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**IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Initial reports submitted by States parties under
articles 16 and 17 of the Covenant**

Addendum

LITHUANIA*

[17 July 2002]

* The information submitted by Lithuania in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.97).

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Article 1 of the Covenant

1. On 16 February 1918 the Supreme Council of Lithuania declared the Act of Independence, according to which the Republic of Lithuania became an independent State and was recognized by the international community. The State became a full and equal member of the Union of Nations and existed until the occupation by the USSR and incorporation into the Soviet Union in 1940 as the Soviet Socialist Republic of Lithuania.
2. In 1988, a public movement, Sajūdis, sprang up and aimed at restoration of independence. On 24 February 1990, the first democratic elections to the Supreme Council of SSRL took place in occupied Lithuania at which Sajūdis gained the victory. On 11 March 1990, the renamed Supreme Council of the Republic of Lithuania adopted the Act on Restoration of the Independent State of the Republic of Lithuania, which stated that “the Supreme Council of the Republic of Lithuania, expressing the will of the nation, resolves and solemnly announces the restoration of sovereign power of the State of Lithuania which was annihilated by foreign force, and from now on Lithuania shall be an independent State”.
3. The Act on Restoration of Independence in addition stipulates that “the Lithuanian State emphasizes its loyalty to universally acknowledged principles of international law [and] recognizes the inviolability of borders as stipulated by the Final Act of the Helsinki Conference on Security and Cooperation in Europe, which guarantees human, civil and national communities’ rights”.
4. On 9 February 1991, in a public poll (plebiscite) over three quarters of the population of Lithuania possessing the active right to vote supported, by secret ballot, the idea of “Lithuania as an independent democratic republic”.
5. On 25 October 1992, citizens of the Republic of Lithuania adopted the Constitution, article 1 of which stipulates that Lithuania is an independent democratic republic.
6. The Constitution declares that “the State of Lithuania shall be created by the People. Sovereignty shall be vested in the People”. “No one may limit and restrict the sovereignty of the People or make claims to the sovereign powers of the People.”
7. The Republic of Lithuania recognizes and respects the right of self-determination of nations, the right to freely determine their political status and to freely choose the manner of economic, social and cultural development.
8. Article 135 of the Constitution declares that, “In conducting foreign policy, the Republic of Lithuania shall pursue the universally recognized principles and norms of international law, ... and shall take part in the creation of sound international order based on law and justice.”
9. The rights of ethnic minorities are stipulated in the Constitution, the Law on Ethnic Minorities, the Law on the State Language, the Law on Education and other laws.

10. Article 37 of the Constitution provides for the right of citizens who belong to the ethnic communities to foster their language, culture and customs. Article 45 of the Constitution stipulates the right of ethnic minorities to independently administer the affairs of their ethnic culture, education, organizations, charity and mutual assistance.
11. The preamble to the Law on Ethnic Minorities (XI-3412, Announced: *Valstybės Žinios*, 1989.12.10, No. 34, Publication No. 485) states that “The Republic of Lithuania shall guarantee to all its citizens, regardless of their ethnicity, equal political, economic and social rights and freedoms, shall recognize its citizens’ ethnic identity [and] the continuity of their culture, and shall promote ethnic consciousness and the expression thereof.”
12. The Government implements the Programme of Support to Ethnic Minorities through its Department of Ethnic Minorities and Emigration, which was established in 1998.
13. The right of people’s self-determination in choosing the direction of economic development is reflected in article 46 of the Constitution, which stipulates that “Lithuania’s economy is based on the right to private ownership, freedom of individual economic activity, and initiative.”
14. The Republic of Lithuania is not responsible for the administration of any Non-Self-Governing or Trust Territories.
15. Article 10 of the Constitution stipulates that the territory of the State of Lithuania is integral and shall not be divided into any State derivatives.

Article 2 of the Covenant

Paragraphs 1 and 2 of article 2

16. The obligation to observe international agreements to which the Republic of Lithuania is a party is stipulated by part 1 of article 11 of the Law on International Agreements (VIII-1248, Announced: *Valstybės Žinios*, 1999.07.09, No. 60, Publication No. 1948), stating that “international agreements, which came into force in the Republic of Lithuania, shall be binding for implementation”.
17. Domestic law of the Republic of Lithuania provides for the general rule that citizens of foreign States and persons without citizenship have the same rights and freedoms as citizens of the Republic of Lithuania, except for the cases when the law or international agreements provide otherwise.
18. Article 29 of the Constitution stipulates that “all people shall be equal before the law, the court, and other State institutions and officers. A person may not have his rights restricted in any way, or be granted any privileges, on the basis of his or her sex, race, nationality, language, origin, social status, religion, convictions, or opinions”.

19. The Law of the Republic of Lithuania on Legal Status of Foreigners (XIII-978, Announced: *Valstybės Žinios*, 1998.12.31, No. 115, Publication No. 3236) provides foreigners in the Republic of Lithuania with the same rights and freedoms, which are guaranteed by the Constitution of the Republic of Lithuania, legislation and international agreements. Foreigners are equal before the law regardless of their race, sex, colour, language, religion, political or other beliefs, national and social origin, membership of an ethnic minority, ownership, place of birth or other status.

20. The Republic of Lithuania has joined a number of international agreements banning discrimination. On 12 March 1991 the Supreme Council of the Republic of Lithuania decided to join the International Covenant on Economic, Social and Cultural Rights; on 10 September 1995, the Seimas of the Republic of Lithuania ratified the Convention on the Elimination of All Forms of Discrimination against Women. The Republic of Lithuania submitted two reports on the implementation of the provisions of the Convention. On 10 November 1998 Lithuania ratified the International Convention on the Elimination of All Forms of Racial Discrimination. The Republic of Lithuania has presented its initial report on the implementation of this Convention.

21. In order to observe the legal regulations on abolition of discrimination, the legislation of the Republic of Lithuania provides for administrative and criminal liability for the actions inciting discrimination.

22. Article 72 of the Criminal Code prescribes criminal liability for actions against a group of people, or a person belonging to that group, on the basis of their sex, race, ethnicity, language, origin, social status, beliefs or opinions aiming to impede their participation on the basis of equality in political, economic, social, cultural, operational or other activities, or to restrict the rights and freedoms of such a group of people or a person belonging to the group.

23. In addition, the Criminal Code provides for criminal liability for incitement against an ethnic, racial, national, religious or other group of people as well as the financing of such activities.

24. Similar provisions on criminal liability for discriminatory actions are stipulated in the new Criminal Code, which was adopted on 26 September 2000 and would enter into force on 1 January 2003, together with the new Criminal Procedure Code, Penal Code and Administrative Code.

25. Article 214 of the Administrative Law Transgressions Code provides for administrative liability for production and keeping for the purpose of distribution and the distribution of published, video, audio and other materials aimed at stirring up national, racial or religious discord.

26. Article 214 of this Code provides for administrative liability for the establishment and participation in any organization inciting national, racial or religious discord.

Exceptions to the general principle that foreigners in Lithuania enjoy rights equal to those of the citizens of the Republic of Lithuania, may only be regulated by law and only on legal grounds

27. Article 48 of the Constitution stipulates that “every person may freely choose an occupation or business, and shall have the right to adequate, safe and healthy working conditions, adequate remuneration for work, and social security in the event of unemployment”.
28. The Law on the Legal Status of Foreigners of the Republic of Lithuania (VIII-978, Announced: *Valstybės Žinios*, 1998.12.31, No. 115, Publication No. 3236) stipulates that a foreigner willing to be employed on the basis of an employment contract in the Republic of Lithuania shall receive a work permit, which is issued by the Ministry of Social Security and Labour. The National Labour Exchange office, on the basis of a foreigner’s application for a work permit and the resolution of a territorial labour exchange office, and taking into consideration the current situation in the labour market and the annual quota on employment of foreigners in the Republic of Lithuania established by the Government, shall decide on the issuance of a work permit for a foreigner. A work permit for a foreigner shall be issued for a period of no longer than one year, which, if necessary, may be extended for the period needed for the completion of works, but for no longer than 12 months.
29. The requirement of a work permit shall not be applied to a foreigner who desires to be employed under an employment contract if the foreigner has a permanent residence permit in the Republic of Lithuania (issued by the Ministry of the Interior or its authorized institution). A permanent residence permit of the Republic of Lithuania is issued to a foreigner, at his/her own request, if the foreigner had a temporary stay permit in the Republic of Lithuania for the last five years, has a place of residence in the Republic of Lithuania, and has a lawful source of income in the Republic of Lithuania.
30. Foreigners may also be employed in the Republic of Lithuania on the basis of agreements concerning economic activities between enterprises of the Republic of Lithuania and foreign States under the provisions of international agreements between the Republic of Lithuania and foreign States concerning mutual employment of citizens.
31. It should be noted that the labour legislation of the Republic of Lithuania prohibits from discriminating against employees due to their nationality, ethnicity or other grounds. The Law on Employment Contracts of the Republic of Lithuania (I-2048, Announced: *Lietuvos Aidas*, 1991.12.10, No. 246; *Valstybės Žinios*, 1991.12.31, No. 36, Publication No. 973) stipulates that an employee shall not be discharged on the grounds of his/her sex, race, nationality, citizenship, political convictions, religious beliefs, or any other factors which do not affect his/her professional qualifications.
32. It is prohibited to refuse employment to a person on the ground of sex, race, ethnicity, or other factors which do not affect his/her professional qualifications. Such refusal of employment may be brought to court within one month.

33. If the court concludes that a person has been refused employment unlawfully, the employer shall be obligated by court order to employ the person from the day of submitting the application for employment, and to pay remuneration in the amount of the minimum wage for the expired period to the employee.
34. Citizenship of the Republic of Lithuania is another precondition stipulated for employment of a person as a judge, attorney, public notary, public servant (Law on Courts (I-480, Announced: *Valstybės Žinios*, 1994.06.17, No. 46, Publication No. 851), Law on Attorneyship (VII-811, Announced: *Valstybės Žinios*, 1998.07.17, No. 64, Publication No. 1840), Law on Notary Service (I-2882, Announced: *Lietuvos Aidas*, 1992.10.01, No. 192; *Valstybės Žinios*, 1992.10.10, No. 28, Publication No. 810), Law on Public Service (VIII-1316, Announced: *Valstybės Žinios*, 1999.07.30, No. 66, Publication No. 2130; *Valstybės Žinios*, 1999.12.09, No. 105)). In the field of civil service this requirement is not applied to civil servants who are residents of the Republic of Lithuania. According to the Law on Civil Service, civil employee means a civil servant employed at a State institution, agency or municipality, performing economic or technical functions or providing civil services to society.
35. The requirement to hold the citizenship of the Republic of Lithuania is also applied to persons who are employed in the diplomatic service. Consular officers shall be citizens of the Republic of Lithuania; however, if the State where the consular post is situated agrees, the consular duties may be performed by a citizen of this State or a third State.
36. The Law on Trade Unions (I-2018, Announced: *Lietuvos Aidas*, 1991.11.30, No. 240; *Valstybės Žinios*, 1991.12.10, No. 34, Publication No. 933) stipulates that citizens of the Republic of Lithuania and other persons who permanently reside in Lithuania have the right to join trade unions and participate in their activities.
37. The Law on Fundamentals of State Social Welfare of the Republic of Lithuania (I-696, Announced: *Lietuvos Aidas*, 1990.10.26, No. 111; *Valstybės Žinios*, 1990.11.20, No. 32, Publication No. 761) provides a State social welfare system for all residents of the Republic of Lithuania, i.e. the requirement of citizenship of the Republic of Lithuania is not applied. Citizens of the Republic of Lithuania, foreign citizens who are permanent residents of the Republic of Lithuania and stateless persons have equal rights to social welfare if not otherwise provided by the laws of the Republic of Lithuania or international agreements.
38. The Law on Health Insurance (I-1343, Announced: *Valstybės Žinios*, 1996.06.12, No. 55, Publication No. 1287; *Valstybės Žinios*, 1996.10.12, No. 99) stipulates that compulsory health insurance is provided to the citizens of the Republic of Lithuania, citizens of other States and persons without citizenship who permanently reside in Lithuania.
39. The Law on State Social Insurance Pensions (I-549, Announced: *Valstybės Žinios*, 1994.08.03, No. 59, Publication No. 1153), the Law on Sickness and Maternity Social Insurance (IX-110, Announced: *Valstybės Žinios*, 2000.12.29, No. 111, Publication No. 3574), the Law on Assistance to the Unemployed (I-864, Announced: *Lietuvos Aidas*,

1990.12.29, No. 153; *Valstybės Žinios*, 1991.01.20, No. 2, Publication No. 25), the Law on Social Insurance of Occupational Accidents and Occupational Diseases (VIII-1509, Announced: *Valstybės Žinios*, 1999.12.29, No. 110, Publication No. 3207) regulate separate fields of social insurance and do not stipulate any provisions discriminating against foreigners.

40. Article 1 of the Law on State Social Insurance Pensions stipulates that foreign citizens and stateless persons permanently residing in Lithuania have equal rights to State social insurance pensions, unless the laws of the Republic of Lithuania or international agreements provide other conditions for granting pensions to these persons.

41. The Law on Sickness and Maternity Social Insurance provides for the categories of persons who shall have compulsory sickness and maternity social insurance and relate these categories to the performance of work functions.

42. The Law on Assistance to the Unemployed stipulates that this law is applied to citizens of other States and stateless persons in the general order as to the citizens of the Republic of Lithuania if other laws and international agreements do not provide otherwise.

43. The Law on Social Insurance for Occupational Accidents and Occupational Diseases provides for the categories of persons who shall be insured with this type of social insurance regardless of their citizenship or other non-work-related characteristics.

Paragraph 3 of article 2

44. In order to regulate relations in the field of social security, the Republic of Lithuania concluded bilateral agreements on social security with Finland, the Czech Republic, Belarus, Estonia and Latvia. In addition, on 15 May 2001, the Parliament of the Republic of Lithuania ratified the European Social Charter (amended) of 1996, on 29 June 1999 the European Social Security Interim Agreements (European Treaty Series (ETS) 12 and ETS 13 and their Protocols ETS 12A and ETS 13A).

45. The Republic of Lithuania recognizes the right to education, which is stipulated in the Covenant, and aspires to ensure equal opportunities for citizens of the Republic of Lithuania and foreigners to exercise this right.

46. The Law on Education (I-1489, Announced: *Lietuvos Aidas*, 1991.08.06, No. 153; *Valstybės Žinios*, 1991.08.20, No. 23, Publication No. 593) stipulates that education in State and municipal schools of general education, vocational and college-type schools of the Republic of Lithuania shall be free, both for citizens of the Republic of Lithuania and foreigners.

47. Legal acts regulating the procedures for acquiring education and schooling in the higher schools of Lithuania stipulate that foreigners who have acquired at least a secondary education which is acknowledged in Lithuania may enter higher institutions of Lithuania.

48. The institutions themselves, in accordance with the requirements approved by the Government, establish the detailed procedure for acquiring education in higher institutions by foreign citizens and persons without citizenship.

49. According to the requirements established by the Government concerning the education of citizens of foreign States and stateless persons in the higher schools of Lithuania, foreigners may be accepted to State-funded places if they come from a State where Lithuanian citizens do not have to pay for their education, as well as citizens and foreigners who have permanent residence permits in the Republic of Lithuania.
50. In respect of foreigners, the Ministry of Education and Science establishes and applies quotas of admission to State-financed places. Foreign students who are accepted to State-funded places have equal rights with citizens of the Republic of Lithuania to receive scholarships from the Scholarship Fund.
51. Foreigners may begin their studies provided they have obtained a permit for temporary stay in the Republic of Lithuania or have a permanent residence permit in the Republic of Lithuania.
52. Foreigners, who arrive on the basis of international agreements and treaties coordinated by the Ministry of Education and Science are accepted to the higher schools in accordance with the provisions of the aforementioned agreements and treaties. The manner of financing foreigners' education is established in the international agreements or treaties and legal acts of the Republic of Lithuania.
53. Foreigners who have completed the consecutive education programme that they have chosen are granted a diploma of a set form in the State language.
54. It should be noted that in Lithuania there are pre-school educational institutions and all levels of general education schools of ethnic minorities, in which schoolchildren have the possibility of acquiring a general education based on their own national culture by having part of the subjects taught in their mother tongue. Parents (or guardians) may choose a pre-school or school of general education according to its language of instruction. These schools use manuals, which are designed in Lithuanian and foreign textbooks which have been approved by the Ministry of Science and Education. In these schools, Lithuanian, as the State language, is taught, among other languages, and the schoolchildren, upon graduation from the schools, shall have the command of Lithuanian necessary to proceed with their studies (including studies in higher education institutions) in the State language. The State schools of general education may establish separate classes, optional classes, or Sunday school classes for small ethnic minorities which do not comprise a close community but would like to learn or improve their mother tongue.

Article 6 of the Covenant

ILO conventions (paragraph 1 of the guidelines on article 6)

55. In 1994, the Seimas of the Republic of Lithuania ratified the Convention of the International Labour Organization (ILO) concerning Discrimination in Respect of Employment and Occupation (No. 111), 1958. The report on the application of the provisions of Convention No. 111 in Lithuania was presented to the ILO in 2001. Information relating to the provisions of article 6 of the Covenant is presented in Part II of that report.

56. From 12 to 30 June 2000, at the twenty-third session of the Committee on the Elimination of Discrimination against Women (CEDAW), Lithuania successfully presented and defended its first and second periodic reports (CEDAW/C/LTU/1 and CEDAW/C/LTU/2) concerning the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. The reports presented data which, in the main, conform to the requirements of paragraph 3 (a) and (c) of article 6; paragraph 4 (a) and (b) of article 7; and paragraph 6 (a), (b) and (c) of article 13 of the Covenant concerning the implementation of equal opportunities.

Employment (paragraph 2 (a) of the guidelines)

57. Restructuring of the economy, privatization, development of market relations, and other internal and external factors caused a decrease of employment among the population and the growth of unemployment. During the last decade, significant changes in the field of employment took place. In 1991-2000, the number of persons employed decreased by almost 300,000. The structure of employment has changed. In 1990, before the beginning of the economic reforms, most of the population was employed in industry (30 per cent), agriculture (18 per cent) and construction (12 per cent) (annex I, table 1). In the course of the implementation of the reforms, in the period 1992-2000, the number of employed persons mostly dropped in industry and construction - almost by half - and grew in the services sector, where half of all the employed work. The population employment rate dropped from 89.7 per cent in 1991 to 50.2 per cent in 2000.¹ An intensive transfer of the employed from the public to the private sector took place. During the period 1990-2000, the total number of employed persons in public enterprises, institutions, organizations, shrank from 1,332,900 to 495,200 and the number of employed in private enterprises, correspondingly, almost doubled (from 564,700 to 1,090,800). It should be noted, that a bigger share of the employed in the public sector (approximately 64 per cent) are female, while males are more active in the private sector (57 per cent). As far as male and female employment are concerned (annex I, table 2), it is noted that male employment has decreased more than that of females. In 1999 male employment was 58.4 per cent, while in 2000 it was 55.5 per cent. Female employment, in comparison to 1999, decreased from 48.7 to 47.5 per cent. This decline could be explained by the fact that in 2000, the economic difficulties mostly had a negative impact on the male-dominated fields of activity.

58. Three territorial groups can be distinguished with regard to the employment situation: the territory with the highest employment - in the cities (Vilnius, Kaunas, Klaipėda); the territory with average unemployment - where the industrial sector is predominant (Alytus, Plungė, Utena and other towns); the territory with the lowest employment - small towns and regions where agricultural activities prevail (Lazdijai, Šalčininkai, Skuodas and others). During the last five years, the number of employed decreased most in Šiauliai (9,400), Panevėžys (9,000) and Utena (3,100) counties, and it increased in Vilnius (11,200) and Kaunas (8,200) counties (annex I, table 3).

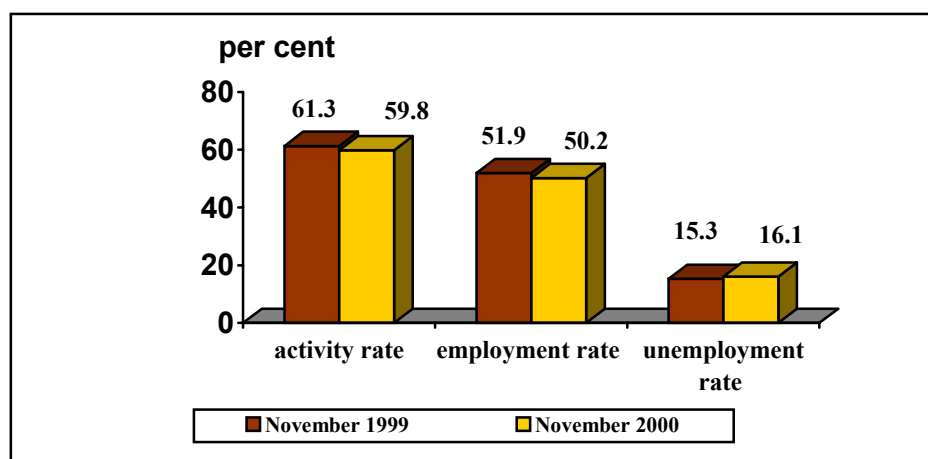
59. According to the data of the Labour Force Survey, which was conducted by the Department of Statistics in November 2000, in Lithuania 1,489,000 persons were occupied in some kind of paid employment. Two thirds of those employed worked in cities, one third of them in rural areas (-10.5 percentage point), in industry (-7.8 percentage points), in services (-2.6 percentage points). The number of employed in trade did not significantly increase (+1.2 percentage points). Many problems have accumulated in the agricultural sector, in which

approximately one fifth of all employed persons in the country are occupied. In the process of the implementation of agricultural reform, small farms were established which can neither effectively provide employment for the farm owners and their families nor ensure the necessary income. Employment in agriculture was increasing up to 1996, when 24.1 per cent of all the employed were occupied in the sector. Since then, the employment rate has decreased and in 2000 constituted 18 per cent. However, this rate exceeded the European Union (EU) average, which in 1998 was 4.7 per cent. Meanwhile, the share of employed persons in industry is 20.7 per cent, less than the EU average which in 1998 was 29.5 per cent. In Lithuania, the service sector is not sufficiently developed and comprises 40.2 per cent of all the employed in 2000.

60. In 2000, the employment rate decreased in all the counties except Panevėžys and Tauragė counties.

Chart 1

Activity,^a employment^b and unemployment^c rate changes in 1999-2000



Source: Labour Force Survey of the Department of Statistics of the Government of the Republic of Lithuania.

^a Activity rate - ratio of the labour force to the working age and elderly population.

^b Employment rate - ratio of the employed population to the working age and elderly population.

^c Unemployment rate - ratio of unemployed persons to the labour force.

61. In 2000, according to the data provided by the Department of Statistics (table 1), most of the employed population in the country were hired employees (79.3 per cent); employers and self-employed persons made up only 16.7 per cent. A total of 61.2 per cent of all employers were male. Females comprised the same share of assisting family members (assisting family members are considered to be the members of a family of an owner of an enterprise or a farmer, whose number is usually more than one. Thus, in case of bankruptcy of an enterprise or a farm,

several assisting members of family become unemployed). In 2000, the number of females hired increased by 42,100. In comparison with 1999, in 2000, the increase in the proportion of female employers and self-employed was not significant (0.9 per cent), however, the total number of employers and self-employed declined by 2.2 per cent, the number of hired employees by 4.9 per cent and the number of assisting family members by 19 per cent. The significant decrease in the number of assisting family members may be related to the drop in the number of employers and self-employed.

Table 1**Employed population, by employment status**

	1999		2000		Change +/- (%)
	(000)	%	(000)	%	
Total number of employed	1 598.4	100.0	1 517.9	100.0	-5.0
Female	786.3	49.2	758.1	49.9	-3.6
Male	812	50.8	759.8	50.1	-6.4
Employers and self-employed	259.2	16.2	253.4	16.7	-2.2
Female	97.3	37.5	98.2	38.8	0.9
Male	161.9	62.5	155	61.2	-4.3
Hired persons	1 265.8	79.2	1 203.5	79.3	-4.9
Female	648.6	51.2	622.8	51.7	-4.0
Male	617.1	48.8	580.7	48.3	-5.9
Assisting family members	68.4	4.3	55.4	3.6	-19.0
Female	37.6	55.0	33.9	61.2	-9.8
Male	30.8	45.0	21.5	38.8	-30.2
Others	5	0.3	5.7	0.4	14.0
Female	2.8	56.0	3.1	54.4	10.7
Male	2.2	44.0	2.6	45.6	18.2

Source: Department of Statistics of the Government of the Republic of Lithuania.

Part-time employment

62. In practice “part-time worker” shall be deemed to be a person who works fewer than normal working hours per day or week as established by laws and any other legislation, and is paid in proportion to the time worked. At the same time, it is necessary to follow the normal working time for a full-time employee as established in laws, any other legislation or collective agreements. In accordance with article 40 of the Law on Labour Protection (I-266, Announced: *Valstybės Žinios*, 1993.10.22, No. 55, Publication No. 1064; *Valstybės Žinios*, 2000.11.08, No. 95, Publication No. 2968) the standard duration of the working week may not exceed 40 hours, while the average duration of the working week cannot exceed 48 hours.

63. A shortened working day or week may be provided for the worker upon his or her request by agreement between the worker and the employer, as foreseen by article 46 of the Law on Labour Protection.

64. The employer is obliged to provide for a shorter working day or week to pregnant or breastfeeding women, or women who have recently given birth, as well as to female workers raising a child (children) under the age of 14 or a child with limited functional capacity under the age of 16, who so request. Fathers as well have a right for their working hours to be shortened if they alone are raising a child under 14 years of age or a child with limited functional capacity under 16 years of age.

65. It could also be noted that the Government's Resolution No. 21 of 1995 on a shortened working day and week, implementing article 46 of the Law on Labour Protection, establishes, as the Law does not, an obligation for an employer to provide daily or weekly part-time work for pregnant women, not mentioning breastfeeding women or women who have recently given birth. Regardless of such restrictions in the Law, consolidated by the Resolution, it is necessary to follow the broader provision of the Law on Labour Protection. In general, the issue of the exceptional position of pregnant women is indisputable as the Law on Equal Opportunities (VIII-947, Announced: *Valstybės Žinios*, 1998.12.23, No. 112, Publication No. 3100) guarantees "special protection of women during pregnancy, childbirth and nursing" this not being regarded as discrimination.

66. The Resolution provides for several options for part-time work and the possibility to split the hours of part-time work. It is allowed to reduce the number of working hours per day and the number of working days per week, as well as to combine both alternatives. In terms of working hours and days, a concrete restriction set down in the Resolution stipulates that: "The part-time working day shall be no less than half of the full-time working day (shift) and the part-time working week shall be three working days per week", without imposing this limitation on certain employees' groups (which are not exceptional in terms of gender), specified in the Resolution.

67. Article 22 of the Law on Employment Contract (I-2048, Announced: *Lietuvos Aidas*, 1991.12.10, No. 246; *Valstybės Žinios*, 1991.12.31, No. 36, Publication No. 973) stipulates that an employer has the right to change an employee's working or other conditions, including the work regime, only when this change is related to changes in production or technology, or when the organization of labour is being changed. This provision applies to both full-time and part-time workers, as well as in cases of compulsory transfer from full-time working regime to part-time, or vice versa. All employees "must be given written notice of the planned changes in working conditions no later than one month prior to the introduction of such changes". If the changes are related to production technology, the employer must provide conditions for the employees to improve their qualifications or change their specialization so that they will be able to work after the changes in production or production technology are introduced. The collective agreement may require a longer notice period, as well as additional obligations for the provision of conditions, which would enable the employee to prepare for work after the introduction of changes in production or production technology.

68. If an employee refuses to work under changed working conditions, he/she may be dismissed from work in a certain manner set forth in the Law on Employment Contract (I-864, Announced: *Lietuvos Aidas*, 1990.12.29, No. 153; *Valstybės Žinios*, 1991.01.20, No. 2, Publication No. 25), which is applied equally to full-time and part-time employees. "If changes

are introduced and as a consequence an employee's salary is reduced (e.g. in transfer from full-time work to part-time work) for reasons beyond his/her control, the employee shall be remunerated for the disparity in wages for at least three months after the introduction of the changes in working conditions".

69. On this basis, it is obvious that the terms applied to part-time work and full-time work are more or less the same. Part-time work does not lead to restricted social benefits, reduced job security and fewer career opportunities than full-time work. The hourly rate of pay is no lower for those who work part-time than for full-time employees.

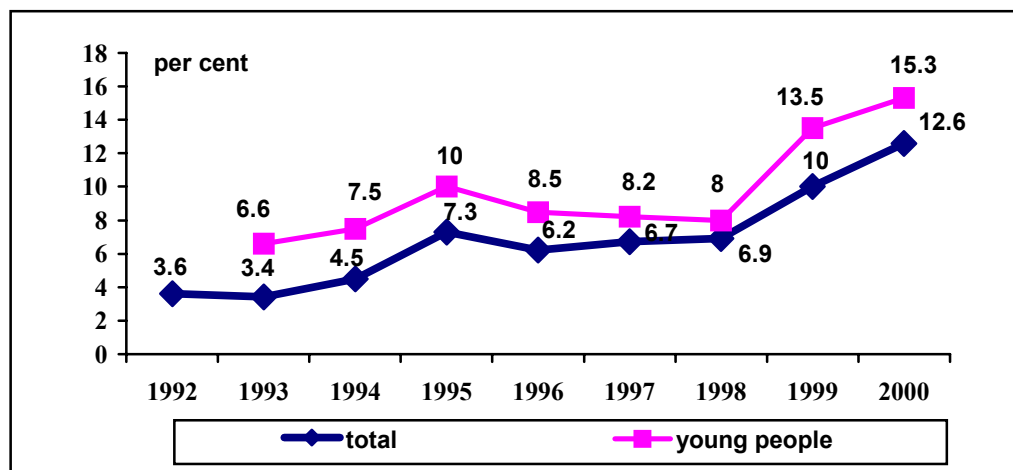
70. The practice shows accordingly that part-time work in general is not popular at all levels of the enterprise, however, the statistics agencies do not provide statistical data on the division of part-time work in regard to the levels of enterprise or skilled and less skilled positions.

71. It is still current that the man is considered to be the family's main breadwinner, while the women's income from work is merely supposed to supplement the men's income. Despite that stereotype and the fact that the level of unemployment is ever-increasing, it is still not popular in Lithuania to work part-time, both among women and men: only 11.6 per cent in 1998 and 6.9 per cent in 1999 of employees were occupied in part-time positions. In 1998 more women (55.2 per cent) than men had a shortened workday. In 1999, on the contrary, more than a half (50.4 per cent) of part-time workers were men. This, as well as the fact that women working a shorter workday made up 12.3 per cent of all working women and 10.3 per cent of married women, shows that a shortened workday is correlated more to a lack of available work rather than devotion to family or the responsibilities in the home. According to the data from the Labour Exchange, a total of 8.4 per cent of persons in 1999 were unemployed, 8.2 per cent of women and 8.5 per cent of men, with an ever-growing tendency towards unemployment. The unemployment rate reached 14.1 per cent in 1999 according to the Labour Force Survey, which also reveals that as many as 12.6 per cent of women and 15.6 per cent of men were unemployed at that time (see annex II).

Unemployment

72. After the restoration of independence, during the period 1992-1994, the unemployment rate grew slowly, and at the end of that time did not exceed 3.6-4.5 per cent (chart 2); however, it included new regions and social demographic groups of population. The year 1995 stands out as a year of continuous growth of the unemployment rate (at the end of the year it amounted to 7.3 per cent), which is related to the development of the economy's restructuring and liberalization. The lower unemployment rate at the end of 1996 (6.2 per cent) was partly determined by the new provisions of the Law on the Support to the Unemployed (I-864, Announced: *Lietuvos Aidas*, 1990.12.29, No. 153; *Valstybės Žinios*, 1991.01.20, No. 2, Publication No. 25), which was adopted at the beginning of the year aimed at activating the unemployed and stimulating their initiative, as well as providing stricter conditions for the registration of the unemployed and allocation of benefits to them. Since 1997 the unemployment rate has increased owing to the Russian financial crisis, the impact of which has become obvious for the economy of Lithuania, and the employment of the population in the fourth quarter of 1998 and at the end of 1999 reached 10 per cent.

Chart 2
Unemployment rate in 1992-2000 (end of year)



Source: Data of the Labour Exchange of Lithuania.

73. In 2000, the official registered unemployment rate grew from 10.0 per cent at the beginning of January to 12.6 per cent at the end of the year and reached its highest level during the period after the restoration of independence. However, in 2000, in comparison with 1999, the unemployment rate grew more slowly. From 1 January 1999 to the beginning of 2000 it increased by 3.1 percentage points and from 1 January 2000 to 2001 by 2.6 percentage points. For the first time, there were no considerable seasonal unemployment fluctuations in the labour market. In summer 2000, unemployment almost did not decrease; from April to October the unemployment rate varied only by 0.5 percentage points.

74. During the whole of 2000 the female unemployment level remained lower than for males. This difference is increasing. If on 1 January 2000 the female unemployment rate amounted to 9.6 per cent and the male unemployment rate was 10.4 per cent, by 1 January 2001 the female unemployment rate had reached 11.6 per cent, and that of males 13.5 per cent (annex III, table 1).

75. Unemployment was growing in all the regions of the country, although at different rates.

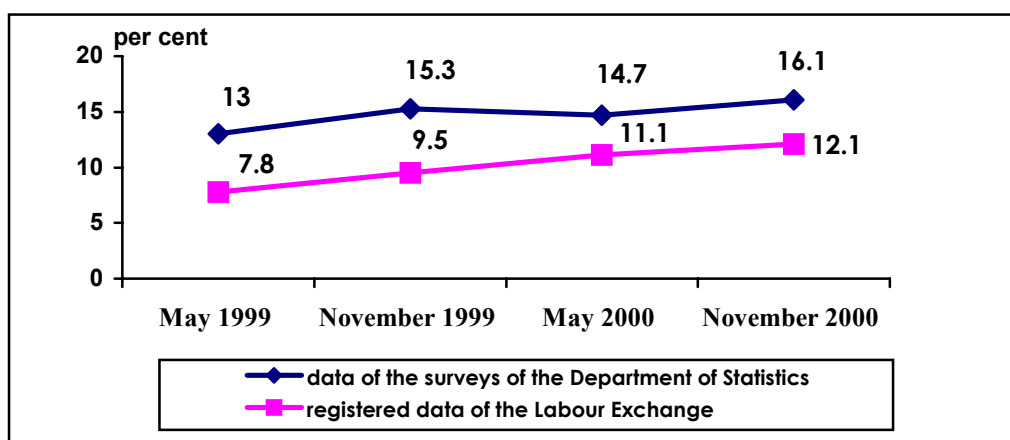
76. The biggest change in the unemployment level was registered in Druskininkai (10.8 percentage points), Joniškis (7.4 percentage points) and Mažeikiai (6.5 percentage points). The lowest change was registered in Anykščiai and Varėna, where the unemployment rate grew only by 0.4 percentage points. The unemployment rate in the biggest cities mostly increased in Panevėžys (2.5 percentage points) and Klaipėda (2 percentage points).

77. Considerable territorial differences in unemployment prevailed. At the end of the year, the highest and lowest unemployment rates differed by 3-4 times. The highest unemployment rate was in Druskininkai (27 per cent), Akmenė (24 per cent) and Pasvalys (22.8 per cent), and the lowest rate in Anykščiai (7.2 per cent), Trakai and Kretinga (8.1 per cent).

78. The highest unemployment growth rate was in the regions of Alytus, Šiauliai and Utena counties, where the employment rate mostly declined (annex III, table 2). In these counties the number of employed dropped in agriculture, industry and construction. The growing employment in the services sector did not cover the reduction of jobs in the above-mentioned fields of activities.

79. The data on unemployment rate and unemployed persons is usually provided on the basis of the National Labour Exchange information. However, not all the unemployed persons address themselves to this institution. Quite a considerable share of the unemployed seek jobs at private labour exchanges, or collect the information about vacancies from the media, relatives, acquaintances or employers. Another way of assessing the number of employed and unemployed is to conduct a population employment survey by conducting public opinion surveys concerning the issue of employment. Thus, the unemployment rate acquired from the survey data differs from the unemployment rate registered at the labour exchange (chart 3).

Chart 3
Unemployment rates in 1999-2000



Source: Data from the Labour Force Survey of the Department of Statistics.

Unemployed

80. In 2000, according to the Labour Force Survey, 276,000 persons were seeking jobs, 57.7 per cent of whom were male, and 258,000 unemployed were registered in the State territorial labour exchange (in 1999 - 244,700), including a smaller number of women, i.e. 43 per cent. On average, 21,500 of unemployed were registered per month (in 1999 - 20,400, in 1998 - 17,000). The number of unemployed was increasing all over the country except for Anykščiai and Trakai.

81. During 2000, the share of males among the unemployed grew (by 1.2 percentage points) and the female share declined correspondingly. Besides, the share of young unemployed also shrunk (-2.3 percentage points); however, the share of job-seekers among the youth labour supply, mostly graduates, increased from 30.5 per cent at the beginning of the year up to 36.6 per cent at the end of the year.

82. The share of long-term unemployed increased sharply (+13.1 percentage points). At the beginning of the year, the long-term unemployed comprised 14.5 per cent of all the registered unemployed, and the end of the year made up 27.6 per cent. During the year their number increased 2.4 times. The largest group among the long-term unemployed was the older, unqualified unemployed with limited motivation. The share of unemployed under retirement age increased from 7.9 per cent at the beginning of the year to 8.4 per cent at the end of the year, almost one third of them with low qualifications and without work for more than one year.

83. In 2000, the number of registered unemployed in rural areas grew by 25,300, their share among the unemployed increasing from 35 per cent at the beginning of the year to 39 per cent at the end of the year. Most of the unemployed in this category had only general lower and upper secondary education and had low marketable professional qualifications.

Youth unemployment

84. Young persons remain the most vulnerable group of unemployed. During 2000, 62,600 (or 24.3 per cent) of young unemployed persons under 25 years old were registered, including 5.3 per cent of youths over 18 years old. One quarter of the unemployed registered with the labour exchange were under 25 years old. The higher unemployment rate among the youth (chart 2) in comparison with other groups of unemployed, under the present economic and social factors and diminished labour demand, is determined by the level of their general education and insufficient professional training. Quite a considerable portion of young unemployed registered with the labour exchange (approximately 42 per cent) do not have any professional qualification. Most of them (60 per cent) are males. Two trends have been noticed in people choosing the field of their activity: first, a larger number of youth after graduation from lower secondary education proceed with their education at upper secondary schools and aim at studying at college-type and higher educational establishments. A considerable portion of the group combines studies and work, acquires working experience and finds employers. The young unemployed persons under the age of 25 who graduated from higher educational establishments make up only 3-4 per cent. Second, owing to the deteriorated social and economic conditions, a share of youth under the age of 16 do not attend general secondary education schools and do not acquire general education. A comparatively a small share of young persons - approximately 30 per cent (in the EU countries - approximately 50 per cent) - after graduation from lower secondary school study at colleges. The number of young persons who try to get employment or receive privileges or social guarantees provided to them and employers by the law is increasing. The same can be said about the graduates of upper secondary schools who failed to enter colleges and higher educational institutions. Owing to various reasons the young people who did not graduate from vocational schools join the ranks of the unemployed or, if they graduated, they choose unmarketable occupations.

Employment policies (paragraph 2 (b) of the guidelines)**Implementation of the Labour Market Policy Measures**

85. In 2000, with regard to the need to enhance the efficiency of labour market institutions' performance and implementation of their labour market policy measures (chart 4), attention was paid to the following areas:

(a) Increasing employment possibilities for job-seeking persons; promoting the integration of the unemployed into the labour market by combining social assistance with the employment support measures;

(b) Enhancing interaction between institutions and their performance efficiency by uniting labour market partners for the solution of employment and labour market issues.

86. Seeking to attain the above-mentioned objectives, tasks and measures were assigned to the labour market institutions and means from the Employment Fund were allocated, and the task implementation was constantly monitored.

Table 2**Labour market policy measures**

Passive labour market policy measure	Active labour market policy measure
Unemployment benefit	Labour market vocational training Prevention of unemployment and matching labour demand and supply Employment support: <ul style="list-style-type: none"> - public works - works supported by the Employment Fund - setting up one's own business - creation of new jobs for the individuals to whom additional employment guarantees are applied

87. The labour market policy measures are funded from the Employment Fund, which is a part of the State Social Insurance Fund. In the course of approving the annual budget of the State Social Insurance Fund at the Seimas of the Republic of Lithuania, the allocation rates to the Employment Fund are established depending on the situation in the labour market: approximately 1.5 per cent of the approved payment rate of 31 per cent of the compulsory social insurance contributions of the insured.

88. During the period 1995-2000, the annual contributions to the Employment Fund went up from LTL 70 to 160 million. The total funds which were allocated for the financing of the labour market policy measures fluctuated from 0.29 to 0.36 per cent of the gross domestic product (GDP) structure of 1995-2000 (see table 3).

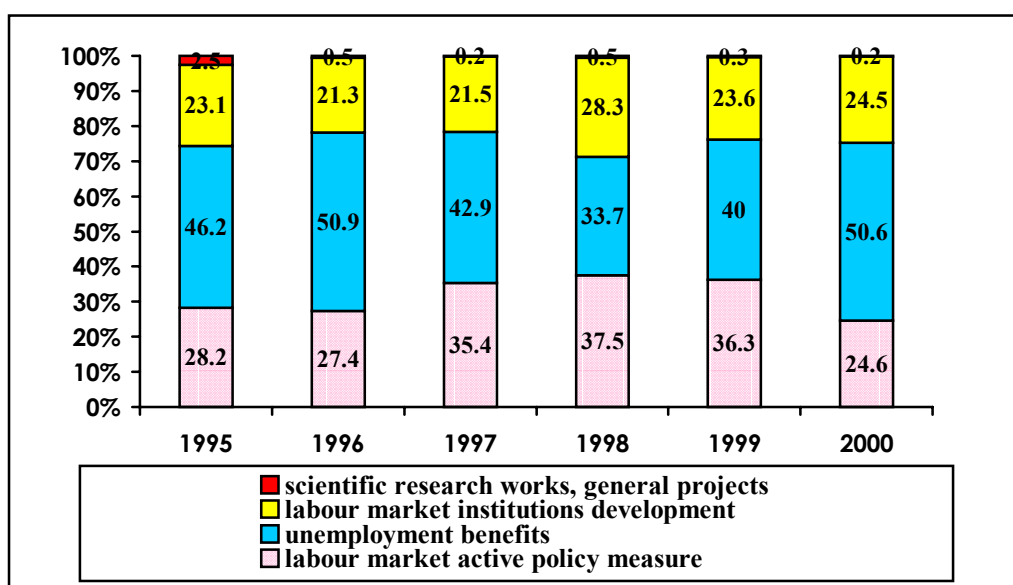
Table 3
Expenditure on labour market policy

	1995	1996	1997	1998	1999	2000
GDP (LTL million)	24 102.8	31 568.9	38 340.3	42 944.5	42 597.0	44 525.0
Expenditure on labour market policy (LTL million)	70.8	101.8	114.2	150.6	151.6	159.1
Expenditure on labour market policy (per cent)	0.29	0.32	0.30	0.35	0.36	0.36

Source: Data of the Ministry of Social Security and Labour.

89. Twenty-four to 37 per cent of all the funds were allocated for the financing of the active labour market policy measures and 33-50 per cent for the passive measures (unemployment benefits) (see chart 4), and 21-28 per cent for the operating costs of the labour market institutions.

Chart 4
Expenditure on the labour market policy measures (per cent)



Source: Data of the Ministry of Social Security and Labour.

Unemployment benefit

90. Owing to the decline in employment possibilities, in 2000, the Employment Funds allocated more funds for the compensation mechanism in the event of unemployment, i.e. the unemployment benefits (see chart 4). It is temporary assistance in cash to the people who have lost their jobs. According to the Law on Support of the Unemployed of the Republic of Lithuania the right to receive the unemployment benefit shall be granted to the unemployed person who has registered with the State labour exchange and have a record of having paid at least 24 months of State compulsory insurance during the last three years, if the labour exchange has not offered him/her a job corresponding to the professional qualification and state of health, or vocational training, of the person. The size of the unemployment benefit is related to the record of the State compulsory social insurance (work) and the reasons for losing the job. A larger unemployment benefit is paid to persons who have worked and were insured by the State compulsory social insurance for a longer period of time.

91. An unemployed person who wishes to receive the unemployment benefit, or who already receives it, has to meet certain requirements. He/she must take an offered job if it corresponds to his/her professional qualification and state of health, as well as undertake vocational training and visit the labour exchange on a regular basis. If the above-mentioned requirements are not fulfilled, the unemployment benefit may not be granted, or it may be reduced or its payment may be suspended.

92. In 2000, as in the preceding year, the size of the unemployment benefit was not smaller than the State-supported income approved by the Government (LTL 135) and did not exceed two minimum subsistence levels (LTL 250). In 2000, 30 per cent of the unemployed registered with the labour exchange received the unemployment benefit (in 1999 this figure stood at 26.6 per cent).

93. During the last five years (1996-2000), the number of male unemployed increased from 47 per cent (1996) to 55 per cent (2000), and the number of female unemployed decreased correspondingly.

94. The share of persons of pre-retirement age receiving the unemployment benefit grew from 7 per cent (1996) to 8.4 per cent (2000). The share of youth unemployed under the age of 25 among the unemployed receiving benefits decreased from 17.3 per cent (1996) to 15.2 per cent (2000).

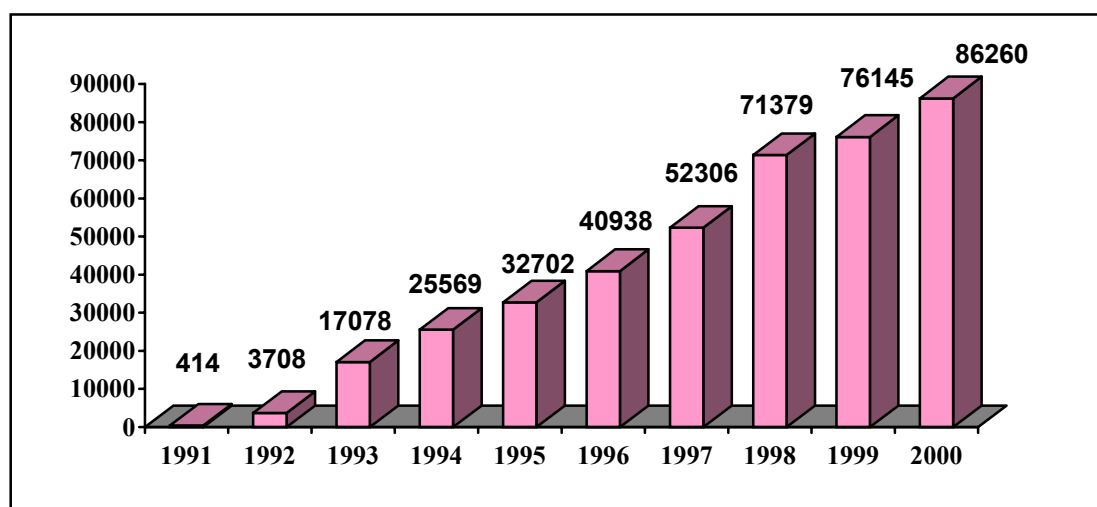
95. Two thirds of the unemployed entitled to benefits have the compulsory social insurance record; the others receive the minimum unemployment benefit. More male unemployed (55-57 per cent) receive maximum benefit, whereas more female unemployed receive minimum benefit (56-61 per cent). Females who return to the labour market after the childcare leave do not often have the necessary social insurance record. During the last five years, the number of the unemployed who are entitled to benefits and who graduated from vocational, college and higher schools increased from 40.5 per cent (1996) to 48.5 per cent (2000). This situation may be explained by the fact that a portion of youth applying to the labour exchange do not seek employment, but wish to exercise their rights to social guarantees and privileges. In addition, the share of persons released from prison in the total number of unemployed receiving benefits increased from 2.8 per cent (1996) to 22.3 per cent (2000) owing to the amnesty in 1999, and the

number of persons released from defence service increased from 3.2 per cent (1996) to 14 per cent (2000). The share of mothers raising children under the age of 8 without the necessary compulsory insurance record among the unemployed entitled to benefits made up a little more than 1 per cent, while the share of guardians and trustees caring for a disabled person amounted to 0.5 per cent.

Active labour market measures

Chart 5

Participation of the unemployed in the active labour market policy measures



Source: Data of the Lithuanian Labour Exchange.

96. Owing to the extension of employment possibilities, in 2000, 38.2 per cent of all the registered unemployed participated in the active labour market policy measures (see chart 5) (in 1999 this figure was 31.1 per cent). The number of young people involved in these programmes constituted 31.3 per cent (in 1999 - 31.8 per cent), that of the long-term unemployed, 40 per cent (in 1999 - 27.2 per cent). Some of the active labour market policy measures implemented in Lithuania are intended for the long-term unemployment prevention: labour market vocational training, job clubs activities, financial support to the employers who hire the unemployed for supported works, and others. Owing to the increased number of long-term unemployed in 2000, more of them participated in all the active labour market measures, and almost twice as many of them participated in the public works and job clubs. Every third unemployed person who participated in the active labour market measures was a long-term unemployed.

97. The labour market vocational training programme provides the possibility for job-seeking individuals, with the assistance of the labour exchange, to acquire or upgrade qualifications or change their profession according to the labour market demands. In 2000, priority was given to the young unemployed (under the age of 25) who begin work not having completed a vocational training course. The majority of the participants in the vocational training were unqualified

youths, who comprised half of all the unemployed who were directed to training; 58.2 per cent of all those directed to training were female. In addition, females were also more active in improving their professional skills in college-type and higher educational establishments, comprising 83.9 and 88.8 per cent, respectively, of those persons. Fifty-nine per cent of the participants in the requalifying training programmes were female. Ninety per cent of the unemployed secured employment within one year after the vocational training obtained.

98. *Unemployment prevention and matching labour supply and demand.* The unemployment prevention measure is aimed at providing assistance to the employed who are in danger of dismissal in keeping their jobs in the same or another enterprise by providing them with a higher or new qualification, as well as by applying other employment support measures to mitigate the consequences of unemployment. In 2000, 404 employers used this programme for requalification to their employees. Most of the employed persons participated in the qualification upgrading programmes. The most popular occupations were those of joiner and machine operator, fireman, rescuer and computer users. In the enterprises which are in the process of dismissing larger numbers of employees, a new service of the labour exchange was introduced - a "mini" labour exchange, i.e. the specialists of the territorial labour exchanges were working in these enterprises and provided counselling services for the employees who were informed that they would be dismissed.

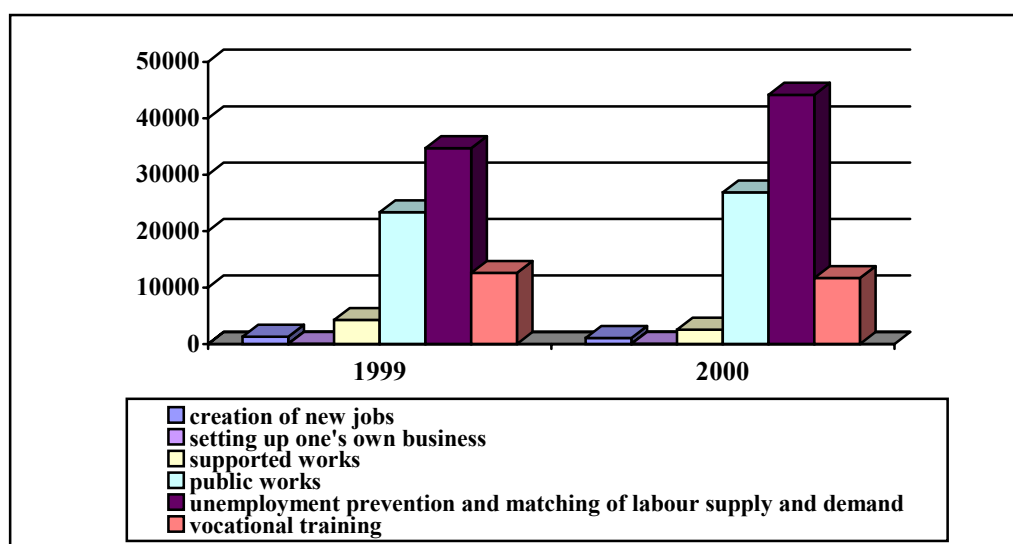
99. The job clubs' activities are aimed at teaching job-search methods, encouraging individuals to be more active in their search for a job in the labour market and supporting the motivation of the unemployed to look for alternative employment solutions. In this programme, each employer has a concrete task and has to perform it. In 2000, every sixth unemployed person registered with the labour exchange participated in the activity of the clubs. The participants in the job clubs in large cities were mostly females and in the regions, males. Fourteen per cent of the job club participants secured employment, 8 per cent decided to study, 3 per cent created a job for themselves, 23 per cent decided to resolve the employment issue independently.

100. In order to provide the latest information on job-seekers and employers, to balance labour supply and demand in a more efficient way as well as to ensure the transparent functioning of the labour market, in 2000 the open labour market information system, oriented towards client demands, was further developed. Business, vocational orientation, youth, employer, labour market programme and open employment zones were established in the territorial labour exchanges, the main purpose of which was to inform and consult clients and select suitable vacancies. The services are provided to all potential information users. In 2000, two labour centres and three information and consulting centres were set up. The modernization of the information tools allowed the installation, in eight territorial labour exchanges and nine vocational information centres (VIC), of special computers for self-search for information (SSI) on vacancies. Within the process of expansion of the range of information services, a new customer information service, Labour Market Days, has been offered, during which information on the labour market is presented to persons residing in remote areas. The new service On-Line Customer Information by telephone has been launched which allows job-seekers to save time. The introduction of the information accessibility principle made the information accessible and understandable for unemployed persons from different backgrounds.

101. *Employment Support Measure.* Taking into consideration the changes in the composition of the unemployed, considerable attention was paid to the employment support programme, which is aimed at assisting persons in finding temporary or permanent employment (see chart 6).

Chart 6

Participation of unemployed in the active labour market measures, 1999-2000



Source: Data of the Lithuanian Labour Exchange.

102. The employment support programme is implemented through the following components:

(a) Public works, which are works which are useful for the public and are organized by the local governments and employers aiming to assist unemployed persons in earning their income and to alleviate the social tension. In 2000, the public works programme was considerably extended and, in comparison with 1997, nearly doubled. The unemployed participating in this programme had the possibility to return temporarily to employment and earn some income for their subsistence. In order to individualize the active labour market policy measures, the 2000 public works programme gave priority to the unemployed without the necessary record of compulsory social insurance to be granted the unemployment benefit but who had juvenile members of the family or two or more unemployed members of the family, as well as to the unemployed who had no more than five years to work in order to qualify for pension. Almost half of the persons who participated in the public works programme were rural dwellers, half of them were long-term unemployed and approximately 6 per cent were schoolchildren from socially vulnerable families. Owing to the shortage of municipal funds, in 2000, 1,700 employers contributed to the implementation of this programme with their own funds, including 220 farmers and 72 agricultural companies. The public works projects supported and developed the local social infrastructure, assisted in the implementation of environmental projects and had an impact on the reduction of the unemployment rate and social pressure in the areas with the highest unemployment. In Akmenė, Joniškis, Jonava, Jurbarkas, Kelmė, Lazdijai, Mažeikiai, Pasvalys, Radviliškis, Švenčionys and Šalčininkai regions, where

the unemployment rate exceeded the national rate by 1.5 times, the increased funding (up to 100 per cent) of the public works from the Employment Fund provided the possibility to create over 2,000 temporary jobs to mitigate social pressure and reduce the unemployment rate by 0.5-1.5 per cent on average;

(b) Works supported by the Employment Fund is another measure of employment support aimed at the acquisition of primary professional skills or developing professional qualifications in a specific workplace, as well as the consolidation of a person's abilities for a permanent job. The priority in the programme of works supported by the Employment Fund for 2000 was given to the unemployed people who had completed vocational training courses: young unemployed (under the age of 25) who had begun work and long-term unemployed. Two thirds of the 2,500 unemployed who participated in this programme were persons under the age of 25, one quarter of them were long-term unemployed and one third of them were rural inhabitants. In implementing the programme of works supported by the Employment Fund, 70 per cent of the unemployed were left for permanent jobs, 40 per cent acquired primary professional skills and were upgrading them at their jobs, 16 per cent of the persons who did not have professional qualification had the possibility to decide upon their future profession;

(c) Many unemployed are interested in the possibility of setting up their own business. The aim of the Support of Setting up One's Own Business measure is to promote entrepreneurship among the unemployed, to orientate customers towards private initiative, and to provide the organizational, methodological and financial assistance to job-seekers;

(d) In 2000, by getting an interest-free loan from the labour exchange or a licence on favourable terms, 12,400 unemployed set up their own business. One in five unemployed who set up his business was a long-term unemployed person. The demand for free courses on the basics of business increased, and 3,400 unemployed were trained on the principles of resolving the employment problem independently. More unemployed who have set up their own business were granted licences on favourable terms. The most popular licensed activities were trade, construction and repair works, and the provision of everyday services. Meanwhile, as in the preceding year, in 2000 the number of persons wishing to receive financial assistance was not considerable. In this situation a small loan is granted for setting up a business. There must be strong reasons to expect that the loan will be repaid within three years. These unemployed persons set up their business in the area of trade and public catering and everyday services;

(e) Creation of New Jobs is another employment support measure which is applied to the most socially vulnerable individuals, who cannot enjoy equal rights in the process of competition in the labour market (to whom additional employment guarantees are provided by the Law of the Republic of Lithuania on Support of the Unemployed). The costs of the creation of new jobs in the manner established by the Law are reimbursed to the employers out of the Employment Fund. In addition, the municipalities provide tax privileges by reducing the land tax, personal income tax and income tax of the employers who create new jobs and employ socially vulnerable persons. The programme guarantees for a period of three years permanent employment for the persons, who have additional employment guarantees. In 2000, this programme gave priority to disabled persons. Ten persons with motor disabilities were employed in specially accommodated workplaces as accountants and computer information editors. Fifteen jobs were created in enterprises of disabled persons.

103. Owing to the economic difficulties, the number of employers creating new jobs was reduced. The process of job creation especially shrank in respect of persons released from prison, persons of pre-retirement age and persons under the age of 18. Most of the persons mentioned either are not prepared for the labour market or do not have the necessary professional qualifications.

104. In 2000, the Lithuanian Labour Exchange began implementation of the programme The First Step in the Labour Market, the aim of which is to integrate within six months young persons who have just started working and have undergone vocational training into the labour market, within 12 months, to integrate the persons without professional qualification.

105. In May 2000, the programme The Talent Bank was launched. A database of specialists with high qualifications was established which provides a possibility for employers to place their announcements on the Internet. In half a year, almost half of all the registered participants (820 persons) were graduates, and one third of them were highly qualified unemployed. The target groups of The Talent Bank were predominantly specialists in the technical sciences, teachers and business administrators.

106. By implementing an active employment support and labour market policy, the negative social and economic consequences of unemployment were mitigated and support to the temporarily unemployed was provided. The active labour market policy permitted to reduce the unemployment rate by 0.9 per cent and the unemployment rate of young people under the age of 25 by 1.4 per cent. In order to support employment, 30,300 temporary jobs were created which are funded from the Employment Fund.

2001-2004 Employment Programme

107. On 8 May 8 2001, the Government of the Republic of Lithuania adopted Resolution No. 529 Concerning Employment in the Republic of Lithuania in 2001-2004 (Žin., 2001, No. 40-1404). It is a programme of the Government of the Republic of Lithuania that defines the strategy of the State employment and labour market policy and provides medium-term priority objectives and actions which are planned by the Government and other administrative authorities in order to increase employment among the population. The structure, trends and measures of the Employment Programme are coordinated with the four main strategic pillars of the EU by defining the main problems, objectives and measures in the field of employment.

108. The main strategic objectives of the Employment Programme are as follows:

- To overcome the negative consequences of the structural economic reform and external effects on employment and the labour market;
- To increase employment, reduce unemployment and level off the labour market;
- To get ready for participation in the common process of coordinating the employment strategy of the European Union.

109. In the course of implementing these objectives, already at the end of 2001 and the first half of 2002 efforts will be made to curb the increasing unemployment level, and later on to gradually reduce the level of registered unemployment to 7-8 per cent. In the period of the Programme's implementation, favourable conditions should be created for the development of business and investment which would ensure the creation of 110,000-120,000 new jobs. These steps would provide the real preconditions for raising employment to the average level of the member States of the European Union and seek full employment. The main trends of the Employment Programme for the period of 2001-2004 are as follows:

- (a) Creation of jobs (promotion of entrepreneurship);
- (b) Improvement of the employment support activities;
- (c) Enhancement of abilities to adapt to change;
- (d) Increase of equal opportunities in the labour market;
- (e) Employment policy integration.

110. The activities and measures for the solution of unemployment problems are provided by the Employment Programme of the Republic of Lithuania for 2001-2004 (Žin., 2001, No. 40-1404). The main trends of the activities are as follows:

(a) *Jobs creation.* It is planned to improve the system of incentives for the creation of jobs by combining all available funds (State budget-funded programmes, privatization, Employment Funds, local funds and EU and other international assistance programmes, etc.) as well as to promote the development of local employment initiatives which, on the basis of cooperation and initiatives of the local partners, would create favourable conditions for the development of local economies, increase employment and resolve the problems of unemployment and poverty;

(b) *Improvement of employment support activities.* This includes providing measures to increase the employment capacities of young people who begin working and long-term unemployed, as well as measures of education and vocational training, the improvement of professional guidance and counselling systems, preparation of new training programmes that meet market demands, putting in place a network of vocational training institutions and enhancing access to the training and qualification upgrading activities. It is expected that a State distance learning development programme will be drafted in 2001 and a system for acknowledging informal education and skills will be designed in 2002. Currently, a legal framework for labour market financing reform has begun to be prepared by establishing a separate unemployment insurance system and splitting up the funding of active and passive labour market policy measures;

(c) *The enhancement of abilities to adapt to changes.* Seeking to enhance labour market flexibility, it is planned to prepare the legal basis for the development of flexible forms of labour organization and payment, including temporary and distant jobs and work at home, the creation of conditions to increase self-employment. Separate measures are planned to be introduced for the process of dismissing a group of employees;

(d) *Increase of equal opportunities in the labour market.* In order to make the labour market accessible to all, to ensure equal opportunities for males and females in the labour market and to support the employment of disabled persons, it is planned to abandon the compulsory employment quota for employers who employ socially vulnerable members of the population and to replace it with an economic incentive mechanism; to increase the integration of socially vulnerable members of the population into the labour market by combining it with a system of social assistance; to support females starting small and medium businesses; to create conditions for mothers and fathers to combine work and family responsibilities (flexible forms of work arrangements, available and high-quality childcare services, forms of social assistance to the families, etc.);

(e) *Employment policy integration* measures will be established in order to increase the integration of employment policy and to improve the coordination of political decisions and actions of the interested institutions, which will have an impact on the employment. It is planned to improve the employment and labour market management system (to decentralize administration, to develop tripartite cooperation) and to restructure the institutional structure of the labour market by adapting it to the reform of the territorial administration and the new actual conditions of the functioning of the labour market functioning.

Production work (paragraph 2 (c) of the guidelines)

111. The working capacity of employees to a major extent depends on their qualification and skills. The labour market training authority of Lithuania, in responding to the changes in the labour market and in order to contribute to the development of continuous vocational training, organizes the preparation of the programme module which allow assessment in a flexible manner of the current preparedness of the population and its actual needs. At the request of the employers, model training programmes based on the separate training programmes for the marketable professions have been drafted.

112. Lately, informal training programmes have become more popular, designed for the upgrading and maintaining of the professional qualification of persons, as well as the acquisition of a more specific specialization than their present professional qualification.

Freedom of choice of employment (paragraph 2 (d) of the guidelines)

113. The first part of article 48 of the Constitution of the Republic of Lithuania stipulates that every person may freely choose an occupation or business, and shall have the right to adequate, safe and healthy working conditions, adequate remuneration for work, and social security in the event of unemployment. This constitutional provision is reinforced in the legislation of the Republic of Lithuania.

114. The Law of the Republic of Lithuania on the Support of the Unemployed ensures for the population of the Republic of Lithuania the right to freely choose the field and kind of employment, occupation, job and type of activity, as well as the right not to work of one's free will. Citizens of the Republic of Lithuania possess the right to freely choose their work or be engaged in other activities which are not prohibited by the legislation. The employment rights

and obligations of the citizens of the Republic of Lithuania working abroad shall be governed by the legislation of the foreign country unless otherwise provided in bilateral agreements. Citizens exercise the right to work by direct application to the employers or mediation of the labour exchange. The employment contract between a citizen and an employer shall be entered into according to the procedure established by law.

115. Article 2 of the Law on Employment Contract provides for the legal principles regulating labour relations, one of which is the equality of all employees regardless of their sex, race, nationality, citizenship, political convictions, religious beliefs or any other factors which do not affect their professional qualifications. Article 19 of the Law prohibits the employer from refusing employment on the above-specified grounds. Article 30 of this Law prohibits the employer from terminating the employment contract on grounds of the employee's political convictions, religious beliefs, nationality, citizenship, race, sex, or participation in political and public activities if such activities are not prohibited by other laws.

116. The employer shall be prohibited from discriminating against the employee or relating his employment or retention of a job on the condition of the employee's consenting to refrain from joining or withdrawing from a trade union (article 10 of the Law on Trade Unions).

117. Permanent residents of Lithuania may be legally employed as employee or party to a labour contract (article 4 of the Law on Employment Contract). The employment and work of foreigners is regulated by a special legal procedure.

118. However, the legislation provides restrictions on the employment of persons depending on their age. The Law on Employment Contract establishes a minimum employment age of 16. The Law on Labour Protection and Safety at Work stipulates that light works may be performed by younger persons, on the condition that such work corresponds with the physical condition of the persons and that special employment provisions are observed. The Resolution of the Government of the Republic of Lithuania of 11 September 1996, No. 1055 "Concerning the prohibited works for persons under the age of 18, list of hazardous and dangerous factors, and approval of the working conditions and employment procedure of persons of the age of 13-14, 14-16 and 16-18" stipulates the list of such works and employment conditions. The legislation of the Republic of Lithuania provides for other restrictions on working time and rest periods, etc. Article 42 of the Law on Fundamentals of Child Rights Protection stipulates that the State shall protect the child against all forms of exploitation at work.

Vocational training (paragraph 2 (e) of the guidelines)

119. Vocational training in Lithuania is regulated by the Law of the Republic of Lithuania on Vocational Training (VII - 450, Announced: *Valstybės Žinios*, 1997.10.30, No. 98, Publication No. 2478). Article 2 of this Law defines labour market vocational training as the training which provides the possibility to acquire under the conditions stipulated in the State Training Curricula Register professional qualification necessary to adopt to labour market demand. Labour market vocational training is carried out according to the training curricula, which consist of one or more interdependent modules. Training curricula (modules) are designed taking into consideration the general and professional education of a student, his/her working experience and requirements of a specific occupation. The training curricula are reviewed at least once every five years.

120. The labour market training authority arranges the drawing up, examination and registration of the labour market vocational training curricula in the State education and training curricula register. All the curricula are coordinated with the appropriate institutions; they are also assessed by a commission of experts composed of representatives of employers and specialists of training establishments. Usually, these are the training curricula concerning the urgent labour market issues, designed to ensure the matching of the labour market demand and labour force supply. The labour market vocational training curricula may: provide the first- or second-level qualification; grant the right to perform certain activities; assist persons, in the form of informal training curricula, to adapt themselves to the changeable labour conditions.

121. Persons who have covered the first three training curricula are issued the State-recognized certificate. Persons who studied according to the informal training curricula, depending on the objectives of these curricula, may be issued a certificate on qualification upgrading or module graduation from the Lithuania labour market training authority or a certificate approved by an educational institution.

122. The following persons may study according to the aforementioned training curricula:

(a) Unemployed persons who are directed to the training by the labour exchange and have a non-marketable qualification or do not have any qualification. A large share of these persons is non-qualified youth, persons with unmarketable qualification and long-term unemployed;

(b) Persons directed by the employer;

(c) Persons who came to study on their own initiative.

The majority of persons of the latter two groups study in order to upgrade their qualification or get new specializations.

123. Currently, the highest demand for training is in the following areas: transport services, small and medium-size businesses, public catering, restaurants, hotels, rural employment and computer work in different type of enterprises.

Difficulties (paragraph 2 (f) of the guidelines)

124. The main reasons for seeking the increase of employment are defined in the 2001-2004 Employment Programme of the Republic of Lithuania (Žin., 2001, No. 40-1404). New jobs are not created quickly enough; the system of economic development incentives, including small, medium and large businesses, is principle of self-regulation has not yet been established.

125. Owing to the changes in the economy some of the residential regions have not worked out a clear social and economic development trend. The present human and material resources are not utilized properly.

126. The labour market policy faces serious challenges. Funding hardships impede the amount of funds allocated to the implementation of passive and active policy measures. The number of unemployment benefit recipients and allocations for this purpose from the Employment Fund are increasing.

127. General education and vocational training schools do not pay sufficient attention to vocational guidance and consulting related to the economic demands, or to extracurricular vocational consulting. The vocational guidance and consulting of schoolchildren starts too late, therefore only 20 per cent of them receive qualified consulting services before choosing their vocational training curriculum. Some young people still choose an occupation or specialization which does not correspond with their inclinations.

128. A share of young persons from low-income families, due to a lack of financial means, cannot obtain higher-level vocational training. Quite considerable territorial differences exist in the accessibility of the vocational training programmes.

129. Some of the vocational training institutions provide training in narrow specialization, leading to difficulties in finding jobs because the training curricula are not related to the peculiarities of the private sector, the operation of small and medium-size enterprises, business fundamentals and the possibilities of self-employment.

130. Vocational training in State basic vocational training schools is comparatively long, and some of the young people therefore seek to acquire qualifications in labour market training centres and thereby get employment.

131. The link between training and practical work is not sufficiently close. The school graduates often lack the necessary practical skills, including in the latest technologies used, for the acquired profession.

132. Present procedures of giving schoolchildren and students practical experience in jobs do not sufficiently correspond with the interests of employers.

133. Long-term unemployment has become an acute labour market problem and a serious challenge for society. With prolonged unemployment it becomes more difficult to change occupation, the employment possibilities are reduced, the means of subsistence of the unemployed inevitably deteriorate. Youth unemployment is especially undesirable. The current vocational training system is not sufficiently developed and is not capable of ensuring the accessibility and continuity of vocational training. Certain disproportion between vocational training, qualification demand and possibilities to meet these demands has been noticed. This situation hampers the persons seeking permanent employment to get adjusted to the changeable market demands.

134. The upgrading of employees' qualifications is not developed to the full extent; therefore, some employees do not feel safe enough under the structural adjustments. The legal framework for the process of qualification upgrading should be improved. Some employers do not yet feel the necessity of looking after the continuous vocational training of their employees.

135. The present system of social assistance to the unemployed increases the social costs. It is uneven and does not promote employment growth. The possibility for the unemployed persons to receive different social benefits from several sources does not promote an active job-searching approach. The persons who lost their incentives for work should be provided with social services instead of cash benefits received.

136. Legal acts regulating the labour relations do not promote a modern approach to work organization or the application of more flexible forms of employment and payment. The changes in labour expenditure are not always related to the competitive capacities of the enterprises and the increase of employment. The representatives of employees do not always participate in the process of resolving labour organization and work payment problems.

137. Despite positive changes in providing equal opportunities in the labour market, the situation of women in the market for various reasons is worse than that of men, as part of society maintains an erroneous view of the position of men in jobs and the family and there are few possibilities to combine the two functions.

138. State support to the employment of disabled persons is not effective enough. The enterprises of public organizations for the disabled, which are economically supported by the State, do not manage to compete in the market conditions. The disabled persons prefer rather to receive social assistance and privileges than seek employment.

139. Owing to the linguistic barrier, ethnic distinctiveness and their concentration, some ethnic groups in socially and economically disadvantaged regions are less active in terms of their economic activity. It is noticed that the unemployed representatives of ethnic minorities are less educated and not vocationally trained, which does not allow them to integrate into the labour market.

140. The present system of labour market institutions does not sufficiently correspond to the territorial and administrative structure of the country, nor does it meet the requirements of public administration reforms, which reduces the possibilities of implementing new employment strategies in a unified and efficient way.

141. In order to resolve the above-mentioned problems the Employment Programme of the Republic of Lithuania provides implementation actions and measures. The main trends of the activities are given in paragraph 110 above.

Discrimination (paragraph 3 (a) of the guidelines)

142. For more information see the second periodic report (CEDAW/C/LTU/2) on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women.

143. Article 29 of the Constitution of the Republic of Lithuania stipulates that “all people shall be equal before the law, the court, and other State institutions and officers. A person may not have his rights restricted in any way, or be granted any privileges, on the basis of his or her sex, race, nationality, language, origin, social status, religion, convictions, or opinions”. This constitutional provision is included in other legislation.

144. In the explanation under paragraph 2 (d) above it is mentioned that the national law stipulated the equality of employees regardless of their sex, race, ethnic origin, nationality, citizenship, political convictions, religious beliefs or any other factors which do not affect their professional qualifications.

145. Article 35 of the Law on the Employment Contract prohibits dismissing women because of pregnancy or child care, except for cases when an enterprise, institution, organization is liquidated.

146. The Law on Equal Opportunities seeks to eliminate discrimination at work and other activities. According to article 6 of this Law the actions of the employer are considered as infringing the equal rights of men and women, if because of the sex of the person he/she receives for the same work less (more) favourable employment or pay conditions, better (worse) working conditions, or differential treatment with regard to disciplinary penalties, changes of working conditions, transfers to another job or termination of contract, or if the employer persecutes an employee who submits a complaint of discrimination.

147. The integration of disabled persons into the labour market is regulated by the Law on the Social Integration of the Disabled (I - 2044, Announced: *Lietuvos Aidas*, 1991.12.13, No. 249; *Valstybės Žinios*, 1991.12.31, No. 36, Publication No. 969; *Valstybės Žinios*, 1998.11.11, No. 98, Publication No. 2706). Article 17 of this Law provides that the employer shall be prohibited from refusing to employ a disabled person or otherwise discriminate against him/her only on the ground of his/her disability, provided the disabled person has all the necessary qualifications.

148. In seeking to harmonize the main labour laws of Lithuania, many proposals are given for the draft Labour Code. Most of them are related to the provisions for working parents. Provisions on labour relations and social security guarantees were foreseen only for mothers with children or for fathers on the condition that he brings up children alone. Certain aspects of such provisions contain a discriminatory approach with regard to a working woman with children, treating her as the person mainly responsible for children while a father, if he does not bring up children alone, loses his right to State guarantees for persons with children. The aim of the amendments to the draft Labour Code is to guarantee equal conditions for both parents to State guarantees for employment. The Law on Holidays (I - 2113, Announced: *Lietuvos Aidas*, 1992.01.03, No. 1; *Valstybės Žinios*, 1992.01.20, No. 2, Publication No. 18), the Law on Wage (I - 924, Announced: *Lietuvos Aidas*, 1991.01.25, No. 18; *Valstybės Žinios*, 1991.02.10, No. 4, Publication No. 104), Law on Employment Agreement (I - 2048, Announced: *Lietuvos Aidas*, 1991.12.10, No. 246; *Valstybės Žinios*, 1991.12.31, No. 36, Publication No. 973) will be repealed.

Vocational guidance (paragraph 3 (b) of the guidelines)

Job placement

149. During the period 1991-2000, the territorial labour exchange offices provided work to 600,000 job-seekers: 480,000 with permanent jobs and 120,000 with temporary contract work (see annex IV).

150. Beginning in 1995, every year the number of persons accepted for work increases.

151. In 2000, for the first time, the number of persons who obtained jobs exceeded 100,000. During its tenth year of activity the labour exchange provided more jobs than during the first three (1992, 1993 and 1994) years together (see annex IV).

152. Considerable attention was paid to persons in respect of whom additional employment guarantees are applied. According to the employment quotas established by territorial labour exchanges and municipalities, 32,500 unemployed persons obtained jobs.

Vocational guidance and training

153. During 2000, 14 labour market training centres under the regulation of the Lithuanian labour market training authority provided training to 16,600 persons (in 1997, 26,600 persons received training, in 1998 - 27,200, in 1999 - 23,500). During 2000, vocational information, counselling and psychological adjustment services for persons in the labour market were provided to 50,000 clients. Almost 25 per cent of the persons who received counselling services had attended general education schools. Counselling specialists of six territorial labour market training and counselling authorities carried out this work in the country.

154. During the first quarter of 2001, 4,100 persons received training in 14 labour market training centres under the regulation of the labour market training service. In 2000, 58.2 per cent of the job-seekers directed to training were women. Women comprised 57.8 per cent of the total number of individuals improving their qualification. It is impressive that among people who improved their qualification in secondary and higher schools, the number of women was much greater.² No statistics are available about employed women and men who improved their qualification during a certain period. With reference to vocational training, it is important to highlight that, as in many countries, owing to perpetual stereotypes, men, as a rule, choose the so-called "masculine" and women the "female" professions and occupations, although legislation allows without any restrictions both men and women to choose any profession or work they like. Therefore, strong segregation on the ground of gender is observed among those who study and work.

155. The purchasing parity of the population, which declined during the years of economic difficulties, had an impact on the possibility of meeting their needs by upgrading, changing or acquiring qualifications. The number of persons who studied on their own initiative decreased by 200 per cent, which had an impact on the general decline in training. The number of persons directed by their employers to study grew in the course of requalifying or providing new qualifications to the employees (see annex V).

156. During the first quarter of 2000, 16,000 persons received counselling services, which is one fifth or 2,900 more than during the preceding year. Mostly, the counselling services to children in general education schools, their parents and teachers on the issues of choice of profession and its suitability increased. Every year in the springtime, before the entrance exams, the demand for such counselling grows immensely; however, the overall tendency shows continuous growth in the demand for such services. Only 15 per cent of schoolchildren in the last years of education receive counselling services on the issues of the choice and suitability of their occupation, whereas in the EU countries almost all undergraduates receive such services. More unemployed persons (registered and unregistered at the labour exchange), the disabled and socially vulnerable persons received counselling this year. The number of persons who were

advised individually and in groups, increased. Individual counselling was mostly provided on the issue of choice and suitability of occupation, and group counselling was given on the issues of general adaptability to development and the formation of adaptive behaviour (see annex VI).

Cases of non-discrimination (paragraph 3 (c) of the guidelines)

157. For the information on this subject, see the Law of the Republic of Lithuania on Equal Opportunities, article 2, part 2, and CEDAW/C/LTU/2, part II, article 15.

158. According to the valid legislation of the Republic of Lithuania, the aforementioned differences, exceptions or privileges would be considered as discriminatory and therefore contradictory to the legislation (this issue is discussed in part 2 (d) of article 2 above).

159. The Constitution of the Republic of Lithuania states that “all people shall be equal before the law, the court, and other State institutions and officers and each person may not have his rights restricted in any way, or be granted any privileges, on the basis of his or her sex”.³ According to article 2 of the Law on the Equal Opportunities, violation of equal rights for women and men (discrimination) means passive or active conduct expressing humiliation and contempt, or the restriction of rights or granting of privileges by reason of the person’s sex, except when relating to:

- (a) Special protection of women during pregnancy, childbirth and nursing;
- (b) Compulsory military service prescribed by the law as exclusively for men;
- (c) A different pension age for women and men;
- (d) Requirements for safety at work applicable to women aimed at protecting women’s health owing to their physiological characteristics;
- (e) Specific work which can be performed only by a person of a particular sex.

160. Exceptions concerning the health of women taking into account their particular physiological characteristics and special protection of women during pregnancy, childbirth and nursing are not treated as discrimination. This means special measures for the safety of women at work during their pregnancy, childbirth and nursing at work (the Law on Health and Safety of Workers) and special holidays during their pregnancy and childbirth (the Law on Holidays). The Law on State Social Insurance provides special pregnancy and childbirth payments for women.

161. The Law on Health and Safety at Work establishes guarantees for safety and health at work for a pregnant woman, a woman who has recently given birth or is breastfeeding, as well as employment guarantees for both parents with small children.

162. According to article 18 of the Law on Holidays, women shall be granted maternity leave for the period of 70 calendar days before childbirth and 56 calendar days after it (in the event of complicated childbirth or the birth of two or more children, 70 calendar days). Maternity leave

shall be calculated for the period and granted to the woman in full, regardless of the number of days actually used before childbirth. Benefits established by the Law on State Social Insurance shall be paid for the duration of the maternity leave. Article 19 of the Law states that childcare leave, at the family's request, shall be granted to the father, grandmother, grandfather or other relative of the child who is actually bringing up the child. Article 20 states that during maternity leave and leave for caring for a child under the age of three, the father, at his request, shall be given an unpaid holiday whose overall duration may not exceed three months (provision, added on 1 July 1997).

163. The draft Labour Code is in compliance with the principle of equal treatment of working parents. The aim of the draft Labour Code is to guarantee equal conditions for both parents to State guarantees for employment. The Law on Holidays (I - 2113, Announced: *Lietuvos Aidas*, 1992.01.03, No. 1; *Valstybės Žinios*, 1992.01.20, No. 2, Publication No. 18), Law on Wages (I - 924, Announced: *Lietuvos Aidas*, 1991.01.25, No. 18; *Valstybės Žinios*, 1991.02.10, No. 4, Publication No. 104), Law on the Employment Contract (I - 2048, Announced: *Lietuvos Aidas*, 1991.12.10, No. 246; *Valstybės Žinios*, 1991.12.31, No. 36, Publication No. 973) will be repealed.

164. As far as military service is concerned, article 139 of the Constitution states that the defence of the State of Lithuania from foreign armed attack shall be the right and duty of every citizen of the Republic of Lithuania. Citizens of the Republic of Lithuania are obliged to serve in the national defence service or to perform alternative service in the manner established by laws.

165. The Law on Military Service (VIII - 723, Announced: *Valstybės Žinios*, 1998.05.27, No. 49, Publication No. 1325) states that all male citizens of Lithuania and all female citizens with a medical education have to be included in the registers of persons liable for military service. But only men are asked to enrol for primary compulsory military service. Women liable for military service are included as reservists.

166. Nevertheless, women have an opportunity to perform military service. According to the Law on the National Defence System both men and women after appropriate training can serve following the agreements on professional military service or agreements on voluntary military service. In order to ensure equal opportunities for women and men different physical fitness standards are established for women and men.

Workers having more than one job (paragraph 4 of the guidelines)

167. For more information, see annex VII.

Changes since previous reports (paragraph 5 of the guidelines)

168. The present report is the initial report.

International assistance (paragraph 6 of the guidelines)

PHARE programme

169. The following projects have been implemented under the PHARE programme:

(a) Social sector/Project No.: LI 92.01/02.01/B001

Implementation period: 1994-1996.

The project's objective was to assist in implementation of the labour market policy under the conditions of the changing economy, to enhance the operation of the labour market institutions.

Main trends:

Development of a labour market strategy;

Development of a labour exchange system;

Improvement of an adult vocational training system.

Outcome:

The labour market policy development strategy was drafted;

The proposals on the labour market system funding reform were presented;

A target management system was introduced to the labour market institutions;

Job centres in Alytus and Šiauliai were established;

The organization of the operation of territorial labour exchanges was improved; the employee performance assessment system was introduced;

The labour market vocational training activities and the qualifications of employees were improved, a module training system was introduced, the curricula for upgrading teachers' qualifications were drafted.

(b) PHARE programme experimental project for Tripartite Development of Employment Initiatives at Local Level (No. 98-5293)

Implementation period: 1998-1999.

Objectives:

To promote local employment initiatives which contribute to local social and economic development by means of attracting persons who have difficulties in integrating into the labour market to work activities;

To enhance the local social partnership;

To introduce the principles of the EU Structural Funds.

Outcome:

Nine pilot projects in Marijampolė, Varėna, Druskininkai and Alytus were implemented with the technical and financial assistance of PHARE;

Vocational training rooms were equipped in order to engage juvenile persons;

Vocational training rooms for the training of disabled persons were equipped;

Social services rendered at home were developed in the Varėna region;

Rural tourism infrastructure was established in the Dzūkija National Park;

Training of woodcutters in the Varėna School of Agriculture;

The Druskininkai tourism advertising informational system was established;

The Druskininkai labour market training centre was established;

The Alytus business incubator was set up; the establishing party received counselling services;

The Alytus city and region tourism development programme was developed.

(c) PHARE SEIL (Support to Lithuania in the process of integration to the EU) subproject of the programme "Assistance to the Free Movement of Workers"

Implementation period: 1999.

Objective:

Assistance to the Ministry of Social Security and Labour in the process of establishing legal and administrative preconditions for the free movement of workers;

Output:

An analysis of the compliance of the legal acts of Lithuania with the EU legislation was carried out;

An action plan for preparation for the free movement of workers was drafted.

Cooperation with Denmark

170. In 1992, the agreement between the Minister of Labour of the Kingdom of Denmark and the Minister of Social Security and Labour of the Republic of Lithuania concerning cooperation in the field of labour market was signed. The agreement covered such fields of cooperation as development of labour market policy, development of labour exchanges and adult vocational training institutions, and development of safety at work system. The agreement was extended on 26 June 1997 for the period 1998-2000. The Government of Denmark allocated DKr 6.1 million for the implementation of this programme.

171. The main objective of the Danish technical assistance to the labour market institutions was to contribute to the further development of the present labour market system and its improvement in Lithuania. The sectoral programme provided for the assistance of Denmark in the process of pursuing the labour market policy of Lithuania, the operation of the labour market institutions and the improvement of the legal base and reflected the priority objectives and tasks in the field of labour market policy, special attention being paid to such issues as regulation of mass lay-offs, integration of youth into the labour market, and improvement of the vocational training system.

172. In 1998-2000, within the framework of the Lithuanian -Danish sectoral programme, six projects were implemented, the major outcomes of which were as follows:

(a) The amendments to the main law regulating labour market policy - the Law on Support to the Unemployed - were drafted taking into consideration the EU legal framework in the field of regulation of mass lay-offs; the recommendations on the procedure for mass lay-offs were prepared;

(b) A qualification analysis manual was designed for the labour market training centres and training services and two manuals were prepared for the training of automobile metalworkers and builders, and curricula were prepared for the training of trainers;

(c) An information strategy and open placement manual was designed for counselling specialists of the labour exchange counselling centres;

(d) A youth job centre was established in Vilnius which is well equipped with modern technologies and is aimed at assisting youth in the process of integrating into the labour market. The centre provides the possibility for young people to receive information on the situation in the labour market, employment prospects, training institutions, professions and vacancies. In addition, the centre provides vocational guidance and counselling services and carries out individual and group training;

(e) In the context of employment and labour market policy formation, the Project on Policy Integration was important. Its main objective was to lay the ground for the establishment of a policy integration and coordination mechanism in Lithuania in order to ensure the implementation of a favourable employment policy, as well as to draw the attention

of policy-making institutions to the need to assess the impact of different policies on employment. Among other important outcomes one should mention the draft Employment Programme for 2001-2004 which was prepared with reference to employment trends of the European Union.

173. In 2001, based on the Lithuanian-Danish sectoral programme on the labour market, four additional projects are being implemented, which logically have proceeded from the activities carried out in 1998-2000.

174. The aim of the Employment Programme analysis and assessment project is to analyse the Employment Programme and assess it from the point of view of two aspects: its compliance with the situation in Lithuania and the employment policy trends established by the Government, as well as its compliance with, differences from and similarities to the employment lines of the EU member States.

175. In the process of continuing the Mass Lay-Offs Regulation Project, currently an Internet web site is being prepared which will provide all the legal information and practical procedures for mass lay-offs to all the institutions and social partners concerned, and will ensure the reduction of the social consequences of such lay-offs.

176. A separate project on the Establishment of an Information Centre at the Ignalina Nuclear Power Plant is designed to mitigate the consequences of the Unit I decommissioning at Ignalina NPP and related mass lay-offs.

177. The "Improvement of Labour Market Vocational Training Management" project is designed for the training of managers of the Lithuanian labour market training system (training centres and territorial labour market guidance services) and will contribute to building the managers' capacity in the field of strategic planning and current work organization.

Cooperation with Sweden

178. In 1995, the agreement on cooperation between the Lithuanian Labour Exchange and the Swedish National Labour Market Authority was signed. In accordance with this agreement in 1995-1997 the following programmes were implemented:

- (a) Support to the model labour exchange in Klaipėda;
- (b) Training of the personnel of the labour exchange offices and labour market offices in Lithuania and Sweden;
- (c) Drafting of labour market forecasting methodology - workshops in Lithuania and Sweden;
- (d) Training of the personnel of the Training Centre in Lithuania and Sweden;
- (e) Computerization and data processing - workshops in Lithuania and Sweden.

179. On 25 January 1999, another agreement on cooperation between the Lithuanian Labour Exchange and the Swedish National Labour Market Authority was signed in order to extend the assistance of Sweden in the field of labour exchange system improvement for the period 1999-2000.

Major trends of activity:

- (a) Assistance to four model territorial labour exchanges (Klaipėda, Kaunas, Rokiškis, Šakiai) in five main areas of activity (direct servicing methods, services to employers, services to the disabled, assessment of the services quality);
- (b) Development of personnel training model;
- (c) Assistance in establishing the labour exchange web site on the Internet;
- (d) Assistance in preparing the Lithuanian labour market for the accession to the EU.

Outcome:

(a) Four labour exchange offices improved the open information services and direct servicing, and strengthened and expanded relations with employers. This experience is disseminated to the remaining territorial labour exchange offices. Activity methods in the process of integration of the disabled into the labour market were introduced to the Lithuanian counterparts.

(b) Eight trainers were trained who, together with the Swedish experts, organized seminars for the specialists of the territorial labour exchange offices, in the course of which 60 workers were trained and the model for training of the Lithuanian labour exchange personnel was prepared.

(c) The Lithuanian labour exchange was established on the Internet.

180. The Swedish Samhall Resurs AB and Lithuanian labour market training service project on the Rehabilitation of the Disabled in Lithuania was implemented in 1997-1999. The project objective was the development of a rehabilitation system for the disabled and the training and vocational rehabilitation of persons with disability. Its outcomes were:

- (a) Training curricula were adjusted according to the Swedish methodology;
- (b) Fourteen trainers and three managers were trained in Sweden in the Samhall company;
- (c) A total of 374 disabled persons were trained in different professions (accounting clerks, tailors, drivers); 70 per cent of them received jobs. At the end of the project, in cooperation with the Lithuanian Community of the Disabled, the curricula for accounting clerks training was prepared and the qualification, recognized by the State, was issued. The trained persons were employed in the branches of the community;

(d) Compensation equipment for the disabled was received as a donation. The employees of the established compensation equipment repair division at the Naujininkai labour market training centre were trained to repair it.

Cooperation with Germany

181. In 1997, the Federal Ministry of Labour and Social Affairs of Germany and the Ministry of Social Security and Labour of the Republic of Lithuania signed a protocol of intent, by which they planned their cooperation in the field of labour and social policy. Assistance was rendered to the formation of the Lithuanian labour market administration system. Measures of cooperation in the area of reform of labour administration included advice, training of employees with the participation of German experts, as well as assistance in the establishment of an exemplary labour exchange office.

182. With the assistance of the Federal Ministry of Labour and Social Affairs of Germany, in the Vilnius labour exchange office the following units were established: in 1997 - Self-search Information Centre (SSC), in 1998 - Professional Information Centre (PIC). Centres of this type were established in many other labour exchange offices.

International cooperation in the field of equal opportunities

183. Considerable assistance is received from the international projects and financial support of foreign countries in the field of increasing female employment in Lithuania. Many of the projects aimed at female employment are carried out by the female non-governmental organizations of Lithuania, which usually have their donors abroad. One of the biggest non-governmental organizations is Women Information Centre, the activities of which were funded from the United Nations Development Programme from 1996 to 2001.

184. The number of international projects increased immensely after the Reykjavik conference "Women and Democracy", which took place in autumn 1999 and at which many women representatives from Lithuania took part. The Lithuanian representatives participated in all in 10 out of 45 projects in the fields of development of female business activities and enhancement of management capacities. One should mention the project "Loans to Baltic female entrepreneurs" which is carried out by the Šiauliai Investment Bank. In the course of the project the Lithuanian business women were allocated EUR 330,000. The loan terms of the bank did not differ from the usual loan terms; however, they were granted exceptionally to women.

185. On 21 May 1999, Lithuania joined the European Community mid-term Programme on Equal Opportunities. According to this Programme, Lithuania is the first of the candidate States to join the concrete international project Political Education of Women on the Issues of Equal Opportunities. The project is headed by the German organization Strategy - 21. Austria, Iceland and Spain are other partners of the project. Under the project, the model seminar Equal Opportunities between Women and Men in Europe was organized in Vilnius from 28 May to 1 June 2000.

Article 7 of the Covenant

ILO conventions (paragraph 1 of the guidelines on article 7)

186. The following conventions of the International Labour Organization have been ratified:

(a) Labour Inspection Convention, 1947 (No. 81). A report to ILO was presented in 2001. The information relating to the provisions of article 7 was presented in parts I and II of the report;

(b) Equal Remuneration Convention, 1951 (No. 100). A report to ILO was presented in 2000. The information relating to the provisions of article 7 is presented in parts I and II of the report;

(c) Minimum Wage Fixing Convention, 1970 (No. 131). A report to ILO was presented in 2000. The information relating to the provisions of article 7 is presented in parts I-III of the report.

(d) Weekly Rest (Industry) Convention, 1921 (No. 14). A report to ILO was submitted in 2000. The information relating to the provisions of article 7 is presented in parts I and II of the report.

Fixing wages (paragraph 2 (a) of the guidelines)

187. The principal methods of wage fixing are presented in the report on the implementation of ILO Convention No. 100, which covered the period 1 May 1998-1 May 2000

188. According to the Law of the Republic of Lithuania on Work Remuneration the wages of employees depend on the market demand and supply, the amount and quality of work, as well as the results of the operational performance of an enterprise. The amount of the wages is agreed upon in an employment contract.

189. The information on the principal methods of wage fixing should be expanded owing to the fact that, according to the Law of the Republic of Lithuania on Remuneration of Work of the State Politicians, Judges and Public Servants, from 1 January 2001, a new work remuneration system has been applied to the State politicians (President of the Republic, leaders of the Seimas, members of the Seimas, Prime Minister, ministers, mayors of the municipalities), court judges, staff of the public prosecutors' offices, other officers of State (Director-General of the State Security Department, Director of the Special Investigation Authority, Chancellors of the Seimas, State auditors, chairmen and members of other commissions and authorities of the Seimas, and other authorities designated according to the special laws). The salary of these authorities is related to the minimum monthly wage (MMW). The wages are computed by the size of MMW (MMW equals LTL 430 per month); bonuses are paid for the number of years served for the Lithuanian State, which is calculated from 11 March 1990 (date of the restoration of independence).

190. It should be stressed that in accordance with the Law on Civil Service, a new work remuneration system for civil servants should be applied from 1 July 2001, according to which the wages of civil servants will be related to MMW, depending on the complexity of their work, level of responsibility, working conditions and classification but not, however, on their gender. The wage is calculated on the basis of MMW.

Minimum wage (paragraph 2 (b) of the guidelines)

191. On 23 June 1994, the Seimas of the Republic of Lithuania adopted Resolution No. I-507, by which it ratified ILO Convention No. 131. The last report on the implementation of the provisions of the Convention was submitted for the period from 1 May 1998 to 1 May 2000.

192. The Government of the Republic of Lithuania establishes the minimum hourly and monthly wage. As of 1 June 1998, according to resolution No. 570 of 11 May 1998, the minimum hourly wage is LTL 2.53. The payment of the minimum wage is stipulated in the law and is guaranteed to all employees by their contracts with enterprises, establishments and organizations regardless of their form of ownership. The Law of the Republic of Lithuania on the Guaranteed Income of the Population provides the principle of income support of the population taking into consideration the minimum subsistence level and price dynamics. Families with a lower income than that supported by the State are entitled to social benefits.

193. MMW was not increased in the period January-May 2000 and in 2001. The issue of the increase of the minimum wage was discussed by the tripartite council of the Republic of Lithuania on 3 October 2000. It was decided to organize bilateral bargaining between employers and trade union representatives concerning the minimum wage issue. The employers and trade unions agreed that in 2001 the minimum wage would not be increased. The opinion prevailed that it would be more expedient to increase the non-taxed minimum instead of MMW, which would increase the income of employees with particularly low earnings.

194. The Department of Statistics, on the basis of its statistical survey of the gross earning of employees according to data of October 1999, reported that the share of the employed receiving MMW or less, excluding individual (personal) enterprises, had not substantially changed in the country (16.1 per cent in October 1998, 16.3 per cent in October 1999). As far as the population breakdown by wages and by field of economic activity, it was noted that the proportion of employed persons receiving the minimum wage or less in agriculture, hunting, forestry, commerce, hotels and restaurants was considerably higher than in the whole economy, excluding individual (personal) enterprises (45.5-42.4 per cent). The lowest proportion of employees receiving MMW or less was in the electricity, gas and water supply sector (1.7 per cent).

195. The control over the implementation of the labour legislation as well as the enforcement of the payment of the minimum wage is carried out by the State Labour Inspection. In 2000, the State Labour Inspection carried out 10,548 checks concerning the implementation of the labour law, in the course of which it was discovered that in 32 enterprises the minimum wage was not being paid to 213 employees. In addition, in 542 enterprises, the wages of 49,000 employees had not been paid for more than two months. One hundred and eighty-three reports of administrative law violations have been issued.

Table 4**Ratio of the minimum monthly wage, minimum subsistence level and average monthly wage in 1991, 1995 and 2000 (LTL)**

Year	Minimum monthly wage ^a (MMW)	Minimum subsistence level ^a (MSL)	Gross average monthly wage (AMW) in the national economy	MMW and AMW ratio (%)	MSL and AMW ratio (%)
1991	228.3 roubles	230.8 roubles	763 roubles ^b	29.9	30.2
1995	134.6	69.2	515.83	26.1	13.4
2000	430	125	1 007.9	39.5	11.5

^a Average annual wage.

^b In the public sector.

Discrimination (paragraph 2 (c) of the guidelines)

196. On 23 June 1994, the Seimas of the Republic of Lithuania adopted resolution No. I-507, by which it ratified ILO Convention No. 100. The last report on the implementation of the provisions of the Convention was submitted for the period from 1 May 1998 to 1 May 2000.

197. Article 48 of the Constitution guarantees the right of every person to receive adequate compensation for work. This forms one of the fundamentals of labour law. The Law on Wages of the Republic of Lithuania specifies in detail the application of the constitutional provisions. Article 1 of the Law establishes that an employee's wages shall depend on labour supply and demand in the labour market, quality and quantity of labour, and the results of the enterprise's activities. According to the Law it shall be forbidden to reduce wages due to a person's sex, age, race, nationality, or political convictions.

198. Article 2 of the Law on Employment Contract sets forth the principles for the legal regulation of labour relations one of which is equality for all employees regardless of their sex, race, nationality, citizenship, political convictions, religious beliefs, or any other factors which do not affect their professional qualifications. Article 12 of the Law on Collective Agreements and Contracts of the Republic of Lithuania prohibits worse conditions of employment than those provided by the laws and employment contracts of the Republic of Lithuania.

199. Article 5 of the Law on Equal Opportunities adopted in December 1998 obligates employers to pay equal pay for work of equal value. The Law also provides for the control and supervision of implementing the law. The Equals Opportunities Ombudsman investigates complaints and appeals concerning discrimination. The Code of Administrative Violations

provides for penalties for violating the equal rights of men and women prescribed by the Law on Equal Opportunities. The State Labour Inspectorate and its territorial divisions carry out control and supervision of the implementation of legal acts regulating labour relations. The Equal Opportunities Ombudsman shall supervise implementation of the Law on Equal Opportunities and investigate individual complaints.

200. According to the data of the Department of Statistics, in the fourth quarter of 2000, the AMW of males equalled LTL 1,181.4, and that of females, LTL 997.9. The net AMW of females in the State economy was 84.3 per cent of the male wage, i.e. 20 per cent lower. In the fourth quarter of 2000, in the public sector, the difference between the average monthly wage of men (LTL 1,304.5) and women (LTL 1,600.1) was 30 per cent, and in the private sector it was approximately 15 per cent (LTL 1,082.7 and LTL 933.2 respectively). However, on the national scale, the AMW of women working in general secondary educational institutions (LTL 1,035.7) was 20 per cent higher than that of men (LTL 858.9) in the public sector and 30 per cent higher in the private sector. Although the majority of those working in that field are women, most of the management positions are held by men.

201. The principle of equal remuneration of men and women workers for work of equal value in the public institutions is not infringed. According to the Law on Civil Service the wages of civil servants are fixed according to the levels and categories of the civil servants, which are established equally for men and women. The differences in wages remain due to the uneven vertical distribution in the same occupation (by post in each institution), as well as to the horizontal distribution according to the complexity of work and salary (lucrative and non-lucrative professions).

202. The Government seeks to eliminate male and female wage differences by increasing the wages in the fields that are funded from budget allocations and where the majority of workers are females: in January 1998 salaries were increased by 20-40 per cent for cultural and art workers, in April 1998 salaries of social workers were increased by 20 per cent on average, and teachers' salaries were increased by 15 per cent in September 1998 and again by 13 per cent in January 1999.

203. Regardless of the fact that the law requires equal remuneration for men and women for work of equal value, this principle can hardly be ensured in the private sector. In the meanwhile, individual bilateral contracts between employer and employee prevail in the country. Besides, there is currently no standard work assessment system available to provide benchmarks to employers and employees in fixing wages.

204. During the first half of the year, the Equal Opportunity Authority received eight complaints of unequal wage for work of equal value. After the violation was identified, the Authority proposed to the employers that they standardize the different wages. In all the cases the employers took the warning into consideration and began paying the same remuneration to men and women for work of equal value.

Income distribution of employees (paragraph 2 (d) of the guidelines)

205. In 1996, the gross average monthly wage in the Republic of Lithuania was LTL 618.20, in 1997 it was LTL 778.10, in 1998 LTL 929.80, in 1999 LTL 978.40 and in 2000 LTL 1,007.90.

Table 5**Average monthly wage in fourth quarter 2000 in the public and private sectors (LTL)**

	National economy	Public sector	Private sector
AMW	1 073.20	1 122.40	1 016.60
Industry	1 066.20	1 543.50	1 019.80
Electricity, gas and water supply	1 306.10	1 320.10	927.50
Financial mediation	2 095.90	1 751.40	2 350.20
Public administration and protection	1 581.70	1 581.70	-
General secondary education	998.20	998.60	751.80
Health care and social work	863.60	862.50	906.50
Leisure organization and cultural activities	897.80	866.80	1 243.10

206. The statistical data show that in the fourth quarter of 2000, the average monthly wage (AMW) in the national economy was equal to LTL 1,073.20. In the public sector it was 5 per cent higher, and in the private sector 5 per cent lower than in the rest of the national economy. Comparing the AMW of workers in the public and private sectors, one can conclude that the AMW of persons employed in the electricity, gas and water supply and general secondary education sectors are higher than that in the private sector, whereas the AMW of the persons employed in the financial mediation, health-care and social work, leisure organization and cultural activities sectors are higher than that in the public sector.

207. Non-cash privileges such as the provision of residential dwellings and motor vehicles when carrying out official duties are provided for some police officers, officers of the Prison Department and its subordinate institutions, professional members of the military, officials of the prosecutor's office and the Department of Security, and judges. Statistical data on non-cash privileges are not provided.

Occupational health and safety (paragraph 3 of the guidelines)

208. The requirements of minimum professional hygiene and safety are stipulated in the Law of the Republic of Lithuania on Health and Safety at Work, as well as in other secondary legislation. They are as follows:

- Establishment of the Workers' Safety and Health Authority;

- Testing of employers (separate manager of a division);
- Establishment of workers' safety and health committees;
- Establishment of the Labour Medical Service;
- Assessment of compliance with hygiene requirements at the workplace;
- Application of personal protection measures;
- Compliance with the requirement for the use of asbestos;
- Use of potentially dangerous devices;
- Health checks;
- Air-conditioning systems;
- Application of noise and vibration reduction measures;
- Establishment of everyday industrial utilities premises.

209. No categories of workers are excluded.

210. See under article 9 for information on accidents at work and occupational diseases.

211. Observing the provisions of the Law on Occupational Accidents and Occupational Diseases, in 2000, a structural division of the Control over Incapacity for Work Department of the State Social Insurance Fund Board investigated 4,484 accidents at work and while travelling from (to) work and occupational diseases; 4,012 (89 per cent) of them were recognized as covered by occupational insurance.

212. In 2000, the structural division of the Department of Control over Incapacity for Work investigated an uncomplicated accident at work (a foreign citizen was injured). The accident was recognized as non-insured occupational accident, as forged documents had been submitted (an accident not at the work place shall be considered a domestic accident).

213. In the first quarter of 2001, a foreign citizen was injured slightly in a car accident on his way to work. The accident was recognized as covered by insurance.

Promotion (paragraph 4 of the guidelines)

214. For information on this question see the initial and second periodic reports to CEDAW, part II, article 7.

215. Article 3 of the Law on Public Service stipulates the main principles of public service. One of these principles is the principle of equality. Part 3 of the same article stipulates that under the principle of equality, every citizen of the Republic of Lithuania shall have equal rights to enter the public service, and the status of a civil servant may not be restricted on the grounds

of sex, race, origin, social position, religion, belief, political views or other subjective circumstances. Article 23 of this Law provides that career civil servants shall be promoted by competitions for vacancies. Competitions for vacancies up to category 20 are open to applicants outside the civil service (the total number of categories is 30 where 1 is the lowest). When the results of the outside applicant and the civil servant are equal, priority is given to the latter. Competitions for category 20 and above posts are closed. Civil servants of any institution or establishment may participate in the competitions, if their category is lower by a point than the category of the position they are seeking. During the competition the following characteristics of the applicant are taken into consideration: professionalism, capacity to work in various positions at the same category, duration of the current position and upgraded qualification in respect to the new position. The closed competitions are organized by the public institutions, agencies and municipalities according to the procedure prescribed by the Government or its authorized institution.

216. Instead of a closed competition in which only career civil servants usually participate, an open competition may be held if:

(a) After announcement of the closed competition civil servants do not submit their applications;

(b) The results of the closed competition showed that none of the applying civil servants meets the requirements for the position.

217. Article 5 of the Law on Equal Opportunities stipulates that in the course of providing equal rights to men and women the employer shall apply equal selection criteria to applicants and provide equal working conditions, possibilities for upgrading qualification, equal privileges and equal criteria for work quality assessment.

218. In 2000, the total number of civil servants was 20,025, (sic), of whom 61.3 per cent were women. Among civil servants in positions of political (personal) confidence 35.1 per cent were female, and among career civil servants females comprised 62.4 per cent.

Holidays (paragraph 5 of the guidelines)

219. These issues were discussed in the Report of 2000 concerning the implementation of the ILO Convention No. 14. The Law on Safety and Health at Work was amended on 8 October 2000 (I-266. Published: *Valstybės Žinios*, 1993.10.22, No. 55. Publication No. 1064; *Valstybės Žinios*, 2000.11.08, No. 95, Publication No. 2968).

220. The laws and other legal acts regulating the holidays are:

(a) The Constitution of the Republic of Lithuania;

(b) Chapter V on Labour and Holidays Time of the Law of the Republic of Lithuania on Health and Safety at Work (I-266, Announced: *Valstybės Žinios*, 1993.10.22, No. 55. Publication No. 1064; *Valstybės Žinios*, 2000.11.08, No. 95. Publication No. 2968);

(c) The Law of the Republic of Lithuania on Holidays (I-2113. Published: *Lietuvos Aidas*, 1992.01.03, No. 1; *Valstybės Žinios*, 1992.01.20, No. 2. Publication No. 18);

(d) Resolution of the Government of the Republic of Lithuania of 20 February 1996 No. 248. Concerning specific characteristics of work and rest time in certain fields of the economy, introduction of registration of the amount of time worked and the duration of work in respect of which the shift time may be extended for more than 12 hours. (Announced: *Valstybės Žinios*, 1996.02.28, No. 18, Publication No. 473);

(e) General Provisions of the rest regime during the working day approved by the Order of the Minister of Social Security and Labour No. 144 of 20 December 1995. (Announced: *Valstybės Žinios*, 1995.12.30, No. 107, Publication No. 2405).

221. According to part 1 of article 49 of the Constitution of the Republic of Lithuania: "Every working person shall be granted the right to rest and annual paid holidays."

222. Article 50 of the Law on Safety and Health at Work of Employees provides the following types of rest for employees in order to recover their health and working capacity: break for rest and food; additional and special breaks for rest during working time; daily rest; weekly rest. Besides, the legislation guarantees the right to have annual paid vacations for all employees.

Daily rest

223. Article 51 of the Law on Safety and Health at Work provides a break for rest and food for not less than half an hour and not longer than two hours. During the break, employees have the right to leave their workplaces and use the time at their own discretion. The break shall be provided no later than four hours after the beginning of work. The break time is not calculated in the working time.

224. In jobs where due to the production or other conditions the workplace should not be left unattended, the employees shall have the possibility to eat during working time. The list of such works and the eating schedules and places should be indicated in the Procedures for the Safety and Health at Work of the Employees of the enterprise or in the collective agreement.

225. The beginning, duration and end of breaks for rest and food and the procedure for the provision for the aforementioned rest on public holidays shall be included in the collective agreements or collective contracts, or, in the event such agreements are not concluded, in the work contract and the Procedures for the Safety and Health at Work of the Employees of the enterprise.

226. Article 52 provides for additional and special breaks. Taking into consideration the working conditions, the employees shall be provided with additional breaks for rest during work. Employees, who work outside or in unheated premises (if the temperature is below -10° C), as well as employees, indicated in other legal acts on safety at work and health of workers, shall be provided with special breaks.

227. Additional and special breaks shall be included in the working time and cannot be shorter than 10 minutes. On the basis of the actual working conditions, the number, duration and location of special and additional breaks shall be indicated in the collective agreements, and if there is no such agreement concluded in the employment contracts and the Procedures for the Safety and Health at Work of the Employees of the enterprise.

228. Rest and special breaks during the work are regulated in the General Provisions on the Rest Regime which are approved by the Ministry of Social Security and Labour. The collective agreements and contracts may provide for more additional and special breaks are stipulated in the legal acts on safety and health at work.

229. During the working day (shift) not less than 10 minutes in all may be allotted for the personal (physiological needs) of employees. Under normal working conditions, for the prevention of fatigue the employees shall be allotted one short additional break for rest in the first and second half of the day (shift). In respect to certain categories of employees, additional and special breaks for rest are provided. The list of these categories is provided in the General Provisions on the Rest Regime in the working day which were approved by the Order of the Ministry of Social Security and Labour No. 144 on 20 December 1995. These Provisions will be specified later on, taking into consideration the new wording of the Law on the Safety and Health at Work in accordance with the plan of drafting of the legal acts of Resolution No. 452 of the Government of the Republic of Lithuania of 20 April 2001 (“Concerning approval of the plan on drafting of the legal acts on safety at work and health pursuant to implementation of the Law on the Safety and Health at Work, and declaring of certain legal acts invalid” (Announced: *Valstybės Žinios*, 2001.04.25, No. 35, Publication No. 1196)).

230. The above-mentioned provisions stipulate that a certain working and rest regime shall be established in the event of:

- Very harmful working conditions;
- Work outside or in unheated premises (if the temperature is below -10° C);
- Persons under the age of 18 years old, working under normal working conditions, as well as during the period of industrial training;
- Breastfeeding mothers - additional breaks every 3 hours for a period of no less than 30 minutes;
- Persons with limited working capacities.

231. Article 53 of the Law on Safety and Health at Work prohibits allowing an employee to work two shifts in a row. The rest time per day of the employee cannot be shorter than 11 hours in a row, regardless of the fact that the employee may work in several workplaces under several employment contracts. Young employees shall have a rest time no shorter than 14 hours (uninterrupted rest time per 24 hours), and youngsters shall have at least 12 hours of uninterrupted rest.

Weekly rest

232. Article 54 of the Law on Safety and Health at Work stipulates that the weekly rest time shall be at least 35 hours of uninterrupted hours. All the employees have the same rest day on Sunday. This provision is applied in respect of employees working in the services sector, in enterprises with uninterrupted operation, and those operating under the total time worked regime. In the event of a week with fewer than five working days, other rest days shall be provided in the employment contracts or collective agreements.

233. In respect of the enterprises, which cannot interrupt their work on Sunday or on the days stipulated by the Law on Holidays on the ground of providing services to the population (shops, transport enterprises, theatres, museums, etc.), the rest days shall be set by the municipal institutions (article 55 of the Law on Safety and Health at Work). In enterprises, whose operation cannot be interrupted owing to industrial or technical conditions and which apply the total time worked regime, the rest days may be provided on different weekdays in successions for each group of employees according to the schedule of work shifts (article 56 of the Law on Safety and Health at Work).

Annual holidays

234. Annual holidays shall mean annual paid holidays. The issues relating to the holidays are stipulated by the Law on Holidays of the Republic of Lithuania. Annual holidays shall be the calendar days which are provided for the employees for their rest and restoring of working capacity, by leaving the workplace (post) and being paid an average wage. The holidays, which are announced as public holidays, shall not be calculated in the number of annual holidays (article 4 of the above-mentioned law).

235. The Law on Holidays provides for minimum and extended annual holidays. The duration of the minimum number of annual holidays is 28 calendar days. Employees under 18 years of age, disabled persons, mothers or fathers raising a disabled child under the age of 16 are provided with 35 calendar days. Part-time employees who work for a shorter workday or week, are not provided with shorter holidays.

236. Extended holidays of up to 58 calendar days are provided for employees of certain categories whose work entails higher nervous, emotional or mental strain and professional risk, as well as the employees working under specific working conditions. The Government defines the list of employees having the right to such holidays and the duration of the extended holidays for each category of employee. The extended holidays are provided in accordance with a separate list, which is approved by Resolution No. 354 of the Government of the Republic of

Lithuania of 15 May 1992 “Concerning the list of categories of employees having the right to extended holidays and the duration of the extended leave.” (Announced: *Valstybės Žinios*, 1992.07.20, No. 20. Publication No. 603), and the duration of such holidays is not to exceed 58 calendar days.

237. Holidays for the first work year are provided after six months of uninterrupted work in the enterprise, but not later than before the end of the year. If six months of uninterrupted work have not expired, the leave may be provided for women who wish to go on maternity or childcare leave. The teaching personnel of educational institutions, who have started working in the institutions for the first school year, may be granted the leave during the summer school holidays. The holidays for the second and later years shall be provided any time of the year as defined in the collective agreement; in the event of absence of such an agreement, the schedule of holidays shall be provided by mutual agreement.

238. Article 9 of the Law on Holidays stipulates the persons who have the right to choose the time of their holidays. These persons include persons under the age of 18, pregnant women and women with children under 14 or disabled children under 18, males whose spouses are on maternity leave; persons who wish to take leave during the period indicated in the accommodation for family sanatorium, having informed the employer not later than 30 days beforehand; employees who nurse ill and disabled persons with medical recommendations; employees with chronic diseases, the acute conditions of which are dependent on the season of the year and who have medical deductions; employees who study and combine work with the period of passing exams, graduation thesis defence, laboratory work and consultations.

239. If an employee does not have the possibility to take holidays when he/she has acquired the right to them, the holidays shall be postponed. The Law on Holidays provides a possibility to split the holidays into parts; however one part should not be less than 14 calendar days.

240. Compensation in cash for the unused holidays shall not be paid; however, an exception is made if the employee did not use the holidays and is dismissed. In this case, at the end of the working relationship the employee is either paid compensation for the unused holiday, or the date of leave is postponed until the time when the period of holidays is over.

Public holidays

241. Article 43 of the Law on Safety and Health at Work stipulates, that the work of the enterprises should be suspended on days stipulated in the Law on Public Holidays. The Law on Public Holidays of the Republic of Lithuania (I-712, Announced: *Lietuvos Aidas*, 1990.10.26, No. 111; *Valstybės Žinios*, 1990.11.10, No. 31, Publication No. 757) provides for the following holidays: (a) 1 January - New Year's Day; (b) 16 February - Day of restoration of the State of Lithuania; (c) 11 March - Day of restoration of Lithuanian independence; (d) Easter Sunday and Monday (according to the Western tradition); (e) 1 May - International Labour Day; (f) the first Sunday of May - Mother's Day; (g) 6 July - Statehood Day (Coronation of the Lithuanian King Mindaugas); (h) 15 August - Assumption; (i) 1 November - All Saints Day; (j) 25 and 26 December - Christmas.

242. Only works which cannot be stopped because of manufacturing and/or technical conditions can be performed on public holidays. The list of such works is approved by the Ministry of Social Security and Labour.

243. Article 8 of the Law on the Wage provides for payment for work on public holiday and rest days. Unless otherwise provided in the schedule, work on holidays or rest days shall be remunerated by provision of a rest day on another day of a month, or, if the employee desires, by paying at least double remuneration of the hourly or daily rate without provision of an additional rest day. Work on holidays according to the schedule shall be remunerated at least by a double hourly and daily rate.

Special cases

244. Article 57 of the Law on Safety and Health at Work stipulates that in certain fields of economic activities special regulations concerning the work and rest time shall be defined. The work time in transport, postal, agricultural and energy enterprises, health-care institutions, and marine and river navigation agencies may differ from the standards provided by the legislation, depending on the seasonality and other conditions. Peculiarities of time of work, overtime work and rest time in some fields of economic activity shall be additionally defined by the Government.

245. On 20 February 1996, the Government of the Republic of Lithuania adopted Resolution No. 248 "Concerning peculiarities of work and rest time in transport, communications, and agricultural enterprises, and marine and river navigation." The peculiarities of work and rest in the aforementioned enterprises are provided taking into consideration the conventions and recommendations of the International Labour Organization, other international legal acts, articles 44 and 57 of the Law on Safety and Health at Work, as well as the season of the year, the seasonality of the work and other specific working conditions. This resolution will be amended in accordance with the new provisions of the Law on Safety and Health at Work, observing the plan for the preparation of legal acts which was approved by Resolution of Government of the Republic of Lithuania No. 452 of 20 April 2001.

246. The employers shall take into consideration the above-mentioned peculiarities of work and rest when providing the internal work regulations in the industrial enterprises, regardless of their form of ownership.

247. Breaks for rest and food, additional and special breaks during the workday and the time of the weekly uninterrupted rest as a rule are defined in the internal work regulations and work (shift) schedules which are approved in the collective agreements, observing the set procedure; in the event that there is no such agreement, these are set in the form of an agreement between employer and employee.

248. Internal work regulations, and work schedules are announced publicly to the employees not later than two weeks before they come into force. The employees shall confirm in writing that they have read the internal work regulations.

249. The minimum duration of rest is stipulated in the Law on Safety and Health at Work, which also provides for exceptions from the normal weekly rest time as contained in Resolution of Government No. 248; therefore, in the process of implementing these provisions, employers' and employees' organizations in Lithuania are not consulted and the provisions must be implemented by the employers of all enterprises, organizations and agencies.

250. Paragraph 10 stipulates that the work shift of an employee who is a member of a crew transporting passengers or cargo in the Republic of Lithuania, can be interrupted. In this case, the break should last at least two hours and not longer than six hours together with the lunch break. After three hours, but not later than after four hours of uninterrupted driving, a break of at least 30 minutes and not longer than two hours rest should be provided. Daily uninterrupted rest should be not shorter than 10 hours, and in case of interrupted shifts not shorter than 9 hours. Weekly uninterrupted rest should be no less than 32 hours, with no less than 11 hours of daily rest before or after the weekly uninterrupted rest.

251. The Resolution on work and rest peculiarities in air transport enterprises stipulates, that the shortest duration of rest before the passage shall be 12 hours; however, depending on the duration of the flight, the rest duration may be shorter (11 or 12 hours) or longer (16, 20, or 24 hours). Once every seven days, a member of a crew is entitled to have a weekly uninterrupted rest of at least 36 hours.

252. The same Resolution governs employees of the railway transport enterprises and attendants and supervisors of refrigerator carriages and sections. During the trip these employees shall have a weekly uninterrupted rest of at least 12 hours, and proper conditions for their rest shall be provided. The rest time for the employees returning from the trip shall be granted for the time worked according to the schedule, excluding the rest hours, during the passage. The duration of breaks between the trips should not be less than 50 per cent of the time worked. If after the trip there is no possibility to provide the full rest time, the remaining rest hours shall be added to the rest time after another trip. If the full rest time is not provided afterwards, it should be remunerated according to articles 7 and 8 of the Law on Wages.

253. Train operators shall be provided with the rest time after each trip on their return to the main station. The duration of the rest time shall not be less than 12 hours in a row. Train operator may not work two consecutive nights. This provision shall not be applied in respect to operators, who return from destination stations as passengers.

254. In the high season periods (June-September), the week rest time may be reduced by 50 per cent, i.e. 18 hours in respect of employees who supervise passenger trains or specialized carriages, provide services for train passengers, supervise the work of a train brigade and sell tickets. The unused rest hours shall be remunerated at the end of the season not later than by 1 May of the next year or may be added to the annual leave.

Changes since the previous report (paragraph 6 of the guidelines)

255. The present report is initial.

International assistance (paragraph 7 of the guidelines)

256. International cooperation has not been carried out in that field.

Article 8 of the Covenant

ILO conventions (paragraph 1 of the guidelines on article 8)

257. The following ILO conventions have been ratified:

(a) Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87). A report was submitted to the ILO in 2000. The information relating to the provisions of article 8 was presented in parts I-III of the report;

(b) Right to Organize and Collective Bargaining Convention, 1949 (No. 98). A report submitted to the ILO in 2001. The information relating to the provisions of article 8 was presented in parts I-II of the report.

Forming and joining trade unions (paragraph 2 of the guidelines)

258. Despite the possibilities and provisions prescribed by the legislation of the Republic of Lithuania to join trade unions and form them, employees are not very active in joining the said organizations, as the trade unions in Lithuania are weak economically and poorly organized.

259. It is noteworthy that according to part 6 of article 10 of the Law on Trade Unions, at the request of a trade union member, an employer is required to deduct a membership fee of a fixed amount and transfer it to the trade union's bank account out of the said employee's work remuneration, on a monthly basis. In practice, employers do not always observe the requirement.

260. The Constitution of the Republic of Lithuania and the Law on Trade Unions provide equal rights to all trade unions.

261. The aforementioned provision of the Law on Trade Unions stipulates that all working citizens of the Republic of Lithuania, as well as other working persons who are permanent residents of Lithuania over the age of 14, shall enjoy the right to freely join trade unions and participate in the activities thereof, and restrict the right to join trade unions in respect of foreigners legally working in Lithuania or stateless persons without a permanent place of residence in Lithuania. However, it should be mentioned that seeking membership in the European Union, Lithuania is reforming the labour law according to the international commitments it has assumed. In this respect, it is planned to review the provisions of the Law on Trade Unions restricting the rights of foreign citizens to freely join trade unions and participate in the activities thereof.

262. Another restriction shall be the age qualification. As it has been already mentioned, the Law prescribes the age qualification of "over 14" in respect of persons who may join trade unions whereas according to the Law on Safety and Health at Work, the age limit in certain cases may be under 16, without fixing the minimum age. Based on the Law on Safety and Health at

Work, decision No. 1055 of the Government of the Republic of Lithuania on the List of Jobs Prohibited to Persons under 18, Harmful and Hazardous Factors, as well as Approval of the Working Conditions and Employment Procedure for Persons of the Ages of 13 to 14, 14 to 16 and 16 to 18, dated 11 September 1996, has been adopted and came into force providing a list of easy jobs for children over 13.

263. The possibility to join trade unions is restricted to persons (retired persons, the unemployed, etc.) who do not work for certain reasons.

264. Article 5 of the Law on Trade Unions provides that trade unions are entitled to maintain relations with trade unions in other States, and international and other organizations, as well as to membership of international trade union organizations and participate in their activities.

265. Article 50 of the Constitution of the Republic of Lithuania has a provision that trade unions shall be formed freely and act independently; they shall protect professional, economic and social rights and interests of employees. All trade unions shall have equal rights. The said provision of the Constitution extends the right to apply to joining communities, political parties or associations unless the objectives and activities thereof contradict the Constitution and legislation, and establishing a certain type of association in connection to activities in the field of labour relations, guaranteed to the citizens by article 35 of the Constitution.

266. The common principles of freedom of association, the legal status of trade unions and the rights and obligations thereof established in the Constitution are regulated by the Law on Trade Unions adopted on 21 November 1991. (Announced: *Lietuvos Aidas*, 1991.11.30, No. 240; *Valstybės Žinios*, 1991.12.10, No. 34. Publication No. 933). The preamble to the Law provides that trade unions shall be voluntary, independent and self-acting organizations in the representation and protection of employees' professional, labour, economic and social rights and interests. Article 3 of the Law provides that trade unions within the Republic of Lithuania shall act freely and independently and all shall enjoy equal rights.

267. The Law on Collective Bargaining Agreements and Contracts (*Valstybės Žinios*, 1991.04.30, No. 12, Publication No. 312) was adopted on 4 April 1991, in order to regulate the legal grounds for concluding collective agreements and contracts and the implementation thereof. The right to conduct bargaining with the aim of concluding collective agreements was granted to trade unions and their associations, on the one hand, and the Government, ministries, employers, their organizations and associations, on the other.

268. Collective agreements shall be concluded in companies, institutions and organizations holding employment contracts with the employees thereof, irrespective of the type of ownership and whether a company is a legal entity, as well as in common ventures functioning within the Republic of Lithuania and foreign companies, irrespective of the number of employees therein.

269. Presently, a draft law on amendments to the Law on Collective Agreements and Contracts has been prepared and submitted for consideration to the Government of the Republic of Lithuania, which is aimed at legal regulation of the activities of bilateral and three-party structures and the creation of a legal basis for tripartite cooperation. To this end, it has been

foreseen to legalize subjects of collective agreements and regulate the activities of bilateral and tripartite structures established by social partners. After the adoption of amendments to this Law, more favourable conditions would be created for tripartite cooperation and collective bargaining.

270. A list of trade unions (associations) registered at the Ministry for Justice of the Republic of Lithuania, in 1992-2000, is enclosed.*

Restrictions on the right to strike (paragraph 3 (a) of the guidelines)

271. An employer must be notified in writing about a planned strike, not later than seven calendar days beforehand. The employer must be informed in writing of the decision to go on strike (token strike as well) not later than in 21 calendar day before the beginning of a strike concerning the railway and public transport of a city, civil aviation, communications, energy (except the electricity companies), medicine and pharmaceuticals, food, water, sewage and waste disposal, oil refinery companies and companies of continuous production, as well as other enterprises, the stoppage of which would have a serious and hazardous impact on society, human life or health (part 4, article 10 of the Law on Regulation of Collective Disputes Announced: *Valstybės Žinios*, 1992.04.30, No. 12, Publication No. 307).

272. According to the data of the Ministry of Internal Affairs, the number of positions of employees prohibited from going on strike within the Internal Affairs System is 22,533 (statutory superiors and heads of institutional (establishment) departments and those holding higher office).

273. According to the data of the Ministry for National Defence, there are about 2,100 civil servants, 6,800 in professional military service and 4,500 servicemen performing compulsory initial military service, who are prohibited from going on strike by the Laws on Regulation of Collective Disputes, On Organization of System of National Defence and On Military Service.

274. The State Security Department does not provide data on the employees within the System.

275. According to the data of the Ministry of Economy (31 March 2001), the number of employees in the public company Lietuvos Energija is 8,721. According to the data of the Municipality of the City of Vilnius, the special-purpose State-owned enterprise Vilniaus Silumos Tinklai has 726 employees, and other municipalities of the Lithuanian Republic have about 400 employees. According to the data released by the Personnel Department of the public company Lietuvos Dujos, the number of employees in gas supply companies is about 3,000.

* Available for consultation in the files of the secretariat

276. According to the data released by the Health Information Centre of Lithuania in its report for 2000, the number of employees working in first-aid and emergency medical aid departments is 3,211; including: 375 (sic); 1,462 community nurses, 313 additional medical personnel and 1,061 other; 72 doctors work in the intensive therapy departments and there are 58 children's doctors.

277. Annex VIII contains a list of: the number of heads and superior positions in the public service institutions or establishments.*

278. Statistical information on strikes has been collected since 2000, and covers the strikes, which have been announced in compliance with the Law on the Regulation of Collective Disputes. During the year, 56 strikes were held in the country, including 21 token strikes. In the first half of the year all strikes were within the public sector. They covered 34 educational institutions in Rokiskis and Telsiai regions and two transport companies in Vilnius. Ninety three per cent of all strikes were held in educational institutions (75 per cent in institutions of secondary education and 18 per cent in institutions of elementary education) and 7 per cent in transport companies. The average number of employees participating in strikes was 3,303.

279. Last year, the main reasons for declaring a strike were: conflicts due to work remuneration (transport companies), salaries not paid in due time (in educational institutions).

Special provisions regarding the right to strike (paragraph 3 (b) of the guidelines)

280. Parts 5-7, article 10 of the Law on the Regulation of Collective Disputes of the Republic of Lithuania (I-2386, Announced: *Valstybės Žinios*, 1992.04.30, No. 12, Publication No. 307) provide that strikes shall not be declared within the systems of Internal Affairs, National Defence and Security, as well as in the companies providing electricity, centralized heating and gas, and in emergency medical services. The requirements of employees of the said services and companies shall be resolved by the Government of the Republic of Lithuania. Certain restrictions on strikes may be foreseen by special laws of other services (institutions). Strikes shall be also banned within zones of natural disaster, as well as regions where a state of emergency has been declared. No strike may be declared within the validity period of a collective agreement or contract, provided the terms of the agreement or contract are observed.

281. It is noteworthy that Lithuania does not collect such statistics; therefore the data provided by corresponding institutions with respect to separate systems are included in the present report.

282. As previously mentioned, the legislation of the Republic of Lithuania ensures the right to strike not only to employees in the private sector, but also to public servants. However, this right is restricted for civil servants of certain categories. The Law on Public Service provides that servants in public administration holding the office of head of department in certain institutions or establishments or a higher post shall be deprived of this right, as well as public servants prohibited from doing so by laws or statutes.

* Available for consultation in the files of the secretariat.

283. According to the data provided by the Register of Public Servants, there are 3,214 such servants (more elaborate data, in accordance with the establishment type and position, is presented in annex VIII). It must be stated that the Register is under reorganization, thus the data given are not complete.

Restrictions on the armed forces, police and State administration (paragraph 4 of the guidelines)

284. The Law on Trade Unions (I-2018, Announced: *Lietuvos Aidas*, 1991.11.30, No. 240; *Valstybės Žinios*, 1991.12.10, No. 34, Publication No. 933) provides that the specific application of this law in defence, police, State security and other organizations may be fixed by the acts regulating the activities of the said organizations (art. 1). Pursuant to article 8 of the Police Law of the Republic of Lithuania and article 7 of Provisional Law on Internal Service, police officers and officers of the domestic service may establish societies, clubs, trade unions and other associations to satisfy their professional, cultural and social needs. The Law on the Organization of the System for the Country's Defence and Military Service (VIII-723, Announced: *Valstybės Žinios*, 1998.05.27, No. 49, Publication No. 1325) provides that "the military may participate in activities of social organizations, societies, clubs and other non-political associations, as well as in other non-political activities orientated towards fostering of moral, national, patriotic and civil and democratic values, unless participation in such activities interferes with implementation of the servicemen's duties". However, part 8 of article 36 of the aforementioned Law prohibits professional military servicemen from becoming members of a trade union. The legislation of the Republic of Lithuania does not foresee any other restrictions for employees as regards their joining trade unions.

285. According to the data provided by the Ministry of National Defence, the interests of the military are represented by some social organizations working in close cooperation with the forces, such as the Lithuanian Union of Reserve Officers and the Association of Reserve Soldiers of the Lithuanian Army.

286. Currently, a trade union within the system of Internal Affairs is functioning in the institutions subordinate to the Ministry of Internal Affairs. The trade union has presented data showing that it includes 27 organizations with 5,000 members. On 8 March 2001, the Lithuanian trade union of the system of Internal Affairs and the Ministry of Internal Affairs signed a cooperation agreement on the basis of which all organizations belonging to the Lithuanian trade union will sign collective agreements with their own administrations. The police officers' trade union of Alytus and Police Commissariat of Alytus have already signed such an agreement, which has also been registered at the Ministry of Justice.

287. Restrictions on the right to strike of certain public servants are explained above.

Changes (paragraph 5 of the guidelines)

288. The present report is initial.

Article 9 of the Covenant

Types of social security benefit (paragraph 2 of the guidelines on article 9)

289. According to the current legislation, the types of social security are as following:

- Sickness benefit in cash;
- Maternity benefit;
- Survivor's benefit;
- Occupational accident injury benefit;
- Unemployment benefit;
- Old-age pension; and
- Disability benefit.

290. The following short-term benefits may also be provided under the laws and other legal acts in force: sickness, maternity, maternity (paternity), occupational accident and occupational disease benefit.

291. The Law on Social Insurance of Occupational Accidents and Occupational Diseases came into effect on 1 January 2000 (VIII-1509 Published: *Valstybės Žinios*, 1999.12.29, No. 110, Publication No. 3207). It provides for the payment of the following benefits of appropriate size depending on the degree of work incapacity:

- Sickness due to accident and occupational disease benefit;
- Lump-sum benefit;
- Periodic benefit;
- Death benefit.

292. On 1 January 2001, the Law on Sickness and Maternity Social Insurance (IX-110 Announced: *Valstybės Žinios*, 2000.12.29, No. 111, Publication No. 3574) came into effect. This law provides for the payment of:

- Sickness benefit;
- Maternity benefit;
- Maternity (paternity) benefit.

293. Before the adoption of these laws the above benefits were provided in accordance with the provisions of the Law on State Social Insurance and the Provisional Law on Compensation for Occupational Accidents or Damages at Work.

Main features of social security (paragraph 3 of the guidelines)

294. The following benefits in cash are provided:

- Non-means tested State benefits (family benefit for children, benefit for children deprived of parental care, funeral expenses allowance);
- Benefits to low-income families after the means testing of their income (social allowance, privileges, free meals).

295. Under the Law on State Benefits to Families Raising Children of 3 November 1994 (No. I-621 Announced: *Valstybės Žinios*, 1994.11.18, No. 89, Publication No. 1706), the following benefits are provided to families irrespective of family income:

- Lump-sum birth grant paid to the mother for each child born alive. This amounts to the minimum level of living (MLL) multiplied by 6 (i.e. LTL 750). If the mother refuses her child or abandons him/her immediately after birth, no lump-sum birth grant is provided to her; it is paid to the person who adopts the child or takes him/her in to raise;
- Maternity allowance for studying women paid to full-time students not entitled to social insurance benefits. The monthly allowance amounts to MLL multiplied by 0.75 (i.e. LTL 93.75) and is paid for 70 calendar days prior to child-birth;
- Family allowance paid for each child under 3 years of age. If the family is not entitled to State social insurance maternity (paternity) benefit, the allowance is paid from the child's birth until he/she becomes 3. Where the family is entitled to the maternity (paternity) benefit, the allowance is paid for the child from 1 to 3 years of age. In both cases the size of the monthly allowance amounts to 0.75 of MLL (LTL 93.75);
- Military serviceman child allowance paid for the child until his/her father ends compulsory military service. It amounts to MLL multiplied by 1.5 (i.e. LTL 187.5);
- Allowance to families raising three or more children paid to mothers for children under 16 years and older children until they finish day secondary school or daytime departments of higher, high and vocational schools. An allowance amounting to 1 MLL (LTL 125) is paid to mothers raising three children, provided that the family income per person is lower than the State-supported income multiplied by 3 (LTL 405). The allowance is increased by 0.3 MLL (LTL 37.5) for the fourth and each subsequent child;

- Foster care benefit is granted to a natural or legal person (family, foster family or non-government care institution) that has been appointed as the child's guardian in accordance with the procedure established by the law. The allowance amounts to 4 MLL and is provided for the child's maintenance. In case support maintenance has been adjudged from the parents or the child receives an orphan's pension (survivor's benefit), this allowance amounts to the difference between the amount of 4 MLL and the amount of support maintenance or orphan's pension. No benefit is granted for a child in care placed in a boarding school or a care home where a State institution has been appointed guardian and the child receives State maintenance;
- Orphan students' allowance paid to a non-working full-time student, who is left without parental care and is older than 18 years (or under 18 years if no care has been instituted), provided that he/she is taking a bachelor's or a master's degree for the first time (for university students) or is acquiring a profession for the first time (for high or vocational school students). The size of the allowance is 4 MLL. Where an orphan or a child left without parental care receives an orphan's pension in accordance with the procedure established by law, the allowance is equal to the difference between the amount of 4 MLL and the amount of the orphan's pension. The right to receive a benefit based on student's performance is retained;
- Settlement benefits for orphans and for children deprived of parental care provided to orphans and children left without parental care who have reached 18 years of age and who were in care prior to full age. It amounts to 50 MLL. The benefit is provided for the acquisition of a dwelling or for settlement by transferring the benefit amount under a benefit agreement and is not paid in cash.

296. The birth grant, the family allowance, the allowance to families raising three and more children, the military serviceman's child allowance, the foster care benefit and the settlement benefits for orphans and for children deprived of parental care are paid from special-purpose funds allotted to municipal budgets at the time of calculation of their financial indicators. Municipalities provide funds for benefits in their budget estimates. Municipal social assistance departments are responsible for the administration of awarding and payment of State benefits.

297. Maternity benefits for studying women and orphan students' allowances are granted and paid by educational establishments from the State budget allocations.

298. LTL 250.8 million were spent on State grants in 2000. Family allowances (LTL 95.7 million) accounted for the majority of these funds (average monthly number of recipients - 88,000); allowances to families raising three and more children amounted to LTL 81.9 million (average monthly number of recipient families - 45,000). Every month 8,000 children receive foster care benefits; LTL 43.2 million were spent on this allowance in 2000.

299. Under the Law on Assistance in Case of Death No. I-348 of 23 December 1993 (I-348, Announced: *Valstybės Žinios*, 1993.12.29, No. 73, Publication No. 1371), a funeral allowance is granted in case of death of a permanent resident of the Republic of Lithuania or when a child is born dead. The allowance is equal to 6 MLL (LTL 750). This allowance is also paid by municipal social assistance departments from special-purpose funds allotted to municipal

budgets at the time of calculation of their financial indicators. During 2000, funeral allowances were paid to 39,000 persons, with the relevant expenditure totalling LTL 27.6 million.

300. Having regard to the country's economic and financial situation, the current system of support for families raising children is focused on support to low-income families. Apart from the specified State grants for low-income families, assistance is also provided to such families depending on their income levels.

301. Under the Law on Residents' Income Guarantees of 27 September 1990 (I-618, Announced: *Lietuvos Aidas*, 1990.10.03, No. 94; *Valstybės Žinios*, 1990.10.30, No. 30, Publication No. 711), families are entitled to social allowances, provided that the income per family member is lower than the State-supported income. The Government has established, from May 1998, that such guaranteed income for the purposes of social allowance is LTL 135 per month per person. In order that capable-for-work family members do not lose interest in work, the size of social allowance has been established as 90 per cent of the difference between the family State-supported income and the family's average income. At present, a person with no income is entitled to a monthly social allowance of LTL 121.

302. The Regulations Governing the Granting and Payment of Social Allowances approved by the Resolution of Government No. 441 of 17.04.2000 (Announced: *Valstybės Žinios*, 2000.04.21, No. 33, Publication No. 936) establish the conditions and procedures relating to this type of allowance. Social allowance is granted to families or single persons working under employment contracts or not working for objective reasons (studying at day-time educational establishments; unemployed during periods when they receive unemployment benefits or are engaged in public works plus six months after such periods; pensioners; disabled persons; persons nursing their close relatives; mother raising at home a child under the age of 3 or three children under 16 years, at least one of them being under the age of 8 and attending no pre-school establishment or school etc.). Extra privileges are given to families residing in rural areas and owning plots of land with an overall arable area of 2-3.5 ha.

303. Since it is impossible to predict all cases where social allowance may be granted - living conditions vary greatly from family to family and unforeseen circumstances often arise due to which families find it difficult to make a living - municipalities have been empowered, upon inspecting the family's living conditions and drawing up a record of inspection, to grant allowances to families that generally do not qualify for them. If an allowance is not used for its intended purpose, the municipality has the right to buy essential foodstuffs and consumer goods for the amount of the allowance taking into consideration the children's needs.

304. Social allowances are financed from municipal budgets.

305. In 2000, the average monthly number of social allowance recipients was 115,000 persons, i.e. 3 per cent of the country's population; the expenditures totalled LTL 88.6 million.

306. Benefits for dwelling premises' heating costs and cold/hot water costs established by the Law on Compensation for Costs of Heating of Apartments (one-family houses) and for Cold and Hot Water Costs to Low-income Residents of 8 April 1999 (VIII-1131, Announced: *Valstybės Žinios*, 1999.04.23, No. 36, Publication No. 1062) is another very important form of

assistance rendered to low-income families. In calculating compensation for heating costs, account is taken not only of the family's total income but also of the number of family members. It is calculated by deducting the set minimum family income (LTL 125 per person) from the family's total income; 25 per cent of the result constitutes the maximum amount that may be charged for the heating of dwelling premises. Hot water costs are compensated for if they exceed 5 per cent of the family's income, and cold-water costs if they exceed 2 per cent of the family's income. Expenses for solid and other types of fuel (coal, firewood, gas) are compensated for on a similar basis.

307. The benefits are calculated on the basis of the normative limits of living area and hot/cold water use per family member.

308. The same categories of resident are entitled to the compensations and the social allowances. Under the law, the municipalities themselves establish the procedures for providing benefits in accordance with the Methods of Calculation of Compensations for Costs of Heating of Apartments (one-family houses) and for Cold and Hot Water Costs approved by Government Resolution No. 774 of 9 June 1999 (Announced: *Valstybės Žinios*, 1999.06.16, No. 52, Publication No. 1700).

309. The above benefits are funded from municipal budgets.

310. In 2000, the expenditure for these benefits amounted to LTL 75.7 million.

311. Low-income residents may also receive lump-sum benefits in case of poverty, homelessness, sickness, disability, natural disaster, etc. The procedures for granting such benefits and their sizes are established by municipalities within the limits of their budgets. In 2000, lump-sum benefits totalling LTL 3.4 million were paid to 36,800 recipients.

312. Apart from assistance in cash, families raising children receive other financial support as well as various benefits and services.

313. Children from low-income families are directly supported through pre-school educational establishments and schools:

(a) Payment for children's maintenance at pre-school establishments may be reduced. The Government resolution Concerning Payment for Children's Maintenance at Pre-school Establishments (No. 1170 of 31.08.1995, Announced: *Valstybės Žinios*, 1995.09.06, No. 73, Publication No. 1715) establishes that the size of such payment is determined by the establishments. At the same time, municipalities are allowed to introduce benefits for the payment of children's attendance at pre-school establishments. A 50 per cent benefit is given to single parents, families raising three or more children, families where the father is performing compulsory military service; and students' families;

(b) Children from low-income families receive free meals in secondary schools. Every year LTL 60 million are allocated for this purpose from the State budget. Free meals are provided to schoolchildren from families whose income per person is lower than the income guaranteed by the State x 1.5 (LTL 202). Each municipality may set the daily norm itself, however, not more than LTL 3 may be allotted for lunch and not more than LTL 1.2 for

breakfast. The organizers of free meals must take guidance from the order of the Minister of Social Security and Labour and the Minister of Education Science Concerning the Approval of the Procedure for the Organization of Free Meals for Schoolchildren from Low-income Families (No. 64/955 of 16 August 1999) (Announced: *Valstybės Žinios*, 1999.08.27, No. 72, Publication No. 2245). Approximately 155,000 schoolchildren receive free lunch (~27 per cent of the total number). Free breakfast is intended for children from families with particularly low income (2 per cent of the total number).

314. Apart from the above-mentioned social assistance, the main guarantees and benefits include: a higher limit of tax-exempt income; the covering of social insurance costs (for the basic part of the State social insurance pension) for a non-working parent raising a child under the age of 3; compensation for the cost of medicines and medical care and for the cost of spa treatment; free public transport or reductions for public transport ticket costs for children under 7 years of age; subsidized credit for the acquisition of dwellings for young families, etc.

315. The Law on Social Insurance for Occupational Accidents and Occupational Diseases provides for the shifting of the burden of benefit payment to employees from employers to the State Social Insurance Fund. Insurance against occupational accidents is based on the principle of solidarity: the employer's obligation is confined to the payment of contributions (a 1 per cent rate has been approved for 2000-2001). The law defines the categories to which this type of insurance is applicable to as follows:

(a) Persons who work under an employment contract, hold an elective office in an elective organization on the basis of their membership, work in economic entities, agricultural associations or cooperative organizations on the basis of their membership, candidates for notary (assessors) posts;

(b) Public politicians, judges of the Constitutional Court, judges of the Supreme Court of Lithuania, judges of other courts, candidates for judgeships, officials of prosecutor's offices, Chairman of the Board of the Bank of Lithuania, his/her deputies, members of the Board, heads of the State institutions and agencies who were appointed by the Seimas or the President of the Republic, other officials who were appointed by the Seimas or President of the Republic, chairmen of State (permanent) commissions and councils, chairmen of other State (permanent) commissions and councils who were appointed by the Seimas or the President of the Republic, their deputies and members, as well as the officials of commissions or councils that were established in accordance with the provisions of special laws, civil servants of public administration except for the officers of the Ministry of the Interior, the police, the State Border Protection Service and other officials of the institutions of Internal Affairs, military officers of the internal service divisions, re-enlisted soldiers, officials of the Special Investigation Service, the Department of Prisons at the Ministry of Justice of the Republic of Lithuania and its subordinate institutions and State enterprises, professional military officers of the national defence system, and officers of the system of the National Security Department;

(c) Students of vocational schools, students of college-type and higher educational establishments during the period of their training (practice) and persons who were referred by the labour exchange for requalification in enterprises or to be engaged in public works;

(d) Persons staying at social/psychological rehabilitation establishments during their working hours;

(e) Imprisoned persons, for their working time.

These persons shall be insured provided they receive payment for their work.

316. The following tables provide information on compensation for occupational diseases and accidents in 2000. The total number of occupational diseases diagnosed during the year was 294; 176 (60 per cent) of them were recognized as insured events.

Table 6

Benefits provided in the Law on Social Insurance for Occupational Accidents and Occupational Diseases

Benefit	Conditions	Size
Sickness benefit	Where the insured has become temporarily incapacitated for work due to accident at work or occupational disease	100% of covered work income
One-off compensation for lost ability to work	Where loss of capacity to work does not exceed 20%	10% of the person's covered work income for 24 months
	Where loss of capacity to work exceeds 20% but is less than 30%	20% of the person's covered work income for 24 months
Compensation for lost ability to work over a set period	Where indefinite incapacity to work has been established	Threefold compensation
	Where loss of capacity to work exceeds 30%	Compensation is calculated on the basis of the formula $0.5 \times d \times K \times D$, where: d = incapacity-to-work coefficient; K = compensation coefficient; D = average insured income valid in the month of payment
Benefit in case of death of the insured	Funeral expenses allowance is paid to family members in case of death as a result of an insured event	Average monthly insured income x 100

Table 7

Statistical distribution of occupational accidents

Cases	Occupational accidents during the year: 2 509		Accidents on the way to/from work during the year: 1 681	
Minor	2 313 (92%)	Including 2 152 (93%) recognized as insured events	1 642 (98%)	Including 1 505 (92%) recognized as insured events
Serious	129 (5%)	Including 96 (74%) recognized as insured events	29 (2%)	Including 23 (79%) recognized as insured events
Fatal	67 (3%)	Including 52 (78%) recognized as insured events	10 (1%)	Including 8 (80%) recognized as insured events

Table 8

Benefits/compensation for occupational diseases and accidents paid (LTL '000)

Total	9 472.7
Sickness benefit for illness caused by occupational accident or disease	6 393.0
One-off compensation for lost ability to work	205.2
Set-period compensation for lost ability to work	214.8
Funeral expenses allowance in case of death of the insured	2 612.4
Set-period insurance benefit in case of death of the insured	47.3

317. In accordance with the Law on Sickness and Maternity Social Insurance, only those insured persons who have completed social insurance periods of a certain length prior to the sickness, maternity leave or childcare leave, are entitled to benefits. Sickness and maternity social insurance benefits are short-term in nature, therefore, in determining the entitlement only the insurance period acquired during the 12 or 24 months before the beginning of the sickness, maternity leave or childcare leave will be considered. The insurance periods would consist of work periods for which social insurance contributions for the relevant insurance type were paid as well as of periods during which the person received sickness benefits, including sick days paid for by the employer, maternity benefits, maternity (paternity) benefits or unemployment benefits. Periods for which State social insurance contributions covering only pension insurance were paid for the insured or by the insured themselves must not be included in the insurance period used as a basis for entitlement to benefits. The law provides for the following compulsory insurance period: for sickness benefit and maternity benefit - not shorter than 3 months during the previous 12 years or 6 months during the previous 2 years; for maternity (paternity) benefit - not shorter than 7 months during the previous 24 months.

318. Prior to the coming into effect of the Law on Sickness and Maternity Social Insurance the size of the sickness benefit paid from the budget of the State Social Insurance Fund depended on the length of treatment. For the first 30 days of sickness 80 per cent, and thereafter 100 per cent of covered work income were paid. Under the new law, sickness benefit amounting to 85 per cent of the covered work income is paid for the entire period of sickness. Maternity benefit for maternity leave amounted and will amount to 100 per cent, while maternity (paternity) benefit for childcare leave until the child becomes 1 year of age will amount to 60 per cent of the covered work income.

319. Although there has been only a slight change in the size of the benefits, the minimum and maximum benefit sizes were set anew or changed. Minimum monthly sickness or maternity benefit may not be smaller than one quarter and maternity (paternity) benefit one third of the average monthly covered income approved by the Government as of the first month of sickness or maternity leave. For benefit calculation purposes, the recipient's average monthly covered work income may not exceed the amount of the average monthly covered income last approved by the Government multiplied by 3.5.

320. In some cases, new lengths of benefit payment periods were provided for in the law. For nursing a child under 16 in an inpatient treatment establishment, sickness benefit for the nursing period may be paid for up to 120 calendar days during a year. It has also been established that persons receiving State social insurance disability pensions are entitled to sickness benefits for not more than 30 calendar days during a calendar year.

321. According to the Report on the Execution of the Budget of the State Social Insurance Fund of the Republic of Lithuania for 2000, expenses on social insurance for sickness and maternity (paternity) benefits amounted to LTL 458,253 or 10 per cent of all expenses (see the breakdown below). In 2000, 21,4000 mothers received maternity benefits for maternity leave and 19,800 persons received childcare benefits.

Table 9

Sickness and maternity (paternity) benefits paid from the State Social Insurance Fund in 1999 and 2000

	Unit of measurement	2000 report	1999 report
Sickness and maternity (paternity) insurance Compulsory State social benefit	LTL'000	458 253	478 562
A. Sickness benefits	LTL'000	232 746.0	249 584
Number of sick days paid, per worker	workdays	5.94	6.13
Number of sick days paid, total	workdays	6 760 244	7 368 525
Average daily pay per worker	LTL	40.87	40.00
Ratio between daily sickness benefit amount and daily pay	%	84.24	84.7
Average daily sickness benefit amount	LTL	34.43	33.87

Table 9 (continued)

	Unit of measurement	2000 report	1999 report
B. Maternity (paternity) benefits	LTL'000	186.801.0	190.587
Maternity benefit for maternity leave	LTL'000	64 896.8	71 566
Number of recipients	persons	21 494	24 613
Number of maternity leave days paid	workdays	1 869 794	2 135 141
Average length of maternity leave	workdays	87	86.7
Average daily benefit amount for maternity leave	LTL	34.71	33.52
Ratio between the average daily benefit amount and the average daily pay	%	84.9	83.8
Childcare benefits until 1 year of age	LTL'000	121 904.2	119 021
Average number of recipients	Persons	20 341	20 296
Average monthly benefit	LTL	502.40	488.70
Ratio between the average benefit and the average monthly pay	%	57.98	57

322. State social pension insurance accounts for the largest and most important part of social insurance. It almost entirely covers Lithuania's adult population: part of them pay social insurance contributions, while another part receives social insurance pensions. The concept of the current pension system was developed in 1994 as a continuation of the ideas of the social insurance reform of 1991. A reform of pension laws was started upon development of a database of insurers and the insured containing data on each resident who pays social insurance contributions and receives a pension, a sickness benefit, etc. A package of pension laws by means of which the pension system reform was carried out in 1994-1995 consists of the Law on State Social Insurance Pensions, the Law on State Pensions, the Law on State Pensions for Officials and Servicemen of the System of Internal Affairs, Special Investigation Services, State Security, National Defence, Prosecutor's Offices and the Prisons Department and its subordinate institutions, the Temporary Law on State Pensions for Scientists and the Law on Social Assistance Pensions. These laws define the types of pensions, categories of persons entitled to various types of pensions, pension sizes and payment sources. In 1999, the Law on Pension Funds of the Republic of Lithuania (VII-1212, Announced: *Valstybės Žinios*, 1999.06.23, No. 55, Publication No. 1765), governing the establishment of cumulative pension funds in Lithuania was adopted. One may state that the legal framework for such funds is already in place. At the same time, voluntary pension insurance is being further developed.

323. In Lithuania, State social insurance pensions are granted and paid in accordance with the Law on State Social Insurance Pensions of the Republic of Lithuania (I-549, Announced: *Valstybės Žinios*, 1994.08.03, No. 59, Publication No. 1153), as amended later. The law came into effect on 1 January 1995.

324. The Law on State Social Insurance Pensions drafted in 1994-1995 was based on the precept that the fundamental principles of universality, continuity and fulfilment of obligations underlie pension insurance, just as for social insurance and social security as a whole. The size of the State social insurance pension is linked to the State social pension insurance periods acquired and the State social pension insurance contributions paid by the person. The insured are not differentiated according to gender or specificity of workplaces, occupations or positions.

325. Under the State social insurance pensions system currently in force, there are three types of pension security benefits: old-age pension, disability pension and survivor's pension. These pensions are paid out of the budget of the State Social Insurance Fund, i.e. from State social insurance contributions paid by employers and employees insured with State social pension insurance. Permanent residents of the Republic of Lithuania having completed certain compulsory State social pension insurance periods - either insured by their employers or independently - are covered.

326. State social insurance old-age pensions is the main type of social security in old age. These pensions account for the largest part of the State Social Insurance Fund's budgetary expenditure.

327. State social insurance old-age pensions are granted and paid to persons who have reached the old-age pension age and who have completed at least the minimum social pension insurance period entitling them to such pension.

328. The old-age pension age has been established as 62 years and 6 months for men and 60 years for women. This age has been increased every year since 1995: by four months for women and by two months for men during each calendar year. Since 1 January 2001, the old-age pension age is being increased equally for both men and women - by six months each year until it reaches 62 years and 6 months for men in 2003 and 60 years for women in 2006. In 2001, the old-age pension age will be 61 years and 6 months and 57 years and 6 months respectively.

Table 10

Old-age pension age table

Men

Year	Pension age	Date of birth
1995	60 yrs. 2 m.	1 January 1935-31 October 1935
1996	60 yrs. 4 m.	1 November 1935-31 August 1936
1997	60 yrs. 6 m.	1 September 1936-30 June 1937
1998	60 yrs. 8 m.	1 July 1937-30 April 1938
1999	60 yrs. 10 m.	1 May 1938-28 February 1939
2000	61 yrs.	1 March 1939-31 December 1939
2001	61 yrs. 6 m.	1 January 1940-30 June 1940
2002	62 yrs.	1 July 1940-31 December 1940
2003	62 yrs. 6 m.	1 January 1941 and onwards

Table 10 (continued)

Women

Year	Pension age	Date of birth
1995	55 yrs. 4 m.	1 January 1940-31 August 1940
1996	55 yrs. 8 m.	1 September 1940-30 April 1941
1997	56 yrs.	1 May 1941-31 December 1941
1998	56 yrs. 4 m.	1 January 1942-31 August 1942
1999	56 yrs. 8 m.	1 September 1942-30 April 1943
2000	57 yrs.	1 May 1943-31 December 1943
2001	57 yrs. 6 m.	1 January 1944-30 June 1944
2002	58 yrs.	1 July 1944-31 December 1944
2003	58 yrs. 6 m.	1 January 1945-30 June 1945
2004	59 yrs.	1 July 1945-31 December 1945
2005	59 yrs. 6 m.	1 January 1946-30 June 1946
2006	60 yrs.	1 July 1946 and onwards

329. The minimum State social insurance pension period giving entitlement to old-age pension is 15 years. This minimum period only gives entitlement to minimum pension security because in order to obtain the entire basic pension one must have completed the qualifying period. Since 1995, from 1 January of each calendar year, the qualifying period has been increased by one year for both men and women. The requirement of 30 years of qualifying period in order to receive old-age pension was reached in 1999 for men and will be reached in 2004 for women.

Table 11

Qualifying period giving entitlement to old-age pension

Year	Qualifying period, in years	
	Women	Men
1995	21	26
1996	22	27
1997	23	28
1998	24	29
1999	25	30
2000	26	30
2001	27	30
2002	28	30
2003	29	30
2004	30	30

330. The old-age pension consists of two parts: basic and supplementary.

331. The benefit package that resulted from the pension reform of 1994-1995 combines, in almost equal parts, redistribution and compensation for individual income.

332. The basic part is a fixed-size benefit (basic pension) that effects substantial redistribution of funds from well-to-do persons to persons with lower incomes. As has already been mentioned above, full-size basic pension is granted to persons having completed the qualifying State social pension insurance period established by the Pension Law. The basic part of pension is a guarantor of minimum social security. It is granted both to persons who have worked under an employment contract and to self-employed persons. Due to the fixed-size component (basic pension) of the pension benefit package (pension size) and due to clearly defined maximum pay being used as a basis for calculating the income-linked component of pension benefits, the current pension programme provides favourable conditions for the redistribution of pensions to the benefit of persons with very low income. The present size of the basic pension is LTL 138.

333. The supplementary part of pension is linked to the State social pension insurance period completed by the person and to the contributions paid. It reflects the principle of equity, i.e. pension benefits are proportional to the pension insurance contributions paid. This part of pension is granted to persons who worked under employment contracts on the basis of membership or service. Thus, the supplementary part of pension is calculated for each pensioner individually taking account of the person's social insurance periods and the individual insured income coefficient, which is the ratio between the person's pay from which State social insurance contributions were deducted and the average monthly insured income. This coefficient and the insurance periods completed reflect the person's individual contribution to the State Social Insurance Fund's budget and determine the size of the future benefit (pension). The principle of "generations contract" that manifests itself in collecting and paying out State social insurance contributions guarantees appropriate benefits in old age only to those persons who had paid contributions for a fixed period and who have reached pensionable age or became disabled.

334. State social insurance disability pensions are granted to persons who had lost capacity for work in part or in full and therefore were recognized as disabled, provided that they have completed the qualifying State social pension period giving entitlement to disability pension.

335. Disability benefits are granted and paid to the disabled persons of group I, II or III who have completed at least the minimum State social pension insurance period. The qualifying period is established having regard to the person's age on the date of establishment of disability; however, the maximum period required for the granting of disability pension is five years. Both disability pension and old-age pension consist of basic and supplementary parts. These parts are calculated on the same principle for both types of pensions. For persons having completed the qualifying State social pension insurance period giving entitlement to disability pension, the basic part of group I disability pension amounts to the basic pension multiplied by 1.5 (currently LTL 207). The basic part of group II disability pension is equal to basic pension (LTL 138). The calculation of the supplementary part is the same as for old-age pensioners. State social insurance disability pension for group III disabled persons is calculated in the same way as for group II and subsequently reduced by 50 per cent.

Table 12

Insurance period giving entitlement to disability pension

Age	Minimum period	Qualifying period
Under 23	1	1
23	1	1
24	1	2
25	1	3
26	2	4
27	2	4
28	2	5
29	3	6
30	3	6
31	3	7
32	4	8
33	4	8
34	4	9
35	5	10
36	5	10
37	5	11
38	5	12
39	5	12
40	5	13
41	5	14
42	5	14
43	5	15
44	5	16
45	5	16
46	5	17
47	5	18
48	5	18
49	5	19
50	5	20
51	5	20
52	5	21
53	5	22
54	5	22
55	5	23
56	5	24
57	5	24
58	5	25
59	5	26
60	5	26
61	5	27
62	5	28
63	5	28
64	5	29
65	5	29

336. A person receiving a State social insurance old-age/disability pension may additionally receive survivor's pension, provided that the person meets the conditions entitling him/her to such pension.

337. The purpose of State survivor's pension is to ensure the continuity of the spouse's obligation to maintain his/her disabled spouse or heir (child). State social insurance survivor's pension is paid based on the insurance period of a specific deceased person and his/her insured income from which insurance contributions were paid. Although pensions are not inherited, a certain part of the deceased person's contribution to the State Social Insurance Fund's budget is allotted and paid to his/her spouse and minor children.

338. According to the pension laws in force, persons of the following categories are entitled to survivor's pension:

- persons who raise children of the deceased person, provided that the children receive orphan's pension;
- persons who, at the time of a spouse's death, had reached pensionable age or were recognized as disabled, or reached pensionable age or were recognized as disabled within five years of the spouse's death;
- persons who reached pensionable age or were recognized as disabled while raising children of the deceased person who were receiving or were entitled to receive orphan's (survivor's) pension.

339. As has already been mentioned above, widow's pension may be granted, in addition to the State social insurance old-age or disability pension, only to the survivor of the deceased spouse who had paid State social insurance contributions. Single persons and spouses having reached old-age pension age are not entitled to any additional State social insurance pensions.

340. State social insurance pensions already granted may be increased in the manner that is common to all insured persons: State social insurance pensions increase along with the increase in the State social insurance basic pension and average monthly covered income.

Status of the State social insurance pension system as of 1 July 2001*

341. A total of 1,620,000 State social insurance pensions were paid as of 1 July 2001.⁴ LTL 1,615,600 were allotted for these payments, i.e. 74.3 per cent of the State Social Insurance Fund Budget. As shown by the chart below, the structure of this amount is as follows: State social insurance old-age pensions - 60.17 per cent, State social insurance disability pensions - 16.92 per cent and State social insurance survivor's pensions - 19.82 per cent.

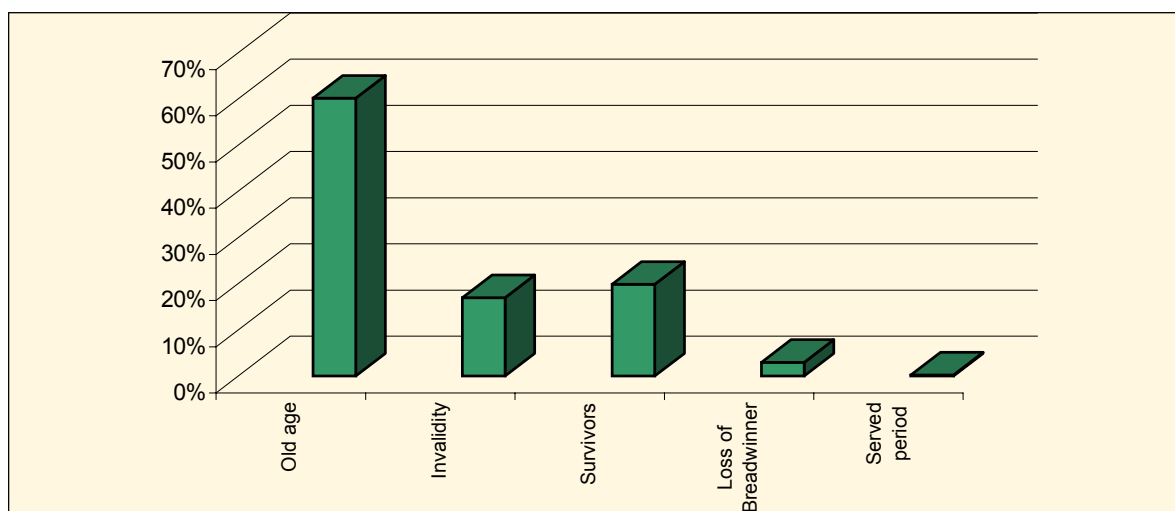
* The description has been prepared according to the data reported by the Department of Statistical Analysis and Forecast of the State Social Insurance Fund.

342. Apart from State social insurance old-age, disability and survivor's pensions, the State Social Insurance Fund also finances loss-of-breadwinner pensions (2.93 per cent of all State social insurance pensions) and long-service pensions (0.16 per cent) - pensions granted under the pension laws and other legal acts whose validity ceased on 1 January 1995. The Law on State Social Insurance Pension that came into effect on that date does not provide for the granting of loss-of-breadwinner and long-service pensions, however, payment of these pensions is continued to persons to whom they had been granted before 1 January 1995.

343. Apart from the pensions mentioned above, compensations for extraordinary working conditions (6,800 recipients) granted under the Law on State Social Insurance Pensions are paid from the State Social Insurance Fund's budget.

Chart 7

Distribution of recipients of State social insurance pensions by pension types as of 1 July 2001 (%)



344. *State social insurance old-age pensions.* As of 1 July 2001 old-age pensioners accounted for the largest part of all pensioners (638,800). Working pensioners accounted for 11.21 per cent and non-working pensioners for 88.79 per cent. Average State social insurance old-age pension amounted to LTL 304.31. The average pension of a working pensioner was LTL 199.49 and that of a non-working pensioner LTL 317.54 (larger by LTL 1.54 compared to the forecast). Every ninth pensioner receiving old-age pension had a job.

345. *State social insurance disability pensions.* As of 1 July 2001 there were 179,700 disability pensioners in Lithuania, working pensioners accounting for 16.03 per cent and non-working pensioners for 83.97 per cent.

346. The average State social insurance disability pension amounted to LTL 277.50. The size of the average pension of a working pensioner was LTL 216.22, of a non-working pensioner LTL 289.28. Every sixth pensioner receiving disability pension had a job.

347. *State social insurance survivor's pensions.* Two hundred and ten thousand five hundred persons received survivor's pensions as of 1 July 2001. The average size of this pension was LTL 60.44.

Table 13

**Recipients of State social insurance old-age and disability pensions 1997 -
1 July 2001 (thousand persons)**

Year	1997	1998	1999	2000	2001 (first half)
Type of pension:					
Old-age pensions	651	648	644.6	644.5	638.9
- working	103.9	105.4	107	100.6	71.6
- non-working	547.1	542.6	537.6	543.9	567.3
Disability pensions	152.2	158.8	165.9	173.6	179.7
- working	24	27.5	30.5	31.2	28.8
- non-working	128.2	131.3	135.4	142.4	150.9

Source: Data reported by the Department of Statistical Analysis and Forecast of the State Social Insurance Fund.

State pensions

348. State pensions represent the second category of pensions currently granted and paid in Lithuania. They are paid from the State budget in accordance with the Law on State Pensions (I-549, Announced: *Valstybės Žinios*, 1994.08.03, No. 59, Publication No. 1153), the Law on State Pensions for Officials and Servicemen of the System of Internal Affairs, Special Investigation Services, State Security, National Defence, Prosecutor's Offices and the Prisons Department (I-693, Announced: *Valstybės Žinios*, 1994.12.23, No. 99, Publication No. 1958), and the Temporary Law on State Pensions for Scientists (I-732, Announced: *Valstybės Žinios*, 1995.01.04, No. 1, Publication No. 4) as amended. All these laws came into force on 1 January 1995. Citizens of the Republic of Lithuania permanently residing in the Republic are entitled to State pensions (persons permanently residing in the Republic of Lithuania are also entitled to scientists' pension). Degree I and II State pensions granted for service to the Republic of Lithuania may be paid to the Lithuanian nationals living abroad.

349. The following State pensions are granted:

- State pension of the President of the Republic of Lithuania;
- State pensions of Degree I and II of the Republic of Lithuania;

- State pensions for persons who have suffered;
- Officials' and servicemen's State pensions;
- Scientists' State pensions.

These pensions are paid together with the State social insurance old-age pension or disability pension payable to the person.

350. Assistance pensions are also financed from the State budget. They are granted and paid on the basis of the Law on Assistance (Social) Pensions of the Republic of Lithuania (I-675, Announced: *Valstybės Žinios*, 1994.12.14, No. 96, Publication No. 1873), as amended (date of coming into effect 1 January 1995).

351. The following persons permanently residing in the Republic of Lithuania qualify for assistance (social) pensions:

(a) Disabled children and persons who became disabled before the age of 18, or later if they have group I, II or III disabilities;

(b) Persons who became disabled during their full-time studies at secondary, college-type and higher schools that are registered pursuant to the prescribed procedures, as well as graduate students, however provided they are not over 24;

(c) Full-time graduates of secondary, college-type, vocational and higher schools that are registered according to the prescribed procedure, who have become disabled prior to the beginning of a school year (before 1 September of the current year, provided they are entering an educational establishment, prior to the date of the official beginning of the school year);

(d) Full-time graduates of secondary, college-type, vocational and higher schools that are registered according to the prescribed procedure, who have become disabled after the beginning of the school year (since September 1 of the current year or, provided they are entering an educational establishment but have not passed the entrance exams, beginning from the date when the schooling year in the establishment begins), who have registered themselves at the State Labour Exchange pursuant to the procedure prescribed, but not later than during the first year after the graduation from the full-time department of these schools;

(e) Parents (foster-parents) who are of the pension age provided by the Law on State Social Insurance Pension Age (hereinafter - old-age pension age) are the persons who have been recognized as Group I or II disabled, who at least for 15 years have been nursing their disabled children (adopted children) or group I or II disabled children (adopted children) from childhood or group I or II disabled persons who became disabled before the age of 18 years. Assistance (social) pension for the nursing of a disabled person may be granted only to one person;

(f) Guardians and trustees who have reached the old-age pension age or are recognized as group I or II disabled persons who for not less than 15 years have nursed at home disabled children, or disabled persons from childhood, or persons who became disabled before the age of 18, or totally disabled persons. Assistance (social) pension for the nursing of a disabled person may be granted only to one person;

(g) Parents (foster parents), trustees and guardians, whatever their age and work capacity, who nurse at home disabled children (adopted children) or group I disabled persons since childhood, or persons who acquired a group I disability before the age of 18. Assistance (social) pension for the nursing of a disabled person may be granted only to one person. If parents (foster parents), trustees or guardians nurse at home several disabled children (adopted children) and/or group I disabled persons from childhood, or persons who acquired a group I disability before the age of 18, the assistance (social) pension shall be granted to one of the parents (foster parents), trustees or guardians for the nursing of each disabled person;

(h) Mothers who have reached the old-age pension age or were recognized as group I or II disabled and who gave birth to and raised five or more children under 8.

352. After the death of a person who has been receiving an assistance (social) pension or was entitled to it pursuant to the previous paragraph, the right to receive the assistance (social) pension shall be granted to his/her children under 18, as well to older children, provided they became disabled before the age of 18. Children who study at full-time secondary, vocational, college-type and higher educational establishments which are registered according to the prescribed procedure shall have the right to receive the assistance (social) pension till they graduate from those establishments, but no longer than age 24. Children of the deceased shall also be entitled to the assistance (social) pension if they are adopted.

353. Persons who are entitled to several assistance (social) pensions shall be granted a pension of a bigger amount or to choose one of those pensions. If a person belongs to category (g) and any of the other categories listed above, he/she shall be entitled to receive the assistance (social) pension due to both categories.

354. The right to receive the assistance (social) pension shall be granted only to persons who are not entitled to a State social insurance pension or a State pension of the same amount or larger, except for the persons indicated in the section on paragraph 5 of the guidelines on this article.

355. The right to receive other pensions together with an assistance (social) pension shall be granted to:

(a) Persons referred to in paragraph 1 of part 1 of this article who shall be entitled to State social insurance pension and State orphan pension;

(b) Persons referred to in part 1 of this article who shall be entitled to State social insurance widower pension;

(c) Persons referred to in paragraph 7 (f) of part 1 of the article who shall be entitled to State social insurance pensions and State pensions.

356. The size of assistance pension depends on the size of the State social insurance basic pension.

357. Compensation to the persons who are nursing disabled and mothers of many children shall be granted to the persons who prior to the enforcement of the Law on Assistance (social) pensions for no less than 10 years have been nursing their children or adopted children with disability as well as group I or II disabled from childhood or persons who became group I or II disabled under 18, as well as mothers, who prior to the enforcement of this law gave birth to and raised five and more children under 8, shall be entitled on a monthly basis to 150 per cent of State social insurance basic pension compensation, when they are of the age less than 5 years of old-age pension age or become group I or II disabled persons. Compensation for one child nursing may be granted only to one person.

Table 14

Average number of recipients of assistance (social) pensions and average pension size as of 1 July 2001

Pension type	Average No. of recipients	Average pension (LTL)
Social pension granted before 1 January 1995	8 931	86.75
Assistance pension for disabled of group I	3 580	203.97
Assistance pension for disabled of group II	9 956	137.27
Assistance pension for disabled of group III	1 769	70.67
Assistance pension for disabled child under 16 years	13 975	137.18
Assistance pension for mother with many children	590	141.40
Assistance pension for nursing disabled child	13 888	135.74
Assistance pension for nursing a disabled of group I from childhood	3 892	140.89
Assistance pension for persons who nurse disabled and who have reached old-age pension age or have become disabled of group I or II	46	162.52
Assistance pension for children having lost breadwinner	38	88.51
Compensation for childcare	1 116	211.27
Compensation for nursing disabled children and disabled since childhood of group I and II	267	214.14
Total	58 135	

Source: Statistical data reported by the social care departments of the municipalities of the Republic of Lithuania.

Reform of the current pension system

358. As has already been mentioned above, the Lithuanian pension system was reformed for the first time in 1994-1995 following the principle of current financing. Social insurance contributions are immediately used for covering social insurance benefit costs instead of accumulating them by capitalization. The main principles of this reform, namely, separation of social insurance obligations from social assistance and political obligations, a compromise between the "equality of pensions" and differentiation, and the related explicit pension-indexing mechanism enabled social insurance to be rationalized and the resolution of urgent problems of that time. However, the experience of the six years that have passed since this reform shows that the present pension system is nevertheless unable to cope with the two primary tasks of any pension system: protection against poverty and compensation for income (pay) lost due to old age, disability, or death of relatives. Funding of the present pension system is constantly threatened by the ratio between social insurance contribution payers and pension recipients, which is worsening due to the ageing of the society, the spread of non-traditional employment (not based on employment contracts), as well as the so-called political risks and the country's unstable economic situation. This undermines trust in the system and makes funding it difficult.

359. Therefore, the Government of the Republic of Lithuania took decisive steps to reorganize the current pension system. On 26 April 2000 the Government approved the Concept of Reform of the Pension System (*Official Gazette*, 2000, No. 36-998). This concept paper emphasizes that the primary urgent task of the pension reform is financial balancing of the State social insurance pension system in order to ensure that it functions without a deficit.

360. The long-term objective of the pension reform is to change the pension system in such a way that the income of people of pensionable age would be increased as compared to the current level; however, redistribution would be reduced rather than increased. The long-term viability of the system must be ensured.

361. On 28 November 2001, the Government approved the draft law on the pension system reform, the main purpose of which is to introduce compulsory insurance through cumulative pension funds.

362. A three-stage pension system model is proposed for the implementation of the objectives and tasks of the pension reform:

(a) Stage I. Pensions financed from current social insurance contributions and/or taxes. This stage would consist of State social insurance old-age, disability and survivors' pensions and would require improvements in order to better suit the actual conditions. Stage I pensions would ensure minimum protection against poverty for each resident of Lithuania and would compensate for a part of the income lost owing to old age and disablement. The size of the pension would depend on the State's capacity for providing support and on the society's participation in the solidarity-based system.

(b) Stage II. Pensions financed from compulsory cumulative pension insurance. Stage II would afford residents the possibility of ensuring higher social guarantees in case of death, disability and widowhood. Compulsory cumulative insurance would be implemented by private pension funds. Their activities are regulated by the Law on Pension Funds of the

Republic of Lithuania (VII-1212, Announced: *Valstybės Žinios*, 1999.06.23, No. 55, Publication No. 1765). In this stage of pension reform, part of the social insurance contribution apportioned for pensions would be allotted to compulsory accumulation of pensions. Residents' interest in having insurance would be increased if contributions were paid into personal cumulative accounts. Investment of the accumulated funds would be beneficial both for the residents, who would receive higher pensions, and for the Lithuanian capital market. In the course of development of the system, the share of the cumulative part should increase. Decisions on further changing the share of current contributions would be adopted on the basis of the experience of stages I and II;

(c) Stage III. Voluntary accumulation of pensions. This stage is intended for those who want to receive, in their old age, more income than provided for in stages I and II. Such persons could accumulate additional funds for pensions in pension funds and/or take out relevant insurance with insurance companies. As has already been mentioned, the Law on Pension Funds took effect on 1 January 2000. This law provides a legal framework for the establishment of private cumulative pension funds and offers a possibility for voluntary insurance.

363. In order to implement the long-term pension reform strategy, the entire legal framework must be put in order, which involves reviewing all the pension laws and regulations currently in force and drafting new legal acts relating to the granting/payment of pensions and setting up of pension funds. Successful implementation of the objectives and tasks of the pension reform and the course of the reform itself also depend on the country's overall economic situation, which exerts considerable influence over the pension system. At present, a legal framework for the operation of the stage III is already in place.

364. The influence of the pension system on the mentality of society should be mentioned, because people are beginning to realize that they should not wait for the assistance of the State but must take care of their old age themselves (by paying State social pension insurance contributions and by accumulating additional funds in private pension funds). Young people are becoming increasingly aware that benefits paid to them in old age or in case of disability (or benefits to their family members in case of the insured person's death) depend on their contributions. Reorientation of society's thinking is taking place. Compared to the old pension system, this is a very important step forward because one of the most urgent issues of today is increasing public awareness of the present pension system and reducing the influence of negative stimuli on labour force. The features of the system currently in force should be explicitly formulated to make it understandable to both workers and pensioners.

Assistance to the disabled

365. In accordance with the procedures currently in force, there are two ways of applying social security measures in the area of assistance to the disabled, namely, (a) granting of pensions; and (b) granting of privileges (disability group) and belonging to an exclusive social group. The total number of privileges covering all categories of residents is as large as 200, while the rights of the people with disabilities to receive privileges are defined in about 70 legal acts which provide for up to 100 pension-related privileges. The majority of privileges (some 90 per cent) are cash privileges, while the remaining privileges cover preferences and other rights.

Table 15
Statistics on disability

Indicator	1999	2000
Number of persons with disability	194 978	205 890
Number of persons with disability covered by the State Social Insurance Fund (SSIF)	167 707	177 327
Group I	25 377	26 242
Group II	116 779	124 593
Group III	39 353	41 198
Number of recipients of assistance pensions	27 271	28 563
Group I	3 374	3 460
Group II	9 061	9 692
Group III	1 367	1 554
Disabled children	13 469	13 857

366. The number of persons receiving disability pensions from the State Pension Fund (SSIF) is constantly increasing; it has increased by 5.7 per cent compared with 2000. The average disability pension amounts to LTL 277.03.

Table 16
Main pensions, by disability groups

Group I	Group II	Group III
Basic pension amounting to State social insurance basic pension x 1.5.	Basic pension amounting to State social insurance basic pension.	Basic pension amounting to State social insurance basic pension x 0.5.
Full State social insurance disability pension is paid to working persons with disability irrespective of covered insured income.	Working persons whose pay is up to 1.5 MMP are paid full pension; if over 1.5 MMP, full basic pension + 50%.	Working persons whose pay is up to 1.5 MMP are paid full pension, over 1.5 MMP - full basic pension + 50% additional pension.
Fully disabled persons are additionally paid an allowance equal to the State social insurance basic pension.	Law on State Social Insurance Pensions (I-549, Announced: <i>Valstybės Žinios</i> , 1994.08.03, No. 59, Publication No. 1153).	Law on State Social Insurance Pensions (I-549, Announced: <i>Valstybės Žinios</i> , 1994.08.03, No. 59, Publication No. 1153).

Table 16 (continued)

<p>A person nursing a fully disabled person or the guardian of a fully disabled person who is recognized as legally incapable is insured by the State for a basic pension, except for the cases where such a person receives State social insurance, a State or a social pension.</p>	<p>Law on Assistance (Social) Pensions (I-675, Announced: <i>Valstybės Žinios</i>, 1994.12.14, No. 96, Publication No. 1873).</p>	<p>Law on Assistance (Social) Pensions (I-675, Announced: <i>Valstybės Žinios</i>, 1994.12.14, No. 96, Publication No. 1873).</p>
<p>Law on State Social Insurance Pensions (I-549, Announced: <i>Valstybės Žinios</i>, 1994.08.03, No. 59, Publication No. 1153).</p>	<p>Law on State Social Insurance Pensions (I-549, Announced: <i>Valstybės Žinios</i>, 1994.08.03, No. 59, Publication No. 1153).</p>	<p>Law on State Social Insurance Pensions (I-549, Announced: <i>Valstybės Žinios</i>, 1994.08.03, No. 59, Publication No. 1153).</p>
<p>Law on Assistance (Social) Pensions (I-675, Announced: <i>Valstybės Žinios</i>, 1994.12.14, No. 96, Publication No. 1873).</p>		

A. Main benefits for group I disabled

Type of benefit	Description of benefit and legal basis
Medicines	Compensation for the full basic price of outpatient medicines. Law on Health Insurance (I-1343, Announced: <i>Valstybės Žinios</i> , 1996.06.12, No. 55, Publication No. 1287; <i>Valstybės Žinios</i> , 1996.10.12, No. 99).
Treatment	Compensation for the full basic price of medical rehabilitation and spa treatment. Working persons with disability may receive temporary disability benefit for 30 days. Law on Health Insurance (I-1343, Announced: <i>Valstybės Žinios</i> , 1996.06.12, No. 55, Publication No. 1287; <i>Valstybės Žinios</i> , 1996.10.12, No. 99); Sickness and Maternity Social Insurance (IX-110, Announced: <i>Valstybės Žinios</i> , 2000.12.29, No. 111, Publication No. 3574).
Special equipment	Provision with special equipment and compensation for its full basic price. Resolution of the Compulsory Health Insurance Board 2001 03 30 No. 2/10 "Concerning the approval of the procedure for the provision of hearing apparatus" (Announced: <i>Valstybės Žinios</i> , 2001.04.06, No. 30, Publication No. 1001); MSSL order 1996 11 15 No. 144 "Concerning the approval of the procedure for the allocation of compensatory equipment".

Type of benefit	Description of benefit and legal basis
Orthopaedic apparatus and prostheses	<p>Compensation for full basic price of orthopaedic equipment. Compensation for the price of the least expensive prosthesis of the relevant group bought from the State Patient Fund. Government resolution 2000 04 14 No. 430 “Concerning the procedures for compensation for orthopaedic apparatus” (Announced: <i>Valstybės Žinios</i>, 2000.04.21, No. 33, Publication No. 931); MoH order 1998 03 20 No. 151 “Concerning the approval of the procedure for compensation for the costs of prostheses for limbs, joints and organs, centrally acquired medicines and medications”. Resolution of the Compulsory Health Insurance Board 1999 09 28 No. 3/4 “Concerning the approval of the procedure for compensation for the cost of joint end prostheses”. (Announced: <i>Valstybės Žinios</i>, 1999.10.15, No. 86, Publication No. 2579)</p>
Electric wheelchairs	<p>Compensation for 90 per cent of the wheelchair price. Government resolution 1996 09 16 No. 1069 “Concerning the compensation for wheelchair acquisition costs”. (Announced: <i>Valstybės Žinios</i>, 1996.09.20, No. 88, Publication No. 2084)</p>
Special vehicles	<p>Once every 6 years compensation up to 32 MLL (LTL 4,000) is paid for the acquisition of special cars and for their technical adaptation, provided that a person can drive the car himself/herself. Law on Transport Privileges (VII-1605, Announced: <i>Valstybės Žinios</i>, 2000.04.19, No. 32, Publication No. 890); MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with movement function disorders” (Announced: <i>Valstybės Žinios</i>, 2000.11.10, No. 96, Publication No. 3049); MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)” (Announced: <i>Valstybės Žinios</i>, 2000.05.03, No. 36, Publication No. 1011; <i>Valstybės Žinios</i>, 2000.05.17, No. 40).</p>
Compensation for transport costs	<p>A transport cost compensation amounting to 0.25 MLL is paid every month. Law on Transport Privileges (VII-1605, Announced: <i>Valstybės Žinios</i>, 2000.04.19, No. 32, Publication No. 890); MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with movement function disorders”; MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)”.</p>

Type of benefit	Description of benefit and legal basis
Transport privileges	Law on Transport Privileges (VII-1605, Announced: <i>Valstybės Žinios</i> , 2000.04.19, No. 32, Publication No. 890). Article 5: the right to buy a single ticket for long-distance scheduled regular buses and passenger trains, and single or monthly nominal tickets for local (city and shuttle) regular buses and trolleybuses, regular ships and ferries shall be granted to: disabled children, group I disabled persons and a person accompanying them (80 per cent discount); group II disabled persons shall be granted a 50 per cent discount; disabled persons with a motor function disability shall be entitled to receive on a monthly basis compensation for transport costs in the amount of 0.25 minimum subsistence level (MSL).
Work	Unemployment benefit is paid to an unemployed person nursing a person with a group I or II disability (family member or close relative) or the guardian of a person who is recognized as legally incapable. Law on Social Integration of Disabled Persons (I-2044, Announced: <i>Lietuvos Aidas</i> , 1991.12.13, No. 249; <i>Valstybės Žinios</i> , 1991.12.31, No. 36, Publication No. 969; <i>Valstybės Žinios</i> , 1998.11.11, No. 98, Publication No. 2706). Law on Support for the Unemployed (I-864, Announced: <i>Lietuvos Aidas</i> , 1990.12.29, No. 153; <i>Valstybės Žinios</i> , 1991.01.20, No. 2, Publication No. 25).
Founder of a personal enterprise and natural persons	Resolution of Government of the Republic of Lithuania No. 1094 of 13 September 2000, (came into force on 1 January 2001) (Announced: <i>Valstybės Žinios</i> , 2000.09.20, No. 79, Publication No. 2390), paragraph 5.1, allows the municipal authorities to reduce, at the expense of their budget, the compulsory licence fees, or to exempt from licence fee natural persons who are group I, II or III disabled persons and persons raising a disabled child.
Other	Persons over 85 years of age are treated like persons with group I disability. Persons falling within specific categories are entitled, in addition to SSIF pension, to pensions from the State budget and to specific additional privileges provided for the persons of that category. Resolution of Government of the Republic of Lithuania No. 259 of 1993 04 15 "Concerning further improvement of the benefit system" (Announced: <i>Valstybės Žinios</i> , 1993.05.10, No. 13, Publication No. 336).

B. Main benefits for disabled of group II

Type of benefit	Description of benefit and legal basis
Medicines	Compensation for 80 per cent of the basic price of outpatient medicines. Law on Health Insurance.
Treatment	Compensation for 80 per cent of the basic price of medical rehabilitation and sanatorium treatment for the insured receiving or entitled to receive a State social insurance pension. Working persons with disability may receive a temporary disability benefit for 30 days. Law on Health Insurance; Sickness and Maternity Social Insurance Law.

Type of benefit	Description of benefit and legal basis
Special equipment	Provision of special equipment and compensation for its full basic price. Resolution of the Compulsory Health Insurance Board 2001 03 30 No. 2/10 “Concerning the approval of the procedure for the provision with hearing apparatus”; MSSL order 1996 11 15 No. 144 “Concerning the approval of the procedure for the allocation of compensatory equipment”.
Orthopaedic apparatus and prostheses	Compensation for 80 per cent of the basic price of orthopaedic equipment. Compensation for the price of the least expensive endoprosthesis of the relevant group bought from the State Patient Fund. Government resolution 2000 04 14 No. 430 “Concerning the procedures for the compensation for orthopaedic apparatus”; MoH order 1998 03 20 No. 151 “Concerning the approval of the procedure for compensation for the costs of prostheses for limbs, joints and organs, and other centrally acquired medicines and medications”; Resolution of the Compulsory Health Insurance Board 1999 09 28 No. 3/4 “Concerning the approval of the procedure for compensation for the cost of joint prostheses”.
Special vehicles	Once every 6 years compensation of up to 32 MLL (LTL 4,000) is paid for the acquisition of special cars and for their technical adaptation, provided that the person can drive the car himself/herself. Law on Transport Privileges; MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with motor function disorders”; MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)”.
Compensation for transport costs	A transport cost compensation amounting to 0.25 MLL is paid every month. Law on Transport Privileges; MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with movement function disorders”; MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)”.
Transport privileges	Law on Transport Privileges. The right to buy a single ticket for long-distance scheduled regular buses or passenger trains, and a single or monthly nominal ticket for local (city and shuttle) regular buses and trolleybuses, regular ships and ferries shall be granted to: disabled children, group I disabled persons and a person accompanying them (80 per cent discount); group II disabled persons shall be granted a 50 per cent discount; disabled persons with a motor function disability shall be entitled to receive, on a monthly basis, compensation for transport costs in the amount of 0.25 minimum subsistence level (MSL), and once every 6 years to receive compensation for the purchase of a special automobile or its technical adjustment.

Type of benefit	Description of benefit and legal basis
Work	Unemployment benefit is paid to an unemployed person nursing a person with group I or II disability (family member or close relative) or the guardian of a person who is recognized as legally incapable. Law on Social Integration of Disabled Persons; Law on Support for the Unemployed.
Founder of a personal enterprise and natural persons	Resolution of Government of the Republic of Lithuania No. 1094 of 13 September 2000, (came into force on 1 January 2001) (Announced: <i>Valstybės Žinios</i> , 2000.09.20, No. 79, Publication No. 2390), paragraph 5.1, allows the municipal authorities to reduce, at the expense of their budget, the compulsory licence fees or to exempt from licence fees natural persons who are group I, II or III disabled persons and persons raising a disabled child.
Other	Persons over 80 years of age are treated like persons with group II disability, persons falling within specific categories are entitled, in addition to SSIF pension, to pensions from the State budget and to specific additional privileges. Government resolution 1993 04 05 No. 259 "Concerning further improvement of the system of benefits".

C. Main benefits for disabled of group III

Type of benefit	Description of benefit and legal basis
Medicines	Compensation for 80 per cent of the basic price of outpatient medicines. Law on Health Insurance.
Treatment	Compensation for 80 per cent of the basic price of medical rehabilitation and sanatorium treatment for the insured receiving or entitled to receive a State social insurance pension, working disabled persons may receive a temporary disability benefit for 30 days. Law on Health Insurance; Sickness and Maternity Social Insurance Law.
Special equipment	Provision of special equipment and compensation for its full basic price. Resolution of the Compulsory Health Insurance Board 2001 03 30 No. 2/10 "Concerning the approval of the procedure for the provision of hearing apparatus"; MSSL order 1996 11 15 No. 144 "Concerning the approval of the procedure for the allocation of compensatory equipment".
Orthopaedic apparatus and prostheses	Compensation for 80 per cent of the basic price of orthopaedic equipment. Compensation for the price of the least expensive prosthesis of the relevant group bought from the State Patient Fund. Government resolution 2000 04 14 No. 430 "Concerning the procedures for the compensation for orthopaedic apparatus"; MoH order 1998 03 20 No. 151 "Concerning the approval of the procedure for compensation for the costs of prostheses for limbs, joints and organs, and other centrally acquired medicines and medications"; Resolution of the Compulsory Health Insurance Board 1999 09 28 No. 3/4 "Concerning the approval of the procedure for compensation for the cost of joint prostheses".

Type of benefit	Description of benefit and legal basis
Special vehicles	Once every 6 years compensation of up to 32 MLL (LTL 4,000) is paid for the acquisition of special cars and for their technical adaptation, provided that the person can drive the car himself/herself. Law on Transport Privileges; MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensations for transport costs and costs of acquisition and special adaptation of special cars to persons with motor function disorders”; MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)”.
Compensation for transport costs	A transport cost compensation amounting to 0.25 MLL is paid every month. Law on Transport Privileges; MSSL order 2000 10 20 No. 92 “Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with movement function disorders”; MoH/MSSL order 2000 04 28 No. 226/49 “Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)”.
Compensation for transport costs	A compensation for transport costs amounting to 0.25 MLL is paid every month. Law on Transport Privileges.
Other	Persons falling within specific categories are entitled, in addition to SSIF pensions, to pensions from the State budget and to specific additional privileges. Government resolution 1993 04 05 No. 259 “Concerning further improvement of the system of benefits”.

D. Main benefits for disabled children

Type of benefit	Description of benefit and legal basis
Medicines	Compensation for the full basic price of outpatient medicines. Law on Health Insurance.
Treatment	Compensation for the full basic price of medical rehabilitation and sanatorium treatment if the child is referred for treatment on an individual basis; compensation for 90 per cent of the basic price of medical rehabilitation and sanatorium treatment if the child is referred for treatment on a general basis (together with other insured persons). Law on Health Insurance.
Special equipment	Provision of special equipment and compensation for its full basic price. Resolution of the Compulsory Health Insurance Board 2001 03 30 No. 2/10 "Concerning the approval of the procedure for the provision of hearing apparatus"; MSSL order 1996 11 15 No. 144 "Concerning the approval of the procedure for the allocation of compensatory equipment".
Orthopaedic apparatus and prostheses	Compensation for full basic price of orthopaedic equipment. Government resolution 2000 04 14 No. 430 "Concerning the procedures for the compensation for orthopaedic apparatus".
Compensation for transport costs	A transport cost compensation amounting to 0.25 MLL is paid every month. Law on Transport Privileges; MSSL order 2000 10 20 No. 92 "Concerning the approval of the procedure for the payment of compensation for transport costs and costs of acquisition and special adaptation of special cars to persons with movement function disorders"; MoH/MSSL order 2000 04 28 No. 226/49 "Concerning the approval of the procedure for the determination of long-term and permanent loss of capacity for work (disability)".
Transport privileges	Law on Transport Privileges. The right to buy a single ticket for long-distance scheduled regular buses and passenger trains and single or monthly nominal tickets for local (city and shuttle) regular buses and trolley-buses, regular ships and ferries shall be granted to: disabled children, group I disabled persons and a person accompanying them (80 per cent discount); group II disabled persons shall be granted 50 per cent discount; disabled persons with a motor function disability shall be entitled to receive, on a monthly basis, compensation for transport costs in the amount of 0.25 minimum subsistence level (MSL) and once every 6 years to receive compensation for the purchase of a special automobile or its technical adjustment.
Work	Unemployment benefit is paid to an unemployed person nursing a group I or II disabled person (family member or close relative) or the guardian of a person who is recognized as legally incapable. Law on Social Integration of Disabled Persons; Law on Support for the Unemployed; Law on Safety and Health at Work.
Parents raising a disabled child	Licence fee reduced by 50 per cent for enterprises founded by parents raising a disabled child, provided that no hired labour is employed, and for a natural person raising a disabled child. Government resolution 1995 10 30 No. 1398 "Concerning the procedure for the issue of licences".

Table 17
Expenditures on social security

	1993	1994	1995	1996	1997	1998	1999
Percentage of GNP ^a	8.1	9.7	9.5	9.9	10	11	11.9
Percentage of the national budget ^b	8.7	7.5	8.2	9.6	9.1	10.0	11.2

^a Expenditures on social security cover expenditures from the national budget (excluding expenditure for health, culture and science) and of the State Social Insurance Fund.

^b Expenditures for social security excluding expenditure for health, culture and science and excluding funding by the State Social Insurance Fund.

367. In the last decade, there has been a trend towards increasing the percentage share of expenditure for social security, both in the structure of GDP and the national budget. This increase is determined by a number of factors, among which one should mention the increase in SSIF expenditure related to the growing number of pension-age persons, the growth in unemployment, the extension of social guarantees for families (children), etc.

Supplements to social security (paragraph 5 of the guidelines)

368. For the second year the citizens of the Republic of Lithuania are enjoying the possibility to leave for a foreign country for legal employment. Employment intermediation services are provided by the National Job Centre and private enterprises. The latter must acquire a licence issued by the Ministry of Social Security and Labour under article 4 of the Law on Support for the Unemployed. The licence is issued for one year.

369. The issue of licences to engage in foreign employment intermediation was started in September 2000.

370. MSSL has so far issued licences to 28 enterprises (22 of them in 2001). Most such enterprises (19) hold licences for intermediation in respect of employment in Ireland. During the first half of 2001, over 300 persons were employed through such enterprises; more than half of these persons are former unemployed.

371. Residents of the Republic of Lithuania may take out voluntary insurance against occupational accidents by paying additional contributions, or under life insurance policies acquired at insurance companies.

372. Responsibility for the organization of social services is borne by the Ministry of Social Security and Labour (MSSL), the Ministry of Health, the Ministry of Education and Science, county governors, municipalities and other bodies.

373. Social services are provided by State and municipal institutions, non-governmental organizations, religious communities and legal and natural persons, with municipalities assuming

primary responsibility for this work. Municipal social support departments formulate strategies for the provision of social services, draft and implement social service provision plans and programmes, and provide these services to the population within their respective territories, in cooperation with NGOs, religious communities, etc. Full-time care institutions of various types are set up within municipalities and various forms of part-time social service provision (such as day centres, community centres, care at home) are used.

374. Integration of State/municipal and non-government social care institutions is one of the central features of the social service system. When planning social services, State institutions delegate part of their functions to NGOs. In the municipal programmes for social services, part of the funds are intended for the purchase of such services from the private sector (NGOs and private service providers). In this way, attempts are made to involve NGOs as equal partners in social service provision.

375. In order to develop the network of social services, to reduce the cost of social services and to increase their accessibility, the State prepares and finances various social programmes, while their implementation is entrusted to municipalities and NGOs. Programmes of public organizations of disabled persons are partially financed from State or municipal budgets.

376. Collaboration between NGOs and State institutions has become an important factor in creating conditions for the disabled to resolve their problems and to participate in the formation of social policy. Social integration programmes for the disabled are jointly implemented by municipalities and disabled persons' NGOs and financed by the National Council for the Affairs of Disabled Persons under the Government of the Republic of Lithuania (hereinafter referred to as the "Council"). It is a collective body which reports to the Government and coordinates the medical, professional and social rehabilitation and integration of persons with disabilities. The Council is comprised, on the principle of parity, of representatives of disabled NGOs functioning in Lithuania and State institutions. It operates in accordance with the provisions of the Law on Social Integration of Persons with Disability of the Republic of Lithuania, resolving the issues falling within its competence and performing other functions established by the laws and government resolutions. The Council consists of vice-ministers or departmental heads of six ministries (MSSL, MoH, Education and Science, Transport, Environment and Internal Affairs) and representatives of six NGOs of the disabled. The composition of the Council is approved by the Government on the proposal of the Minister of Social Security and Labour (Government resolution of 29 April 1997 No. 420 "Concerning partial amendments to the Approval of Regulations of the National Council for the Affairs of Disabled Persons under the Government of the Republic of Lithuania (Announced: *Valstybės Žinios*, 2001.01.31, No. 10, Publication No. 281)). In order to ensure participation of the disabled in public life, in 2000 the Council continued, jointly with NGOs, the programmes of medical and professional rehabilitation and social integration according to seven priority lines of activity: education of the disabled; induction of disabled workers; adaptation of the environment; creation of an independent life for the disabled; accessibility of information and communications; medical rehabilitation; and formation of social integration policy for the disabled. Twenty-eight NGOs of disabled persons from all over the country, 10 health-care institutions and 3 research institutions submitted applications for the financing of programmes based on these seven lines of activity. In 2000, LTL 20,203,000 were allotted to the Council from the State budget, which were used for disabled rehabilitation and integration programmes according to the approved cost estimates.

Groups excluded from social security (paragraph 6 of the guidelines)

377. The social security system of the Republic of Lithuania covers all individuals - workers, former workers and unemployed persons. Article 3 of the Law on Fundamentals of the State Social Security System provides that social security applies to all individuals, irrespective of their gender, if they:

- have become of pensionable age, or are younger and cannot work at their profession due to age;
- are disabled or have temporarily lost the ability to work;
- are families who have lost their breadwinners
- are persons in need of medical prophylactic or rehabilitative treatment;
- are families raising children;
- are persons who are temporarily unemployed;
- persons in need of State support.

378. Under the Lithuanian social insurance system, which consists of pension insurance, sickness and benefit insurance, insurance against unemployment and insurance against occupational accidents, persons who have completed certain insurance periods as established by the law and paid contributions of a fixed size are entitled to social insurance benefits, irrespective of their gender. The Law on State Social Insurance Pensions adopted in 1994 provides for a gradual increase in the pensionable age of both men and women and for the increase in and equalization of the social insurance period. The equal rights for men and women were taken into account when drafting these laws and their amendments.

Article 10 of the Covenant

379. On 8 January 1992, Lithuania joined the Convention on the Rights of the Child; it ratified the Convention on 3 July 1995. The initial report of the Republic of Lithuania on the implementation of the Convention was considered by the Committee on the Rights of the Child on 17 January 2001 (for the full text of the report visit <http://www.socmin.lr/ataskaitos>).

380. Article 38 of the Constitution of the Republic of Lithuania states that “the family shall be the basis of society and the State. Family, motherhood, fatherhood and childhood shall be under the care and protection of the State. Marriage shall be entered into upon the free consent of man and woman. The State shall register marriages, births and deaths. The State shall also recognize marriages registered in church. In the family, spouses shall have equal rights. The right and duty of parents is to bring up their children to be honest individuals and loyal citizens, as well as to support them until they come of age. The duty of children is to respect their parents, to care for them in old age, and to preserve their heritage.”

Assistance and protection to the family (paragraph 4 of the guidelines)

381. The implementation of these constitutional provisions is ensured by article 3.7 of the Family Law of the Civil Code of the Republic of Lithuania. It states that marriage is a man's and a woman's voluntary agreement to create legal marital relations in accordance with the procedure established by the law. A man and a woman enter into marriage of their free will (article 3.13 of the Civil Code). Any threat, violence, deception and other cases of unwillingness form the basis for the declaration of the marriage as null and void. Article 3.49 of the Marital Law provides for the termination of marriage, i.e. upon the death of a spouse, or in accordance with the procedure established by the law. A marriage may also be dissolved by mutual consent of both spouses, at the request of one of the spouses, or through the fault of a spouse (spouses). Until 1 July 2001, the Matrimonial Code laid down in 1969 was in force in Lithuania. Its official text as amended was re-enacted on 1 May 1990.

382. The Basic Provisions section of the Code contains a statement that one of the main purposes of the Code is to "base marital relations on a voluntary marital union of a man and a woman and feelings of love, friendship and respect, without any selfish consideration, of all the family members" (art. 1). Article 4 states that "when entering into marriage and in family relations, no restriction of rights, either direct or indirect, no giving of direct or indirect preferences based on origin, social and material position, race nationality, gender, education, language, relationship to religion, nature and type of occupation, place of residence or other circumstances is permitted".

383. On 1 July 2001, the new Civil Code came into effect. Its volume 3 provides for the general principles of legal regulation of marital relations and sets out the procedure for entering into marriage and the grounds for its dissolution, the property and personal non-property rights of the spouses, the determination of the parentage of the children, the mutual rights and duties of children and parents and other family members, and the basic provisions for the procedures for adoption, guardianship and care, as well as the registration of births, marriages and deaths. The Civil Code establishes that the legal regulation of marital relations is based on the principles of monogamy, voluntary entering into marriage, equality of the spouses, the protection and defence of children's rights and interests as a priority, the education of children in the family, and the comprehensive protection of motherhood (Part 1 of article 3.3).

384. The new Civil Code recognizes both marriage by certificate and marriage by religious licence (civil registration is not obligatory upon entering into marriage by religious licence).

385. Marriages of homosexual couples are neither acknowledged nor registered.

386. The Matrimonial Code of the Republic of Lithuania adopted on 16 July 1969 established that parents were primarily responsible for the education and maintenance of their children.

387. Social assistance in cash is provided to families raising children on the basis of citizenship and is linked to the mother's entitlement to receive assistance in cash for childcare;

388. Childcare and upbringing involve additional costs for parents, therefore a system of benefits for children is applied for child protection purposes. These fixed-size benefits are paid

to all families raising children, irrespective of their income (a description of the benefit system is provided in the information on article 9 of the Covenant).

389. In determining whether a family with children needs State support, the main criteria include the age and the number of children in the family.

390. In cases when the set State support for families raising children does not ensure subsistence level, the family may receive assistance in cash, having regard to the reasons for poverty in that family and on a means-tested basis (the means-tested system of assistance in cash is also described under article 9).

391. Therefore, families with children often apply for additional assistance. To qualify for such assistance a family must meet certain requirements. The most frequent cases where a family is not covered by the support system are families of long-term unemployed not engaged in public works, families where spouses work part time, families of farmers owning more than 3.5 ha of land, etc.

392. Problems sometimes arise in respect of provision of assistance in cash for mothers where a family is mixed (i.e. where spouses residing in Lithuania are of different nationalities) and the mother is a foreign national residing in Lithuania, because this type of assistance is linked to the compensation for earnings during the childcare period. In such cases the father of the children having Lithuanian citizenship is not entitled to assistance in cash.

393. A number of measures to develop the current system of social assistance in cash are outlined in the Programme of the Government of the Republic of Lithuania for 2000-2004:

- increasing its effectiveness by ensuring that assistance is directed to those most in need;
- linking social assistance to the person's income and property by introducing a system of universal declaration of income and property;
- shifting from the provision of privileges and compensation by subsidizing service providers to direct payments in cash;
- creating a system of family support that would guarantee independence and stability of the family as a social institution, with the emphasis placed on young families.

394. In implementing the action plan for the implementation of this programme, approved by Resolution of the Government No. 149 of 9 February 2001, the drafting of a proposal for a new law on social assistance in cash and a concept for the restructuring of the system of State benefits for families is under way. In 2002, the Programme of Support for Families Raising Children and a concept for restructuring the system of benefits will be formulated.

395. The purposes of the Law on Social Assistance in Cash are:

- To create a cohesive means-tested system of social assistance in cash in order to provide support for families (individuals) that live in poverty for objective reasons, and to lower poverty levels;

- To guarantee minimum subsistence, i.e. minimum money for food and housing, for families (individuals) that have no source of subsistence for objective reasons;
- To encourage families (individuals) receiving social assistance in cash to look for employment.

396. The purpose of restructuring the system of State benefits for families is to encourage parents to work and maintain their children, with the State benefits system being supported by a fiscal policy favourable to families raising children, employment guarantees, social assistance in cash to low-income families, development of services directed towards support for families, etc.

397. The purpose of the Programme of Support for Families Raising Children is to offer comprehensive support to families covering all areas of family life, combined with the increasing of the families' responsibility for the upbringing of children. The programme would embrace the most urgent areas of family life: parents' employment, tax preferences, provision of dwellings, State support, children's safety and education, family health and family planning. The following principles will underlie the drafting of the programme: increasing parents' responsibility for children's education; encouraging active attitudes and independence of families; diversity of families and respect for their specific needs; reducing the number of socially weak and problematic families; ensuring children's rights in the family; ensuring comprehensiveness of support.

398. Statutory benefits and allowances form a part of the social assistance system. The current system of benefits is not perfect. There are many different benefits, but not all of them are effective; their administration and enforcement is expensive. A set of benefits granted to the same social group is often not coordinated. Therefore, funds allotted from the State budget are used ineffectively, with cases of abuse. The purposes of the Concept for Restructuring the System of Privileges include:

- reducing both number and diversity of benefits by increasing income and social benefits received by the relevant social groups;
- systematizing the provision of indispensable benefits;
- ensuring that support is directed towards service users, not service providers.

399. A PHARE consensus project, "Reform of Social Assistance and Adoption of Social Acquis", was launched in 2001. Foreign experts from the United Kingdom will analyse the current Lithuanian system of social assistance in cash, compare it with EU practices and experience, organize workshops, implement pilot programmes in municipalities, and prepare recommendations for the improvement of social assistance.

Maternity protection (paragraph 5 of the guidelines)

400. As has been mentioned above, the Constitution states that "Family, motherhood, fatherhood and childhood shall be under the care and protection of the State".

401. Protection of motherhood is guaranteed by a number of basic laws, including the Law on Social Insurance for Sickness and Motherhood, the Law on Health and Safety at Work, the Law on Employment Contracts, the Law on Holidays, the Law on State Benefits to Families Raising Children, etc.

402. In accordance with the Law on Holidays, mothers are granted maternity leave: 70 calendar days before childbirth and 56 calendar days after birth (in case of complications of delivery, or if two or more children are born, 70 days). During this leave period, a maternity benefit amounting to 100 per cent of the covered wage is paid as prescribed by the Law on Social Insurance for Sickness and Maternity.

403. The Law on Holidays further provides for the possibility for the mother or father or other relative to take, upon expiry of the maternity leave, a childcare leave until the child reaches 3 years of age. Until the child becomes 1 year old, such person is paid a monthly benefit equalling 60 per cent of the covered wage.

404. In accordance with the Law on State Benefits to Families Raising Children, a family that is not entitled to maternity benefit or maternity (paternity) benefit under the Law on Social Insurance for Sickness and Maternity is paid a benefit amounting to 0.75 MLL per month for each child for three years after the child's birth. A family that is entitled to such benefit is paid a benefit of the same size for each child aged 1-3 years. The job is retained for a mother who is on maternity leave and a parent on maternity (paternity) leave until the child becomes 3, except for the cases when the employer's enterprise is liquidated.

405. Under the Law on State Benefits to Families Raising Children, women who are full-time students at educational establishments who are not entitled to maternity benefits under the Law on Social Insurance for Sickness and Maternity receive a monthly benefit amounting to 0.75 MLL. The benefit is paid for 70 calendar days before childbirth after the woman takes maternity leave.

406. All pregnant women - working, not working for important reasons, or receiving social support - receive free examination and consulting services at outpatient health establishments and delivery-related medical care in hospitals. However, as the financial position of hospitals has deteriorated strongly, they cannot provide women giving birth with the requisite medicines and other items and therefore cannot guarantee that the delivery will be successful. Families usually buy such items themselves.

407. Under the Law on Social Insurance for Sickness and Maternity, persons must have completed the following social insurance period to become entitled to maternity and maternity (paternity) benefits: for maternity benefit - 3 months during the last 12 months or not less than 6 months during the last 24 months; for maternity (paternity) benefit - not less

than 7 months of social insurance for sickness and maternity during the last 24 months, to be completed by the first day of childcare; in addition, a childcare leave must have been granted to that parent.

408. According to the Report on the Execution of the State Social Insurance Fund Budget for 2000, expenditure on sickness and maternity (paternity) insurance amounted to LTL 458,253, or 10 per cent of total expenditure; 21,400 mothers received maternity benefits and 19,800 persons received childcare benefits.

409. For those women who give birth from the twenty-second to the twenty-eighth week of pregnancy, maternity benefit is paid for 28 calendar days after the delivery date. If the newborn lives 28 days or longer, the benefit is paid for 70 days after the delivery date.

410. Until the child is 1 year of age, the parent who is on childcare leave is paid maternity (paternity) benefit.

411. Under the Law on Social Insurance for Sickness and Maternity, the following benefits are paid:

- sickness benefit payable by the employer for the first two calendar days of illness may not be smaller than 80 per cent of the recipient's average pay. Sickness benefits paid from the State Social Insurance Fund make up 85 per cent of the recipient's covered pay. This benefit, however, may not be smaller than one quarter of the average monthly insured income valid in the month in which the incapacity for work started;
- maternity benefit paid during maternity leave amounts to 100 per cent of the recipient's covered pay but may not be smaller than one quarter of the average monthly insured income valid in the month in which the incapacity for work started;
- maternity (paternity) leave amounts to 60 per cent of the recipient's covered income, however, the benefit may not be smaller than one third of the average monthly insured income valid in the month in which the incapacity for work started.

412. The periods of payment of maternity and maternity (paternity) benefits were not changed by the new Law on Social Insurance for Sickness and Maternity that came into effect on 1 January 2001. The size of maternity benefit was changed: before this date this benefit amounted to 80 per cent of the recipient's covered pay; the new law increased it by 5 per cent.

413. If a person is not entitled to a maternity or maternity (paternity) benefit financed from the State Social Insurance Fund budget, the benefit is paid from the municipal budget. The latter benefit is smaller in size; therefore the issue of increasing it is being considered.

Protection of children (paragraph 6 of the guidelines)

414. These issues are regulated by: Law on Employment Contracts of the Republic of Lithuania; Law on Health and Safety at Work of the Republic of Lithuania; Resolution of the Government of the Republic of Lithuania concerning the approval of the List of Works and

Hazardous and Dangerous Factors Prohibited for Persons under 18 Years and the Procedures for Employment and Working Conditions for Persons Aged 13-14, 14-16 and 16-18 (No. 1055 of 11 September 1996).

415. In accordance with article 4 (1) and (2) of the Law on Employment Contracts, a person not younger than 16 years of age may act as a party to an employment contract. Persons aged 14 may be hired for jobs the list of which is approved in accordance with the procedure established by this Law, provided that their health condition allows doing such work. Minors aged 14-16 may be employed, provided that this would not be a hindrance to school attendance, subject to the written consent of the school and one of the parents or another person actually responsible for the raising of the minor.

416. Article 58 of the Law on Health and Safety at Work provides that employers must ensure working conditions corresponding to the young person's age. The work performed by the minor must be safe, not detrimental to health and physical/mental development, and not causing hindrance to study. Work by children under 16 is generally prohibited, except for light work corresponding to their physical abilities and complying with the employment conditions established by this law, i.e. by written agreement of one of the parents or another person responsible for the minor and the employer, provided that the child wishes to do such work and subject to the production of a medical certificate and a doctor's permission. Such agreement may be terminated at any time on the initiative of the child, one of the parents or the person responsible for the child's raising, or the doctor in charge of the child. The list of light work permitted for children (students) under 16 years of age, the procedure for concluding a written agreement and reporting it to the State Labour Inspectorate, the periods of rest and other special conditions under which light work may be performed by minors are approved by the Ministry of Social Security and Labour and the Ministry of Health.

417. The requirements concerning young persons' work laid down in the legal acts regulating occupational health and safety must be applied irrespective of the type of employment contract (fixed-term or indefinite).

418. The employer must maintain a list of workers under 18 years of age. Prior to hiring a young person the employer must assess the following: (a) whether the work is classified as work prohibited for young persons and whether the working environment contains any conditions that are hazardous or detrimental to health and under which the employment of a young person is not allowed; (b) whether the workplace and the working environment comply with the requirements laid down in the occupational health and safety legislation; (c) the use of hazardous chemical substances in the enterprise and their potential effects (type, degree and length); (d) the technical conditions concerning the work and the conditions of storage of hazardous chemical substances, in order that young persons are not exposed to them through carelessness; (e) the organization of work and production processes and the allocation of facilities so that young persons are prevented from having access to workplaces where hazardous chemical substances are used; (f) the young person's ability to understand and follow the set health and safety at work requirements and his/her physical ability to perform the tasks assigned.

419. At the time of hiring, and afterwards at intervals of not longer than one year, the employer must inform young persons in his/her employ about any potential hazards and measures to be avoided as well as about measures taken at the enterprise to ensure health and safety at work. The employer must also inform the young person's parents or guardians about any potential hazards and measures to avoid them.

420. Young persons may not be assigned: (a) work which is too difficult, physically or psychologically; (b) work involving the use of toxic, carcinogenic, mutagenic or similar substances that affect health; (c) work involving a potential exposure to ionizing radiation, or other factors that are dangerous and/or detrimental to health; (d) work involving increased probability of occupational accidents or occupational diseases; (e) work that the young person may be incapable of performing in a safe manner because of lack of care or experience; (f) work the length of which is greater than established by the law (article 59 of the Law on Health and Safety at Work).

421. The procedures for employing young persons, conducting their health checks and establishing their abilities to do specific work, the working time, the list of prohibited work and the list of hazardous/detrimental factors are approved by the Ministry of Social Security and Labour and the Ministry of Health. If work prohibited for young persons is necessary for vocational training purposes, the young worker must perform the work under the supervision of the enterprise's health and safety at work specialist or any other worker appointed by the employer or by a representative of the training institution certified in the area of health and safety at work. The procedures for young persons' training including vocational training in performing such prohibited work are approved by the Ministry of Social Security and Health. Young persons may not have more than one job. The period of uninterrupted rest for children must be not shorter than 14 consecutive hours during a period of 24 hours and for teenagers, no shorter than 12 hours. Young persons whose working day lasts more than 4 hours must be granted at least a 30-minute rest period during work. Such rest period is included in the working time.

422. Young persons must be granted not less than two days off during a week; one of them must be Sunday.

423. Article 61 states that assigning night work, work during days off and holidays, or overtime work to young persons is prohibited. Children under 16 may not be hired for work from 8 p.m. till 6 a.m. Teenagers may not be hired for work from 10 p.m. till 6 a.m., or from 11 p.m. till 7 a.m.

424. The Government of the Republic of Lithuania by its resolution No. 1055 of 11 September 1996 approved the list of jobs and hazardous and dangerous conditions prohibited for persons under 18 years and the procedures for employment and the working conditions for persons aged 13-14, 14-16 and 16-18. It established that persons under 18 may not be assigned work included in the list. This resolution will be updated in accordance with the

new version of the Law on Health and Safety at Work, which is to be adopted in accordance with the plan for the drafting of legal acts approved by Resolution of the Government No. 452 of 20 April 2001.

425. In accordance with governmental resolution No. 1055, the following working conditions must be ensured for persons aged 13-14: they may only do work not prohibited by this resolution; the working time may not exceed 20 hours a week and 4 hours a day where the young person is temporarily employed during vacation, or 10 hours a week and 2 hours a day if he/she is employed during the school year during free time. Students under 18 employed by industrial enterprises under a vocational training programme are subjected to the same requirements as those laid down for working persons of the same age, unless otherwise established by legal acts.

426. Persons no younger than 16 may be hired by employers. Having finished basic school, persons aged 16-18 may be employed by enterprises, institutions and organizations irrespective of their form of ownership. Such a person, just like any other individual, may exercise this right to employment independently or through territorial labour exchanges in accordance with the quotas for the employment of such persons approved by municipalities.

427. A person under 16 who has not finished basic school must study at a general secondary school or a school of other type and may be employed temporarily during vacations or at any other time free from studies, provided that this will not hinder school attendance and enough time is left for doing homework. For the conclusion of an employment contract with such person the written consent of one of the parents or another person who actually raises the child and of the school director is required. A birth certificate must be produced together with other documents. When a teenager aged 13-14 is being employed, the teenager's consent and the presence of one of the parents or another person who actually raises the child are required. Prior to starting work the person must undergo a health check, with subsequent compulsory annual checks until the person becomes 18. A person must be healthy with no contraindications for specific work, which is to be confirmed by a medical certificate issued by a health-care establishment stating the specific work allowed. Health checks are free of charge.

428. All work is prohibited for children under 13; work for children aged 13-16 is prohibited except for light work corresponding to their physical abilities (article 58 of the Law on Health and Safety at Work).

429. The employment of children is regulated by the resolution of the Government of the Republic of Lithuania concerning the Approval of the List of Work and Hazardous and Dangerous Factors Prohibited for Persons under 18 Years and the Procedures for Employment and Working Conditions for Persons Aged 13-14, 14-16 and 16-18 (No. 1055 of 11 September 1996).

430. According to the records of the State Labour Inspectorate, 273 workers under 18 working under employment contracts were found upon inspecting 11,917 enterprises. Statistical data on the number and age of children employed in Lithuania are not available.

431. Statistical data on the number and age of children employed in Lithuania are not available.
432. The State guarantees full legal and social protection for children deprived of parental care or who have become orphans.
433. Lack of care for and violence against children in the family are the main reasons for the establishment of State care for a child and for granting State assistance for his/her maintenance.
434. In recent years, while formulating the social security policy in respect of children deprived of parental care, attention was focused on encouraging care in families as an alternative to institutional care in State or municipal children's care homes.
435. The majority of children deprived of parental care 54 per cent were raised by one of the parents: mother - 46 per cent, father - 8 per cent. The number of children remaining with one of the parents is increasing. Twenty per cent of children deprived of parental care were raised in full families.
436. Though the number of socially neglected families and the number of children living in them increased in 2000, in many of the largest cities and districts the increase was slight as compared with previous years.
437. In 2000, the number of families applying for a permit for childcare decreased by 23 per cent. One may conclude that the benefit size (4 MLL or LTL 500, if no support maintenance has been adjudged from the parents and/or the child receives no orphan's pension) has ceased to be the main reason for establishing childcare.
438. The gender composition of the children who have lost parental care is 1,300 boys and 1,297 girls, while the split by age is as follows: 0-7 years - 49 per cent, 8-14 years - 40 per cent, 15-17 years - 11 per cent.
439. According to the records of the Children's Rights Protection Service at the MSSL, State care was established for a smaller number of children in 2000 though the number of socially vulnerable families and of the children living in them has increased. In 2000, State care was established for 2,597 orphans and children neglected or abused by their parents. This number is smaller by 905 as compared with 1998 and by 664 as compared with 1999.
440. In our opinion, this was influenced by changes in the childcare benefit payment procedures and by cost-saving attitudes of municipalities. By 2000, the childcare benefit was financed from the State budget allocations for municipalities (special-purpose subsidies). Since the beginning of 2000, the benefit is paid from the municipal budget.

Table 18
Number of children deprived of parental care, by cause, 1994-2000

Reasons for losing care	Number of children						
	1994	1995	1996	1997	1998	1999	2000
Total	2 567	2 907	3 391	3 175	3 502	3 261	2 597
Orphans	358	330	397	317	293	273	237
Restriction of parental rights	300	403	392	362	354	397	388
Prolonged sickness of parents	58	113	98	142	168	236	185
Parents imprisoned	152	271	194	184	197	182	99
Parent's location not established	128	122	123	117	132	123	109
Antisocial families	1 301	1 183	1 020	843	1 046	951	755
Parents rejected by children	98	262	279	236	177	182	104
One parent is absent, the other does not care for the children	-	-	531	396	600	554	394
Poverty	-	-	-	462	361	201	125
Violence of parents	-	-	-	30	24	28	66
Parents left for foreign countries and do not maintain children	-	-	-	-	-	33	33
Disability	-	-	-	25	9	23	22
Other reasons	126	155	253	16	17	78	80
Changes in childcare because:							
Guardians died	-	-	-	-	-	35	26
Guardians were given up	-	-	-	-	-	47	105
Guardians rejected by children	46	68	104	45	45	75	124

Source: Children's Rights Protection Service at the Ministry of Social Security and Labour.

441. As it is seen from the table, problematic families where parents do not care for their children remains the main reason for losing parental care. Abuse of parental power, violence and neglect often lead to the restriction of parental rights.

442. In almost 72 per cent of cases where a child who has lost parental care or an orphan was placed in another family, close relatives were appointed guardians: grandparents 38 per cent of cases, elder brothers/sisters 11 per cent, aunts/uncles 23 per cent. This is seen from table 19 below.

Table 19
Guardianship distribution, 1999-2000

	No. of children deprived of parental care	Including: placed under family care	No. of children placed under guardianship of:				Children placed in foster family care	Children placed in childcare institutions
			Grandparents	Sister/brother	Uncle/aunt	Other		
1999	3 261	1 844	737	166	371	570	74	1 343
2000	2 597	1 287	486	138	296	367	45	1 209

Source: Children's Rights Protection Service at the Ministry of Social Security and Labour.

443. There are a number of factors determining the placement of a large portion of the children deprived of parental care in institutional care in establishments financed from the State budget rather than seeking alternative possibilities in a family or foster family. These factors include: changes in the source of payment of childcare benefit (before 1998 - from municipal

budget, in 1999 - from the State budget in the form of special-purpose subsidies to municipalities, since 1 January 2001 - again from municipal budgets); the existence of various childcare institutions of different types (country infant homes, special boarding schools, childcare homes, municipal childcare homes, parish childcare homes). It should be noted that, though under the Convention on the Rights of the Child adoption is preferred over care in cases of loss of parental care, in Lithuania temporary or permanent care remains the prevailing form of childcare owing to the fact that in two thirds of cases care is established without restricting parental authority and owing to the society's attitude towards adoption.

Table 20

Number of children placed under care or adopted, 1992-2000

	1992	1994	1995	1996	1997	1998	1999	2000
Children deprived of parental care or who became orphans, placed in care, total:	1 731	2 567	2 907	3 391	3 175	3 516	3 553	2 834
children under 7 years	701	1 048	1 049	1 254	1 136	1 219	1 130	897
to county infant homes	111	201	240	275	252	266	265	232
to county childcare homes	238	694	774	703	460	382	301	348
to general boarding schools	45	255	247	242	232	193	133	80
to special boarding schools	-	-	53	62	78	79	53	96
to vocational schools, colleges, higher schools with full State support	30	39	39	24	35	50	27	11
to special education/care homes	-	-	-	-	-	-	63	65
to childcare institutions for the disabled	-	5	5	20	30	14	21	11
to municipal childcare homes	100	128	120	306	309	328	244	170
to municipal childcare groups	-	-	8	216	380	432	296	232
under care of NGOs	9	43	16	22	70	102	84	38
to foster families	21	37	76	54	56	59	74	45
to temporary childcare homes	-	-	-	-	-	-	123	131
to parish childcare homes	-	-	-	19	3	61	25	80
under care of families or individuals	934	1 044	1 260	1 372	1 236	1 545	1 844	1 287
Adopted, total:	332	308	220	418	421	362	302	156
by foreign nationals	15	198	94	104	129	135	96	40

Source: Children's Rights Protection Service at the Ministry of Social Security and Labour.

444. A number of urgent problems have been identified within the childcare system (concerning its structure, financing sources, selection of guardians, etc.), therefore a substantial review of the system is going to be conducted in 2001, placing an emphasis on the regulation of financing and legal issues.

445. Teaching of the Convention on the Rights of the Child has been integrated in the curricula of secondary schools, with the Ministry of Education and Science being responsible for this issue. Various NGOs and children's/youth clubs have included children's rights subjects in their programmes.

446. The former Law on Safety at Work did not provide for proper regulation of children's working conditions and for young persons' division into age groups. These drawbacks were eliminated in the new Law on Health and Safety at Work.

447. Article 2 of the Law on Health and Safety at Work contains definitions of a "child" (young person under 16 who must attend school), teenager (young person aged 16-18 who is not obliged to attend school), young person (person younger than 18 years).

448. The notion of light work for a child is presented (work which is safe, does not present a hazard to the child's health/development, is not a hindrance to school attendance, as well as work provided for in training programmes). The Law also stipulates the work that is prohibited for young persons and obligates employers to assess whether a specific job is hazardous or dangerous to a young person and whether it is suitable for him/her in terms of physical ability. The Law prohibits a young person from working at more than one enterprise.

Changes since the last report (paragraph 7 of the guidelines)

449. The present report is initial.

Article 11 of the Covenant

Standard of living (paragraph 1 of the guidelines on article 11)

450. The household budget survey is the main source of information about the standard of living of individual residents and groups of the country. During the period 1996-2000, overall disposable income (in cash and in kind) increased by 27 per cent, disposable monetary income by 38 per cent, and real disposable cash income by 18.5 per cent.

451. The level of and changes in household income varied depending on the place of residence, the number of working persons and dependants in the household and the sources of income of the household members. In 1996-2000, differences between urban and rural areas became more marked: in 1996 the average disposable income per household member in urban areas exceed that per household member in rural areas by 31 per cent; in 2000 this figure reached 49 per cent. In comparison with 1996, real disposable income in 2000 in urban areas increased by 13 per cent, whereas in rural areas it decreased by 1 per cent.

452. During the household budget survey all the households were conditionally divided into five socio-economic groups according to the main source of income of the household head, i.e. the person receiving highest income (chart 8).

453. During the four years the disposable income of pensioners increased the most - by 38 per cent - owing to the increased old age pension which increased on average by 62.4 per cent, whereas the disposable income of farmers decreased by 4 per cent.

Chart 8

Socio-economic group by main source of income

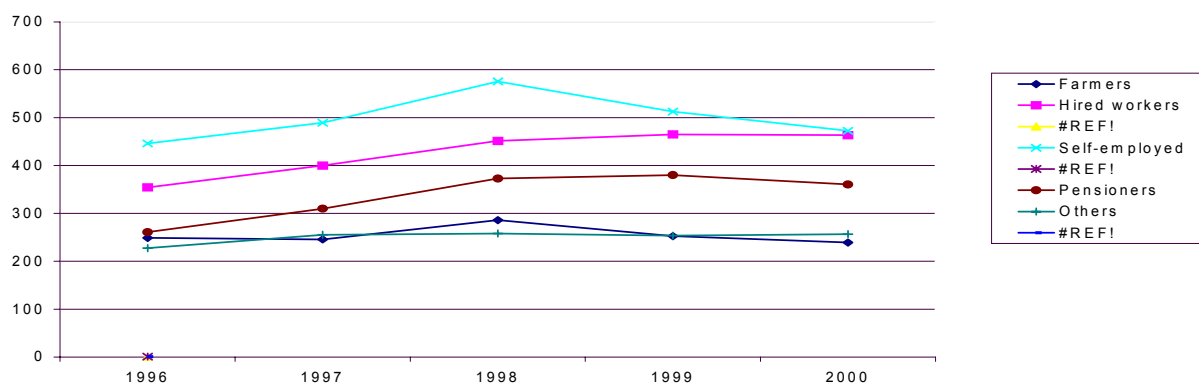
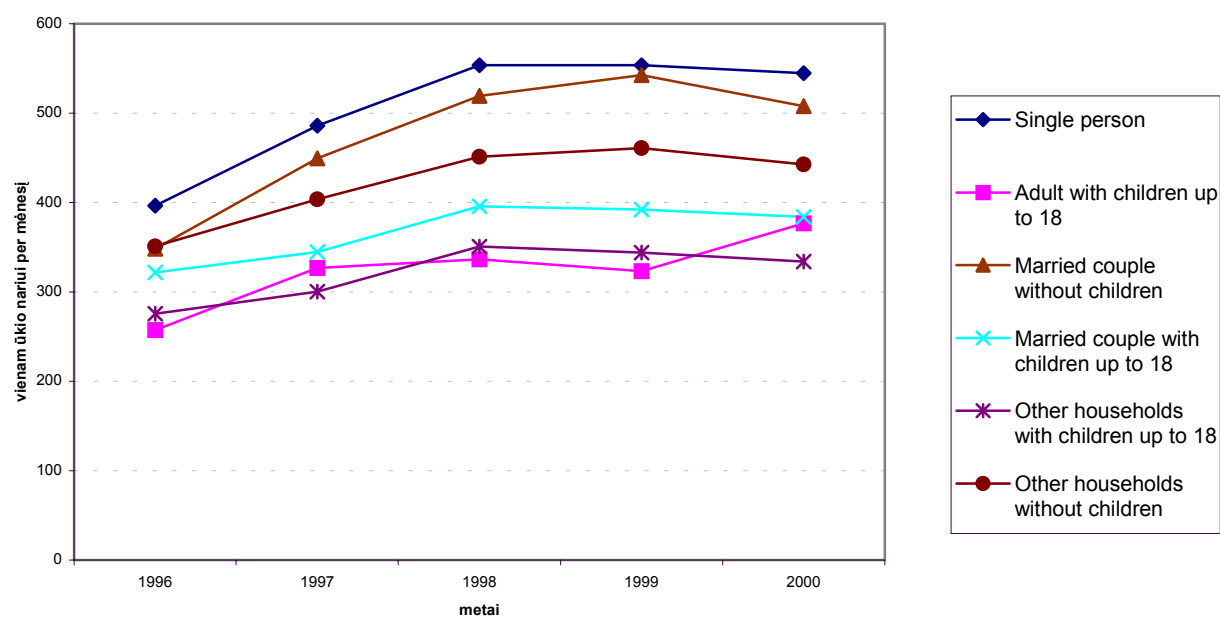


Chart 9

Average disposable income by type of household



454. In comparison with 1996, the disposable income of households that consist of one parent and under-age children (46 per cent) and single persons (37 per cent) increased the most, whereas the disposable income of married couples grew least (chart 9).

455. During the period 1996-2000, the difference between consumption expenditures of the richest and poorest household groups (deciles) decreased most, from 8.7 times in 1996 to 7.9 times in 2000. The difference in consumption expenditure was determined by the fact that the expenditure of the poorest groups of the society was increasing faster than that of the richest (table 21).

Table 21

**Average consumption expenditure in the extreme deciles
(per one household member per month, LTL)**

	1996	1997	1998	1999	2000
All households	348.1	382.6	426.8	425.4	404.4
Decile I	105.6	118.3	135.3	133.5	128.4
Decile X	920.7	1 004.6	1 080.3	1 077.7	1 008.7

456. Indicators such as GDP per capita are not calculated in respect of 40 per cent of the poorest residents.

457. No officially approved poverty line exists. Various poverty lines are calculated, including the relative poverty line equal to 50 per cent of the average consumption expenses of the relevant year per equivalent consumer.

The right to adequate food (paragraph 2 of the guidelines)

458. It is important to note that the nutrition of the Lithuanian population is changing. According to the results on the nutrition and lifestyle of adults obtained by surveys carried out by the National Nutrition Centre (NNC) in 1997 and Kaunas Medicine Academy (KMA) in 1994, 1996 and 1998, the nutrition of the Lithuanian people has taken a turn for the better. The consumption of fresh vegetables as well as of vegetable oils instead of saturated/animal fats for cooking has increased significantly. Moreover, the number of men consuming vegetable oils increased from 31.1 to 50.9 per cent, and in some age groups even to 73.5 per cent (KMA data), while the number of women increased from 47.7 to 63.2 and 86.5 per cent (NNC and KMA data, respectively). Furthermore, the number of people eating fresh vegetables at least three days a week doubled (KMA data). In 1998 the average consumption of vegetables (excluding potatoes) and melons per person was stated to be 78 kg per year and of fruit, 60 kg per year. However, comparing the results of nationwide surveys in Lithuania with the data obtained from other European countries, the average consumption of fruit and vegetables remains insufficient (as per recommendations of NNC the consumption of vegetables and fruit per person per year should be at least 100 and 60 kg respectively).

459. Unfortunately, the total fat intake is excessive in the Lithuanian diet. Beyond a doubt, high fat intake, and particularly fat of animal origin, is one of the most important risk factors leading to cardiovascular diseases. Fat intake was found to be 44 per cent of total food intake while it is recommended to be less than 30 per cent. Carbohydrate energy intake was 41 per cent of food intake, while it is recommended to be at least 55 per cent. Total protein intake was 13.5-14 per cent and did not exceed the recommended level (10-15 per cent, according to NNC data).

460. In addition, there was also insufficient consumption of dietary fibre, which is considered to be a very important factor in preventing cancer, particularly digestive system cancer. Based on the results of surveys, the daily intake of dietary fibre for men was 15.1 g and for women 17.6 g, while the norm should be about 20-30 g per day.

461. It should be noted that there is a calcium deficiency in the Lithuanian diet. The average daily intake of this mineral has been found to be 859 mg for men and 784 mg for women, whereas 1,000 mg for adults, and even 1,200 mg for the elderly, are recommended. There is also a very important selenium deficiency caused by the lack of this mineral in the soil (NNC data).

462. The data (not final) on meat consumption in Lithuania in 2000 show that per capita consumption is 38 kg of meat and meat products (excluding category II subproducts) on average. This accounts for 84 per cent of the meat consumed in 1994. Milk and dairy product consumption amounted to 190 kg per capita (65 per cent of the 1994 amount), bread and cereal products - 138 and 102 per cent, potatoes - 126 and 127 per cent, vegetables - 76 and 117 per cent, fruit and berries 53 and 118 per cent, sugar - 20.5 and 90 per cent, oil and margarine - 13 and 125 per cent, fish and fish products - 12.5 and 124 per cent, and eggs - 160 units per capita and 96 per cent respectively. It should be noted that consumption levels of the basic products generally is lower than the average consumption levels in the EU member States.

463. In 1999, food expenses accounted for 66 per cent of household consumption expenses in decile I, 30 per cent in decile X and 46 per cent on average (foodstuffs and non-alcoholic drinks).

464. According to the results of a survey on the lifestyle and nutritional practices of Lithuania's adult population (NCC, 1997-1998), (2,000 persons aged 20-64), people's nutrition is sufficient yet not rational. Respondents of various ages consume quite large quantities of fat and oil.

465. The National Health Programme approved by the Seimas in 1998 provides for the "reduction, by the year 2010, of the share of energy received from fat to 30 per cent and the share of energy received from saturated fatty acids to 14 per cent. The safety of food must be ensured".

466. It has been established that the caloric content of food consumed by various groups of the Lithuanian population (on average 2,611 kcal for men and 1,954 kcal for women) and the quantities of most vitamins and minerals are in conformity with the recommended standards.

467. According to the results obtained during the above-mentioned survey, there are almost no regional (county) variations in terms of actual nutrition. There are no substantial differences in the nutrition of urban and rural-dwellers, either: consumption of fat is slightly higher in rural areas (46 per cent and 45 per cent). All age groups of respondents showed high consumption of meat and meat products, traditional for Lithuania: 158 g per day on average. Comparison of age groups shows that older persons (50-64 years) consume relatively less meat (~147 g); in the age group 19-34 years, this figure is 170 g. Studies show that the daily consumption of fish by people of various ages is ~18 g, i.e. the same as in most European countries.

468. A shortage of carbohydrates is observed in the daily diet of both men and women. In 1995/96 NNC conducted a survey of women recently confined. The results showed that 6 per cent of all women (irrespective of place of residence, age, education, social status and number of children) did not breastfeed their newborns, 75 per cent of infants were breastfed for one month, 49 per cent for two months, 27 per cent for four months and 10 per cent for six months. These figures are very small. The reasons for short breastfeeding periods are various: mothers are often not aware of the importance of breastfeeding for the infant's health; owing to difficult financial situations mothers must work full time; women do not want to lose their jobs.

469. In 1994-1996 NNC conducted a nutritional survey of Lithuanian children of school age. Around 2,000 schoolchildren were surveyed. It has been established that the energy value of the daily food intake of schoolchildren aged 11-17 is sufficient in both urban and rural areas, however, this compliance with norms is achieved on account of low-value carbohydrates (sugar). It must be noted that the schoolchildren's diet is not balanced: it lacks such essential food components as proteins and vitamins. The poorest daily diets were found among children aged 8-10. In addition, the results of the iodine survey among children aged 8-10 (a survey of 2,087 schoolchildren coordinated by NNC was conducted in 1994) showed that the problem of iodine deficiency is quite acute in Lithuania: the average iodine content of schoolchildren's diet is twice as low as the recommended value.

470. In order to assess the nutritional status of elderly people, surveys were conducted in old people's homes. It has been established that the energy value of the daily food intake exceeds the recommended norm by 52 per cent; old people consume a lot of fat, however, the quantities of vegetables and milk products (yoghurt in particular) are two times smaller than required.

471. According to the information available to NNC, no such changes were recorded.

472. Following the WHO initiative to prepare a Food and Nutrition Action Plan for Europe for the period until 2005, NNC experts formulated and agreed with the Ministry of Education and Science, the Ministry of Agriculture and the Ministry of Justice of the Republic of Lithuania and the State Food and Veterinary Service a Strategy for Actions in the Area of Food Safety, Food Quality and Public Nutrition to be approved by the Government in the near future. The strategy provides for measures aimed at ensuring food safety, implementing the principles of healthy nutrition, ensuring sufficient provision of quality foodstuffs to Lithuanians, improving the training of specialists and creating a research-based public information system providing data on nutritional status, food safety and quality, nutrition-related diseases, etc. The projected measures cover the period until 2010.

473. Furthermore, the Ministry of Agriculture approved the Food Safety Strategy envisaging the provision of safe food to Lithuanians (order No. 124 of 24 04 2001).
474. In addition, measures aimed at improving food quality and nutrition in Lithuania have been provided for in the Lithuanian Health Programme (1998), the Law on Product Safety of the Republic of Lithuania (2001), the Law on Potable Water (2001), the Law on Genetically Modified Organisms (2001), the Food Law of the Republic of Lithuania (2000) and other legal acts.
475. NNC, jointly with other institutions (State Food and Veterinary Service, the Food Institute), makes recommendations on urgent issues.
476. NNC specialists regularly participate in TV and radio broadcasts disseminating the principles of healthy nutrition. NNC has prepared the Physiological Norms of Nutrition (approved by the Ministry of Health) and the Nutrition Physiological Norms for Servicemen (approved by Government Resolution No. 1189 of 24 October 1997). Healthy nutrition is constantly publicized through popular publications; NNC has prepared a Pyramid of Healthy Nutrition, Recommendations for Infants' and Children's Nutrition, Recommendations for Healthy Nutrition to the General Public, Recommendations for the Consumption of Iodine, etc.) NCC also provides advanced training services for hygiene doctors and their assistants.
477. The strategic solutions to the problems related to agricultural and food products quality management are provided in the Agricultural and Rural Development Strategy (Resolution of the Seimas of the Republic of Lithuania No. VII-1728), in the Agricultural and Rural Development Plan for 2000-2006 (Resolution of the European Commission of 2000 11 27 No. 3329), and in the position of the Republic of Lithuania on chapter 7 (Agriculture).
478. The legal acts regulating agricultural and food product quality and safety already are in compliance with the main provisions of the EU common agricultural policy. The supervision of the Lithuanian market is regulated by the Law on Product Safety (VIII-1206, Announced: *Valstybės Žinios*, 1999.06.16, No. 52, Publication No. 1673; *Valstybės Žinios*, 2001.07.25, No. 64, Publication No. 2324), the Law on Foodstuffs, (VIII-1608 4 April 2000. Announced: *Valstybės Žinios*, 2000.04.19, No. 32, Publication No. 893), and legal acts regulating the quality requirements in respect of separate groups of products. The legal act of Lithuania HN 15:1998 "Food hygiene. General requirements" was prepared. The implementation of these hygiene regulations began on 1 July 1999. Other hygiene regulations are also approved by the orders of the Minister of Health Care and are observed: HN 16:1998 "Materials and articles which are in contact with food products"; HN 24:1998 "Potable Water. Quality requirements and programme supervision"; HN 26:1998 "Edible Raw Materials and Foodstuffs. The highest permissible level of microbial contamination"; HN 29:1998 "Potable Mineral Water. Quality Requirements and Software Monitoring"; HN 29:1998 "Food Trade Enterprises"; HN 53:1998 "Food Supplements Permissible for Consumption"; HN 54:1998 "Edible Raw Material and Foodstuffs. Highest permissible concentrations of chemical contaminants and highest level of contamination by radioactive isotopes".

479. In 1997/98, the following programmes on quality improvement were drafted: milk and dairy products; meat and meat products; processed cereals products; seed-oil and soap.

480. The programmes provide lists of measures for the improvement of the quality of edible raw materials and products, including major measures for food safety and quality management. In order to ensure the safety of food products based on the principle of self-regulation, methodological materials have been prepared for the following agricultural and food industries:

- Fruits and vegetables, beginning with the agricultural equipment and ending with the preparation of products and the organization of trade;
- Products which are produced in food- and vegetable-handling enterprises;
- Products produced at cereal processing enterprises;
- Bread and flour confectionery products;
- Meat products;
- Dairy products;
- Poultry processing enterprises;
- Oil and fat industry enterprises.

481. The methodological materials were prepared for the application of quality management systems according to the ISO 9000 series standards for the production of agricultural products, initial processing and food industry enterprises, as well as the manual on documentary formalities concerning the ISO 9000 quality systems. The methodological materials include:

- Methods of preoperational procedures for the major ISO 9001 standard chapters;
- Methodological materials for the application of quality management systems in oil and oil products production enterprises;
- Examples of major documents for the preparation and implementation of quality management systems in specific enterprises;
- Recommendations for the implementation of quality management systems in large and small enterprises;
- Fruits and vegetables quality management system methodology, which includes agricultural equipment, the preparation of products and the organization of trade.

482. The following publications on quality management and food safety were issued:
- General principles of meat products production and hygiene;
 - Manual on good practice of everyday dairy products production;
 - Manual on good practice of fermented cheese production;
 - Good practice manual for food microbiological laboratories;
 - Preparation of documentation on ISO 9000 quality systems. Recommendations on the content of documents;
 - Hazard Analysis and Critical Control Points (HACCP) system implementation in food handling establishments;
 - HACCP system in poultry enterprises;
 - HACCP system in fish handling enterprises;
 - HACCP system in milk processing enterprises;
 - HACCP system in meat handling enterprises;
 - Good practice manual on fermented cheese production.
483. The application of the compulsory HACCP system is stipulated by the international quality management standards ISO 9000. At the end of 2000 the new ISO 9000 standard reading was introduced.
484. Currently, the following accredited laboratories function in Lithuania: in April 2000, the National Food Quality Laboratory received accreditation at the EU level (accreditation bureau in Germany), laboratories at the Nutrition Centre of Lithuania and “Labtarnos”, the Laboratory at the State enterprise “Milk Research Centre”. The testing laboratory of the Lithuanian Food Institute is planned to be accredited in September 2001.
485. In order to ensure proper distribution of food stocks in respect of production and trade, the Government of the Republic of Lithuania takes into consideration current market trends. Lately, Lithuania has been producing a surplus of many foodstuffs such as milk and grain products. Other foodstuffs, such as tropical fruits, coffee, cocoa, spices, etc. that cannot be produced in our country are usually imported. Therefore, the Government of the Republic of Lithuania applies measures to promote their importation and does not levy import duties. Previously, import duties were imposed on certain foodstuffs which were produced in the country. However, following the accession of Lithuania to the World Trade Organization (WTO) and the conclusion of free-trade agreements with neighbouring countries, the market of

the State has become more open. Trade is becoming globalized and less regulated, thus the necessity of developing comparatively advantageous branches of industry. Currently, the Lithuanian agricultural sector has the capacity to provide all major foodstuffs to the population of the country and has the potential to export a certain quantity of them.

The right to adequate housing (paragraph 3 of the guidelines)

486. One of the functions of the Ministry of Social Security and Labour is assistance to socially vulnerable groups in cases where persons cannot, for objective reasons, maintain their families from their earnings or other income.

487. In order to provide social assistance to persons without a place to live or persons who temporarily cannot use their dwellings, and to help such persons resolve their problems, institutions for temporary living are established in Lithuania (the so-called "one night homes", crisis centres, homes for temporary accommodation of minor mothers with children, refugee accommodation centres, etc). The homes for spending a night are established in order to provide shelter for persons released from imprisonment, social and psychological rehabilitation centres, distribution centres for tramps, beggars and other persons without a permanent place of residence, as well as persons who are forced to leave their homes because of violence, etc. These homes are established, reorganized or closed down by municipalities. The running of such homes is financed by local budgets, funds collected from persons residing in them as well as charity. A person may stay in a home for up to six months. During this period the person is afforded the possibility to resolve his/her personal problems - to obtain personal ID documents, to find a job and a dwelling, i.e. to integrate into society.

488. At the beginning of 2001, there were 21 homes for temporary living, with 725 places. During the year, 3,432 people were accommodated, including 3,050 men and 382 women. In addition, there were 144 places for a one-night stay; 2,071 persons were accommodated there during the year.

489. In order to reintegrate the Lithuanians returning from exile and former political prisoners, by 2000, 1,124 families had been provided with dwellings under the Programme for the Returning Political Prisoners and Deportees and Their Family Members and for the Providing Them with Apartments and Jobs (the programme has been implemented since 1992), and the Guidelines for the Government's Activities. A house (60 apartments) was built for the returning deportees for temporary living and a care home for deportees (80 places) was provided. In 2000, municipalities had on their records 836 deportees wishing to return to Lithuania.

490. MSSL is responsible for the organization of the social integration of refugees and the coordination of actions by participating institutions. Those refugees who lack funds for their integration are furnished with financial assistance and a dwelling area. The Refugee Centre may accommodate ~ 350 foreigners at a time.

491. The Ministry of the Environment is responsible for the formulation of the State policy for the provision of dwellings and for the coordination of its implementation.

492. No data on the number of homeless persons in Lithuania are available.

Table 22
Amenities of housing facilities (per cent)

	Water supply	Sewerage	District heating	Hot water	Bathtub (shower)	Gas	Electric stove
Total	75.0	73.2	71.4	58.3	68.0	80.5	8.2
Urban	91.4	91.1	88.1	75.4	86.8	80.7	12.1
Rural	45.3	40.7	40.9	27.3	33.8	80.2	1.1
Private ownership	74.8	73.0	71.3	58.0	68.0	81.5	7.8
Urban	91.4	91.3	88.4	75.4	87.2	81.6	11.7
Rural	44.9	40.2	40.4	26.8	33.5	81.3	0.8
Public/municipal ownership	81.4	79.5	74.0	68.2	67.8	51.6	20.7
Urban	88.9	86.9	80.1	76.4	75.2	55.9	22.8
Rural	62.3	60.7	58.5	47.1	49.0	40.7	15.3

Source: State Provision of Dwellings to Families Assistance. Department of Statistics 2001.

493. In 2000, the living area of the so-called emergency housing facilities owned by the State/municipalities was 105,700m² or 4.1 per cent of the total useable area of the housing facilities under State/municipal ownership: 6,025 persons were using these housing facilities.

Table 23
Distribution of households by rural/urban living area and by amenities

Amenity	Total	Urban	Rural
Electricity	99.6	99.8	99.1
District heating	76.3	89.8	47.1
Central water supply	74.3	90.9	38.7
Central hot water supply	54.7	77.2	6.5
Sewerage	78.8	92.0	50.3
Separate bathroom, shower	65.9	79.8	36.1
Separate kitchen	82.8	91.7	95.1
Gas stove	88.1	86.8	90.8
Electric stove	9.1	12.3	2.1
Telephone	75.7	86.6	52.2
Cable TV	24.2	34.8	1.4

Source: Household Income and Expenses 2000. Department of Statistics.

494. No data on persons currently regarded as living in "illegal" settlements or dwellings are available.

495. No data on persons who have been evicted during the last five years and on persons who are not legally protected against unlawful eviction are available.

496. No data on persons whose expenses for maintaining a dwelling exceed the acceptable level established by the State (based on ability to pay or the income coefficient) are available.

497. The Law on the Provision of Dwellings to Residents (I-2455, Announced: *Lietuvos Aidas*, 1992.04.24, No. 79; *Valstybės Žinios*, 1992.05.20, No. 14, Publication No. 378) establishes that if any citizen (family) has no dwelling of his/her own, or if the usable area of the premises owned by the right of ownership or leased from the municipality is such that one family member has less than 10 square metres of space, or if two or more families live in an apartment (house) intended for one family, or three or more persons live in a single-room apartment, or if a person lives in an apartment allotted by the enterprise/organization that employs him/her, or in a hostel, such citizen (family) has the right to state assistance with the provision of proper dwelling premises. This assistance is granted in two ways: subsidized credits for the building or purchasing of a house or apartment; or the lease of dwelling premises owned by the municipality at the rental charge regulated by the municipality.

498. At the beginning of 2001, applications for state assistance by 104,900 families and single persons were registered by municipalities; 87,800 of them wished to receive subsidized credits, while 17,100 wished to lease premises from municipalities.

499. In accordance with the Law on the Provision of Dwellings to Residents, three waiting lists are drawn up by a municipality. The first list is for persons entitled to State assistance and wishing to secure a dwelling. The second list is for families (single persons) entitled to social assistance; it includes orphans and children left without parental care; families with group I or II disabled persons or a disabled child under 16; families where both spouses are of pensionable age and no adult person capable of work resides with them; families raising four or more minor children living in the family, etc. The third waiting list is intended for young families (both spouses not older than 35 years) and for single mothers or single parents raising one or more minor children, provided that he/she is not older than 35 years and is entitled to State assistance. At the beginning of this year, 73 per cent of all those wishing to receive State assistance (families and single persons) were on the first waiting list, 11 per cent were on the second waiting list and 16 per cent were on the third waiting list; 90 per cent of families on the first list and 87 per cent of families on the third list would like to receive subsidized credits; 65 per cent of families on the second waiting list would make use of the possibility of leasing dwellings.

500. In 2000, the State provided dwellings to 1,036 families on the municipal waiting lists (in 1999 - 2,240): 351 families (34 per cent) received subsidized credits for building a house or purchasing an apartment and 685 families were provided with municipal premises on a leased basis. Subsidized credits are applied for mostly by young families. Of 375 young families that received State assistance of this kind last year, 256 young families (68 per cent) received subsidized credits.

501. Only 43 families on the second waiting list (~9 per cent) received subsidized credits; 445 families were provided with municipal dwelling area.

502. The average size of subsidized credit was LTL 34,100. The average useful area rented by a family was 42 m².

Table 24

Distribution of households by type of dwelling and ownership form

	Total	Urban	Rural
Dwelling ownership form	100.0	100.0	100.0
Private ownership of household	87.9	88.1	87.5
State/corporate property	2.9	3.3	2.2
Property of relatives/friends	6.9	6.0	8.8
Rents from natural person	2.1	2.6	1.2
Other	0.1	0.0	0.2
Type of dwelling	100.0	100.0	100.0
Single-family house	27.8	9.2	67.9
Part of house	10.8	8.5	15.6
Apartment in multi-apartment building	55.7	74.7	14.7
Room (rooms) in a common apartment	5.5	7.5	1.2
Other	0.2	0.1	0.5

Source: Household Income and Expenses 2000. Department of Statistics.

Article 12 of the Covenant

Health situation (paragraph 1 of the guidelines on article 12)

503. General and thematic information on the physical and mental health of the country population is presented in reports to the World Health Organization. These data are presented in the publication "Highlights on Health in Lithuania", WHO Regional Office for Europe, March 2001 (Web: <http://www.who.dk>). The main health problems of the Lithuanian population are a very high suicide rate, high mortality from traffic accidents and other accidents and high mortality from cancer of the cervix among women. The leading causes of death in Lithuania are diseases of the cardiovascular system, cancer and external causes (responsible respectively for about 52 per cent, 20 per cent and 15 per cent of deaths).

504. Owing to the fact that mental health and psychosocial well-being are important aspects of health, which is related to quality of life, the suicide rate can be used as an indicator of the overall level of mental health. In 1999, mortality from suicide and self-inflicted injury in Lithuania was 42 per 100,000 inhabitants (76.5 for males and 12.6 females). The suicide rate in 2000 increased to 44 per 100,000 and is the highest in the whole of Europe.

505. Other information sources are: *The World Health Report 2000*, WHO, Geneva, 2000 (web: <http://www.who.ch>); The Lithuanian Health Programme, till the year 2010, Ministry of Health of Lithuania, adopted by Parliament, 1998 07 02 (web: <http://www.sam.lt>). Health Care Systems in Transition - Lithuania, WHO Regional Office for Europe, 2000 (web: <http://www.observatory.dk>). *Lithuanian Human Development Report*, Vilnius, 2000 (web: <http://www.UNDP.lt>).

Health policy (paragraph 2 of the guidelines)

506. The formation of Lithuanian health policy was initiated by resolution of the Lithuanian Physicians Association, on the basis of which the new Lithuanian national Health Concept was drafted. After ratification in 1991, the Health Concept became the main document describing the future of the Lithuanian health system. Parliamentary discussions held in 1995 once again stressed the necessity of preparing a Lithuanian Health Programme. In April 1997, the programme was further discussed at the Second National Conference on Health Policy Formulation with the participation of representatives of WHO, the health department of European countries and the Health Policies Department of Lithuania. The Parliament of Lithuania reviewed the Health Programme on 2 July 1998.

Health budget (paragraph 3 of the guidelines)

507. Health-care expenditure should not be less than 5 per cent of GDP. In reality, financing of health care during the period 1992-1993 was markedly reduced. It started to increase in 1994-1995; however, the 5 per cent target was not reached. (The Lithuanian Health Programme till the year 2010).

Health indicators (paragraph 4 of the guidelines)

508. Infant mortality decreased from 16.4 (in 1992) to 8.7 (in 1999) per 1,000 live births. It was 7.6 in the cities and 10.6 in rural areas. It differed not only between urban and rural areas, but also by district (*Lithuanian Human Development Report*).

509. Groundwater (from shallow and confined aquifers) is the main source of fresh potable water in Lithuania. About two thirds of the population use water supplied from centralized systems, and about one third (1 million Lithuanians, mostly in rural areas and suburbs) obtain water from about 300,000 wells. Over 50 per cent of well water samples do not meet hygienic quality requirements (*ibid.*).

510. In recent years, high priority has been given to food safety in Lithuania, just like in the European Union. Pre-accession requires accelerating the adoption of the *acquis* and further developing the administrative capacity of local institutions, particularly with respect to food control. The laws of the Republic of Lithuania provide that the Government and State institutions should ensure that only safe products are placed on the market and that food-handling establishments satisfy the newly introduced requirements aligned with EU standards.

511. Over the past several years, Lithuania has made considerable progress in food safety. The Law on Food has redefined the boundaries of responsibility among ministries and other authorities in the development and enforcement of policies as well as in the exercise of food safety and control policies. The recently passed laws and regulations will pave the way for the introduction of the Hazard Analysis and Critical Control Points (HACCP) system in food-handling establishments. All legal acts are drawn up in accordance with Lithuania's Pre-Accession Programme - National Programme for the Adoption of the *Acquis* (LPAP-NPAA) and its two action plans: the Law Approximation Action Plan and the *Acquis* Implementation Action Plan.

512. The population of Lithuania is not sufficiently provided with proper housing, the shortfall of which is about 100,000 flats. The quantitative housing indicators in rural areas are better and there is no shortage of available flats. On the other hand, qualitative housing indicators are worse in the countryside. In 1997, over 75 per cent of households in urban areas and over 43 per cent in rural areas had centralized water supplies and sewerage; 68 per cent of urban and 40 per cent of rural households had separate bathrooms. (ibid.).

513. The Expanded Programme of Immunization reaches 94.3 per cent of the population. The Lithuanian Health Programme aims to achieve vaccination coverage rates of 97-98 per cent and to prevent deaths from those communicable diseases, which can be controlled by vaccination. Infants are immunized against diphtheria, pertussis, tetanus, measles, poliomyelitis and tuberculosis.

Table 25

Immunisation coverage, 1996-2000 (per cent)

Infection, age	1996	1997	1998	1999	2000
Tuberculosis (new-borns)	98.4	98.4	99.1	99.3	99.0
Diphtheria-tetanus (1 year)	92.1	92.0	93.5	93.1	93.5
Pertussis (1 year)	91.2	90.0	93.1	93.0	93.6
Poliomyelitis (1 year)	92.6	94.8	96.6	96.9	96.9
Measles (2 years)	96.3	95.9	96.5	96.9	97.0
Epid. parotitis (2 years)	93.4	94.9	96.7	96.9	97.0
Rubella (2 years)	94.7	94.4	95.6	96.8	97.0
Hepatitis B (new-borns)	-	-	95.7	95.6	99.0

514. In 1999, life expectancy in Lithuania reached 72.4 years. The difference in life expectancy between males and females is about 10 years. The life expectancy of the rural population, especially males, tends to be shorter than that of the urban population. The largest difference between urban and rural males was observed in 1996 (4.9 years) and between females in 1993 (2.3 years).

515. Large regional differences in life expectancy have also been observed: the difference between the shortest and longest life expectancy in different regions was 10.8 years in 1994-1996 for males and 5.6 years for females. These differences were mainly due to mortality from external causes and cardiovascular diseases. In most regions, the differences in male life expectancy were mainly due to external causes and in female life expectancy due to cardiovascular diseases (Kaunas University of Medicine, 1998).

516. One hundred per cent of the population have access to trained personnel for the treatment of common diseases and injuries, with regular supply of drugs, within one hour's walk or travel.

517. In 2000, maternal mortality was 14.8 per 100,000 live births. All pregnant women have access to trained personnel during pregnancy. The proportion of females attended by such personnel during delivery is 95 per cent. All infants have access to trained personnel for care.

Special health problems (paragraph 5 of the guidelines)

518. The age structure of a population and changes in it have a significant influence on health-care needs. These should be taken into account when health policy is formulated.

519. As a result of relatively high birth rates during the 1960s and 1970s and a gradual increase in life expectancy, the population of Lithuania has begun to age. The proportion of the population aged over 65 years is growing; over the last 20 years it increased by 110,000, almost one fifth of the total number in this group. Owing to greater male mortality, women predominate in this age group.

520. Owing to variations in the birth rates in the country's regions the age structure of the population varies. The west of the country - Mazeikiai, Plunge, Silale and Silute - has the youngest population and the natural growth in the population is positive in these regions. In the east and south of the country, however, there is a clear predominance of older people. The regions with the oldest populations are Lazdijai, Alytus, Anyksciai, Moletai, Ignalina and Zarasai. Over the last five years, the ageing process has been observed across the country.

521. During 1995-1997, the abortion rate varied from 10 to 280 per 100 live births. The highest rate was in the south-east of the country: in the Alytus region it was 280 per 100 live births, in the Marijampole region 140, and in the Salcininkai region 105. In all other regions the abortion rate was below the national average. Above average rates were observed in the largest cities: 170 per 100 live births in Panevezys, 174 in Vilnius, 166 in Klaipeda and 126 in Kaunas. Abortions have a negative impact on women's health. The effect on young women's health might be even stronger. The number of young women (aged 19 years and under) who have abortions is increasing: in 1995 it was 5.9 per cent of all women who decided to undergo this procedure, in 1996 it was 6.7 per cent and in 1997 it was 7.1 per cent. The highest abortion rates for young women were observed in the largest cities - Kaunas and Klaipeda - and in the Salcininkai, Jonava, Marijampole, Alytus and Silute regions.

522. Infant mortality in the largest cities was, however, below the national average. This finding could be explained by the following. The main causes of mortality in the perinatal and neonatal periods are congenital diseases. Respiratory and infectious diseases, accidents and poisoning (causes of avoidable mortality) comprise only 2 per cent. During the post-neonatal period the proportion of avoidable mortality increases to 16 per cent. The avoidability of these causes of death mainly depends on the quality and effectiveness of health care. Lower post-neonatal and overall infant mortality in the largest cities could, therefore, be explained by more accessible and qualified health care.

523. Special attention should be paid to the regions of Silute, Lazdijai, Akmene, Radviliskis, Sirvintos, Moletai and Anyksciai, where perinatal and infant mortality are highest.

Table 26
Infant mortality, by region, 1999

Years 1999	Total infant mortality per 1 000 live birth	Male infant mortality per 1 000 live birth	Female infant mortality per 1 000 live birth
Rural region	10.36	9.62	11.16
Urban region	7.64	8.35	6.88

Source: Department of Statistics of Lithuania.

524. Data from the Lithuanian cancer register indicate increasing cancer morbidity for both men and women (1.42 and 0.72 per cent per year, respectively), with male morbidity 1.5 times higher than female. Cancer morbidity differs within regions. Standardized cancer morbidity (European standard) for men during 1993-1996 was 403 per 100,000 and for women 263 per 100,000. Standardized morbidity for men varied from 340 per 100,000 (in Kretinga, Skuodas and Joniskis regions) to 600 per 100 000 (in Jurbarkas and Lazdijai regions), and for women from 190 per 100,000 (in Skuodas, Ignalina and Joniskis regions) to 380 per 100,000 (Marijampole region). High cancer morbidity was also observed in Lazdijai (360 per 100,000) and Alytus (355 per 100,000) regions.

525. Health policy measures usually target those forms of cancer which have high incidence rates and which could be relatively easily affected by preventive measures.

526. Lung cancer is most common among men, accounting for 24 per cent of their overall cancer morbidity. Lung cancer morbidity among women is six times less. The highest lung cancer morbidity for men was observed in Jurbarkas, Jonava, Alytus, Marijampole, Moletai, Silale and Zarasai regions, ranging from 138 to 164 per 100,000, i.e. over 50 per cent more than the Lithuanian average, while in the regions of Kretinga, Svencionys, Rokiskis and Silute it is below 80 per 100,000. Average morbidity during 1993-1996 was 95 per 100,000.

527. The incidence of tuberculosis (TB) is increasing: in 1997 it reached 79 per 100,000. Open-lung TB accounted for 45 per cent of all newly diagnosed patients. In Vilnius, Kretinga, Silute, Alytus, Lazdijai, Jurbarkas, Kelme and Telsiai regions incidence has reached epidemic levels, i.e. over 100 per 100,000. One of the most likely causes of this increasing incidence might be inadequate and ineffective preventive measures.

528. Screening rates and the proportions of newly diagnosed patients found during the period 1995-1997 differed between regions. The lowest screening rates were in the regions of Vilnius (22 per cent), Salcininkai (23 per cent), Jonava (21 per cent), Siauliai (15 per cent) and Pasvalys (17 per cent) and in Siauliai city (22 per cent).

529. In 1999, the number of new incidents of tuberculosis decreased to 69.1 per 100,000. Open-lung tuberculosis was diagnosed in 36 per cent of newly diagnosed patients. In 2000, the Republic of Lithuania implemented DOTS (the WHO recommended treatment strategy for patients diagnosed with tuberculosis), which reached 30 per cent of the population.

530. The accessibility of health care is an important factor in a population's health care, especially primary health care. People living in urban areas visit primary health-care institutions more often (on average eight times per year) than those living in rural areas (five times per year). They are also more frequently visited by health-care personnel at home, problems of transport and longer distances resulting in fewer visits to rural people at home. During 1997 the number of visits varied from 3.3 to 7.5 times per year in different regions. The lowest rates were observed in Sirvintos, Pakruojis, Ignalina and Zarasai regions.

531. In Lithuania, the activities of inpatient health-care institutions depend primarily on considerations of finance, geographical location and organization of health-care provision. Routine statistical data show different hospitalization rates in different health-care institutions. Specialized and highly qualified health care is concentrated in the largest cities and used by the whole population of the country. Naturally, hospitalization rates per 1,000 population are highest in the cities. In order to determine the exact number of hospitalizations we received data for the area covered and excluded patients in specialized health-care institutions such as hospitals of psychiatry and necrology and rehabilitation and health resorts. Data on 93 per cent of hospitalized patients in the largest cities (Vilnius, Kaunas, Klaipeda, Siauliai and Panevezys) were checked for the place of the patient's residence, on the idea that regional inpatients institutions provide services only for patients of that region. That precondition was supported by data from the Mazeikiai region, where over 95 per cent of all hospital patients lived in that region. After correction of hospitalization rates, the geographical differences decreased considerably.

532. Differences in health indicators were observed between population groups with different levels of education. In the age group 25-34 years, overall mortality among males with the lowest level of education was more than ten times higher, and among females eight times higher, than that of males and females with a university education.

533. There were no changes in national policies, laws and practices negatively affecting the health situation of the vulnerable and disadvantaged groups.

534. The main principles of health promotion and health care are reflected in various laws approved in Lithuania, and the main ones being the Law on the Health System of the Republic of Lithuania, passed in 1994; the Law on Mental Health, passed in 1995; the Law on Health-Care Institutions of the Republic of Lithuania, passed in 1996; the Law on Health Insurance of the Republic of Lithuania, passed in 1996; the Law on Narcotic and Psychotropic Substances Control, passed in 1998; and the draft Law on Public Health Care.

535. The health-care system is divided into three health-care services levels. Primary health care includes outpatient health by general practitioners and long-term nursing in the area of residence. The secondary health-care level is specialized both in outpatient and inpatient care. Very specialized outpatient and inpatient health care is provided by the universities and specialized hospitals.

536. More and more private medical diagnostic and treatment establishments have been set up in recent years, however, the number of private establishments is not sufficient (e.g. dentistry services institutions). Private medical treatment institutions can provide only primary- and secondary-level health-care services.

537. A considerable step forward was taken in the field of mental health when the State Mental Disease Prevention Programme was approved in 1999. The main objectives of the mental health reform are to provide better access for the population to mental health care; to develop outpatient mental health care; to develop a strategy for the prevention of mental disorders. In 1996, the first resolution on establishment of mental health centres was adopted. Currently, the number of mental health centres is 59. Each centre is funded on the basis of the number of people living in the region served. In order to meet all the needs of the population, approximately 100 centres of this kind should be established.

538. With respect to the current economic situation in Lithuania, it should be noted that the financing of mental health care and of the aforementioned programme is not sufficient.

539. The WHO Euro Task Force on Mental Health was invited to conduct an audit of mental health services provided by the Lithuanian Ministry of Health. In its comments on the audit the Task Force stated that Lithuania had undertaken comprehensive planning and the necessary actions to overcome mental health problems and that it was developing in the right direction.

540. The main measures for health promotion, health care and priority development trends are stated in the State Environment Protection and Lithuanian Health Programmes, approved in 1998 (<http://www.vpsc.lt>).

541. Infant mortality further decreased in 1999 and reached a record low rate of 8.6 per 1,000 live births (Lithuanian Human Development Report). The Lithuanian Health Programme till the year 2010 calls for reducing infant mortality by 30 per cent. The main causes of infant mortality are congenital anomalies (about 37 per cent), certain conditions originating in the perinatal period (34 per cent) and accidents (10 per cent), followed by respiratory diseases (5 per cent). However, a significant difference between indicators among rural and urban inhabitants can also be noticed in this field.

542. In 1992 the Perinatology Programme and in 1994 the Mother and Child Health Programme were launched. It consists of several subprogrammes. The majority of them are intersectoral, therefore, it is essential to seek close collaboration with the Ministries of Labour and Social Care, Science and Education, as well as with organizations working for children's rights, family support and social care.

543. The stillbirth rate in 1999 was 4.3 per 1,000 births.

544. The proportion of babies with a birth weigh of less than 2,500 grams has often been used as an indicator of newborn health. According to 1999 data, Lithuania had one of the lowest proportions of babies with low birth weight (4.5 per cent), lower than the EU average (6.3 per cent in 1995). The risk of stillbirths and low-birth-weight babies is higher for mothers with less education, or who are single or widowed (Kaunas University of Medicine, 1998).

545. The increased recognition of the importance of the effects of the environment on health and the need for intersectoral action at all levels has been demonstrated by the development and implementation by nearly all European countries of national environment and health action plans (NEHAP). In Lithuania, NEHAP was developed under the Ministry of Health and the Ministry

of the Environment by working groups of experts, taking into account targets and concepts in the National Environmental Protection Strategy and Action Programme (adopted by Parliament in September 1996) and the Lithuanian Health Programme (adopted by the Parliament in July 1998).

546. The implementation of NEHAP is among the priority targets of the Lithuanian Health Programme. The main targets to be reached by 2010 are:

- The quality of drinking water corresponds to Lithuanian standards;
- The quality of air should not have a negative influence on public health;
- Standards of food safety should correspond to those of the EU;
- A physical and social environment facilitating public health improvement should be created in both urban and rural areas;
- An effective system for the management of the working environment and occupational health care should be created; extremely harmful working conditions should be eliminated;
- A system of monitoring and control of radiation should be implemented.

547. A new reading of the Law of Human Communicable Diseases Prevention and Control (1-1553, Announced: *Valstybės Žinios*, 1996.10.30, No.104, Publication No. 2363) is currently being prepared.

548. The Government of Lithuania took measures to ensure the provision of medical services and medical care to the population in the event of sickness (information is presented in the publication *Health Care Systems in Transition, Lithuania, 2000* (web: <http://www.observatory.dk>) and in The Lithuanian Health Programme till the year 2010.

Health-care costs of the elderly (paragraph 6 of the guidelines)

549. An analysis of inequities in health and health care in Lithuania began in 1997. One of the objectives of health policy is to reduce the differences in health and health care between various socio-economic groups of the population by 25 per cent by the year 2010 (web: <http://www.sam.lt>). Our Government does not take specific health-care measures in respect to the improvement of the health care for the elderly.

Community participation (paragraph 7 of the guidelines)

550. The Health Councils operate in every county administration and they are responsible for the distribution of local health funds and budget allocations. In addition, some specific regional and local health programmes are drafted, implemented and funded by the municipalities.

Health education (paragraph 8 of the guidelines)

551. The Council of Programme Coordination of the Ministry of Health coordinates the implementation of all the health programmes in the country and bases its activities on the Lithuanian Health Programme and national legislation.

552. The National Centre for Health Promotion and Education is authorized to provide information to the population concerning major health-care issues. The key objective of the National Centre for Health Promotion and Education is to direct the population of Lithuania towards a healthier lifestyle and to teach people to take care of and look after their health. In addition, it provides the society with the information about different diseases, their prevention and risk factors, as well as about the ways to improve health. Public health promotion centres were established in the public health centres of Alytus, Klaipeda, Marijampole, Taurage and Utena. These centres implement the State health programmes for the prevention of risk factors and diseases, health education and health promotion.

International assistance (paragraph 9 of the guidelines)

553. Lithuania in preparing for accession to the EU is harmonizing its legislation according to the EU directives.

Article 13 of the Covenant

The right to education (paragraph 1 of the guidelines on article 13)

554. Article 41, paragraph 2, of the Constitution of the Republic of Lithuania provides that “education at State and local government secondary, vocational, and higher schools shall be free of charge”.

555. Article 35 of the Law on the Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania guarantees that “every child shall have the right to free education at State and municipal general education schools”.

556. Article 15, paragraph 1, of the Law on Education of the Republic of Lithuania stipulates that “instruction at public and municipal schools of general education, vocational schools and colleges of the Republic of Lithuania shall be free”; article 22 of this law establishes that “pupils must attend a school of general education or any other school in the formal education system until they reach the age of 16”; article 24 of the same provides that “parents (or guardians of a child) must send their children from the age of 6 or 7 to schools of general education if they have achieved an adequate level of physical and mental development”.

557. Article 12, paragraph 2, of the Law on Special Education provides that persons with special needs shall be given education and training in general educational training or special classes of all types of general education schools, in special schools, or in other special education institutions, and at the corresponding basic level of vocational instruction in vocational schools.

558. Education at general education schools is organized by municipalities in accordance with the educational plans and general curricula approved by the Ministry of Education and Science. Textbooks for pupils are bought using dedicated State and municipal budgetary funds. Children from families in need of social support are granted free meals; for the children residing in rural areas at a distance of more than 3 kilometres from their school, free transport is organized.

559. Free secondary education, including vocational secondary education, accessible to all pupils is implemented in the Republic of Lithuania.

560. University-type higher education establishments are attended by nearly 94,000 students, including over 28,000 paying for their studies; the remaining students are State financed. Every year the Government of the Republic of Lithuania sets the number of State-financed openings and the students studying at their own expense are accepted in accordance with the quotas approved by the Ministry of Education and Science. The tuition ranges from LTL 1,500 to LTL 11,000 per year. In 2001, by a decision of the Board of the Seimas of the Republic of Lithuania, a working group was set up to prepare amendments to the Law on Higher Education. It is planned to introduce a fixed fee not exceeding the amount of one average monthly salary. In addition, it is proposed that at least 30 per cent of students will be fully financed out of the State funds. Thus, the Government could determine a higher quota of financed students.

561. The Law on Higher Education of the Republic of Lithuania establishes the sector of non-university higher education. As a result, founding of non-university higher education establishments - colleges - commenced. In 2000, four State and three non-State colleges were founded, and they admitted 3,413 students. New colleges were also started in towns that did not have higher education establishments; therefore, higher education became more accessible to wider ranks of the society.

562. The following organizational criteria for the development of the non-university education sector are highlighted: regional distribution, fulfilment of economic needs, a multisectoral approach, meeting of public needs and financial efficiency. Free higher education is guaranteed for advanced students. However, the State provides funds only for a certain number of students. Those who fail to fill State-financed openings are provided with an opportunity to study by paying a partial tuition fee.

563. Every year, the number of students to be financed by the State is established. The average allocation per college student amounts to 4,000 litas. Those who fail to fill State-financed openings are provided with an opportunity to study at their own expense. Full-time students at non-State colleges pay from LTL 2,800 to LTL 5,000 per year.

564. The problem of providing education to adults who did not complete their primary education emerged only two years ago. Those persons are given the possibility of obtaining it at adult education establishments (adult training centres, adult secondary schools and adult classes at secondary schools). Such people have been few until now and most frequently they are offered a form of individual training.

Difficulties, goals and benchmarks (paragraph 2 of the guidelines)

565. The exercise of the right to education in primary classes causes no objective problems.

566. The right to education is not restricted; however, owing to insufficient financing of study places from the State budget, entry into higher education is by competition.

567. There are still not enough study places for the exercise of the right of adults to general education (owing to lack of funds, not all municipalities of Lithuania have established adult training centres, adult secondary schools, or adult classes at secondary schools). After the commencement of the optimization of the network of education establishments, the situation started to change and the number of such establishments is growing.

568. The main difficulties encountered in entering higher education is financing (the problem of "two kinds" of students described above) and the harmonization of secondary and higher education curricula.

569. With a view to unifying requirements for entering higher education and guaranteeing that such requirements are in conformity with the secondary school requirements, in 1998, the Government of the Republic of Lithuania decided that the conditions of admission to establishments of higher education had to be coordinated with the Ministry. The standing group for coordination of admission conditions is working at the Ministry of Education and Science. A uniform system of admission to all establishments of higher education is to be implemented in 2003. This plan was approved by the Board of the Ministry of Education and Science in 2000. Establishments of higher education, having founded an association of institutions in 2001, are getting ready for it and the school-leaving examination system is being reformed to become "single-channel".

Educational statistics (paragraph 3 of the guidelines)

Table 27

**Number of pupils by stages of education and place of residence
(at the beginning of academic year)**

	Total	In urban areas	In rural areas
1995-1996	528 521	399 228	129 293
Pre-school education classes	-	-	-
Primary schools (classes 1-4)	220 478	155 650	64 828
Basic schools (classes 5-10)	254 611	196 249	58 362
Secondary schools (classes 11-12)	39 404	34 097	5 307
Gymnasium classes	6 589	6 443	146
including gymnasium classes 1-2	4 834	4 754	80
Special schools	7 440	6 790	650
Adult schools	8 679	8 679	-

Table 27 (continued)

	Total	In urban areas	In rural areas
1998-1999	567 441	426 308	141 133
Pre-school education classes	6 500	3 306	3 194
Primary schools (classes 1-4)	216 771	151 239	65 532
Basic schools (classes 5-10)	278 303	213 089	65 214
Secondary schools (classes 11-12)	42 920	36 517	6 403
Gymnasium classes	15 791	15 642	149
including gymnasium classes 1-2	9 614	9 530	84
Special schools	7 156	6 515	641
Adult schools	13 399	13 399	-
1999-2000	599 294	452 288	147 006
Pre-school education classes	7 131	3 396	3 735
Primary schools (classes 1-4)	215 418	150 007	65 411
Basic schools (classes 5-10)	290 944	220 659	70 285
Secondary schools (classes 11-12)	42 461	35 763	6 698
Gymnasium classes	20 602	20 407	195
including gymnasium classes 1-2	13 030	12 897	133
Special schools	7 816	7 134	682
Adult schools	14 922	14 922	-

Source of tables: *Švietimas (Education)*, Statistical Department, Vilnius, 2000.

Table 28**Pupils and students by age**

	Pupils and students (000)	Including (%)				
		Under 16 years	16-19 years	20-24 years	25-29 years	Over 30 years
At the end of 1998						
Schools of general education						
- day schools	567.4	87.7	12.3 ¹	-	-	-
- adult schools	13.4	1.7	51.1	47.2 ³	-	-
Vocational schools	56.4	11.2	80.5	6.7	1.6 ⁴	
Colleges	33.9	0.3	39.2	45.3	9.2	6.0
Institutions of higher education	74.5	-	26.9	52.9	13.8	6.4

Table 28 (continued)

	Pupils and students (000)	Including (%)				
		Under 16 years	16-19 years	20-24 years	25-29 years	Over 30 years
At the end of 1999						
Schools of general education						
- day schools	584.4	85.5	14.4	0.1 ²	-	-
- adult schools	14.9	0.3	44.3	49.5	5.9 ⁴	-
Vocational schools	56.4	4.9	84.4	9.2	0.8	0.7
Colleges	38.4	0.1	33.9	47.1	11.3	7.6
Institutions of higher education	84.3	-	24.5	52.1	15.7	7.7 ¹
In the beginning of academic year 1999/2000						
Schools of general education						
- day schools	584.4	85.4	14.5	0.1	-	-
- adult schools	14.9	0.3	44.3	49.5	5.9	-
Vocational schools	52.0	5.0	84.4	9.1	0.8	0.7
Colleges	38.4	0.1	33.9	47.1	11.3	7.6
Institutions of higher education	84.3	-	24.5	52.1	15.7	7.7

¹ From 18 years of age.

² From 22 years of age.

³ From 21 years of age.

⁴ From 26 years of age.

Table 29

**Number of adult school pupils by class groups
(at the beginning of an academic year)**

	1995/96	1997/98	1998/99	1999-2000	
				Total	Girls
Students	8 679	11 835	13 399	14 922	6 165
Including:					
classes 5-9	1 420	1 754	1 904	1 730	605
class 10	2 643	3 594	4 052	4 870	1 813
class 11	2 223	3 280	3 624	4 225	1 808
class 12	2 393	3 207	3 819	4 097	1 939

Table 30

Further education of pupils and students having finished different institutions of education (excluding special schools)

Schools	Graduates	Studying further				
		Total	At schools of general education	At vocational schools	At colleges	At institutions of higher education
Basic schools						
1992	41 831	39 303	23 263	14 158	1 882	x
1995	37 969	36 817	24 586	11 875	356	x
1998	41 587	41 397	28 986	12 171	240	x
1999	-	-	-	-	-	x
Secondary schools						
1992	20 974	13 520	x	2 514	4 215	6 791
1995	19 915	17 316	x	2 067	6 020	9 229
1998	23 220	19 830	x	1 979	6 653	10 740
1999	27 740	23 069	x	2 319	7 916	12 834
Vocational schools						
1992	19 506	191	x	65	65	61
1995	12 260	397	x	54	240	103
1998	13 726	757	x	193	443	121
1999	14 645	906	x	277	488	141
Colleges						
1992	10 112	489	x	-	-	489
1995	6 756	836	x	-	185	651
1998	6 091	801	x	8	103	690
1999	6 967	709	x	22	124	563
Higher education establishments						
1992	9 521	-	x	x	-	-
1995	12 366	96	x	x	-	96
1998	13 142	48	x	x	5	43
1999	14 889	32	x	x	6	26

Table 31

**Number of pupils and students having dropped out of education institutions
(excluding those having proceeded to other schools of the same type)**

Academic year	Pupils and students having dropped out over an academic year	Dropout percentage	Including dropouts on account of academic failure (%)
Day schools of general education			
1992/93	11 089	2.2	10.9
1995/96	6 706	1.3	6.2
1998/99	5 127	0.9	8.3
Vocational schools			
1992/93	4 856	11.4	36.0
1995/96	4 163	8.4	38.9
1998/99	5 144	9.1	39.3
Colleges			
1992/93	3 060	10.2	57.1
1995/96	2 554	10.4	57.6
1998/99	3 023	8.8	66.2
Institutions of higher education			
1992/93	6 684	11.8	63.7
1995/96	5 358	9.6	55.0
1998/99	8 542	11.1	48.5

Table 32

Number of pupils dismissed from schools of general education

	1995/96	1998/99	1999/2000
Dismissed from schools	539	339	505
Including:			
as academic failures	413	266	425
for violations of law	126	73	80

Table 33

**Number of pupils having left vocational schools in 1999/2000
(excluding graduates of vocational schools)**

Number of pupils having left vocational schools over the academic year	5 144
including on account of academic failure	2 022
Number of pupils having left institutions of college education over the academic year	3 023
including on account of academic failure	2 002
Number of pupils having left institutions of higher education over the academic year	8 542
including on account of academic failure	145

Chart 10

**The change in the average repetition rate at primary (classes 1-4)
and basic (classes 5-9) schools from 1997 to 2000**

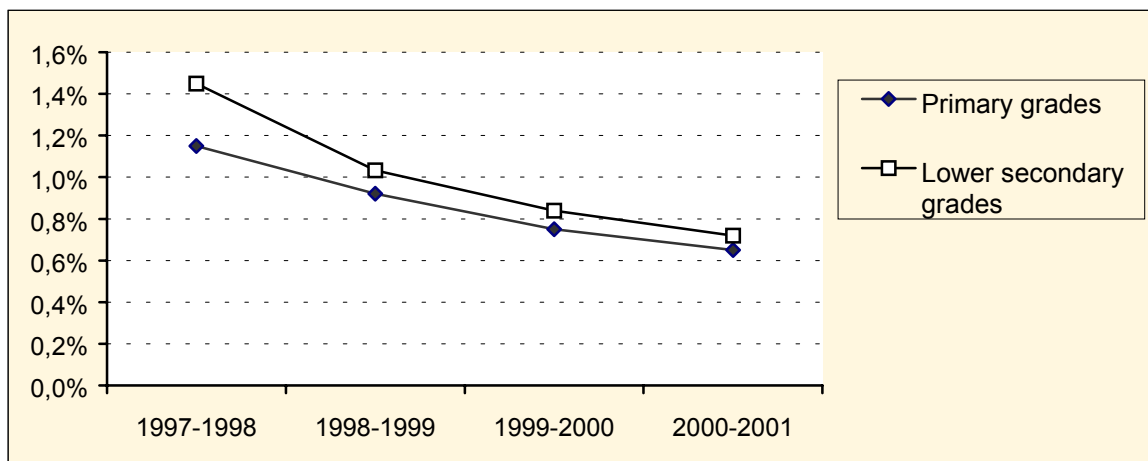


Table 34

Basic school graduation rate in 2000

Basic school graduation rate	Number of new first-year pupils in 1990/91	Number of pupils having obtained basic education in 1999/2000
0.77	53 504	41 365

Measures taken to improve literacy

570. The factors impeding the attainment of higher literacy rates in Lithuania are as follows: a fairly high repetition level and a considerable number of dropouts at the primary school level and in classes 7-9 of basic school; a great number of pupils without motivation for learning at the basic school level; relatively low popularity of vocational schools; an insufficient number of young people (under 18 years of age) continue their studies at secondary school having finished class 10.

571. With a view to improving the country's literacy rates and achieving successful educational reform, the priorities of the second stage of the reform were approved by order No. 951 of the Minister of Education on 23 July 1999. The priorities serve as the basis for the development and implementation of specific educational improvement programmes.

572. The reform of the educational content is ongoing. New pre-school educational programmes are developed and introduced within the framework of this reform. They aim at guaranteeing an equal start in the primary school for all children.

573. At present, new programmes and curricula are being introduced in classes 9-12 to meet more diverse educational needs of pupils and provide them with a wider choice of possibilities.

574. The reasons for the lack of pupils' motivation for learning or too heavy study loads are under investigation. An attempt is being made to find ways of avoiding such negative phenomena.

575. Vocational training programmes are subject to revision with the purpose of adapting them to the changing labour market demands and making them more appealing to young people.

576. Liberalization of the examination system is carried out. The effort is directed towards greater transparency and reliability, in order to promote general literacy.

577. A great effort is being made to improve social and pedagogical conditions for study. The network of youth schools is expanding. Such schools aim at meeting the educational needs of 12- to 16-year-old pupils without motivation for learning. Conditions for study are provided for the young people in compulsory military service. The learning possibilities of prisoners are improving.

578. The implementation of the new Law on Special Education is under way. The implementation will provide better conditions of study for the people with special educational needs.

579. Improvements are being made to the system of driving pupils to schools.

580. An attempt is being made to find ways of harmonizing academic general education with vocational education in order to meet pupils' more diverse educational needs. The aim is to offer pupils not only a purely academic education, but also more practical general education which, once completed, would really enable them to proceed with studies at institutions of higher education.

Positive results, problems and hardships

581. The national educational policy targeted at enhancing the quality and accessibility of education has already generated positive results. The successful attainment of the last several years is that the repetition rate and pupils' drop-out level have decreased markedly. Although the term of compulsory study was extended from 9 to 10 years, the percentage of young people obtaining basic education did not drop. In recent years, the number of people obtaining a secondary education has been rapidly increasing every year. An increasingly greater number of people prepare for school-leaving examinations at adult education centres and vocational schools. The admission of people with secondary education to colleges and institutions of higher education is steadily growing.

582. There are some difficulties in increasing the basic school graduation rate. In 2000, the rate was rather low, i.e. 0.77 per cent. The content and methods of education at the basic school became more modern, but they still remain academically focused. Pupils are not always able to apply their knowledge to perform practical tasks.

583. There is a lack of funds for the adequate provision of schools with special computer equipment so that children with special needs can be taught more efficiently. The education monitoring system is still under development and the indicators are still insufficient for an objective evaluation of changes in pupils' literacy.

Education budget (paragraph 4 of the guidelines)

Share of expenses for education in the national budget

584. The dynamics of the national budgetary expenses (the period of 1995-2000 and the planned budget for 2001) shows that from 1995 to 1998, when budgetary expenses were climbing, the share of expenses for education in the national budget was also growing (in absolute and relative terms). The expenses for education were 21.8 per cent of the national budget in 1995, 22.8 per cent in 1996, 25.6 per cent in 1997 and 27.7 per cent in 1998. After the reduction of budgetary expenses in 1999, the allocation for education amounted to 30.6 per cent. Since 2000, when the national budgetary expenses started to grow again, the relative share of education has been decreasing, amounting to 28.6 per cent in 2000 while the planned 2001 allocation for education is 27.7 per cent of the national budget, corresponding to the level of 1998.

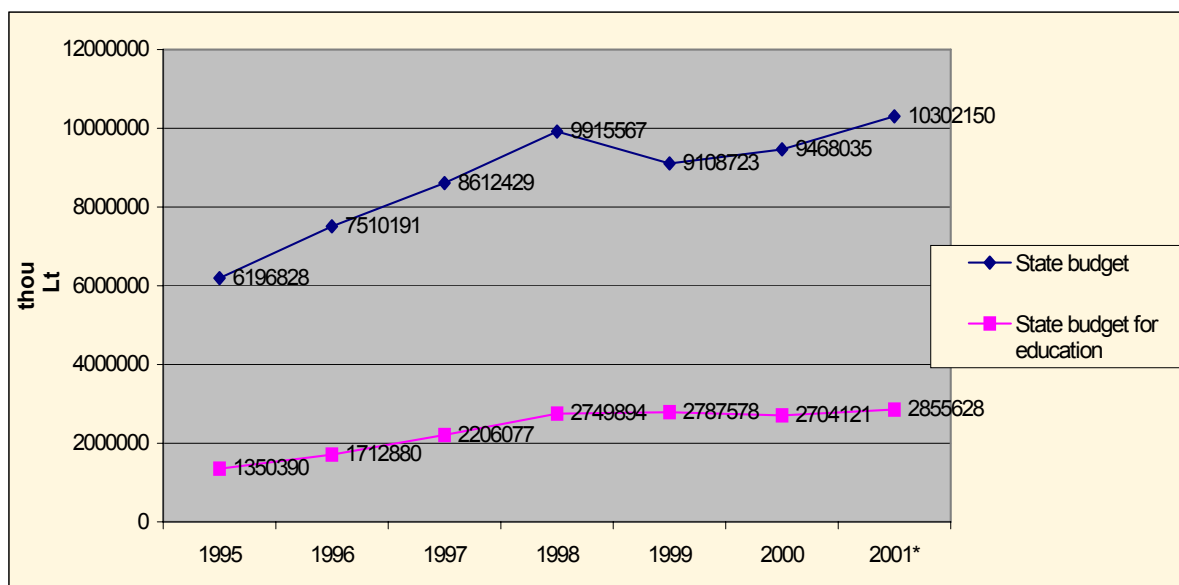


Chart 11

Share of expenses in the State budget for education

Share of expenses for education in the State budget

585. The share of expenses for education in the State budget (in absolute and relative terms) grew from 1995 to 1998, amounting to 10.3 per cent in 1995, 11.2 per cent in 1996, 12.2 per cent in 1997 and 12.9 per cent in 1998. However, this increase was not that significant in terms of the general growth of State budgetary expenses. With the cut in State budgetary expenses and expenses for education in 1999, the share of the latter was 14.9 per cent, but in absolute terms, the allocation for education was smaller than in 1998. Since 2000 the expenses of the State budget have been growing, however, in 2000 the share of education in the State budget amounted to 13.4 per cent (in absolute terms, less than in 1999). The planned 2001 allocation for education is 13.7 per cent (the general growth of State budgetary expenses is planned to be higher than that of expenses for education in the State budget).

Construction of schools

586. Most schools in Lithuania were built during the period of 1960-1980 in accordance with old building standards and now they are not in conformity with the existing requirements, particularly in respect to energy conservation. The design criteria have been established according to legal regulations of Lithuania adopted after 1991. These regulations are applied to new buildings or buildings under renovation. Owing to the lack of funds, for many years no serious repairs of school buildings have been carried out, therefore at present a great many schools have worn-out roofs and deformed or decayed old wooden windows which are impossible to weather-strip properly. Building facades have not been repainted and repaired for a long time. Therefore, moisture can get inside the buildings through the joints and sometimes through the external wall blocks. School heating units are out of date and inefficient without metering and heating regulation devices. Heat and water supply pipes need to be replaced due to wear and tear. With the increasing number of computers and other educational equipment in

classrooms, the existing electric network can no longer meet accident prevention requirements and higher energy demands. Ventilation systems are not operating. The buildings and environment are not suited to physically disabled people.

587. The construction of schools in the towns and districts of the Republic of Lithuania is carried out by the municipalities. In 1991-2000, 66 schools for 30,140 pupils were built from State budgetary funds (including special purpose subsidies to municipalities), financial resources of the Privatization Fund and municipal funds. By its Resolution No. 1105 (Announced: *Valstybės Žinios*, 1998.09.16, No. 81, Publication No. 2281), on 11 September 1998, the Government of the Republic of Lithuania approved the Programme for the Improvement of the Sanitary Situation at State and Municipal Education Institutions. The programme provides for activities for improving the sanitary-hygienic conditions of State and municipal education institutions under the authority of the Ministry of Education and Science, county administrations, as well as towns and districts. The activities include general construction repairs of sanitary-hygienic premises, replacement of sanitary facilities, repairs or replacement of worn-out sanitary unit pipes, repairs of heating units and boiler-rooms. The allocation for financing these activities amounts to LTL 40 million. The activities under the programme were implemented in 1999. A total of 3,848 toilets, 546 washrooms, 371 shower rooms and 174 heating units were repaired; 33,300 metres of pipes were replaced.

588. By Resolution No. 105 (Announced: *Valstybės Žinios*, 2001.02.02, No. 11, Publication No. 324) of the Government of the Republic of Lithuania of 29 January 2001, from the financial sources of the municipal infrastructure development programme for 2001-2004, LTL 80 million of the loans received on behalf of the State and designated for educational purposes in the State investment programme for 2001-2003 were allocated for the renovation of buildings of institutions providing general education.

589. State investments are allocated for new school buildings in the eastern part of Lithuania. Over recent years, four secondary schools were built. The construction of five secondary schools and a 22-unit residence for teachers is under way.

Equal access to education (paragraph 5 of the guidelines)

590. The State equal opportunity system is in practice implemented in the Republic of Lithuania. Article 29 of the Constitution of the Republic of Lithuania provides that human rights may not be restricted and no privileges may be bestowed on a person based on gender. Lithuania signed and ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1995. Lithuania also adhered to other international documents.

591. On 1 December 1998, the Seimas of the Republic of Lithuania adopted the Law of the Republic of Lithuania on Equal Opportunities which contains provisions guaranteeing equal rights of men and women regarding admission to education institutions, selection of curricula and assessment of knowledge.

592. The equal opportunity issue is also brought into focus in the Law on Education and other related laws and regulations. The Equal Opportunities Ombudsman was established; legislation was amended by assigning the functions in this sphere to relevant State institutions.

593. The ratio of women to men in education institutions has been almost invariable for a number of years. The number of women and girls in the total number of students is traditionally greater (as shown in the table) than their number in the total population (e.g. in the beginning of 1999 and 2000, the ratio of women to men was about 0.97).

Table 35

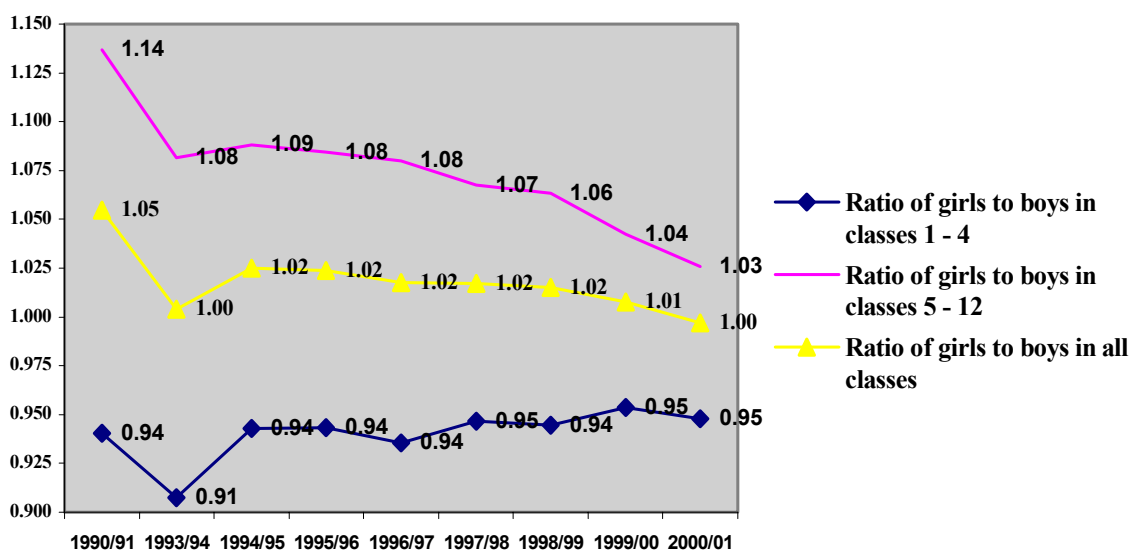
People studying at all types of schools

Academic year	Men	Women	Ratio of women to men
1990/91	335 315	338 590	1.01
1993/94	311 205	314 195	1.01
1994/95	318 436	325 771	1.02
1995/96	328 224	336 348	1.02
1996/97	340 627	347 473	1.02
1997/98	353 640	363 837	1.03
1998/99	367 625	378 070	1.03
1999/00	381 470	392 528	1.03

594. Differences in the numbers of girls and boys at State and municipal day schools of general education are even smaller. The ratio of girls to boys at such schools is represented in the graph.

Chart 12

Ratio of girls to boys in classes 1-4; ratio of girls to boys in classes 5-12 and gymnasium classes 1-4; ratio of girls to boys in all classes



595. All citizens of the Republic of Lithuania and persons having the right to reside permanently or temporarily in the Republic of Lithuania and their children, irrespective of their social status, race, nationality, gender, religious or political beliefs, health and place of residence, have the right to study and obtain education at education institutions of Lithuania.

596. Migrants, refugees and persons having been granted any other kind of asylum in the Republic of Lithuania and their children who do not know the State language are provided with conditions for the intensive study of the language and further study at education institutions of the country.

597. The persons who are not able to obtain education at formal education institutions because of health disorders may, in the manner established by the Ministry of Health and the Ministry of Education and Science, be taught at home, provided with conditions for self-study, take examinations and obtain an education conforming to State standards, as well as participate in non-formal education for adults. Training in hygiene and first aid as well as the content of health education and training for children of pre-school and school age and employees is determined by the Ministry of Health in cooperation with the Ministry of Education and Science and other agencies.

598. There are certain groups of pupils in Lithuania who, for one reason or another, encounter obstacles in the exercise of their right to education. Romanies (Gypsies) are among them. Their integration into the general education process is carried out at all schools of general education. However, lots of them do not attend school at all and, having reached the age of maturity, are practically illiterate. Therefore, in order to provide conditions for the persons of the Romany ethnic minority to fully integrate into the life of Lithuanian society, on 1 July 2000, the Government of the Republic of Lithuania adopted the Programme for Integration of Romanies into the Society of Lithuania for 2000-2004 and defined the measures (development of individualized programmes, improvement of teachers' qualifications, compilation of a textbook of the Romany language, organization of additional education activities) enabling better organization of education of Romany children and young people. However, the experience of organizing education for Romanies as a group with special needs is very scarce.

599. As of 2000/01, the Plans of Education, a document regulating the organization of the educational process at schools, will provide for the organization of the education of children of migrants, refugees and other persons having been granted any other kind of asylum in the Republic of Lithuania.

600. More diverse education institutions that are directed at the changing public demands are developing. This enables them to respond to the needs of all pupils. As an alternative to the basic school of general education, the following institutions are developing: youth schools aimed at adolescents without motivation for learning, stage 1 vocational schools attended by pupils having not finished basic school, and gymnasiums focused on the more profound profiling mode of general education. In order to ensure equal opportunities for pupils to obtain a secondary education of high quality, as of 2000/01 the profiling mode was introduced at the last stage of education.

601. The Government of the Republic of Lithuania, with the purpose of ensuring equal schooling opportunities, in its programme for the period of 2000-2004 provided for the preparation and implementation of the general pre-school (from 5 years of age) educational programme. This means that institutional pre-school education should be developed to such an extent by 2005 that it would meet the needs of all the persons wishing to educate their children from 5 years of age in an institution and that the pedagogical and psychological services should be created to assist families that decide to educate children of pre-school age at home by providing creative conditions for the education and preparation of children for school.

602. Since 2003, new principles of financing should be applied to education of pre-school children. This means that for every child of this age, the State commits itself to allocating funds, via targeted subsidies ("pre-school child's basket"), to his/her education institution or family in the form of pedagogical and psychological services. By its Resolution No. 764 (Announced: *Valstybės Žinios*, 1999.06.16, No. 52, Publication No. 1696) of 9 June 1999, the Government of the Republic of Lithuania approved the Programme for the Provision of Social and Pedagogical Conditions of Education of Children, which aims at providing equal opportunities and strives for improved social status of all children with social, pedagogical and psychological problem, as well as development disorders. The purpose of the programme is to provide adequate social and teaching conditions for self-education.

603. Adult education institutions provide equal study opportunities for the education of both women and men. No additional measures to this end have been required so far.

604. Admission conditions at colleges guarantee the opportunity to study for everybody having the ability to do so. A State grant is guaranteed for orphans. Advanced students receive grants on the basis of their study results.

605. When entering State institutions of higher education, equal opportunities are guaranteed by coordination of the conditions of admission. The conditions are revised in accordance with the legislation in force. In case of discriminatory provisions, admission conditions are not approved. A system of study credits has been created allowing partial support to be provided to needy students. Such support is accessible to 2 per cent of students. Legislation provides that students at higher education establishments are entitled to grants. For this purpose, grants are allocated from the State budgetary funds. The amount of funds available for grants is calculated on the basis of 1 minimum standard of living (LTL 125) for 75 per cent of all full-time students.

606. The educational system of Lithuania provides the possibility for ethnic minority pupils to study at schools of general education of ethnic minorities. Article 12 of the Law on Education of the Republic of Lithuania defines this possibility as follows: "in the localities where an ethnic minority resides or where there are many of its members, they shall be provided facilities for having public, municipal or non-public pre-school institutions, schools of general education and lessons in the mother tongue, if the said individuals so request and if such request corresponds with an actual need". In 1992, Lithuania had schools giving lessons only in three languages.

By 2001, schools started providing conditions for pupils to study different subjects in their mother tongue or just their mother tongue (the specific character of German and Jewish schools is that most of the subjects are taught in Lithuanian), furnishing the possibility of meeting more diverse needs of pupils.

Table 36**Schools, by the language of instruction**

Academic year	Lithuanian	Russian	Polish	Belarussian	German	Yiddish	Mixed
1991/92	1 822	83	46	-	-	-	107
2000/01	2 031	68	74	1	1	1	82

Table 37**Pupils, by the language of instruction**

Academic year	Total pupils	Lithuanian	%	Russian	%	Polish	%	Belarussian	%	German	%	Yiddish	%
1991/92	499 692	414 119	82.9	72 762	14.6	12 611	2.5	-	-	-	-	-	-
2000/01	586 294	522 569	89.1	41 162	7.0	22 303	3.8	214	0.03	364	0.06	202	0.03

607. In 2001, schools of general education are starting a bilingual instruction project, which will enable pupils to study their mother tongue and the State language in all types of schools of general education.

608. Teaching at level 5 under the International Standard Classification of Education is carried out in the State language; however at this level, possibilities are provided for training teachers and pre-school teachers for the schools of ethnic minorities where the language of instruction is their mother tongue.

609. At higher education establishments, the language of instruction is the State language (Lithuanian). The studies are provided in another language when the content of studies is related to another language or when this is necessary for international exchanges.

Conditions of teaching staff (paragraph 6 of the guidelines)

610. During the period 1995-1999, the average monthly salary of teachers grew. Based on the existing statistical data, the comparison of teachers' salaries over this period with the average monthly salaries of budgetary institution employees shows that the average teachers' work pay was higher.

Table 38
Average monthly salary of teachers and employees
of budgetary institutions, 1995-1999

Period	Average monthly salary (gross)		Ratio of average monthly gross salary of teachers to that of employees of budgetary institutions (%)
	Teachers	Employees of budgetary institutions	
December 1995	598	542.5	110.2
December 1996	705.2	700.6	100.7
December 1997	1 007.1	978.3	102.9
December 1998	1 215.4	1 186.1	102.5
4th quarter 1999	1 290.7	1 090.5	118.4

611. During the first quarter of 2000, the average monthly teachers' salary (gross) was LTL 1,174.5, equivalent to 94.2 per cent of the average monthly salary of civil servants (LTL 1,246.6). During the second quarter of 2000, the average teachers' salary was LTL 1,189.7, equivalent to 93.5 per cent of the average salary of civil servants (LTL 1,272.1); during the third quarter it amounted to LTL 1,162.4, equivalent to 92.3 per cent (LTL 1,258.8); and during the fourth quarter it was LTL 1,195.1, equivalent to 91.9 per cent (LTL 1,300.5). Thus, during the year 2000, the teachers' salaries, in comparison with those of other civil servants, decreased.

612. Since the beginning of implementation of the system of remuneration established by the Law on Public Service (VII-1316, Announced: *Valstybės Žinios*, 1999.07.30, No. 66, Publication No. 2130; *Valstybės Žinios*, 1999.12.09, No. 105), the Law on Amendments to articles 62 and 69 of the Law on Public Service (IX-564, Announced: *Valstybės Žinios*, 2001.10.31, No. 92, Publication No. 3210) the teachers' salaries are expected to increase steadily until the remuneration level established in the mentioned law is attained (by 1 July 2007).

Non-government schools (paragraph 7 of the guidelines)

Table 39
Consolidated table on education institutions
not maintained by the State (private)

Type	Total	No. not maintained by the State	% not maintained by the State
Higher education establishments (university)	19	4	21.0
Higher education establishments (non-university)	7	3	42.8
Colleges	59	16	27.2
Vocational schools	85	1	1.2
Schools of general education	2 364	20	1.0
Grand total	2 534	44	1.8

613. Non-State education institutions may be established without any obstructions. The establishment, registration and licensing procedures are regulated by the following main legislation: the Law on Higher Education, Law on Vocational Education and Training, the Law on Education, the Law on Public Institutions and, Resolution of the Government No. 726 On the Approval of the Regulations for the Establishment, Reorganization and Liquidation of Education Institutions of the Republic of Lithuania (Announced: *Valstybės Žinios*, 1999.06.11, No. 51, Publication No. 1640). Non-State education institutions are registered in accordance with the Resolution of the Government of the Republic of Lithuania No. 488 On the Approval of Regulations of State Registers (Announced: *Valstybės Žinios*, 1998.04.21, No. 37, Publication No. 976). Non-State colleges, vocational schools and schools of general education have to obtain teaching licences of the Ministry of Education and Science issued in accordance with the Resolution of the Government of the Republic of Lithuania No. 825 On the Approval of the Regulations for Granting Teaching Licences (Announced: *Valstybės Žinios*, 1999.07.16, No. 62, Publication No. 2050). Licences for higher education establishments are granted by the Government of the Republic of Lithuania.

614. However, State and municipal assets may be transferred for temporary, free of charge use by non-State education institutions, provided that at least one of their founders is a State or local self-government institution (the Law on Management, Use and Disposal of State and Municipal Assets, VIII-729, Announced: *Valstybės Žinios*, 1998.06.12, No. 54, Publication No. 1492). Hence, private schools were deprived of the possibility of acquiring premises for teaching under use agreements.

615. In 2000, Lithuania had 57 colleges, including 14 not managed by the State. There are no obstacles to the establishment of such schools, provided that the founders have financial sources to start such activities and ensure the established standards of education. The main problem of the students at such schools is that the instruction has to be paid for.

Changes in national policy (paragraph 8 of the guidelines)

616. The importance of the role of local self-government institutions in the organization of instruction at schools of general education has been growing since 1996. Dissimilar competence levels of local self-government institutions in different regions resulted in differences in the organization of the educational process and the education quality at schools of general education. In 1999, the process of optimization of the education institution network began to increase the distance to the nearest school in some areas. There is a lack of school buses for carrying pupils, therefore some pupils take public transport.

617. The State-allocated funds are not sufficient for schools to acquire new textbooks, therefore the reforms of the content of education encounters objective difficulties.

International assistance (paragraph 9 of the guidelines)

618. With a view to the exercise by every person of his/her right to education, the flexible and dignified development of the human, strengthening the respect for human rights and fundamental freedoms and providing possibilities for all people to take effective part in a free society life by promoting mutual understanding, tolerance and friendship among all nations and all racial,

ethnic and religious groups, an important role in the education sector of Lithuania is played by international cooperation, including with such international organizations as the Council of Europe, UNESCO and the Nordic Council of Ministers.

619. Many Lithuanian pedagogues and educational system employees take part in projects, seminars and conferences of the Council of Europe. Lithuanian pedagogues participate in the Council's programme of improvement of teachers' qualifications as well as in seminars for language teachers and lecturers organized by the European Centre of Contemporary Languages.

620. UNESCO support provided facilities for the introduction of civic education as a school subject in Lithuania. Within the framework of a UNESCO civic education project, different kinds of expert activities were organized. They covered the analysis of the content and methodology of civic education as well as the development of school autonomy and the training of civic education teachers/consultants and teachers/consultants to work under the programme Philosophy for Children as well as in the preparation of the Civic Education Kit.

621. The multilateral programme of the Nordic Council of Ministers, Improvement of Teachers' Qualifications in the Baltic States, contributed to the development of the sectors of general education and vocational education, namely the development of the content of education, foreign language teaching, school management and extramural (distance) education, as well as the use of information technologies. With a view to guaranteeing that pupils with special needs are educated together with their peers, a multilateral programme, School for Everybody, was approved and started. One of the main objectives of the programme is the development of an efficient and adequate model of a system of education for children with special needs as well as the improvement of the competence of pedagogues, principals and specialists providing pedagogical-psychological services.

622. The participation of Lithuania in the educational programmes of the European Union Leonardo da Vinci and Socrates, as well as in the EU-supported PHARE programme for the Central and Eastern European countries, is of utmost significance for the exercise of every person's right to education. Participation in the Leonardo da Vinci programme opens up the possibility of using the information and experience accumulated by other countries and applying it to the national system of vocational education which is undergoing reforms.

623. By participating in the projects under the Socrates programme, representatives of all types of educational and scientific institutions can improve their qualifications, study foreign languages, introduce contemporary technologies to education, organize pupil, student, teacher and lecturer exchanges and acquire experience of reforming educational and study programmes. The Socrates programme also promotes the development of the new adult education methodology and network of adult organizations as well as provides prerequisites for the development of the system of distance education.

624. With the assistance of PHARE experts, programmes to modernize vocational education and reform higher education were implemented. Institutional development is an important priority of PHARE, the pursuit of which conditioned the establishment of the centre of vocational education resources and the development of the non-university higher education sector in Lithuania.

Article 14 of the Covenant

625. In the Republic of Lithuania, compulsory education, accessible to all persons under 16 years of age who are citizens of the Republic Lithuania, is free of charge.

Article 15 of the Covenant

Funds for the promotion of culture (paragraph 1 (a) of the guidelines on article 15)

626. In 2000, LTL 274 million, i.e. 2.9 per cent of the 2000 national budget expenditure, was allocated for culture.

Table 40

Funding of culture in 2000 (thousand LTL)

	DUF	Books	Other	Total
Libraries	27 265	3 150.5	13 892.5	44 308
Museums	7 136.8		5 251.9	12 388.7
Film studios and other cinema organizations			48.5	48.5
Theatres and music groups			596.1	596.1
Other institutions	35 523.6		34 796.1	70 319.7
Public information institutions			48.6	48.6
Total municipal budgetary expenses	69 925.4	3 150.5	54 633.7	127 709.6
State budgetary expenses	16 399	2 340	127 555	146 294
Total in the national budget				274 003.6
National budget expenses				9 468 035
National budget expenses % for culture				2.9

Institutional infrastructure for culture (paragraph 1 (b) of the guidelines)

627. People are invited to take part in cultural activities through cultural institutions. Thirteen State theatres, 9 municipal theatres, 69 district centre and town amateur theatres, 184 rural theatres, 7 poetry theatres, 5 amateur puppet theatres, 58 satire and humour companies, 1 circus, 405 children's theatre groups, 948 cultural centres, nearly 4,000 libraries and their affiliates, 97 museums and 105 cinemas operate in the country. On the national scale, amateur cultural activities are administered via the Lithuanian Folk Culture Centre.

628. The responsibility for the State cultural policy lies with the Ministry of Culture.

Promotion of cultural identity and awareness of minorities (paragraph 1 (c) and (d) of the guidelines)

629. The cultural identity of Lithuania is sustained by traditional culture as the basis for the ethnic and national culture. The integral context of national culture and the ethnic heritage of regions such as Žemaitija, Aukštaitija, Dzūkija and Suvalkija are guaranteed by the Law on

Ethnic Minorities (XI-3412, Announced: *Valstybės Žinios*, 1989.12.10, No. 34, Publication No. 485), the Law on Amendments to the Law on Ethnic Minorities of 29 January 1991 No. I-1007, and the Law on the Principles of State Protection of Ethnic Culture (VIII-1328, Announced: *Valstybės Žinios*, 1999.10.01, No. 82, Publication No. 2414).

630. The Department of Ethnic Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania implements the Programme of Support to the Public and Cultural Activities of Ethnic Minority Communities. Within the framework of the programme, a State budgetary allocation amounting to about LTL 500,000 is made annually for the activities of public organizations of ethnic minorities.

631. Ethnic minorities in Lithuania, on the basis of the universally recognized principles and norms of the international law, the Constitution of the Republic of Lithuania, laws and other legislation, have the right to foster their language, culture and education, to establish and maintain their organizations and to carry out both political and religious activities.

632. In Lithuania, ethnic minority communities are provided with conditions for using mass media in their mother tongue. At present, 41 periodicals are published in the Russian, Polish and German languages. Lithuanian National Radio programmes 1 and 2 broadcast information in the Russian language and a programme for ethnic minorities under a single title, *Vaivorykštė* (Rainbow). There is a non-State Polish radio station, *Znad Wilii*, and *Baltijos bangų radijo stotis* (Baltic Wave Radio Station) transmits a great number of broadcasts in Belarussian. Lithuanian National Television airs various information programmes for and about ethnic communities. There is a daily 10-minute TV information programme, “*Večernij Vestnik*”, in Russian and a programme entitled “*Santarvė*” (Accord) for ethnic minorities. Once a week, 15-minute programmes are broadcast in Russian (“*Rusų Gatvė*”), Polish (“*Rozmowy Wilenskie*”), Ukrainian (“*Trembita*”) and Belarussian (“*Vilenskij Šytok*”); twice a month there is a programme for the Jewish community (“*Menorah*”), and once a month a programme, “*Labas*” (Hello), for smaller ethnic minorities and “*Krikščionio Žodis*” (Christian Word) for the Russian Orthodox population. The non-State Vilnius TV company prepared a project aiming at the improvement of the Lithuanian language skills by ethnic minorities called “*Mokomės Kalbėti Lietuviškai*” (Learning to Speak Lithuanian), and the information programme cycles *Nedelia* in Russian and *Radio Café* in Polish.

633. There are nine traditional religious communities in Lithuania. The total number of religious communities is 824. The Old Believer Church has over 30 and the Russian Orthodox Church has over 40 churches. Services in churches of 71 parishes situated in Vilnius, Kaunas and various eastern and south-eastern districts of Lithuania are held in Polish. Germans and Evangelic Latvians also have their houses of worship holding services in German and Latvian. Lithuanian Karaites also have their houses of prayer, called *kenesas*, in Vilnius and Trakai. The Jews have synagogues. Tatars have mosques holding services in Kaunas, Alytus district (Raižiai), Vilnius district (Nemėžis) and Forty Tatars’ Village, as well as a house of worship in Vilnius. In addition, there are different religious public organizations with their own publications, radio and TV broadcasts.

634. Additional information is available at <http://www.culturalpolicies.net/lithuania-4210html>.

The mass media and culture (paragraph 1 (e) of the guidelines)

635. A great number of newspapers pay satisfactory attention to cultural events by publishing special addenda or separate columns/pages for this purpose. In 2000, the Press, Radio and Television Support Fund received 70 cultural and educational projects, which are implemented by the mass media. A number of culture magazines are published. The national broadcaster is the only one to produce broadcasts on culture, which are scarce on TV, whereas the national radio broadcasts plenty of cultural information. In addition, there is an independent radio channel for classical music. Radio is the most accessible to the broad public audience.

Mankind's cultural heritage (paragraph 1 (f) of the guidelines)

636. The provision guaranteeing protection of the cultural heritage in the Republic of Lithuania is contained in article 42 of the Constitution of the Republic of Lithuania. It provides that "the State shall promote culture and science and have regard for the protection of historic, art and other cultural monuments and valuables of Lithuania." The Seimas of the Republic of Lithuania has ratified the following conventions: European Convention for the Protection of the Archaeological Heritage, UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, UNESCO Convention for Protection of Cultural Property in the Event of Armed Conflict, UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Lithuania has signed the Convention concerning the Protection of the World Cultural and Natural Heritage.

637. Lithuania has fully developed the legislation necessary for the protection of cultural heritage. The Law on the Basics of National Security provides that the environment and the cultural heritage are the objects of national security.

638. Special laws have been developed for the protection of different spheres of the cultural heritage, including the Law on the Fundamentals of State Protection of Ethnic Culture (VIII-1328, Announced: *Valstybės Žinios*, 1999.10.01, No. 82, Publication No. 2414), Law on the Protection of Immovable Cultural Properties (I-733, Announced: *Valstybės Žinios*, 1995.01.06, No. 3, Publication No. 37), Law on Protection of Movable Cultural Properties (I-1179, Announced: *Valstybės Žinios*, 1996.02.14, No. 14, Publication No. 352), Law on Museums (I-930, Announced: *Valstybės Žinios*, 1995.12.30, No. 107, Publication No. 2389), Law on Archives (I-920, Announced: *Valstybės Žinios*, 1995.06.21, No. 51, Publication No. 1245), Law on Libraries (I-301, Announced: *Valstybės Žinios*, 1993.11.24, No. 63, Publication No. 1188). The Law on Protected Territories, which is related to the issues of protection of cultural heritage (I-1120, Announced: *Valstybės Žinios*, 1995.12.30, No. 107, Publication No. 2391), Law on Local Self-Government (I-533, Announced: *Valstybės Žinios*, 1994.07.20, No. 55, Publication No. 1049; *Valstybės Žinios*, 2000.10.27, No. 91, Publication No. 2832), Law on Construction, etc.

639. The civil service entity responsible for the protection of cultural property is the Department of Cultural Heritage Protection at the Ministry of Culture of the Republic of Lithuania with its 10 territorial units in counties. The functions relating to accounting for cultural property are carried out by the cultural heritage Centre of the Department of Cultural Heritage Protection. The items of cultural heritage kept in State repositories (museums and libraries) are safeguarded by the Ministry of Culture.

640. The State policy for the protection of cultural property is developed and its implementation monitored by the State Commission for the Protection of Monuments and the Ministry of Culture. The Commission is an expert on issues of State policy for the protection of cultural properties of the Seimas, the President and the Government of the Republic of Lithuania. The Law on Local Government prescribes the function of cultural heritage protection to local municipal institutions.

Legislation (paragraph 1 (g) of the guidelines)

641. The laws in this area are the following:

Law on the Principles of State Protection of Ethnic Culture of the Republic of Lithuania, (VIII-1328, Announced: *Valstybės Žinios*, 1999.10.01, No. 82, Publication No. 2414);

Law on Copyright and Related Rights of the Republic of Lithuania, (VII-1185, Announced: *Valstybės Žinios*, 1999.06.09, No. 50, Publication No. 1598);

Law on the Fund for Support to Culture and Sport of the Republic of Lithuania, (VIII-876, Announced: *Valstybės Žinios*, 1998.10.30, No. 95, Publication No. 2634);

Law on Art Workers and their Organizations of the Republic of Lithuania, (I-1494, Announced: *Valstybės Žinios*, 1996.09.06, No. 84, Publication No. 2002);

Law on Protection of Movable Cultural Properties of the Republic of Lithuania, (I-1179 Announced: *Valstybės Žinios*, 1996.02.14, Publication No. 352);

Law on Libraries of the Republic of Lithuania, (I-920, Announced: *Valstybės Žinios*. 1995.06.21, No. 51, Publication No. 1245);

Law on Museums of the Republic of Lithuania, (I-930, Announced: *Valstybės Žinios*, 1995.06.28, No. 53, Publication No. 1292);

Law on Protection of Immovable Cultural Properties of the Republic of Lithuania, (I-733, Announced: *Valstybės Žinios*, 1995.01.06, No. 3, Publication No. 37);

Law on the Procedure for Reorganization and Liquidation of Cultural Institutions, (I-295, Announced: *Valstybės Žinios*, 1993.11.10, No. 59, Publication No. 1143).

Enjoyment of the benefits of science (paragraph 2 of the guidelines)

642. The natural rights and freedoms of the citizens of the Republic of Lithuania are protected by the Constitution of the Republic of Lithuania, which was adopted by all citizens of the country in a referendum on 25 October 1992. Article 25 of the Constitution provides as follows: “an individual shall have the right to have [his/her] beliefs and to express them freely. An individual shall not be prevented from seeking, receiving and spreading information and ideas ...”. Article 40 of the Constitution grants autonomy to higher education establishments and article 41 provides that “education is compulsory for persons under 16 years of age.

Instruction at State and municipal schools of general education and vocational schools shall be free of charge. Higher education is accessible to everybody, in accordance with the abilities of every person. Advanced citizens studying at State higher education establishments are guaranteed education free of charge”, and article 42 provides that “culture, science and research as well as instruction are free. The State supports culture and science and provides protection of historical, artistic and other cultural monuments and properties of Lithuania. The spiritual and material interests of authors related to scientific, technical, cultural and artistic creations are safeguarded and protected by laws”.

643. Scientific research centres at scientific and study institutions of Lithuania, including those that have developed into business structures closely cooperating with a scientific research institute or higher education establishment, today are full-fledged creators of world-level products. In addition, there are in Lithuania scientific and technological parks. In 1994, with the assistance of UNDP, the Lithuanian Innovation Centre was established. The list of measures aimed at improving the enjoyment of scientific research progress can be complemented by the following: increasingly strong relations between scientific and economic entities and closer cooperation between different ministries towards the formation and implementation of an innovation policy. An indisputable influence on the scientific progress in the country is exerted by the increasingly intensive process of development of the information society in Lithuania and the recently developed new vision of the knowledge society. Today Lithuania has the following institutional system allowing the development of science, its protection, and the dissemination of scientific applications:

(a) Higher education sector (32 institutions): 15 State higher education university establishments; 6 State scientific institutions at State higher education university establishments; 4 State non-university higher education establishments; 4 private higher education university establishments; 3 private non-university higher education establishments;

(b) State sector (59 institutions, Statistical Department data 1999): 29 State scientific institutes; 16 State scientific institutions; 14 other institutions;

(c) The system of business companies and non-profit organizations engaged in scientific research and technological development - 26 institutions (Statistical Department data 1999).

644. This institutional infrastructure also comprises scientific institutions and public organizations of scientists and students (Lithuanian Council of Science, Study Quality Evaluation Centre, Conference of Directors of State Scientific Institutes, Conference of Chairpersons of Senates of Lithuanian Scientific and Study Institutions, Lithuanian Academy of Sciences, Lithuanian Union of Scientists, etc.), scientific and technological parks, economic entities and/or experimental development units.

645. The Lithuanian scientific and study computer network LITNET started its activities as an association of Lithuanian scientific, study and other non-profit organizations in 1991 after installation of the first X.25 satellite communication channel between Oslo University and the Institute of Mathematics and Informatics in Vilnius. The first 64 Kbps inter-town channel Vilnius-Kaunas linking three scientific and study organizations was established in April 1992. In autumn 1993, a new 64 Kbps channel Vilnius-Kaunas was installed using more recent

information technologies. In 1994 LITNET joined the world computer network Internet. Lithuanian organizations have a direct connection to the TAIPNET network used for transfer of international data flow to Internet. In 1995, data transmission channels Kaunas-Klaipėda and Kaunas-Panevėžys were established. In autumn of 1995, LITNET started using the new international communication channel LITNET-NORDUNET, which was upgraded up to 128 Kbps in May of 1996. In summer of 1996, the 2 Mbps data transmission channel between Vilnius and Kaunas was put into operation. LITNET members use, operate and develop the network. LITNET covers a great number of universities, scientific centres and libraries in the five largest towns of Lithuania, namely Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys.

646. In 1998, the Lithuanian Council of Science and the Lithuanian Academy of Sciences made an application to the President of the Republic of Lithuania, the Speaker of the Seimas of the Republic of Lithuania and the Government of the Republic of Lithuania, in which they expressed the concern of the scientific community of Lithuania about the necessity of ensuring the development of the information society in Lithuania, recommending that this objective be declared as strategic and this sphere of activity a priority in Lithuania.

647. In February 1999, the Government of the Republic of Lithuania, aiming at guaranteeing publicity for and strengthening of public relations, adopted the Resolution on Publication of Draft Laws and Other Regulations on the Internet (Announced: *Valstybės Žinios*, 1999.02.10, No. 15, Publication No. 389). In May 1999, the Government set up the State Information Policy Coordination Commission and approved its regulations.

648. A significant role in the dissemination of scientific progress is also played by distance training centres established at higher education institutions. They enable the spreading of information to institutions based in different regions.

649. On 29 August 2000, the Ministry of Education and Science and the company Microsoft signed a letter of intent on the introduction of information and communication technologies in the educational system of Lithuania. Microsoft is determined to make an effective contribution to the development of education and science in Lithuania.

650. By the order of 30 January 2001, the Minister of Education and Science approved the Programme on Information Technology for Science and Research for 2001-2006. The key objective of the programme is to develop, with the existing resources, the information environment of Lithuanian education and research designated for the accumulation of information on science and research and its use in institutional activities, through decision-making and presentation of Lithuanian science and research on the world computer networks. The programme will assist scientists, lecturers and students to receive the necessary information and to use information technologies for education and in teaching the Lithuanian people.

651. Lithuania is a member of the Convention on Human Rights and Biomedicine of 4 April 1997 and a signatory to the Additional Protocol to the Convention on the Prohibition of Cloning Human Beings of 12 January 1998. The Law on the Ethics of Biomedical Research

of the Republic of Lithuania (VIII-1679, Announced: *Valstybės Žinios*, 2000.05.31, No. 44, Publication No. 1247) provides for the requirements and principles of biomedical research ethics, the procedure for the issuance of authorizations to perform biomedical research, the procedure for the control of biomedical research practices and the assigning of responsibility for violations of this law.

Protection of intellectual property rights (paragraph 3 of the guidelines)

652. With a view to promoting intellectual and creative activity, the State has to ensure the effective protection of its outcome, i.e. scientific and artistic works.

653. In recent years, a modern regulatory system for the protection of copyright (individual non-property and property rights) of literary, scientific and artistic works has been developed in Lithuania. On 19 May 1999, the Law on Copyright and Related Rights of the Republic of Lithuania was adopted (it came into force on 9 June 1999) (VIII-1185, Announced: 1999.06.09, No. 50, Publication No. 1598). This law also regulates the protection of related rights (the rights of performers, producers of phonograms and broadcasting organizations). The provisions of this law have been harmonized with the EU directives and other international copyright protection instruments.

654. The Law regulates an author's individual non-property and property rights (arts. 14 and 15). It provides for restrictions on an author's property rights (arts. 20-28), in exceptional cases stipulated by the Law. The Law provides that copyrights must not contradict the ordinary use of the work and must not infringe the legal interests of the author or another owner of copyright. Durations of copyright (arts. 30-33) have been harmonized with EU directives. It is established that the author's property rights shall run for the life of the author and for 70 years after his/her death, irrespective of the date when the work is lawfully made available to the public. Taking into account the requirements of the EU directive on legal protection of databases, the law provides for a special database protection (*sui generis*) regulating the rights of database producers. This protection must not infringe authors' rights to databases and works or objects of related rights forming the content of the database (art. 52, para. 4).

655. Taking into account the fact that international law is of great importance to the protection of copyright, Lithuania ratified the framework international conventions and treaties regulating the protection of copyright. On 14 December 1994, Lithuania adhered to the Berne Convention for the Protection of Literary and Artistic Works and is a member of the Berne Union. On 14 March 2001, the Seimas of the Republic of Lithuania ratified the Copyright Treaty of the World Intellectual Property Organization (WIPO) (Geneva, 1996). The treaty ratification documents have been deposited with WIPO. The purpose of this treaty is modernization of the protection of copyright as provided in the Berne Convention, taking into account the technological progress in the information society.

656. With a view to attaining a similar level of protection of related rights, the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations was ratified. The Convention became effective for Lithuania on 22 July 1999.

657. *Exercise of copyright.* An important role in the exercise of copyright is played by the collective administration of such rights, effected by the organizations established on the basis of the membership of authors and their successors in title. In cases when a work is used by many users (public performance, broadcasting and retransmission of musical works, etc.), the author him/herself is not in a position to exercise control over all users of his/her work and negotiate royalties with them. In collective copyright administration, authors empower organizations to exercise control over the use of works, conduct negotiations on the use of works, issue licences to users granting them the right to use the works and, in conformity with the properly approved rules, to collect the authors' royalties.

658. The collective copyright administration in Lithuania is carried out by the Agency of the Association for the Protection of Lithuanian Authors' Rights (LATGA-A). Established in 1991, it represents authors' rights on the basis of membership and under agreements signed with authors. At present, LATGA-A represents 2,200 Lithuanian authors and has signed 58 bilateral agreements with organizations representing foreign authors from 49 countries. In 1992, the Association became a member of the International Confederation of Societies of Authors and Composers.

659. The Association for the Protection of Related Rights (AGATA) was established in 1999 to administer the rights of performers and producers of phonograms.

660. The State policy in the sphere of copyright and related rights is implemented and the protection of such rights is coordinated, within its competence, by the Ministry of Culture, which was appointed, by Resolution No. 1283 of the Government of the Republic of Lithuania of 19 November 1999 on the Implementation of the Law on Copyright and Related Rights of the Republic of Lithuania (Announced: *Valstybės Žinios*, 1999.11.24, No. 99, Publication No. 2861), as the authorized institution of the Government of the Republic of Lithuania in the sphere of copyright and related rights. On 12 January 2000, the Lithuanian Council for Copyright and Related Rights was founded. It is a public institution, engaged, as an expert and consultant, in the investigation of issues of implementation of the provisions of the Law on Copyright and Related Rights of the Republic of Lithuania and the international commitments of the Republic of Lithuania in the sphere of copyright and related rights; it transmits its conclusions and proposals to the Ministry of Culture.

661. *Application of measures for the protection and guarantee of authors' rights.* One of the most pressing problems in the sphere of authors' rights is protection of the copyright on literary, scientific and artistic works by applying civil, administrative and punitive measures. The legal basis is currently being developed in Lithuania, enabling effective actions to be taken against any infringements of intellectual property rights, including measures for the prevention of infringements and compensation for damages, which would prevent from further infringements.

662. The Law on Copyright and Related Rights defines the actions considered as copyright infringements (art. 64) and provides for remedies and remuneration for economic and moral damages. A separate article deals with the measures for securing action for the protection of copyright and related rights (art. 69).

663. The administrative responsibility for the illegal reproduction, distribution and public performance of literary, scientific and artistic works (including software and databases) in any

way and by any means for commercial purposes is defined in article 214 (10) of the Administrative Code. The provisions of this law are applied not only to audio-visual works and sound recordings (phonograms); they also cover books, software, reproduction and distribution of works of art, public performances, broadcasting and retransmission of literary and musical works.

664. The laws on the amendment of the Criminal Code and the Code of Criminal Procedure adopted on 20 April 2000, provide criminal liability for appropriation of copyright (plagiarism), infringement of copyright, illegal reproduction, distribution, broadcasting and retransmission of works as well as illegal removal of technological measures used for protection of copyright.

665. Concerning the protection of intellectual property rights in the sphere of import and export, the Law on the Protection of Intellectual Property in the Field of Import and Export of Goods of the Republic of Lithuania (IX-117, Announced: *Valstybės Žinios*, 2000.12.30, No. 113, Publication No. 3611) came into force on 1 January 2001. This law provides for a system of relevant measures providing conditions for withholding forged goods and illegal (pirate) reproductions of works at the customs and prohibiting from putting them into circulation, exporting them or executing any customs procedure in respect of them. The successful implementation of all the mentioned measures would be a fundamental advance in the sphere of protection of intellectual property rights.

666. Alongside the development of an effective mechanism for the protection and guarantee of copyright, it is necessary to establish a system of relevant competent institutions. The Law on the Police of the Republic of Lithuania (I-851, Announced: *Lietuvos Aidas*, 1990.12.20, No. 148; *Valstybės Žinios*, 1991.01.20, No. 2, Publication No. 22) provides the possibility to set up separate specialized units and services in the police system. In this respect, such a special structural unit was established in the Tax Police Department by Order No. 238 of the Ministry of the Interior of 6 June 1998.

667. The Law on Copyright and Related Rights of the Republic of Lithuania defines the authors' rights to literary, scientific and artistic works, the rights of performers, producers of phonograms, broadcasting organizations and producers of the first recording of an audio-visual work (film), special rules for the legal protection of databases, exercise of copyright and related rights as well as collective administration and protection.

668. The State provides the conditions for scientific activities through financing scientific publications and upgrades the scientific research and technological development equipment of scientific and research institutions through financial support for the renovation of buildings of scientific and research institutions.

669. In the beginning, there were difficulties regarding the former closed Soviet system and such problems were not known then, as everything created at that time was in the ownership of the entire nation. After restoration of the independent State of Lithuania, necessary measures were taken; however, there was a lack of experience and understanding of the substance of intellectual property rights, a long transitional period for the exercise of intellectual property rights conditioned by the prolonged economic reforms in the country, as well as insufficient legal awareness of the public in respect of guaranteeing intellectual property rights.

Conservation, development and diffusion of science and culture (paragraph 4 of the guidelines)

670. The Constitution of the Republic of Lithuania provides:

“Article 25

“Individuals shall have the right to have their own convictions and freely express them. Individuals must not be hindered from seeking, obtaining, or disseminating information or ideas. Freedom to express convictions, as well as to obtain and disseminate information, may not be restricted in any way other than as established by law, when it is necessary for the safeguard of the health, honour and dignity, private life, or morals of a person, or for the protection of the Constitutional order. Freedom to express convictions or impart information shall be incompatible with criminal actions - the instigation of national, racial, religious, or social hatred, violence, or discrimination, the dissemination of slander, or misinformation. Citizens shall have the right to obtain any available information, which concerns them from State agencies in the manner established by law.

“Article 26

“Freedom of thought, conscience, and religion shall not be restricted. Every person shall have the right to freely choose any religion or faith and, either individually or with others, in public or in private, to manifest his or her religion or faith in worship, observance, practice or teaching. No person may coerce another person or be subject to coercion to adopt or profess any religion or faith. A persons’ freedom to profess and propagate his or her religion or faith may be subject only to those limitations prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, a persons’ health or morals, or other fundamental rights and freedoms of others. Parents and legal guardians shall have the liberty to ensure the religious and moral education of their children in conformity with their own convictions.

“Article 37

“Citizens who belong to ethnic communities shall have the right to foster their language, culture, and customs.

“Article 42

“Culture, science, research and teaching shall be unrestricted. The State shall support culture and science, and shall be concerned with the protection of Lithuanian history, art, and other cultural monuments and valuables. The law shall protect and defend the spiritual and material interests of authors, which are related to scientific, technical, cultural, and artistic work.

“Article 44

“Censorship of mass media shall be prohibited. The State, political parties, political and public organizations, and other institutions or persons may not monopolize the means of mass media.

“Article 45

“Ethnic communities of citizens shall independently administer the affairs of their ethnic culture, education, charity, and mutual assistance. The State shall provide support to ethnic communities.”

671. The Law on Art Creators and their Organizations of the Republic of Lithuania (I-1494, Announced: *Valstybės Žinios*, 1996.09.06, No. 84 Publication No. 2002) provides:

“CHAPTER 1. GENERAL PROVISIONS.

“Article 1. Objective of the Law.

“This law provides for the social guarantees to professional art creators, fundamental principles of activities of their organizations, property rights and State support.

“Article 2. Main definition used in the law.

“The art creator means a person who creates valuables of article 2. The organization of art creators means a voluntary formation of art creators such as an association, society or union, set up for the purpose of meeting creative, cultural and social needs of its members protection of freedoms and rights of art creators and development of the culture of the country. The organization of art creators shall be a non-profit organization. Art creators shall unify in accordance with the art forms (fine art, music, literature and etc.) or combinations of such art forms.

“Article 4. Social security of an art creator.

“The procedure for allocation of State pensions and grants, social insurance and protection of all other economic and social rights shall be established in accordance with laws. Organizations of art creators shall have regard for establishment of social insurance funds and may sign agreements with State and other social insurance organizations for the purpose for insuring their members.

“Article 5. Activity of the organization of art creators.

“1. The activity of the organization of art creators shall be governed by the Constitution of the Republic of Lithuania, this law and other laws and in accordance with its by-laws. 2. The establishment, organizational structure, activity and liquidation or organizations of art creators shall be regulated by the Law on Public Organisations and Law on Associations, unless this law provides otherwise.”

672. After the restoration of independence in Lithuania, a new phase of Lithuanian science commenced. Since then, the system of science has been reformed to meet the needs of an independent State. During the period of radical political, public and hardly predictable economic changes, an attempt was made to ensure most autonomous functioning possible of the system of science and to establish academic freedom and responsibility of scientists, thus maintaining the basic scientific potential.

673. In June 1991, a list of State scientific institutions of the Republic of Lithuania was approved; in July of the same year, typical by-laws of the State scientific institutions were approved and State grants of two grades for celebrated figures of art, culture and science, as well as gifted young artists and scientists, were established; in November, the rules of remuneration of scientific workers and pedagogues of scientific and research institutions were approved and in December, the criteria and principles of tenders for scientific workers and pedagogues of higher education establishments and scientific institutes were approved.

674. In January 1992, the Resolution of the Government of the Republic of Lithuania On the Annuity of Professors and Associate Professors was adopted; in March, the Resolution On the System of Scientific Degrees and Academic (Scientific) Titles of the Republic of Lithuania and Procedure for their Awarding was adopted, and in July, the Resolution On the Recognition of Scientific Degrees and Academic (Scientific) Titles and Registration of Diplomas (Certificates) were adopted. With a view to developing and implementing the State policy in the sphere of science, research and technology, on 1 September 1992, the Government of the Republic of Lithuania founded the State Service of Science, Research and Technology. In October, a resolution was adopted by which the scientific fields and classification of scientific trends were approved as well as the list of institutions granted the right to award the scientific degree of doctor. The Constitution of the Republic of Lithuania guarantees the protection, development and spreading of science and culture in Lithuania.

675. In January 1993, the Government of the Republic of Lithuania resolved to establish 11 annual scientific awards of the Republic of Lithuania, which are granted annually for significant scientific works. The resolution adopted in December of the same year concerning the preparation and implementation of State scientific programmes provided for a new complex solution to the scientific and technological problems important for the development of the country's economy and culture.

676. In 1994, the assessment of the activities of State scientific institutes and higher education establishments started and the Law on Science and Research (I-1052, Announced: *Lietuvos Aidas*, 1991.02.19, No. 35; *Valsybės Žinios*, 1991.03.10, No. 7, Publication No. 191), was adopted on the basis of the principles that the State supports and promotes science and research and considers them to be of particular importance to the culture and economy of the Republic of Lithuania and shall legitimize the indivisibility of science and research. At present, new wording of this law is under preparation.

677. Experts of the Council of Sciences of Lithuania and Norway, who carried out an assessment of the scientific potential of Lithuania in 1994 and 1995, state that, irrespective of the insufficient financing to science and out of date scientific research base, the education of the society in Lithuania might serve as the basis for the improvement of living conditions and that scientific research in most areas corresponded to the international level. The Lithuanian

scientific research and experimental work priorities were determined by the necessity of fundamentally reorganizing the national economy inherited from the Soviet period as well as building a free and democratic State based on a free market economy and integrated into the European Union and the North Atlantic Treaty Organization.

678. By decree of the Prime Minister of the Republic of Lithuania, further assessment of the activities of Lithuanian scientific and research institutions was continued in 1997, aiming at the reform of the system of science. A group of experts made proposals concerning the revision of the criteria for the assessment of the quality and productivity of scientific activities, reasonable financing of science, more effective use of scientific potential for solving the education, higher education, economic and social problems, structural reform of the system of science, science management and the system for the implementation of the State science policy. The work accomplished is held to be the first attempt to prepare a White Paper on science in Lithuania.

679. With a view to improving the scientific and technological development system and its efficiency, a working group, established by decree of the Prime Minister of the Republic of Lithuania on 14 May 1999, prepared and submitted to the Government of the Republic of Lithuania a draft White Paper on Lithuanian Science and Technology, which will serve as the basis for the development of the Scientific and Technological Development Strategy for 2000-2005.

680. An especially important event for the system of science and research was the adoption of the Law on Long-term Financing of Science and Education by the Seimas of the Republic of Lithuania on 7 December 2000. This law provides for the variation of State budgetary allocations for science and research in 2001-2004 and that the Government reform the entire system of scientific, research and educational institutions in 2001. This measure would also guarantee the enhanced implementation of scientific progress. The mentioned law provides that in the year 2001, the allocation for science and research will be at least 1.35 per cent of GDP, in 2002 at least 1.5 per cent, in 2003 at least 1.75 per cent and in 2004 at least 2 per cent.

681. Aiming at more efficient coordination of activities of State scientific and research institutions and more reasonable use of the country's scientific potential and State funds allocated for science and research, a working group was established by Order No. 1487 of the Minister of Education and Science of 18 December 2000, which has to provide proposals on the reasonable use of the country's scientific potential as well as a plan and methods of structural reform of State scientific and research institutions. The Minister of Education and Science, by his Order No. 1528 of 28 December 2000, approved the procedure for the distribution of State budgetary allocations to scientific and research institutions for 2001, and by Order No. 1523 of 29 December he approved the rules for the assessment of scientific and research institutions. The complex plan for restructuring the State scientific and research institutions is expected to be prepared in the second quarter of 2001.

682. A lot of attention has been paid to the improvement of the financing of the country's system of science and research. By Order No. 1488 of the Minister of Education and Science of 18 December 2000, a working group was set up which produced conclusions on the efficiency of scientific and applied scientific activities of State scientific and research institutions as well as

conclusions on their financing. While considering the financing of State scientific institutes from the State budget for 2001, the volumes of financing to the institutes were for the first time estimated, taking into account the quantitative indicators of effectiveness, quality, competitiveness and urgency of their scientific research and applied scientific activities.

683. It is planned to further develop the project for the modernization of the experimental facilities of State scientific institutes. A draft programme for the renovation of buildings of State higher education establishments and State scientific institutes was submitted to the Government of the Republic of Lithuania. The implementation of the latter projects will provide better conditions for successful participation in international scientific research and technological development programmes.

684. There is a media system developed in Lithuania which contributes to safeguarding, developing and spreading scientific progress. It comprises national dailies publishing information, reviews and analytical articles, as well as special columns in such dailies; newspapers for the scientific community (*Mokslo Lietuva*) and magazines (*Mokslas ir Technika*, *Mokslas ir Gyvenimas*, etc); different databases, both existing and under development; the whole range of the latest information technologies used for dissemination of scientific research, as well as radio and TV broadcasts. Lithuania is an associate member of the EU. It is integrating into international computer networks, thus obtaining access to all means of information dissemination held by the EU States. The effective world satellite systems allows spreading and reception of information from all over the world.

System of protection of scientific and creative activity (paragraph 5 of the guidelines)

685. There is no special legal system in Lithuania to protect the freedom necessary for scientific research and creative activity. Disputes, if any, are investigated by courts of general competence. The legal system consists of legislation such as the Constitution of the Republic of Lithuania, laws of the Seimas of the Republic of Lithuania approving governmental programmes containing the principles of activity as proposed by the ruling political party as well as the directions and priorities of State development for the term of the Government, and other legislation regulating the development of the system of science and research.

686. The main administrative institution currently responsible for the development of State policy in the sphere of science and technology is the Department of Science and Research (47 employees) at the Ministry of Education and Science, which was established in 1998 and which, following reorganization, will be joined to the Ministry of Education and Science on 4 April 2002.

687. There is no legislation in the Republic of Lithuania prohibiting the exchange of scientific, technical and cultural information, opinions and experience. These freedoms are guaranteed by the main law of the Republic of Lithuania, the Constitution.

688. State institutions engaged in scientific research activities are financed from the State budget and receive funds from participation in international programmes and by fulfilling orders from private institutions and businesses. State scientific institutions have to search for additional financial sources independently. The Academy of Sciences of Lithuania and the Lithuanian Council of Science are the experts of the Seimas and Government of the Republic of Lithuania

receiving State financial support. Various scientific societies and public organizations receive financial support in the form of membership fees and through their activities comprising different creative and scientific research projects and consulting services.

689. On 21 July 1993, the Government of the Republic of Lithuania adopted Resolution No. 540 (Announced: *Vastybės Žinios*, 1993.07.28, No. 32, Publication No. 741) establishing the State Fund for Science and Research of Lithuania and approved its regulations. With a view to providing the most favourable conditions possible for full-time students of State higher education establishments of Lithuania, the regulations of the Fund were partially amended to allow the Fund to extend study loans for students.

690. The Law on Charity and Sponsorship Funds of the Republic of Lithuania, adopted on 14 March 1996, (I-1232, Announced: *Valsybės Žinios*, 1996 04.10. No. 32, Publication No. 787) regulates the support to different spheres of activity including science, culture, education, etc.

Measures to encourage international cooperation (paragraph 6 of the guidelines)

691. There is no legislation in Lithuania prohibiting international contacts and cooperation in the sphere of science and culture, with the exception of cases when such cooperation might be related to damage to the State or its interests.

692. Resolution No. 1407 of the Government of the Republic of Lithuania of 12 December 1997 On the Approval of the Regulations of Special Attachés of the Republic of Lithuania (Announced: *Valsybės Žinios*, 1997.12.19, No. 116, Publication No. 2961) was adopted. The regulations regulate the procedure for the appointment and recall of special attachés of the Republic of Lithuania as well as the legal principles of their activities.

693. Resolution No. 331 of the Government of the Republic of Lithuania of 24 March 1998 On the Establishment of the Positions of Cultural Attachés of the Republic of Lithuania (Announced: *Valsybės Žinios*, 1998.03.27, No. 29, Publication No. 774) provided for the establishment of the positions of cultural attachés at the diplomatic mission of the Republic of Lithuania in France, at the standing mission of the Republic of Lithuania in the EU, at the diplomatic mission of the Republic of Lithuania in Sweden and at the consulate of the Republic of Lithuania in Kaliningrad (Russian Federation).

694. Pertaining to Resolution No. 411 of the Government of the Republic of Lithuania of 13 April 2001 On the Establishment of Positions of Cultural Attachés of the Republic of Lithuania (Announced: *Valsybės Žinios*, 2001.04.18, No. 33, Publication No. 1102), it was resolved to establish the positions of cultural attachés at the diplomatic mission of the Republic of Lithuania in the Russian Federation and at the diplomatic mission of the Republic of Lithuania in Poland.

695. Cross-border agreements on bilateral cooperation and interdepartmental agreements signed on the basis of the Law on Treaties promote and develop international contacts and cooperation in the sphere of science.

696. The development of participation of Lithuanian scientific and research institutions in international scientific and technological development programmes has become increasingly intensive. The fact that Lithuania is an associate member of the EU promotes the development of international relations. Lithuania has successfully accumulated the experience of participation in the EU scientific research and technological development programmes (1994-1999). Presently, Lithuania takes part in the fifth EU framework programme. There is a framework for the provision of methodological and information assistance to the programme's participants. Participation in the programme strengthens the relationship between science and industrial structures. With a view to supporting international scientific cooperation, a draft resolution on joining INTAS, the International Association for Cooperation with the Scientists of the Newly Independent States of the Former Soviet Union, was submitted to the Government of the Republic of Lithuania.

697. The Government also promotes the participation of Lithuanian scientists in other European scientific and technological programmes. Lithuania became a member of the Eureka programme and COST activities and established the Eureka national centre, which coordinates the participation of Lithuanian scientists in that programme: in the year 2000 alone, seven Eureka projects were approved and another two project concepts were provided and are now being evaluated. Great attention was paid and financial support rendered to the companies participating in Eureka by the Ministry of Economy. The participation in COST activities develops successfully, as Lithuanian scientists currently participate in 17 COST activities.

698. The Government of the Republic of Lithuania promotes the participation of scientists in various international activities not only by paying, from State budgetary funds, the international programme participation fees, but also by adopting resolutions providing for tax deductions and financial support, including the resolutions on the establishment of the State International Study Commission and the State Fund for Science and Research and the resolution on international organizations and funds for paying grants which are exempt from income tax (550, Announced: *Valsybės Žinios*, 1997.06.06, No. 50, Publication No. 1208). In addition, the laws of the Republic of Lithuania such as the Law on the Value-Added Tax (I-345, Announced: *Valsybės Žinios* 1994.01.12, No. 3 Publication No. 40; *Valsybės Žinios* 1994.04.15, No. 28, Publication No. 490), the Law on Customs Duty (VIII-633, Announced: *Valsybės Žinios* 1998.03.25, No. 28, Publication No. 727) or the Provisional Law on Income Tax of Natural Person (I-641, Announced: *Lietuvos Aidas*, 1990.10.12, No. 101; *Valsybės Žinios*, 1990.11.10, No. 31, Publication No. 742) provide for various benefits for scientific research and creative activities.

Factors and difficulties impeding the development of international cooperation in these spheres

699. The former closed Soviet system, the inadequate level of foreign language proficiency, the lack of international cooperation skills and management knowledge, as well as insufficient financial resources have hampered the development of international cooperation.

Changes in national policy (paragraph 7 of the guidelines)

700. There have been no changes in the national policy that would exert adverse influence on the right defined in article 15.

Notes

¹ Data from the Labour Force Survey of the Department of Statistics of the Government of the Republic of Lithuania, November 2000.

² Data provided by the Lithuanian Labour Exchange.

³ All people shall be equal before the law, the court, and other State institutions and officers. A person may not have his rights restricted in any way, or be granted any privileges, on the basis of his or her sex, race, nationality, language, origin, social status, religion, convictions, or opinions”, article 29 of the Constitution of the Republic of Lithuania, 25 October 1992, entered into force 2 November 1992.

⁴ Recipients of State social insurance pensions may also receive survivor’s pension in addition to old-age or disability pension. Therefore, the number of State social insurance pensions paid does not coincide with the number of recipients of these pensions.

ANNEXES

Annex 1

EMPLOYMENT

(Data of the Department of Statistics at the
Government of the Republic of Lithuania)

Table 1

Employed persons by economic activity (average annual, thousand)

	1991	1995	2000
Total	1 897.6	1 643.6	1 517.9
Agriculture	...	391.8	297.8
Industry	...	348.5	311.5
Construction	...	114.7	88.2
Services	...	788.6	820.4

Table 2

Employed population by gender (average annual, thousand)

	1991	1995	2000
Total	1 897.6	1 643.6	1 517.9
Male	876.7	818.5	759.8
Female	1 020.9	825.1	758.1

Table 3

Number of employed population and employment rate by counties

	1995	1999	1995	1999
	Number of employed (thousand)		Employment rate (per cent)	
Alytus county	79.8	79.4	51.5	50.1
Kaunas county	322.9	331.1	54.9	55.3
Klaipėda county	187.6	189.5	59.4	58.6
Marijampolė county	79.9	83.0	53.4	54.6
Panevėžys county	149.7	140.7	60.1	56.0
Šiauliai county	178.4	169.3	58.7	54.6
Tauragė county	52.0	53.4	53.4	54.0
Telšiai county	76.1	76.1	56.5	55.3
Utena county	88.8	85.7	56.7	53.9
Vilnius county	428.1	439.3	60.7	61.0

Annex II

EMPLOYED POPULATION WORKING REDUCED TIME

	1997		1999		2000	
	Thousand	Per cent	Thousand	Per cent	Thousand	Per cent
Total	157.1	10.0	110.5	6.9	155.2	10.2
Female	85.6	11.5	54.9	7.0	84.1	11.1
Male	71.5	8.6	55.7	6.9	71.1	9.4

Annex III

UNEMPLOYMENT RATE

(Data of labour exchange)

Table 1

In the country (average annual per cent)

	1991	1995	2000
Total	0.3	6.1	11.5
Youth	...	9	14.5
Female	...	6.9	10.8
Male	...	5.7	12.3

Table 2

In counties (average annual)

	1993	1995	2000
Alytus county	4.4	8.5	13.7
Kaunas county	3.5	4.9	9.2
Klaipėda county	4.5	6.6	10.0
Marijampolė county	3.3	5.6	15.0
Panevėžys county	5.6	6.0	14.6
Šiauliai county	5.1	7.1	16.3
Tauragė county	10.7	12.6	15.1
Telšiai county	3.4	7.4	13.0
Utena county	5.9	6.4	10.7
Vilnius county	3.4	5.3	9.2

Labour force supply (end of year)

	1991		1995		2000	
	Thousand	Per cent	Thousand	Per cent	Thousand	Per cent
Registered unemployed	6.8	100	127.7	100	225.9	100
Including:						
Female	...	...	70.4	55.1	102.8	45.5
Male	...	...	57.3	44.9	123.1	54.5
Youth	...	...	24.0	18.8	34.4	15.2
Under retirement age	...	...	5.0	3.9	19.0	8.4
Disabled	...	...	1.1	0.9	3.9	1.7

Annex IV

JOB PLACEMENT (PER YEAR)

	1991		1995		2000	
	Thousand	Per cent	Thousand	Per cent	Thousand	Per cent
Total	24.4	100.0	50.1	100.0	100.9	100.0
Unfixed employment contract	24.0	98.4	39.0	77.8	67.8	67.2
Fixed employment contract	0.4	1.6	11.1	22.2	33.1	32.8

Annex V

**LABOUR MARKET VOCATIONAL TRAINING OF UNEMPLOYED
AND EMPLOYED WHO WERE ADMONISHED OR DISMISSAL
(Data of Labour Market Training Authority)**

	Total number of trained	Groups						
		Directed by employer	Own initiative	Unemployed, directed by labour exchange	Including			
					Non-qualified youth Long-term unemployed	Disabled	With unmarketable profession	
2000	16 583	7 734	4 594	4 255	1 111		44	1 512
1999	23 543	8 574	644	8 528	1 172		47	3 814
Change	-6 960	-840	-1 847	-4 237	-1 907	-61	-3	-2 302
Per cent	-29.6	-9.8	-28.7	-50.1	-35.1	-5.2	-6.4	-60.4

	Total number of trained	By training type							
		Qualification upgrading				Received qualification			
		Total	Including			Total	Including		
			Employer directed	Own initiative	Unemployed directed by labour exchange		Employer directed	Own initiative	Unemployed directed by labour exchange
2000	16 583	8 169	5 944	1 683	569	8 387	1 790	2 911	3 686
1999	23 543	9 262	5 741	2 078	1 443	14 281	2 833	4 363	7 085
Change	-6 960	-1 066	203	-395	-874	-5 894	-1 043	-1 452	-3 399
Per cent	-29.6	-1.5	3.5	-19.0	-60.6	-41.3	36.8	-33.3	-48.0

	Total number of trained	Including groups						
		Directed by employer	Own initiative	Unemployed, directed by labour exchange	Including			
					Unqualified youth	Long-term unemployed	Disabled	With unmarketable jobs
Iq.2000	4 647	1 919	1 554	1 174	478	323	8	365
Iq.2001	4 120	1 997	749	1 374	596	269	0	509
Change	-527	78	-805	200	118	-54	-8	144
Per cent	-11.3	4.1	-51.8	17.0	24.7	-16.7	-100.0	39.5

	Total number of trained	Including the mode of training							
		Upgraded qualification				Total	Received qualification/re-qualification		
		Total	Including				Including		
			Directed by employers	Own initiative	Unemployed directed by labour exchange	Directed by employer	Own initiative	Unemployed directed by labour exchange	
Iq.2000	4 647	2 102	1 484	536	82	2 545	435	1 018	1 092
Iq.2001	4 120	2 076	1 464	382	230	2 044	533	367	1 144
Change	-527	-26	-20	-154	148	-501	98	-651	52
Per cent	-11.3	-1.2	-1.3	-28.7	180.5	-19.7	22.5	-63.9	4.8

Annex VI

VOCATIONAL INFORMATION, CONSULTING AND GUIDANCE

(Data of Labour Exchange Training Authority)

	Total	Including											
		School-children	Employed	Including Warned of dismissal	Unemployed registered at labour exchange	Unemployed non-registered at labour exchange	Parents of schoolchildren	Teachers	Youth	Long-term unemployed	With unmarketable occupation	Socially vulnerable	Including Disabled
2000	49 744	11 362	2 809	1 179	32 597	2 335	294	347	11 794	9 065	10 078	5 751	494
1999	49 807	11 694	3 524	1 651	32 302	1 170	574	543	11 330	6 900	109 905	7 170	678
Change	-63	-332	-715	-472	295	1 165	-280	196	464	2 163	-99 827	1 419	-184
Per cent	0.1	-2.8	20.3	-28.6	0.9	99.6	48.8	-36.1	4.1	31.4	90.8	19.8	27.1

	Total	Including:								
		Individual			Groups					
		Total	Vocational guidance	Including Vocational inclination testing	Adaptability to market	Personal general adaptability	Total personal general adaptability	Education of personal general adaptability	Including Formation of adaptable behaviour	Correction of adaptation difficulties
2000	49 744	26 699	23 907	23 534	2 792	23 045	10 732	23 045	11 654	659
1999	49 807	32 716	29 728	25 431	2 988	17 091	8 414	17 091	8 132	545
Change	-63	-6 017	-5 821	-1 897	-196	5 954	2 318	5 954	3 522	114
Per cent	0.1	-18.4	19.6	-7.5	-6.6	34.8	27.5	34.8	43.3	20.9

Annex VI (continued)

	Total number of consultations	Including										
		School-children	Employed	Including Warned of dismissal	Unemployed	Including Non-registered at labour exchange	School-children, teachers, parents	Youth	Long-term unemployed	With unmarketable profession	Socially vulnerable	Including Disabled
2000 I q.	13 123	3 558	621	208	8 789	285	155	3 059	2 409	2 338	1 322	95
2001 I q.	15 985	4 628	611	130	10 304	475	442	3 460	3 050	2 928	2 018	171
Change	2 862	1 070	-10	-78	1 515	190	287	401	641	590	696	76
Per cent	21.8	30.1	-1.6	-37.5	27.2	66.7	185.2	13.1	26.6	25.2	52.6	80.0

	Total number of consultations	Including										
		Individual					In groups					
		Total	Vocational consultations	Professional suitability testing	Adaptation in labour market, correction and training	Total	Training of general adaptability	Adaptable behaviour	Correction of adaptation difficulties			
I q. 2000	13 123	7 246	6 392	6 759	854	5 877	2 372	3 330	205			
I q. 2001	15 985	8 934	8 267	7 877	667	7 051	3 086	3 709	256			
Change	2 862	2 688	2 875	1 228	-287	2 274	724	409	52			
Per cent	21.8	23.3	29.3	26.5	-22.9	20.0	30.1	12.4	24.9			

Annex VII

**EMPLOYED POPULATION IN ADDITIONAL JOBS
BY EMPLOYMENT STATUS**

**(Data from the labour force survey of the Department of Statistics
at the Government of the Republic of Lithuania)**

(Thousand)

	1999		2000	
	May	November	May	November
Total	155.4	118.6	114.5	99.5
Employers and self-employed	93.7	66.1	53.8	46.8
Hired employees	43.1	38.7	44.5	38.8
Assisting family members	18.6	13.9	16.2	13.9
