

Summary of the SHADOW REPORT

on the Implementation of CEDAW

in Lithuania

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=2775&Lang=en

Lithuanian umbrella association “Lithuanian Women’s Lobby” (LMLO)

www.lmlo.lt

Smilciu g. 5, 92277, Klaipeda, Lithuania

Chair women Dr. Dalia Puidokiene

dalia@lmlo.lt

December 2024, Lithuania

CONTENT

I. Introduction

II. Summary of the main areas of concern

III. Urgent priority issues

- 1. "Invisible" burden of unpaid care work at home (the issue is offered to be identified as a priority)**
- 2. Gender pay and pensions gap (the issue is offered to be identified as a priority)**
- 3. Combating violence against women. Improper accreditation – weakening of system for protection, support, service provision and prevention (the issue is offered to be identified as a priority)**
- 4. Lack of competence by the police, 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)**

I. INTRODUCTION

This **Shadow Report on the Implementation of CEDAW in Lithuania** was developed 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 researchers 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). This Shadow report was discussed with the LMLO members during thematic meetings and approved by the LMLO Board.

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.

LMLO observes some positive developments since 2019, however 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. Lithuanian women experience a number of problems, which need solutions, more careful attention and efforts from the Government.

II. SUMMARY OF THE MAIN AREAS OF CONCERN

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; deep **horizontal and vertical gender segregation in the labour market**; **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 50+, 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 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' 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**.
- **insufficient**, not always easily accessible and of good quality **medical, social and nursing services for dependants (elderly, disabled)**. 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-cantered, 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 elaborated in detail on all these issues further in the full Shadow Report, including detailed recommendations.

III. URGENT PRIORITY ISSUES

1. "Invisible" burden of unpaid care work at home (the issue is offered to be identified as a priority)

Unpaid, not valued, invisible homework – 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”¹ Very similar situation is observed and shown by other earlier researches and data of European Gender Equality Index, as well as the research, conducted by LMLO this year.

Even 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 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 neįgalųjų priežiūros paslaugų prieinamumas*). However sub-indicators show only number of places and service users in care houses, or number of persons receiving social services (non segregated by sex). Furthermore 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.

LMLO recommends:

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.

1. 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.
2. 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.
3. 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
4. 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.

¹ Virginija Jurėnienė, Giedrė Purvaneckienė. Lietuvos modernios visuomenės (ne)modernėjimas: vertybių kaita lyčių lygybės aspektu/Monografija. - Vilnius, Vilniaus universiteto leidykla, 2023. - 482 p.

5. 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.
6. 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.

2. Gender pay and pensions gap (the issue is offered to be identified as a priority)

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 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. 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 men².

LMLO recommends:

The issue of women's economic independence must be treated as a priority and urgent actions must be taken to decrease gender pay gap. Women's economic dependence causes also other forms of women's discrimination.

1. 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.
2. Urgently implement continuous legal, organisational, awareness raising and capacity building measures to be implemented in cooperation with women's NGOs, addressing gender pay gap, it's causes and consequences.
3. 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

² [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)

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.

4. 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.
5. 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.

3. Combating violence against women. 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.

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.

4. 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:

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.

1. To put into law the specialization of police officers, prosecutors and prosecutor assistants that have right to work with domestic and sexual violence.
2. 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.
3. 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.

Lithuanian Women's Lobby is ready to cooperate further with the view of ensuring proper and effective implementation of CEDAW Convention and the Concluding Observations of the honourable CEDAW Committee, in order to eliminate all forms of discrimination against women.