



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

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### Committee on the Elimination of Discrimination against Women

#### List of issues and questions in relation to the fifth periodic report of Lithuania\*

##### Access to justice and legal complaint mechanisms

1. Please provide information on any instances in which the Convention has been invoked, directly applied or referred to in court proceedings, including cases brought under the legislation on equal opportunities of women and men or in relation to articles 169 and 170 of the Criminal Code. Please also indicate whether, besides the training seminars conducted in 2009 for judges and prosecutors (para. 28),<sup>1</sup> training activities on women's rights under the national, regional and international legislative frameworks are regularly provided to judges, prosecutors, lawyers and other members of the legal profession. Please also specify whether an assessment of the impact of such training has been conducted. Please indicate how the State party is enhancing the awareness and knowledge of women, in particular those belonging to the most disadvantaged groups, such as women in rural areas, migrant women, Roma women and asylum-seeking and refugee women, about their rights under the Convention and the related national legislation.

2. Please provide updated data on the number, regional distribution and outcome of complaints based on sex discrimination filed before the Office of the Equal Opportunities Ombudsman since 2010, indicating whether any redress was provided to victims in cases in which a violation was found. As recommended by the Committee in its previous concluding observations (CEDAW/C/LTU/CO/4, para. 11), please indicate whether the State party envisages establishing decentralized branches of the Office of the Equal Opportunities Ombudsman at the regional and local levels to facilitate women's access to such complaint mechanisms.

3. Please provide updated information on the status and content of the 2011 draft law regarding the establishment of an independent national human rights institution compliant with the Paris Principles, including on the mandate, complaint

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\* Adopted by the pre-sessional working group for the fifty-eighth session, meeting from 21 to 25 October 2013.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the fifth periodic report of the State party (CEDAW/C/LTU/5).



mechanisms and composition of the envisaged body. Please also provide a timeline for its adoption.

#### **National machinery for the advancement of women**

4. While noting that the Commission for Equal Opportunities for Women and Men is the coordinating body responsible for the National Programme of Equal Opportunities of Women and Men 2010-2014, please provide information on coordination mechanisms in place to ensure gender mainstreaming at the municipal level and to improve linkages between the national and municipal levels. Please also provide updated information on the current human and financial resources of the Gender Equality Division within the Ministry of Social Security and Labour and indicate whether any training was provided to the gender focal points within each ministry.

5. Please describe the results achieved to date in the implementation of the National Programme of Equal Opportunities of Women and Men 2010-2014, including detailed information on the material and human resources allocated to its action plan and whether the time-bound targets established have been used to assess, with indicators, the progress of implementation in all regions of the State party, including rural areas.

#### **Temporary special measures**

6. It is indicated in the report that the action plan of the National Programme of Equal Opportunities of Women and Men 2010-2014 includes a measure aimed at developing recommendations for the application of temporary special measures and that the implementation of such measures, planned in 2011, will involve defining the concept of temporary special measures and issuing recommendations for their possible application (para. 98). Please indicate the progress made in implementing this measure and whether the seminars and training on temporary special measures also envisaged (para. 99) have been undertaken. Furthermore, in the light of the Committee's previous concluding observations ([CEDAW/C/LTU/CO/4](#), para. 13), please indicate whether steps have been taken to simplify the procedure for the application of temporary special measures.

#### **Stereotypes**

7. Please provide information on efforts undertaken since 2010, through large-scale awareness-raising and educational campaigns, to address stereotypical attitudes towards women and girls, including those experiencing multiple forms of discrimination as a result of ethnicity, age, disability or other characteristic. In particular, please explain why the issue was not captured in the second National Programme of Equal Opportunities of Women and Men 2005-2009 (para. 47) and whether it has now been fully encompassed in the 2010-2014 iteration. It is stated in the report that, as part of the action plan of the 2010-2014 iteration, yearly training activities would be conducted for the media on "unbiased and non-discriminatory image of women and men" and for the staff of local labour exchange offices on "stereotype-free vocational guidance and information" (para. 109). Please provide further information on these training activities, including their frequency and content, indicating whether any evaluation has been undertaken. While noting the qualitative analysis conducted in 2010 of textbooks used in the tenth grade in high

schools (para. 195), please indicate the progress made in reviewing all textbooks and materials at all levels of education to eliminate references that maintain or reinforce gender stereotypes, in addition to efforts to encourage the media to project positive and non-sexualized images of women, as recommended by the Committee in its previous concluding observations (CEDAW/C/LTU/CO/4, para. 15).

### **Violence against women**

8. Please provide detailed information on measures taken to implement the law on protection against domestic violence enacted in May 2011, especially articles 8 and 15 thereof. Please clarify whether marital rape is specifically listed as a criminal offence under this law or in the Criminal Code. Please explain the burden of proof required to issue protection orders under article 5 of the law and describe existing sanctions for the infringement of such orders. Please provide data on the number of such orders issued per year to protect women victims of domestic violence since the enactment of the law; the number of complaints of domestic violence filed during the period under review, both before and after the adoption of the law, in addition to the number of prosecutions, convictions and sentences imposed, indicating the relationship of the perpetrator to the victim; and the number of cases in which the reconciliation procedure provided for in article 38 of the Criminal Code was used to settle the case. Please indicate whether the State party has organized training on the new law for the police and the judiciary and has widely disseminated it among enforcement agents, all relevant professional groups and civil society.

9. Please indicate the progress made regarding the system to collect data on reported and investigated criminal acts pertaining to violence against women (para. 15). Please provide information about the evaluation of the implementation of the National Strategy for Combating Violence against Women 2010-2012, in particular regarding efforts to improve access to legal assistance for victims of violence (para. 97). Please also provide information on the number and geographical distribution of State-funded shelters and centres available to women victims of violence, including domestic violence, and on the measures taken to provide adequate support to non-governmental organizations offering shelter and legal, social and psychological assistance to those victims.

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

10. Please indicate the specific measures taken as part of the Programme for the Prevention and Control of Trafficking in Human Beings 2009-2012 (para. 123), providing in particular updated information regarding prevention activities and victim assistance, and elaborate on the impact of the implementation of such measures. Please also indicate whether the State party has established a new programme based on the evaluation of its previous programme and, if so, provide details on measures envisaged thereunder. Please provide information, disaggregated by sex, age and nationality, on the number of reported cases of trafficking in persons, prosecutions, convictions and sentences imposed on perpetrators since 2008, in addition to the number of women victims of trafficking who received legal assistance during criminal proceedings. Please also indicate how many women have been granted temporary residence permits, pursuant to article 26 of the law on the legal status of aliens (2008), for having cooperated with prosecutors, describing the situation of those women after their temporary permits

have expired and that of victims who do not wish to cooperate with the authorities. Please indicate whether the State party has taken measures to improve the identification of victims of trafficking, to encourage victims to report crimes and, as recommended by the Committee on the Elimination of Racial Discrimination (CERD/C/LTU/CO/4-5, para. 20), to address the lack of confidence of foreign victims of trafficking in law enforcement institutions.

11. Given that the report is silent regarding exploitation of prostitution, please provide updated information on the prevalence of the phenomenon in the State party and on measures taken to prevent the sexual exploitation of women and girls. Please describe existing mechanisms for the protection of women in prostitution, who may face administrative fines under the current legal framework, in addition to child victims, and to raise awareness of the health and safety risks of prostitution, to ensure the social reintegration of women and girls in prostitution and to discourage male demand for prostitution.

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

12. In the light of the national legislative elections held in 2012 and the municipal elections held in 2011, please provide updated data on the number of women in the Government and the parliament, as well as in municipal councils and as mayors. Please describe the support provided to the network of women politicians' clubs, including in rural areas (para. 147). Please also provide updated information on the representation of women in the civil and diplomatic service and in the judiciary. Does the State party envisage including temporary special measures in its legislation to increase the representation of women in appointed and elected positions, in particular in leadership and decision-making positions?

### **Education**

13. Please provide information on the implementation of the strategy for ensuring equal opportunities for women and men in higher education (para. 189), including projects implemented to date, and indicate whether any evaluation mechanism has been established to assess its impact. Please indicate the progress made in producing the data envisaged under the programme to return school non-attenders to school approved in 2008 (para. 213) and, if available, provide such data to the Committee. Please provide information on measures taken to overcome horizontal segregation based on stereotypical choices of subjects and courses at all levels of education, including vocational training, and to encourage women and men to choose non-traditional fields of training and education. Please provide detailed data on the enrolment and dropout rates of Roma girls at the primary and secondary levels of education and on the participation of Roma women and girls in higher education. Please also indicate what measures have since been taken to increase the inclusion of Roma girls in the regular educational process, as opposed to special needs schools.

### **Employment**

14. Please indicate the specific steps, including temporary special measures, that have been taken since 2010 to address the persistent horizontal and vertical occupational segregation in the labour market and the gender wage gap. Reference is made in the report to a draft law on remuneration for workers of State and

municipal institutions that is intended to ensure “equal conditions of pay for work that requires equal qualifications and that is equally complicated” (para. 262). Please indicate the status of the bill and clarify whether it embodies the principle of equal pay for work of equal value. Please also provide information on available sanctions against employers who do not guarantee equal pay for women and men. Please provide data on cases filed during the reporting period regarding discrimination against women in the workplace, including wage discrimination and sexual harassment, in addition to the outcome of such cases.

15. Please provide updated data on the percentage of men making use of paternity leave, childcare leave and flexible work arrangements since 2010, indicating whether the State party has developed incentives to promote the exercise of childcare leave by men and whether steps have been taken to increase the number of childcare facilities available in the State party.

### **Health**

16. It is indicated in the report that, over the past 10 years, the number of induced abortions has fallen more than twofold (para. 307). Please provide detailed information on the content and status of the current draft law on the protection of life in the prenatal phase, indicating how it will affect women’s reproductive rights, in particular with regard to the regulations and time limits pertaining to legal abortion and provisions pertaining to access to sexual and reproductive rights. Given the high rates of infertility affecting families in the State party, please indicate the status of the draft law on assisted reproduction (para. 302). Please indicate whether, through the implementation of the Preparation for Family Life and Sexual Education Programme adopted in May 2008 (para. 218), age-appropriate education on sexual and reproductive health and rights, including on responsible sexual behaviour, has been fully integrated into school curricula and includes comprehensive sex education for adolescent girls and boys, as recommended by the Committee in its previous concluding observations ([CEDAW/C/LTU/CO/4](#), para. 25). Please provide information on measures taken or envisaged to prevent and reduce teenage pregnancies. Please also provide information on access to reproductive health services for women with disabilities, including legal safeguards to prevent forced abortion and sterilization.

### **Disadvantaged groups of women**

17. The Committee notes the State party’s comprehensive efforts to address the situation of women in rural areas. In its previous concluding observations ([CEDAW/C/LTU/CO/4](#), para. 29), however, the Committee requested information on the situation of other disadvantaged groups of women, such as women with disabilities, ethnic minorities, including Roma women, migrant women and older women, notably with regard to the continued discrimination experienced in gaining access to education, employment, health care and adequate housing. In this regard, please describe the results of the study referred to in paragraph 337 and provide updated information on specific measures taken by the State party in all areas covered by the Convention, including statistical data, in addition to information on the impact of measures taken and results achieved. Please also describe the measures taken with regard to all vulnerable groups of women targeted by the National Anti-Discrimination Programme 2009-2011 (paras. 336-337) and provide updated information on the implementation of the National Minorities Policy

Development Strategy following the study undertaken in 2008 on the situation of such women in the labour market (para. 338).

18. It is mentioned in the report that the problem of feminization of old age is particularly visible in the State party (para. 333). Please provide data on older women, disaggregated by age group, marital status and region. Please also provide information on policies in place or envisaged to ensure the social and economic well-being of older women, in particular with regard to economic security, health services and the creation of an enabling environment.

#### **Marriage and family relations**

19. In the light of the concerns expressed by the Committee in its previous concluding observations regarding the conceptual framework for national family policy referred to in paragraph 114 ([CEDAW/C/LTU/CO/4](#), para. 22) and given the ruling of 28 September 2011 in which the Constitutional Court declared that policy to be unconstitutional because it contained a restricted notion of family, please provide information on the steps taken by the State party to give effect to the Committee's recommendation and the ruling of the Court in order to ensure that non-traditional families are fully encompassed in the notion of family used in all State policies, programmes and strategies, in line with general recommendations Nos. 21 and 29.

20. Reference is made in the report to amendments made to the Civil Code in June 2010 regarding the legal age of consent to marriage, providing that courts may reduce the legal age of consent by no more than two years at the request of a person intending to marry before the age of 18 years and that courts may allow persons to marry before the age of 16 years in cases of pregnancy (para. 419). Please provide data disaggregated by sex, age and ethnicity on cases in which courts have granted such exceptions. Does the State party envisage amending its legislation to ensure that the exception based on pregnancy is repealed? Please also provide information on measures taken to address the concern expressed by the Committee in its previous concluding observations regarding the legislation on distribution of assets and property upon divorce ([CEDAW/C/LTU/CO/4](#), para. 30).

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