



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 472nd meeting

Held at Headquarters, New York, on Friday, 16 June 2000 at 10.30 a.m.

Chairperson: Ms. Gonzalez

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The meeting was called to order at 10.50 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial and second periodic reports of Lithuania (CEDAW/C/LTU/1 and 2)

1. *At the invitation of the Chairperson, Mr. Šerkšnys (Lithuania) took a place at the Committee table.*

2. **Mr. Šerkšnys** (Lithuania), introducing the combined initial and second periodic reports of Lithuania, said that the Convention had come into force in Lithuania in 1994. One of the priorities of its State policy was to ensure equal opportunity for men and women. Equality was treated as a main principle of democracy, and the rights of women in the context of human rights were provided for in the Constitution. His Government believed that the successful consolidation of democracy, social and economic progress and respect for human rights depended on the active participation of women in governmental structures, business and the professions.

3. Gender equality in Lithuania had a long history. The first Lithuanian legal code, the Statute, published in the sixteenth century, had stipulated penalties for killing or injuring a woman twice as severe as those for a man. A woman had also been entitled to her own share of the family property and had had the right to represent the legal interests of the family and her husband before the courts, a strikingly progressive idea even in current times. Lithuania had lost its independence in the late eighteenth century, but after its restoration in 1918, women had been given the right to vote on equal terms with men.

4. In the sphere of legislation, the Constitution guaranteed equality before the law and allowed no limitation on the grounds of gender, race, nationality, language, religion or social status. Lithuania had also acceded to a number of other international human rights instruments dealing directly or indirectly with the protection of women's rights. It had completed all the necessary internal procedures for the signature of the Optional Protocol to the CEDAW Convention and planned to do so in the near future.

5. Lithuania was a pioneer in the field of specific laws on equal opportunity. It had enacted the Equal Opportunities Act in December 1999 to ensure

implementation of the constitutional rights of men and women to equality. Under the Act, discrimination was defined as passive or active conduct expressing humiliation and contempt, restricting rights or granting privileges by reasons of a person's sex, with certain exceptions for special protection of women during pregnancy and childbirth, military service, age of pension eligibility, safety requirements and other labour concerns. That definition was fully in accordance with the definition of discrimination set forth in article 1 of the Convention and, furthermore, introduced the concept of "positive discrimination" or affirmative action and included such concepts as equal opportunities for men and women and sexual harassment. The implementation of that law was monitored by the Equal Opportunities Ombudsman, an office instituted by the Parliament on 25 May 1999.

6. Institutional structures for ensuring gender equality had first been established in 1994, when the post of a State Counsellor on Women's Issues had been created in the Prime Minister's Office. In 1996, that post had been upgraded to Adviser to the Government on Women and Family Issues. In 1997, major steps had been taken towards the creation of national machinery to ensure equal opportunity by establishing the Division of Women's Issues in the Ministry of Social Security and Labour and a gender statistics section in the Department of Statistics. The Group of Women Parliamentarians had also been set up.

7. Subsequent to the adoption of the Equal Opportunities Act, the Office of the Equal Opportunities had been established in May 1999, the first of its kind in Central and Eastern Europe. The Office was an independent public institution accountable only to Parliament and had an independent budget, which had been increased fourfold in 2000. It supervised the implementation of the Constitution and other laws on equal opportunity, investigated complaints relating to discrimination and sexual harassment, and submitted recommendations to the Government and administration for changes in legislation. The Ombudsman monitored the image of women as portrayed in the media and advertising, as well. Although the Office had been in operation only a year, it had already gained recognition in society. To date, the Office had received 42 complaints and had investigated 37 of them.

8. In March 2000, the Government had established an inter-ministerial Commission on Equal Opportunities

for Women and Men, made up of representatives of all 14 ministries and two Departments. The Ombudsman and representatives of non-governmental organizations were also invited to participate. The Commission's aim was to coordinate the activities of State institutions in implementing the principle of equal rights and opportunities for men and women. The number of non-governmental organizations dealing with women's issues was also growing. Women's participation in the country's political life was slowly but steadily increasing. In 1992 only 10 women (7 per cent) had been elected to Parliament, while in 1996 that number had risen to 25 (18 per cent). The majority of those women had formed the Group of Women Parliamentarians, which had played a significant role in finalizing the Equal Opportunities Act.

9. Women also took an active role in local elections: 30 per cent of the candidates in the most recent local elections had been women. Another sector where they played a significant role was the diplomatic corps, over half of which was female. Under Lithuanian legislation, educational institutions must ensure equal conditions for the admission of men and women. In 1999, the Ombudsman had found that the military academy had imposed restrictions on accepting women, which had been removed on her recommendation. Education was an area where women had achieved a great deal: 70 per cent of high school graduates and 58.6 per cent of university graduates were women, and an increasing number of women were pursuing advanced degrees. There were four centres of women's studies at the largest university.

10. In 1998, women had made up 48.5 per cent of the employed population. Some degree of feminization of certain branches of economy could be observed: the majority of women were employed in the non-productive sector of the economy, and few women reached higher management positions. The difficult economic situation resulting from the impact of the Russian economic crisis had affected women more severely, with higher unemployment rates among women than among men. Employment programmes targeted at women had helped to alleviate the problem, along with programmes to encourage them to start small businesses; and a credit line for women to help them develop their small businesses had recently been established.

11. In the area of health care, the national health system provided free medical services at national

medical institutions, and all women had access to maternity and child health-care services free of charge. Women were entitled to paid maternity leave before and after childbirth. A family planning programme carried out between 1994 and 1998 had provided sex education, contraceptive devices and advisory services to families.

12. The problem of violence against women was addressed by State institutions in cooperation with non-governmental organizations. The priority was to set guidelines for action by the police to mitigate domestic violence and abuse and introduce preventive measures. Assistance to women victims of domestic violence was offered in nine crisis centres providing counselling and temporary shelter. There were also 14 "hotlines" to provide advice to abused women. A training project for police officers on domestic violence, sponsored by UNDP and the Lithuanian Conflict Prevention Centre, had been established in 1999, and attention was being paid to the issue in the law school.

13. Problems affecting women were dealt with more often in the mass media, which had helped to raise awareness and slowly change the traditional attitude that the best place for a woman was in the home. The Equal Opportunities Act prohibited gender requirements in job or educational advertisements, and many public and private institutions had been cited under the Act for placing discriminatory advertisements. Lithuania had begun collecting and publishing gender-disaggregated data on women and men in 1997, and the report for 1999 would soon be available.

14. Lithuania had made some progress on the national level by passing legislation for the advancement of women and creating mechanisms for its implementation. However, women were still at a disadvantage in the job market and must be encouraged to take a more active role in political life. A crucial problem to be addressed was violence against women, domestic violence in particular. In conclusion, he underlined his Government's commitment to continue its work for the protection and full implementation of women's rights.

15. **Ms. Schöpp-Schilling** congratulated the delegation of Lithuania for ratifying the Convention without reservations. Lithuania's reports, which had been submitted in accordance with the Committee's guidelines, were well laid out and provided a wealth of information. She welcomed the establishment of a gender statistics section within the Department of

Statistics, which would make it easier to provide the Committee with gender-disaggregated data. Lithuania's political will was also evident in the policies that had been introduced during the reporting periods. In that connection, the Government's expressed intention to sign the Optional Protocol as soon as possible was most welcome. The Government should also include in the process of ratifying the Protocol, the ratification of the amendment to article 20, paragraph 1, of the Convention.

16. However, she was concerned, *inter alia*, about the feminization of poverty, the situation of older and rural women, the persistence of stereotypes and the lack of funding of non-governmental organizations. Noting that the Lithuanian version of the Convention had been published in the official gazette after its ratification by Parliament, she wondered what efforts had been made by the Government to raise the awareness of Government officials, the mass media and the public at large about the Convention.

17. The reporting State should provide information on any provisions for the adoption of affirmative action measures. Although the Law on Equal Opportunities covered a number of areas, it did not seem to relate to housing and private insurance. She wondered whether there were any plans to include such fields in the Law. Experience had shown in many countries that, unless it was made very clear through specific legislation, people did not seem to be aware of the principle of equality of opportunities. She wanted to know whether penalties could also be imposed on private employers. The Committee would appreciate information on how the mandate of the Equal Opportunities Ombudsman to supervise the implementation of the Law on Equal Opportunities by the respective institutions was carried out.

18. More details would also be appreciated on the plan of action for 1998-2000, including its targets, priorities and the participation of non-governmental organizations in its preparation. She also wanted to know how the Ombudsman's programmes were funded, whether he or she could hand down legally binding decisions and whether there were plans to publish such decisions and cases in order to raise public awareness about issues such as sexual harassment in the workplace. It would also be interesting to know whether the Group of Women Parliamentarians was a permanent structure.

19. **Ms. Abaka** commended the Lithuanian delegation for the establishment of the Nordic Investment Bank Credit Line for businesswomen and asked whether women needed collateral in order to benefit from it. She would appreciate information about the impact of the 1997 amendment to the Law on State Benefits to Families Bringing up Children and also wondered about the impact of privatization on Lithuania's economy in transition, particularly in the social sector in the areas of education and health. As far as the health sector was concerned, the unacceptably high rates of anaemia among pregnant women was no doubt linked to problems of nutrition. In that connection, she requested information about the incidence of tuberculosis, which was also closely linked to nutrition.

20. **Ms. Goonesekere**, referring to the Law on Equal Opportunities, noted that while impressive gains had been made by women in many areas, including the foreign service and the legal field, there were also noticeable gaps, particularly in politics and the employment sector. Perhaps positive discrimination measures needed to be taken to address the disadvantaged position of women. In that regard, she wondered whether the Law on Equal Opportunities would be a barrier to introducing affirmative action policies. Lastly, she would appreciate some information on how the complaints mechanism functioned.

21. **Ms. Ferrer Gómez** asked for more information on the mandates of the Lithuanian Womens' Advancement Programme, the State Consultant on Foreign Relations and Relations with Non-Governmental Organizations and the Permanent Inter-Institutional Commission on the Issues of Equal Opportunities for Men and Women. Noting that over 40 complaints had been lodged with the Equal Opportunities Ombudsman, she asked how many of those complaints had been dealt with and what had been the outcome. Information should be provided about the relationship between those mechanisms, their budgets and staffing as well as whether they had any branches in the provinces. She also wanted to know whether the 1998-2000 action plan for the implementation of the Women's Advancement Programme had been evaluated. Information on the composition and work of the Group of Women Parliamentarians and on the objectives and structure of the women's political party would also be appreciated.

22. **Ms. Cartwright** expressed particular concern about the situation of elderly women in Lithuania. The periodic report had included striking information about Lithuania's ageing population and had shown a very sharp increase in the number of very elderly women, especially in the age group of 85 or over. Unfortunately, temporary special measures did not seem to deal with women in that group. It was significant that unemployment among older women was high, since the pension system seemed to be geared towards benefits that were based on continuous employment. Indeed, it seemed likely that elderly women would be subsisting on a lower income than those that had been employed for lengthy periods. That was particularly troubling because women lived longer and might suffer from disabilities longer. In that connection, she wondered whether the Government had taken any measures to address the social conditions of elderly women, such as isolation and loneliness. Lastly, the reporting State should indicate whether there was a good system of institutional care for older women and whether the Government had identified any problems of violence against women in that age group.

23. **Ms. Ouedraogo** expressed her support for the observations made by previous speakers concerning the functioning of the various mechanisms dealing with women's rights and said she would reserve any further comments for the discussion on article 4.

24. **Ms. Myakayaka-Manzini** requested some clarification on how the system of mechanisms for the advancement of women's rights functioned and wondered how effective that system had been in truly changing the situation of women and promoting equality.

25. **Ms. Kim Yung-Chung** stressed the importance of temporary and special measures in expediting and promoting de facto equality, noted the programme at the University of Vilnius begun in 1997 to ensure that 40 to 50 per cent of the top posts would be held by women and wondered whether, three years later, there had been any evaluation of the results of that programme. How many women had been affected, what were their fields of research, who was monitoring the process and was there a set time frame for completion? She also enquired whether the same type of policy had been applied in other sectors. That programme was especially commendable since even women who had relatively high levels of education

were often relegated to low-level positions in the labour market.

26. **Ms. Ouedraogo** was concerned that the State party had not sufficiently implemented article 4. For example, she noted that women were under-represented in the Lithuanian diplomatic service. The European countries were models for the developing countries in the promotion of women's rights and had often instituted quota systems to ensure the participation of women in political and public life. It was very important for the empowerment of women to ensure that they occupied positions of responsibility.

27. **Ms. Ferrer Gómez** wondered what conservative Catholic canons were being referred to in the initial report (CEDAW/C/LTU/1, p. 9). There were many deep-seated cultural traditions across the world which did not reflect the spirit of article 5, and it was difficult to change attitudes without changing human behaviour. With regard to the international project on "Women's political education on equal opportunities" and the Programme for the Advancement of Women, she requested more information on the training manuals, as well as on the scope of the Programme. Specifically, she wondered how many women had taken advantage of the Programme, whether work had been at the national level or at all levels of society and whether all sectors, non-governmental organizations, the civil service, etc. had been involved.

28. The reporting State should indicate whether the Government had any plans to work with men as well as women to change attitudes within society, as well as within the family. In that context, she applauded the granting of parental leave to fathers, or other relatives, but stressed the need to encourage more men to avail themselves of that opportunity. The media, where women were well represented, had an important role to play in increasing awareness of women's issues and it was also important to integrate the gender perspective into the educational system and teacher training programmes to ensure that future generations would be fully aware of women's rights.

29. She wondered whether the Law on Equal Opportunities for men and women had been implemented on a practical level and whether the judicial authorities responsible for implementation had received adequate training on the gender perspective. Given the higher rates of unemployment among women and continuing salary discrepancies, more work

seemed necessary to fully implement the law and change the mindset of women and men. She therefore requested more information on programmes undertaken to combat gender stereotypes.

30. **Ms. Corti** said that she supported the comments made by Ms. Ferrer Gómez and noted the difficulty of modifying social and cultural patterns. Recognizing the influence of the Catholic Church on efforts to empower women, she said that the Church considered domestic violence to be a private or family matter, not a legal one. In that context, she requested more information on the recommendations which had been prepared on the prevention of domestic violence. She welcomed the use of the media to implement article 5 and wondered whether the media were used to promote awareness of the Committee's work and the importance of implementing the Convention for the development of policies to promote equality and to change the image of women, especially since women played an important role in the media sector. The reporting State should also indicate whether efforts were under way to combat pornography.

31. With regard to article 5 (b), she noted that fathers were entitled to parental leave and asked how many had in fact taken advantage of that right and whether school textbooks had been revised to present a modern image of women and the roles of girls and boys, which was very important in the fight against stereotyping. She did not agree with the statement that measures undertaken under article 5 were of a social rather than a political nature. On the contrary, they must become formal policies promoted at the political level and aimed at increasing awareness of men and women in society.

32. **Ms. Myakayaka-Manzini** asked which media, private or public, were involved in promoting awareness of women's issues, what programmes had been implemented in that regard and what methods were being used to eliminate stereotypes about the role of women. The media and the educational system could not, however, eliminate stereotyping on their own. The family played an important role, and she wondered how many fathers had taken advantage of parental leave provisions and whether there was any monitoring system to ensure that they really did look after the children when they took such leave.

33. **Ms. Goonesekere** noted that measures had been taken to prevent violence against women and

recognized that laws in that area sent an important message to society concerning zero tolerance. Nevertheless, she had some concerns. Rape seemed to be defined as sexual intercourse following threats of physical violence and she wondered whether it was necessary to prove that violence had been used in order to bring charges of rape. A better definition of rape would be sexual intercourse without consent. The reporting State should explain what the reference in article 121 of the Criminal Code to "corruptive acts" regarding minors meant. In addition, sexual harassment was defined as obliging a woman to have sexual intercourse. What was the difference between that and rape? It was also a source of concern that the laws against prostitution seemed to punish the sex worker, but there was no indication as to whether the client was punished.

34. **Ms. Manalo** requested information on measures to reintegrate the victims of violence into society and on training programmes for those caring for such victims and for the police. She noted that measures would soon be implemented in the areas of prostitution and trafficking, especially in women and children, but wondered whether there would be any legal framework for such measures. There was a tendency in Catholic countries to punish the victim, and it was hoped that the victim of violence, prostitution and trafficking would not be those who were penalized.

35. **Ms. Schöpp-Schilling** said that she was concerned by the apparent contradiction in the Government's attitude towards non-governmental organizations with respect to funding. Such organizations were regarded as valuable components of civil society and required adequate funding to ensure their sustainability. The second periodic report had, for example, stated that the Women's Issues Information Centre was supported by the United Nations Development Programme. She wondered whether the Government had taken steps to secure long-term funding for the Centre and other non-governmental organizations, and whether the Government had envisaged providing such funding itself or creating tax incentives for businesses to make donations to those organizations. Noting that charitable associations in Lithuania were not allowed to generate income, she enquired about the classification of women's organizations in that regard and whether membership dues were considered income and therefore prohibited.

36. **Ms. Kim Yung-Chung** asked for clarification on the percentage of women who had stood as candidates in the local elections in March 2000. She wished to know which was the correct figure: 38.5 per cent, as it appeared in the second periodic report, or 30 per cent, as stated in the oral presentation of the report. The reporting State should also indicate the total number of persons elected during those elections, and how many women were expected to be elected to the *Seimas* in the elections scheduled for the autumn of 2000. Lastly, she was curious to know how many women held leadership posts in political parties, whether there was a quota system for positions of leadership and what the prospects for the Women's Issues Information Centre were.

37. **Ms. Khan**, referring to article 11 of the Convention, said that although article 48 of the Constitution of Lithuania guaranteed the right of every person to adequate compensation for work, and article 19 of the Law on the Employment Contract (28 November 1991) stipulated that employers were prohibited from refusing employment on the grounds of sex, among others, article 1 of the Law on Remuneration of Work (9 January 1991) linked remuneration to labour demand and supply, amount and quality of work and the results of the activities of the enterprise. In her opinion, equal opportunity had to be ensured through equal access to the labour market. She could therefore conclude that in certain sectors, in the fields of science and technology for example, Lithuanian women did not enjoy the same level of access as men. In view of the high percentage — 75 per cent — of working women who reported that they had been sexually harassed at some point, she wondered whether statistics were available on punishment imposed on offenders, whether compensation had been granted to victims of harassment or what other legal remedies were available.

38. **Ms. Schöpp-Schilling** said that she wished to have more information on independent businesses run by women, in particular, the types of fields women were engaged in, the number of employees they managed and how issues of solvency affected them in comparison to men. Some sources had indicated that unemployment among women in Lithuania could be as high as 20 per cent, and there was a need for clarification in that regard. How many women were considered to be “long-term unemployed” and were there Government programmes that also focused on

other categories of women, such as older women and highly educated women?

39. Turning to the system of benefits, she asked whether they were granted after six months of unemployment had elapsed, or whether they were based on family income. The percentages of unemployed men and women undergoing training should also be provided. She was rather concerned about the potential for indirect discrimination in remuneration and for undervaluing services rendered in sectors dominated by women. Were wages set by social partners such as trade unions, and if so, what was the level of participation of women in unions? In conclusion, she referred to the work of the Nordic Council on wage discrepancies and expressed the hope that Lithuania would incorporate the issue into its next national plan of action.

The meeting rose at 1.05 p.m.