

**Interim Report on Implementation of Recommendations 23 c and e, 37 b and 43 of the
General Comments of the United Nations Committee on the Elimination of Discrimination
against Women to Lithuania for the sixth periodic report under the United Nations
Convention on the Elimination of All Forms of Discrimination against Women**

In implementation of Item 51 of the General Comments of the United Nations Committee on the Elimination of Discrimination against Women that provides submission of written information on implementation of Recommendations 23 c and e, 37 b and 43 within 2 years, the Ministry of Social Security and Labour of the Republic of Lithuania provides the information below.

It should be noted that on 11 June 2021, Resolution No. A1-448 was passed by the Minister of Social Security and Labour to approve the plan of actions for implementation of the Concluding Comments of the United Nations Committee on the Elimination of Discrimination against Women to Lithuania for the sixth periodic report under the United Nations Convention on the Elimination of All Forms of Discrimination against Women for 2021-2023 (hereinafter referred to as the Plan for Implementation of the Recommendations). The actions and information provided in the Plan for Implementation of the Recommendations are used to form the present report.

➤ **Paragraph c of Recommendation 23:**

Monitor and assess the responsiveness of the judiciary, prosecutors and the police in cases of gender-based violence, including sexual violence and domestic violence, and introduce mandatory capacity-building for judges, prosecutors, police officers and other law enforcement officers on the strict application of criminal law provisions on gender-based violence against women and on gender-sensitive investigation procedures, and effectively prosecute and punish perpetrators of all forms of gender-based violence.

The measures provided in the Plan for Implementation of the Recommendations and the resulting actions that have been undertaken or planned:

- **Collection and submission of the statistical data about the cases on domestic violence and outcome of the proceedings conducted in the courts of the Republic of Lithuania;**

This measure has been planned by the National Courts Administration (hereinafter – NCA). NCA has informed that implementation of this measure is planned for the 4th quarter of 2022. At present, the capacities of application of the feature collected in the Integrated Information System of Criminal Procedure stating that some particular pre-trial investigation is related to domestic violence to the functionalities of the Information System of Lithuanian Courts (hereinafter – LITEKO) are considered.

- **If necessary and/or on receipt of additional financing, to include the topics related to application of the provisions of criminal law on gender-based violence against women into the training programmes of judges for 2022.**

As the deadline for implementation of the measure discussed in the Plan for Implementation of the Recommendations is the 4th quarter of 2021, the training programmes of judges for 2022 will be approved before the 1st of this December. At present, the preparatory works on formation and approval of the training programmes are carried out: the offers for training topics are collected, the needs for particular training are analysed and assessed (in consideration to the changes in legal

regulation, other relevant aspects, and the available financing). It should be noted that the offer has been made to include the topic “Application of the Law on Domestic Violence and its Problems” into the training programmes of criminal law judges; however, the decision on its inclusion shall be made by the Judicial Council, having the approval of the Ministry of Justice, and in consideration to the granted financing.

It should be noted that the courses were organised on 14 December 2020 under the training programmes of criminal law judges of district courts on the topic “Recognition of Signs of Systemic Domestic Violence: Application of Power and Control Strategies, Manipulation and Responsibility of the Perpetrator”. The courses were conducted by the representatives of the Office of the Equal Opportunities Ombudsperson.

With regard to the part of recommendations “and effectively prosecute and punish perpetrators of all forms of gender-based violence”, we would like to note that according to Paragraphs 2-3 of Article 3 of the Law on Courts of the Republic of Lithuania, judges administering justice shall act impartially and obey only the law. Judges administering justice shall be independent from the parties to the proceedings, the court administration, other judges, government institutions, officials and other persons. Judges may not be exposed to any political, economic, psychological or social pressure or any other unlawful influence which might affect their decisions.

Thus, a judge cannot be instructed to apply the criminal law strictly. A judge cannot be obliged “to punish effectively” any persons, etc. The issues of application of criminal law, sentencing and other issues are solved according to individual circumstances of each case and are related to the activities of justice execution, where interference of any persons or authorities is not allowed. Therefore, the implementation of the above recommendation depends on the will of the legislator in establishing certain legal regulation in the legal acts, that should be applied by the judge to examine a particular case and to make procedural decisions in compliance with the legal regulation.

➤ **Paragraph e of Recommendation 23:**

Adopt legislation to establish a standalone civil protection order procedure for victims of domestic violence.

The Ministry of Social Security and Labour prepared a draft Law on Protection against Domestic Violence of the Republic of Lithuania, coordinated it with the interested authorities and submitted to the Government of the Republic of Lithuania on 20 September 2021 [it is planned that *the draft law will be submitted to the Seimas (Parliament) of the Republic of Lithuania in the end of October 2021. Its adoption is expected during the autumn session before 31 December 2021.*]. It is intended by this law to consolidate a new preventive measure against domestic violence – an order for protection against domestic violence.

The right to issue an order for protection against domestic violence for 72 hours after notification of the domestic violence event shall be granted to police officers. A person causing hazard of domestic violence shall be obliged by the order for protection against domestic violence to do the following within 72 hours after issuance of the order for protection against domestic violence: to leave the place of residence temporarily if that person lives with the victim, regardless of the ownership right of the dwelling; not to visit the place of residence of the victim of domestic violence, regardless whether the person causing hazard of domestic violence is living there with the victim of domestic

violence; not to approach the victim of domestic violence and other persons and/or children living with the victim of domestic violence in the environment where the danger has been caused, within the established distance; not to communicate and not to search for any contacts with the victim of domestic violence.

If the order for protection against domestic violence has to be issued for the term exceeding 72 hours and a pre-trial investigation has not been started against the perpetrator, the police officer who has issued the order for protection against domestic violence has to apply to the district court for extension of the order for protection against domestic violence. The district court may extend the order for protection against domestic violence issued by a police officer for 72 hours up to 12 calendar days. The term of application of the order for protection against domestic violence cannot exceed 15 calendar days.

The order for protection against domestic violence expires when a pre-trial investigation on domestic violence is started and at least one supervision measure is imposed. If obligations established by the order for protection against domestic violence were violated, administrative liability should be imposed.

➤ **Paragraph b of Recommendation 37:**

Strengthen measures to address horizontal and vertical occupational segregation and enhance women's access to the labour market, including for women after reaching the pensionable age, and disadvantaged groups of women, such as migrant women, Roma women, rural women, older women and women with disabilities, including under the action plan for the integration of Roma into the Lithuanian society 2015-2020 which also aims at the economic empowerment of Roma women.

With regard to the part of recommendations “strengthen measures to address horizontal and vertical occupational segregation between men and women”:

The amendments of the Law on the National Social Insurance of the Republic of Lithuania entered into force on 1 April 2021. According to these amendments, the National Social Insurance Fund shall publish information on remuneration according to the gender. In order to reduce the gap between salaries of men and women, the data of employers, who have at least 8 employees, where 3 or more employees are women or men, on average salaries according to the gender are publicly available on the portal of open data of the National Social Insurance Fund.

According to the plan of actions for implementation of the national programme on equal opportunities for women and men of 2015–2021 for 2018–2021 approved by Order No. A1-331 of the Minister of Social Security and Labour of the Republic of Lithuania on 27 June 2018, the following measures have been implemented to reduce gender segregation, its causes and consequences since November 2019:

- Website www.polygiai.lt was launched in 2019. It is intended to publish information on the activities performed under the project “Reduction of gap between women’s and men’s income”. Besides, the information campaign in the social networks has been active; and the comics on the topics of gap in remuneration and stereotypes have been prepared. <https://www.facebook.com/Moteru.informacijos.centras/photos/a.331381076872372/>;
- In 2020, the training material “Implementation of equal opportunities for women and men and non-discrimination at work” was prepared. It was distributed among social partners by

own communication channels. Besides, the information on equal opportunities for women and men was made public on the website of the State Labour Inspectorate (hereinafter – SLI), in the profiles of social networks. and in press releases. The findings of the SLI survey on the causes of gaps in the remuneration of men and women in the sector of finances and insurance were made public. The summary of the performed survey was published in September 2021.

- In March 2021, a separate column was created on the SLI website, where relevant information on equal opportunities may be presented to employees and employers – https://www.vdi.lt/Lygios_galimybes/Lygios_galimybes.aspx.
- In the beginning of April 2021, SLI sent the information on non-discrimination and equal opportunities at work to its social partners. In 2020 and in 2021, SLI organised and carried out supervision of compliance with the principles of non-discrimination and equal opportunities in companies, institutions and organisations through consultations, inspections, and publication of information on labour disputes regarding violations of equal opportunities.

We inform additionally about the measures provided in the Plan for Implementation of the Recommendations and respectively performed or planned actions, for implementation whereof the Employment Service under the Ministry of Social Security and Labour (hereinafter – ES) is responsible:

- To create a map of social services

The map of social services was created in 2021. It will help to refer the persons for purposeful consultations on the needed specific help, e.g., to the crises centre, psychologists.

ES provides services and organises measures of the labour market for unemployed persons and jobseekers, including disadvantaged groups of women. The services of supported employment (employment through grant-aiding and sponsorship of acquisition of work skills), support to learning (vocational education, employment under the apprentice employment contract, recognition of competences, and internships), support to mobility, and professional rehabilitation are provided. In total 10936 persons, where 48.5 percent were women, were referred to the measure of support to learning from November 2019 until 31 July 2021. 49.6 percent of women were referred to supported employment within the above period, while 3025 persons, where 22 percent were women, made use of the support to establish work places.

- To form interinstitutional cooperation with elderships and social workers, in consideration to the number of disadvantaged women, and to make the plans, how to help to educate them, and to encourage them to apply to the ES departments, where they could get the necessary aid and the possibility to take part in the motivational sessions, consultations, to acquire or change the qualification, to get employed, and to start own business.

In 2019, the services of individual consulting, solution of social problems, and intermediation were provided to 298 participants, where 163 were women registered in the ES.

In 2021, the agreement of interinstitutional cooperation was signed. It will help to enhance the opportunities of 50 percent of women not registered in ES to access the labour market, including the women after reaching the pensionable age, and disadvantaged groups of women, such as migrant women, Roma women, rural women, older women and women with disabilities, through the services of consultations and professional rehabilitation.

The conditions were created to select the measures of women's integration into the labour market more effectively, depending on the capacities of the disadvantaged groups of women, such as migrant women, Roma women, rural women, older women and women with disabilities, and to reduce the professional segregation between women and men.

One of the examples of successful participation in the labour market is the restaurant of Roma culinary heritage that has no analogues in Lithuania. Restaurant *Gypsy Lounge & Grill* was opened in Vilnius on 1 July 2020. Its owner is an active public man and leader of the Roma community, Išvanas Kvikas. The employees of the Roma nationality, mainly women, have finished the courses of professional training and mentorship programmes.

- To create a statistical profiling model of jobseekers;

The statistical profiling model of jobseekers was installed on 1 July 2021. The client servicing units are cooperating with self-management and social workers all the time. Special attention to cooperation is given while implementing the programmes promoting employment that are prepared in response to the needs of the most socially vulnerable groups. In total 7014 persons, where 39.9 percent were women, took part in the programmes promoting employment from November 2019 until July 2021. 919 women, i.e., 49.9 percent of all the attendees, took part in the motivational sessions.

- To organise career development events in the regional career centres in cooperation with the Lithuanian informal education centre of pupils, ES, Department of Youth Affairs, and municipalities, taking the assurance of equal opportunities of women and men into consideration.

At present, the cooperation between ES, the Department of Youth Affairs, and Alytus city municipality led to operation of the pilot career centre of Alytus region "Karjeras". The career centre was opened on 12 April 2019. During the reporting period, the Career Centre organised 17 events attended by 737 persons, provided individual consultations for 76 persons, and organised 2 virtual introductory visits to companies UAB "Tankos" and UAB "Sofa Brands", in which 173 gymnasium pupils took part. All the career development events were organised in consideration of assurance of equal opportunities for women and men. At least 10 more regional career centres are planned for the nearest future.

With regard to the part of recommendations on integration of the Roma women and their economic empowerment

According to the action plan for the integration of Roma into the Lithuanian society 2015-2020, it is planned to continue the activities of the project "Local Roma platforms – the Path towards Cooperation with the Municipalities" and to give special attention to improvement of the position of Roma women. The Department of National Minorities under the Government of the Republic of Lithuania (hereinafter – DNM) secured successful implementation of the action plan for the integration of Roma into the Lithuanian society 2015-2020 in the country. In 2021, the Department is continuing implementation of the EU-funded projects "Let's Work together with the Roma – New Job Opportunities and Challenges" and "Local Roma platforms – the Path towards Cooperation with the Municipalities". All the former and present measures manifest improving position of the Roma nationals, especially women.

The Roma integration into the labour market is assured by successful implementation of general measures and the projects aimed at the Roma integration into the labour market. One of such

projects is the project “Let’s Work together with the Roma – New Job Opportunities and Challenges” that has been under implementation since 2016. Its implementation is assured by the Department of National Minorities under the Government of the Republic of Lithuania in cooperation with PI Roma Community Centre and the partners. The project is carried out in Vilnius, Panevezys, Siauliai, Vilnius, Salcininkai, and Varena regions. Approx. 500 persons of Roma nationality take part in it every year.

The project is aimed at creating conditions for the Roma, especially women, to enter the labour market in order to avoid their social segregation and to motivate them to work, to acquire or improve qualification by using innovative career development measures. PI Roma Community Centre and its partners are working directly with the Roma, and they are providing services of intermediation, individual consultations, solution of social problems, and training of general skills (Lithuanian, English, computer literacy, driving courses to get categories B and C-CE). The intermediaries working with the project help the Roma to communicate with the representatives of public authorities, to manage affairs in public and private institutions, and to find solutions for daily problems. Besides, the educational and preventive programmes are carried out.

The Roma persons, mainly women, have acquired a profession, searched for a job or have been employed according to the specialty, got engaged in self-employment or have received a job, have registered in the Employment Service and used its services. The cake baking and presentation courses and the online entrepreneurship courses have been organised for Roma women.

While implementing the measures of vocational training or training of practical work skills at work (courses to acquire profession, mentorship) provided in the project of integration of the Roma into the labour market, the number of the Roma, who are employed, studying in the general education and professional training institutions, or according to the apprenticeship programmes has increased. The project’s results manifest the growing number of persons receiving counselling and information services, employment in implementation of active labour market’s tools and/or intermediation in employment, and the growing integration of the Roma into the labour market.

➤ **Paragraph d of Recommendation 43:**

Ensure that women and girls with disabilities have the right to decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.

The Ministry of Health has informed that according to Article 14 of the Law on the Rights of Patients and Compensation of the Damage to their Health of the Republic of Lithuania, it is forbidden to provide health care services without the patient’s consent, while the requirements for consent to health care service are provided in Article 15:

1. The consent to receive health care services may be given (expressed) by the patient or his/her representative in accordance with this or other laws.
2. The patient’s consent to receive health care services has to be information-based and appropriate.
3. The consent is considered to be information-based and appropriate if it satisfies all the following conditions:
 - 1) it was given by the person who is able to express own will properly;
 - 2) it was given after having obtained sufficient and clear information;
 - 3) it was given by the patient (his/her representative) freely;
 - 4) it satisfies the requirements for its form established in the legal acts.”