



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Pre-session working group  
Fortieth and forty-first sessions  
16-20 July 2007

### List of issues and questions with regard to the consideration of periodic reports

#### Lithuania

The pre-session working group examined the third and fourth periodic reports of Lithuania (CEDAW/C/LTU/3 and CEDAW/C/LTU/4).

#### Constitutional, legislative and institutional framework

1. According to paragraph 23 of the Core Document, under Part 3, article 138, of the Constitution of the Republic of Lithuania, “international treaties ratified by the Seimas of the Republic of Lithuania are a constituent part of the domestic legal system”. Please provide details of any court cases in which the Convention has been used or referred to.
2. The fourth periodic report states that “constitutional law experts are of the opinion that the setting of special measure in a law might constitute a conflict with the Constitution of the Republic of Lithuania” (CEDAW/C/LTU/4, para. 43). Please provide information on why this is so in the light of the State party’s obligations under article 4, paragraph 1, of the Convention, which is a constituent part of the domestic legal system, and of general recommendation 25 elucidating this article? Please also elaborate whether there has been any progress regarding the proposal to amend the Constitution (CEDAW/C/LTU/4, para. 43), and what exactly such an amendment would cover.
3. The reports provide information regarding the work and mandate of the Office of the Equal Opportunities Ombudsman. Please inform the Committee as to whether the 10 positions in the Office are currently occupied (CEDAW/C/LTU/3, para. 105) and elaborate upon the powers of the Ombudsman, as well as action taken to follow up on the Ombudsman’s recommendations and to monitor their implementation. Please provide data disaggregated by sex and on complaints lodged on the basis of discrimination on the grounds of sex as well as on the areas and rights for which

such complaints were lodged (CEDAW/C/LTU/3, paras. 65-68; CEDAW/C/LTU/4, para. 22).

4. While persons affected by discrimination on the grounds of sex have the right to address courts, “no cases directly related to the discrimination on the grounds of sex were investigated by national courts in 2005-2006” (CEDAW/C/LTU/4, para. 23). Please explain why this may be so and compare and contrast the different procedures and outcomes of cases dealt with by the Ombudsman until the end of 2007 and those investigated by national courts.

5. The third periodic report states that from 2001 the Minister for Social Security and Labour also became the Minister for Gender Equality (CEDAW/C/LTU/3, para. 103). Please describe the financial and human resources dedicated to the promotion of gender equality within this Ministry and elaborate on how this move strengthened the “existing governmental national mechanisms for women”, as requested by the Committee in its previous concluding comments.<sup>1</sup>

6. The third periodic report acknowledges that “funding of non-governmental and women’s organizations is still insufficient” (CEDAW/C/LTU/3, para. 108). The fourth periodic report describes the funding of non-governmental organizations (NGO) projects in several instances. Please indicate what has been done to address the funding situation of Lithuanian NGOs in a general, including institutional, way.

#### **Violence against women**

7. The fourth periodic report describes a number of legal and other measures that have been put in place to combat violence against women, including the creation of a working group “to pave the way for a Law of the Republic of Lithuania on the Protection against Domestic Violence” and amendments of other Acts (CEDAW/C/LTU/4, para. 21). Please indicate the current status of this work, including the availability of protection orders against perpetrators from the affected families as well as their rehabilitation, and a time frame for the enactment of these legal provisions.

8. The Special Rapporteur on violence against women, its causes and consequences has expressed concern that there are no consultative centres, phone lines offering psychological help, or other services specifically dedicated to victims of rape and sexual crimes (E/CN.4/2003/75/Add.1, para. 2030). The fourth periodic report provides details of a toll-free telephone hotline for battered women and plans to establish further social services for victims of domestic violence (CEDAW/C/LTU/4, paras. 12 and 13). Please indicate whether such services have been established, including special attention to and services for victims/survivors of rape and other forms of sexual violence, and trends in their use.

9. Please provide details regarding crimes tried as “private prosecution cases” and indicate the number of times the prosecutor has exercised her or his discretion to apply public charges in a “private prosecution case”(CEDAW/C/LTU/3, paras. 37-39).

10. The third periodic report notes that “official statistics of offences register only a minor portion of all domestic violence misdemeanours” (CEDAW/C/LTU/3,

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<sup>1</sup> *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 38 (A/55/38)*, part two, para. 149.

para. 49). Please indicate what the Government is doing to improve data collection on domestic violence and other forms of violence against women. In particular, indicate whether a population-based survey on violence against women has been conducted, its results, and public policy response to the findings.

### **Trafficking and exploitation of prostitution**

11. The fourth periodic report describes a number of amendments to the Criminal Code regarding trafficking in human beings, exploitation of forced labour and of women in prostitution, a number of pre-trial investigations and court actions started under the new provisions as well as a strengthening of law enforcement institutions (CEDAW/C/LTU/4, paras. 65-70). Please provide data disaggregated by sex regarding action taken in relation to these new provisions. Please give also data on the countries of origin of the women who have been trafficked into prostitution.

12. Please provide sex-disaggregated data on the number of persons who have been granted temporary residence permits as “an alien who cooperates with a pretrial investigation body or a court in combating trafficking in human beings or other crimes involving trafficking in human beings” (CEDAW/C/LTU/4, para. 73) as well as on the situation of such women after the expiration of the temporary permit. Please also describe the process of dealing with victims/survivors who do not wish to cooperate with authorities. Also provide information about results achieved with the pilot Programme of Psychological Rehabilitation, Professional Training and Employment for Victims of Prostitution and Trafficking in People for 2003-2004 (CEDAW/C/LTU/3, para. 148), and whether such measures become a national policy, including the integration of former prostitutes into the labour market (CEDAW/C/LTU/4, para. 79).

### **Participation in political and public life**

13. In 2004, 31 women (20.57 per cent) and 110 men (79.43 per cent) were elected to the Seimas and in 2007, 337 (22 per cent) women were elected to municipal councils (CEDAW/C/LTU/4, para. 96). Please provide information about the impact of the “seminars and training courses organized by the Office of the Equal Opportunities Ombudsman and NGOs” referred to in the fourth periodic report (CEDAW/C/LTU/4, para. 98). Please describe whether the presence of these women has contributed to more women-oriented policy work in the Seimas; also indicate steps taken to implement the Committee’s recommendation that the Government “strengthen its efforts in offering or supporting special training programmes for current and future women leaders and conduct, on a regular basis, awareness-raising campaigns regarding the importance of women’s participation in political decision-making”; and “involve the mass media in promoting positive images of women leaders”.<sup>2</sup>

14. In 2006, women constituted 70 per cent of career civil servants and 60 per cent of civil servants of political (personal) confidence, while 70 per cent of senior managers of public authorities were men (CEDAW/C/LTU/4, para. 100). Similarly, while women account for over 53 per cent of the diplomatic service, women have consistently held less than 16 per cent of leading diplomatic positions (CEDAW/C/LTU/3, para. 164; CEDAW/C/LTU/4, para. 102). Please describe

<sup>2</sup> Ibid., para. 157.

measures that the Government has taken, including temporary special measures taken in accordance with article 4, paragraph 1, of the Convention apart from quotas, to increase the number of women in management positions in the civil service and leading positions in the diplomatic service, and the impact of such measures.

### **Employment and reconciliation of work and family life**

15. The reports acknowledge that “wages in female-dominated sectors of the economy are lower than in male-dominated sectors” (CEDAW/C/LTU/4, para. 148) and that there is “vertical segregation of the labour market, where more men than women occupy leading positions” (CEDAW/C/LTU/3, para. 244). The wage differential between women and men is also greater in the public sector than in the private sector (CEDAW/C/LTU/3, para. 242). Please indicate what measures have been taken to increase wages in female-dominated sectors of employment and to eliminate occupational segregation, as recommended by the Committee in its previous concluding comments,<sup>3</sup> and whether there is any consideration of obligating the Office of the Equal Opportunities Ombudsman to regularly and systematically investigate employers’ pay practices through a reporting system by employers.

16. The fourth periodic report describes the promotion of women’s entrepreneurship under various national plans and through a variety of counselling and training measures (CEDAW/C/LTU/4, paras. 132-141). Please provide data on the nature of the businesses women establish, whether women can sustain these businesses and whether such businesses provide sufficient income to these women. If possible, disaggregate the data according to age and length of unemployment before becoming an entrepreneur.

17. According to the data of the State Social Insurance Fund Board provided in the third periodic report, only about 1 per cent of men took parental leave out of 17,800 who were eligible (CEDAW/C/LTU/3, para. 217). Please provide information about the impact of “educational events aimed at informing families on the possibilities to take parental leave” and of efforts to encourage fathers “to take not only paternity leave but also parental leave until the child is three years old” (CEDAW/C/LTU/4, para. 60).

18. The fourth periodic report describes a number of legal changes and other initiatives to promote men’s sharing in family responsibility and to encourage employers to introduce innovative working arrangements (CEDAW/C/LTU/4, paras. 56-64). Please provide information on the number of enterprises disaggregated according to size that currently provide family-friendly working arrangements.

19. According to the fourth periodic report, “A mother/father or a guardian who has taken a parental leave until the child is three years old is also insured for the basic part of the state social insurance pension with the state budget funds” (CEDAW/C/LTU/4, para. 161). Please provide information on the proportions of mother, father and guardian who have taken parental leave in recent years and whether the mother has been able to return to her job or a new job. Please also

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<sup>3</sup> Ibid., para. 145.

provide information as to whether the break period for childcare has any effect on her social security schemes.

### **Education and stereotypes**

20. The third periodic report acknowledges the existence of a “traditional public attitude to the role of the man and woman” (CEDAW/C/LTU/3, para. 217) and the fourth periodic report points to the main tasks of the National Programme for Equal Opportunities for Women and Men to change traditional stereotypes of women’s and men’s roles in economic activity (CEDAW/C/LTU/4, para. 131). Please provide information on whether the initiatives taken have led to a change in the selection of occupations by women and men and give details on figures and the kinds of occupations that are currently being chosen by each sex. Please elaborate upon initiatives that have been undertaken to challenge this stereotypical attitude and list concrete policies formulated to promote the sharing of responsibilities between women and men in family and society and their impact. In particular, please provide details/results of the work of the Office of the Equal Opportunities Ombudsman to “analyse the image of a woman and a man portrayed in the mass media and the developments in the men’s and women’s roles in the modern society” and to organize “trainings for police officers, public authorities and municipal staff on the issue of gender equality” (CEDAW/C/LTU/4, para. 51).

21. The fourth periodic report states that the “Law on Equal Opportunities of Women and Men prohibits such advertising of goods and services which would make the public form an opinion that one sex is superior to another; the Law also prohibits discrimination of consumers on the grounds of sex” (CEDAW/C/LTU/4, para. 53). Although according to the fourth report advertising is not yet gender-neutral in Lithuania, the Law has stimulated complaints and consultation with the Office for Equal Opportunities. Please state whether the Office can identify a positive trend towards more ethical advertising and whether further efforts are undertaken, including referring such offences to courts.

22. The fourth periodic report notes that “In certain professions ... like IT, engineering, manufacturing and processing, architecture and construction, agriculture, forestry and fishery, and transport, male students dominated over female students” (CEDAW/C/LTU/4, para. 111). Please provide information regarding the outcome of the “action plan for encouraging women to seek a scientist’s career” (CEDAW/C/LTU/3, para. 194) and details of any other initiatives to encourage women to pursue study in non-traditional areas.

23. The reports describe girls as having “a lower motivation ... for exercise and sports. Girls are more particular about the quality of hygiene conditions; furthermore, they are often more diligent and therefore spend more time on studying” (CEDAW/C/LTU/4, para. 125). Please provide information on action taken by the Government to facilitate the further participation of girls in sport at school. Please also provide information on the results achieved in the Lithuanian implementation of the project “Women and Men in Sports and Media” (CEDAW/C/LTU/4, para. 188).

### **Health**

24. More than half the women aged 15 to 25 have been found not to use any contraception (CEDAW/C/LTU/3, para. 302; CEDAW/C/LTU/4, para. 182).

According to data from health-care institutions, as few as 12 per cent of women of childbearing age use contraceptives; the third periodic report states this as a reason “why abortions are still frequent in Lithuania” (CEDAW/C/LTU/3, para. 302). Please indicate what actions the Government is taking to raise awareness of, and provide wide access to, contraception, particularly in rural areas, and whether all methods of contraception are free of charge.

25. More than one quarter of pregnant Lithuanian women suffer from anaemia (CEDAW/C/LTU/3, para. 320). Please provide detailed information on what action the Government has taken to “fully implement a life-cycle approach to women’s health”, as recommended in the Committee’s previous concluding comments.<sup>4</sup>

26. Persons with disabilities in Lithuania are entitled to technical aids under the Strategy for Supplying the Disabled with Technical Aids for 2004-2010 (CEDAW/C/LTU/4, para. 162). What percentage of disabled persons who benefited from this strategy are women? Are there any differences in the patterns of technical needs of women and men? Is any assistance given to women with disabilities during pregnancy and/or after childbirth, or in their housework?

#### **Situation of particular groups of women**

27. The fourth periodic report states that the implementation of the National Action Plan for Combating Poverty and Social Exclusion for 2004-2006 accords particular attention “to single mothers, battered women, victims of trafficking in human beings and vulnerable women groups” (CEDAW/C/LTU/4, para. 29). Please provide further details on how the Plan addresses such groups of women, the benchmarks set and the results achieved.

28. The Human Rights Committee has expressed concern about the social and economic situation of the Roma minority and continued discrimination, poverty and unemployment suffered by the Roma (CCPR/CO/80/LTU, para. 8). Please provide statistical data on the status of Roma women and girls and indicate what targeted measures are being taken to prevent discrimination against them in education, employment, health, housing and other areas, including an assessment of the results of the first phase of the Programme for Roma Integration into Lithuanian Society.

29. Information is provided regarding efforts to engage rural women in agriculture and alternative enterprises (CEDAW/C/LTU/4, paras. 189-191). Please provide information on the impact of such efforts, including the number and nature of new enterprises as well as on the general health situation of older rural women, their access to free health-care services and social and cultural opportunities.

#### **Optional Protocol**

30. Please provide information about measures taken to make widely known the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which Lithuania ratified on 5 August 2004.

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<sup>4</sup> Ibid., para. 159.