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Committee on the Elimination of Discrimination against Women

Concluding observations on the sixth periodic report of Lithuania*

1. The Committee considered the sixth periodic report of Lithuania (CEDAW/C/LTU/6) at its 1734th and 1735th meetings (see CEDAW/C/SR.1734 and 1735) held on 31 October 2019. The Committee's list of issues and questions is contained in CEDAW/C/LTU/Q/6 and the responses of Lithuania are contained in CEDAW/C/LTU/Q/6/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its sixth periodic report. It also appreciates the State party's follow-up report (CEDAW/C/LTU/CO/5/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party's high level delegation which was headed by His Excellency, Mr. Eitvydas Bingelis, Vice-Minister of Social Security and Labour of the Republic of Lithuania. The delegation also included His Excellency, Mr. Andrius Krivas, Permanent Representative of the Republic of Lithuania to the United Nations Office and other international organizations in Geneva, as well as representatives of the Ministry of Foreign Affairs, the Ministry of Social Security and Labour, the Ministry of Health, the Ministry of the Interior, the Ministry of Justice, the Criminal Police Bureau, the State Labour Inspectorate, the National Agency of Education, a member of the Human Rights Committee of the Seimas (Parliament), and representatives of the Permanent Mission of the Republic of Lithuania to the United Nations Office and other international organizations in Geneva.

B. Positive Aspects

4. The Committee welcomes the progress achieved since the consideration in 2014 of the State party's fifth periodic report (CEDAW/C/LTU/5) in undertaking legislative reforms, in particular the adoption of:

(a) Amendments to the Law on Equal Treatment and the Law on Equal Opportunities for Women and Men:

(i) Extending the responsibility of the Equal Opportunities Ombudsperson to monitor the implementation of the Convention on the Rights of Persons with Disabilities, including in relation to women and girls with disabilities, in 2019;

* Adopted by the Committee at its seventy-fourth session (21 October-8 November 2019).

- (ii) Ensuring the protection against sexual harassment not only of term-contract employees and civil servants, but also job seekers, in 2017;
 - (iii) Clarifying that discrimination includes discrimination against women on grounds of pregnancy and maternity, and that not only sexual, but also other forms of harassment, are prohibited at work, in 2016;
 - (iv) Requiring State institutions, including at the municipal level, to provide for measures for ensuring equal opportunities for women and men in strategic planning documents and/or strategic action plans, and at preventing and combatting sexual harassment at schools, in tertiary education institutions and in the workplace, in 2014.
- (b) Amendments to the Criminal Code:
- (i) Establishing criminal liability for acts of discrimination or incitement to hatred on the basis of, inter alia, sex, gender and sexual orientation, in 2017;
 - (ii) Providing for temporary protection orders in cases of domestic violence, including for the perpetrator residing separately from, and not approaching, the victim, in 2015.
- (c) Amendments to the Code of Criminal Procedure abolishing the institute of private prosecution for certain crimes, meaning that women who have suffered from gender-based violence, including domestic violence, would no longer have to testify in court in the criminal trial, in 2017;
- (d) Amendments to the Law on Protection against Domestic Violence aimed at improved inter-agency coordination, multi-disciplinary trainings, and protection of victims prior to the pre-trial investigation, in 2016;
- (e) The Law on the Approval, Entry into Force and Implementation of the Code of Administrative Offenses aimed at harmonising its provisions with the amendments to the Law on Equal Treatment and the Law on Equal Opportunities for Women and Men, in 2016.
5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of:
- (a) The Action Plan 2018-2021 for the implementation of the Fourth National Programme on Equal Opportunities for Women and Men 2015–2021, providing, inter alia, for the partial financing of projects of eligible civil society organizations working on equality of women and men, and measures designed to eliminate stereotypes in the education system, in 2018;
 - (b) Amendments to the Action Plan of the Programme for the Prevention of Domestic Violence for the years 2014-2020, aimed at not defeating the object and purpose of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which the State party has signed but not yet ratified, in 2018;
 - (c) Supplements to the Plan for the Development of the Indicator Database for the publication of more detailed gender statistics indicators by Statistics Lithuania, in 2017;
 - (d) The Programme for the Development of Public Security 2015-2025, its 2016 Inter-institutional Action Plan, aimed at effectively combatting trafficking in human beings, including women and girls, and the special education module programme "Prevention and Investigation of Trafficking in Human Beings", in 2017;
 - (e) The project "Municipal Success Code – Gender Equality" aimed at systematically reducing gender inequality in relation to all subject matters within the mandate of municipalities, in 2016;
 - (f) The Action Plan on Combating Trafficking in Human Beings 2017-2019, in 2016.

C. Sustainable Development Goals

6. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

7. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, annex VI to E/CN.6/2010/CRP.2). It invites the Seimas, in line with its mandate, to take necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Visibility of the Convention, Optional Protocol and the Committee's general recommendations

8. The Committee welcomes the intention of the State party to prepare a separate action plan for the implementation of the present concluding observations. It nevertheless remains concerned at:

- (a) The lack of data on cases where the Convention has been invoked in court proceedings;
- (b) The lack of awareness among the general public in the State party about the Convention in general, the Committee's general recommendations and jurisprudence under the Optional Protocol;
- (c) The non-systematic character of awareness-raising and training activities on the implementation of the Convention.

9. **Reiterating its previous recommendations (CEDAW/C/LTU/CO/5, para. 9) the Committee calls upon the State party to:**

- (a) **Provide comprehensive data in its next periodic report about the number of cases, in which the Convention has been invoked before domestic courts on an annual basis since the publication of the present concluding observations;**
- (b) **Disseminate and give more publicity to the Convention, the Optional Protocol and the Committee's concluding observations, its general recommendations, as well as its views and recommendations on individual communications and inquiries under the Optional Protocol, and raise awareness among women and men of their rights under the Convention and of the legal remedies available to them to claim those rights;**
- (c) **Strengthen capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, in this regard.**

Definition of equality and non-discrimination

10. The Committee recognises the improvements to its legislative framework aimed at ensuring equality of women and men and prohibiting gender-based discrimination, including direct and indirect discrimination on various grounds. However, it notes with concern:

(a) That the Law on Equal Treatment and the Law on Equal Opportunities for Women and Men are not applicable in matters of family and private life where many women require legal protection;

(b) That there is no legislation specifically prohibiting intersecting forms of discrimination against women and no definition of the legal concepts of gender and sex;

(c) The absence of legislation prohibiting discrimination on grounds of gender reassignment, while such discrimination has been recognised as sex-based discrimination in a number of court decisions.

11. The Committee recommends that the State party consider adopting a comprehensive legislation on gender equality and non-discrimination. It further recommends that the State party:

(a) Extend the applicability of its anti-discrimination and equal opportunities legislation to matters of family and private life;

(b) Adopt legislation explicitly protecting women from intersecting forms of discrimination and legally define the concepts of gender and sex;

(c) Explicitly recognize in law discrimination of women on the basis of gender reassignment as gender-based discrimination.

Access to justice and legal complaint mechanisms

12. The Committee welcomes the legal aid reform of 2019 that provides for primary legal assistance (except in proceedings before courts) for all persons in vulnerable situations, including women, and secondary legal assistance in court proceedings to all victims, inter alia, of gender-based violence, including sexual and domestic violence, and hate crimes, irrespective of their financial status. However, the Committee notes that, in 2018, the Office of the Equal Opportunities Ombudsperson Office did not receive any complaints from women or girls with disabilities as well as the low number of complaints of sex- and gender-based discrimination in general, due partly to the absence of regional and local branches of the Ombudsperson's Office.

13. In the light of its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) Ensure full access to justice for disadvantaged or marginalized groups of women, such as women belonging to minorities, migrant, rural and older women, women with disabilities, and lesbian, bisexual and transgender women and intersex persons;

(b) Raise awareness among women of the remedies available to them to claim violations of their rights under the Convention;

(c) Expand the scope of the Office of the Equal Opportunities Ombudsperson so as to facilitate access to justice for all women at the regional and local levels.

National machinery for the advancement of women

14. The Committee welcomes the steady increase of funding of non-governmental organizations promoting gender equality and women's rights. It further welcomes the draft amendments to the Order Regarding the Establishment of the Commission on Equal Opportunities for Women and Men which, inter alia, envisages the delegation of State representatives at a level no lower than that of deputy minister. The Committee is nevertheless concerned:

(a) That the Commission as a monitoring and supervisory body is also directly involved in developing and implementing the Action Plan 2018-2021 for the implementation of the Fourth National Programme on Equal Opportunities for Women and Men 2015–2021;

(b) That the mandate of the Equal Opportunities Ombudsperson has been converted into a gender neutral one;

(c) At the absence of comprehensive gender budgeting strategies and budgetary allocations.

15. The Committee recommends that the State party:

(a) **Swiftly adopt the draft amendments to the Order Regarding the Establishment of the Commission on Equal Opportunities for Women and Men and clarify its mandate to avoid any undue confusion of monitoring and policy-making functions;**

(b) **Take measures to reverse the gender neutrality entrenched in the mandate of the Equal Opportunities Ombudspersons and establish a specialized and gender-responsive unit to better protect women's and girls' rights and promote gender equality;**

(c) **Adopt comprehensive gender budgeting strategies providing for special budgetary allocations for the implementation of policies, strategies, and programmes on gender equality and the advancement of women in all parts of the State party.**

National Human Rights Institutions

16. The Committee welcomes that, in 2017, the Seimas Ombudsman's Office has been accredited by the Global Network of National Human Rights Institutions with "A" status in line with principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles; adopted by General Assembly resolution 48/134 of 20 December 1993). However, it is concerned:

(a) About the limited mandate of the Seimas Ombudsman's Office to consider complaints brought by women, in particular concerning gender-based violence, including in the private sphere;

(b) At the underfunding of the Seimas Ombudsman's Office.

17. The Committee recommends that the State party:

(a) **Extend the mandate of the Seimas Ombudsman to receive and make authoritative findings and recommendations on complaints by women, including in the private sphere;**

(b) **Increase the human, technical and financial resources of the Seimas Ombudsman's Office so as to enable it effectively carrying out its mandate to promote and protect women's rights.**

Temporary special measures

18. The Committee remains concerned that the State party has not adopted temporary special measures to accelerate substantive equality of women and men although it is an acknowledged pathway for addressing historical gender imbalances and intersecting rights concerns across sectors. It notes the explanation provided by the State party that according to the jurisprudence of its Constitutional Court, a legislative basis is needed for restricting human rights whereas the current version of the Law on Equal Opportunities for Women and Men is based on an understanding that this particular Law is an insufficient legislative basis for the adoption of temporary special measures and that specific additional legislation must be adopted for any instance of such temporary special measures.

19. Reiterating its previous recommendations (CEDAW/C/LTU/CO/5, para. 19), the Committee recommends that the State party:

(a) **Remove the legislative obstacles for the adoption and application of temporary special measures, ensure and incentivize the use of administrative, executive, policy and programmatic modalities to promote substantive equality of women and men in line with its obligations under the Convention;**

(b) **Raise awareness among the legislature, policy makers and other state and non-state actors, including the private sector, on the use of temporary special measures**

as a critical tool for addressing discrimination in all spheres and achieving substantive equality;

(c) **Adopt temporary special measures to promote substantive equality of women and men in all areas where women are underrepresented or disadvantaged, such as participation in political and public life, education and employment, and establish a mechanism for monitoring their implementation, in line with article 4 (1) of the Convention and general recommendation No. 25 (2004) on temporary special measures.**

Stereotypes

20. The Committee welcomes the review of school textbooks and other education materials by the Equal Opportunities Ombudsperson, which found that the gender stereotypes therein have an impact on girls' vocational choices, career opportunities and unequal pay. It notes the State party's intention to follow up on the recommendations of the Ombudsperson. The Committee also welcomes workshops held for authors and reviewers of school textbooks and training tools, the training of teachers on gender stereotypes, and measures addressing gender-based hate speech, including in social media and on the Internet. However, Committee remains concerned about the persistence of discriminatory gender stereotypes, patriarchal and sexist messaging, as well as calls for adherence to traditional roles and values for women, including in the media, as demonstrated by a survey conducted by the Equal Opportunities Ombudsperson; and that the Law on Strengthening Families may reinforce discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society.

21. **The Committee recommends that the State party:**

(a) **Strengthen the implementation of measures for addressing stereotypes in the education system as foreseen in the Action Plan 2018-2021 for the implementation of the Fourth National Programme on Equal Opportunities for Women and Men, develop and implement a specific action plan on follow-up to the Equal Opportunities Ombudsperson's review of school material, and include gender experts and representatives of women's non-governmental organizations in the evaluation and reform of school curricula;**

(b) **Strengthen the implementation of the mandate of the Equal Opportunities Ombudsperson under the Law on Equal Treatment to change social and cultural patterns of behaviour of men and women in order to eliminate discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society;**

(c) **Sensitise and build capacity of media enterprises, including through awareness-raising with regard to gender-stereotyping in advertising, media coverage, social media, radio and TV programmes, strengthen cooperation between the Media Ethics Ombudsperson and the Equal Opportunities Ombudsperson in this regard, and involve women, including representatives of women's non-governmental organizations, in the evaluation and development of the content of radio and TV programmes to encourage the media to portray positive images of women as active participants in public and private life;**

(d) **Conduct a study on the impact of the Law on Strengthening Families on the further entrenchment of discriminatory stereotypes on the roles and responsibilities of women and men in the family and the society and provide information on the results of the study in its next periodic report.**

Gender-based violence against women

22. The Committee welcomes the legislative measures adopted by the State party to combat gender-based violence against women, including sexual violence and domestic violence, including those inspired by the Istanbul Convention, such as a draft law on stalking. However, the Committee notes with concern:

- (a) That ratification of the Istanbul Convention, signed by the State party in 2013, is still pending in Parliament;
- (b) That the law on amendments to the law on reconciliation and mediation may revictimize women and girls survivors of gender-based violence;
- (c) Inadequate handling of cases of gender-based violence against women, in particular sexual and domestic violence, by the investigating authorities, such as failure to complete the investigation or to move to criminal prosecution;
- (d) That restrictive/protection measures for victims of domestic violence can only be requested by a police officer once the pre-trial investigation has been initiated and the lack of enforcement or monitoring of compliance with protection orders leaving women victims at risk of further violence;
- (e) The absence of a standalone civil protection order procedure for victims of domestic violence;
- (f) The insufficient funding of Special Assistance Centres for women victims of gender-based violence and insufficient numbers of specialized support centres in rural areas.

23. Reiterating its previous recommendations (CEDAW/C/LTU/CO/5, para. 23) and recalling general recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19 (2017), the Committee calls upon the State party to:

- (a) **Expedite the continuing harmonization of legislation combating gender-based violence against women in accordance with the Convention, including by adopting the draft law on stalking and ratifying the Istanbul Convention;**
- (b) **Give priority to criminal prosecution over reconciliation or mediation in cases of domestic violence in the criminal proceedings and assess the new legislation on reconciliation and mediation for an eventual negative impact on women victims of domestic violence and provide information in its next periodic report;**
- (c) **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;**
- (d) **Repeal the requirement of the initiation of pre-trial investigation before the police is able to request restrictive/protection measures and strengthen the enforcement of such orders to protect women who are victims of gender-based violence, including by providing capacity-building for judges, prosecutors and police officers;**
- (e) **Adopt legislation to establish a standalone civil protection order procedure for victims of domestic violence;**
- (f) **Provide increased funding to the Special Assistance Centres for women victims of violence to enable them to function effectively, and increase the number of specialized support centres in rural areas.**

Trafficking and exploitation of prostitution

24. Committee welcomes the efforts by the State party to combat trafficking in persons, in particular women and girls, including through international cooperation. In particular, it welcomes the creation of the office of a National Rapporteur for collection and publication of statistics and the founding of the non-governmental organization “National Association against Human Trafficking” to support victims and mobilize funding for relevant civil society organisations. It also notes the intention of the State party to organise specialised training for staff at the Reception Centre for Refugees and Asylum Seekers on the early identification and referral of victims of trafficking to appropriate services, in particular unaccompanied

girls and boys, and to adopt a new National Action Plan against Trafficking in Human Beings for 2020-2023. However, the Committee is concerned at:

- (a) The insufficient protection of victims of trafficking, including women, during the investigation and trial stage and a lack of knowledge and understanding within relevant Government agencies of indicators of trafficking in children, including girls;
- (b) The inconsistency of victim identification and referral mechanisms, especially in rural areas;
- (c) The fact that traffickers increasingly target unemployed persons and those from low-income families through social media and the Internet;
- (d) The lack of comprehensive information and comprehensible data on the number of investigations, prosecutions and convictions of perpetrators of trafficking and the sentences imposed on them.

25. **Recalling its previous recommendation (CEDAW/C/LTU/CO/5, para. 27), the Committee recommends that the State party:**

- (a) **Continue its efforts to strengthen gender-sensitive training on all aspects of trafficking in persons, in particular women and girls, for judges, prosecutors, police officers, border guards, social workers, psychologists, child protection officers and child care specialists, including at the municipal level;**
- (b) **Improve procedures for early identification and referral to appropriate services of victims of trafficking, in particular girls, and enhance victim and witness protection and support services, including medical care psychosocial counselling, and rehabilitation and reintegration programmes, regardless of the victims' ability or preparedness to cooperate with the prosecution authorities;**
- (c) **Raise awareness, including at schools and among families, about the risks of trafficking, including the recruitment of victims from unemployed and low income families through social media and on the Internet;**
- (d) **Effectively prosecute and adequately punish perpetrators of acts of trafficking and provide relevant statistical data, disaggregated by sex, age, national origin, employment and social status, in the next periodic report.**

26. The Committee notes that demand for prostitution is punishable under the Code of Administrative Offences. However, it is concerned at the lack of information on the measures taken by the State party to reduce the demand for prostitution and at the absence of exit programmes for women who wish to leave prostitution. It also regrets the lack of information as to whether women exploited in prostitution are recognized as victims and whether their identity is protected, including as witnesses in criminal proceedings.

27. **The Committee recommends that the State party provides exit programmes for women who wish to leave prostitution, including by generating alternative income opportunities, and provide information in its next periodic report about the extent of prostitution in the State party, measures taken to reduce the demand for prostitution, decriminalize women in prostitution and recognize them as victims, including by providing them with witness protection in criminal proceedings.**

Participation in political and public life

28. The Committee welcomes women's high representation in the civil service of the State party. It also notes that, at deputy minister level, the percentage of women stood at 42 per cent, and that the percentage of Lithuanian women elected to the European Parliament has increased to 27 per cent. It further notes the measures adopted by the State party to promote the participation of women in political life, such as the organization of events on female leadership, life-work balance initiatives, and promoting a women-friendly work environment. However, the Committee is concerned that only one out of 14 Ministers is a woman and that only one political party implemented voluntary quotas for the nomination of candidates for the recent national elections. Finally, the Committee notes the explanation by

the State party that barriers preventing women's access to public decision-making positions have been decreasing, albeit not as fast as desired.

29. Reiterating its previous recommendation (CEDAW/C/LTU/CO/5, para. 29), the Committee recommends that the State party strengthen its efforts to increase women's representation in political life and adopt temporary special measures, including quotas for female candidates of political parties and heads of municipalities, to increase the participation of women, in particular rural women, women belonging to ethnic minorities and women with disabilities, in political and public life, including in relation to women obtaining the highest diplomatic status and women having diplomatic status assigned to national representation, and in municipalities, in line with its general recommendation No. 23 (1997) on women in political and public life.

Women, peace and security

30. The Committee welcomes the State party's membership in a number of informal groups of friends under the auspices of the United Nations. It notes that Lithuania is currently drafting its Second National Action Plan on the implementation of the United Nations Women, Peace and Security agenda, and that 3.5 per cent of Lithuanians participating in peacekeeping operations are women.

31. The Committee recommends that the State party establish a clear timeframe for the finalization of the Second National Action Plan (NAP) to implement Security Council resolution No. 1325 (2000), in cooperation with representatives of women's organizations, and ensure that it takes into consideration the full spectrum of the Security Council's women, peace and security agenda as reflected in Security Council resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), 2242 (2015), 2467 (2019), and 2493 (2019).

Nationality

32. The Committee welcomes the steady decrease of the number of stateless persons including stateless women in the State party since 2012, and takes note of the possibility for Lithuanian women to transmit their nationality to their foreign husbands. However, the Committee is concerned at the gender-neutrality of the nationality legislation and that there has been no change in the legislation as previously recommended.

33. Reiterating its previous recommendation (CEDAW/C/LTU/CO/5, para. 31), the Committee encourages the State party to amend its national legislation to provide for the automatic granting of nationality to all children born in Lithuania, including Roma children, who would otherwise be stateless, and to bring its national citizenship legislation in line with the 1961 Convention on the Reduction of Statelessness. The Committee further recommends that the State party ensure that women's right to nationality is not affected in any way due to the gender neutrality of the nationality legislation through particularly providing gender sensitivity and gender equality training to all officials working on this issue.

Education

34. The Committee welcomes the creation of the National Agency for Education in 2019, which is also mandated to promote gender equality and combat gender stereotyping and the launch of the project "Quality basket" aimed at improving learning achievements by pupils, including girls. It also notes the high percentage of female researchers at universities and the increasing number of female students enrolling in previously male dominated fields of study. However, the Committee remains concerned at the low number of women in leading academic positions. It regrets the lack of information on efforts to improve inclusion of girls belonging to minorities, in particular Roma girls, and girls with disabilities in schools, as well as on the impact of the 2017 higher education reform in matching labour market needs, including the need to restructure vocational training programmes for women.

35. Reiterating its previous recommendation (CEDAW/C/LTU/CO/5, para. 33), and recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party raise awareness among girls

and boys, parents, teachers and political leaders about the importance of girls' education at all levels as a basis for their empowerment, and:

(a) Continue taking measures to eliminate discriminatory gender stereotypes and structural barriers that may deter girls from choosing non-traditional fields of study and career paths at all levels of education;

(b) Consider adopting temporary special measures such as preferential recruitment and promotion of women to accelerate their appointment to high academic management positions;

(c) Strengthen its measures to improve the inclusion of Roma girls and boys as well as of girls and boys with disabilities in the mainstream education system rather than schools with classes for children with special needs and provide sex-disaggregated information in its next periodic report on school attendance and drop-out rates among the Roma population and children with disabilities;

(d) Provide information in its next periodic report on the impact of the 2017 higher education reform in matching labour market needs of women.

Employment

36. The Committee welcomes that the employment rate of women is the highest within the European Union and almost on par with men; the introduction of a social insurance floor, which provides, inter alia, that women in employment, including part-time workers, must be socially insured at the level of the minimum wage; and the reversal of the burden of proof on the employer that the principle of equal pay for work of equal value is upheld. The Committee notes the raise of the pension age to 65 years for both women and men by 2026 and measures to promote women in leadership positions and women's entrepreneurship. The Committee nevertheless remains concerned about:

(a) The persistent gender pay gap and consequently gender gap in the levels of pension benefits and lower salaries in traditionally female dominated occupations;

(b) Vertical and horizontal occupational segregation and the difficulties to integrate migrant women, Roma women, rural and older women, and women with disabilities into the labour market;

(c) The absence of a mechanism to monitor the quality of equal opportunities plans by public and private companies, which is mandatory under the amended Labour Code.

37. **Recalling its previous recommendations (CEDAW/C/LTU/CO/5, para. 35), the Committee recommends that the State party:**

(a) **Enforce the principle of equal pay for work of equal value, in order to narrow and ultimately close the gender pay gap, including by regularly reviewing wages in all occupational sectors, conducting regular labour inspections, applying gender-sensitive analytical job classification and evaluation methods, conducting regular pay surveys, and awareness-raising campaigns in cooperation with employers' associations and trade unions;**

(b) **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;**

(c) **Establish effective monitoring and accountability mechanisms to ensure compliance with their obligation under the Labour Code to develop equal opportunities plans by public and private companies;**

(d) **Ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.**

Health

38. The Committee welcomes that the 48 Public Health Bureaus across the territory of the State party, in collaboration with non-governmental organizations, communities and families, promote healthy lifestyles of women and girls and address specific health issues in municipalities, including suicide prevention. It also welcomes the human papillomavirus vaccination programme targeting girls aged 11 years, launched in 2016, although the participation rate remains low. The Committee notes that the State party plans to update the ministerial regulations on the termination of pregnancy in 2020. It also notes the implementation of the 2017-2019 General Programme for Education in Health and Sexuality and Family Education and that the reimbursement for certain types of contraceptives for girls and women aged 15 to 19 years is currently under consideration by the Ministry of Health's Committee on Reimbursement. The Committee is nevertheless concerned about the still limited effective access, despite the existing compulsory health insurance system, for girls and young women, including girls and women in rural areas and Roma girls and women, to basic health services, including concerning sexual and reproductive health and modern contraceptives, and for undocumented migrant women, who are ineligible for compulsory health insurance, to quality maternal health care throughout pregnancy and delivery.

39. **The Committee recommends that the State party:**

(a) **Ensure that education on sexual and reproductive health and rights at all levels of education is gender-sensitive, age-appropriate, and fosters responsible sexual behaviour, with a view to preventing early pregnancies and sexually transmitted diseases;**

(b) **Ensure access for all girls and young women to sexual and reproductive health services and to affordable modern contraceptives, in particular in rural areas;**

(c) **Ensure affordable and, if necessary, free access for undocumented migrant women to maternal health care throughout pregnancy and delivery, including antenatal care;**

(d) **Regulate termination of pregnancy by legislation, rather than ministerial regulations, legalizing abortion in cases of rape, incest, threats to the life and/or health of the pregnant woman, or severe fetal impairment, and decriminalizing it in all other cases, and providing women with access to safe abortion as well as post-abortion services, in particular in cases of complications resulting from unsafe abortions.**

Economic and social benefits and the economic empowerment of women

40. The Committee welcomes the adoption, in June 2019, of the "Package of basic services for families" aimed at strengthening the socio-economic status of women and additional social benefits for mothers with five or more children. It welcomes the plans to render the first two months of the parental leave quota, including leave for mothers and for fathers, non-transferrable for both parents, that grandparents may take similar leave, and that the number of fathers availing themselves of paternity and/or parental leave has been rapidly increasing. However, it is concerned that the gains of the rapid economic development in the State party have not been equally shared, in particular by women and girls belonging to minorities, women in rural areas, older women and women with disabilities, and about the negative impact of the shrinking and ageing population, in particular in rural areas, on the social protection of women.

41. **The Committee recommends that the State party:**

(a) **Recognize unpaid care work performed by women, including childcare and care of other dependants, in particular by rural women, and compute it towards their pension entitlements and social benefits and continue its efforts to ensure the reconciliation of family and professional responsibilities of women, including by providing a sufficient number of affordable and accessible childcare facilities, including in rural areas;**

(b) **Develop policies and programmes designed to ensure that women benefit from the economic development of the State party and mitigate the impact of the**

shrinking and ageing population on women's pension and social benefits, in particular for older women;

(c) Design specific interventions to leverage opportunities for the economic empowerment of rural women, including by creating more job opportunities outside of the predominant agricultural sector and improving access to higher education, information and communications technologies and (subsidised) transportation, and ensure that they are involved in the design of those strategies and programmes, focusing on women not only as victims or beneficiaries but also as active participants in the formulation and implementation of such policies, in line with general recommendation No. 34 (2016) on the rights on rural women;

(d) Expedite the ratification of the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).

Women with disabilities

42. The Committee welcomes the mandatory quota for employment of persons, including women, with disabilities in social enterprises and their consultation in legislative processes. However, the Committee is concerned about:

(a) Reports of forced abortions, involuntary sterilization, baby removal, sexual abuse by caregivers or other residents in care institutions, neglect of their medical care and psychological needs, or involuntary placement in psychiatric or social care institutions;

(b) The lack of special protection for women with disabilities, including those with intellectual or psychosocial disabilities, who are victims of gender-based violence against women, in particular sexual violence, as well as of specially targeted services for them;

(c) The existence of multi-fold obstacles on the way to employment for women with disabilities;

(d) The declarations of legal incapacity or restricted capacity of more than 4.500 women with disabilities in the State party, including intellectual and psychosocial disabilities, which affects their participation in elections and denies them the right to marry as well as custody of their children.

43. **Recalling its previous recommendations (CEDAW/C/LTU/CO/5, para. 39 (d)), the Committee calls upon the State party to:**

(a) Strengthen measures to ensure that women with disabilities are not subjected to gender-based violence;

(b) Ensure that women and girls with disabilities are not subjected to any treatment or medical procedures without their free, prior and informed consent and that those performing involuntary or unnecessary procedures on women and girls with disabilities are held accountable;

(c) Ensure that women with disabilities have the right to decide freely and responsibly on the number and spacing of their children;

(d) 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;

(e) Strengthen measures to provide better access to employment for women and girls with disabilities;

(f) Amend the Civil Code to repeal provisions on legal incapacity of persons with disabilities, including women with disabilities.

Marriage and family relations

44. The Committee remains concerned that:

(a) Non-traditional forms of family relations are not recognised in the State party;

(b) Following an assessment by the State Child Rights Protection and Adoption Service, courts are able to reduce the minimum age of consent for marriage from 18 years to 16 years or exceptionally even lower when compelled by significant circumstances, including pregnancy of the girl, and that in practice girls, in particular Roma girls, are disproportionately affected by child marriage. The Committee notes the explanation by the State party that it does not intend to raise the minimum age for marriage to 18 without exception.

45. Reiterating its previous recommendations (CEDAW/C/LTU/CO/5, para. 41), the Committee calls upon the State party to:

(a) **Recognise non-traditional forms of family relations other than marriage, including same-sex and de facto unions, in line with the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution;**

(b) **Amend the Civil Code and raise the minimum age of marriage for women and men to 18 without exception.**

Data collection and analysis

46. The Committee welcomes the joint project between the Equal Opportunities Ombudsperson and Lithuania Statistics to generate more data disaggregated by sex and gender and the publication of the gender equality statistics map and notes the intention of Statistics Lithuania to upgrade the Official Statistics Portal with a new section dedicated to gender equality. The Committee, however, is concerned that data disaggregated by sex and age are still scarce in relation to rural women and girls.

47. The Committee recommends that Statistics Lithuania swiftly complete the upgrade of the Official Statistics Portal with a new section dedicated to gender equality and include in its next periodic report comprehensive data disaggregated by sex and age, in particular in relation to rural women and girls.

Beijing Declaration and Platform for Action

48. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the implementation of the Convention in the context of the Beijing +25 Review to achieve substantive equality of women and men.

Dissemination

49. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional, local), in particular to the Government, the Seimas and the judiciary, to enable their full implementation.

Ratification of other treaties

50. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to concluding observations

51. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 23 (c) and (e), 37 (b), and 43 (d) above.

Preparation of the next report

52. The Committee requests the State party to submit its seventh periodic reports, which is due in November 2023. The report should be submitted on time and cover the entire period up to the time of its submission.

53. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).
