



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the third periodic report of Lithuania*

I. General information

1. Please provide information on measures taken to provide regular training on the provisions of the Covenant and their justiciability for judges, lawyers and law enforcement personnel. Please provide statistical data on and examples of cases in which the provisions of the Covenant have been invoked by or before, and directly enforced by, the courts. Please report on measures taken to strengthen the judicial remedies available in cases of violation of Covenant rights and, in particular, on the steps taken to extend the coverage of free legal aid to civil cases.
2. Please provide information on steps taken to ensure that the Seimas Ombudsmen's Office and the Office of the Equal Opportunities Ombudsperson have explicit mandates to protect and promote all the rights enshrined in the Covenant. Please also provide information on the allocation of human, technical and financial resources to both institutions to enable them to implement their mandates in relation to economic, social and cultural rights.
3. Please report on measures aimed at adapting to climate change and mitigating its adverse effects on the enjoyment of economic, social and cultural rights, especially for disadvantaged and marginalized groups, including in the context of the National Progress Strategy "Lithuania 2030". In particular, in view of the State party's National Energy and Climate Action Plan for 2021–2030, please indicate the progress made on meeting the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement on climate change, paying particular attention to its energy production and agriculture sectors. Please also provide information on specific measures taken to ensure that business entities respect the economic, social and cultural rights of all persons, that they apply the principle of due diligence throughout their operations and that they assess and address the adverse impact of their operations on the environment.
4. Please indicate the measures taken by the State party to meet its commitment to allocate 0.7 per cent of its gross national income to development assistance, and the expected timelines for doing so. Please provide information on the efforts made by the State party to advocate universal, equitable and affordable access to coronavirus disease (COVID-19) vaccines and drugs globally, including by exercising its leverage in regional and international organizations of which it is a member.

* Adopted by the pre-sessional working group at its sixty-eighth session (8–12 March 2021).



II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

5. In order for the Committee to assess whether the State party is using the maximum available resources to realize the rights recognized in the Covenant, please provide information on the evolution over the past 10 years of:

(a) The proportion of persons living below the poverty line and the levels of inequality, defined as the ratio between the total income accruing to the richest decile of the population and the total income of the poorest 40 per cent of the population;

(b) The proportion of public revenue that is generated through taxes;

(c) The tax rates levied on corporate profits and on personal income, the value added tax rate (exclusive of the value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and gasoline) and the percentage of total revenue that is generated from personal income taxes collected from the richest decile of the population;

(d) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending (social security, food, water and sanitation, housing, health and education);

(e) Inflation-adjusted absolute levels of social spending;

(f) Methodologies and tools used to gather these data and analyse them.

6. Please provide information on the specific steps taken to combat corruption in the judiciary and in the public and private sectors and to enhance transparency and accountability in the conduct of public affairs, particularly with regard to procurement, public services and tax administration. Please also provide information on the cases filed with the Special Investigation Service during the reporting period, including the number of cases filed, investigated and prosecuted and the sentences passed on those found to be involved in corruption.

Non-discrimination (art. 2 (2))

7. In light of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 7), please provide information on the progress achieved in addressing the social exclusion, stereotypes, prejudice and intolerance faced by members of the Roma community, which further exacerbates discrimination against them in accessing their economic, social and cultural rights, especially in respect of health care, education, employment and adequate housing. In view of reports that some Roma lack identity documents, which hinders their access to public services on an equal basis with others, please describe the specific measures taken to remove legal, administrative and financial barriers to their accessing identity documents, and the impact of those measures.

8. Please provide information on the progress made in combating social stigma, negative attitudes, misconceptions and discrimination against lesbian, gay, bisexual, transgender and intersex persons, which further exacerbate discrimination against them in accessing their economic, social and cultural rights, especially in respect of health care, education, employment and adequate housing. In light of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 8), please provide information on measures taken to address challenges faced by transgender persons in the enjoyment of their economic, social and cultural rights, including administrative challenges in obtaining legal recognition of their gender identity. Please also report on the progress made in developing legislation to prohibit discrimination based on gender identity in order to expand legal protection against discrimination, including in access to health care, education, employment and adequate housing, to transgender persons.

Equal rights of men and women (art. 3)

9. Please provide information on specific steps taken by the State party to integrate a gender perspective into health care, education, culture, science and environment, as provided for under its National Programme of Equal Opportunities for Women and Men (E/C.12/LTU/3, para. 30). Please provide information on the progress made in overcoming occupational gender segregation and increasing opportunities for women in disadvantaged and marginalized situations, including for their participation in skilled, full-time and well-paid employment, as also highlighted by the Committee on the Elimination of Discrimination against Women (CEDAW/C/LTU/CO/6, paras. 36–37). Please also provide information on any assessment undertaken of the impact of the measures described in the State party report (E/C.12/LTU/3, paras. 31–34) on decreasing the gender pay gap in practice.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)**Right to work (art. 6)**

10. Please provide information on any assessment undertaken by the State party on the impact of its Programme for Increasing Employment for 2014–2020. Please explain the main challenges faced in improving youth employment and the employment of persons with disabilities, indicating the measures taken or envisaged to overcome them. Please also provide information on the impact of the measures taken to prevent and/or counter the loss of employment and livelihoods resulting from the COVID-19 pandemic.

Right to just and favourable conditions of work (art. 7)

11. Please provide information on measures taken to ensure that the net monthly wage is sufficient to provide a decent standard of living, and include statistical data on the coverage of the workforce by minimum wage provisions and on the ratio of the net monthly minimum wage to the net average monthly wage. Please describe measures taken by the State party to ensure the effective enforcement of its labour legislation and accountability for labour rights violations, including efforts to improve the capacity of the judicial system to respond to labour disputes in a specialized manner. Please provide information on measures taken to: ensure non-discriminatory access for migrant workers to just and favourable conditions of work; address the adverse impact of the COVID-19 pandemic on migrant workers' conditions of work; and ensure access for migrant workers to equal protection of the law in cases of labour disputes.

12. Please indicate measures taken to expand labour rights protection to workers in the informal economy, including legal protection under the Labour Code, applicability of the minimum wage and occupational safety and health protection. Please provide information on measures taken to ensure accountability for poor and unsafe working conditions and on the impact of the implementation of the National Safety and Health at Work Action Plan for 2017–2021 on enhancing occupational safety and health in practice. In light of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 13), please indicate any problems encountered in the implementation of the National Safety and Health at Work Action Plan for 2017–2021 and provide statistical data in relation to occupational safety and health, including the number of labour inspections, complaints brought by workers and sanctions imposed on employers.

13. Please provide information on the measures taken to enforce the principle of equal pay for work of equal value in all sectors of the economy, including the enforcement mechanisms and their effectiveness. Please also describe the impact of the legislative measures taken to address the prevalence of violence and harassment, including sexual harassment, in the workplace, in both the public and the private sectors.

14. Please describe the efforts made by the State party to improve the implementation of its victim identification and referral mechanisms for specialized victim assistance in cases of economic exploitation of foreign workers. Please provide updated data on cases of trafficking in persons with the aim of labour exploitation.

Trade union rights (art. 8)

15. In light of the revisions made to the Labour Code, please explain how the authorities ensure that the right to form and join trade unions, the right to collective bargaining and the right to strike can be exercised freely and without reprisals, including by migrant workers. Please provide information on cases in which the right to strike was not guaranteed in practice and cases of dismissal of trade union members and leaders, or discontinuation of their short-term or fixed-term contracts, after they had organized or participated in trade union activities. Please report on the impact of the measures taken by the State party to promote social dialogue, including the 2017–2020 Model of Cooperation between Trade Unions and Employers in Developing Social Dialogue, on strengthening the representation of trade unions, encouraging employers and workers to engage in social dialogue and increasing their involvement in collective negotiations.

Right to social security (art. 9)

16. In light of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 10), please provide information on measures taken to ensure that social benefits are indexed to the cost of living in order to guarantee an adequate standard of living. Please indicate measures taken to provide social security coverage to workers in the informal economy, including pensions, benefits, allowances and insurance against accidents at work and occupational diseases. Please provide information on efforts undertaken by the State party to identify and address gaps and obstacles in the effective implementation of the existing social protection programmes, including in ensuring access to such programmes for disadvantaged and marginalized groups.

Protection of the family and children (art. 10)

17. Please describe the impact of the efforts undertaken by the State party to ensure the equitable distribution of family responsibilities between men and women. Please include statistical data on the extent to which workers take maternity leave, paternity leave and parental leave. Please provide information, including statistical data, on the impact of measures taken by the State party towards the effective implementation of its Action Plan on the Transition from Institutional Care to Family and Community Services for Children without Parental Care.

Right to an adequate standard of living (art. 11)

18. Please provide information on the impact of measures taken to reduce homelessness and ensure access to adequate housing, basic facilities and amenities, supplemented by disaggregated statistical data on the housing situation of disadvantaged and marginalized groups. In particular, please indicate the progress made in the implementation of the Action Plan for the Integration of Roma into Lithuanian Society for 2015–2020 and the Vilnius (Kirtimai) Roma Encampment Community Integration Programme for 2016–2019 and their impact on access for members of the Roma community to adequate housing, basic facilities and amenities. Please provide information on the legal framework concerning evictions, and indicate any gaps and obstacles identified by the State party in the effective implementation of its procedural safeguards for protection from forced eviction, and the measures taken or envisaged to address them.

19. Bearing in mind the statistical information on the prevalence of poverty and social exclusion in the State party, please provide information on the impact of measures taken to combat poverty, child poverty, extreme poverty and social exclusion. Please provide information on any assessment undertaken by the State party of its existing framework for social support, services, benefits and assistance, with a view to ensuring they are sufficient to bring households out of poverty and are accessible throughout the country, including for disadvantaged and marginalized groups.

Right to physical and mental health (art. 12)

20. Please provide information on the impact of the 2017–2020 structural reforms in health care and the State party's Health Strategy for 2014–2025 on the provision of accessible

and affordable health care, including sexual and reproductive health care and health-care services for socially excluded groups and individuals, particularly Roma, migrants, refugees, asylum seekers and low-income families. In light of the Committee's previous recommendations in relation to mental health (E/C.12/LTU/CO/2, para. 20), please describe the efforts made in identifying and addressing the root causes of prevalent mental health problems and the progress made in the implementation of the mental health-care reform. Please provide information on specific measures taken to prohibit the involuntary hospitalization and non-consensual treatment of, and intrusive medical or surgical procedures for, persons with psychosocial or intellectual disabilities.

21. In light of the Committee's previous recommendations in relation to health care for prisoners and persons who inject drugs, including access to State-funded HIV testing and opioid substitution therapy (E/C.12/LTU/CO/2, para. 21), please provide updated information on the effectiveness of the measures taken to improve the availability, accessibility and quality of harm reduction programmes and specialized health-care services, both in prisons and in the community. Please describe the main challenges that prevent drug users from accessing harm reduction programmes and health-care services, indicating the measures taken or envisaged to overcome them; please also state whether any consideration has been given to decriminalizing the possession of drugs for personal consumption.

22. Against the background of the COVID-19 pandemic, please provide information on: the availability of personal protective equipment for all health-care workers; the availability and accessibility of testing, treatment and vaccines for COVID-19; and the use of public funding to cover costs related to testing, immunization and treatment for COVID-19. Please also provide information on the measures taken to address the adverse impacts of the pandemic on the enjoyment of the highest attainable standard of mental health. Please indicate the measures taken to disseminate to the public reliable information in relation to the COVID-19 pandemic, including information on treatment and immunization.

Right to education (arts. 13–14)

23. In light of the Committee's previous recommendations in relation to educational disparities in the State party (E/C.12/LTU/CO/2, para. 23), please describe the specific steps taken to improve educational achievement and results, paying particular attention to Roma children, migrant children, children with disabilities, children living in rural areas and children from low-income families. Please provide statistical data on the school enrolment, dropout and irregular attendance rates in primary, secondary and tertiary education and on educational achievement and results, disaggregated by age, sex, ethnic origin, national origin, disability and socioeconomic status.

Cultural rights (art. 15)

24. Please provide updated information on the progress made in adopting a comprehensive law on national minorities and specific measures envisaged thereunder for the preservation and development of cultures, traditions and languages of national and ethnic minorities. In that connection, please explain the results of the Action Plan for the Development of Ethnic Culture for 2015–2018. In view of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 23 (c)), please provide information on efforts undertaken by the State party to ensure that reforms to the educational system do not negatively affect access to education in minority languages, or the teaching of and in those languages.

25. In light of the Committee's previous recommendations (E/C.12/LTU/CO/2, para. 25), please provide additional information on measures taken to reduce the digital divide and ensure affordable access to information and communication technologies. Bearing in mind the State party's investment in research, development and innovation activities, please provide information on measures taken to ensure that disadvantaged and marginalized groups have affordable access to the benefits of scientific progress and its applications.