

**The 74th Session of the
Committee on the Elimination of Discrimination against Women
(21 Oct 2019 - 08 Nov 2019)**

**SHADOW REPORT
on the Implementation of CEDAW
in Lithuania**

Version V1



LIETUVOS MOTERŲ
LOBISTINĖ ORGANIZACIJA



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

www.lmlo.lt

Savanoriu pr. 1, LT-44255, Kaunas, Lithuania

September 2019, Lithuania

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 39 the most active Lithuanian non-governmental organizations, 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 organizations – members of the LMLO contributed to this Shadow Report by providing information on particular issues, including concrete examples.

They are:

- Center Against Human Trafficking and Exploitation (KOPZI);
- European Innovation Centre;
- Kaunas Women's Employment Information Centre;
- Klaipeda Social and Psychological Support Center;
- Kretinga Women's Information and Training Centre;
- Lithuanian University Women Association (LUMA);
- Lithuanian Women's Trade Union "Solidarumas";
- Marijampole Women's Activity Centre;
- Social Innovation Fund (SIF);
- Taurage Women's Employment Information Centre;
- Women's Activity Innovation Centre;
- Women's Issues Information Centre (WIIC);
- Women's Rights Association.

The following organizations, which are not a member of LMLO, also contributed to the development of the Report:

- Family Planning and Sexual Health Association;
- National Association of Women Rights, who provide support for victims of domestic violence all over Lithuania;
- Women's initiative for the Development of Democracy (MILDA).

This Shadow report is based on the analysis of the 6th periodic report of the Government of Lithuania and on monitoring of implementation of Concluding Observations on the Fifth periodic report of Lithuania of the Committee on the Elimination of Discrimination against Women (CEDAW/C/LTU/CO/5) for the period since July, 2014 to July 2019.

Quite number of developments, in particular legislative changes, happened during this period. These changes are reflected in the Report of the Government. While recognizing efforts of the Government to continue improving legislation, leading towards gender equality de jure, women's organizations are concerned about slow gender equality progress de facto and effectiveness of implementation of the Recommendations, which were developed for Lithuania by CEDAW Committee after consideration of the Fifth Periodic Report of

Lithuania in 2014. According to the EU Gender Equality Index¹, developed by the European Institute for Gender Equality², based in Vilnius, Gender Equality rate of Lithuania (56,8 points) lays behind EU average (66,2 points). The Gender Equality Index is a tool to measure the progress of gender equality in the EU. The Index has six core domains - work, money, knowledge, time, power and health – and two additional domains: violence against women and intersecting inequalities.

Despite of some progress reached, Lithuanian women still experiences several problems, which need solutions or 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 tends to increase, which is closely related to both **horizontal and vertical gender segregation in the labour market**, and which influences **feminization of poverty**, in particular of older women, as pensions are directly dependent on salaries, **poor employment opportunities (and low salaries)** for women from disadvantaged groups, rural women, women 55+, alone mothers, insufficient governmental **support for women starting businesses** as well as building women's capacity on social entrepreneurship, 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 report on the results of gender equality plans; ineffective protection of victims and witnesses of discrimination, **sexual harassment and gender-based harassment** at the workplace, insufficient awareness-raising towards changing the employers' attitude regarding women's role in the labour market. Another broad issue is related to **insufficient opportunities to reconcile work and private life**, first of all lack of childcare services, social services for dependents (elderly, disabled). **Violence against women**, in particular domestic violence, sexual violence and trafficking in women is an issue which needs powerful and continuing efforts addressing prevention, protection, prosecution, specialized support to victims, inconsistency of the laws and number of other issues. Lack of **gender balance in decision making** and leading positions in business, in science, in politics, in different other areas one more existing stereotypes about women' role in the labour market, in leading positions, in politics and other areas is one more complex issue. **Ineffective gender mainstreaming**, lack of use of such important gender mainstreaming tools as gender budgeting, gender impact assessment, gender training and other tools of capacity building for different target groups, low level of involvement of the local municipalities in the issues on women's human rights and gender equality has a negative impact on the progress of gender equality in practice. And no less important issues are **low visibility of the CEDAW Convention**, lack of systematic monitoring and lack of cooperation in this regard with women's organizations, including still not fully implemented, though repeatedly submitted to Lithuania CEDAW Committee's recommendations (since 2000) towards creating and implementing the governmental system for financial support of women's NGOs, so **insufficient cooperation and lack of support to women' organizations** is still a crucial issue.

LMLO will elaborate on these and other issues further in this Shadow Report. This Shadow report is organized by the Articles or groups of Articles of the Convention with the references to the relevant paragraphs of the Concluding Observations.

¹ <https://eige.europa.eu/gender-equality-index/2015/countries-comparison>

² <https://eige.europa.eu/>

Articles 1-4 of the Convention

1. Concluding Observations, paras 8-9

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

We could not find data of surveys or research which could be conducted since ratification of CEDAW in 1994 on the visibility of the CEDAW Convention, its Optional Protocol and awareness of its substance. Therefore information presented below is based on practical experiences of women's organizations, working with different women's groups, with professionals in different areas, including lawyers.

CEDAW Convention and its Optional Protocol in general (not its substance in detail) is known in Lithuanian institutions, between lawyers and politicians, less between social partners, even trade unions and very little known at local level in the society.

Concluding Observations of the CEDAW Committee after consideration of the Fifth periodic Report of the Government are indeed distributed to the governmental institutions concerned, in particular which competences are related to implementation of relevant recommendations of the CEDAW Committee, also presented for the Human Rights Committee of the Lithuanian Parliament. They are made available for the public – translated to Lithuanian language and placed on the website of the Ministry of Social Security and Labour, in charge of Gender Equality. However, all these actions are more ad hoc, rather than systematic. Therefore visibility of the Convention, its Optional Protocol, is still limited.

Working both at national and local level with different target groups, with women, with the communities, women's organizations could effectively contribute to the systematic promotion of visibility and raise awareness of the Convention, its Optional Protocol, systematic monitoring of Concluding Observations of the CEDAW Committee and capacity building activities on the substance of these important binding global instruments. However, they are not invited to carry out activities towards increasing visibility and awareness of the CEDAW Convention, systematic monitoring of implementation of Concluding Observations of the CEDAW Committee and their activities towards these goals are not supported.

Lack of knowledge and awareness, in particular of the procedures under the Optional Protocol to make claims of violations of women's rights, substantially limits protection from discrimination and women's opportunities to defend their violated rights.

Recommendations

1. To ensure systematic promotion of visibility and raising awareness of the Convention, its Optional Protocol, General Recommendations, developed by the CEDAW Committee, by involving women's NGOs and supporting their activities toward these goals.
2. To ensure systematic monitoring of implementation of Concluding Observations of the CEDAW Committee, to involve women's NGOs and support their activities toward this goal.
3. To ensure capacity building and trainings on the substance of the CEDAW Convention and its Optional Protocol for relevant professionals, first of all lawyers, judges,

prosecutors, other law enforcement specialists, but also social partners, in particular trade unions and local municipalities, which competences are closely related to effective implementation of the provisions of the CEDAW Convention, (f.i., situation of rural women, child care facilities, etc.).

4. To raise awareness among women of their rights under the Convention and opportunities provided by the Optional Protocol to defend their violated rights, to encourage and support activities of Women's NGOs towards this goal.

2. Concluding Observations, paras 10-11

Definition of equality and non-discrimination

Definitions of direct and indirect discrimination, sexual harassment and harassment on the grounds of gender, instruction to discriminate etc. contained in the Law on Equal Opportunities for Women and Men³ are fully aligned with the Gender Equality Directives of the European Union and meet requirements of the CEDAW Convention. As well definitions, contained in the Law on Equal Opportunities (Equal Treatment) LEO⁴, which forbids discrimination on the broad range of different grounds, *inter alia* sex/gender. Both these laws might be treated as a solid legislative framework for gender equality *de jure*.

However women's organizations are concerned about effective implementation of legal provisions, in particular as regards protection from sexual harassment and harassment on the grounds of gender.

According to the most recent annual Report⁵ of the Equal Opportunities Ombudsperson (EOO), in charge of supervision of the both aforementioned Laws, only 6 complaints were submitted regarding sexual harassment. Similarly, low number of complaints was reported in previous Reports of the Equal Opportunities Ombudsperson, with the exception of the year 2017, when, according to the Report of the EOO, increased number of the complaints was influenced by the Campaign #MeToo. Five out of six complaints were passed to the law enforcement institutions for further investigation following criminal procedure. Furthermore, no information was found about whether any complaint was investigated by EOO on the harassment on the grounds of gender or instruction to discriminate.

Why so small number of complaints? The Report of the EOO states, that the main reason of such slow number of the complaints about sexual harassment is that women avoid to submit such complaint, because are afraid of negative consequences, f.i. of being condemned by their colleagues or persecuted by the employer or even dismissed.

But look, the Law on Equal Opportunities for Women and Men (LEOWM)⁶ Article 6, para 5) establishes duty of the employer to take measures to ensure that an employee, a representative of an employee or an employee who is testifying or providing explanations would be protected from hostile behavior, negative consequences and any other type of persecution as a reaction to the complaint or another legal procedure concerning discrimination. Furthermore, Article 5 para 4) establishes duty of the employer to ensure protection of the job-seekers from sexual harassment and harassment on the grounds of sex.

³ <https://www.e-tar.lt/portal/lt/legalAct/TAR.746227138BCB/FLcEVzJmSQ>

⁴ <https://www.e-tar.lt/portal/lt/legalAct/TAR.0CC6CB2A9E42/asr>

⁵ <https://www.lygybe.lt/lt/veikla/metines-ataskaitos/405>; Annual Report 2018, page 22, <https://www.lygybe.lt/data/public/uploads/2019/04/lgk-2018-m.-veiklos-ataskaita-.pdf>

⁶ <https://www.e-tar.lt/portal/lt/legalAct/TAR.746227138BCB/FLcEVzJmSQ>

Furthermore, Article 11 states that actions of an employer shall be treated as violating equal rights for women and men if, because of a person's sex, he/she persecutes an employee, a representative of an employee or an employee who is testifying or providing explanations about the complaint or another legal procedure concerning discrimination on grounds of sex (para 4) or does not ensure protection of the job-seekers from sexual harassment and harassment on the grounds of sex (para 5).

It means that protection of women, submitting complaints on sexual harassment or sexual harassment and also witnesses of such conduct exist only de jure, in practice these legal provisions are ineffective, despite the clear mechanisms of supervision of the LEOWM established both in the LEOWM and LEO, including sanctions for the violations of these laws.

Recommendations

1. In cooperation with women's organizations and gender researchers to explore reasons of ineffective protection from persecution and other negative consequences of women, submitting complaints on sexual harassment, harassment on the grounds of gender, to identify and implement, in cooperation with women's organizations, social partners, in particular trade unions, necessary measures, including, if and where necessary, strengthening of legal provisions.
2. To strengthen capacities and powers as appropriate of Equal Opportunities Ombudsperson to ensure effective supervision of implementation of the employers' duties prescribed by the LEOWM, including application of sanctions and, if and where appropriate, strengthening their effectiveness.
3. To ensure continuous capacity building of social partners, in particular trade unions on protection from discrimination and prosecution of victims and witnesses.
4. In cooperation with women's organizations to raise awareness of women and the society as a whole on sexual harassment and harassment on the grounds of sex, to promote zero tolerance.

3. Concluding Observations, paras 14-15

National machinery for the advancement of women

15. (a) Strengthen the mandate and authority of the Commission for Equal Opportunities for Women and Men and the level of representation of line ministries in the Commission to enable it to effectively monitor and coordinate the implementation of the National Programme.

Women's organizations observe some progress towards implementation of the Recommendations of the CEDAW Committee as regards strengthening of the authority and representation level of the Inter-institutional Commission on Equal Opportunities for Women and Men (CEOWM). F.i, draft amendments of the Regulation of the CEOWM were passed for consultation to LMLO at the beginning of 2019. These draft amendments indeed suggested high level composition of the CEOWM, full membership of women's NGO's and involvement of the Association of Local municipalities to the work of the LEOWM, which is a positive sign of more attention to coordination of implementation gender equality activities at local municipalities level, as suggested by the CEDAW Committee.

However, instead of strengthening the mandate and competencies of the CEOWM, amendments of the Regulation of the CEOWM, in our opinion raised a risk to have narrowed mandate of the CEOWM, as the goals, tasks and functions of the CEOWM appeared to be mainly oriented to EU and international commitments rather than increased attention to

effective, result-oriented implementation of gender equality de facto on national and, in particular, local level. Suggested decreasing of the number of CEOWM meeting from 4 meetings per year to only 2 meetings are also the sign of weakening of the CEOWM activity. Unfortunately, LMLO did not receive any feedback on the Opinion expressed and has no information on the current status of the draft amendments of the Regulation of CEOWM. It might be presumed that this recommendation of the CEDAW Committee is not fully implemented.

15. (c) Ensure that every Ministry allocates a special budget for the effective implementation of the National Programme;

15. (e) Ensure monitoring of the effectiveness of the National Programme in all regions of the State party based on time-bound targets and indicators and extend the application of the National Programme beyond 2014;

15. (f) Adequately fund women's rights NGOs and increase their involvement in the implementation of the National Programme.

New National Programme on Equal Opportunities for Women and Men 2015-2021 (NPEOWM)⁷ was adopted on April 2015. First Action Plan for 2015-2017⁸ was adopted and implemented, and the second Action Plan for 2018-2021⁹ adopted.

In line with the CEDAW Committee's recommendation, second Action Plan contain information on financial allocations of quite a number of Ministries and other institutions in charge of implementation of concrete gender equality measures, except of some Ministries, such as f.i, Ministry of Economy. It should be recognized, that the Ministry of Social Security and Labour since the adoption of the first National Programme on Equal Opportunities for Women and Men, allocates a special budget for NPEOWM and makes this information public, in line with transparency requirements. So, the recommendation of the CEDAW Committee seems to be taken into account.

However, LMLO is concerned, that only some Ministries, first of all Ministry of Social Security and Labour and only couple of other Ministries invite women's NGOs to cooperate implementing concrete measures.

One more are of concern – implementation of gender equality measures at municipal level and financial allocations for these measures. Women's organizations welcomed amendments of the LEOWM, adopted in 2014, establishing duties of municipalities to include gender equality measures into strategic and development plans of municipalities. In the beginning of 2015 Equal Opportunities Ombudsperson Office conducted the survey aimed to find out how state and municipal institutions implement their duty to include gender equality measures into their strategic plans. Conclusions of the survey were published in the annual Report of the EOO for 2015.¹⁰ The Report, unfortunately, does not provide quantitative information, how many state institutions and municipalities, how many and what kind of measures included into strategic plans. According to the annual Report, majority of specialists in charge of strategic planning has insufficient knowledge and capacities to identify what measures serve for gender equality purposes, why they are important. Ongoing project carried out by EOO in

⁷ <https://www.e-tar.lt/portal/lt/legalAct/dc012450b1ca11e48296d11f563abfb0>

⁸ <https://www.e-tar.lt/portal/lt/legalAct/8d1477a0e1b011e4a4809231b4b55019>

⁹

¹⁰ Annual Report of Equal Opportunities Ombudsperson, 2015, pages 30-31 <https://www.lygybe.lt/data/public/uploads/2016/04/lygiu-galimybiu-kontrolieriaus-tarnybos-2015-m.-ataskaita.pdf>

cooperation with LMLO, Lithuanian Associations of Self-governments (municipalities) and Statistics department is *inter alia* aimed to improve this situation.

However, women's organizations are particularly concerned about rather formal, ineffective implementation of the duty of municipalities to implement gender equality programmes and measures and include measures aimed at gender equality to their strategic plans; a very poor involvement of women's organizations in implementation of these measures, absence of publicly available information on the funding of these measures and results, absence of accountability and absence of systematic monitoring of implementation. The LEOWM requires only presence of these measures in the strategic plans, but has no requirement regarding accountability and reporting, including indicators and no requirement of financial allocations for these measures. LMLO is concerned about the lack of periodic monitoring of the fulfilment of duties of state institutions and, in particular, municipalities, established in the LEOWM, Article 4, part 1, para 2) - to draw up and implement programmes and measures aimed at ensuring equal opportunities for women and men.

One more issue gender segregated statistic. Since 1997 Statistics department publishes annual edition "Women and Men in Lithuania", which contain gender segregated statistics. This publication is very useful and popular among relevant stakeholders: women's organizations, scientific researches, state institutions, trade unions, students, etc. However, in 2018 only the short leaflet "Women and Men in Lithuania, 2017"¹¹ was published instead of previous solid edition. LMLO expresses the concern about this change and invites to bring back previous extensive edition of "Women and Men in Lithuania", which provides several times more gender segregated statistics, as short leaflet does.

And finally, though several pilot projects on gender budgeting were held at municipal level, this concept was not formalized and is not further used in budgetary processes, neither in the annual audits.

All analysis above leads to the conclusion, that **the repeatedly submitted recommendations of CEDAW Committee regarding involvement and support to women's NGOs are not implemented**. The duty of state and municipal institutions, prescribed by the LEOWM Article 4, part 1, para 3) - in the manner prescribed by laws, support the programmes of public establishments, associations and charitable foundations which assist in implementing equal opportunities for women and men - **remain only formal and does not work in reality**.

Recommendations

1. To ensure that every Ministry allocates a special budget for the effective implementation of the National Programme and involves women's NGOs in implementation of the measures foreseen
2. To take measures, including, continuing capacity building, awareness raising, exchange of good practices, and, if and where appropriate, amendments of the legislation and/or application of sanctions, to ensure that duties of municipalities, established by the LEOWM are fulfilled, accountability including concrete indicators ensured and reports made public; to ensure necessary budgetary allocations for implementation of gender equality measures, included into strategic plans, to ensure systematic monitoring and evaluation on the progress reached in particular at municipal level.

¹¹ <https://osp.stat.gov.lt/services-portlet/pub-edition-file?id=30580>

3. To increase involvement of Women's NGOs in the implementation of the National Programme by all ministries, **to increase involvement of women's NGOs in implementation of gender equality measures on municipal level, to ensure adequate funding of women's rights NGOs activities towards protection of women from discrimination and gender equality de facto.**
4. To develop and introduce into national and local budgetary processes gender budgeting methods, to empower, through capacity building, training, good practices, and, if and where necessary legislative amendments, Audit institutions to include gender elements in their ordinary inspections, to make these results public.
5. One more issue regarding effective functioning of institutional mechanisms - insufficient use of the tools and instruments. Carrying out different gender projects women's organizations developed quite a number of useful tools, such as handbooks, guides, checklists, collections of good practices etc. on different gender equality issues. In order to promote their use in practice by state and municipal institutions, governmental support is needed for making them well known and easily accessible. It might be, f.i., creation of user-friendly database, or e-platform based resource centre, series of presentations of this database arranged in the workplaces and links disseminated to all state institutions and municipalities, which duties are to implement gender equality measures.
6. To ensure annual publication of extensive gender segregated statistics "*Women and Men in Lithuania*", instead of limited version- leaflet.

Articles 5 and 10 of the Convention Stereotypes, Education

1. Concluding Observations, paras 20-21 *Stereotypes*

21. The Committee recommends that the State party include the elimination of discriminatory gender stereotypes as a key priority area in the new National Programme for the Equality of Women and Men and its action plan. (...) and encourage the media to project positive images of women and the equal status of women and men in the private and public life.

Persistence of gender stereotypes cause number of gender equality problems. Systematic, consistent, well targeted efforts are needed to change the attitudes. Women's organizations can contribute a lot in this area through their everyday activities, by conducting awareness raising campaigns, including through social networks, public actions, by trainings to different target groups, first of all representatives of media and education.

Though should be recognized, that CEDAW recommendation (above) as regards addressing gender stereotypes in the new NPEOWM was take into consideration, prioritizing of combating gender stereotypes is still far from the expectations. There are some measures in the Action plan addressing gender stereotypes, such as, f.i, to organize conference, etc. However, no consistency and systematic continuity of these efforts was identified, therefore it should be also recognized that CEDAW Committee recommendations are not fully considered.

Media is independent, enjoy full freedom of expression and self-regulation. With the full respect to independent media, women's organizations are in the opinion, that media should also follow the Law and balance between independence of media and necessity to be regulated on the basis of valid Laws needs to be secured -freedom of expression should not negatively affect gender equality. Women organizations might greatly contribute to gender-sensitization

of media, providing knowledge, raising awareness etc. and both media and gender equality field might greatly benefit of this mutual cooperation.

Recommendations

1. Within NPEOWM, in cooperation with women's organizations, to conduct continuous and consistent awareness raising activities, addressing persistent stereotypical attitudes of the society.
2. To address systematically media representatives, to build their capacities and raise awareness on gender stereotypes, to encourage and promote positive, non-stereotyped images of women and men in media.
3. To strengthen attention to gender equality in the Media Ethics Code, to strengthen cooperation between Equal Opportunities Ombudsperson and Media Ethics Ombudsperson in order to ensure systematic monitoring of gender issues in media, to attract women's organizations and support their activities.
4. To include issues of combating gender stereotypes into the curricula of raising qualifications of different professionals, including teachers, journalists, etc.

2. Concluding Observations **paras 20-21, *Stereotypes*** **paras 32-33, *Education***

21. (...) The Committee also recommends that the State party review, as a matter of priority, textbooks and materials, at all levels of education, to eliminate gender stereotypes, (...)

33. The Committee recommends that the State party:

(c) Review all textbooks to eliminate gender stereotypes.

Women's organizations are particularly concerned about effective implementation de facto of the provisions of the Law on Equal Opportunities for Women and Men (LEOWM) as regards gender equality in education. Let us explain.

LEOWM is in force since 1998. It means already 20 years passed - quite a period to see achievements in practice. LEOWM establishes the duty of educational establishments and institutions of science and studies to implement equal rights for women and men (Article 5) and defines what actions in this field are treated as violation of equal rights (Article 12). Article 5, part 2 obliges the educational establishments and institutions of science to ensure that the curricula and textbooks do not propagate discrimination of women and men. Sounds exactly like recommendations of honorable CEDAW Committee, repeatedly submitted to Lithuania in 2014. It might mean only, that the provisions of the Law do not work in practice, and CEDAW recommendations submitted not once are not properly considered.

And it is so indeed. One of the main reasons - poor attention to gender equality in the binding legislative acts of all levels (Laws, regulations, decisions etc.) and in numerous so-called "*soft Law*" – methodologies, curricula, guidance etc.) in education field.

This inconsistency in legislation affects practices. One of the goals of the EU-supported project GENDER-ED, carried out by Women's issues information centre, aimed at combating gender stereotypes in education and career guidance, was to conduct content analysis of the textbooks, to research educational materials and their influence on gender stereotypes, behaviors, expectations of boys and girls. The results of the research made it obvious, that

prevailing stereotypical attitudes of the society are replicated and reflected in the educational materials and no questioning of them or promotion to combat them was found.

Most frequently educational materials use gender-neutral language, meaning - most frequently the words, examples, characteristics, features have masculine form. F.i., the task requires to describe characteristics needed for the different professions, using words in masculine gender (policemen, sportsmen, teacher, doctor, soldier, scientist etc.)¹².

Images of men – businessman, politicians, scientists - are predominant in visual materials. Images of women are hardly met and most of all as family-carers or taking care about household.

Between examples, much more attention is paid to the production of men-authors, men-personages. More tasks and more time are devoting to their analysis. They are reflected as having more strengths and Power. F.i., analysis of Greek antique myths mostly refers to Gods, their influence, their roles, but not about Goddesses. Tasks are also concentrated on gods and heroes. Mentioning of goddess Athena might be found in some places, however not in the analytical tasks and no information is provided on her powers and role.

Similar situation is found in the analysis of Lithuanian mythology. Mostly men-Gods are presented, such as *Perkunas*, *Velnias* etc. Mythological creatures of women's gender are presented only negative, such as f.i. Witch¹³.

Educational materials, in particular on career education frequently present stereotypical examples of professions: Nurse (in LT language- feminine form of word), administrator (in LT language- feminine form of word), architect, engineer (in LT language- masculine form of word)¹⁴.

Analysis of the Focus groups held in the Framework of the same project highlighted one more issue. Stereotypical approaches, embed in the textbooks are replicated in the behavior of teachers, including as regards of their expectations. F.i., when analyzing concrete situations teacher draws attention of schoolchildren on the fact, that different features, which traditionally are attributed to one gender might be specific for other gender as well. However, such cases are to be treated as an individual feature of a person, but not features appropriate for the persons of one or another gender. Some stereotypical attitudes were observed by schoolchildren as well. F.i. schoolchildren noticed, that less attention is paid to the girls in the lessons on mathematics, as the teacher had it's own opinion, who might know this subject. On the other hand, boys felt a pressure to know and like mathematics, in opposite to their own preferences.

All these examples from practice illustrate lack of gender equality progress in educational sector, also proves, that the recommendations of the CEDAW Committee in this regard were not duly taken into account.

¹² Textbook of Lithuanian language and literature for the 6th class, Part 1. Gitana Notrimaitė-Muzikevičienė, Inga Gresienė, Saulius Žukas, Baltos lankos, 2017

¹³ Textbook of Lithuanian language and literature for the 6th class, Part 1. Gitana Notrimaitė-Muzikevičienė, Inga Gresienė, Saulius Žukas, Baltos lankos, 2017

¹⁴ Career Guide. Schoolbook. Lithuanian non-formal education centre of schoolchildren

Recommendations

1. To strengthen proper integration of gender equality principles in the legislation regulating education field, to this end to conduct extensive gender impact assessment of the laws in force.
2. To strengthen supervision of implementation of the duties of educational establishment, prescribed by the LEOWM, to ensure accountability.
3. To integrate gender issues into the training programmes of annual courses aimed to raise qualifications of the pedagogues and make it obligatory.
4. To conduct analytical research of the educational materials, including career guidance, from gender equality perspective, including such aspects as gender sensitive language, and gender images, to conduct gender impact assessment of the content of these materials and make necessary updates and amendments where appropriate.
5. To involve gender equality experts, suggested by umbrella associations of women's organizations to the preparation of curricula, training programs, educational materials for preparation and raising qualifications of pedagogues.
6. To strengthen cooperation with women's organizations, by involving their representatives to the trainings for pedagogues.

3. Concluding Observations, paras 32-33 *Education*

33. (a) Eliminate gender stereotypes and structural barriers that potentially deter girls' enrolment in non-traditional educational and occupational fields at all levels of education.

Gender equality principles are poorly integrated to the legislation, regulating education field and absence of strong legislative provisions affects practices. Furthermore, effective gender equality aimed programmes and measures, real result-based activities are badly needed in education field. The strategic approach, the clearly identified problems and aims, concrete measures, systematic monitoring and accountability, based on indicators, involvement of interested stakeholders, cooperation and coordination, relevant funding- all these elements are necessary for the de facto progress of gender equality in education. Gender equality principle must be integrated as a horizontal priority into all areas and levels of education.

NPEOWM Action plans¹⁵ foresee some measures towards equality in education. However, in the orders of the Minister of Education and Science, approving, f.i., education plans¹⁶ gender aspect is poorly integrated. Absence of gender-segregated statistics in different aspects of education is also obvious. F.i., The Order of the Minister of Education and Science On the approval of the General education plans of the general and secondary education curricula for 2017 - 2018 and 2018 - 2019 does not contain any gender-related gals. These education plans contain such main areas of education curricula, as moral education, language, mathematics, natural science, social education, art education, information technologies, technologies, physical education, education of General competences and life-skills education (security, health, ethnic culture etc.). This education is equal for boys and girls since Fifth to Tenth classes (11 - 16 years old). General education plans contain the reference, that schoolchildren after General education course start secondary education following individual education

¹⁵ NPEOWM, Action plan for 2015-2017

¹⁶ LR Order of the Minister of Education and Science on the Approval of the General education plans of the general and secondary education curricula for 2017–2018 and 2018–2019

plans. It means, in 11 - 12 classes, (17 - 18 years old) schoolchildren are trained following the plans which take into account their individual needs. Taking into account their needs, schoolchildren choose the level of subjects – stronger or weaker. F.i., some schoolchildren choose stronger exact sciences, f.i., mathematics, others – humanities. These choices might differ between girls and boys and have an influence on further choices of studies and professions. However, no gender-segregated statistical data on these choices is available.

In the framework of NPEOWM just very limited number of measures were implemented in education field. F.i., in 2015, additional criteria were added to the model criteria of evaluation of the content of textbooks, aimed to ensure non-discriminatory approach on women and men in the textbooks and educational materials¹⁷ and one workshop arranged for evaluators of the content. In 2015 additional materials for teachers and schoolchildren on non-stereotypical career guidance¹⁸ was prepared, but no information is available on dissemination and usage of these materials. No measures undertaken in 2016 and 2017.

The analysis above leads to the conclusion that that gender equality measures implemented in the framework of NPEOWM are important and needed, however insufficient. Lack of continuity, lack of systematic monitoring and accountability would not ensure progress in this area. Lack of publicly available information on budgetary allocations to implement these measures raises also a question about transparency.

One more issue is related of the possible discrimination on the grounds of age in the field of research. The Lithuanian Research Council introduced a requirement to indicate the age of researchers when submitting a project on research. Such guidance is, in our opinion, first of all, superfluous, and secondly, there is a risk of age-related discrimination in the project evaluation¹⁹.

Recommendations

1. Gender issues should be integrated into the programmes, implemented and funded by the Ministry of Education and Science. Gender equality experts should be closer involved to the implementation.
2. Gender issues should be integrated into educational plans, programmes, curricula, in cooperation with gender experts, delegated by umbrella associations of women's organizations.
3. Awareness raising of different target groups and the society, dissemination of information on gender stereotypes and their negative effects is important activity, to be promoted, supported and continuously held involving women's organizations.
4. Experts of women's organizations should be invited to the relevant commissions and working groups of the Ministry of Education and Science.

17 Criteria 1.4. in the textual and visual materials there are no negative gender stereotypes, boys and girls, women and men are presented impartially. <https://sodas.ugdome.lt/bylos/GENERAL/cacabfa9-191c-42e0-8f0f-2bb4b2fd7e48.pdf>

18 Gender equality aspect in the career education of schoolchildren, <http://www.mukis.lt/download/1087/informacija.pdf>

19 Project applications on LMT internal page https://junkis.lmt.lt/KALBA/XXXXX/pradzia_baigta_1_nulinis.php?Kalba=

5. To ensure non – discriminatory provisions of the selection and evaluation criteria of the research project.

Articles 2, 3, 6 of the Convention

1. Concluding Observations, paras 26-27 *Trafficking in persons and exploitation of prostitution*

27. The Committee recommends that the State party:

- (a) Adopt comprehensive legislation and policies against trafficking in persons, in particular women and children, and ensure that victims are properly identified and provided with adequate protection and assistance;
- (b) Ensure the effective prosecution and punishment of perpetrators of trafficking;
- (c) Build the capacities of law enforcement officers including police, prosecutors and judiciary, of immigration officers as well as of social workers on gender-sensitive ways to deal with victims of trafficking;
- (d) Ensure that women and girl victims of trafficking have access to medical care, legal aid, psychosocial counselling, and rehabilitation and reintegration programmes, regardless of their ability or willingness to testify against traffickers;
- (e) Impose adequate sanctions on law enforcement officers involved in trafficking cases;
- (f) Address the root causes for trafficking and prostitution by increasing its efforts to provide educational and income generating opportunities for women and girls thereby minimizing their vulnerability to exploitation; and
- (g) Take appropriate measures to combat exploitation of prostitution of women, including through criminalizing the demand for prostitution.

Women’s organizations, carrying out activities related to combating trafficking in women and sexual exploitation of women are in the opinion, that majority of recommendations of CEDAW Committee are not implemented fully as not so much progress is observed in this area.

Code of Administrative Offenses of the Republic of Lithuania, Article 487: “*Prostitution, Paid Use of Prostitution Services*” defines sexual exploitation as “*prostitution services*”. There is a need of other legislative changes including decriminalization of sexual exploitation, so-called “*prostitution services*”, consideration of testimony of a victim of sexual abuse as irrelevant and refusal to recognize the victim's injury as a meaningful evidence of assault. Creation and development of exit programs for victims of prostitution, creation and implementation an education policy and prevention programs, especially for a young people, and number of other issues is badly needed.

The debates on prostitution and on trafficking in women for purposes of sexual exploitation as social problem issues have intensified during the past few years or even decades in Lithuania. These discussions raise different opinions and bring forth different representations. On one hand, there is an attitude that prostitution is not human trafficking. Therefore, it is argued, women choose prostitution voluntarily, without pressure. Such women’s activities must be controlled in order to protect them and their health and to control criminal activities. This kind of opinion attempts to soften the approach towards these women by calling them sex workers, since this is less stigmatizing than calling those prostitutes. Another contrasting approach claims that it is wrong to regard the involvement in prostitution as voluntary, because these women are victims of many psychological and social circumstances. The existence of such a traditional dichotomy encourages delving more deeply into the causes or specific moments in the process of becoming a prostitute. Moreover, it may be that a woman’s engagement in prostitution is a random occurrence and does not depend on any predetermining conditions.

The scientific theoretical analysis on the socio-cultural and historical aspects of the status of women in Lithuania revealed a sufficient degree of discrimination, both open and covert, in respect to women, irrespective of the positive changes in the role of women in society. The interpretation of the phenomenon of women in prostitution and the outlook on the status of women vary depending on the context of a country's culture and its socio-political system. The analysis of the manifestation of prostitution in Lithuania indicated that it is a multi-layered social, legal, economic and political problem. Presumptions regarding the growth of this manifestation and the new forms it expresses become entrenched in a country without a clear strategy regarding the issue of women's sexual exploitation for the purposes of prostitution.

This problem remains one of the most complicated, social assignments in the country due to its complexity, variety of different views on this problem and the unsuitable legal approaches. The predominance of different viewpoints on those injured or potential victims prevents the development of a unified legal base and an effective social help system. Recognition of the experiences of women in prostitution is a meaningful and necessary assumption for the development of a legal base, the formation of an infrastructure for social help, an exit program and entrenchment of a deeper understanding of this issue in society.

In several EU countries (Sweden, France, Ireland), the State adopted the position that prostitution is a form of violence against women and therefore the demand to have any girls or women made available to supply sexual acts for money is not regarded as legitimate or acceptable and, therefore, the purchase of sex is criminal offence. This approach has also proven to be an effective anti-trafficking and demand reduction measure. This is critical evidence in relation to reducing trafficking for sexual exploitation²⁰.

The prosecution has denied three times to accept a sexual assaulted woman's complaint on the grounds asserting that she had self-inflicted bodily harm (including genitalia) in an attempt to falsely accuse a man who raped her²¹.

The Parliament (Seimas) of the Republic of Lithuania considered again and adopted Resolution "For the criminal liability for sexual services"²² by the vote of the majority of the session participants. The Resolution took into account national and international legislation, according to the International STOP TRAFFICK! Conference „Deconstructing the Demand for Sexual Services: Prevention of Exploitation through Prostitution and Sex Trafficking“, organized by Klaipeda Social and Psychological Services Centre and held in Parliament in 19-20th June 2014, considering Lithuanian and foreign expert reports, having become familiar with the propositions of non-governmental organizations which fight against human trafficking, sexual exploitation for prostitution purposes and violence against human beings, having evaluated the practice of Nordic countries and the experience of the criminalization of the purchase of sexual services within other European countries (Sweden, Norway, Iceland, Ireland, France) and Canada.

The Resolution proposed to the Government of the Republic of Lithuania:

²⁰ Disrupt Demand, 2017.

²¹ Pre-trial investigation No. 01-1-31701-18.

²² 16 December 2014, No. XII -1464

1. to submit to the Parliament of the Republic of Lithuania for ratification the 1949 United Nations Convention for the Suppression of the Trafficking in Human Beings and for the Exploitation of others for a Purpose of Prostitution;
2. to submit the amendments of Criminal Code of the Republic of Lithuania with regards to liability for purchase of prostitution, pornography or other forms of services of sexual exploitation;
3. to submit the amendments with regards to the article 182 (1) of the Administrative Laws Infringement Code with regards abolition of administrative liability for providing sexual services;
4. to call an interdisciplinary work group in order to prepare the programme for the re-socialization, rehabilitation and reintegration of sexual services providers.

However, to date, nothing has been done: the 1949 United Nations Convention for the Suppression of the Trafficking in Human Beings and for the Exploitation of others for a Purpose of Prostitution is not ratified; the amendments of The Code of Administrative Offenses of the Republic of Lithuania with regards abolition of administrative liability for providing sexual services are not submitted; the programme for the re-socialization, rehabilitation and reintegration of sexual services providers are not created.

The continuation or termination of the investigation is at the full discretion of the prosecutor, all complaints being dismissed on the ground, the prosecutor of the case only can decide whether to continue the investigation.

Recommendations

1. To change the language used in legal documents (The Code of Administrative Offenses of the Republic of Lithuania, Article 487: Prostitution, Paid Use of Prostitution Services) to define or describe sexual exploitation as "prostitution services" and which is used to define a sexual exploitation.
2. Decriminalize the sale of so-called "prostitution services" and criminalize of all forms of exploitation of women (pimping, trafficking, violence), that is to say criminalize the purchase of "*prostitution services*".
3. To create an exit programs for victims of prostitution.
4. To prepare the programme for the re-socialization, rehabilitation and reintegration action plan for victims of THB, prostitution, and sexual exploitation.
5. To create and implement in cooperation with Women's NGO's an education policy and prevention programs, especially for a young people.
6. To carry out public awareness and preventative strategies with the objective to eliminate the demand that fosters the sexual exploitation of persons, especially women and children.
7. To appoint and fully resource dedicated law enforcement teams for investigations in trafficking in human beings for sexual purposes, the purchase of sexual acts, organized criminality and national prostitution activities.
8. To carry out trainings for the police in co-operation with experts of women's organizations to ensure a consistent gender-specific, victim-centered, trauma-centered and human rights, including training on trauma and its consequences.
9. To oblige the Ministry of Justice to prepare specialized lawyers to represent victims of sexual violence.

10. Long term National Strategy for the prevention and combat of prostitution and trafficking in human beings should be developed and implemented in cooperation with Women's NGO's.
11. An independent National Rapporteur with the mandate to monitor and evaluate the situation related to trafficking in human beings for sexual purposes and prostitution should be appointed.
12. Stronger, regular monitoring of sexual assault investigations, including specialized women's organizations is needed.

2. Concluding Observations, paras 22-25

Violence against women including domestic violence

23. (d) Provide crisis centres and walk-in centres that offer protection and assistance to all women victims of violence; and

(e) Ensure the adequate geographical distribution and number of shelters as well as the provision of a range of services for victims.

We should admit, that since 2014 several positive developments are observed as regards specialized support and assistance to women-victims of violence. F.i. network of specialized support centres, in line with the requirements of the Istanbul Convention was established by women's organizations. Specialized support centres are continuously supported by the Ministry of Social Security and Labour. However, involvement of municipalities in preventing and combating violence against women and domestic violence is far from sufficient.

Specialized support centres, financed by the Ministry of Social Security and Labour cover all regions of Lithuania. It means – they provide support and assistance to victims of violence in the territories of municipalities.

In 2017 12 of 17 specialized support centres were interviewed on the issue of the effectiveness of cooperation with municipalities, in which territories they deliver support and assistance to victims. The survey made it clear, that cooperation with majority of municipalities is formalized. Most frequently specialized support centres cooperate with the Law divisions, as they are in charge of free legal aid, and Social assistance divisions, as they are in charge of social services. Representatives of municipalities participate in the capacity building activities, but in general they do not value and profit of the activities of specialized support centres, in particular in cases, when the victim is directed to the municipal centres for safe accommodation and other support. Only limited number of municipalities allocates funding for the prevention of violence against women. Some municipalities, however, started development of programmes on prevention of VAW and support to victims, in cooperation with the specialized support centres, according to the Law on protection against domestic violence, though they are only 5 out of 60.

Support and assistance to the victims of sexual violence is a particular issue. Currently no specialized assistance mechanisms are available for the victims of sexual violence, happened which either in public or private areas, because marital sexual violence is not criminalized. Lack of attention to this issue is obvious: lack of research on sexual violence and sexual harassment, specialists and civil society has no awareness and knowledge on the manifestations of sexual violence, frequently the victim is treated as guilty for the occurrence of sexual violence, perpetrated by the intimate partner.

According to the data of Eurobarometer survey²³, even 42 percent of the respondents in Lithuania think that women frequently invent and exaggerate reports on the sexual violence, rape. The data of survey, conducted by the Equal Opportunities Ombudsperson in 2018 show, that 41 percent of respondents think, that wife has a duty to love her husband. Experience of NGO's show, that frequently women do not report on sexual violence, because think, that nobody will believe them, and they will be blamed or they will be reminded about obligations of wife.

Recommendations

1. To strengthen cooperation between specialized support centres and municipalities based on mutual trust and understanding and to this end to organize continuous trainings for both- representatives of specialized support centres and municipalities.
2. To ensure consistent dissemination of information and awareness raising on the role of Specialized support centres.
3. To ensure that all municipalities include into their strategic plans concrete measures on preventing and combating violence against women and support to victims, allocate sufficient funds for implementation of these measures in cooperation with women's organizations.
4. Preventive activities, funded by municipalities should include raising awareness of the specialized support centres, capacity building of the relevant employees of municipalities.
5. To improve accessibility and quality of the support services to victims and their family members.
6. To develop monitoring and evaluation mechanisms on municipal level.
7. To ensure specialized support and assistance needed, including medical treatment, where appropriate, for victims of sexual violence. Specialized support might be provided by the network of currently acting specialized support centres.

24. (a) Ensure that the Law on Protection against Domestic Violence and relevant policies are implemented in a gender-sensitive manner.

Data of Lithuanian statistics show decrease of reports on the occurrence of domestic violence. In 2016 m. 66 thousand calls regarding domestic violence were received by the General Help Centre. In 2017 m. and 2018 m. this figure decreased by 30 percent - to 48 thousand and 45 thousand accordingly. However, statistics on the domestic violence crimes does not show visible decrease of crimes registered: in 2016 - 10890; in 2017- 10968, in 2018 - 9529. So, there is no reason to think, that the level of domestic violence decreases. Women's organizations presume, that decrease of the number of the reports is caused by other reasons. One of the reasons might be the recently, in 2017, adopted new version of the Law on the Protection of the Rights of Child, which hardly correlates with Law on the Protection from Domestic Violence and related reforms in the area of the protection of the rights of child. Therefore, people avoid calling the police in case of domestic violence and cause the risk, that domestic violence will become latent once again, as it was before the adoption of the Law on the Protection from Domestic Violence.

The matter is that if the domestic violence occurs, information about children, living in the violent atmosphere, even when the child does not experience direct violence, must be sent to the institutions in charge of the protection of the rights of child. After such information is

²³ Special Eurobarometer 449: Gender-based violence

received institutions must evaluate possible danger to the health of child and, if the risk is identified, they must withdraw the child from violent situation in family. Therefore, often women will better suffer violence, than will call the police, as it raises the risk of losing children.

One more issue – psychological violence of intimate partner, stalking and manipulation (involving children), in particular after the violence occurred and the victim asked for help. Such forms of violence are not sanctioned or criminalized.

Criminal Code (Article 145 (2) does not contain definition of “stalking”, though this action is indicated as one of the aspects of terrorization of the person. Furthermore, this Article 145 (2) does not contain actions which should be treated as stalking or psychological violence. Absence of clarity makes it difficult to apply sanctions for psychological violence, in particular stalking.

Psychological violence has extremely negative impact on victim and causes long-term consequences, which are not so easy to cope with.

Women, who apply for help to Specialized support centres, frequently tell that their husbands or partners control their phone conversations or communication in the social networks, Facebook. They do not allow them to communicate with relatives, friends. They threaten them in different manner, f.i., if she leaves him, he will commit suicide. Even after divorce women suffer of stalking. Specialized support centres heard many similar histories about stalking.

Specialized support centres are particularly concerned about:

- disability of the police in case of psychological violence. The police do not react, if there are no undoubted signs of physical violence,
- disability of the police when restraining order is violated. The police do not react, if there are no undoubted signs of physical violence even in case of systematic stalking and terrorization,
- non-application by prosecutors of custody measures as regards children,
- disability of the specialists in charge of the protection of the rights of child to help (not to immediately initiate case management) women, who is persecuted by perpetrator to ensure safety of children.

Police officers tell that it is complicated to prove psychological violence. (One woman witnessed, that police officers told her, that psychological violence- just words, no real danger to the life).

Psychological violence, stalking is not treated as a real violence. No court practice is available on criminal liability applied specifically in case of psychological violence. Existing legislation is insufficient to effectively protect women from stalking and psychological violence.

Recommendations

1. To transpose fully into national law the provisions of the EU Directive 2012/29/EC, so called Victims Directive, in particular these provisions:
 - in case of domestic violence all persons present in this environment must be recognized as victims of crime;

- respectful behavior should be ensured with victims, protection and assistance shall be provided and the opportunity to apply to the court ensured.
- 2. To withdraw from the valid laws the mechanism of monitoring of “significant damage” and leave it to be regulated by the Law on Protection from Domestic violence.
- 3. To unify the work order and regulation of specialized support centres and specialists of the protection of the rights of child in case of domestic violence.
- 4. To ensure that meetings of the case management are organized by the specialized support centre and all related institutions participate in these meetings.
- 5. Necessary services and obligations must be ensured to the victims of violence and the perpetrators.
- 6. Criminal Code, article 145 must be amended by supplementing this article with the definition of systematic stalking of the victim of violence with the purpose to control her. This article should also contain methods and actions, which must be treated as expression of psychological violence, impact on the victim, and evaluation criteria of “unwanted conduct”, (intensity, duration, frequency etc.).
- 7. To foresee restriction of liberty for the persons who are suspected in psychological violence, stalking, on the basis of the evidence, provided by the victim.

25 (c) Effectively prosecute and punish perpetrators of domestic violence.

In cases of domestic violence and (sexual, physical and psychological) violence against women, a forensic medical examination must be carried out in order to determine the gravity of a crime. It often occurs, however, that the conclusions drawn by forensic medical experts are not adequate for a crime, and thus a quick and objective crime investigation is impeded. Moreover, forensic medical experts cannot be easily reached by the people from distant rural areas. As a result, a person who suffered damage has difficulty to get the conclusions of a forensic medical examination.

In cases of domestic violence, it is a pre-trial investigator who decides whether to appoint a forensic medical expert or not. Upon the beginning of a pre-trial investigation concerning the domestic violence, it would be adequate to appoint medical investigations in all cases, since the consequences of violence are not always visible. A forensic medical expert should consider such cases following the Rules for Determining the Extant of Health Damage <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.211886?jfwid=-o11rvrwgq>. A special attention must be paid to recurring instances of violence.

It often occurs that forensic medical experts consider only outward and/or visible injuries, but they do not consider inner invisible injuries, such as trachea injury in case of strangling. There are many instances when forensic medical experts come up with inadequate conclusions about health damage. For example, a cohabiting man hit his cohabiting woman into the eye. She lost the sight in the injured eye and had troubles with another eye as well. Forensic medical experts concluded that it was a mild health damage, while the paragraph III.6.1 of the Rules for Determining the Extant of Health Damage envisaged that it was a severe health damage. Besides, forensic medical experts do not consider the consequences of psychological violence, while the paragraph III.6.9 of the Rules for Determining the Extant of Health Damage clearly envisages them.

People who suffer damage encounter a problem of accessing a forensic medical examination. This service is available only in towns. Thus, the people from rural areas cannot get quick conclusions of forensic medical experts. It is often not possible at all.

A qualification of a crime by the Criminal Code of the Republic of Lithuania depends on the conclusion of a forensic medical expert. The degree of injury may be determined by a forensic medical expert alone. Therefore, it may occur that other medical conclusions in the process of crime qualification are not even considered.

Recommendation

Ministry of Justice should initiate inter-institutional working group, including specialized support centres to draft necessary amendments to legislation.

25 (d) End the use of reconciliatory mediation for victims of domestic violence and refrain from adopting reconciliatory mediation in the criminal process, as such procedures may increase the vulnerability of women victims of violence.

The Law on Mediation does not contain provision, that mediation is not applied in case of domestic violence. Thus, the recommendation of the CEDAW Committee is not fully implemented.

Experts of specialized support centres noticed, that such practice is applied. During pre-trial investigation frequently meetings of the victim and the perpetrator are organized with a purpose of conciliation. Case managers (in case when there are children in the family) tend to apply conciliation procedure with the view of the protection of the needs of child. No need to mention that the mediation is possible when both parties are in the same position of power. In case of domestic violence, the positions differ.

Recommendations

1. To introduce to the Law on Mediation the provision, that mediation is not possible in case of domestic violence and violence against women. To draft amendments of all other related documents.
2. To ensure continuous trainings, in cooperation with the specialized support centres, for the case managers in order to increase their competences.

Article 7 of the Convention

Concluding Observations, paras 28-29 *Participation in political and public life*

- 29. (a) Adopt temporary special measures, in accordance with article 4 (1) of the Convention and with the Committee's General Recommendation No. 25 (2004) on Temporary Special Measures, including quotas, to increase the participation of women in political and public life, in particular rural women, women from ethnic minorities and women with disabilities; and**
- (b) Take measures to eliminate gender stereotyping against women politicians.**

Women's organizations observed some positive changes of the attitudes of Lithuanian society to women's participation in politics both at national and local levels. This public opinion might be influenced by the fact that since 2009 to 2019 Lithuania was led by Women - President. And she was always on the very top of the ratings. However contribution of women's organizations to women's empowerment, through the activities of long-term network of women politicians, continuous awareness raising activities, dissemination of

information, trainings and other capacity building activities and other positive developments should be recognized and further supported. As there is still a long way to go.

Political life in Lithuania is still dominated by men. It was a period before Presidential elections in 2019, when no women Ministers were present in the Government, and current Cabinet of Ministers has only one woman. Currently three highest state positions are occupied by men: The President, The Prime Minister, the Chair of the Parliament are men. Only 22 percent of women in the Parliament and it is significantly below EU average (30 percent). In the municipal councils' women comprise 25 percent (EU average- 32 percent). Only 8 percent of all mayors are women (EU average- 15 percent). 3 women and 8 men were elected in Lithuania to European Parliament.

Slightly better situation is observed with women in leading positions in different professional sectors. In 2017 women occupied 39 percent of all leading positions (EU average- 34 percent). In public sector overall percentage of women leaders was even 58 percent and in the highest positions of public sector- 37 percent. In private sector women occupied only 34 percent of leading positions, women on the boards of listed companies comprised only 14 percent (EU average- 25 percent) and among Presidents of such companies' women comprised 17 percent (EU average- only 5 percent)²⁴.

Difference between percentage of women in politics and percentage of women in leading positions is rather high and this difference needs to be explored in the future. Quite high percentage of women in leading positions in public and private sectors anyway demonstrate that women can be good leaders and are recognized and valued.

Women's organizations support the introduction of women's quotas for political parties. However, still political parties are not obliged to apply quotas, though some of them apply quotas voluntarily. Women's organizations will further contribute to greater number of women in politics carrying out mentorship programmes, raising awareness of the society, organizing leadership trainings, maintaining informal networks of women politicians and other activities, which need to be continuously supported by adequate funding.

Recommendation

To strengthen efforts to increase number of women in politics: to explore, by conducting scientific research, reasons and obstacles of small number of women in politics; to adopt and implement in cooperation within women's organizations well targeted continuous measures addressing obstacles identified, including application of temporary special measures.

Article 11 of the Convention **Employment**

1. Concluding Observations, para 35 a), b), c) ***Gender pay gap and gender segregated labour market***

35. (a) Take concrete measures to eliminate the horizontal and vertical segregation between women and men in the labour market, including temporary special measures to promote the access of women, in

²⁴ Annual Report of Equal Opportunities Ombudsperson for 2018, page 4.
<https://www.lygybe.lt/data/public/uploads/2019/04/lgk-2018-m.-veiklos-ataskaita-.pdf>

particular young women, to all forms of employment and occupation, and update its national legislation and policies in order to promote equal opportunities and equal treatment of women in respect of employment and occupation;

(b) Develop support programmes aimed at counselling of girls and women on non-traditional educational and vocational choices and career options such as in areas of science and technologies;

(c) Ensure the effective implementation of the provisions of the Labour Code with regard to equal pay for work of equal value, including through labour inspections and the imposition of sanctions, and address the limited effectiveness of provisions on remuneration, in particular through public campaigns and awareness-raising within the State party's associations of employers and trade-unions.

The LEOWM since 1998 forbids all kinds of discrimination in the labour market. It establishes duties of employers to ensure equal opportunities for women and men and defines what actions of employers are discriminatory. Furthermore, since 2003 equal opportunities and equal treatment in employment remain a priority of the National Programme for Equal Opportunities for Women and Men and concrete activities in this area are carried out in cooperation with women's organizations.

Long term activities towards more equality in the labour market demonstrate some satisfactory results. In 2017 the gap in employment rates of women and men was the smallest in the EU- only 2,8 percent (EU average 18,1 percent)²⁵. Women's unemployment rate (5,7 percent) is lower as men's (8,6 percent)²⁶. New Labour Code, valid since 2017, is aligned with the provisions of the LEOWM and contains separate quite well-developed Article on non-discrimination *inter alia* on the grounds of gender.

However, women's situation in the labour market is far from equal. Deep vertical and horizontal segregation by gender of the labour market leads to the most painful problem - **gender pay gap**, which tends to increase in Lithuania. Gender pay gap increases constantly and leads to gender gaps in pensions, unequal economic independence and feminization of poverty. Gender pay gap being 14,2 percent in 2015, increased to 14,4 percent in 2016 and to 15,2 percent in 2017²⁷.

In 2017 gender segregation in occupations in Lithuania was 28 percent (EU average- 24 percent) and gender segregation in sectors was 22,3 percent (EU average 18,8 percent)²⁸.

According to earnings statistics, in 2016, the average gross monthly earnings of women made up 84,4 percent of those of men. Gender pay gap in private sector was bigger as in public by about 3 percent. Gender pay gap is present in all sectors, except of transport and storage²⁹. The largest gender pay gap is recorded in financial and insurance activities (38,3 percent) and information and communication (29,9 percent).

Vertical segregation by gender is present in all economic activities. In the beginning of 2017, there were 31 thousand female enterprise managers, or 30 percent of all managers of economic

²⁵ EU Report on Gender Equality, 2019

https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/annual_report_ge_2019_en.pdf

²⁶ Women and Men in Lithuania, 2017. <https://osp.stat.gov.lt/services-portlet/pub-edition-file?id=30580>

²⁷ EU Report on Gender Equality, 2019

https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/annual_report_ge_2019_en.pdf

²⁸ EU Report on Gender Equality, 2019 ,

https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/annual_report_ge_2019_en.pdf

²⁹ Women and Men in Lithuania, 2017. <https://osp.stat.gov.lt/services-portlet/pub-edition-file?id=30580>

entities in operation. The largest proportion of female managers was recorded in inpatient care- 63 percent, human health and social work- 62 percent, and education- 50 percent, the smallest- 11 percent- in construction³⁰.

The situation is even worse as regards occupational and sectoral segregation. Health protection and social work are the most feminized fields - women comprise more as 80 percent of all persons employed. In accommodation and food sector as well as in education sector women comprise more as 75 percent of all employed. The most masculine fields of activity were construction, where men make up more as 90 percent of all persons employed and transportation and storage – more as 75 percent.³¹ It should be highlighted, that the lowest salaries are in female-dominated sectors.

Though employers are obliged to apply equal selection criteria for women and men in recruitment process, in it still happens that they are applied differently, due to the approaches of the employers, who want men or women in one or another position. Young women-job seekers sometimes complain about sexist behavior of employers, or still (though it's legally forbidden) questions about her family status and intentions to have children. Though the Law requires job advertisements being gender neutral, and formally they are, informally employers still wish having women in the positions of the secretary, administrator etc.

Stereotypical approaches on what is “*women’s job*” or “*men’s job*” are more visible in smaller towns. F.i., in one of the companies in smaller town the competition was announced for the position of civil safety engineer (traditionally “*men’s job*”). After the testing 2 applicant, young woman and middle-aged man collected the same number of ballots. The selection Committee, consisting of 2 women above 50 and one younger man (the chair) had to decide who will be employed. Both women voted for the man. However, for the sake of transparency, the Chair decided to give to both applicants the same additional practical task. The woman demonstrated better results and was employed. This example is an illustration of presence of gender-stereotypical attitudes, in particular in smaller cities, between older persons.

Young women and men have more progressive views as regards “*men’s and women’s occupations*” both at work and at home. F.i., couple of years ago one could never see men-cashier in the shopping centres. Today younger men can be met more and more often at the cash desk, though women prevail. One of the reasons – consistent, continuous, well targeted trainings carried in cooperation with the experts of women’s organizations for the consultants of the Labour Exchange (currently – Employment service) in order to make consultations for job- seekers gender neutral, not to be afraid to suggest women so-called “*men’s job*” or for men so-called “*women’s job*” and to provide arguments which will convince job seeker to make well- grounded choice.

However, occupational and sectoral gender segregation in the labour market is an issue not so easy to combat. Young women and girls, as well young men and boys, influenced by their parents, attitudes of the society, which are also echoed in media and social networks, because of the insufficient awareness and knowledge of gender issues, still tend to choose traditionally feminine or traditionally masculine studies, occupations, professions. F.i., according to the statistics of graduates of the universities, of all graduates of engineering studies only 30,8 percent were girls and of all graduates of physical sciences- 34,8 percent girls in 2017.

³⁰ Women and Men in Lithuania, 2017. <https://osp.stat.gov.lt/services-portlet/pub-edition-file?id=30580>

³¹ Women and Men in Lithuania, 2017. <https://osp.stat.gov.lt/services-portlet/pub-edition-file?id=30580>

The analysis above allow to state, that progress is made as regards implementation of the recommendations of CEDAW Committee on legislative measures. Less progress is observed as regards practical measures. And finally – we observe **regress** in gender pay gap.

LMLO is deeply concerned about increasing gender pay and pensions gap and worsening economic situation of women and calls on the CEDAW committee to address as a matter of urgency stopping increase of the gender pay gap, so preventing long term negative consequences on women’s lives, their welfare. According to the data of the research, socio economic inequalities in Lithuania are deepest in the EU³².

Recommendation

Urgent legal, organizational, massive and intensive awareness raising and capacity building, also temporary special measures are badly needed as a matter of priority, to be implemented in cooperation with women’s organizations, addressing **gender pay gap** and related vertical and horizontal segregation of the labour market.

2. Concluding Observations, para 35 *Gender Equality Plans*

(f) Amend the Law on Equal Opportunities for Women and Men in order to include mandatory equality plans by public and private employers, covering also pay issues and family friendly policies.

In line with the Recommendations of CEDAW Committee, requirement of mandatory Equal Opportunities Plans is introduced into new Labour Code. Every employer, having more as 50 employees, is obliged to adopt Equal Opportunities Plans. Furthermore, employers are obliged to publish gender segregated anonymous data on salaries in the companies.

So, we can state, that formally the recommendation of CEDAW Committee is fulfilled. Let’s look deeper. Is this provision sufficient for effective implementation in practice? No monitoring mechanisms of implementation of these plans is known and it is not fully clear who is in charge of monitoring. No publicly accessible information on accountability on implementation of these plans is available. No targets and indicators to measure the results to be reached are established. From the practices of women’s organizations, we see that absence of these important elements of effective management leads to the quite formal approach of employers to gender equality planning as nothing else as additional administrative burden.

Recommendations

1. To develop monitoring and accountability mechanisms of implementation of gender equality plans, including development of targets and indicators, to make results of implementation publicly accessible.
2. To conduct, in cooperation with women’s organizations continuous training and awareness raising activities for social partners, aimed to make gender equality plans effective and result oriented.

³² Scientific study “Socio- economic inequalities in Lithuania. (Prof. O. Rakauskiene, prof. S. Puskorius and others). Vilnius, 2017

3. To include gender equality planning requirement to the General provisions of the evaluation of knowledge on health and safety at work³³, which are mandatory for employers willing to establish their company.

3. Concluding Observations, para 35 (e)

Reconciliation of work and family life

35 (e) Continue its efforts to ensure the reconciliation of family and professional responsibilities and promote the equal sharing of domestic and family tasks between women and men, including by developing incentives to encourage more men to avail themselves of parental leave and ensuring the provision of affordable and accessible child care facilities.

Reconciliation of work and family life is complex issue. Systematic, consistent, needs-centred approach is necessary to be efficient in this field. Unfortunately, the system which could help women facing work and family life reconciliation problems is not created yet and thus the problem remains not fully end effectively solved. Different institutions are responsible for different aspects of reconciliation, but nobody is in charge of entire issue.

New Labour Code, in force since 2017, as well as the newly adopted laws on social insurance, introduce several family-friendly provisions as regards in particular, flexible working arrangements, maternity, paternity, parental (childcare leaves). It should be noted, that the conditions of maternity, paternity, parental (childcare) leaves are even more favorable, as the requirements, set in the EU gender equality directives, in terms of length and reimbursement.

However, some legal inconsistencies still exist. For instance, the law on social insurance allows reimbursement for 14 days, when the employee has to nurse and take care about his/her child, who is ill, and only 7 days, when the employee has to nurse take care about his/her elderly parents, who became ill. Women's trade unions fight for equalizing the length and reimbursement of this period. Draft amendments to the Law was discussed in the Tripartite Council. The employer's organizations were in favor of this idea and suggested introduction of monitoring mechanism in order to prevent misuse of this provision.

The worse situation with services, aimed to help employees to reconcile work and family duties. Though it is complicated to find the official data on childcare services, the practice shows that there are not enough services for childcare. The same, or even worse situation with the care services for dependent people (disabled and elderly) supported by the State. Moreover, such services are not flexible in terms of time, complexity and quality. No services are available in urgent cases. There is a big gap between the demand of such services and the possible offers. Therefore, such services often are provided by unemployed women, and in most cases this job is illegal, female nursemaids and caregivers do not possess any social guarantees themselves, thus their work is like a so called "shadow market".

Legislation allows establishing private kindergartens, hospices and care centres for elderly people. The creation of business incubators which would assist women in starting their businesses in the field of care services for children and dependent people could be possible solution for these two inter-related problems: insufficient services for reconciliation of work and family life and illegal work of unemployed women in providing such services. The

³³ The translation to English language of the title of this mandatory document is more contextual rather than very precise

development of the network of work-life balance support services (which could be organized and managed by women's NGOs) could be also one of the effective possible solutions.

Unequal sharing of so called "unpaid work" -domestic and family tasks between women and men is still unsolved issue, though some progress is observed in young families, in particular as regards childcare. Paternity becomes more and more popular between young men and today nobody is surprised seeing much more babies on the hands of fathers, not mothers. Young women, comparing with older women, have quite different approach on who is "in charge" of babies caring. However, care for dependents (elderly or disabled family members are still more on women's shoulders. Though men willingly use their exclusive right to paternity leave, parental leave still are mostly used by mothers. One of the main reasons- gender pay gap.

The analysis above allows to state, that Recommendation of the CEDAW Committee is not fully implemented.

Recommendations

1. To recommend repeatedly strengthening attention to the issue of reconciliation of work and family life, in particular as regards social services for dependents, as well accessible and affordable childcare services.
2. To promote establishment of pilot business incubators in cooperation with women's organizations, which would assist women in starting their businesses in the field of care services for children and dependent people?
3. To encourage development of the network of work-life balance support services, which could be organized and managed by women's NGOs.

Article 12 of the Convention Health

Concluding Observations, paras 36-37

37. The Committee recommends that the State party:

(b) Ensure accessibility and affordability of modern contraception by women and girls, especially women in rural areas.

There is no contraception reimbursement system in Lithuania. Contraception is especially inaccessible for vulnerable groups, as frequently contraception is too expensive.

Abortion is legal in Lithuania. However, from time to time discussions are initiated by political groups seeking to limit or prohibit legal abortion. Medical abortion is not legal in Lithuania. Voluntary sterilization is not legal in Lithuania. A reproductive health draft law, which would include a section on legal and medical abortion and section on sterilization, should be elaborated.

Recommendation

It is necessary to create contraception reimbursement mechanism so ensuring accessibility of modern contraception for women of disadvantaged groups, rural women, and low-income women.

Article 14 of the Convention Rural women

Concluding Observations, paras 38-39

39. (a) Develop comprehensive policies and programs aimed at the economic and political empowerment of rural women and ensure their access to health, education and services, including shelters for victims of domestic violence.

Rural women experience greater social exclusion in many aspects, in comparison with women, living in big cities. Fewer opportunities for employment prescribe role of rural women to care about family and the household and to assist husband in family business. One of the main reasons – poorly developed services: childcare facilities and social services for dependents (disabled, elderly), public transport, worse education opportunities.

Specialized support and assistance to women experiencing violence is also less accessible in comparison to the women living in the cities.

One more crucial problem – limited access to health services, to polyclinics, hospitals³⁴. The main problem – limited public transport services. This problem is crucial for older women, living in rural areas, in particular living alone. F.i., There are villages, where busses come once or two times per week.

Leadership opportunities are also limited. Women willingly take a responsibility to lead communities, local activities groups, actively participate in cultural life. It means, women want and can be leaders. However, their leadership in economic activities, such as leaders of big agricultural firms, other rural businesses of even family farms is far from gender balance³⁵.

Not so much progress as regards situation of rural women was observed by women's organizations. Not so much publicly available information as regards the results of the policies and programs (if such exist) aimed at the economic and political empowerment of rural women and ensuring their access to health, education and services, can be found. Therefore, we must admit that the Recommendations of CEDAW Committee are not fully and effectively implemented.

And finally, opportunities of education in rural areas differ from those in bigger towns both in terms of accessibility and quality. Each year, the enrollment score for entrants to state-funded and unfunded study places for first cycle and integrated studies increases. Young people from rural areas cannot compete freely with urban youth and have no financial means to hire private tutors. As a result, rural youth have less access to higher education.

Recommendations

1. To fasten development of all kind of services, including social, health, transport and other services and specialized support services for women-victims of violence.

³⁴ Research „Difference of situation of Women and Men in Lithuania, 2017 page 66.

[https://socmin.lrv.lt/uploads/socmin/documents/files/veiklos-sritys/moteru-vyru-lygybe/Moter%C5%B3%20ir%20vyr%C5%B3%20pad%C4%97ties%20skirtumai%20Lietuvoje%20\(2017%20m_%20tyrimo%20ataskaita\).pdf](https://socmin.lrv.lt/uploads/socmin/documents/files/veiklos-sritys/moteru-vyru-lygybe/Moter%C5%B3%20ir%20vyr%C5%B3%20pad%C4%97ties%20skirtumai%20Lietuvoje%20(2017%20m_%20tyrimo%20ataskaita).pdf)

³⁵ I. Skurdėnienė, D.Šeškauskaitė. Rural Leadership: trade and gender aspects.

http://www.su.lt/bylos/mokslo_leidiniai/ekonomika/2010_3_19_2/skurdeniene_seskauskaite.pdf

2. To improve accessibility to all kind of services by the means of public transport, by application of compensations and discounts, where appropriate.
3. To ensure systematic monitoring of the situation of women in rural areas and women of disadvantaged groups (disabled, elderly, Roma women, etc.). To this end periodically conduct extensive comparative research, covering situation of rural women in employment, education, health and social services, public transport and other essential areas.
4. To strengthen women's leadership and entrepreneurship capacities in rural areas in cooperation with women's organizations.
5. Equal conditions should be created for all entrants to the universities and colleges, and it is proposed to abandon the competitive score calculator.