmin/documents/files/veiklos-sritys/tarptautinis/ebpo/CEDAW%20COMMITTEE%2081ST%20SESSION_Follow-up_Assessment_Lithuania_final.pdf

considering different needs of women with disabilities, women with migrant background as well as other minorities.

-unequal power relations, **lack of gender balance in decision making** and leading positions in business, in science, in politics, in different other areas was and remains the issue to be continuously addressed. It is caused, *inter alia*, by **absence of application of temporary special measures**

- **prevailing stereotypes** about women's role in the society, in the labour market, in leading positions, in politics and other areas is one more complex issue to be addressed. Traditional stereotypes cause, *inter alia*, **unequal share of unpaid work at home, including care-work**.

-There is a lack of accessible childcare services of good quality, insufficient, not always easily accessible and of good quality social and nursing services for dependants (elderly, disabled). The same with medical services. In practice they are hardly accessible both in terms of the lack of transport in particular in the rural areas, and a very long time to wait the visit to the doctors; lack of gender sensitive, human needs-centered, holistic approach of providing public services. All this doubles women's burden of unpaid job.

- **switch from women's empowerment and gender equality policies to equal opportunities for all**. ineffective gender mainstreaming, **lack of gender statistics and statistical data** segregated by sex, lack of use of such important gender mainstreaming tools as gender impact assessment, gender budgeting, gender training and other tools, lack of capacity building for different target groups, ineffective application of dual approach – gender mainstreaming and positive action, lack of effectiveness of institutional mechanisms, insufficient institutional support to women's organisations has a negative impact on the progress of gender equality in practice.

-an important issue is **low visibility of the CEDAW Convention**, insufficient, partial implementation of CEDAW recommendations, even those who were repeatedly submitted (f.i., as regards temporary special measures, etc.)

LMLO will elaborate on these issues further in this Shadow Report. This Shadow Report is organised by the areas of concern and Articles or groups of Articles of the Convention with the references to the relevant paragraphs of the Concluding Observations, where relevant.

II. Temporary special measures and gender balance in decision making (CEDAW 4 and 7 Articles) (Concluding Observations paras 18, 19, 28, 29)

Statistical data show, that representation of women and men in political decision making – in the Seimas (Parliament), in municipal councils - is far from gender balance and this disproportion changes very slowly. After every election it was obvious, that the number of women does not reach even 30 percent neither in the Seimas (Parliament), nor in the municipal councils. 30 percent of women in the municipal councils were reached in 2023, but women-mayors comprise only 10 percent. Number of women-ministers varied from 0 to 3 out of 14. Visible progress in this regard was reached in the current Government, led by woman-Prime Minister - almost half of ministers were women (currently 5 women out of 14 ministers). However, according to the data of the European Gender Equality Index of the European Institute for Gender Equality,³ in the domain of power Lithuania collected only 48,6 ballots- lowest number comparing with other domains (work, time, knowledge etc.).

³ <https://eige.europa.eu/gender-equality-index/2023/LT>

Committee on the Elimination of Discrimination against Women (CEDAW Committee) repeatedly submitted to Lithuania recommendations regarding application of the temporary special measures (following the consideration of Lithuania's Fourth, Fifth and Sixth Reports on the implementation of CEDAW in Lithuania). The absence of temporary special measures is one of the main reasons why the number of women in politics is growing very slowly.

In the Concluding Observations of the CEDAW Committee on the Sixth periodic report of Lithuania of the Committee on the Elimination of Discrimination against Women (para 18 and para 19) the CEDAW Committee expressed the concern that Lithuania has not adopted yet temporary special measures. Reiterating its previous recommendations (CEDAW/C/LTU/CO/5, para. 19), the Committee recommended that the State party:

- “(a) Remove the legislative obstacles for the adoption and application of temporary special measures, ensure and incentivize the use of administrative, executive, policy and programmatic modalities to promote substantive equality of women and men in line with its obligations under the Convention;
- (b) Raise awareness among the legislature, policy makers and other state and non-state actors, including the private sector, on the use of temporary special measures as a critical tool for addressing discrimination in all spheres and achieving substantive equality;
- (c) Adopt temporary special measures to promote substantive equality of women and men in all areas where women are underrepresented or disadvantaged, such as participation in political and public life, education and employment, and establish a mechanism for monitoring their implementation, in line with article 4 (1) of the Convention and general recommendation No. 25 (2004) on temporary special measures.”

Furthermore, In the Concluding Observations (para 29) the Committee repeatedly recommended “that the State party strengthen its efforts to increase women’s representation in political life and adopt temporary special measures, including quotas for female candidates of political parties and heads of municipalities, to increase the participation of women, in particular rural women, women belonging to ethnic minorities and women with disabilities, in political and public life, including in relation to women obtaining the highest diplomatic status and women having diplomatic status assigned to national representation, and in municipalities, in line with its general recommendation No. 23 (1997) on women in political and public life.”

7th Periodic report of the Government of Lithuania on the implementation of CEDAW Convention does not contain information on implementation of the CEDAW Recommendations regarding application of the temporary special measures. Actions reported under Article 4 are not related to the temporary special measures.

Action plan⁴ partly reflects recommendations expressed in the points a) and b) of the Concluding Observations, para 19. The Action plane does not contain measures for the implementation of the recommendation, indicated in the Concluding Observations para 19, point c).

Action foreseen to implement recommendation of the para 19 point a) contains drafting of the amendments to the Law on Equal Opportunities, discussion on the need of temporary special measures

⁴ Jungtinių Tautų moterų diskriminacijos panaikinimo komiteto baigiamųjų pastabų Lietuvai dėl šeštojo periodinio pranešimo dėl Jungtinių Tautų konvencijos dėl visų formų diskriminacijos panaikinimo moterims įgyvendinimo 2021–2023 metų veiksmų planas (toliau – Planas). 1 psl. <https://www.e-tar.lt/portal/lt/legalAct/05d20380caab11eba2bad9a0748cec64d>

with the social partners. The measures planned do not cover part of the recommendation of the para 19 point a) „incentivize the use of administrative, executive, policy and programmatic modalities to promote substantive equality of women and men in line with its obligations under the Convention“.

Actions, planned to implement recommendations, contained in para 19 point b), cover preparation and distribution of the leaflet on the special temporary measures and benefots of application, aimed at awareness raising of the society. The actions planned do not cover part of the recommendation: „raise awareness among the legislature, policy makers and other state and non-state actors, including the private sector, on the use of temporary special measures as a critical tool for addressing discrimination in all spheres and achieving substantive equality“.

No actions of the Action plan address recommendation of the para 19 point c).

LMLO is concerned about that in order to ensure application of the special temporary measures there is a proposal to amend general for all discrimination grounds Law on Equal Opportunities, but not the special Law aimed at gender equality, namely – Law on Equal opportunities for Women and Men. There is a need also to amend such related Laws, as, f.i., Code of Elections, Law of Education and other relevant Laws, which regulate the areas, where women are underrepresented or appear in the disadvantaged situation. LMLO do not think, that the way chosen by the Government, does not properly reflect requirements of the CEDAW Convention and is not the most effective way to accelerate gender equality progress, elimination of discrimination against women and promotion of gender balance in decision making.

In 2022 LMLO prepared and submitted to the working group of the drafting of the new Elections Code entire complex of suggestions, aimed to create favourable legal preconditions for gender balance in political decision making, including proposals on application of temporary special measures. These suggestions were also presented to the Parliamentary Women's group and relevant governmental institutions. However newly adopted Elections Code not only does not contain any of these suggestions – it does not contain even gender equality principle, (though it was present in the previous Law on the Elections). In 2023 LMLO once again drafted and submitted to the Parliamentary Women's group and relevant governmental institutions a complex of the suggestions to amend Elections Code, Law on Political Organisations and Law on Equal Opportunities for Women and Men. The suggestions contain quite a number of provisions aimed at promotion of the application of temporary special measures.

LMLO recommends:

1. To create legal preconditions for application of special temporary measures in practice, in particular in political parties and organisations, taking into consideration suggestions of the LMLO, which include also concrete legal provisions, how to amend Election Code, Law on Political organisations, Law on Equal Opportunities for Women and Men and other relevant legislation.
2. To promote application of the special temporary measures, to create and support effective monitoring, evaluation, accountability and publicity mechanisms, to involve into this monitoring system women's non-governmental organisations.
3. In cooperation with gender equality experts and women's non-governmental organisations to organise well targeted awareness raising campaigns and other relevant measures on the application of temporary special measures as a fundamental tool for elimination of discrimination against women, for accelerating of gender balance in political decision making and women's leadership in all areas.

4. To support women's NGO's initiatives on better political representations: women's leadership trainings for women, maintaining networks of the women's politicians, media campaigns on 50/50 representations, etc.

III. Gender stereotypes, related gender segregation in choosing professions and occupations, and unequal share of unpaid domestic work. (CEDAW Articles 5, 10, 13) (Concluding Observations para 20, 21, 36, 40,)

Discriminatory gender stereotypes about men and women roles at work, society and family remain, determining a wide array of to gender equality issues. It is not difficult to spot that in various situations of the daily life: women dominate in care-work, nursing, catering, while men do in in transport, construction, ICT. This has an effect on both the gender pay gap and double burden for women at work and family life, especially unpaid home work.

Regrettably, we have to notice that since 2017 the official annual publication Women and men in Lithuania is not available anymore. It had detailed and comprehensive statistics on the gender differences in various areas, including professional and sector labour market segregation statistics. The updated official statistics portal <https://osp.stat.gov.lt/lyciu-lygybe> includes only a very limited number of gender equality indicators and often even this selection of indicators do not measure a gap between men and women in the areas that are measured by them, e.g. occupational and sectoral labour market segregation by gender or time spent by women and men for unpaid domestic work and especially for the care for the elderly and disabled family members. These limited gender statistics don't allow to identify, observe, analyze gender (in)equality situation in many aspects, to do comparison of changes, including the inequality that appears in the intersections of gender and other vulnerability factors (e.g. disabilities). **The differences in gender situation become latent, invisible phenomena.** However according to the data of European Gender Equality Index, in the domain of time (<https://eige.europa.eu/gender-equality-index/2023/LT>) Lithuania just barely exceeds the half way point towards gender equality in this domain having gathered only 62.1 points from 100.

The influence of stereotypes for profession and activity choices

LMLO conducted a qualitative research in 2022, called „The influence of gender-based stereotypes for the choice of work (studies, specialties, professions)”⁵ Most of the participants of the research expressed the opinion that gender shouldn't be a criteria when choosing a profession. Some characteristics may be typical for women or men, but for various professions the sets of characteristics are important rather than one specific characteristics of a woman or a man. Interests, values, talents, personal features are more important. The most important is to recognize what suits a specific person, what they enjoy, what positive features of their own they recognize, what especially interests them, what they are eager to read or learn more about.

Despite the young participants emphasized the importance of their personal views and opinions in selecting studies and professions (generally without emphasizing the gender aspect) they also

⁵ https://lmlo.lt/wp-content/uploads/2022/12/2022m._tyrimo_santrauka.pdf

recognized that for the formation of their choices opinions of parents, relatives, friends, educators, as well as the information received from social networks and media definitely has an influence. The viewpoint towards that is typically "feminine" or "masculine" occupations is formed by the examples seen in the environment or the most visible things in the public space (media, films, etc.). Typically "feminine" or "masculine" occupations are typically described by listing the features needed for one or the other job. "Feminine" occupations are usually stereotypically described as needing more thoroughness, empathy, care for other people, less responsibilities. "Masculine" occupations are described as "serious" or "difficult", and associated with more responsibility, higher stress, requiring more physical strength.

According to the opinion of male and female educators, the biggest influence when choosing studies that are not typical for gender, is wielded by public opinion. Public opinion is formed by the media, social networks. The good practice examples in the media that are publicized encourage schoolchildren, girls and boys that want to choose the occupations that are non-traditional ones for their gender. Most participants in the research believed that for the selection of the occupation the salary factor and the prestige of the profession or job are also important.

According to the opinions of the female and male research participants it is women that choose occupations which are not typical for gender more actively and daringly. The main reason is stated to be the historical context – the wider support for women from the society. When men choose occupations that are not traditional for their gender, they are less supported, they are more likely to be given negative labels. Faster changes regarding choosing occupations and professions that are not typical for their gender are observed in the big cities.

LMLO recommends:

1. To make the impact assessment of the laws regulating the career education in gender equality aspect and improve them in the way allowing consistent integration and effective implementation of norms of the gender equality, which are firstly related to the elimination of gender stereotype-led choices of studies, occupations, professions, jobs, and promotion to choose occupations according to personal wishes, competences, regardless of gender.
2. To ensure the effective functioning of the career education model and the availability of consultations wouldn't depend on the area of residence, providing proper time and human resources. To create and establish career consultant-specialist standard which would have norms of gender equality integrated, and they would make the basis for the prevention of occupational choices, determined by gender stereotypes.
3. To improve systematically and in high quality the competences of educational employees, career consultants, public employment service consultants, media representatives, journalists in the area of gender equality, including the abilities to recognize and evaluate existing gender stereotypes and eliminate them from the provided consultations, the media content and advertisements. In order to do that to use the opportunities provided by the informal education for adults, gender equality experts, women NGOs. To ensure constant, practice-oriented methodical help in this topic.
4. To organize continuous, systemic campaigns of education and information of the public, that would be dedicated to reducing the impact of stereotypes about "traditionally manly" and "traditionally womanly" occupations, professions, studies, jobs and promoting society, family and relatives to help the youth to choose jobs according to their features, talents, wishes,

competences and calling, not on the basis of gender, not to deny an attractive occupation just because it is stereotypically "womanly" or "manly". To shape the public opinion that all jobs can be successfully performed by women and men.

5. To organize targeted information campaigns for the youth that would not only continue to promote non-traditional choices by women, but would also shape an equally positive view towards not gender typical career choices for men.
6. Systematically publicize women success stories in non-traditional jobs for women and men success stories in non-traditional jobs for men by involving women NGOs, various media tools, social networks, advertisements, etc.
7. To ensure systematic monitoring and evaluation of curricula, textbooks, content of other teaching material, to initiate needed changes that would ensure the elimination of gender stereotypes, when needed, hereby preventing their influence when choosing occupations, professions, studies, jobs.
8. To seek for a greater inclusion of men in schools, including a possibility to use special temporary measures that are provided in Law on Equal Opportunities for Women and Men. The teacher's job is stereotypically identified as "womanly". More male teachers in schools *inter alia* would be a good practice example for the students, a live proof that teaching is a gender neutral occupation.

The influence of stereotypes for the "invisible" burden of unpaid home work (Suggested as a priority)

Unpaid, not valued, invisible home work – the care and nursing for children, elderly or people with health issues or disabilities, as well as housework, still usually fall on women. In 2023 the researchers of Vilnius university conducted a study "The (im-)modernization of Lithuanian modern society: change of values in the aspect of gender equality" *inter alia* found that women still do most of the unpaid home work: "When there is the question about role distribution in family, the tradition wins, because everything else is written off for "family choice". Because of that there are not many changes in family life, the gender roles in family remain traditional or mostly traditional. Responsibility for various areas of family life, including child care, shifted towards the shared responsibility of the both partners, but the housework, servicing tasks still are on women"⁶ Very similar situation is observed and shown by other earlier researches and data of European Gender Equality Index.

7th Periodic report of the Government of Lithuania on the implementation of CEDAW Convention provides information on quite a number of activities, aimed at elimination of gender stereotypes which, *inter alia*, cause unequal share of unpaid work at home, in particular as regards child care. Indeed, it becomes not so rare in practical life to see men, caring about children in public places and at home. Young generation more willingly accepts the concept of caring fathers, so softening burden of young women.

Much more invisible phenomenon – unpaid care and nursing work of sick, elderly, disabled family members and relatives. Women's organisations, working on grassroots level frequently see in practice, that this work is almost entirely on women's shoulders. This phenomenon is not deeply researched, not

⁶ Virginija Jurėnienė, Giedrė Purvaneckienė. Lietuvos modernios visuomenės (ne)modernėjimas: vertybių kaita lyčių lygybės aspektu/Monografija. - Vilnius, Vilniaus universiteto leidykla, 2023. - 482 p.

so much data can be found on to what extent public services, in particular social, nursing and health protection services, help women to care about sick, elderly, disabled family members. Official statistics portal, section on gender equality, <https://osp.stat.gov.lt/lyciu-lygybe> contains such an indicator as accessibility of care services for disabled and elderly people (*Vyresniojo amžiaus žmonių ir neigaliųjų priežiūros paslaugų prieinamumas*). However sub-indicators show only number of places and service users in care houses, or number of persons receiving social services:

- [“Vietų skaičius globos įstaigose seniems žmonėms metų pabaigoje](#) (number of places for elderly in care institutions at the end of the year)
- [Gyventojų skaičius globos įstaigose seniems žmonėms metų pabaigoje](#) (number of people in the care institutions for elderly at the end of the year)
- [Vietų skaičius globos įstaigose suaugusiems neigaliesiems metų pabaigoje](#) (number of places for the disabled adults in the care institutions at the end of the year)
- [Gyventojų skaičius globos įstaigose suaugusiems neigaliesiems metų pabaigoje](#) number of people in the care institutions for the disabled adults at the end of the year)
- [Socialinių paslaugų asmens namuose gavėjai](#). (number of persons receiving social services at home) “

Official Statistics portal does not provide data, which can allow identifying and comparing at what extent the need of care and nursing services is satisfied. But particularly these unsatisfied needs are the burden which lays down first of all on women’s shoulders. And it is a consequence of prevailing gender stereotypes – care, nursing is a role of women. Particularly heavy this burden for women, who care about family members with the heavy disabilities, such as f.i., senile dementia, Alzheimer's disease, paralysis etc.

There is a lack of simple, understandable, easily accessible information, preferably from one hand, on the opportunities to get social, nursing, care services, their accessibility and quality in the urban and rural territories, also data segregated by sex on the persons who care about elderly, in particular living alone, when they are not visited by social workers. It should be noted, that in Lithuania average coefficient of dependent people (65+) is quite high and exceeds 31. In some municipalities this coefficient is even higher and reaches 38⁷. It allows to presume, that women’s workload of unpaid care and nursing work is particularly high, in particular in cases when women is a single mother and also cares for her elderly of disabled parents.

On the other hand insufficient attention is paid to the ensuring of the right of women with disabilities to to family life and maternity. Stereotypical views regarding women with disabilities, lack of the infrastructure of the necessary services create the precedents, when children are taken out from mothers only because of their disabilities.⁸.

⁷ <https://osp.stat.gov.lt/statistiniu-rodikliu-analize?hash=77a6d7bc-c301-4aca-aff5-144ced727712#/>

⁸

<https://www.facebook.com/NegaliosOrganizacijuForumas/posts/pfbid0QjW2yCiVV94rzdZ17gTeuEvWCcgNTNSXQFxcLsfw9NZd8z7L6Vb9wSjw2MxvNHZPl>
<https://www.facebook.com/NegaliosOrganizacijuForumas/posts/pfbid02Hih8Z3Rqsye48vnfHRAMGKzXRgodAR8xB4iyqJLknaePBHvwNYEMB6Kqq1HuwVXpl>

Women's organisations observe complicated situation with the issue of reconciliation of work and family duties. First of all it is a lack of holistic, needs-centered approach. Different institutions are responsible for different aspects of reconciliation of work and family life, but nobody is in charge of entire issue. There are not enough services for childcare, lack of care and nursing services for dependents (disabled and elderly). Sometimes such services are provided by unemployed women illegally (so called "shadow market"), thus, they do not possess any social guarantees. No services are available in urgent cases. The Law on Social Insurance allows reimbursement for 14 days, when the employee has to nurse his/her child, who is ill, and only 7 days, when the employee has to nurse/care about his/her elderly/disabled parents, who became ill.

LMLO recommends:

1. **Issue of women's unpaid work at home, in particularly care and nursing, must be treated as a priority, to be solved urgently and in a complex way.**
2. To conduct research and assessment of the women's workload of the unpaid work, in particular care and nursing of elderly family members and those with disabilities. To evaluate separately the workload of the unpaid work at home, which falls on women with disabilities. On the basis of the data of such research and to draft needs based care and nursing model, based on the holistic approach and aimed at decreasing burden of unpaid work at home.
3. To apply holistic social innovation – pilot centres of reconciliation of work and family life, in which all necessary services will be applied following the principle of the "one window". The package of services should be holistic, needs-oriented, complex and decreasing women's unpaid workload, so helping to properly reconcile their work and family life.
4. To promote and support establishment of pilot business incubators or networks of holistic work-life balance support services, which could be run by women's NGOs and supported by state and municipal institutions
5. To improve availability, accessibility and quality of social, care, nursing services. To develop services, which help women with disabilities to realise their right to maternity. To improve awareness, in particular in rural areas about availability and accessibility of services for people, who care and nurse their family members. This information should be users friendly - practical, concrete, easily understandable and easily accessible even for those, who do not use social networks, including concrete information where to apply and in what way etc.
6. In cooperation with the gender equality researchers, experts, women's organisations to collect, analyse, assess and adapt progressive good practices in this area, which promote balanced share between women and men of unpaid domestic work, in particular which decrease women's burden of care and nursing of dependent family members. To promote application of those good practices in Lithuania. To change dominating masculinity norms and to promote images of caring men and relevant practices.
7. To organize continuous well targeted educational and awareness raising campaigns, aimed to change approaches of the society to the so called "women's" and "men's" jobs, in particular domestic work, care and nursing work. For this purpose to use such channels, as, f.i., videos on TV, social media, in public transport, etc., to publish scientific articles or even comics, to organize attractive public discussions on different aspects of gender equality, to ensure, that information reaches the targeted audience.

IV. Gender pay gap and gender equality planning at the workplace

(CEDAW Article 11)
(Concluding Observations para 36, 37)

CEDAW Committee in it's Concluding Observations on the Sixth periodic report of Lithuania of the Committee on the Elimination of Discrimination against Women, para 36 expressed the concerns about:

- „(a) The persistent gender pay gap and consequently gender gap in the levels of pension benefits and lower salaries in traditionally female dominated occupations;
- (b) Vertical and horizontal occupational segregation and the difficulties to integrate migrant women, Roma women, rural and older women, and women with disabilities into the labour market;
- (c) The absence of a mechanism to monitor the quality of equal opportunities plans by public and private companies, which is mandatory under the amended Labour Code“⁹

CEDAW Committee recommended:

Recalling its previous recommendations (CEDAW/C/LTU/CO/5, para. 35), the Committee recommended (para 37):

- „(a) Enforce the principle of equal pay for work of equal value, in order to narrow and ultimately close the gender pay gap, including by regularly reviewing wages in all occupational sectors, conducting regular labour inspections, applying gendersensitive analytical job classification and evaluation methods, conducting regular pay surveys, and awareness-raising campaigns in cooperation with employers' associations and trade unions;
- (b) Strengthen measures to address horizontal and vertical occupational segregation and enhance women's access to the labour market, including for women after reaching the pensionable age, and disadvantaged groups of women, such as migrant women, Roma women, rural women, older women and women with disabilities, including under the action plan for the integration of Roma into the Lithuanian society 2015-2020 which also aims at the economic empowerment of Roma women;
- (c) Establish effective monitoring and accountability mechanisms to ensure compliance with their obligation under the Labour Code to develop equal opportunities plans by public and private companies“¹⁰

Indeed women's labour market position and earnings situation is still less favourable than men's - and this is reflected later in their pensions. The gap between women's and men's earnings **-gender pay gap – GPG- in Lithuania has increased** by almost two percentage points over the year, with men earnings on average 13.6% more than women in year 2022. The gap has been narrowing in the budget sector and widening in the non-budget (private) sector. In November 2022, the average monthly income of women working full-time was €1,697 before tax, compared to €1,927 for men.

The largest gap in labour income - 15.9% - is in the non-budget sector. In the budget sector, the gap decreased from 10.5% in 2021 to 10.2% in 2022. In the budget sector, women account for 74% of all insured persons and 46% in the non-budget sector.

⁹ Committee on the Elimination of Discrimination against Women. Concluding observations on the sixth periodic report of Lithuania*, 12 November 2019, 6 psl. <https://www.ohchr.org/en/documents/concluding-observations/cedawcltuco6-committee-elimination-discrimination-against-women>

¹⁰ Committee on the Elimination of Discrimination against Women. Concluding observations on the sixth periodic report of Lithuania*, 12 November 2019, 6 psl. <https://www.ohchr.org/en/documents/concluding-observations/cedawcltuco6-committee-elimination-discrimination-against-women>

A large proportion of employed women, 13%, work in human health care. Here, incomes grew faster in the previous years 2020-2021, so the nominal growth of women's labour income was slower in 2022. However, the income gap is not disappearing.

The income gap is influenced by the choice of profession. Women earn the highest incomes in finance and insurance (€2 383) and information and communication (€2 257). However, the share of women working in these sectors is only 5% of all insured women. Moreover, information and communication activities have one of the largest income gaps: while women earn more than women in other areas, men earn as much as 41% more than their female counterparts. The wider GPG is only in human health activities: although women account for 86% of all insured persons, they earn half as much as men.

The smallest GPG is in education. Almost 80% of the workforce is female and they are paid 3.5% less than men. In transport, a different trend emerges: although women make up only a fifth (18%), they earn 14% more than men. Women are most often employed as professionals and in administrative activities, while men are drivers.

The largest gap in average earnings between men and women, 16.4%, is seen in the 30-39 age group. Women in this age group earn on average €1,949 before tax, while men earn €2,268.

A lifetime of lower earnings than men's also results in lower retirement pensions for women. As of last November, women's pension is 19% or €92 lower than men's. The average pension for women with the required length of service is €481, compared with €573 for men¹¹.

In 2019 -2020 researchers of Mykolas Romeris University conducted scientific research on the reasons of gender pay gap. The research included qualitative interviews with the employers, survey of the views of employees and objective assessment of gender pay gap in the concrete enterprises/organisations, using the self-assessment tool LOGIB. On the basis of this research the monograph „Gender pay gap in Lithuania“ was published¹². The research, *inter alia* revealed not only reasons of average gender pay gap and not only part of the gender pay gap, which might be explained (f.i., longer work experience, higher qualification), but also part of of gender pay gap, which can not be explained, thus it is exclusively gender-based, discriminatory *per se*. On the basis of research data and conclusions recommendations were developed on the measures to eliminate the reasons of gender pay gap and to decrease gender pay gap. These recommendations were presented and discussed in the Tripartite Council.

7th Periodic report of the Government of Lithuania on the implementation of CEDAW Convention contains information on the measures taken to decrease gender pay gap. However official statistics shows tendency of increasing gender pay gap. It might mean, that the measures taken are insufficiently effective. F.I. Requirement to make public average earnings of men and women in companies just takes-up and there are no visible results yet.

LMLO recommends:

1. **The issue of women's economic independence must be treated as a priority and urgent actions must be taken to decrease gender pay gap.** Current measures applied by the Government, do not decrease gender pay gap. Women's economic dependence on men remains – and it is one of the

¹¹ [HTTPS://WWW.SODRA.LT/LT/NAUJIENOS/MOTERU-IR-VYRU-DARBO-PAJAMU-ATOTRUKIS-PER-METUS-PADIDEJO?LANG=LT](https://www.sodra.lt/lt/naujienos/moteru-ir-vyru-darbo-pajamu-atotrukis-per-metus-padidejo?lang=lt)

¹² Moterų ir vyrų pajamų atotrūkis Lietuvoje. Ona Rakauskienė, Eglė Krinickienė, Vaida Servetkienė, Lina Volodzkienė. Mykolas Romeris University. 2020 m.

fundamental leverages of men's power. Women's economic dependence causes also other forms of women's discrimination.

2. To strengthen capacity of NGOS working in the sphere of women economic empowerment, including economic empowerment of women with disabilities and other women in unprivileged situations.
3. urgently implement continuous legal, organisational, awareness raising and capacity building measures to be implemented in cooperation with women's NGOs, addressing gender pay gap, its causes and consequences.
4. -to address root causes of the gender pay gap - raise awareness of and take action against horizontal and vertical segregation in the labour market, - to promote the participation of girls and women in STEAM careers and education.-to reduce the gender-based horizontal and vertical segregation of the labour market, in particular occupational and sectoral labour market segregation, and to encourage boys and girls to choose an occupation and job according to their needs rather than the dominant approach to 'traditionally female' and 'traditionally male' jobs.
5. -to ensure publication of data gender pay gap in enterprises and institutions, analyse changes in wages and their causes; where necessary, to perform cause assessments and identify ways to eliminate these causes.
6. -to raise awareness of the business and public bodies representatives (labour unions, employer committees, etc.) about the GPG and the tools to control and manage it.
7. -to educate the public about the negative effects of gender stereotypes.

Equality planning at the workplace

LMLO observes rather formal attention of employers to gender equality planning at the workplace, employers' low understanding of the importance of gender equality planning at workplace, lack of legally established necessity to monitor and report on the results of implementation gender equality plans; insufficient awareness-raising towards changing the employers' attitude regarding women's role in the labour market.

The Lithuanian Labour Code requires mandatory Equal Opportunities Plans, but no monitoring mechanisms are foreseen and known. No publicly accessible information on accountability for the implementation of the aforementioned plans is available. No targets and indicators to measure the results. This absence leads to the formal approach of employers to gender equality planning.

LMLO draws the attention to the insufficiently efficient implementation of the strategically important for de facto gender equality of the Article 26, in particular its part 6, of the Labour Code. Part 6 of the Article 26 of the Labour Code sets the obligation of the employer to adopt and publish measures of Equal opportunities policy: "6. Employer, in which organisation the average number of employees exceeds 50, must adopt and publish in a usual way the measures of the implementation of equal opportunity policy and principles of monitoring of implementation".

Women's organisations while implementing various projects, frequently notice quite formal approach of employers to the fulfilment of these legal provisions of the Labour Code. Lack of knowledge, motivation, competences is also obvious.

However the problem is hidden also in the quite complicated wording of this legal provision, which might be interpreted differently and it creates obstacles for proper application of this requirement in practice.

In order to promote effectiveness of the implementation by employers of the part 6 of the Article 26 of the Labour Code, to help institutions, supervising implementation of the Labour Code, to accelerate de facto gender equality in the Labour market, in 2021 LMLO prepared and submitted to the Governmental institutions suggestions how to amend part 6 of the Article 26 of the Labour Code:

- to ensure, that the measures of Equal opportunities Policy are not only adopted and published, but it is also obligatory to implement them, to establish mechanisms of monitoring, evaluation and accountability, to set the indicators, to set the position of the person in charge of coordination of implementation of equal opportunities policy and accountability.

Concrete provisions suggested:

„6. Employer, having more as 50 employees, must draft, discuss with the representatives of the employees, adopt, make public and implement Equal opportunities policy. This Equal Opportunities Policy must contain comparative analysis of the situation of women and men in the workplace, identification of gender inequalities/gaps, concrete measures for resolving of issues identified, implementation deadlines, indicators, concrete persons in charge of implementation, monitoring, evaluation and accountability mechanisms, including periodicity and order. Equal opportunities policy must address all problematic areas, indicated in the Article 26, parts 1-5 of the Labour Code. Reports on the implementation of the Equal Opportunities policies should be published and made easily accessible“.

LMLO recommends:

1. to amend Labour Code Article 26 part 6 clearly establishing requirement not only adopt and publish equality measures but also implement them, ensure monitoring and accountability, report on the results achieved and make these reports public.
2. to develop monitoring and accountability mechanisms for gender equality plans, targets and indicators, and make results publicly available.
3. -to conduct, in cooperation with women's NGOs continuous training and awareness raising activities for social partners on gender equality plans.
4. -to include gender equality planning issue (measures) to the documents which are mandatory for employers willing to establish their business
5. -to develop supporting tools and materials for employers (f.i., model example of Equal opportunities policy, good examples of the concrete measures, practical manuals for the management and the persons in charge of Equal Opportunities Policies and accountability, necessary methodologies, orders, rules etc). These supporting materials should help to draft relevant Equal Opportunities policies, to ensure effectiveness of implementation, fair and public accountability.
6. To set the sanctions for non-implementation of Equal Opportunities policies and violation of the provisions of the Article 26 of the Labour Code.

V. Combating violence against women and trafficking in women (CEDAW Articles 2,3,6) (Concluding Observations para 22, 23, 26, 27)

V. Combating violence against women and trafficking in women
(CEDAW Articles 2, 3, 6)
(Concluding Observations para 22, 23, 26, 27)

Domestic violence against women

The reducing number of pre-trial investigations after the establishment of domestic violence protective order (restraining order).

After the establishment of restraining order, the number of pre-trial investigations has reduced. Specialists of Specialised Comprehensive Support Centres that provide help to people that became victims of domestic violence noticed that after restraining order was introduced, there were less notifications about pre-trial investigations started. Often police officers apply restraining order **as an alternative** to pre-trial investigation. After restraining order has been issued, no further actions, required by laws, are taken. Additional information about the circumstances is not collected. Since no additional information about the potential violence case is gathered, after the expiration of the restraining order, or after the appeal has been satisfied, the threat presented by the person who was the source of apparent domestic violence, reemerges.

Not all women at risk of domestic violence are ensured proper protection. Specialists that interact with people who suffered domestic violence, report that even in presence of obvious signs of physical violence (lesions, bruises, scratches etc.) and victim's claim that they were obtained during physical violence, the officers don't start pre-trial investigation, but issue a restraining order. In different county precincts practices when starting pre-trial investigations differ, which shows that in different local branches the same laws and the orders of the Police Commissioner General are interpreted and applied differently. There is a lack of specialist workforce in the law enforcement. Officers and other law enforcement employees due to the abundance of unfilled positions are experiencing inadequately large workloads, which also results in the reduction of pre-trial investigations.

There is no information on how much police officers / judges take into account the expertise of the specialists of the Specialised Comprehensive Assistance Centres when taking decisions regarding the appeals on restraining orders.

LMLO recommends:

1. To ensure an effective implementation of laws, preventing situations when police officers use restraining order as an alternative to the beginning of pre-trial investigation.
2. To ensure the monitoring of the implementation of Law on Protection against Domestic Violence (Article 8 - the issuance of restraining order), bringing attention to that the restraining order is issued in order to check the factual circumstances, and, if the suspicion regarding the potential violence is found to be justified, beginning of the pre-trial investigation.

3. To ensure that the Specialised Comprehensive Assistance Centres would get a feedback from police officers/judges concerning the decisions taken on appeals made regarding restraining orders after evaluating expertise from the specialists of the Specialised Comprehensive Assistance Centres.
4. To increase the number of police officers, specialists and investigators in order to gather needed information more timely, to clarify factual circumstances, start pre-trial investigations. To raise systematically the qualifications of the investigators.
5. To implement surveillance on the trends in statistic indicators regarding the received notices about people who experienced danger or domestic violence.
6. To implement the analysis and evaluation of the said surveillance results by creating a working group on state level from representatives of law enforcement, Ministry of Social Security and Labour, State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, and Specialised Comprehensive Assistance Centres.

Improper accreditation – weakening of system for protection, support, service provision and prevention (the issue is offered to be identified as a priority)

Improperly implemented accreditation of Specialised Comprehensive Assistance Centres determines the reduction of the scope and effectiveness of the provided support for a person, reduces quality and availability of the support.

The accreditation system of Specialised Comprehensive Assistance Centres prioritizes the needs of the organization/institution that provides or plans to provide support, rather than interests and needs of the victim. This results in a risk of demolishing the effective support provision system that was built for 10 years by the efforts of women's organizations.

Every institution that seeks to provide specialized comprehensive support for people who suffered domestic violence or who are at risk of it, has to meet all requirements stated in the order of the minister of Social Security and Labour (29 December 2022, No. A1-901) "On the Approval of the Descriptor of Decisions to Provide Specialised Comprehensive Support"

However the women organizations notice that accreditation is implemented rather formally, off-handedly:

1. When accreditation is being done, the requirements of the Descriptor are not upheld: it is the budget institutions that are providing common social services (coming from implementation of the Law on Social Services), instead of specialized services (coming from implementation of the Law on Protection against Domestic Violence) that are accredited; institutions that are merely declaring their experience are accredited (a written declaration that during its period of activity, it worked at least for 2 years in the area of domestic violence or provided specialized comprehensive support – often it's just provision of common services of a lawyer or a psychologist, and additional check of publicly available information doesn't allow to identify any required experience).

2. The process of accreditation isn't exhaustive. During accreditation it is not evaluated that in a particular territory there is already present an accredited institution providing quality support. This way instead of cooperation and effort synergy there appear conditions for a useless competition, from which the whole system of protection, support and services for a person is harmed, especially the women who suffered domestic violence.
3. Accreditation is valid until the liquidation of the organization. The mechanism of monitoring of all accredited centre is merely declarative and not implemented in reality.
4. The implemented process of accreditation and financing accredited institutions is demolishing the system that was built for 10 years, proven in practice and has been working effectively. System isn't improved, instead it is remade from scratch. It's a move from a clearly regulated, described, coordinated support provision system (particular Specialised Comprehensive Support Centre serves a particular territory, all Centres are following the same process descriptor, the rules of sharing information are clear for all organizations/institutions working in a particular territory, etc.) towards the system which hardly enable women to access support easily, in a single-window system – effective, swift and comprehensive support that would be proven and having positive reviews; the need for secondary risks of victimization therefore increase, along with blurring the lines between provision of services of various organizations and comprehensive support provided by Specialised Comprehensive Support Centres, and the number of accredited institutions being increased disproportionately to the needs and state's financial capabilities.

According to the rules set by Ministry of Social Security and Labour, accreditation doesn't equate financing from state budget funds. From the view of the Ministry, accreditation can be received by centres that are financed from: 1. State budget funds; 2. Municipal budget funds; 3. Other funds (other projects, private funds, etc.). There is an issue that there's already a number of accredited centres present that compete for the same funds from the same municipalities. Ministry didn't set clear rules about the territorial distribution between such Specialised Comprehensive Support Centres. The municipalities are only assigned clearly between Centres that are financed from state budget's funds. When, for example, a budget institution of municipality is accredited as Specialised Comprehensive Support Centre and doesn't apply for the funds of the state budget, police officers doesn't forward reports to it, so in essence it deals only with people who applied personally. However such centres also have/want to get information from police, but instead of setting clear rules for distribution of the notices, as mentioned before, ministry just recommends to "agree among yourselves". Agreement is simply impossible, because that would mean dividing territories on street lines, while notices from police are received into one email address in a county. It results in total confusion, and it makes us to adopt a quite categorical position: either there should be just one Specialised Comprehensive Support Centre in one municipality, or one centre, coordinating all Specialised Comprehensive Support Centres of that municipality. Otherwise the confusion about who should be recipients of notices from the police is impossible to avoid, with swiftness and quality of support for women that experienced violence, suffering in the process.

LMLO recommends:

1. **To identify the issue of accreditation as a priority that has to be solved urgently**
2. To amend and supplement Article 16 of the Law on Protection against Domestic Violence:

-the 1st part should be amended so as to stress that the duty to provide specialized comprehensive support can be given to non-governmental organizations (NGO).

- 4th point of the 1st part should be amended accentuating that organization must have no less experience than 2 last years of activities providing specialized comprehensive support for people at risk of domestic violence or people who suffered it, as well as activity in the area of human rights and have employees with qualifications corresponding to those mentioned in the 5th point of the 1st part of Article 16 of the Law.

- 5th point of the 1st part should be amended accentuating that its employees, working directly with people at risk of domestic violence or people who suffered it, have higher education in field of social sciences or law, or no less than 2 last years of work experience providing specialized comprehensive support to people at risk of domestic violence or people who suffered it.

3. . To create a legal norm that in a particular territory only one accredited institution that provides specialised comprehensive support is financed.
4. To create a mechanism of surveillance for accessibility of activities of accredited institutions for women that were harmed by the domestic violence and for quality of the provided support. To monitor, analyze the quality and effectiveness of the created system.

Indefiniteness of the areas of activity of methodical centre for Specialised Comprehensive Support Centres and insufficient funding

Methodical help to Specialised Comprehensive Support Centres is organized inconsistently, without having a clear vision for development of comprehensive support provision system. Methodical centre for Specialised Comprehensive Support Centres is allocated disproportionately low funding, considering the scope of the activities that it is obligated to do. This funding is insufficient to ensure proper implementation of these activities: there is lack of funds for administering project activities, hiring external experts, organizing of direct capacity-building events for the specialists of Specialised Comprehensive Support Centres and other specialists working in the area of combatting domestic violence, also for publicizing activities of Specialised Comprehensive Support Centres and the help they provide.

The scope of obligatory activities of methodical centre for Specialised Comprehensive Support Centres is disproportionate also as regards in their implementation period. Funding for the implementation of the activities of the methodical centre for Specialised Comprehensive Support Centres is allocated for the period of 6 months. The activities that are obligatory to implement during this period include various areas – process of providing specialized comprehensive support, quality assessment of the activities of Specialised Comprehensive Support Centres, capacity-building for the specialists of Specialised Comprehensive Support Centres and other specialists working in the area of combatting domestic violence, publicizing activities of Specialised Comprehensive Support Centres and the help they provide. Proper implementation of these activities need long-term involvement of different specialists, so the period of 6 months which include 2 summer months, is insufficient.

Conditions to begin a consistent development of long-term methodical support system for Specialised Comprehensive Support Centres are not ensured. Activities of methodical centre for Specialised

Comprehensive Support Centres are funded via project competition, funding is allocated for 6 month period, with the priorities, funds and the duration of the incoming period itself remains unclear.

There is a risk that in every funding period the activities of methodical center for Specialised Comprehensive Support Centres will be implemented by different nongovernmental organizations. The organization of the provision of methodical support for Specialised Comprehensive Support Centres will be organized chaotically, without ensuring coherent development of specialized comprehensive support provision system.

Funding of methodical centre for Specialised Comprehensive Support Centres via the project competition determines a particular definition of mandatory activities and mandatory indicators. Implementation of the new edition of the Law on Protection Against Domestic Violence determines a need for flexible reaction to quickly changing environment, related to the changes of the protection, support and service provision for people that are suffering domestic violence or are at risk of it, that were introduced by the Law. The expectations voiced by the Ministry of Social Security and Labour also require flexible actions from methodical centre for Specialised Comprehensive Support Centres. However the aforementioned funding mechanism for methodical centre for Specialised Comprehensive Support Centres, limited financial and human resources don't create the conditions needed to flexibly adapt to quickly changing situation and amend the activities as needed.

LMLO recommends:

1. Ministry of Social Security and Labour, in cooperation with the other interested institutions, should properly define and present to the institutions working in the area of combatting domestic violence, a vision, priorities and goals to be achieved of the system of protection, support and service provision for people that are suffering domestic violence or are at risk of it.
2. Ministry of Social Security and Labour should draft the priorities and indicators to be achieved for the activities of methodical centre for Specialised Comprehensive Support Centres, that would be aimed at the systematic development of the system of specialized comprehensive support provision that was developed for 10 years, for a period of at least 2 years.
3. Ministry of Social Security and Labour should ensure funding of the activities of methodical centre for Specialised Comprehensive Support Centres, that would be adequate to the scope of the planned activities for a period of at least 2 years.

Problem of identification criteria and issues of application in order to identify a person that is experiencing domestic violence or is at risk of it, or has experienced sexual violence.

Not all institutions mentioned in the Law on Protection against Domestic Violence have prepared the criteria for identification of a person that is suffering domestic violence or is at risk of it. Social service, health and education institutions haven't prepared and do not apply identification criteria of a person that is suffering domestic violence or is at risk of it, including person with disabilities.

There is no data on how the specialists of State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour apply identification criteria of a person that is suffering domestic violence or is at risk of it or has suffered sexual violence.

Specialists that have to ensure protection and provide services and support lack abilities to identify a person that is suffering domestic violence or is at risk of it or has suffered sexual violence.

LMLO recommends:

1. To prepare recommendations for social service, health and education institutions working at municipal level on criteria for identification of a person that is suffering domestic violence or is at risk of it, including specifics related to disabilities.
2. To ensure compatibility between the criteria used by different institutions for identification of a person that is suffering domestic violence or is at risk of it.
3. To ensure that a constant methodical support regarding identification criteria and their application is provided by the responsible institutions – Ministry of Social Security and Labour and Ministry of the Interior.

Insufficient prevention of violence against women, in particular change the societal approaches in the area of domestic and sexual violence, especially on the municipal level

Experts consider the legal basis for the prevention of domestic violence as sufficient, but the effectiveness of the implementation needs improvement. The definition of physical violence is known and possible to recognize in the society, however other forms of violence – psychological, economical violence are hardly understood by the society. Minimal attention (and resources, accordingly) is attributed to the prevention of sexual violence and particularly limited resources are allocated for support of victims of sexual violence. Changes directed at changing norms in the areas of domestic violence and sexual violence are insufficient both at national and especially on municipal level. Topic of the sexual violence is especially sensitive question that isn't openly addressed enough not only on state, but also on municipal level. As regards this issue invaluable role on both state and municipal level belongs to NGOs. However it needs to be stressed that **in order to change societal norms and to implement education for society in the area of domestic violence and sexual violence, an appropriate funding should be allocated, which is not sufficient at this moment.**

In the Article 6 of the Amendment of the Law on Protection Against Domestic Violence (No XI – 1425) ¹³ it is provided that a Council for the Prevention of Domestic Violence and Protection against Domestic Violence is to be formed on state level, while in the Article 7 of the same Law it is provided that in every municipality there will be a municipal level commissions for prevention of domestic violence. One of the functions of these commissions is to ensure the implementation of domestic violence prevention policies. However so far there is no data whether all municipalities have such commissions formed, and whether they all include representatives from women's organizations that are working in the area of violence reduction against women.

There is no sufficient funding for the prevention of violence against women in order to change societal norms in the areas of domestic violence and sexual violence both at national and on municipal level. Part 5 of the Article 4 of the Law on Cash Social Assistance for Poor Residents¹⁴ states where unused funds can be used by municipalities that include also violence, suicide, addiction and human trafficking

¹³ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.400334/asr>

¹⁴ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.215633/asr>

prevention. After assessing the situation, however, it can be stated that most municipalities allocate the smallest amount for violence prevention after redistributing funds.

LMLO recommends:

1. -For the Ministry of Social Security and Labour ensure systematic monitoring on whether in all Domestic Violence Prevention Commissions there is an NGO representative that provides specialized comprehensive support for people that are suffering or had suffered domestic violence.
2. -To ensure periodic surveillance of the situation, evaluation of it and possibility to provide particular offers on its improvement on the state level, involving the Council for the Prevention of Domestic Violence and Protection against Domestic Violence. To draft the descriptors/regulations, that would include indicators on the implementation of the monitoring by this council and the Domestic Violence Prevention Commissions.
3. -For the Ministry of Social Security and Labour to provide a sufficient funding for the NGOs working in the area of domestic violence and sexual violence, for implementation of preventive/educational work, educating society on both state and municipal levels, ensure sufficient long-term funding for prevention programs in area of domestic violence and sexual violence. To ensure sufficient funding for non-governmental organisations, who provide assistance and support to victims of sexual violence.
4. -For the Ministry of Social Security and Labour to ensure the monitoring on the implementation of the Part 5 of the Article 4 of the Law on Cash Social Assistance for Poor Residents and after the analysis to draft recommendations for municipalities, during the redistribution of funds saved from the social assistance to allocate at least 5 per cent of the funds for prevention of domestic violence.
5. -For municipalities to provide the information for the Ministry of Social Security and Labour on what particular measures for the prevention of domestic violence are included in strategic action plans of the municipalities.

Lack of funding for specialized comprehensive support

After the restraining order was introduced, the number of reports on domestic violence, and with it, the **need for support increased threefold**. It significantly affected the increase of the workload for the specialists of Specialised Comprehensive Support Centres. However the funding of the centres didn't increased proportionally

The consequence of it is that not all people that are suffering domestic violence or are at risk of it are granted proper support and provided needed services and specialized comprehensive support.

LMLO recommends:

1. To ensure adequate, specialized comprehensive support needs-based funding for the support provided by Specialised Comprehensive Support Centres to women-victims of domestic violence.

Lack of competence by the officers of law enforcement and judiciary, including judges, prosecutors, in cases of sexual and domestic violence (the issue is offered to be designated a priority)

Prosecutors and judges rarely participate in the capacity-building events for specialists working in area of combatting domestic violence. Without special training judges and prosecutors may not understand the nuances of consent (definition of which is still not present in the legislation) and traumas experienced, so may understand wrongly, what is consent. It may lead to wrong decisions and perpetuate myths about sexual violence as well as gender-based violence.

Without special training judges and prosecutors without understanding it can show insensitivity to the exceptional needs and vulnerabilities of people that suffered sexual or domestic violence or who are at risk of that. It can lead to the repeated victimisation and that additionally traumatizes the victims.

In cases of sexual and domestic violence there is a common need to behave carefully with sensitive proof, for example, evidence of the forensic science or digital recordings. If there is no special training, there is a risk to process or understand this important data improperly, and that may have an impact on the verdict on the case. Judges and prosecutors that don't understand the complex cases of sexual or domestic violence may make legal decisions that are not in line with changing legal standards or best practices.

When the victims notice that cases of sexual violence are examined without enough competence, they may be less likely to report such crimes, which results in the insufficient reporting and the perpetrators remain unpunished.

After the introduction of the restraining order, with judges lacking proper knowledge, there is danger that the restraining order as a measure will be discredited and there will be an intent to abolish it. In the judicial practice there exist not well based decisions on ending the restraining order. They are made when judges do not have proper knowledge or adhere to the stereotypes still existing in the society, e.g. restraining order is ended because the person at risk didn't provide a report, didn't ask the pre-trial investigation officer to start the pre-trial investigation, didn't press the charges against the spouse in writing.

Police officers and other law enforcement specialists lack systemic and constant updates of their knowledge of the changes in laws, norms related to implementation of the Law on Protection Against the Domestic Violence.

LMLO recommends:

1. **A lack of specialized trainings for law enforcement and judicial officers, firstly judges and prosecutors, shall be treated as a priority issue, to be solved urgently.**

2. To put into law the specialization of police officers, prosecutors and prosecutor assistants that have right to work with domestic and sexual violence.
3. To strengthen trainings for the law enforcement and judges on sexual violence and violence against women, including specifically women with disabilities, recognition of the victims and provision of protection and support.
4. -To include topics of domestic violence, sexual violence, especially in a private area, and sex-based violence into the capacity-building topic list for judges, prosecutors and prosecutor assistants. The content of training should include these topics: types of violence and consequences for the victims; change of traditional norms and stereotypes; victim-oriented approach; trauma-oriented approach; recurrent/secondary victimization; intersections of violence, sex and disabilities.

A lack of competences and abilities of specialists of various spheres in the fare of protection from domestic violence and combatting sexual violence

Systematic capacity-building for specialists that provide protection, services and support for people that suffer domestic violence or are at risk of it, is not ensured. Specialists from municipal administrations, health and education institutions do not identify themselves as specialists working in the area of combatting domestic violence and don't participate in qualification training events for such specialists. Specialists of State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour rarely participate in events for specialists working in the area of combatting domestic violence.

Most of the capacity-building events for specialists working in the area of combatting domestic violence are organized by the initiatives of NGOs from the funding allocated for the project implementation, and that makes it difficult to ensure systematic organization of such events, as well as proper scope of them. There is a lack of capacity-building events for the specialists working in the area of combatting domestic violence that would be aimed at recognition of sexual violence and ensuring proper protection, support and services for its victims. Predominant perception of the domestic violence and its definitions do not include forms of violence that create risks specifically for people with disabilities.

Municipal administrations do not adhere to the obligation present in the Law on Protection against Domestic Violence to prepare programs dedicated to specialists, working with people that suffered domestic violence or are at risk of it, and are participating in the activities of the prevention of domestic violence. Besides, there is a lack of attention in current programs for the topic of disabilities.

LMLO recommends:

1. To ensure systematic and targeted capacity-building in the area of combatting domestic violence, including sexual violence and specifics of violence against women with disabilities for specialists in various fields. Such training programs should include topics of sexual violence, violence against women, including specifics of violence against women with disabilities, victim recognition, providing protection and support.
2. To organize trainings of police officers and capacity-building trainings within modules that would encompass domestic violence recognition, risk assessment, rules on issuing restraining order.

3. To ensure monitoring of implementation of Article 4 of the Law on Protection against Domestic Violence – its norms that are dedicated to the guarantee of capacity-building for specialists from various fields.

Insufficient raising of awareness in society of the issue of domestic violence and sexual violence, especially in a domestic setting, and among the female victims, especially from vulnerable groups, about the opportunities for support

There is no coherent and solid information dissemination in Lithuania, therefore in society there is a serious issue regarding the violence recognition as well as the relevant one regarding the awareness of support opportunities– whom to contact after suffering domestic or sexual violence.

According to data (2022) from the public opinion and market research company “Baltijos tyrimai” , 59 per cent of victims didn’t seek for help (60 per cent in 2020), police was contacted only by 17 per cent (14 per cent in 2020) in Lithuania. It is physical violence that is best recognized by society, while the other types of violence remain hard to recognize and victims do not seek help in related cases.

In the [report](#) of the qualitative study “Domestic violence: prevention, protection, support, cooperation” (2019) it is stated that in the domestic violence statistics it is mostly physical violence that is recorded, there are very rarely cases of psychologic and economic violence recorded and sexual violence – an incredibly small number. It can be assumed that it’s not because they do not exist in Lithuania, but because these forms of violence are hard to recognize and even harder to prove.

These issues are even more noticeable among the people with disabilities. The [research](#) on the support for victims of gender-based violence, made in the scope of the 2021 project #StabdykdDabar!, carried out by the Lithuanian Women’s Lobby Organization, revealed that: “One of the most important factors that make protection, support and services hardly accessible for women with hearing/vision disabilities, that suffered domestic violence, is a lack of information that would suit their individual needs. This data is confirmed by the victimological [research](#) on the experience of cases of violence by women with disabilities (2021), conducted by Lithuanian Disability Forum.

Incoherent dissemination cannot ensure solid and consistent raising of awareness on violence recognition and support channels. There is no integrated approach or strategy for information dissemination. Proper information dissemination directly influences better recognition of violence, intolerance for it and the number of people seeking for help.

LMLO recommends

1. To form systematically the societal approach towards the violence of all forms as a breach of human rights that has social, psychologic, economic consequences not only for woman who has suffered domestic violence, but for the whole society, ensuring systematic and unified society’s education and information for it about domestic violence, while stressing psychological, economic, and sexual violence and sexual violence outside the domestic setting.
2. To spread constantly proper and relevant information in a language easily understandable by a person about the activities of Specialised Comprehensive Support Centres, providing specialized comprehensive support, involving media and other easily accessible methods.
3. To disseminate, prepare, and constantly update information about support opportunities for victims of sexual violence in domestic setting.

4. To ensure that information about support opportunities would also reach people that are not using IT and social networks, e.g. by publishing and distributing memos.

Unratified Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)

The unwillingness of decision makers to ratify Istanbul Convention supports and deepens patriarchal norms, bolstering the part of the society that is against the convention due to various myths. Women NGO had organized information campaigns that were aimed at destructing myths; however the effect was not sufficient. This viewpoint of the decision makers is one of the reasons who specialists (judges, prosecutors, police officers and social employees) often participate in victim blaming. This noticeable contributes to insufficient prevention, change of beliefs, lack of unified and effective system of protection, support and services in case of sexual violence or misdirected system progress in case of domestic violence. There principle of prioritizing needs of the female violence victim is not adhered to (“victim-centered” and “trauma informed” approaches), etc. The instances of economic violence are not investigated

Secondary victimization is common due to the lack of systemic, targeted, gender-sensitive training for officers. The programs promoting empowerment and economic independence of women that have suffered violence, are not implemented. There is a lack of inter-agency coordination between different law enforcement agencies and judicial institutions.

Istanbul Convention that obligates countries to ensure protection of victims and ensure their right to legal, psychosocial and medical help is still unratified. Because of those women, that have suffered violence, remain without proper support and protection, they lose opportunities to fight violence based on sex more effectively, including sexual violence, especially in domestic setting, as well as crimes and their reasons, rapists remain unpunished and victims do not have opportunities to pursue justice.

LMLO recommends

- To ratify Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) without any exceptions.
- To ratify ILO Violence and Harassment Convention 2019, No. 190

Sexual violence

Scientists, researching penal legal protection when suffering domestic violence¹⁵, claim that sexual violence is especially latent. That is determined by many reasons: especially private nature of sexual relations, stereotypical approaches toward gender roles, inappropriate reaction of penal justice¹⁶. Sexual violence (60-80 per cent¹⁷) in domestic setting is complex, multi-dimensional, multifaceted, including several types of violence that manifests in actions of different nature, e.g. sexual harassment and

¹⁵ Jakštienė, R. 2019. Smurtas artimoje aplinkoje prieš moteris: baudžiamoji teisinė apsauga. Daktaro disertacija. Vilnius: Mykolo Riomerio universitetas, 2019: 38-47. https://repository.mruni.eu/bitstream/handle/007/15758/Disertacija_R_%20Jakstiene.pdf?sequence=2&isAllowed=y

¹⁶ Tellis, K. Rape as a Part of Domestic Violence: a Qualitative Analysis of Case Narratives and Official Reports (El Paso LFB Scholarly Publishing LLC, 2010), 42-51, 119-138. <https://www.lfbscholarly.com/product-detail/rape-as-a-part-of-domestic-violence-a-qualitative-analysis-of-case-narratives-and-official-reports>.

¹⁷ Stark, E. Re-presenting Battered Women: Coercive Control and the Defense of Liberty (2012), 7. https://www.stopvaw.org/uploads/evan_stark_article_final_100812.pdf

violence, stalking and physical violence or various combinations of these types¹⁸. According to the data of worldwide research, physical and sexual violence is related to high level of controlling behavior¹⁹.

A research²⁰ conducted by the Human Rights Monitoring Institute in 2018 shows that in Lithuania sexual violence is one of the least recognizable forms of domestic violence, both in the wider society and among the women who are suffering this type of violence.

Not all perpetrators of sexual violence are sanctioned for their crimes; victims are not willing to report about sexual violence because of many reasons – fear, social stigma, mistrust in law enforcement officials, etc.

Education is the core aspect of prevention of sexual violence, but within the country it is implemented quite episodically, via lone initiatives, proper funding for such activities is not allocated, especially for people working with such cases – judges and prosecutors.

The programs of sexual education do not include analysis of situation when disabilities are present and/or dedicated seminars for girls/women with disabilities (especially psychosocial, mental disabilities) and their relatives/close ones. Such lack of information/education makes women with disabilities especially vulnerable to violence and sexual violence.

A center for support of sexual violence victims was began to be set up in 2023, which is very important for the support for the victims, education of the society, capacity-building for the specialists. In order for this support to be effective and the services to be easily available and independent, it is needed that victims would feel safe and receive proper support, the funding has to be uninterrupted and sufficient. Insufficient funding and lack of resources can limit the effectiveness of such services.

Police and law enforcement institutions put in the effort, yet they still lack specialized training, proper competences and responsible analysis of violence cases and ensuring that victims would receive proper protection.

International conventions, such as Istanbul Convention, are important, because they set standards for the protection of sexual violence victims and persecution of the rapists. However this convention is not yet ratified in the country, which is needed for solving issues of sexual violence, or gender-based violence in depth.

LMLO recommends:

1. While addressing the issue of sexual violence or gender-based violence, to adopt integrated approach towards the solutions, involving both state institutions and the civil society. To implement legal reform, reassessing the existing national laws responsibly.

¹⁸ Gender-Based-Violence, Stalking and Fear of Crime, EU project, 2009-2011 (Bohum, 2012) 147-149, 252. <https://www.itstopsnow.org/sites/default/files/2018-02/Gender-based%20Violence%2C%20Stalking%20and%20Fear%20of%20Crime%20EU%20Project%202009-11.pdf>

¹⁹ Garcia-Moreno, C. Guedes, A. & Knerr, W. Understanding and Addressing Violence against Women: Intimate Partners Violence (Geneva: World Health Organisation, 2012): 40:37.

²⁰ Grigaitė, U., Karalius, M.; Jankauskaitė, M. 2019. *Tarp asmeninių patirčių ir socialinių „normų“, tarp atpažinimo ir susitaikymo – ekonominis ir seksualinis partnerių smurtas prieš moteris Lietuvoje (Between experience and social 'norms', identification and compliance: economic and sexual intimate partner violence against women in Lithuania)*. Žmogaus teisių stebėjimo institutas. Journal of Gender-Based Violence, Vol. 3, No 3. <https://www.ingentaconnect.com/content/tpp/jgbv/2019/00000003/00000003/art00004#expand/collapse>

2. To create effective measures and legal procedures for the victims, so they could safely inform about sexual violence, especially in the domestic setting, cases, and receive legal protection.
3. To implement education programs for education institutions, society and youth on the principles of gender equality and harm of sexual violence. To integrate topics those are sensitive to the situation of girls and women with disabilities (especially psychosocial and mental disabilities) into educational programs. To organize campaigns and events aimed at increasing awareness of the society on the sexual violence and its consequences and promote discussions in the society on this problem. To implement constant preventive programs for all educational institutions in order to increase awareness about sexual violence, and to promote formation of healthy relationships.
4. To create a specialized support provision system for the victims of sexual violence that would provide psychosocial and legal support by NGOs.
5. To strengthen cooperation between state and non-governmental sectors. To promote cooperation with other European countries and exchange good practices in the area of prevention of sexual violence.
6. To implement studies and gather statistical data about the spread of sexual violence constantly, in order to combat the issue more effectively.
7. To ensure that the perpetrators of sexual violence would be liable and punished according to the laws in power.
8. To ensure the protection of victims and witnesses during the criminal procedure.
9. To ensure periodic monitoring of sexual violence cases took by judges and prosecutors.
10. Based on the suggestions of the Specialised Comprehensive Support Centres, to prepare recommendations of the Prosecutor General on pre-trial investigation on domestic violence: the specifics of execution, organization, management of it.
11. To amend "Recommendations for the evaluation on special protection needs of the victims" (Order of the Prosecutor General No I-63 of 29 February 2016), adding, that no line-up would be organized during pre-trial investigation or trial between the person who suffered violence and the person causing the risk of violence, in order to reduce instances of victimization.
12. To ensure the recognition of children who became witnesses of violence and are living in violent setting, as victims and ensuring proper protection measures for these children. To organize discussions on recognition of underage children who became witnesses of violence and are living in violent setting, and provision of relevant protection measures for these children, with the participation of representatives of Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, and Specialised Comprehensive Assistance Centres.
13. To ensure systematic participation of prosecutors and judges in inter-agency working groups on domestic violence, protection, support and prevention on the national level.

14. During the police questioning of the pre-trial investigation, to follow the (Preamble) Article 53 and Article 20 Directive of European Parliament and the Council²¹, which states the basic standards of the rights of the crime victims, support for them and their protection.
15. To promote cooperation during the pre-trial investigation with the health institutions, non-governmental organizations of women and people with disabilities in order to ensure proper and timely collection of evidence.

Lack of the system for ensuring protection, support, service provision and prevention in case of domestic sexual violence

Public opinion surveys show that the myths on sexual domestic violence are still quite alive. This is reflected by the low number of girls/women contacting help. Not all perpetrators of sexual violence are held criminally liable, and victims are not eager to report due to various reasons – fear of violence, social stigma and other reasons. Society and people that suffered sexual domestic violence are not informed enough.

Rape, sexual violence in marriage or partnership isn't separately mentioned in the Penal Code, therefore such sexual violence cases usually are not investigated due to the widespread opinion that being in marriage/partnership means permanent agreement for sexual relations. In the Penal Code **sexual domestic violence is not included as a separate crime.**

LMLO recommends:

1. To organize capacity-building trainings for law enforcement officials, education, health specialists on how to recognize and evaluate the instances of sexual domestic violence.
2. To apply strict punishments for the perpetrators of sexual domestic violence
3. To ensure timely, targeted, specialized support for women that have suffered sexual domestic violence.

Response to domestic violence against women with disabilities

International data shows much bigger risk for women with disabilities to suffer domestic violence. Such statistics are not accessible in Lithuania, because data is not systemically gathered on this aspect in all institutions, firstly, the law enforcement. The issue of domestic violence against women with disabilities is only raised by NGOs. They are offering solutions – mostly via implemented projects. Study conducted by Office of the Equal Opportunities Ombudsperson revealed that the real needs of the people with disabilities that suffered domestic violence are unclear – low number of their contacts to Specialised Comprehensive Support Centres may show the violence being latent. Possibilities of Specialised Comprehensive Support Centres to ensure support for women with disabilities are limited due to the lack of experience, competences of the employees and resources, including premises that could be adapted, and a high workload. The latent feature of violence against women with disabilities is also confirmed by the victimological study conducted by Lithuanian disability organizations, where women with disabilities that suffered violence, were invited to participate. Over 60 per cent of women

²¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013L0048>

who participated in the study, suffered systematic violence, 1 in 4 – sexual violence, but only 5 per cent of the study participants contacted organizations that are providing support for people that suffered violence, almost one third of study participants didn't contact any.

In 2023 Office of the Equal Opportunities Ombudsperson has carried out analysis of the laws and came to a conclusion that in the Law on Protection against Domestic Violence that is currently in power, the attention to disabilities can be seen only via principles of ensuring accessibility and individualizing services. However there are no clear guidelines on how to ensure accessibility in cases of different disability types. Also there is no norm that would state that women with disabilities are a vulnerable group in the context of domestic violence, and it is not elaborated on what causes this vulnerability.

Some of Lithuanian municipalities (Ukmergė district, Alytus city, Jonava district) are participating in the project, coordinated by the Center for Equality Advancement, and they renewed the descriptor on coordinated agency response to domestic violence, that is in power on municipal level, admitting that women with disabilities face bigger risk of domestic violence, especially due to the isolation and reduced self-sufficiency. Particular instruments for recognizing risks and mechanisms of inter-agency cooperation for reaction particularly to the report about violence against woman with disability, are described there. However in order to support and spread such practice, there is still a need for additional resources of municipal administrations, as well as further information campaigns, and cooperation between NGOs and municipalities.

LMLO recommends:

1. In the Law on Protection against Domestic Violence there should be a clear mention of the group of women with disabilities, as being vulnerable in the context domestic violence, and measures for response against such violence should be listed.
2. Beneficial conditions should be created and municipalities should be promoted to install algorithms for coordinated response to domestic violence that would be disability-sensitive, in cooperation with NGOs.
3. The law enforcement institutions should be obligated to gather statistical data on persons that suffered domestic violence in aspects of both gender and disability. Also the state should implement studies that are needed to find out the true scale of violence against women with disabilities.

Trafficking in human beings

Problem of the demand of prostitution is not addressed and/or aimed to be solved. There is no data, no systemised information on this crucial aspect of trafficking in women. Women, who are exploited for prostitution are not recognised as victims of sexual violence/sexual exploitation and their identity is not protected. Code of Administrative Offences sexual exploitation is characterised as a service (f.i., „prostitution services“).

Sexual exploitation for the purpose of prostitution and buying of sex is multi-dimensional problem of the society, of which women and girls disproportionately suffer first of all and most of all. Though Article 487 of the Code of the Administrative Offences sets the liability both for the engagement in prostitution and buying prostitution so called services, according to the data of the Police department, in 2015–2019 sanctions were applied to 799 persons for engagement in prostitution and only 104

persons – for buying prostitution so called services. So liability was applied mostly (88%) to women and girls, who are engaged in prostitution and very seldom (12%) – to persons, mostly men, who buy these so called services.

Unequal application of this legal norm on one hand has a negative impact on women and girls, engaged in prostitution, on the other hand maintains and strengthens negative approaches in the society on women in prostitution. It also creates an obstacles for the protection of the vulnerable women, engaged in prostitution and a provision of necessary support for women, willing to withdraw from the sexual exploitation, to be provided.

Existing legal regulation²², when the liability is applied for the engagement in prostitution, limits opportunities of women and girls to leave this violent situation. Legal regulations and their application in practice is obviously more favourable for clients and traffickers.

LMLO recommends:

1. To initiate amendments of the Article 487 of the Code of Administrative Offences so, that administrative liability for engagement in prostitution is cancelled. To decriminalise women, engaged in prostitution and to ensure all necessary support for women, seeking to leave prostitution.
2. To develop and implement programmes aimed to support women, seeking to leave prostitution. To ensure their opportunities to receive alternative income.
3. To recognize women victims of trafficking for sexual exploitation as a victims of violence and provide them status of protected witnesses during the criminal procedures.
4. To supplement Resolution²³ of the Parliament of the Republic of Lithuania on the criminal liability for the buying of sexual services with the recommendation on the relevant measures of prevention and intervention and inclusion of the issues, preventing involvement to the traps of sexual exploitation, to the curricula and training courses for schoolchildren, educators, all members of school communities, other specialists, they deal with children and youth. Such issues should include awareness raising and changing of the approaches to the trafficking in human beings and sexual exploitation, pornography and other forms of sexual violence, in particular against women and girls, both in reality and virtual space.

VI. Effectiveness of Gender Equality policies. Lack of gender statistics (Concluding Observations para 14, 15, 46, 47)

Women's organisations observe the situation when gender equality and gender mainstreaming policies are more and more frequently replaced by the concept of „Equal Opportunities for all“. Women's organisations are concerned that such changes will cause finally even worsened situation of women. Such changed lead to the situation when women's discrimination is becoming less visible, less attention in terms of political will and resources - both time, human and financial resources - is devoted specifically for women's problems, issues and challenges, as they become hidden between a variety of

²² [Lietuvos Respublikos administracinių nusižengimų kodeksas](#). 487 straipsnis. Vertimasis prostitucija, atlygintinis naudojimasis prostitucijos paslaugomis

²³ Lietuvos Respublikos Seimo Rezoliucija. 2014 m. gruodžio 16 d. Nr. XII-146.

different grounds of discrimination, contained in the concept „Equal Opportunities for all“ – age, disability, race, nationality, sexual orientation, language religious, social status etc.

One of the worrying examples - in the 7th Periodic report of the Government of Lithuania on the implementation of CEDAW Convention information submitted under Articles 2 and 3 contains almost only information on the developments regarding Equal Opportunities for All. Majority of different paras refer to equal opportunities for all, instead of concentrating on women's discrimination, despite the fact, that the Government is reporting specifically on **elimination of women's discrimination**.

Under Article 2 one can find in general information about legal developments, programmes and measures aimed at promotion on equal opportunities for all with no references, how it will improve women's situation, taking into account that the report should concentrate on elimination of all forms of discrimination against women. F.i., there is an explanation of the requirement of application of the horizontal principle of equal opportunities for all in all strategic programmes and measures and it reconfirms once again, that women's issues are just inter alia – between all grounds of discrimination. Application of gender equality principle as a horizontal priority is not required any more. Such tendency is observed, unfortunately, in many other paras of this Report.

Even providing information on the implementation of the strategic document - National Programme on Equal Opportunities for Women and Men 2015-2021 – Governmental report calls this programme “Equal Opportunities programme”, instead of it's de facto goal and content – gender equality. In this and other paras of this Governmental Report constant tendency to replace terminology of gender equality by the terminology of equal opportunities for all is more than obvious.

Furthermore the Report provides some more information which raises serious concerns for women's organisations. It is stated, that the Ministry of Social Security and Labour is in charge of coordinating implementation of the equal opportunities for all. **Nobody is in charge of Gender equality?** There is a mentioning, that now every ministry will be in charge of gender equality. This obvious lack of holistic approach raises several important for the effectiveness of gender equality policies questions : Who will coordinate complex, multidimensional gender equality policies? How monitoring of implementation will be ensured? Who will report on the implementation and results of gender equality measures? Does it mean, that Lithuania has no Minister in charge of Gender Equality any more? And number of other questions.

Women's organisations are very much concerned, how such model will work in practice, if all ministries are in charge of gender equality – who will set strategic goals and priorities, how involvement of women's organisations in consultations on the drafting and cooperation in implementation of gender equality policies, held by various Ministries, will be ensured, would the responsibility for gender equality reflected in the regulations of these ministries, would the persons in charge of gender equality appointed in these ministries, would the budget for gender equality measures be foreseen in the budgets of these ministries, what mechanisms will be developed to ensure participation of well experienced and competent women's organisations in the implementation of concrete measures under the competences of various Ministries, how women's organisations will be informed on the concrete gender equality activities of different ministries, how they will be empowered to monitor implementation of these activities. Women's organisations for the years had satisfactory cooperation with the Ministry of Social Security and Labour. This cooperation model must be recommended to various other ministries, who will deal with women's empowerment and gender

equality for the sake of empowerment of women and gender equality. **And the crucially important questions - would the various ministries deal with gender equality policies or anyway with equal opportunities for all, with women's issues hidden *inter alia*?**

In the Concluding Observations in 2019, para 14 (b) and 15 (b) the CEDAW Committee expressed the concern, that the mandate of the Equal Opportunities Ombudsperson has been converted into a gender neutral one and recommended to take measures to reverse the gender neutrality entrenched in the mandate of the Equal Opportunities Ombudspersons and establish a specialized and gender-responsive unit to better protect women's and girls' rights and promote gender equality. **Today women's organisations draw the attention, that this dangerous tendency, noticed by CEDAW Committee, is expanded to entire Governmental level. How will CEDAW Committee evaluate such switch of policies from protecting women of all forms of discrimination, from women's empowerment and gender equality to equal opportunities for all with women's issues hidden *inter alia*?**

Lack of gender statistics

LMLO draws the attention, that since 2017 the official annual publication Women and men in Lithuania is not available anymore. It should be noted, that this highly valuable and useful publication, had detailed and comprehensive constantly updated statistics on the gender differences in various areas, including employment, professional and sector labour market segregation, gender pay gap, education and science, decision making etc. statistics. The updated official statistics portal, gender equality section <https://osp.stat.gov.lt/lyciu-lygybe> includes only a very limited number of gender equality indicators and often even this selection of indicators do not measure a gap between men and women in the areas that are measured by them, e.g. occupational and sectoral labor market segregation by gender or time spent by women and men for unpaid domestic work and especially for the care for the elderly and disabled family members. This limited gender statistics don't allow to identify, monitor, analyze and assess gender (in)equality situation in many aspects, to do comparison of changes, including the inequality that appears in the intersections of gender and other vulnerability factors (e.g. disabilities). **The women's situation, gender gaps are becoming become latent, invisible phenomena.**

LMLO recommends:

1. To reestablish availability of the annual (possibly online) publication „Women and men in Lithuania“, which should contain no less statistical data as it was in former publications, but also newly emerging gender-segregated data in different areas, including by the years, so allowing to monitor and compare changes. Updated publication should be presented in a user friendly manner, as it was previous publication. This publication should be placed in the easily detected, visible and accessible place.
2. To ensure clear distinction between gender equality policies and equal opportunities for all, effective integration of gender perspective into policies on equal opportunities for all and implementation of specific policies aimed at women's empowerment and de facto gender equality
3. To ensure obligatory ex-ante and post-ante gender impact assessment of the governmental and municipal decisions, where appropriate.

4. To ensure reestablishment of the strategic approach by developing the new Gender Equality strategy, which sets the strategic goals and priorities, specifies implementation, monitoring, evaluation, accountability, reporting mechanisms, involvement of women's organisations, sets targets, indicators and requires making reports public.
5. To ensure continuous and systematic capacity building of civil servants and other specialists of governmental and municipal institutions on practical implementation of gender equality measures, tools and methods of gender mainstreaming, including gender budgeting and gender impact assessment.