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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-second session

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 27 April 2004, at 3 p.m.

Chairperson: Mr. RIEDEL
(Vice-Chairperson)

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In the absence of Ms. Bonoan-Dandan, Mr. Riedel,
Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) **REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH
ARTICLES 16 AND 17 OF THE COVENANT** (continued)

Initial report of Lithuania (continued) (E/1990/5/Add.55;
E/C.12/Q/LITH/1/Rev.1; HRI/CORE/1/Add.97)

1. At the invitation of the Chairperson, Ms. Guobaitė-Kiršlienė, Ms. Kasputienė,
Ms. Klepačienė, Ms. Milašiūtė, Mr. Radzevičius, Mr. Šadžius and Mr. Žiūkas (Lithuania)
took places at the Committee table.

Articles 6-9 of the Covenant (continued)

2. The CHAIRPERSON invited the delegation of Lithuania to continue with its replies to the questions raised at the previous meeting.

3. Mr. ŠADŽIUS (Lithuania) said that despite the fact that the Constitution provided for it, there was no specialized labour court in Lithuania since the number of labour disputes was low and conflicts were often resolved through informal negotiation. He recognized that those were not necessarily positive considerations because the low numbers could mean that employees were fearful of confronting employers, while informal negotiation did not offer the same degree of protection as a formal dispute settlement procedure. For the time being, however, labour disputes brought before the courts were handled by specialized judges trained to handle civil cases in the ordinary courts. The judicial system was evolving and the Government would provide more information in its next periodic report.

4. The guarantee of a minimum wage was very important for workers and had been established in Lithuania for many years. Some changes had taken place since the preparation of the initial report and the minimum wage had been increased in September 2003, though not for all categories of workers. Another increase, scheduled for May 2004, would bring the minimum wage to LTL 500 and would apply to all categories of workers except army servicemen and civil servants, for whom the minimum wage was used only as a basis for calculating salaries.

5. Whereas increasing the minimum wage could help to stimulate economic growth, setting the wage too high could have a negative impact on the economy or on social conditions. That was why decisions concerning the minimum wage were entrusted to the Tripartite Council, which was an effective vehicle for social dialogue. Its membership consisted of representatives from the three largest trade unions, the two largest employers' confederations and government representatives at the vice-ministerial level. Replying to a question put earlier, he confirmed that

the various regulations of the Labour Code had been discussed at length and had been adopted by the Tripartite Council. All legislation concerning labour relations had to be submitted to the Tripartite Council for approval before it could be considered by the legislature.

6. Gender equality in terms of wages was a problem in Lithuania and the Government was in the process of taking formal and informal steps to address it. The gap had narrowed recently, but more efforts were needed.

7. While it was true that the unemployment rate for the resort region of Druskininkai had climbed as high as 27 per cent, after the implementation of local employment initiatives and investment programmes in the region, the unemployment rate there had fallen to almost half its previous level. Although regional differences in unemployment had been quite pronounced in the period covered by the initial report, such differences had since diminished significantly. Local employment initiatives had achieved positive results and were now being applied not to entire municipalities with higher-than-average unemployment rates, but to sections of municipalities. That did not mean, however, that there were not still some municipalities where unemployment rates were very high.

8. Mr. ŽIŪKAS (Lithuania) said that in the period covered by the report two sets of widely divergent figures had been provided: one based on a Labour Force Survey carried out by the Statistical Department using International Labour Organization methodology, and another based on data for persons registered with the National Labour Exchange. For several years the Government had relied exclusively upon the data supplied by the Labour Force Survey, and no longer used that provided by the National Labour Exchange in official reports or policies.

9. Mr. ŠADŽIUS (Lithuania), replying to a question on salary protection and conditions of work for pregnant women, said that in a transitional economy such as that of Lithuania, insufficient control over employers could result in a failure to respect the rights of pregnant women. Among the legal measures that had been taken to address the problem were articles in the Labour Code that provided a measure of positive discrimination, regulated conditions of work and provided job security. Maternity leave was granted for 70 days prior to and 60 days after the birth of the child at 100 per cent of the woman's previous wages, and additional leave and benefits were granted to nursing mothers. The administrative measures taken to ensure that employers respected those rights included the establishment of control mechanisms.

10. The State Labour Inspectorate of Lithuania was a small institution with only 200 labour inspectors. The legislation governing the Inspectorate had recently been revised to bring it into line with the Labour Code. Among the amendments was a provision that allowed labour inspectors to halt production in an enterprise if they found an employer to be in violation of occupational health or safety regulations. Many more changes were still needed to improve the effectiveness of the Inspectorate. Controlling illegal employment, for example, was a task that the Inspectorate was not yet equipped to handle satisfactorily.

11. The number of occupational accidents leading to death had fluctuated considerably since 1998, which could be explained by the fact that before 2002 employers had been required to cover the cost of occupational accidents from their own funds, whereas those contingencies

were now covered by the social insurance scheme. The change had perhaps led to lower standards. However, measures being taken to improve the work of the State Labour Inspectorate were expected to help reduce the number of occupational accidents.

12. Replying to a comment made earlier that the prohibition on strikes applied to too many categories of employees, he noted that strikes were not very common in Lithuania.

13. He agreed that the system of unemployment benefits needed improvement. Too few persons received benefits, the value of the benefits was too low and the conditions to entitlement were too stringent. The Seimas had recently enacted legislation on unemployment benefits that would address some of those issues, but additional steps were needed to prevent fraudulent claims, for example.

14. Regarding the issue of children working on public projects, none of the children involved was under the age of 16. Those who worked did so voluntarily, were employed exclusively during school vacations to repair their school buildings, and received wages and social insurance benefits in exchange for their work.

15. Ms. GUOBAITĖ-KIRSLIENĖ (Lithuania), replying to the question of whether an employer could dismiss an employee without reason and without compensation, said that, under the new Labour Code such actions would be considered illegal. Employees could be dismissed on the basis of poor performance or behaviour, or for economic reasons, such as the restructuring of the enterprise. Employers were required to give at least two months' written notice of termination, including the reason and legal basis for such a decision. During the notice period, they were required to allow employees 10 per cent of their working time to search for another job. Severance pay was determined on the basis of an employee's length of service and employees who were not satisfied with their treatment could seek a remedy free of charge through the judicial system.

16. Mr. ŠADŽIUS (Lithuania) said that Lithuania had made great progress in ratifying many of the most important International Labour Organization (ILO) conventions, but that ratification was a complicated and lengthy procedure that could not be rushed. That was especially true in view of the Government's emphasis on giving effect to the conventions, as opposed to merely ratifying them. Lithuania had completed ratification of ILO Convention No. 122 concerning Employment Policy. The Government did not consider it necessary to ratify Convention No. 2 concerning Unemployment, since Convention No. 122 was more recent. Preparations were under way to ratify Convention No. 102 concerning Minimum Standards of Social Security, and Convention No. 117 concerning Basic Aims and Standards of Social Policy and Convention No. 174 concerning the Prevention of Major Industrial Accidents would be ratified in due course.

17. Mr. RADZEVIČIUS (Lithuania) said that unemployment levels had been reduced in recent years, thanks largely to the structural adjustment funds provided by the European Union. In 2003, the average unemployment rate had been 9.6 per cent, which was not significantly higher than the rate in other, more developed, European countries. However, the rate varied between 3 and 11 per cent, depending on the region. As part of its efforts to create jobs, the

Government was considering ways to promote small businesses and to provide alternative trades for agricultural workers in rural areas where unemployment was particularly high. Resources would continue to be channelled into those areas.

18. Mr. ŠADŽIUS (Lithuania) said that, although the Ministry of Social Security and Labour had been relatively successful in its endeavours to improve the country's vocational training facilities, additional efforts were needed. The Lithuanian authorities depended heavily on European Union structural funds in that regard. It was hoped that a future initiative to provide training for trade union activists would help to improve the situation regarding trade unions in Lithuania.

19. Regrettably, due to some inefficiency in the system, the minimum wage was sometimes replaced by the illegal payment of an honorarium. However, the labour and tax inspection authorities and the Social Insurance Office were working to ensure that the payment of the minimum wage was enforced in all regions.

20. Ms. MILAŠIŪTĖ (Lithuania), replying to a question about the possibility of being represented in court by a trade union, said that the Supreme Court was the highest court in Lithuania and not only particular legal expertise but also more general legal knowledge about proceedings was required in order to bring a case before it. It therefore seemed logical that a member of the Bar should be required to represent a party before the Supreme Court.

21. Mr. ŠADŽIUS (Lithuania) said that, in order to address the problem of youth unemployment, legal measures were being taken to guarantee positive discrimination in the labour market. For instance, while the Labour Code guaranteed equal employment opportunities for all people, it ensured that special assistance was provided to certain groups such as the long-term unemployed, persons with disabilities and young people seeking their first job. Studies had shown that the employment opportunities for professionals in Lithuania were relatively good and it was hoped that the sector would benefit from employment opportunities abroad following Lithuania's forthcoming accession to the European Union. Nevertheless, it was difficult for job-seekers within five years of the retirement age and the long-term unemployed with limited skills, as well as disabled persons, to find work in Lithuania. In order to address that problem, draft legislation was being considered under which financial assistance would be provided to any public or private enterprise that provided employment for disadvantaged groups. Unfortunately, it was proving to be more difficult to support mothers who wished to return to work. Currently, the only assistance such women received was through social benefits aimed at improving their standard of living. More needed to be done in that respect.

22. The Lithuanian Labour Exchange intended to pool all of its regional databases so that job-seekers could register in one region and find work in another. It was hoped that a similar system could be introduced by the authorities responsible for social services in order to address the regional imbalances in the allocation of benefits and to prevent fraud. In April 2003 a new act on social assistance had been introduced, aimed at limiting abuse of the system. It was still too early to assess whether benefit payments had increased or decreased as a result of that act and whether it had brought about any negative social consequences. Further information would be provided in Lithuania's second periodic report.

23. In reply to a question by Mr. Kolosov, he said that, as far as he was aware, there was no animosity between Lithuanians and Russians.

24. Between 5 and 7 per cent of employment activities in Lithuania were performed by trade union members. While no studies had been carried out to determine the level of representation of national minorities in trade union governing bodies, trade unions in Lithuania generally brought together people of all national groups. The composition of trade union branches, however, generally reflected the demographic make-up of the particular village or town where the branch was located. Regrettably, it appeared that very few people believed that trade unions could actually defend their rights and most people joined them for political and historical reasons. Under the Labour Code, all employees had the right to be represented in collective bargaining by trade unions or by a work council. As work councils were perhaps a more effective way than trade unions of uniting workers and enabling them to negotiate their collective rights, the Parliament was considering draft legislation on such councils. Trade unions did, however, play an important and effective role in the resolution of legal disputes relating to employment law. Since the restoration of independence in Lithuania, the courts had tended to favour the employee rather than the employer, particularly in cases of unfair dismissal.

25. Efforts were being made to reform Lithuania's pension system in accordance with a three-stage plan. Regrettably, Lithuania was not yet ready to implement the third stage of that plan, which involved expanding pensions and increasing the income replacement rate.

26. Mr. SADI said that he would be interested in knowing the Government's position with regard to the proposal to draft a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities.

27. Mr. TEXIER asked under what circumstances the right to strike was restricted by law, as it appeared that the Labour Code was far more stringent in that respect than the International Labour Organization (ILO) principles on that right. He would also like to know whether the minimum wage was enough to guarantee workers an adequate standard of living. Was it enough, for example, to cover the cost of renting an apartment?

28. Mr. ŠADŽIUS (Lithuania) said that, as of 1 May 2004, the minimum monthly wage would be LTL 500, which, after tax, would amount to approximately LTL 400. Although there was no official poverty line in Lithuania, scientists had established that a person needed LTL 260 per month to enjoy an adequate standard of living. Therefore, the minimum wage was not enough to support a family. As a result of the privatization process that had been initiated after independence, the majority of Lithuanians owned their own homes.

29. Ms. KASPUTIENĖ (Lithuania) said that her Government was actively participating in the negotiations on the international convention on persons with disabilities but would wait until the instrument had been adopted before it assumed an official position.

30. Ms. GUOBAITĖ-KIRSLIENĖ (Lithuania) said that article 78 of the Labour Code prohibited those working in national defence and State security systems from striking. Those working in electricity, heating and gas supply enterprises and providers of emergency medical

care were also prohibited from striking. The demands put forward by the employees of those systems and enterprises had to be settled by the Government, taking into account the opinion of the Tripartite Council. Strikes were also prohibited in the event of natural disaster as well as in areas where a state of martial law or state of emergency had been declared in accordance with the procedure established by law. It was also prohibited to declare a strike during the period of validity of a collective agreement, if that agreement was being complied with.

31. Mr. MARTYNOV said that he welcomed the decision of the Tripartite Council to eliminate some of the restrictions regarding the payment of the minimum wage. He would be interested in knowing whether a law would be adopted in that regard. He would also be interested in knowing whether the minimum wage was increased on an ad hoc basis, or whether the Government was under an obligation to review the wage periodically.

32. Mr. ŠADŽIUS (Lithuania) said that the Government was responsible for determining the level of the minimum wage and took into account a number of social factors when calculating the level of the wage. A complicated new bill was being considered that would require the Government to review periodically not only the minimum wage but also a number of other standard values, such as the salaries of teachers and medical workers.

Articles 10-12 of the Covenant

33. Ms. BARAHONA RIERA expressed concern that there was no specific legislation on domestic violence and that such violence was not specifically defined as an offence in the Criminal Code. She urged the State party to review its position in that regard. She was further concerned about the lack of legislation to guarantee equal opportunities and wondered why no specific measures were being taken to improve the situation of women living in rural areas. She would also like to know the true extent of the problem of disappeared women and girls and wondered whether the victims were used as prostitutes. In that regard, she would like to know what was being done to address the serious problem of trafficking in women and girls.

34. Ms. BRAS GOMES said that the Committee recognized that the ratification of international instruments was a gradual process and initially requested States parties to ratify only those that guaranteed minimum standards relating to economic, social and cultural rights. In 2001, during its consideration of Lithuania's initial report (CRC/C/11/Add.21), the Committee on the Rights of the Child had noted that a large number of Lithuanian children were involved in intercountry adoption procedures. She wondered whether the situation had changed since then and whether Lithuania had ratified the Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption. The Committee on the Rights of the Child had also expressed concern at the significant number of abused children who were removed from their families and placed in orphanages and institutions. She wondered what happened to those children and how long they remained in such care. She would also like a more accurate picture of the situation of street children in Lithuania and wondered whether the Government had a concerted strategy to deal with the problem.

35. Mr. ATANGANA said that he would like to know what the impact had been of the Government's programme for the period 2002-2004 to combat trafficking in women. He would also like to know whether any jurisprudence had been created on the application of the new Criminal Code.

36. Mr. PILLAY asked the delegation to indicate whether there were any shelters for battered women in Lithuania. He would also like to know the current poverty rate in Lithuania. He wondered why the Government's poverty alleviation programmes were not specifically targeted towards rural women, as those women were clearly one of the most vulnerable sectors of the population.

37. Mr. PILLAY said that no statistics had been provided on the number of homeless people and forced evictions. It was the State party's obligation to make such data available. He expressed the hope that the data would be included in the country's second periodic report.

38. In view of the fact that no funds had been allocated to social housing, he wished to know what the Government planned to do about the housing shortage, which, according to the World Health Organization (WHO), was quite significant.

39. Mr. CEAUSU asked why the Government had not concluded any cooperation agreements with State authorities in foreign countries with a view to ensuring the protection of children adopted in Lithuania. The countries concerned had the obligation to monitor and provide information on the situation of the adopted children. Lithuanian consulates must take steps to be fully informed in that regard. In view of the numerous alleged cases of maltreatment of children, he urged greater care with regard to intercountry adoptions.

40. He wished to know what the Government was doing to help the elderly in rural areas, whether they received a pension, and how it compared with the pension paid to the elderly living in cities.

41. It would be useful to know what measures had been envisaged to integrate the Romany people into Lithuanian society if the European Union were to provide financial assistance for that purpose.

42. He asked the delegation to comment on the situation with regard to the restitution of flats which had been nationalized or confiscated by the Communist State. What measures had been adopted to help the people who had been forced to leave their flats as a result of restitution?

43. It would be useful to know whether there was a programme in place to combat nicotine addiction and alcohol abuse and whether the sale of tobacco and alcohol to minors, as well as advertisement of such products, had been banned.

44. Mr. SADI said that, under the country's Civil Code, children had the right to appear independently before the relevant State institutions if they believed that their rights had been violated by their parents. He wondered how that was possible with regard to children who were, for example, only 10 years of age, and wished to know whether appropriate mechanisms were in place.

45. According to a recent CNN programme, the country's suicide rate was the highest in the world. Could the delegation explain why?

46. Mr. GRISSA, referring to page 100 of the report, said that since school attendance should be obligatory until about the age of 16; 13 was perhaps too low for a minimum working age. He wondered whether the increase in the number of children dropping out of school was linked to

that. He asked why no data were available on the number and age of children working in the country. Did the Government intend to bring the minimum working age for children in line with that of the European Union?

47. Mr. MARTYNOV said that, if the social pension accounted for 0.5-1.5 per cent of the basic pension and the latter was about LTL 150, then the social pension could be as low as LTL 75. According to the delegation, the minimum amount of money which an individual required per month was LTL 200. How then could people be expected to survive on LTL 75?

48. It would be useful to know why the Government had still not ratified the Optional Protocol on the sale of children, child prostitution, and child pornography despite the numerous reports of under-age girls being forced into prostitution or sold abroad.

49. The International Helsinki Federation for Human Rights reported that, to date, not a single trafficker had been convicted in Lithuania, although many Lithuanian traffickers had been convicted in other countries. He asked the delegation to explain.

50. The Government did not seem to be taking any measures in connection with the growing number of missing persons, especially young women and girls. He urged the Government to do so.

51. Although the reply to question 24 indicated that disposable household income and consumption expenditure had increased, according to paragraph 453 of the report, disposable income of farmers had decreased between 1996 and 2000. Could the delegation provide figures on the disposable income of farmers over recent years?

52. He asked whether it was true that, as of 1 May 2004, the country's residents would have to pay several times more for at least 500 drugs which would become available as a result of the expansion of the European Union and that pharmaceutical enterprises would have to halt their own production of medicine since it was not in line with the norms and requirements of the European Union.

53. The CHAIRPERSON asked what measures had been envisaged to deal with the high suicide rate in the country. What expectations did the Government have of the national suicide prevention programme and the legal statutes for mental health promotion and reform, and what results had been achieved?

54. Question 31 referred to children with disabilities living in rural areas, while the reply was limited only to children in boarding schools. What measures were being taken with regard to children with disabilities in rural areas and what were the initial results?

55. Mr. ŠADŽIUS (Lithuania) referring to Ms. Barahona Riera's points, said that, in his view, the country's legislation dealt sufficiently with the problem of domestic violence. The Criminal Code contained a description of criminal actions against human life and health and listed the relevant punishment. He acknowledged that domestic violence had to be combated as

a social phenomenon and that the country's traditions were partly to blame for the problem. However, a law abolishing certain traditions would be impossible to implement. The programme on combating domestic violence had not been designed to punish the perpetrators. Rather, it concerned the organizational, administrative and financial measures available to tackle the problem. The results of the programme would be described in the second periodic report.

56. In his opinion, problems encountered by people, in particular women, living in rural areas were not necessarily gender-related. Old age, poor living conditions, and a high level of poverty were among the other issues which needed to be addressed. A programme had recently been adopted to help deal with the economic, nutritional and security problems of the ageing population in rural areas. In addition, the Ministry of Health had adopted a programme on geriatric care.

57. Mr. RADZEVIČIUS (Lithuania) said that since women in villages lived longer than men, sooner or later many had to live alone and were unwilling to move to a city. Although their income was relatively low, their way of life enabled them to have a fairly good standard of living. On the other hand, health problems inevitably disrupted their farming activities. Such women received financial assistance from the Ministry of Agriculture and were given an opportunity to stop their farming activities while receiving a relatively high income.

58. Ms. MILAŠIŪTĖ (Lithuania) said that a programme for the control and prevention of trafficking in people and prostitution for 2002-2004 had been approved in 17 January 2003. The programme was designed to eliminate the causes of prostitution and trafficking in people and develop a system of preventive measures to combat such phenomena. The programme envisaged improving legislation, conducting scientific and analytical work, enhancing education, prevention and social integration of victims and implementing organizational measures to dismantle the structures involved in trafficking. Under the project, accessible social and rehabilitation assistance had been provided to victims of trafficking. An analysis of the psychosocial environment of women and girls within the risk group had been carried out. Specialized training had been provided for social workers. Special hotlines for victims of trafficking had been set up and information leaflets for victims of domestic sexual violence, prostitution and trafficking published.

59. In 1998, a new article had been added to the Criminal Code instituting criminal liability for trafficking in people. Perpetrators were held liable regardless of their nationality, place of residence, the country where the offence had been committed, and of whether the offence was punishable under the laws of that country. In 2003, criminal proceedings had been instituted for 8 cases of trafficking in people. In addition, 21 suspects and 18 victims had been identified.

60. The Government was taking steps to improve the system of protection of victims and witnesses of trafficking in people while at the same time encouraging them to inform the relevant authorities about traffickers. She acknowledged that there were few national programmes in that field and stressed the need to establish better international cooperation with a view to protecting victims and witnesses of trafficking.

61. Draft amendments to regulations on trafficking had been prepared which exempted victims of trafficking from liability for prostitution, illegal migration and residence in the country, except for those cases where they had crossed the border to enter a third country. The possibility of granting a temporary residence status to victims of trafficking to enable them to testify in a criminal case had also been provided for.

62. Mr. ŠADŽIUS (Lithuania) said that no specific measures were in place in connection with the growing number of missing persons, and acknowledged the need for such measures to be introduced.

63. Mr. ŽIŪKAS (Lithuania) said that, over the past two years, the Government had been holding seminars and collecting data to assess the scope for ratifying ILO Convention No. 102 concerning Minimum Standards of Social Security. Significant progress had been made in that preliminary work and ratification of the Convention, as well as the European Social Charter, was only a matter of time.

64. Mr. ŠADŽIUS (Lithuania) said that international labour conventions had proved extremely useful in the reform of Lithuanian labour legislation. The fact that ratification had not yet been fully achieved was due to limited resources, not a lack of will on the part of the Government.

65. Mr. ŽIŪKAS (Lithuania) said that monitoring of intercountry adoption in Lithuania was the responsibility of a central adoption agency that operated in compliance with the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. The main function of that service was to collect data on adopted children. In 2003 the adoption agency had sent a questionnaire to nearly 500 families that had adopted Lithuanian children between 1991 and 2003, requesting information on, inter alia, the children's development, their state of health and their relationship with the adoptive parents.

66. Lithuania had signed a number of bilateral agreements with accredited bodies in other countries, and intermediary organizations were obliged to provide information on the children on a regular basis. A meeting of Lithuanian children adopted by foreign parents would be held in December 2004. All activities were designed to facilitate the monitoring of intercountry adoption and ensure the children's well-being.

67. Mr. ŠADŽIUS (Lithuania), responding to a suggestion for the creation of a central institution to coordinate activities in relation to street children, said that an institutional support network for such children already existed. Recognizing that the majority of street children came from difficult family backgrounds, local children's rights protection services maintained regular contact with families facing difficulties.

68. In addition, a number of non-governmental organizations (NGOs) had set up day-care centres that provided after-school care and basic meals, as well as overnight shelter for runaway children. Owing to a lack of financial resources, no separate coordinating body had yet been created, and coordination was currently the responsibility of the Ministry of Social Security and Labour.

69. Ms. KLEPAČIENĖ (Lithuania) said that the main reason for high dropout rates was a lack of motivation, which was often due to poor academic performance. The 2003 Education Act included extensive provisions for social and psychological assistance for children, and the Government had set up a number of centres that provided counselling for pupils. Over the course of the next two years, such centres were to be established countrywide.

70. Also in 2003, the State had introduced a system by which pre-school children received targeted subsidies and encouraged schools to reduce dropout rates by making overall State assistance to a school contingent on the number of students attending. As a result, the number of dropouts had decreased in recent years, although absenteeism had not been entirely eliminated.

71. Other measures to combat high dropout rates included improving the quality of education, particularly in primary education, for example by providing additional training to teachers, and the positive results of such measures were already visible.

72. Mr. ŠADŽIUS (Lithuania), responding to a question about child abuse in orphanages, said that those institutions were certainly not an ideal place to spend one's childhood. However, children in orphanages received substantial State financial assistance until maturity. Thereafter, financial and other assistance was provided to facilitate their integration into society, and experience had shown that they did not automatically slide into marginalization.

73. Mr. ŽIŪKAS (Lithuania), speaking on the issue of poverty, said that Lithuania looked back at over a decade of policy-making aimed at combating poverty. The country had adopted its anti-poverty strategy in 1990, and the accompanying implementation plan covered the period 2002-2004.

74. The Lithuanian economy had experienced steady growth over the past three years, and relatively positive social and economic indicators were reason to be optimistic. Recent years had also seen a gradual reduction of poverty, although the problem persisted, particularly in rural areas and small towns. The comparatively favourable situation in big cities was primarily owing to higher employment rates. In 2003, real wages had increased by 5.3 per cent, and disposable household incomes by 8.4 per cent. Overall developments regarding poverty eradication and combating social exclusion could thus be rated as positive.

75. Mr. ŠADŽIUS (Lithuania), replying to a question on homelessness and forced evictions, said that, according to a recent census, around 1,200 people in Lithuania were homeless. In 2002, 2003 and 2004, Lithuanian courts had ordered 512, 343 and 101 evictions respectively. Most forced evictions came as a result of the failure to pay debts, to a physical person, and no evictions had been ordered for failure to pay community taxes. It was difficult to ascertain, what percentage of forced evictions resulted in homelessness.

76. In cases of restitution of property, the current residents could not be evicted unless alternative housing was available to them. No evictions had been enforced on those grounds.

77. The shortage of social housing was a serious problem, and many existing flats were old and in dire need of repair. A number of them had been privatized in the early 1990s, and the owners often did not have the means to pay for the repairs. The Government had devised a

long-term strategy that covered the period until 2020 with a view to solving the crisis, and had allocated a portion of the budget for the development of social housing. The results of the measures taken would be commented on in the next periodic report.

78. Mr. ŽIŪKAS (Lithuania) said that, according to a survey, 77 per cent of all homeless people were single males, and homeless women generally had a lower level of education. Twelve per cent of all homeless people had been without shelter for less than one year, 28 per cent for 5 to 10 years and 25 per cent for 10 years or more. The government programme on social housing envisaged an increase from 2.5 per cent to 4-5 per cent by 2010, and for 2004 approximately LTL 20 million had been allocated.

79. Ms. KASPUTIENĖ (Lithuania), replying to a question on the situation of the Romany ethnic minority in Lithuania, said that several practical measures had been implemented within the framework of the Roma Integration Programme into Lithuanian Society for 2002-2004. The programme specifically addressed the situation of the biggest Roma settlement in Lithuania near Vilnius, where around 400-500 Roma lived, and around half a million litas had been allocated for its implementation.

80. In that context, a Roma community centre had been established that primarily worked with young children to facilitate their integration into the school system. The centre also provided services to the larger community, such as legal consultations, Internet access, sport and leisure activities and teaching of arts and crafts. In 2003, the first manual of the Roma language had been published with a view to enabling Roma children to learn their own language.

81. The programme also aimed at improving socio-economic conditions for the Roma people, and at improving living conditions through the provision of basic services such as better roads, electricity, drinking water and adequate waste disposal.

82. The Labour Exchange Office had set up a programme for unemployed Roma aimed at facilitating their integration into the labour market by providing training for low-skilled jobs. The Ministry of Health had taken measures to facilitate access to health care for the Romany community. In addition, 15 Roma NGOs were currently operative in Lithuania, and played an important role in improving the situation of the Roma population.

83. The main achievement of the Roma Integration Programme had been to raise awareness among the Roma population and to provide them with the tools to improve their situation.

84. Mr. ŠADŽIUS (Lithuania) said that European Union cooperation had been instrumental in facilitating the adoption of severe legislation on tobacco and alcohol consumption. The introduction of the Tobacco Control Act and the Act on Alcohol Control had led to the creation of non-smoking areas and a progressive ban on tobacco and alcohol advertising. In addition, the sale of tobacco and alcohol was subject to strict licensing regulations and specific taxation. Lithuanian legislation had been harmonized with European Union legislation and was fully compliant with European Union requirements in that regard.

85. As to legal recourse for children, children's rights protection services operated countrywide, and children could appeal to courts through their offices. Alternatively, children could appeal to the Ombudsman on Children's Rights through a mediator, who did not necessarily have to be a legal representative.

Articles 13-15 of the Covenant

86. Mr. KERDOUN said that, according to article 41, paragraph 2 of the Lithuanian Constitution, secondary, vocational and higher education at State institutions was free of charge until the age of 16. However, the report also mentioned that, of the 94,000 students, 28,000 paid for their studies. That suggested that there were two types of students, which raised questions about equal access to quality education. He asked for clarification of that apparent contradiction and wished to know, should funding be a problem in higher education, what measures had been taken to address the problem.

87. In the context of developments in the education sector described in the report, repeated reference was made to a new law on education adopted in 2003. While the adoption of such a law was commendable, it would be useful to know if and how it was implemented and what the results had been thus far.

88. Since higher education had not received due attention in the report, it would be useful if the delegation would elaborate on the subject. He would welcome additional information as to the status of higher education in the education system as a whole, the proportion of the education budget allocated for higher education, and the student-teacher ratio.

89. He had also been surprised by a reference to the option students had of choosing a specific form of education and asked for further clarification of the exact meaning of the term "specific education". He wondered how it differed from the type of public education that was available in most other countries.

90. Mr. GRISSA said that according to the World Factbook 2003 of the Central Intelligence Agency, life expectancy in Lithuania stood at 75.7 years for women versus 63.8 years for men. He wished to know what factors contributed to such an unusual discrepancy, and whether alcoholism or the high suicide rate might be partially responsible.

91. On the subject of education, paragraph 566 of the report stated that due to budgetary restrictions, access to higher education was regulated through competition. He wished to know whether competition in that context was based on financial means or academic achievement.

92. Paragraph 570 mentioned a considerable increase in dropout rates, particularly at the primary school level. He wondered where children aged 7 to 9 went if they did not go to school, since they were too young to go to work.

93. Although the overall quality of the report was commendable, he was critical of the fact that it failed to differentiate between ethnic groups. Lithuania was a multi-ethnic society, and it would be useful to have a breakdown on the basis of ethnicity in order to establish whether school dropout might be motivated by racial or ethnic discrimination.

94. Paragraph 577 mentioned improving conditions for learning through the creation of special schools that aimed at meeting the educational needs of 12- to 16-year-old pupils who lacked motivation for learning. In that context, it would be useful to learn why schools were unable to motivate their pupils. The reference made to the provision of study conditions for young people in compulsory military service, or the very notion of compulsory military service for that age group, was rather disconcerting. He would therefore be interested to know how the Committee was to interpret those references.

95. Mr. SADI said that he had been surprised at the low rate of convictions for trafficking in women. Given that trafficking was a serious problem, the rarity of legal action taken in the matter suggested a lack of concern on the part of the authorities. He wondered if the delegation could elaborate on that point.

The meeting rose at 5.55 p.m.