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## Committee on Economic, Social and Cultural Rights

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in accordance with articles 16 and 17 of the Covenant

## Replies of Lithuania to the list of issues in relation to its third periodic report<sup>\*</sup>, <sup>\*\*</sup>

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\* The present document is being issued without formal editing.

\*\* The annexes to the present report may be accessed from the web page of the Committee.



## General information

1. There was no specific training organised on the provisions of the Covenant during 2020–2021. The Lithuanian Bar noted that more than 50 seminars were available to advocates on different topics inter alia related to the right of self-determination, protection and defence of the rights of the person. Trainings and workshops were organised for judges on the labour law.
2. The National Courts Administration (hereinafter – the NCA) performs research of the judicial decisions on the basis of classifications, the list of which is approved by the Judicial Council of Lithuania. There is no special classification intended for the cases where the provisions of the Covenant have been applied or invoked, therefore the statistical data is not available as well as automatically generated samples of such cases. The NCA, by application of a set of alternative tools and methods at its disposition, sorted out 5 examples of cases (Appendix No. 1). This is by no means an exhaustive list.
3. From 2019, every person who seeks to defend his or her constitutional rights or freedoms violated as a result of an unconstitutional law or other act of the Parliament, the President of the Republic, or the Government may file a constitutional complaint with the Constitutional Court. An individual constitutional appeal not only strengthens the protection of human rights, but also allows to defend one’s rights in a court, which sometimes directly relies on the provisions of the Covenant in its constitutional jurisprudence. Persons eligible for state-guaranteed legal aid may request the appointment of a lawyer to prepare an application to the Constitutional Court. In accordance with the Law on State-Guaranteed Legal Aid, legal aid is available in civil cases. Secondary state-guaranteed legal aid includes drafting of procedural documents, defence and representation in court, assistance in the process of execution, representation in the event of preliminary extrajudicial consideration of a dispute. This legal aid also covers the litigation costs incurred in civil proceedings, the costs incurred in administrative proceedings and the costs related to the hearing of a civil action brought in a criminal case.
4. According to the Seimas Ombudsmen’s Office (hereinafter – the SOO), even if the Law on the Seimas Ombudsmen does not establish clear powers of the SOO to protect and promote all rights enshrined in the Covenant, the Seimas Ombudsmen implement the objectives of their activities to protect a person’s right to good public administration securing human rights and freedoms, to supervise fulfilment by state authorities of their duty to properly serve the people as well as to promote respect for human rights and freedoms while exercising the functions of the national human rights institution. In that way it contributes in some respects to the protection and safeguarding of the rights enshrined in the Covenant. The Office of the Equal Opportunities Ombudsperson (hereinafter – OOEO) reported having legal mandate to protect and promote equal opportunities in granting the rights enshrined in the Covenant.
5. 25 employees are currently investigating complaints at the SOO and performing the functions of the national human rights institution. The funding allocated to the SOO had been increasing steadily since 2017. In 2019, € 1130 thousand was allocated for the SOO, in 2020 – € 1270 thousand, in 2021 – € 1296 thousand and in 2022 – € 1320 thousand. The human and financial resources of the SOO are not directly allocated to ensuring the rights enshrined in the Covenant. The OOEO is lacking sufficient human and financial resources to implement its mandate in the full scope. In 2022, the budget of the OOEO is EUR 567.000 instead of needed EUR 742.800. In 2022, the budget of the OOEO has been even reduced compared to 2021.
6. Lithuania strongly supports international and EU climate change goals. Greenhouse gas emissions have already been reduced by 58 percent. The Climate Change Program (hereinafter – the CCP) was developed for funding projects related to mitigation of the climate change consequences (quantitative reduction of GHG emissions) and to adaptation to changes caused by climate change. In 2021, the Ministry of the Environment (hereinafter – the ME) proposed two new measures for the disadvantaged groups funded by the CCP. € 1.8 million was allocated for the measure “Use of renewable energy sources (Solar) for electricity needs of poor natural persons and / or replacement of fossil fuel heat plants”. € 1

million was allocated for compensation for the purchase of a less polluting car. In view of the National Energy and Climate Action Plan for 2021–2030, Lithuania has taken positive steps towards reducing environmental damage from mobility. To accelerate penetration of fuel-efficient vehicles, Lithuania has recently reviewed its taxation system and introduced a CO<sub>2</sub>-based vehicle registration tax on motor vehicles. To increase the pace of electronic vehicles uptake, Lithuania has put in place additional financial support for purchasing low-carbon vehicles. Existing policy measures focus on three main factors affecting energy efficiency in households: buildings, technological equipment and appliances, and consumer behaviour. Under the Programme for the renovation/modernisation of multi-apartment buildings, 2 941 multi-apartment buildings were renovated by 2018, leading to estimated energy savings of 857 GWh. Lithuania is introducing new support schemes for biofuels, biomethane and hydrogen to reach a 15% share of Renewable Energy Systems (hereinafter – RES) in final energy consumption in transport by 2030. At the local level, municipalities have developed their Sustainable Urban Mobility Plans to encourage a shift towards sustainable travel and improve co-ordination between land use and transport planning. Support for the implementation of the measures of the National Energy and Climate Action Plan are envisaged in the draft Agriculture and Rural Development strategic plan for 2023–2027. Funding will be allocated for sustainable agricultural production, adaptation to climate change and protect natural resources. Since 2020, the Ministry of Agriculture implements measures which promote the reduction of the use of synthetic fertilizers, the use of fossil fuels and production of biogas.

7. Business entities have entered new partnerships by signing the Green Lithuania Declaration, launched in 2021. The Declaration is a commitment to contribute to making Lithuania greener, fighting climate change, and creating a cleaner and healthier environment. Positive examples of Corporate Social Responsibility practices among Lithuanian companies include attempts to reduce energy costs and CO<sub>2</sub> emissions.

8. In respect of its official development assistance (hereinafter – ODA) commitments, Lithuania intends to achieve a target of 0.33% ODA/GNI by 2030. For that purpose, in 2020 Lithuania has launched a systematic national development cooperation policy reform (which includes more flexible more flexible financing mechanisms, provides incentives for better inclusion of relevant stakeholders) that will better address the global development challenges. In a short and medium run, the qualitative changes should become a solid ground for greater financial allocations.

9. In the context of COVID-19 pandemics, Lithuania since the beginning of 2020 is actively engaged in providing assistance on bilateral base and through the multilateral mechanisms. Up to date, more than 1.5 million vaccine doses have been provided through COVAX mechanism and 1.12 million doses on bilateral basis.

### **Maximum available resources**

10. Information on maximum available resources is provided in Appendixes No 2, No 3, No 4 and No 5.

11. The National Anti-Corruption Programme for 2015–2025 was designed to ensure a long-term, effective and targeted anti-corruption and control system in Lithuania. The Action Plan for 2015–2019 was implemented striving for management efficiency in the public sector, transparency and openness of decision making and procedures, accountability to the public and higher resilience to corruption in the civil service. The measures for combating corruption in the judiciary and in the public and private sectors include a targeted development of the system of prevention and control of corruption, ethical violations, the prevention and investigation of professional misconduct, the establishment of Immunity Units, the continuous improvement of the qualification of pre-trial investigation officers, judges and prosecutors, the improvement of the protection system for whistle-blowers, and the improvement of the processing and control of public and private declarations of interests of persons working in the public service. The government has effectively implemented e-procurement, providing businesses with online access to centralized data on public procurement. Positive trends can be seen in the willingness to report corruption. Half of the

Lithuanian population is committed to doing so, which is in line with the EU average. Over four years, the total level of bribery in the public sector in Lithuania decreased by 7% from 24% in 2016 to 17% in 2020. Lithuania further strengthens its legal anti-corruption framework. In 2021, the Parliament adopted a new Law on Prevention of Corruption, which complies with the recommendations and good practices of OECD and seeks to strengthen the responsibility and leadership of each institution and to create a systemic environment for Lithuania's resilience to corruption. In 2021, the government approved the National Anti-Corruption Agenda for the period of 2022–2033 (hereinafter – the NAA). The next stage is the adoption of the NNA by the Parliament. The strategic objective of the NNA is to create an anti-corruption environment in the public and private sectors. More information on corruption prevention in respect of judges could be found in the GRECO IV Evaluation Report on corruption prevention in respect of members of parliament, judges and prosecutors. Detailed information on other steps taken to combat corruption is available on the STT website.

12. The Special Investigation Service (hereinafter – the STT) has taken considerable steps to implement a set of measures on the legislative, administrative, judiciary and police level (Appendix No 6). There were awareness raising measures implemented of the bribery offence across Lithuania, both in other government agencies and across the private sector. The STT undertook numerous trainings of public officials, law enforcement officials, accountants and auditors.

### **Non-discrimination**

13. In addressing the social exclusion of the Roma community, Lithuania implements measures set out in the project “Working Together with the Roma: New Job Opportunities and Challenges” in six municipalities. It aims to raise aspirations amongst the Roma by helping them to access employment opportunities and participate in public life, whilst retaining their culture. In 2017–2020, 306 socially vulnerable Roma people of them 63 women, took part in the project's social integration activities (Appendix No 7). To deal with high levels of drug consumption and mental health problems among the Roma population, Lithuania puts effort in developing psychoactive substance use prevention programmes for the Roma, including a methadone substitution treatment programme. Vilnius City Municipality social workers cooperate with the health care institutions in providing health care to the Roma families at social risk. The Roma adolescents were offered trainings on sexuality and the prevention of early marriages. In 2020, 25 Roma women had individual consultations with doctors about woman's health and prevention measures. In 2019, the Centre for Communicable Diseases and AIDS conducted a study of the vaccination coverage of the Roma children which revealed significant coverage insufficiency. Health institutions put effort to increase the Roma children vaccination through the planning and monitoring program of preventive vaccination. In 2020, 23 Roma families were encouraged to vaccinate their children, and 61 children were vaccinated. In 2020 compared to 2015, more the Roma children were attending pre-school and pre-primary education institutions, and a more even distribution of the Roma students by classes in general education schools was recorded. The share of the Roma children aged 10–19 years who have not completed primary education or are still in primary school has decreased over the last five years from 36 per cent in 2015 to 26 per cent in 2020. In the youth group aged 20–29 years, the number of illiterate persons and those without primary education decreased from 11 per cent to 4 per cent. The Department of National Minorities under the Government of the Republic of Lithuania (hereinafter – the DNM) and local authorities play an important role in supporting the Roma integration programmes. The DNM annually allocates funding for Public Institution Roma Community Centre, public institutions working with the Roma, and Roma nongovernmental institutions, which organize non-formal educational activities, summer camps, other extracurricular events for Roma children and youth. Social workers respond in different ways to the Roma community situation of exclusion and discrimination. The DNM have hired mediators who act within the framework of the Going Local Roma Platform and provide assistance to the Roma children and their families in education and school attendance related issues. During the COVID-19 lockdown, social workers and mediators equipped the Roma children with distant learning tools. Applications from the Roma for inclusion in the list of

persons and families entitled to housing assistance and applications for a partial reimbursement for rent are being accepted on a regular basis. The municipal company Vilnius City Housing rented housing to 26 Roma families, while 23 were partially reimbursed for the rent within the period of 2016–2021. In recent years, Lithuania has undertaken significant steps to strengthen response to hate crime and hate speech. Particular attention has been given to strengthening law enforcement and judicial authorities' capacities to recognise and effectively investigate, prosecute and adequately sentence hate crime and hate speech cases. In 2020, the working group to promote an effective response to hate crime and hate speech in Lithuania was established by order of the Minister of the Interior. It consists of representatives of 7 national public authorities and 11 Civil Society Organizations (hereinafter – CSOs). A representative of the Roma community is a member of the working group. Such multi-actor platform of co-operation contributes to building mutual understanding and better involvement CSOs in decision-making.

14. Lithuania is interested in reducing the number of stateless persons including the Roma. The applications for citizenship of the Republic of Lithuania are assessed individually and all necessary information is provided. In 2020, the Migration Department under the Ministry of the Interior carried out a census of stateless persons by sending individual notifications on the issue of acquisition of citizenship. To assist stateless persons, international and non-governmental organizations have been approached for financial support. There is no information available on the number of the Roma who participated in this campaign.

15. The Constitutional Court in the ruling of 11 January 2019 held that Article 29(2) of the Constitution may not be understood as consolidating an exhaustive list of the grounds of non-discrimination; otherwise, the preconditions would be created for denying the equality of all persons before the law, courts, and other state institutions, i.e., the very essence of the constitutional principle of the equality of the rights of persons, as guaranteed under Article 29(1) of the Constitution. In this constitutional justice case, it was noted that “one of the forms of discrimination prohibited under Article 29 of the Constitution is the restriction of the rights of a person on the grounds of his/her gender identity and/or sexual orientation; such a restriction should also be regarded as degrading human dignity”. In terms of access to employment, positive developments took place in 2019–2020, as “gender identity disorder” (F64.0) was removed from the list of diseases precluding taking up certain legal positions: judges, advocates and assistants to advocates, notaries, bailiffs, and prosecutors.

16. In 2021, the Minister of Justice adopted amendments to the Order “On the Approval of the Order of the Amendment of the Name and Surname”, which establishes an effective administrative procedure for persons who are diagnosed with gender identity disorder to change their names and surnames so that they correspond to their chosen gender. Lithuania continues its efforts to fight discrimination, including discrimination against LGBT people. Currently Lithuania carries out measures foreseen in the Non-discrimination 2021–2023 plan that are focused on youth education and competence improvement, NGO strengthening and close cooperation with NGOs and academic institutions. LGBT+ discrimination prevention is integrated in the future equality policy measures that are foreseen in the Social Inclusion Development Program with priorities in legal changes for better protection from discrimination, equality data and competence improvement of relevant actors in the public and private spheres.

## **Equal rights of men and women**

17. Achieving gender equality and empowerment of all women and girls require a comprehensive approach among all relevant stakeholders. In 2021, the new Law on Strategic Management came into force, and gender equality has been established as horizontal principle to be integrated within the entire processes of strategic planning. Respective ministries are currently preparing their development programs in which, in line with the above-mentioned law, gender equality should be addressed and measures to tackle related problems included. The National Progress Plan for 2021–2030 envisages that every political goal and every law, which will be adopted by the Parliament, will be based on and harmonized with three main horizontal principles – sustainable development, innovation and equal opportunities for all. National institutions have been asked to include gender equality

as a horizontal principal during the entire processes of strategic planning. Discussions have been initiated in Lithuania concerning the including gender budgeting policy measures into planning of budget at national and local levels. As a first step, a study was conducted aiming to analyse the possibilities to integrate gender budgeting.

18. Lithuania has one of the highest participation of women in the labour market rates and the one of the lowest employment gaps in the EU. Gender pay gap still exists in Lithuania. In 2021, it reached 12 per cent. The National Progress Plan sets out an ambitious goal of 10 percent to be reached in 2030. The employment rate of women was 77 % in 2021. Lithuania has enforced legislation by introducing pay transparency measures and flexible working time arrangements with the aim to have more equality in the labour market. Detailed information on employment and unemployment by sex is available on Official Statistics Portal. The Employment Service is offering different measures to the persons having sensitive status such as subsidized employment and job skills acquisition support, vocational training, apprenticeship employment, recognition of competencies and traineeships, support for mobility and also professional rehabilitation services. Women have been actively involved in starting up their own business (Appendix No 8). Companies employing over 50 employees have to announce equality policies. The employer who has more than 20 employees must, upon the request of the work council, provide data by occupational group and gender on the average remuneration of employees.

19. While Lithuania is still in the process of strengthening gender equality policies, a comprehensive assessment of the impact of the measures on decreasing the gender pay gap in practice has not yet undertaken.

## **Right to work**

20. In 2020, the Lithuanian Centre for Social Research conducted an analysis of the main labour market indicators and positively evaluated the results of the Programme for Increasing Employment for 2014–2020. Relatively rapid and steady employment growth has been accompanied by other positive developments, such as a decline in long-term unemployment and an increase in the average age of exit from the labour market. Investments in improving the individual situation of people who have lost their jobs have contributed to improving employment and unemployment rates. Detailed information on employment and unemployment rates is available on Official Statistics Portal.

21. The main challenges faced in improving youth employment are lack of or insufficient professional qualifications, mismatch of acquired qualifications with the needs of the labour market, lack of practical experience and of job search skills and the inadequacy of quality of jobs and the high expectations of young people. Employment support measures enabled young jobseekers to acquire or improve their qualifications, get support for employment or self-employment. Legislation on the regulation of vocational training has been systematically reviewed and amended in order to ensure the adequate supply of labour resources to the economy. Lithuania applies a Youth Guarantee Initiative, which is open to all young people between the age of 15 and 29 who are not working or studying, both registered and not registered at the Employment Service. There are 45 Youth Work Centres (hereinafter – YWC) established in customer service departments of the Employment Service within Lithuania. In 2020, YWC provided information and consulting services to 60 884 young people and this number increased by 64 per cent compared to 99 908 young people served in 2021. Targeted career guidance services are also provided at 11 Regional Career Centres. In 2021, the Employment Service initiated research on the factors promoting and restricting the employment of disabled people in the Lithuanian labour market. The main factor hindering the employment of people with disabilities is their qualification and the lack of a suitable job offer in the place of residence. The target direction for improving the employment rate of disabled people was taken with increasing their retraining opportunities and investment in job adaptation. Aiming to encourage the integration of persons with disabilities into the labour market and to meet their needs, the Employment Service has introduced the principle of case management in its services and approved a working methodology for the case managers. The Employment Service is currently providing a wide range of services and facilities for persons with disabilities, including assistance at a workplace, and the adaptation

of the workplace and the working environment among other. The provision of complex services has led to the increase in persons with disabilities employment by 34.6 per cent. The number of registered unemployed with disabilities declined by 36.5 per cent.

22. Necessary legal amendments were made regulating the requirements to receive state subsidies in case the downtime is announced for employees, as well as pay-outs for self-employed person. The costs incurred by employers were reimbursed by the Employment Service in the form of a subsidy to the employer. This contributed to saving jobs and supporting people (Appendix No 9).

### **Right to just and favourable conditions of work**

23. In 2022, the minimum monthly wage (MMW) increased to € 730, i.e., almost 14 percent. The income of people earning MMW increased by € 62.5 per month. The increases of MMW will affect about 127 thousand workers, who are receiving MMW or less. This is one of the most significant increases on MMW in a decade and in the country's history. Average gross monthly earnings in 2021 amounted to EUR 1 568 (after taxes EUR 995.3). In 2021 the ratio of net MMW to net average monthly earnings was 0.47 (Appendix No 10).

24. After the entry into force of the Labour Code in 2017, the State Labour Inspectorate conducts the monitoring of the provisions of the Labour Code. The results of the monitoring are annually submitted to the government and the Parliament. In 2020–2021, Lithuania has ensured the effective enforcement of its labour legislation by implementing preventive and control measures as well as introducing relevant amendments (Appendix No 11). The monitoring of the activities of labour dispute commissions has shown that this dispute settlement mechanism is efficient, simple and cost-effective. There is a high number of successful and partially successful requests. Only a small number of decisions are subject to judicial review. In 2022 Lithuania is planning to improve and streamline the activities of labour dispute commissions by providing the possibility for parties and witnesses to participate in labour dispute resolution remotely not only in the state of emergency and (or) quarantine.

25. Migrants can work only if they come to Lithuania legally and there are employers in Lithuania who are ready to employ these foreigners (i.e., employment takes place on the initiative of employers). Those who receive asylum in Lithuania could use retraining and employment promotion measures. Lithuania is dealing with complex migrant integration issues caused by Belarus unprecedented hybrid attack against Lithuania and EU by using migration as one of the weapons. There is a lack of information about migrants' competencies, knowledge and opportunities to establish themselves in the Lithuanian labour market. There are both language barriers and skills challenges that need to be addressed. The necessary reforms, including increasing the competence of municipalities and increasing their role in the integration process, communication campaigns and trainings for public service providers, has already been launched. The new strategic document focusing on integration of foreigners is being drawn up.

26. In 2021, the Law on Employment was amended to establish liability not only in the case of subcontracting relationships, but also in case of other civil relationships under a contract for the provision of services or performance of works. In Lithuania, contractors are usually associated with construction works, and the concept of a contractor is regulated by the Law on Construction. If posted workers work in other economic sectors, there are no legal grounds for imposing liability on the user enterprise. The duty to ascertain the lawfulness of third-country nationals' employment should however apply to all user enterprises irrespective of their business activity. With amendments to the Code of Administrative Offences in 2021, administrative liability has been strengthened for repeated violations of labour laws, occupational safety and health regulations, as well as violations of the procedure for calculating and paying wages (minimum threshold increased), violations of working time accounting (increased minimum amounts of fines), infringements of working conditions for posted workers (disproportionately low fines increased). With amendments to the Labour Code, since 2022 wages and other employment-related benefits, as well as per diems and reimbursement of mission expenses, must be paid by transfer to the

employee's designated payment account, except for seafarers covered by the procedure for payment of wages established by the Law on Merchant Shipping of the Republic of Lithuania. This amendment strengthens the right of employees to transparent and fair pay for work, reduces shadow in employment and facilitates evidence in labour dispute commissions under the State Labour Inspectorate (hereinafter – the SLI). In 2021, the amendment of the Regulations on the Fitting out of Workplaces at Construction Sites was adopted clarifying rights and responsibilities of safety and health coordinators.

27. The implementation of measures of the National Safety and Health at Work Action Plan for 2017–2021 improved the legal framework and application of regulations at enterprises, in particular micro and small ones, in particular, by strengthening their capacities for implementing efficient occupational risk prevention measures. In 2018–2019, a number of methodological occupational risk prevention measures was developed and made publicly available (Appendix No 12).

28. The challenges of the COVID 19 pandemic highlighted the need to address the improvement of the psychosocial environment at work. In response to persistent psychosocial tensions (especially in the public medical and educational institutions), the SLI set up a Psychological Violence Prevention Unit that will control companies, institutions, organizations on the elimination of psychosocial risk factors and will register and investigate complaints about psychological violence at work. Another concern is the increased number of accidents at work in 2021. The SLI, responding to growing violations not only in the field of occupational safety but also in the field of labour law (especially in the construction and road haulage sectors), ongoing labour disputes over repayment of debts to employees (over 80% of case submitted to Labour Dispute Commissions are for non-payment of salaries), increased demand and tightened penalties (Appendix No 13).

29. Employers are required to design their pay system in such a way as to avoid any discrimination on the grounds of sex and other grounds: equal pay for equal work or work of equal value. In order to ensure the principle of equal pay for work of equal value in all sectors of the economy, the median, standard deviation, 25 per cent and 75 per cent quantum of the estimated income from which social security contributions are to be calculated are disclosed by employer who has more than 20 employees. Gender pay gap narrows in Lithuania but remains significant. Measures to close the gender pay gap have been implemented including amendments to the Law on State Social Insurance in 2021, which allow the Social Security Fund to publish gender-differentiated earnings of enterprises. The amendment to the Labour Code on non-transferable parental leave establishes that each parent (adoptive parents, guardians) taking parental leave until the child reaches the age of 2 years shall, in the first instance, be entitled to a two-month non-transferable part of the parental leave.

30. The new Labour Code has increased the labour inspectorate's competences regarding pay discrimination. As it expressly prohibits discrimination on various grounds, the SLI is now obliged to consider a violation of equality rights as a violation of labour rights and should act accordingly. During the reference period, the provisions of the Labour Code relating to sexual and moral harassment have not been introduced. Employers in both the private and public sectors have a duty to implement the principles of gender equality and non-discrimination in all areas of employment. It also means ensuring that no employee is instructed to discriminate, harass or sexually harass.

31. Lithuania has made significant efforts to combat trafficking in persons, as illustrated by the adoption of an Action Plan against Trafficking in Human Beings for the periods of 2017–19 and 2020–22 providing for measures of monitoring, prevention, prosecution and victim protection, with a focus on the cooperation between stakeholders at different levels. In 2021, the SLI organized 281 consultation and educational events regarding the harm of illegal work, mostly targeted for the youth in which over 5.6 thousand participants took part. At national level, both the awareness raising of local employers and employees on human trafficking risks and consequences plays a vital role. Public employment services, labour inspectorates, NGOs and other organizations contribute to the empowerment of vulnerable persons and the reduction of risk factors. Everyone can report possible cases of forced labour on the 24-hour telephone help line. Basic information on labour relations and is available in English, Russian and Ukrainian languages online. The National Association Against Trafficking in Human Beings and the SLI signed a cooperation agreement to strengthen the



prevention of trafficking in forced labour and modern-day slavery and to provide assistance to victims.

32. In 2021, the SLI identified 483 illegally employed third-country nationals (Appendix No. 14). According to the data of the National Association against Trafficking in Human Beings, in 2021 assistance was provided to 121 victims of forced labour.

### **Trade union rights**

33. The Law on Trade Unions establishes that the state bodies, employers and their authorised representatives, managing bodies of enterprises, establishments, organisations, the administration, officials, political parties and other public organisations shall be prohibited from interfering with the internal affairs of trade unions. Individuals who interfere with the legitimate activities of trade unions shall be held liable under the law. Activities of trade unions cannot be terminated or temporarily suspended in the administrative manner. Trade unions and their inspectorates can forward information regarding the possible violation of labour law, other normative legal acts and normative provisions of collective agreements to the territorial division of the SLI. Trade unions have the right to demand that the employer withdraw his decisions which violate labour, economic, and social rights of their members provided by the laws and the employer must consider the said demands. If the employer fails to timely consider the demand of the trade union to annul the decision or refuses to satisfy the demand, the trade union have the right to appeal to the court. An employer may not dismiss an employee elected to a representative and / or governing body of a trade union in an undertaking, establishment or organization for the period for which they were elected without the prior consent of the representative and / or governing body of that trade union at the employer's fault. For the period to which persons implementing employee representation are elected and six months after the end of their representation term, the aforementioned persons may not be dismissed on the initiative of the employer or at the will of the employer. Their indispensable employment contract terms may not be made worse than their previous one, without the consent of the head of the territorial office of the SLI responsible for the territory where the employer's workplace is located, as authorised by the Chief State Labour Inspector. Employees or representatives are entitled to submit their opinion on their own initiative or upon the request of the head of the territorial office of the SLI. The employment contract with a person carrying out employee representation may not be terminated until the labour dispute is settled (Appendix No 15).

34. There is no 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.

35. The activities and results of the 2017–2020 Model of Cooperation between Trade Unions and Employers in Developing Social Dialogue were assessed during its evaluation. Despite limited impact of project activities, some improvement in participants' self-assessment of knowledge and skills, required for participating in social dialogue was observed, when comparing to the knowledge and skills of non-participants.

### **Right to social security**

36. Since 2017, the MSSL is estimating the size of the minimum consumption needs basket (hereinafter – MVPD) annually. The size of this basket consists of two parts: food and non-food part and is calculated for one person and for the other family members (first person gets 100 percent of MVPD, second – 80 percent and for the third and subsequent person – 70 percent). The MVPD amount shows what is the minimum amount needed for person (family) to meet basic food and non-food needs. Other benefits and their base amounts are connected with MVPD size. The basic amounts of social benefits are indexed from 2019 onwards. It is indexed based on previous years MVPD size. The Law on determining reference indicators of social assistance benefits and basic amounts obliges to calculate the amount of MVPD annually and apply it to the amounts of basic social allowance, social assistance pension base,

targeted compensation base and state-supported income. The basic social allowance may not be less than 16 per cent, the social assistance pension base may not be less than 56 per cent (until 2020 it was 54 per cent), the target compensation base may not be less than 47 per cent, state-supported income may not be less than 50 per cent of last year's MVPD (Appendix No 16). Since 2019 MVPD is used for small pension bonus calculation. This pension bonus is given for those who has a right to old-age social insurance pension or to disability pension. In 2019 this bonus maximum amount was 95 percent of current year MVPD size, but in 2020 it was increased to 100 percent of the current year MVPD size. This means, that those who gets old-age social insurance pension or disability pension, which is lower than MVPD size, gets a bonus to make those pensions equal to MVPD size. As of 2018, the formulae for estimating social insurance pension amounts were modified. All pension entitlements were recalculated into reference points (RP), which are to be automatically indexed each year using an indexation coefficient (IC). The RP is equal to 12 average monthly salaries earned during before retirement and is capped at 5 RP (60 average monthly wages) per year. The IC is calculated based on the average change of the total wage fund during the three previous, current and three forthcoming years. The IC is also used for indexing the basic pension part. Table present basic monthly pension amount for 2018–2022 (it is the state approved amount, mainly used for the calculation of social insurance benefits, such as old-age pension or vocational rehabilitation allowance) and RP and IC (Appendix No 17). Since 2021, certain groups of pension/benefit beneficiaries are entitled to a single person benefit if they are eligible to the state social insurance pensions, social pension or bonuses on low pensions. The amount of the benefit in 2021 was EUR 28.63 and EUR 32 in 2022. Due to Covid-19 pandemic, various measures were introduced, or some benefits have been reviewed (Appendix No 18).

37. In Lithuania, self-employed persons are not covered for social insurance in respect of accidents at work and occupational diseases. They are paying pension social insurance contributions and sickness social insurance contributions and compulsory health insurance contributions, which is as an alternative for social insurance in respect of accidents at work and occupational diseases. Pension, sickness and compulsory health insurance may be as an alternative to cover accidents at work and occupational diseases. These insurance branches are mandatory for all self-employed with exception for those who have business certificates – they are not paying sickness social insurance contributions.

38. One of the key government's priorities is to review the Unemployment Social Insurance Law in 2022. Under consideration is the possibility to prolong the duration of payment of the benefit, reducing the length of service requirements, as well as including all groups of self-employed persons in the unemployment social insurance system and set the rates of unemployment social insurance contributions at the appropriate level. Negotiations with commercial insurance companies have begun on a possible offer to insure platform workers such as couriers or shuttle service providers, against accidents. Under the current legislation, platforms cannot directly insure their individuals for accidents. The government plans to reduce an administrative burden for small and medium business tax administration institutions which could be achieved through the simplification of tax procedures and the automation of tax collection.

### **Protection of the family and children**

39. Lithuania has rather generous parental leave policies. Parents are free to decide who will take care of the child but in most cases, children are cared for mothers. Although the number of men taking parental leave is increasing, they usually go out in their second year of parental leave and continue to work. In 2020, 40 per cent of childcare allowance recipients in the second year of childbearing were men and almost 90 per cent or 7.5 thousand of them were working while mothers were taking care of children at that time (Appendix No 19). Aiming at more even distribution of family responsibilities between men and women, the MSSL submitted to the Parliament for approval the amendments to the Law on Sickness and Maternity Social Insurance, introducing non-transferable months of parental leave – two months for the mother (mother-in-law) and two – for the father (adoptive parent) or guardians.

40. Implementation of the measures of the Action Plan on the Transition from Institutional Care to Family and Community Services for Children without Parental Care contributed to the increased number of guardians on duty. At the end of 2021, there were 66 children care centres and 26 mobile teams, 237 guardians cared for 272 children. The number of children placed in institutional care has decreased since 1958 for children in 2019. up to 972 children. In 2020 the number of children in institutional care fell to 14.1 per cent. At the end of 2021, there were 219 active co-operation and service provision agreements concluded between care centres and guardians compared to 204 contracts in 2020 and 201 contracts in 2019. On-call guardians, with whom co-operation and service agreements were concluded, took care for 431 children without parental care. 90 per cent of children deprived of parental care were cared for in the community and only 10 per cent were still being held in institutions.

### **Right to an adequate standard of living**

41. About 15.6 per cent of persons or families have been waiting for the rent of social housing for more than 5 years, and the average period is 7.7 years. To harmonize the process, specific waiting terms are introduced: from 2024 – up to 5 years, and from 2026 – up to 3 years. Municipalities must already take measures and ensure that the waiting period is reduced in line with the new requirements when developing the social housing fund. Municipalities provide information on the statistics on housing support. Low-income people also have the opportunity to receive compensation to cover part of the costs for the usual rent or lease of suitable housing. For persons left without parental care, such as the disabled, who have left a social care home, a group life home or an independent life home and if they do not have other housing in Lithuania, social housing is provided without following the order of priority.

42. The Roma individuals and families have left the Vilnius (Kirtimai) Roma Settlement and their living conditions are gradually improving. The municipal company Vilnius City Housing rented housing to 26 Roma families, while 23 were partially reimbursed for the rent within the period of 2016–2021. Applications from the Roma for inclusion in the list of persons and families entitled to housing assistance and applications for a partial reimbursement for rent are being accepted on a regular basis. In 2020, 31 Roma families (the families consisted of 59 persons) received rent reimbursement amounting to EUR 52.194,41. In 2021, six Roma individuals received partial reimbursement amounting to EUR 13.952,50.

43. The legal framework for eviction is the Civil Code of the Republic of Lithuania. According to the court decision, only the persons specified in the writ of execution with their property must be evicted from the premises. The debtor shall be notified of the time of eviction by registered post no later than five working days in advance. If minors are evicted without being provided with another dwelling, the bailiff shall notify the state institution for the protection of the rights of the child in writing of the time and place of the eviction by sending a notice, but not later than thirty days before the date of the eviction. Eviction is usually carried out in the presence of an evicted person. In cases where the evicted person is hiding or failing to comply with the bailiff's request to leave the premises, the bailiff shall forcibly evict him in the presence of a representative of the police and the custodian. The bailiff shall draw up an eviction protocol in the form specified in the Instructions for Enforcement of Decisions regarding forced eviction.

44. Social policy in Lithuania has been increasingly shifting from fragmented to more sustainable, inclusive and better targeted for individual needs. In 2019, absolute poverty rate stood at 7.7 %. Compared to 2018, it decreased by 3.4 percentage points, over three years – by 8.1 percentage points. The current list of social indicators is provided in Appendix No 20.

45. Old age pensions were indexed and linked to wage changes in the economy. The system of unemployment benefits was reformed, broadening coverage and prolonging the length of assistance. An annually variable minimal consumption needs level was established and is linked to basic social indicators. A universal child benefit scheme was introduced, allowing low-income earners to fully benefit from child support. These reforms increased the adequacy of key cash benefits, especially for families, while strengthening incentives to work and making labour market more flexible. In 2021, child money increased from EUR 60 to

EUR 70. Children with disabilities, also children from large or low-income families received a premium of EUR 41, thus child money for children with disabilities and children from large or low-income families reached EUR 111 per month. Social insurance pensions grew by 9.58 per cent. Not only retirement, but also early pensions, pensions for lost working capacity (disability) and widow and orphan pensions increased by this percentage rate. The government's social agenda is further addressing policy reforms to tackle poverty and increase social welfare and inclusion of citizens. In 2022, changes in the social security and labour area include an increase in the old-age, lost capacity for work, and widows, widowers and orphans' pensions, special-purpose compensations for disabled people; more people will receive a single-person benefit; there will be a significant rise in the minimum pay, salaries of lowest-paid employees of institutions financed from the state budget and the base salary level.

46. The Ministry of Social Security and Labour has prepared five Lithuania's long-term (2021–2030) strategies for reducing income inequality, reducing social exclusion, inclusive labour market, family policy and adapting the environment to people with disabilities. While drafting these strategies, a comprehensive analysis was performed of existing framework evaluation and new policies development.

### **Right to physical and mental health**

47. Lithuania has revised the model of Provision of Youth-Friendly Healthcare Services and developed procedures that allows to strengthen youth's knowledge and skills for addressing sexual health issues. In 2020, the Minister of Health approved the list of reimbursable medical products that includes contraception. It can be prescribed for young women aged 18 to 20. The Ministry of Health is at the final stage of amending the legislation on use of this contraceptive measure for sexually active girls aged 15 to 17, considering ethical, legal and social aspects of different groups of our society.

48. A legislative reform was successful in the field of mental healthcare aimed first and above all at protection of the rights of involuntary hospitalized patients. It is being continued the process of establishing the best practices for the implementation of the freshly adopted law, and there is an area for improvement. To address this, Lithuania has joined the global initiative Quality Rights to improve the quality of care and human rights conditions. In close collaboration with WHO experts, Lithuania started to adapt and implement the package of training and guidance materials used to ensure human rights and recovery approach to be in line with the UN Convention on the Rights of Persons with Disabilities and other international human rights standards. Lithuania recognizes the significance of preventing involuntary measures by reducing the need for their use in the first place. To foster that, efforts are put to expand alternatives to involuntary hospitalization, physical restraint and to offer specialized and case management services for people with severe mental illnesses in health as well as in social sectors.

49. The process of the preparation for the reform of the mental health care system in 2023–2030 has already been launched. Special attention is paid to the development of community-based mental health services. day hospital services and assertive community treatment teams. It is planned to reduce the number of inpatient beds by converting them to modern outpatient services.

50. Harm reduction issues have been increasingly discussed at the policy level. Lithuania's approach to drug policy is set out in the State Drugs, Tobacco and Alcohol Control and Use Prevention Regulations Programme for 2018–2028. In 2021, Lithuania has approved an Action Plan for 2021–2024 to improve the availability and quality of treatment for addiction and harm reduction. The plan aims to ensure that people with addictions receive timely treatment and care that meets their needs. Necessary measures have been taken to make drug dependence services and measures in prisons equivalent to the services provided outside prisons. In 2018, the Director of the Department of Prisons issued the Description of the Procedure for Ensuring the Continuity of Substitution Treatment for Opioid Dependence in Places of Deprivation of Liberty (hereinafter – the Description of the Procedure) under which opioid substitution therapy (hereinafter – OST) was only available if it was initiated

outside prison. In 2021, the Description of the Procedure was amended so that convicts may initiate OST in prisons. It is planned to employ nurses and social workers who could take care not only of the distribution of methadone or other substitutes, but also offer social and psychological assistance to addicts. In 2021, legislation approved the release of naloxone kits to opioid addicts upon release in order to reduce the risk of death from post-release opioid overdose. In recent years, the provision of personal health care to prisoners has been increasingly integrated into the overall health care system. Following the amendments to the Law on Health Insurance, prisoners who meet the criteria are covered by compulsory public health insurance, which has improved access to treatment for communicable diseases such as HIV, viral hepatitis C and tuberculosis.

51. The coverage in terms of number of syringes distributed per person who injects drugs per year, and the quality of existing services remain low in Lithuania. According to the Global State of Harm Reduction 2020 report, Lithuania has Opioid agonist therapy (hereinafter – OAT) coverage above 20 per cent of those who need it. The government of Lithuania fully funds OAT provision. HIV rapid testing at harm reduction sites performed by medical personnel or assisted by social workers is available in Lithuania. In practice, the coverage of substitution treatment needs to be increased in all the parts of the country. According to the Communicable Diseases and AIDS Centre, in 2020 there were 13 low-threshold units, including two mobile outreach needle/syringe exchange points, operating in eleven cities in Lithuania (Appendix No 21). In 2020, treatment was available to approximately 16 per cent of high-risk opioid users. The coverage of such treatment is extremely low. The availability of substitution treatment programs in Lithuania is insufficient.

52. In 2021, the Parliament approved the legal amendments to decriminalize the possession of small quantities of drugs without intent to distribute, making it an offense under the Code of Administrative Offenses instead of the Criminal Code. There were not enough votes to pass the law, but it remains on the Parliament's agenda.

53. In 2020, the Lithuanian government adopted a 2-year coronavirus management plan. Targeted testing, healthcare reforms and domestic production of personal protective equipment (PPE) are part of this plan. The government introduced the National Covid Certificate (Galimybių Pasas) at the end of May 2021. It played an important role in controlling the spread of the coronavirus pandemic but no longer works against the new Omicron variant so was suspended in February 2022. The government established that all licensed personal health care institutions providing personal health care services (regardless of the form of ownership) are required to have stocks of personal protective equipment. These legal provisions aim to ensure that personal protective equipment is available to health-care workers in the event of an emergency situations. Since early 2020 Lithuania, as many countries, experienced a shortage of personal protective equipment (PPE) needed by healthcare workers fighting the COVID-19 pandemic. Medical professionals have called for government action to mobilize and distribute adequate supplies of protective equipment. The government put special focus on the production of personal protective equipment in the domestic market and creating a licensing mechanism for it. The Ministry of Health of the Republic of Lithuania established a mechanism for revising PPE needs and distributing it based on the needs identified by health institutions, as well as the key priorities for the provision with PPE of health care professionals. Testing is carried out at the expense of the state budget. National Public Health Laboratory (hereinafter – NPHL) is responsible for providing the necessary facilities for the detection of COVID-19 disease and serological tests to meet the needs of the state. The NPHL regularly assesses the need to acquire the necessary equipment for the specified tests for COVID-19 disease) and serological tests and informs the Ministry of Health, ensuring the continuous performance of targeted and preventive tests. As a result of the consistent development of vaccination sites, all public and private medical institutions providing family medical services have been required to ensure that the population is vaccinated with COVID-19. The Lithuanian national health system includes 415 public and private medical institutions providing family medical services. Of these, more than 350 are already providing vaccination against COVID-19, and the number is growing steadily. Sodra and the Territorial Health Insurance Fund are obliged to pay the costs of personal health care institutions from the budget of the Sodra for patients who are not entitled to state-guaranteed personal health care and who are suspected and / or diagnosed with COVID-19 disease. The indicated costs shall be paid according to the bills submitted by the

personal health care institutions for the actually provided services. Services are also available to patients who are not entitled to free treatment. Vaccines and personal protective equipment are purchased from the state budget.

54. The COVID-19 pandemic had a significant impact on health system and the society as a whole. It was also a huge opportunity for urging necessary changes in mental health care area. Special attention was paid to prioritize the most vulnerable groups. During lockdowns, people were at a greater risk of experiencing violence and exploitation. To support them, the funding of 6 emotional support hotlines, available for children, youth, parents, and the elderly, was doubled. It became possibility to report violent behaviour using a chat function. Significant efforts have been made to increase the availability of psychological services. Free low-threshold psychologists' consultations and mental health promotion programs were initiated in all municipalities. The government ensured a relevant funding for increasing the number of clinical psychologists in primary mental healthcare centres by 60 per cent. A national call centre and mobile psychological teams for communities in crisis were established and are operating in the whole country.

55. Statistics Lithuania (SL) plays key role in managing the operational data of the Covid pandemic, which is vital for the pandemic control, monitoring and decision-making. SL developed the Covid-19 Operational Data Management – Production model for a new generation statistics creating the entire data ecosystem, from data collection to outsourcing, and flexible user rights management in order to make decisions “here and now”. The Office of the Government has developed the Corona STOP website offering reliable information in relation to the COVID-19 pandemic, including registration for tests and vaccination, statistics, restrictions, news, etc. The Ministry of Health has been providing information for health specialists and communicated all the legal decisions related to the management of the pandemic on its website.

## **Right to education**

56. In 2020, 704 pre-school and school-age migrant children arrived in Lithuania as a result of a hybrid attack. In 3–4 months from their arrival, the school-age children were given the opportunity to learn the Lithuanian language and the basics of the country's culture, geography, and history. The teaching takes place in the students' residential areas. From September 2022, it is planned to integrate them into general education schools in Lithuania where they will continue their education with their peers. Pre-school education will be organised from 2022 onwards, integrating children into educational institutions in their municipality of residence. Children are provided with learning materials, books, textbooks, exercises, as well as the necessary stationery, reading rooms, playrooms, etc. In cooperation with NGOs, children are involved in informal activities: art, sports and games. In 2022, the Ministry of Education, Science and Sport (hereinafter – the MESS) will additionally organise non-formal education activities in pupils' residential areas. For the Polish, Russian and Belarusian national minorities living in Lithuania, the possibility of learning in the mother tongues of the national minorities from pre-school and secondary education has been legalized, with the Lithuanian language being taught as a separate subject in these schools. In addition to this, schools where education is organised in a national minority language, receive 20–25 per cent more funding. In the matriculation examination session, pupils from national minorities are entitled to take the school examination and literature in their mother tongue. In September 2020, there were 440 Roma pupils enrolled in general education institutions in Lithuania. Out of 60 municipalities, the Roma pupils were enrolled in 35 municipal general education establishments with more than 10 Roma pupils. In each municipality, the general education institutions together with the Inter-institutional Cooperation Coordinators in the municipalities, apply individual measures to improve the social and educational situation of Roma pupils, e.g., support for families, special assistance, learning support, etc., to better respond to the needs of pupils. Lithuania applies the policy that a child with special educational needs should be educated where his/her educational needs and educational support needs are best met. In 2021 school year, of the more than 70 000 pupils with special educational needs only 6.3 per cent were in special schools. Amendments to the Law on Education oblige all mainstream schools to accept children with

special educational needs from 2024, so a school will no longer be able to refuse to admit a child if it is part of his/her residential area. Different actions are planned to ensure the smooth implementation of the provisions of the Law on Education, including adapting the environment of kindergartens and schools for children with different educational needs, employing more educational assistance specialists, introducing a consultation system in municipalities and at the national level, providing schools with teaching and technical aids, and improving the qualification of teachers and educational assistance staff. Decisions have already been taken to adapt the Basic Education Achievement Test (PUPP) and matriculation exam tasks not only for pupils with visual impairments but also for pupils with hearing, autism spectrum and general learning disorders.

57. Statistical data on education is available on the Official Statistics Portal.

## **Cultural rights**

58. In 2020, the concept of the policy for the preservation and updating of cultural heritage was approved as well as the action plan for the policy of preservation and updating of cultural heritage for 2020–2024, which provides for measures to ensure the preservation and transfer of all types of Lithuanian cultural heritage, including national minorities, to future generations. In 2021, the Ministry of Culture (hereinafter – the MC) approved its Culture and Creativity Development Program for 2021–2030, which includes a separate task for the protection of the rights and freedoms of national minorities “Promoting the full integration of national minorities”. In 2019, the MC approved the Action Plan for the Representation of the History of National Minorities in Lithuania for 2020–2022, which, in coordination with the activities of state and municipal institutions and establishments, the non-governmental sector, provides measures to present the history of national minorities to the public as a culturally, confessionally and linguistically important part. At the state level, the aim is to ensure the meaning and updating of cultural and historical events and dates significant for national minorities. In 2021, the Lithuanian National Cultural Centre has begun collecting statistical information on the number of amateur minority art groups and their members in municipal cultural centres with the aim to assess the activity of cultural centre, the variety of services provided and their accessibility to members of the local community. In accordance with the Action Plan for the Development of Ethnic Culture for 2015–2018, measures were implemented to actualize the importance of the values of ethnic culture in society and to mobilize the communities living in Lithuania. The methodology of compiling the data of the Lithuanian Intangible Cultural Heritage Values Compendium was updated, facilitating the mechanism of submitting applications to the Compendium. Department of National Minorities annually allocates funding for implementation of the projects, which promote the self-expression of national minorities by presenting their culture, traditions and heritage. Projects run by national minority organisations are characterised by a wide variety, including song festivals, cultural days, conferences and seminars, lectures, study tours, children’s and adult’s day-camps and week-camps, festivals, exhibitions, museum visits and publishing activities. Roma Days, Roma Holocaust Memorial and Roma Language Day events are held. The department also allocated EUR 7 000 funding for preparation and publication of Lithuanian Roma Spoken History Archive.

59. General education and non-formal education schools create conditions for pupils belonging to national minorities to foster their national, ethnic and linguistic identity, and to learn their mother tongue, history and culture. The teaching process or certain subjects may be taught in a national minority language. Persons belonging to a national minority may study their mother tongue at a school providing non-formal education programmes or with another education provider. Lithuania has 42 non-formal education institutions (Sunday Schools) where the educational process takes place in the mother tongues of national minorities. These schools educate about 1 000 children and young people. National minority pupils are given more favourable conditions for taking matriculation exams. To pass the Lithuanian language and literature state exam, pupils from schools taught in national minority languages may make more mistakes than pupils from schools taught in Lithuanian.

60. In 2021, the government approved the National Digitalisation Development Programme for 2021–2030 which aims to create opportunities for business and society to

effectively develop and use innovative products and services, to strengthen the capacity of the population to use new technologies and to enable adapting to rapid technology changes. The Programme gives particular attention to reducing digital divide among different groups of society with a focus on older people, rural population, people with special needs and people with disabilities and lower income. Citizens are encouraged to acquire knowledge and skills for using information and communication technologies safely, efficiently and usefully so that public digital services are accessible to everyone, including people with special needs and other language users regardless of their place of residence or income. In 2018, the Information Society Development Committee and partners launched the project “Connected Lithuania: An Efficient, Secure and Responsible Lithuanian Digital Community” aimed at improving the population’s digital skills and learning to use ICT and the Internet efficiently, safely and responsibly. Over 500 thousand people participated in all project activities and more than 104 thousand adults attended the courses to improve their digital skills. The Ministry of Education, Science and Sport has been implementing measures to reduce digital exclusion and to increase access to digital services in the education system (Appendix No 22).

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