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### **Committee on Economic, Social and Cultural Rights**

## **Implementation of the International Covenant on Economic, Social and Cultural Rights**

**Second periodic reports submitted by States parties under  
articles 16 and 17 of the Covenant**

**Lithuania\***

[1 February 2010]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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## Abbreviations and acronyms

AGATA	Lithuanian Neighbouring Rights Association
AW	Average wage
BSB	Basic social benefit
CAVL	Code of Administrative Violations of Law of the Republic of Lithuania
CHI	Compulsory health insurance of the Republic of Lithuania
CIC	Civil Code of the Republic of Lithuania
Covenant	International Covenant on Economic, Social and Cultural Rights
CRC	Criminal Code of the Republic of Lithuania
CRPS	Child Rights Protection Services at municipalities
DNMLLA	Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania
EU	European Union
EURES	European Employment Services
GDP	Gross domestic product
GW	Gross wage
HACCP	Hazard Analysis and Critical Control Points
ILO	International Labour Organization
IOM	International Organization for Migration
LATGA-A	Lithuanian Copyright Protection Association
LC	Labour Code of the Republic of Lithuania
LCIT	Law on Corporate Income Tax of the Republic of Lithuania
LPIT	Law on Personal Income Tax of the Republic of Lithuania
MA	Ministry of Agriculture of the Republic of Lithuania
MC	Ministry of Culture of the Republic of Lithuania
ME	Ministry of Environment of the Republic of Lithuania
MES	Ministry of Education and Science of the Republic of Lithuania
MH	Ministry of Health of the Republic of Lithuania
MI	Ministry of the Interior of the Republic of Lithuania
MMW	Minimum monthly wage
MSL	Minimum standard of living, replaced by BSB as of 1 August 2008
MSSL	Ministry of Social Security and Labour of the Republic of Lithuania
PEQ	Products of exceptional quality
R&ED	Research and experimental development
Service	State Public Health Service under MH

SPD Single Programming Document

SSI State supported income

UN United Nations

## Introduction

1. Pursuant to articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as “Covenant”), the Republic of Lithuania submitted its first report about the measures taken to implement the provisions of the Covenant (1990/5/Add.55) to the United Nations on 7 July 2002.

2. The UN Committee on Economic, Social and Cultural Rights considered the initial report of Lithuania at its 3rd, 4th and 5th meetings, held on 27 and 28 April 2004 (see E/C.12/2004/SR.3-5) and adopted, at its 29th meeting, held on 14 May 2004, the concluding observations (see E/C.12/1/Add.96, Concluding Observations/Comments). It should be noted that all the competent public authorities of the Republic of Lithuania were familiarized with the above-mentioned document.

3. This second report covers the period from the submission of the first report to the Committee on Economic, Social and Cultural Rights to 31 December 2008. The report was prepared on the basis of the revised general guidelines for the reports on the Covenant (see /C.12/1991/1).

4. The second report was prepared by a commission formed by the Minister of Social Security and Labour, which consists of the representatives of the Ministry of Culture (hereinafter referred to as “MC”), the Ministry of Social Security and Labour (hereinafter referred to as “MSSL”), the Ministry of Health (hereinafter referred to as “MH”), the Ministry of Education and Science (hereinafter referred to as “MES”), the Ministry of Justice, the Ministry of Foreign Affairs, and the Ministry of Agriculture (hereinafter referred to as “MA”). Additionally, the draft report was coordinated with the Ministry of Environment (hereinafter referred to as “ME”), the Ministry of Finance, the Office of the Equal Opportunities Ombudsman, the Department of Statistics under the Government of the Republic of Lithuania, the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania (hereinafter referred to as “DNMLLA”), the Ministry of the Interior (hereinafter referred to as “MI”), the Lithuanian Labour Exchange under MSSL, the Lithuanian Labour Market Labour Authority under MSSL and the State Labour Inspectorate under MSSL.

5. The draft report was introduced to the Lithuanian Labour Federation, the Confederation of Lithuanian Industrialists, Lithuanian Trade Union Confederation, the Lithuanian trade union *Solidarumas*, and the Lithuanian Business Employers Confederation.

6. The second report presents information on the essential amendments to Lithuanian legislation and developments in the factual circumstances that occurred during the period from the presentation of the first report. The information presented by Lithuania in the first report remains the same as regards Articles 1 and 14 of the Covenant as well as individual issues covered by other articles, as specified in this Report. The second report aimed to answer the questions raised as well as the comments and recommendations concerning the various aspects of the provisions of Lithuanian law given in the concluding observations on the first report.

7. On 29 June 2008, Lithuania presented to the UN a report on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination in Lithuania. At the time of drafting of this report, Lithuania had not yet received a notice on the date of consideration of the report from the UN.

8. During the 41st session of the Committee on the Elimination of Discrimination against Women, held from 30 June 2008 to 18 July 2008, Lithuania successfully defended its third and fourth reports on the implementation of the UN Convention on the Elimination

of All Forms of Discrimination against Women in Lithuania. The said reports present data that are essentially in compliance with the requirements of the provisions of paragraphs 2 and 3 of Article 6, paragraphs 2 and 4 of Article 7 and paragraphs 1 and 6 of Article 10 of the Covenant regarding the enforcement of equal opportunities for men and women. The Third report is posted on the websites [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=246184](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=246184) (in Lithuanian) and <http://www.socmin.lt/index.php?436913512> (in English); the Fourth Report is available at [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=306744](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=306744) (in Lithuanian) and at [http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc\\_l?p\\_id=311381](http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=311381) (in English).

9. The consideration of Lithuania's second report on the implementation of the International Covenant on Civil and Political Rights took place on 24–25 March 2004. At the time of drafting of this second report, preparation of the draft Report III of Lithuania on the Covenant on Civil and Political Rights was in progress.

10. The joint report II–III on the implementation of the UN Convention on the Rights of the Child was presented in 2004 and considered in 2006. At the time of drafting of this second report, the drafting of Report IV of Lithuania under this convention was in progress.

11. Lithuania's report on the implementation of the Optional Protocol to the UN Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was presented in 2007 and considered in 2008.

12. As of 1 May 2004, Lithuania has been a full member of the European Union (hereinafter referred to as "EU"), which means that the Lithuanian legislation has been harmonized with EU legal acts and EU law is implemented in Lithuania.

## **A. Part of the report relating to general provisions of the Covenant**

### **Article 2 of the Covenant**

#### **Responses to the questions and recommendations given in paragraph 52 of the concluding observations of the Committee on Economic, Social and Cultural Rights**

*Establishment of an independent national institution with a mandate covering economic, social and cultural rights*

13. The possibilities of establishment of an independent institution with a mandate covering economic, social and cultural rights in accordance with the Paris principles are now being considered through initiation of discussions between public authorities and non-governmental organizations. On 17 March 2008, Vilnius hosted an international conference on the need and possibilities of establishing a national human rights institution in Lithuania.

#### **Responses to the questions and recommendations given in paragraphs 9 and 31 of the concluding observations of the Committee on Economic, Social and Cultural Rights**

*Rights of Roma*

14. Despite the safeguards of the rights of national minorities in Lithuania, the growing immigration has resulted in higher numbers of complaints about national and racial discrimination. The rise in the number of complains of this type was also predetermined by the fact that they are increasingly active in defending their rights as a result of launched regular legal counselling of Roma.

15. 18 cases of possible discrimination on grounds of racial or national affiliation investigated in 2005 amounted to 14 percent of all investigations carried out in that year; 20 investigations concerning racial or national affiliation conducted in 2006 amounted to 15 percent, while 23 investigations conducted in 2007 totalled 14 per cent of all investigations. The problems faced by Roma remain the most significant.

16. As indicated in the working report of the Special Investigations Division of the Office of the Prosecutor General of the Republic of Lithuania, before 2007 direct victims of such acts or organizations representing them (or entitled to provide such representation according to the type of their activities) did not lodge any applications with the law enforcement institutions (first of all, the prosecution service) for pre-trial investigation of facts of discrimination or instigation as well as for prosecution of the perpetrators.

17. However, the situation changed with the year 2007, when the public, various non-governmental organizations and public authorities operating in the sphere of equal rights of persons began reacting to the facts of such criminal acts, reported more actively and lodged applications with the prosecution service requesting pre-trial investigations of the activities falling within this category.

18. In 2007, the prosecutors of the Special Investigations Division of the Office of the Prosecutor General of the Republic of Lithuania initiated 32 pre-trial investigations of the criminal activities specified in Articles 169 and 170 of CRC. Following the pre-trial investigations, 13 criminal cases in respect of 13 persons were transferred to district courts last year. All the persons tried were suspected of incitement of hatred (CRC Article 170(1) and (2)) on the internet. *No persons were acquitted in the said cases tried by the district courts.*

19. From 1 January 2005, the Equal Opportunities Ombudsman investigated 18 complaints against discrimination on grounds of ethnicity. The absolute majority, 11, consisted of complaints by Roma. Four of them concerned housing (three were lodged repeatedly), three concerned personal documents, two – employment, and one – a decision of the Seimas Ombudsmen’s Office of the Republic of Lithuania as well as the activities of the pre-trial investigation officers and of a court.

20. The employers accused in two of the mentioned complaints were issued a warning and in another case bringing a court action was recommended. Judgement of 30 June 2008 of Vilnius 2<sup>nd</sup> District Court declared an employer’s refusal to hire a Roma woman as a dishwasher unlawful due to open direct discrimination on grounds of ethnicity against her and awarded her LTL 864.98 in wages and LTL 2 000 in non-pecuniary damages to be paid by the employer (civil case 2-1189-545/2008). An order of Vilnius County Court of 10 December 2008 upheld the above-said judgement of Vilnius 2<sup>nd</sup> District Court (civil case 2A-1020-464/2008).

21. In 2006, the Office of the Equal Opportunities Ombudsman did not receive any complaints from Roma but supplied the material for the preparation of a court action for damages caused by the destruction of buildings owned by Roma in Kirtimai settlement on 1–4 December 2004. The law firm “Kelpšas, Stančikas ir partneriai” submitted a written application to the Office of the Equal Opportunities Ombudsman requesting certificates on the complaints concerning the demolition of Roma-owned buildings investigated in 2005.

22. In the administrative proceedings concerning the complaints of Roma against Vilnius City Municipality claiming property and non-pecuniary damages, on 18 December 2007 Vilnius County Administrative Court satisfied the claims of the said Roma in part, awarding them LTL 5 000 each for non-pecuniary damages (judgement in the administrative case No 1-8136-17/2007).

23. In the course of implementation of the Programme for the European Year of Equal Opportunities for All 2007, a sociological survey on the social integration opportunities for the Roma community was carried out to the order of the Office of the Equal Opportunities Ombudsman. In 2008, the study Evaluation and Comparative Analysis of Possible Forms of Discrimination Envisaged in the Law on Equal Treatment of the Republic of Lithuania as well as of Public Tolerance towards Various Social Groups, ordered by DNMLLA, was conducted.

24. Resolution No 309 of the Government of the Republic of Lithuania of 26 March 2008 approved the Programme for the Integration of Roma into the Lithuanian Society for 2008–2010. The programme sets out three objectives: 1. To ensure full integration of Roma into the Lithuanian society and to reduce their social exclusion. 2. To preserve the national identity of Roma. 3. To promote public tolerance and trust in Roma.

25. The measures of this programme are oriented towards education of Roma children and youth, inclusion of Roma into the labour market, and prevention of drug abuse and violations of the law; the programme also envisages accumulation of information on the living environment of Roma, provision of healthy life-style information to Roma, strengthening the capacities of Roma in dealing with the problems of their community, creation of opportunities for Roma to preserve their language, customs, traditions and material cultural heritage, as well as informing the public about the situation of the Roma minority.

26. In order to solve the housing problems encountered by Roma, the mentioned programme envisages an analysis of the legal registration of the housing of Roma and of the quality of their living environment as well as a study on the acquisition and quality improvement of housing of Roma.



27. Education of Roma is a priority task of the programme. The Programme for the Integration of Roma into the Lithuanian Society for 2008–2010 sets out measures aimed at encouraging the involvement of Roma into the state education system. MES and DNMLLA are charged with the implementation of these measures. Local authorities of the Republic of Lithuania where Roma reside are invited to contribute to additional pre-school, pre-primary and other informal education for Roma children.

28. It is noteworthy that in the course of the implementation of the European Equal Opportunities for All Programme 2007, the TV show series *Asmens kodas* devoted a lot of attention to the problems of employment encountered by Roma.

29. In order to involve Roma into the labour market, two international projects are now in progress with the aim of stimulating Roma participation in the labour market: EU EQUAL initiative project “Development and testing of support mechanism of Roma integration into labour market” (DNMLLA and the Roma Community Centre are among the partners) and the EU Socrates project “Measures to Promote Employment Opportunities for Roma” (the Roma Community Centre is one of the partners).

30. In implementing the EQUAL initiative project “Development and testing of support mechanism of Roma integration into labour market”, Roma were offered an opportunity to attend training courses (improving professional/additional capacities). The training took part in Šalčininkai, Ukmergė and Vilnius (for more information on EQUAL projects, see page 36).

31. Regular legal consulting is also available to Roma. A legal precedent was created by the first anti-discrimination action in court where the plaintiff succeeded in proving that refusal to hire a Roma woman was motivated by discrimination.

32. Every year DNMLLA provides financial assistance to Roma NGO projects as well as projects intended for Roma. LTL 365 000 have been allocated for integration of Roma. With regard to the funding provided, DNMLLA organizes additional pre-school, pre-primary and other informal education of Roma children; training for the leaders of Roma NGOs and NGOs working with Roma; training for police officers on the issues of ensuring human rights protection and the principle of non-discrimination as well as on the issues of prevention of criminal acts related to equal rights of persons.

33. In May through October of 2008, 7 training courses were organized in cooperation with the Police Department under the Ministry of the Interior, in the course of which 130 officers from various Lithuanian towns received training. Apart from that, a series of press articles on the Roma culture, customs and protection of rights is being prepared.

34. The Plan of Implementing Measures for the Programme for the Integration of Roma into the Lithuanian Society for 2008–2010 envisages: organization of seminars, conferences and discussions on the subjects of fighting xenophobia, racism and discrimination and developing tolerance; preparation and inclusion into the general education school programmes and textbooks of Roma history and culture in Lithuania; drafting of press articles on the Roma culture, customs and protection of rights; preparation of radio programmes on the fight with xenophobia and discrimination and on the development of tolerance; organization of training on national diversity for social workers, teachers and journalists; organization of training on the issues of human rights protection, enforcement of the principle of non-discrimination and investigation of criminal acts related to the equal rights of persons for police officers; preparation and publishing of an informational publication on Roma ; conducting a social survey “Lithuanian Tolerance Profiles”.

35. Pursuing the Programme for the Integration of Roma into the Lithuanian Society for 2008–2010, DNMLLA initiated a “Survey on the Situation of Roma: Roma on the Intersection of Education and the Labour Market” in 2008. 250 Roma from all over the

country took part in the survey. The survey revealed that most of Roma adults did not have a job; 40.7 per cent indicated that they had a job currently or were otherwise engaged; however, only 8.7 per cent worked under employment contracts, while 6.1 per cent of Roma were hired employees without employment contracts. The main reason for the said situation is lack of social skills. Social benefits are the main source of income for more than a third of Roma respondents in the survey. Additionally, the survey showed that Roma are inclined to deal with their problems on their own, relying mainly on ties within their community. Most frequently they sought assistance from healthcare and educational institutions as well as institutions providing social services.

36. The survey also revealed an increase in the number of pupils completing primary schools and attending basic schools over the last decade. However, very few acquire secondary education.

### **Responses to the questions and recommendations given in paragraphs 10 and 32 of the concluding observations of the Committee on Economic, Social and Cultural Rights**

#### *Women rights*

37. Resolution No 1042 of the Government of the Republic of Lithuania of 26 September 2005 approved the State Programme for Equal Opportunities for Women and Men for 2005–2009. This inter-institutional programme aims to implement a set of measures to ensure equal opportunities for women and men in all areas. Programme measures are implemented by all ministries, many of them in cooperation with women's NGOs. The objectives of the programme are as follows: to address the gender equality problems in a consistent, integrated and systematic manner; to ensure integration of the gender aspect into all spheres; and to deal with specific issues relevant to women and men. The main areas of the programme: ensuring equal opportunities for women and men in the spheres of employment, education and science, politics and decision-making; ensuring equal rights, including fight with violence against women; gender equality in the spheres of health and environment; reinforcement of institutional mechanisms and methods of enforcing gender equality, including improvement of statistics.

38. The rate of employment for women and men is rising and unemployment is decreasing. According to the data of the Department of Statistics under the Government of the Republic of Lithuania,<sup>1</sup> the rate of employment for women rose from 61 per cent in 2006 to 62.2 per cent in 2007 and exceeded the target of women's employment for 2010 (60 per cent), set in the Lisbon Strategy. The unemployment rate for women fell from 5.4 per cent in 2006 to 4.3 per cent in 2007. According to the Report 2008 of the European Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions as well as according to Eurostat data, Lithuania has progressed from the fourth to the third position in the EU ranking based on the difference of employment of women and men. In EU Lithuania has moved to the seventh position (from eighth in 2006) according to the employment rate of elderly women, and ranks as high as second according to the level of employment of women rearing children under 12. According to the difference in the unemployment rate between women and men, Lithuania has advanced from the eighth to the sixth spot in the EU.

39. In the ranking of 125 countries in terms of progress in the sphere of gender equality, published in November 2007 by the World Economic Forum (WEF), Lithuania (14) and Latvia (13) received the highest evaluations in the EU. Lithuania stands out as a country

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<sup>1</sup> See [www.stat.gov.lt/lt/pages/view/?id=2159](http://www.stat.gov.lt/lt/pages/view/?id=2159).

that has achieved the greatest progress in the first twenty, jumping from place 21 to 14. WEF evaluated the accomplishments in gender equality according to the differences in the economic situation of women and men, their education and training, the number of women taking part in decision-making, and health differences between women and men.

## 1-2

40. The first report does not mention that the Supreme Council of the Republic of Lithuania passed Resolution No I-1136 of 12 March 1991 committing itself to the principles of the Universal Declaration of Human Rights.

41. During the reporting period, on 5 February 2004, the Optional Protocol to UN Convention on the Elimination of All Forms of Discrimination against Women came into force (Law No IX-2300 of 29 June 2004).

42. On 29 June 2008, Lithuania presented to the UN a report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination in Lithuania.

43. As already mentioned in the first report of Lithuania, domestic law of the Republic of Lithuania provides for the general rule that citizens of foreign States and persons without citizenship have the same rights and freedoms as citizens of the Republic of Lithuania, except for the cases when the law or international agreements provide otherwise.

44. Article 169 of the Criminal Code of the Republic of Lithuania (hereinafter referred to as "CRC") (Law No VIII-1968 of 26 September 2000) criminalizes actions aimed at hindering, on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views, a group of persons or a person belonging thereto to participate on a par with other persons in political, economic, social, cultural, labour or other activities or at restricting the rights and freedoms of such a group of persons or of the person belonging thereto.

45. CRC also imposes criminal liability for incitement against any national, racial, ethnic, religious or other group of persons as well as for funding such activities.

46. "Article 170. Incitement against any national, racial, ethnic, religious or other group of persons

1. A person who makes public statements, orally, in writing or using public media sources, to ridicule, express contempt for, urge hatred of or incite discrimination against a group of persons or a person belonging thereto on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views, shall be punished by a fine or by restriction of liberty or by arrest or by imprisonment for a term of up to two years.

2. A person who publicly incites violence or a physical violent treatment of a group of persons or a person belonging thereto on grounds of sex, sexual orientation, race, nationality, language, descent, social status, religion, convictions or views or finances or otherwise supports such activities, shall be punished by a fine or by restriction of liberty or by arrest or by imprisonment for a term of up to three years.

3. A legal entity shall also be held liable for the acts provided for in this Article."

47. CRC Article 152 imposes criminal liability for sexual harassment.

48. Article 214<sup>12</sup> of the Code of Administrative Violations of Law (hereinafter referred to as "CAVL") (Law No X-4449 of 13 December 1984) provides for administrative liability for production, possession with the purpose of distribution, and distribution of printed matter, visual, audio or other products promoting national, racial or religious hatred.

CAVL Article 214<sup>13</sup> imposes administrative liability for formation of an organization promoting national, racial or religious conflicts as well as for participation in the activities of such an organization.

49. CAVL Article 252 requires that administrative proceedings concerning an administrative violation of law should be conducted following the principle of equality of citizens with respect to the law and the body (official) conducting the proceedings regardless of their origin, social and property situation, racial and national affiliation, sex, education, language, religious beliefs, type and manner of employment, place of residence and other circumstances.

50. The Law of the Republic of Lithuania on the Legal Status of Aliens (Law No IX-2206 of 29 April 2004) stipulates that aliens in the Republic of Lithuania shall enjoy the rights and freedoms provided by the Constitution of the Republic of Lithuania, international agreements, Lithuanian laws and EU legislation. Aliens in the Republic of Lithuania shall be equal before the law without distinction as to their sex, race, ethnicity, language, origin, social status, religious beliefs, convictions or views.

51. In order to ensure better protection of human rights and to improve the legal framework governing equal opportunities, Law No X-1602 Amending the Law of the Republic of Lithuania on Equal Treatment (Law No IX-1826 of 18 November 2003) was passed by the Seimas of the Republic of Lithuania on 17 June 2008. The new version of the law transposes the provisions of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin as well as Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

52. The new version of the Law of the Republic of Lithuania on Equal Opportunities lays down a specific prohibition of discrimination applicable with regard to membership or participation in the activities of employee and employer organizations or other associations whose members are persons of the respective age, sexual orientation, social status, disability, racial or national affiliation, religion, convictions or beliefs. Direct discrimination means that a person, by reason of his age, sexual orientation, social status, disability, race or ethnicity, religion, convictions or beliefs, is treated less favourably than another person is or was treated under similar circumstances, except for the following cases:

- (a) Age restrictions laid down by the laws when this is justified by a lawful objective and this objective is sought by appropriate and necessary means;
- (b) The requirement of proficiency in the State language imposed by the laws;
- (c) Prohibition of participation in political activities in the cases specified in the laws;
- (d) Different rights applicable due to citizenship in accordance with the laws;
- (e) Special measures laid down by law in the area of health care, occupational safety, employment, labour market in order to develop and apply the conditions and opportunities ensuring and promoting integration into the labour market;
- (f) Special interim measures laid down by law applicable in order to ensure equality and prevent infringements of equal opportunities on grounds of age, sexual orientation, social status, disability, racial or national affiliation, religion, convictions or beliefs;
- (g) When due to the character of certain types of professional activities or due to the conditions of performing them a certain quality of a person is an essential and decisive professional requirement, and this objective is lawful and the requirement proportional;

(h) When legal regulation of restrictions, special requirements or certain conditions as regards personal social status is justified by a lawful objective, and this objective is pursued by lawful and necessary measures;

(i) Organization of separate sports events for the disabled.

53. CAVL imposes administrative liability for violations of the Law on Equal Treatment and the Law on Equal Opportunities for Women and Men (Law No VIII-947 of 1 December 1998):

“Article 41.<sup>(6)</sup> Violation of equal rights and equal opportunities for women and men

A violation of the equal rights of women and men specified in the Law of the Republic of Lithuania on Equal Opportunities for Men and Women as well as a violation of equal opportunities laid down in the Law of the Republic of Lithuania on Equal Opportunities –

shall be punishable by a fine of LTL 100–2 000 to be paid by liable officers, employers or their authorized representatives.

The same acts committed by a person already punished with an administrative penalty for the violations referred to in the first paragraph of this article, –

shall be punishable by a fine of LTL 2 000–4 000 to be paid by liable officers, employers or their authorized representatives.”

54. With respect to the provisions of Article 29 of the Constitution of the Republic of Lithuania, the law sets out a prohibition of discrimination against persons on grounds of social status or religion.

55. These provisions of the new version of the law shall not be applicable:

(a) To the areas of family and private life;

(b) To employees or personnel of religious communities, associations and centres, legal entities established by them for the purposes of the same religion (hereinafter referred to as “religious communities and associations”) or organizations established by their members whose articles of incorporation or equivalent documents state that their ethos is based on religion or beliefs; also to requirements applicable to religion teachers of traditional religious communities and associations if, due to the type of their activities or due to circumstances under which they are performed, requirements as regards a person’s religion, beliefs or convictions is a normal, legal and justifiable condition in the light of the ethos of the said organizations;

(c) When religious communities and associations and organizations established by them or by their members, whose articles of incorporation or equivalent documents stipulate that their ethos is based on religion or beliefs, supply products, goods or services for the purposes of religion or beliefs;

(d) When admitting persons to study at schools, institutions, enterprises or organizations of religious communities and associations or established by these religious communities and associations or members thereof, for which education is not the primary activity and which were established for the purpose of providing education in the environment that supports the values of the religious community or association, provided that refusal to admit a person is necessary to maintain the ethos of the said organizations;

(e) To the content of educational programmes, textbooks and teaching aids when the religion of traditional religious communities and associations is taught;

(f) To the requirements that persons engaged in professional activities at religious communities and associations or organizations established by their members whose articles of incorporation or equivalent documents state that their ethos is based on religion or beliefs, also persons who study at schools, institutions, enterprises or organizations of religious communities and associations or established by them or their members for which education is not the primary activity, and persons who participate in the organizations established for the purpose of providing education in the environment that supports the values of the religious community or association should honestly and loyally observe the ethos of the said organizations;

(g) When organizations uniting persons on the basis of age, sexual orientation, social status, disability, race or nationality, religion, convictions or beliefs address the issues of membership and employment at these organizations, provided that, due to the unifying basis of the organization, this is a normal, legal and justified practice.

56. The new version of this law shifts the burden of proof in discrimination cases onto the respondent.

57. In force since 1 July 2008, the new version of the Law on Equal Treatment has significantly expanded the list of prohibited grounds of discrimination: in addition to the previous six illegal grounds of discrimination, namely age, sex, sexual orientation, disability, race or ethnicity, and religion or convictions, it has introduced six new very important illegal grounds for discrimination: beliefs, language, nationality, origin, social status, and views. The provisions of the Law on Equal Treatment, just as the provisions of the Law on Equal Opportunities for Men and Women, are applicable in the areas of employment, education, studies, obtaining goods and services, job announcements or announcements offering education.

58. The National Antidiscrimination Programme for 2006–2008, approved by Resolution No 907 of the Government of the Republic of Lithuania of 19 September 2006 was launched in 2006. Its objective is to enforce the provisions of the legislation establishing the principle of non-discrimination and equal treatment, to develop a tolerant society, to inform the public about the right to equal treatment and non-discrimination, legal remedies in the sphere of equal treatment, as well as possible manifestations of discrimination. Implementation of the measures under the programme aims at a comprehensive analysis of the manifestations of discrimination on grounds of age, sexual orientation, disability, racial or national affiliation, religion or convictions in all areas of public life, to increase tolerance within the society, and improve information provision to the public, social partners and various groups of population on the issues of non-discrimination, equal treatment, equal rights and opportunities.

59. In implementing the Antidiscrimination Programme, MSSL carried out the following measures starting with 2006: together with the Equal Opportunities Ombudsman, it organized training for trade unions, NGOs, and labour market institutions to improve their knowledge of the forms of discrimination as well as application of EU and national legislation prohibiting discrimination; and carried out a survey “Analysis of Lithuanian Labour Laws in Terms of Non-Discrimination”. The results of this survey showed that Lithuania protects the principle of equal treatment on the constitutional level, as this principle is enshrined in the Constitution and ratified international human rights instruments. In addition, equal treatment of employees has been safeguarded by separate provisions of the Labour Code of the Republic of Lithuania (hereinafter referred to as “LC”) (Law No IX-936 of 4 June 2002) governing recruitment and dismissal from work and prohibiting differentiation of the terms of remuneration. The Ministry has also prepared and published articles on the manifestations of discrimination and about equal opportunities in the dailies *Valstiečių laikraštis* and *Lietuvos Rytas*, prepared and published a publication entitled *Skirtingi, bet lygūs visuomenėje bei darbuotėje* (Different but Equal in Society and

at Work), intended for training and education on the issues of non-discrimination and equal opportunities in the labour market. Additionally, information on respect for human rights, tolerance and mutual understanding is published on the MSSL website.

60. With the aim to reduce the manifestations of discrimination and educate the society, MSSL, together with other authorities is drafting the National Antidiscrimination Programme for 2009–2011.

### Work

61. The Law of the Republic of Lithuania on the Legal Status of Aliens provides that an alien who seeks employment in the Republic of Lithuania must obtain a permit to work in the Republic of Lithuania before his arrival to the country. The permit may be issued to an alien if Lithuania does not have a specialist meeting the qualification requirements raised by the employer. The permit shall be issued for a period of two years. It shall be issued by the Lithuanian Labour Exchange under MSSL, taking into consideration the needs of the Lithuanian labour market. An alien may pursue employment in the Republic of Lithuania under an employment contract or, if the alien's permanent place of employment is in a foreign country, the alien may be sent for temporary employment in the Republic of Lithuania. An alien's pay shall not be less than that paid to a resident of the Republic of Lithuania for performing equal work.

Table 2.1

#### Work permits issued in 2002–2008

	2002	2003	2004	2005	2006	2007	2008
Work permits issued	477	609	877	1 565	2 982	5 686	7 819
Work permits revoked	71	133	183	247	310	1 179	2 530

62. An alien shall be exempt from the obligation to obtain a work permit if he holds a permit for temporary residence issued by the Migration under MI:

- If the alien has retained the right to Lithuanian citizenship
- The alien is a person of Lithuanian descent
- In the case of family reunification
- The alien has been put under guardianship or has been appointed guardian
- The alien has been granted subsidiary protection in the Republic of Lithuania
- The alien has been granted temporary protection in the Republic of Lithuania.

63. An alien is also relieved of the requirement to obtain a work permit if he holds a permit of permanent residence in the Republic of Lithuania. The permit for permanent residence in the Republic of Lithuania is issued to an alien upon his request provided that the alien held a permit for permanent residence in the Republic of Lithuania over the last five years, has a residence in the Republic of Lithuania, has a legal source of income in the Republic of Lithuania, and has passed the State language test and the test on the basics of the Constitution of the Republic of Lithuania.

64. Nationals of an EU Member State and their family members intending to work in the Republic of Lithuania under an employment contract are not required to obtain a work permit. The same provisions apply to the nationals of the member states of the European Free Trade Association and their family members exercising the right of free movement of persons.

65. The Law of the Republic of Lithuania on Support of the Unemployed (Law No I-864 of 13 December 1990) is no longer in force as of 1 August 2006. It has been replaced by the Law of the Republic of Lithuania on Support for Employment (Law No X-694 of 15 June 2006) setting out the legal framework for the system of support for employment of job seekers, applicable to Lithuanian nationals as well as aliens legally residing in the Republic of Lithuania.

66. The reporting period covers the adoption of LC. LC Article 2, “Principles of Legal Regulation of Labour Relations”, stipulates in paragraph 1(4) that labour relations connected with the exercise and protection of labour rights and obligations established by the legislation shall be governed by the principles of equality of subjects of labour law irrespective of their gender <...> or other circumstances unrelated to the employee’s professional qualities.

67. LC Article 96 “Guarantees upon Admitting to Work” states in paragraph 1(1) that it shall be prohibited to refuse employment on the grounds specified in Article 2(1)(4) of this Code, i.e. on grounds of gender and other circumstances unrelated to the professional qualities of employees.

68. Article 96(1)(2) stipulates that refusal to employ a person for the above-said reasons may be contested in court not later than within one month, while Article 96(1)(3) provides that in the event that the refusal to employ is established by the court to be unlawful, the employer shall be obligated by the court order to employ this person and to pay him compensation in the amount of the minimum wage for the period from the day of refusal to employ him to the day of the execution of the court order.

69. LC Article 129 (governing termination of an employment contract on the initiative of an employer without any fault on the part of an employee) states in paragraph 3(4) that gender may not be legal grounds for termination of labour relations.

70. LC Article 235, “Gross Breach of Work Duties”, establishes, in paragraph 2(5), disciplinary liability for violation of equal opportunities for women and men.

### **Social insurance**

71. All workers in the Republic of Lithuania, i.e. Lithuanian nationals and non-nationals alike are insured under state social insurance. In the Republic of Lithuania these rights are guaranteed equally to all workers covered by state social insurance in the Republic of Lithuania.

72. Article 2 of the law of the Republic of Lithuania on State Social Insurance (Law No I-1336 of 21 May 1991 as amended by Law No IX-2535 of 4 November 2004) defines insured persons as natural persons who, in accordance with the procedure prescribed by the law, pay state social insurance contributions by themselves or the contributions are paid on behalf of them by insurants. The pursued state social insurance policy prohibits discrimination of nationals of other states working in the Republic of Lithuania.

### **Support for families**

73. The Law of the Republic of Lithuania on Benefits to Children (Law No I-621 of 3 November 1994 as amended by Law No IX-2237 of 18 May 2004) is applicable to persons permanently residing in the Republic of Lithuania as well as aliens residing in the Republic of Lithuania who have been appointed, in accordance with the procedure prescribed by the laws, as guardians (curators) of a Lithuanian national, also to foreign children residing in the Republic of Lithuania who have been assigned, in accordance with the procedure prescribed by the laws, guardianship (curatorship) in the Republic of Lithuania as well as those whose guardianship (curatorship) has been taken over by a competent authority of the



Republic of Lithuania. According to the said law, permanent residents of the Republic of Lithuania are those nationals of the Republic of Lithuania whose data about a residence in the Republic of Lithuania or, in the absence of a residence, about the municipality in which they reside have been entered into the Population Register of the Republic of Lithuania, also foreign nationals permanently residing in the Republic of Lithuania as well as persons without a citizenship. The Law of the Republic of Lithuania on Child Benefits stipulates that the system of child benefits covers all residents of the Republic of Lithuania, i.e. the requirement of Lithuanian citizenship does not apply and benefits are assigned to children with regard to the status as a permanent resident. The Law does not say that benefits to children may be reduced because their recipient is a foreigner or a person without citizenship.

74. The Law of the Republic of Lithuania on Social Assistance to Pupils (Law X-686 of 13 June 2006, as amended by Law No X-1544 of 15 May 2008), which governs social assistance to pupils, does not establish any provisions discriminating foreigners compared to Lithuanian nationals, i.e. every pupil is entitled to assistance specified by the law.

75. The Law of the Republic of Lithuania on Cash Social Assistance for Poor Families and Single Residents (Law No IX-1675 of 1 July 2003, as amended by Law X-916 of 21 November 2006) states that this law is applicable to persons permanently residing in the Republic of Lithuania, i.e. Lithuanian nationals, foreign nationals permanently residing in Lithuania as well as persons without citizenship enjoy equal rights to cash social assistance under this law. Thus the requirement of Lithuanian citizenship does not apply and cash social assistance is provided with regard to the status as a permanent resident.

76. The Law of the Republic of Lithuania “On Assistance in the Case of Death” (Law No I-348 of 23 December 1993) stipulates that the death grant shall be paid upon death of a Lithuanian national whose permanent residence is in the Republic of Lithuania, upon death in Lithuania of a foreign national permanently residing in Lithuania or of a person without citizenship, also upon death in Lithuania of a person who was granted the refugee status in the Republic of Lithuania in accordance with the procedure prescribed by the laws. The grant is payable to a family member of the deceased or to another person burying him irrespective of his place of residence or nationality. The grant is also payable in the case of stillbirth of a child of a Lithuanian national, foreigner or refugee permanently residing in the Republic of Lithuania. In this case, the grant is paid to one of the parents of the stillborn child or to a person burying him irrespective of his place of residence or nationality.

#### **Social services**

77. In force as of 1 July 2006, the Law of the Republic of Lithuania on Social Services (Law No X-493 of 19 January 2006) states that social services shall be available not only to Lithuanian nationals but also to foreigners, including persons without citizenship, who hold the permit for permanent or temporary residence in the Republic of Lithuania, also other persons in the cases specified by the international agreements of the Republic of Lithuania.

#### **Policy for harmonious relations among national groups**

78. DNMLLA is implementing the Plan of Measures for 2007–2010 for the Implementation of the National Minorities Policy Development Strategy until 2015, approved by Resolution no 1132 of the Government of the Republic of Lithuania of 17 October 2007. The strategy aspires to create a harmonious environment that would ensure smooth integration of Lithuania’s national minorities into the Lithuanian society and would enable the use of their cultural potential for the benefit of the country in its new stage of development that began with EU and NATO membership. Essentially, three main objectives are pursued: to ensure integration of national minorities, i.e. to provide people belonging national minorities with proper conditions of living, working and education in

Lithuania; to preserve the national identity of minorities by supporting their education and efforts to preserve their language, customs, traditions and the material cultural heritage created by them; to ensure sustainability of national relations , i.e. to build confidence and mutual understanding between persons representing different national groups, to promote tolerance to people coming from a different national group in the society at large, and to improve the policy for fighting racism and national discrimination. LTL 7.9 million (EUR 2.3 million) have been allocated for the implementation of the strategy in 2007–2010.

79. To implement measures under the National Antidiscrimination programme for 2006–2008, approved by Resolution No 907 of the Government of the Republic of Lithuania of 19 September 2006, DNMLLA and its partners organized a roundtable discussion “The Price of Racial Discrimination: Effectiveness of the Equal Treatment Policy in Lithuania”, followed by a press conference which introduced a second report on the implementation of the Council of Europe Framework Convention for the Protection of National Minorities in the Republic of Lithuania, which was prepared by DNMLLA. In 2007, a publication in the English language “Human Rights. Minority Rights”, drafted by DNMLLA in cooperation with the Lithuanian Centre for Human Rights, was presented.

80. In 2007, DNMLLA, together with the Centre for Human Rights and Mykolas Romeris University, organized an international conference “Involvement of National Minorities in the Civil Society”. The goal of the conference was to stimulate participation of national minorities in the civil society, to analyze the advantages and the disadvantages of the legal system, and to learn from foreign experience in the sphere of human rights.

81. In June 2007, a seminar on “The Relevance of National Minority Rights and Antidiscrimination Measures” was organized for the civil servants of Alytus County and Municipality with the aim to introduce civil servants to the concept of discrimination and its genesis, to the existing legal framework, as well as to the antidiscrimination measures carried out in the country.

82. In December 2007, Klaipėda hosted the conference “National Tolerance: the Present and Future Challenges”. The event was attended by representatives of Klaipėda City Municipality, regional media, NGOs and police as well as by students. US experience in fighting national intolerance was shared by an international expert from Georgetown University, William L. Taylor.

83. With a view to promote tolerance and improve the image of Roma, DNMLLA organized seven one-day antidiscrimination seminars for police officers in 2008. The goal of the seminars was to familiarize the participants with the origins and genesis of racial discrimination, with the existing legal framework, the subculture of skinheads, and with the Roma national minority, their culture and customs. The seminars took place in Vilnius, Kaunas, Klaipėda and Šiauliai counties. (For more information on the rights of Roma, see subsection “Rights of Roma” in the section covering Article 2 of the Covenant).

84. In order to attract public attention to the lack of pluralism in the Lithuanian media, the following seminars for regional media representatives were organized in 2007: “Improvement of Media Pluralism, Civil Society and the Image of National Minorities in Lithuania” and “Media Pluralism and Ensuring Equal Opportunities in Lithuania”. The seminar was attended by representatives of regional media from different towns of Lithuania.

85. In 2007, DNMLLA organized a competition for the nomination “Pro National Tolerance”. The award is intended to promote respect and fight national and racial discrimination in the media. The competition is open to independent artists from Lithuania and other countries.

86. In 2006, DNMLLA initiated a series of radio programmes intended to develop tolerance in the society. The series was aired on the radio station Znad Wilii. In 2006 and 2007, four press articles on the Lithuanian policy for harmonious relations among national groups were prepared. Since early 2007, regular articles have been published on the issues of tolerance, discrimination and protection of human rights in the newspapers *Lietuvos žinios* and *Savivaldybių žinios* as well as in the magazine *Ekstra*.

87. In 2006, DNMLLA initiated the creation of the first short film (from the series “National Minorities in Lithuania”) about the history and culture of Lithuania’s Jews.

88. Pursuing one of the tasks of the Strategy for the Development of the National Minorities Policy until 2015 — to support integration of national minorities into the Lithuanian society — special attention was devoted to education of national minorities, especially to teaching the State language. In 2008, Visaginas State Language Centre provided State language teaching services to national minorities residing in Šalčininkai and Visaginas town. In 2008, the total of 400 persons belonging to national minorities studied Lithuanian in Visaginas and 85 in Šalčininkai. Additional 82 persons completed State language courses at the House of National Minorities.

89. Pursuing the Strategy for the Development of the National Minorities Policy until 2015, DNMLLA initiated in 2008 a survey “The situation of men and women belonging to national minorities on the labour market”. This survey aimed to evaluate the situation of people belonging to national minorities on the Lithuanian labour market. 622 representatives of national minorities were questioned in Vilnius city and district as well as in Klaipėda city and district.

90. The survey revealed that 69.8 per cent of the respondents had a paid job (mainly as employees). Women belonging to national minorities are better prepared for the labour market than men; however, women are more frequently economically inactive and unemployed. Education and professional skills of the population in rural areas are lower than those of urban residents. Around 13 per cent of all the respondents were unemployed at the time of the survey.

91. Discrimination on the grounds of ethnicity in the labour market or in the sphere of education or professional training was experienced by 20.3 per cent of the respondents: 22 per cent of women, 22.9 per cent of men, 19.4 per cent of young people, 23.1 per cent of Russians, 19.7 per cent of Poles and 29.5 of persons of other national groups. Instances of discrimination were the most frequent in the sphere of recruitment or professional career. Men are more likely to experience discrimination than women. Speaking of young respondents representing national minorities, none of them reported having lost a job due to insults regarding one’s ethnicity. Apart from that, youth are increasingly active in their efforts to integrate into the labour market compared to other age-groups.

### 3

92. Prior to 2005, eight bilateral agreements in the sphere of social security (with Estonia, the Czech Republic, Finland, Latvia, the Ukraine, Belarus, the Netherlands and Russia) and three bilateral agreements concerning only pensions (with Poland, Russia and the USA) had been signed and were in effect. Bilateral agreements are initiated with regard to the flows of migrants.

93. Many of Lithuania’s international agreements are based on the *pro rata* (proportionality) principle, i.e. for the purposes of establishing the right to a benefit, the period of state social insurance accumulated in both states is summed, and each state calculates the benefit separately in proportion to the period of social insurance accumulated in each state. The calculated part of the benefit is transferred to the state where the person concerned resides. Only the agreement with Russia on pensions is based on the integrated

(territorial) principle, i.e. the state social insurance period accumulated in both states is summed and the benefit is calculated and granted in the state where the person resides in accordance with the legislation of that state.

94. From the end of 2003, the drafting and coordination work as well as negotiations have continued regarding an agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the provision of pensions, based on the principle of distribution of the costs of pension payment according to the period of personal insurance (employment) accumulated in the territory of each State (the *pro rata* principle).

95. As of Lithuania's EU accession on 1 May 2004, Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community and Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community have been directly applicable. Council Regulation (EC) No 859/2003 of 14 May 2003 extended the provisions of the abovementioned regulations to nationals of third countries legally residing in EU states who had not been covered by those provisions solely on the ground of their nationality. Lithuania directly applies the provisions of the said regulations to third-country nationals if the persons concerned are legal residents and their situation is not limited to the legislation of one Member State. This ensures non-discrimination of third-country nationals. Pursuant to the provisions of the regulation, the payment of benefits granted in Lithuania is not terminated on grounds relocation to another state or on grounds of nationality, i.e. the principle of equal treatment applies.

96. By reason of the application of the said EU regulations, Lithuania's international social security agreement with Estonia, the Czech Republic, Latvia, the Kingdom of the Netherlands and Poland do not apply in practice when new benefits are granted (however, the mentioned international agreements still apply when the payment of benefits is continued to persons that were granted the benefits prior to Lithuania's EU accession).

97. The regulations coordinating the EU social security systems prevent granting several benefits of the same type for the same insurance period. However, the said regulations do not govern the issues of taking into account the work record accumulated in the former USSR territory (for instance, in Armenia). Therefore, it remains necessary to provide legal regulation of this international situation.

98. The period from 2005 to 2007 saw efforts to solve the problem faced by Lithuania, Latvia and Estonia concerning the taking into account of insurance periods accumulated during the USSR period, while applying the Regulations (EEC) 1408/71 and (EEC) 574/72.

99. The agreement between the Government of the Republic of Lithuania and the Government of the Republic of Estonia regarding the taking into account of the insurance period accumulated in the former USSR territory (in effect as of 1 October 2008) was signed on 24 August 2007. The agreement aims to avoid duplication of insurance periods accumulated in the former USSR territory, i.e. to avoid taking them into account in both Lithuania and Estonia. The agreement provides that the insurance period accumulated in the former USSR territory shall be taken into account only by the state (Lithuania or Estonia) in whose territory the longer insurance period was accumulated. If the insurance periods accumulated in Lithuania and Estonia are equal, this period shall be taken into account by the state whose legislation was applicable to the person concerned the latest. When recalculating the pension granted, granting the pension anew or granting a pension of a new type, also when a person moves from one state to another, the competent state taking into account the insurance period accumulated in any other state which was part of the USSR

does not change. A pension will be paid according to the insurance period accumulated in the territories of Lithuania and Estonia pursuant to the national legislation of the respective country.

100. An analogous agreement is in the final stages of coordination and will be signed with the Government of the Republic of Latvia.

101. Although no other bilateral agreements were signed during the reporting period, the Government continues efforts to ensure adequate bilateral cooperation in the field of social security.

102. In late 2004, efforts were made to renew the negotiations that had taken place in 1994–1998 concerning the draft social security agreement between the Republic of Lithuania and the Republic of Moldova but were terminated because the Moldovan side did not respond. On 18 April 2008, Third Secretary Victor Lapusneanu of the Moldovan Embassy in Lithuania issued a statement that Moldova was willing to enter into bilateral agreements with EU states on the basis of Regulation (EEC) 1408/71. It was suggested that Moldova would officially submit a draft agreement via diplomatic channels. Lithuania received the draft agreement on 19 September 2008 and was analyzing it at the time of drafting of this report.

103. In early 2008, the analysis of the existing international social security agreements signed by the Republic of Lithuania resulted in a finding that the priority was to initiate bilateral social security agreements with those states (not EU or EEA states or Switzerland) that accounted for the largest shares of past and present migration from Lithuania. In addition, the states of the former USSR territory remain certainly relevant in terms of bilateral agreements, since Lithuanian residents during the occupation period had real possibilities of working and living in the states covered by the former USSR territory.

104. Resolution No 1235 of the Government of the Republic of Lithuania of 24 November 2008 approved the standard draft agreement in the sphere of social security between the Republic of Lithuania and another State. The main objective of the standard draft agreement in the sphere of social security between the Republic of Lithuania and another State is to regulate pension granting and payment as well as the payment of social pension insurance contributions in respect of persons who move from one State to another for the purposes of residence and/or work. The said standard draft agreement provides that the agreement shall be applicable to persons who reside in the territory of one of the States and who have been subject to the laws of one or both States, also to their family members. The agreement covers the state social insurance old-age pensions, loss of working capacity (disability) pensions as well as widow and orphan (survivor's) pensions because pensions play one of the most significant roles among other social security benefits, as the right to a pension is related to the social insurance period, which is accumulated over several decades. A bilateral agreement is based on the *pro rata* (proportionality) principle, which means that for the purposes of establishing the right to a pension, the period of state social insurance accumulated in both states is summed, and each state calculates the pension separately in proportion to the period of social insurance accumulated in each state and the calculated part of the pension is transferred to the state where the recipient resides.

105. When authentic translations of the said standard draft agreement into English and Russian are ready, MSSL will submit it to the Ministry of Foreign Affairs recommending that the draft agreement should be transferred to other states, including states of the Council of Europe – Armenia, Azerbaijan, Georgia and Moldova.

## **B. Part of the report relating to specific rights**

### **Article 6 of the Covenant**

#### **1.**

106. The initial report did include information that Lithuania has ratified the ILO Employment Policy Convention of 1964 (No. 122) (Order No IX-1801 of 3 November 2003) and the ILO Discrimination (Employment and Occupation) Convention of 1958 (No. 111) (Order No I-507 of 23 June 1994). The last reports on these conventions were submitted in 2008.

107. During the 41<sup>st</sup> session of the Committee on the Elimination of Discrimination against Women held from 30 June 2008 to 18 July 2008, Lithuania successfully defended the Third and Fourth reports on the implementation of the UN the Convention on the Elimination of All Forms of Discrimination against Women in Lithuania. The said reports present data that are essentially in compliance with the requirements of the provisions of paragraphs 2 and 3 of Article 6, paragraphs 2 and 4 of Article 7 and paragraphs 1 and 6 of Article 10 of the Covenant regarding the enforcement of equal opportunities for men and women.

#### **2.**

### **Responses to the questions and recommendations given in paragraphs 11 and 33 of the concluding observations of the Committee on Economic, Social and Cultural Rights**

#### *Employment*

108. Article 48(1) of the Constitution of the Republic of Lithuania states that every person may freely choose an occupation or business, and shall have the right to adequate, safe and healthy working conditions, adequate compensation for work, and social security in the event of unemployment. This constitutional provision is further elaborated in other laws of the Republic of Lithuania.

109. The situation on the labour market of Lithuania in 2002–2009 was determined not only by economic development, but also by essential political changes. Having joined the EU in 2004, Lithuania took on the challenges of implementing the Lisbon objectives as well as the guidelines for the Member States' employment policy approved by the European Commission. National measures are intended to ensure the achievement of three major common objectives: full employment, work quality and productiveness, and reinforcement of social cohesion and inclusion. In the process of implementation of the employment policy, the European Commission's guidelines for Lithuania are observed as closely as possible.

110. Since 2002, trends of decreasing population and labour force have persisted as a result of lower birth rates and ageing society as well as rapid emigration to foreign countries. In early 2005, the population of Lithuania had decreased by 218 000 (or six per cent) compared to early 1995.

111. According the data of the Department of Statistics, 1 534 000 people aged 15 and above worked in 2007, an increase by 128 000 or 9 per cent against 2002.

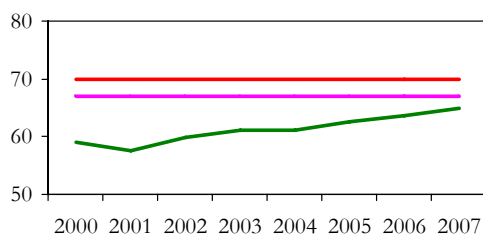
Table 6.1  
Key population employment indicators, thousand

	2002	2003	2004	2005	2006	2007	2008
<b>Population at the beginning of the year, total</b>	<b>3 475.6</b>	<b>3 462.5</b>	<b>3 445.9</b>	<b>3 425.3</b>	<b>3 403.3</b>	<b>3 384.9</b>	<b>3 366.4</b>
Population aged 15 and above at the beginning of the year	2 816.0	2 829.5	2 837.1	2 840.2	2 842.9	2 846.8	2 849.4
Population aged 15–64 at the beginning of the year	2 321.1	2 327.2	2 326.5	2 323.2	2 321.1	2 319.5	2 316.2
Labour force	1 630.3	1 641.9	1 620.6	1 606.8	1 588.3	1 603.1	
<b>Employed, total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>	
In public sector	422.7	403.9	400.1	408.2	394.5	401.9	
In private sector	983.2	1 034.1	1 036.2	1 065.7	1 104.5	1 132.3	
Unemployed	224.4	203.9	184.4	132.9	89.3	69.0	
Inactive persons	1845.3	1 820.7	1 825.2	1 818.6	1 815.0	1 781.7	

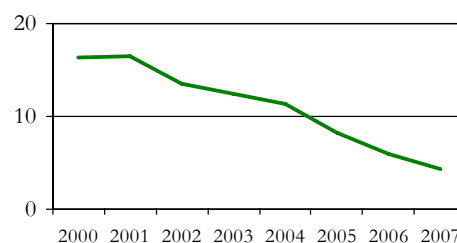
112. It may be concluded that from 2002 to the financial crisis in 2008 the situation on the labour market was improving (with the exception of a slight decline in 2004), especially from 2005. Rapid economic growth in the country and growing labour demand had a positive impact on the employment situation.

Chart 6.2

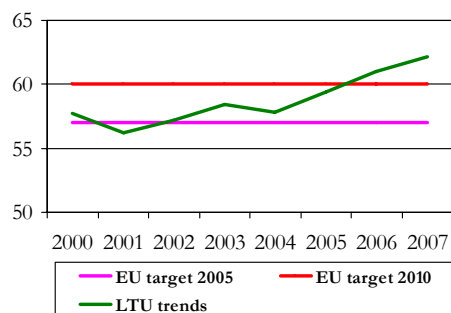
Total employment rate, per



Unemployed rate, per cent



Employment rate for women, per cent



Employment rate for the elderly, per cent

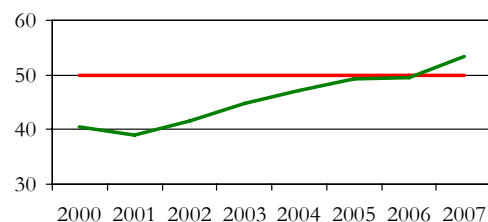


Table 6.3  
**Employment rate by age group, per cent**

	2002	2003	2004	2005	2006	2007
Employment rate of the population aged 15–64	60.6	62.8	61.4	62.6	63.6	64.9
Men	64.3	65.8	65.2	66.1	66.3	67.9
Women	57.2	60.0	57.8	59.4	61.0	62.2
Employment rate of the population aged 15–24	25.2	23.6	20.6	21.2	23.7	25.2
Men	28.9	27.7	25.2	24.8	26.4	29.6
Women	21.5	19.4	16.0	17.4	20.9	20.5
Employment rate of the population aged 25–54	77.2	80.5	79.8	81.0	81.7	82.5
Men	79.1	81.5	82.3	83.3	84.1	84.3
Women	75.4	79.5	77.5	78.8	79.5	80.8
Employment rate of the population aged 55–59	59.9	63.9	61.4	63.7	67.3	68.3
Men	70.6	73.2	65.9	66.7	67.2	72.0
Women	51.6	56.6	57.8	61.3	67.5	65.4
Employment rate of the population aged 55–64	43.0	47.0	46.1	49.2	49.6	53.4
Men	54.9	57.7	55.7	59.1	55.7	60.8
Women	34.0	39.0	38.8	41.7	45.1	47.9
Employment rate of the population aged 60–64	26.2	31.0	31.6	34.4	31.0	36.4
Men	38.7	42.0	45.5	50.9	42.9	47.2
Women	17.2	23.3	(21.5)	22.4	22.4	28.7
Employment rate of the population aged 65–69	11.4	11.0	(8.8)	8.6	10.4	12.4
Men	12.9	16.1	(11.8)	11.8	13.1	17.9
Women	10.5	7.6	(6.8)	(6.6)	8.7	8.8
Employment rate of the population aged 20–64	68.0	70.7	69.2	70.6	71.6	72.9
Men	72.4	74.6	73.9	74.9	75.2	76.5
Women	64.0	67.2	65.0	66.6	68.3	69.5

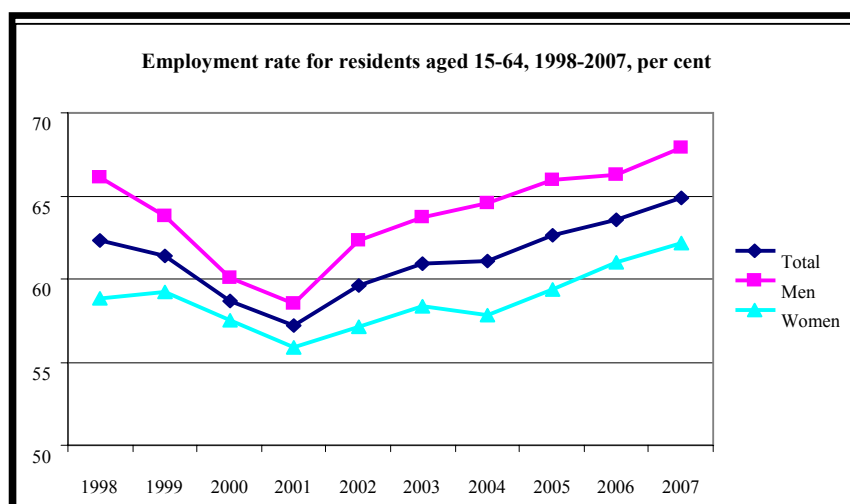
Source: Eurostat, Labour force survey, average annual figures.

113. In 2006, the employment rate of 61 per cent for women was achieved, exceeding by a percentage point the 60 per cent women's employment target, set in the Lisbon Strategy for the year 2010. In 2007, the employment rate for the elderly (aged 55–64) exceeded by 3.4 per cent the target for 2010 set in the Lisbon Strategy, a 50 per cent employment rate for the elderly (aged 55–64). At the same time, it is important to note that, due to the growth in labour productivity, the speed of growth in employment was rather low and therefore Lithuania's general employment target for 2010, 68.8 per cent, is less ambitious than the one set in the Lisbon Strategy for the entire EU for 2010 (70 per cent).



114. Analysis of the employment developments over the past ten years shows that the sharpest decline in the employment rate, down to 57.2 per cent, occurred in 2001 as a result of the crisis in Russia in 1998. With the revival of the Lithuanian economy, the employment rate kept rising until the US financial crisis that struck the whole world in 2008.

**Chart 6.4**



115. Over the last five years, the structure of population employment also changed: starting with 2004, the number of people employed in the agricultural sector has been consistently declining, in contrast to the service sector.

**Table 6.5**

**Changes in the number of employed residents, per cent**

	2002	2003	2004	2005	2006	2007
<b>Total change in the numbers</b>	<b>3.6</b>	<b>2.2</b>	<b>0.0</b>	<b>2.5</b>	<b>1.7</b>	<b>1.9</b>
Men	6.1	2.5	1.1	2.2	0.7	2.5
Women	1.2	1.9	-1.2	2.7	2.8	1.4
Agriculture	6.9	2.4	-11.4	-9.3	-9.8	-10.9
Industry	5.2	4.7	0.3	5.5	4.0	4.3
Services	1.9	0.8	3.8	4.1	3.5	3.5

*Source:* Eurostat, national reports (updated in May 2008).

116. Data on the employment and unemployment of the disabled are not available due to limited values of the sample of the Labour Force Survey.

117. Promotion of the activity of the population, especially youth, remains an important task of the employment policy. In comparison with other EU Member States, the activity rate of the Lithuanian population is not high and has ranked below EU27 average since 2005.

Table 6.6  
Activity rate by age group, per cent

	2002	2003	2004	2005	2006	2007
<b>Total (for population aged 15–64) activity rate</b>	<b>69.8</b>	<b>72.1</b>	<b>69.3</b>	<b>68.4</b>	<b>67.4</b>	<b>67.9</b>
Men	74.3	75.4	73.4	72.1	70.5	71.0
Women	65.7	69.1	65.5	64.9	64.6	65.0
population aged 15–24	31.7	32.2	26.2	25.1	26.3	27.4
Men	36.0	35.7	32.9	29.5	29.3	31.8
Women	27.5	28.8	19.3	20.5	23.1	22.8
Population aged 25–54	88.5	90.5	89.0	87.9	86.2	86.0
Men	90.6	92.0	90.8	90.1	88.7	87.9
Women	86.5	89.0	87.2	85.8	83.8	84.2
population aged 55–59	67.5	73.6	70.3	69.4	72.9	71.8
Men	82.0	81.1	74.8	73.0	74.0	76.0
Women	56.2	67.7	66.8	66.6	72.1	68.5
Population aged 55–64	47.7	54.6	52.5	52.8	52.9	55.6
Men	62.6	65.5	63.5	63.8	59.9	63.4
Women	36.4	46.6	44.2	44.5	47.6	49.7
Population aged 60–64	28.0	36.8	35.5	35.8	31.8	37.0
Men	42.6	49.7	52.2	54.0	44.4	48.2
Women	17.4	27.7	23.5	22.6	22.8	29.1
Population aged 65–69	11.4	12.3	-8.8	8.6	10.5	12.4
Men	12.9	16.9	-11.8	11.9	13.2	18.0
Women	10.5	9.2	-7.0	-6.6	8.8	8.8
Population aged 20–64	78.2	80.7	77.9	76.9	75.8	76.1
Men	83.4	84.9	82.8	81.6	79.8	79.9
Women	73.4	77.0	73.3	72.7	72.1	72.6

Source: Eurostat.

Data marked with “-” are not reliable due to small sample.

### Unemployment

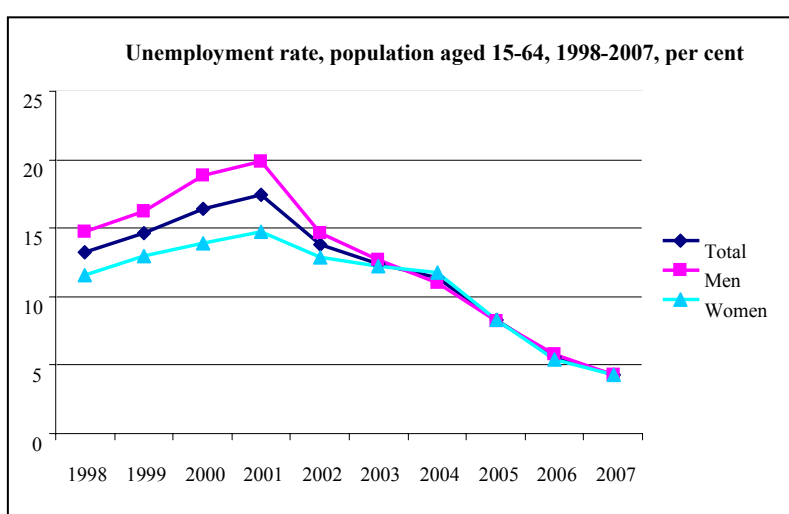
118. With the improving economic situation, unemployment kept regularly declining starting with 2002. Undoubtedly, this was to a certain extent an effect of emigration. In 2007, the unemployment rate in the country was three times lower compared to 2002.

Table 6.7  
Unemployment rate, per cent

	2002	2003	2004	2005	2006	2007
<b>Total unemployment rate of the population aged 15 and above</b>	<b>13.0</b>	<b>12.9</b>	<b>11.3</b>	<b>8.3</b>	<b>5.6</b>	<b>4.3</b>
Men	13.2	12.6	11.1	8.2	5.8	4.3
Women	12.8	13.2	11.6	8.3	5.4	4.3
Population aged 15–24	20.4	26.9	21.2	15.7	9.8	8.2
Men	19.6	22.2	(23.6)	15.9	10.0	(7.0)
Women	21.6	32.8	(17.1)	15.3	(9.6)	(10.0)
Population aged 25–54	12.8	11.1	10.3	7.8	5.2	4.0
Men	12.7	11.5	9.4	7.5	5.2	4.0
Women	12.8	10.7	11.2	8.2	5.1	4.0
Population aged 55–59	11.2	13.2	(12.8)	8.3	7.6	(4.8)
Men	13.9	9.8	(12.0)	(8.6)	(9.2)	0.0
Women	-	16.4	(13.5)	(8.0)	(6.4)	-
Population aged 55–64	9.8	14.0	(12.2)	6.8	6.2	(3.8)
Men	12.3	11.9	(12.3)	(7.4)	(7.1)	-
Women	-	16.3	(12.1)	(6.1)	(5.3)	-
Population aged 60–64	-	15.6	(11.1)	-	-	-
Men	-	15.4	-	-	-	-
Women	-	-	-	-	-	-
Population aged 20–64	13.0	12.4	11.1	8.2	5.6	4.3
Men	13.2	12.1	10.8	8.1	5.8	4.2
Women	12.8	12.7	11.4	8.3	5.4	4.3

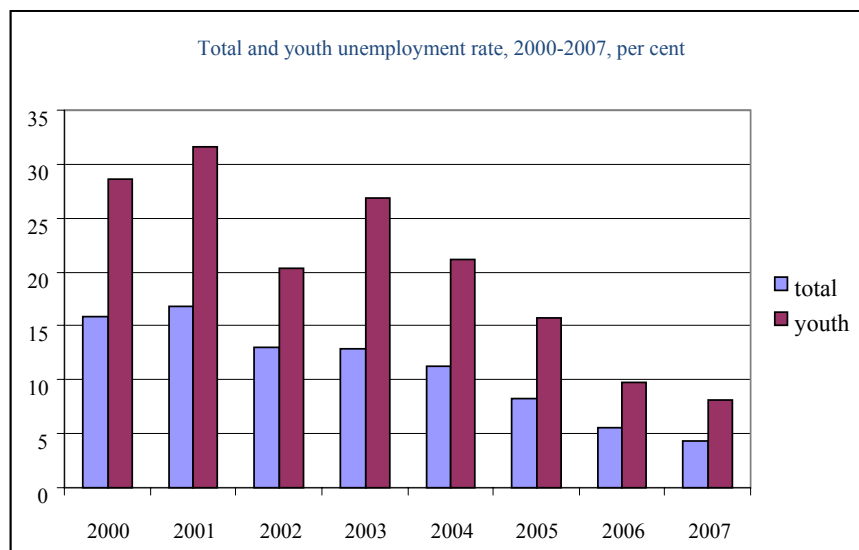
Source: Eurostat, Labour Force Survey.

Chart 6.8



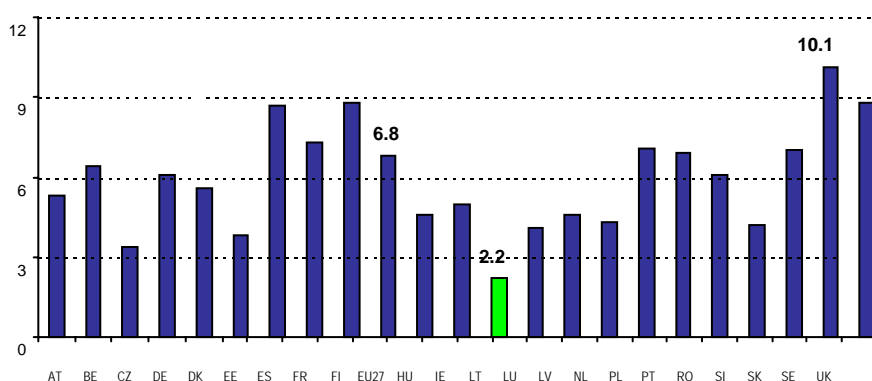
119. Young people remain one of the most vulnerable groups in terms of unemployment. Over the last seven years youth (persons under 25) unemployment fluctuated from 31.6 per cent in 2001 to 8.2 per cent in 2007. Although, like in other EU Member States, it remained twice as high as the total national unemployment level, it was constantly decreasing starting with 2003 and totalled 8.2 per cent in 2007.

Chart 6.9

**Total and youth unemployment rate, 2000–2007, per cent**

120. On the other hand, analysis of the indicator “Ratio of the unemployed to population of this age” demonstrates that only a small portion, less than 3 percent, of young people see themselves as unemployed, i.e. as persons who currently do not have a job, are intensely looking for a job and, if successful, are ready to begin working within two weeks.

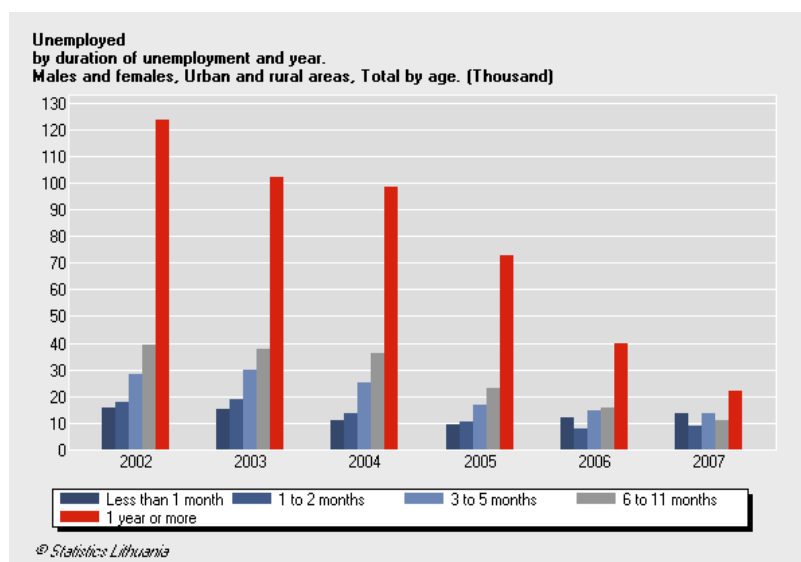
Chart 6.10

**Ratio of young unemployed persons (aged 15–24) to population of this age, per cent 2007**

121. As shown by research, the following are the most frequent factors behind youth unemployment: lack of motivation to study and work, poor education, lack of professional qualifications, social risk environment (problem family, orphanage, neighbourhood of drug and alcohol addicts, residence in an economically depressive region etc), disability, or combination of any of the said factors.

122. The declining number of jobless people had a positive impact on the reduction of the number of the long-term unemployed. In 2007, the country had 22 200 long-term unemployed persons, i.e. people searching for a job for over a year. They accounted for 32 per cent of all the unemployed. In 2002, the respective figure was 123 300, amounting to more than a half (55 per cent) of all unemployed people.

**Chart 6.11**



Source: Statistics Lithuania (Labour Force Survey).

123. The long-term unemployment rate in 2007 amounted to 1.4 per cent, down from 4.5 per cent two years before. In 2001, the long-term unemployment rate amounted to 10.2 per cent.

### Registered unemployment

124. The economic and social developments that took place in Lithuania during the 1993–2007 period, resulting in changes on the labour market, also predetermined the general trends of registered unemployment. The highest number of unemployed people registered with the local labour exchange offices was reached in 2001. This leap was preconditioned by the impact of the Russian crisis in 1998 on the Lithuanian economy. From then on, the unemployment rate was constantly declining up until 2008 due to the improvement of the economic situation as well as implementation of the employment policy measures.

Table 6.12

### The registered unemployed, 1995–2007

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
The unemployed, thou	109.0	124.5	104.5	113.7	148.7	204.9	223.5	198.4	167.0	142.5	100.8	73.2	67.3
Employment of the unemployed, thou	49.6	59.1	70.9	83.6	84.9	98.7	131.2	129.7	130.6	125.5	109.7	99.7	107.2
Unemployment rate, per cent*	6.1	7.1	5.9	6.4	8.4	11.5	12.5	11.3	10.3	-	-	-	-
Ratio of the registered unemployed to working-	-	-	5.1	5.6	7.4	10.2	11.1	9.7	8.1	6.8	4.8	3.4	3.2

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1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007

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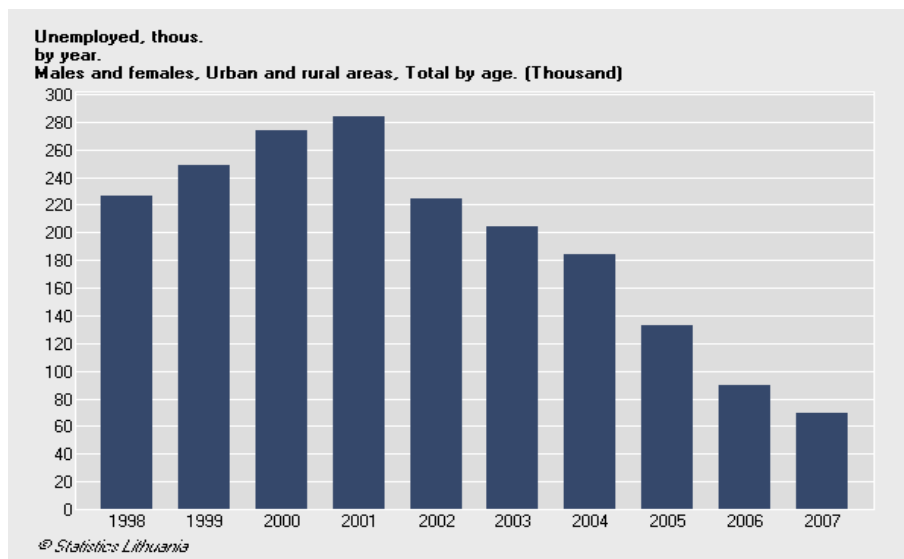
age population, per cent

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Source: Lithuanian Labour Exchange.

\* Starting from 2004 the calculation method has been changed and the registered unemployment rate has not been calculated any more; instead of it the “ratio of the registered unemployed to working-age population” is calculated (see the next row of the table).

**Chart 6.13**



Source: Statistics Lithuania (Labour Force Survey).

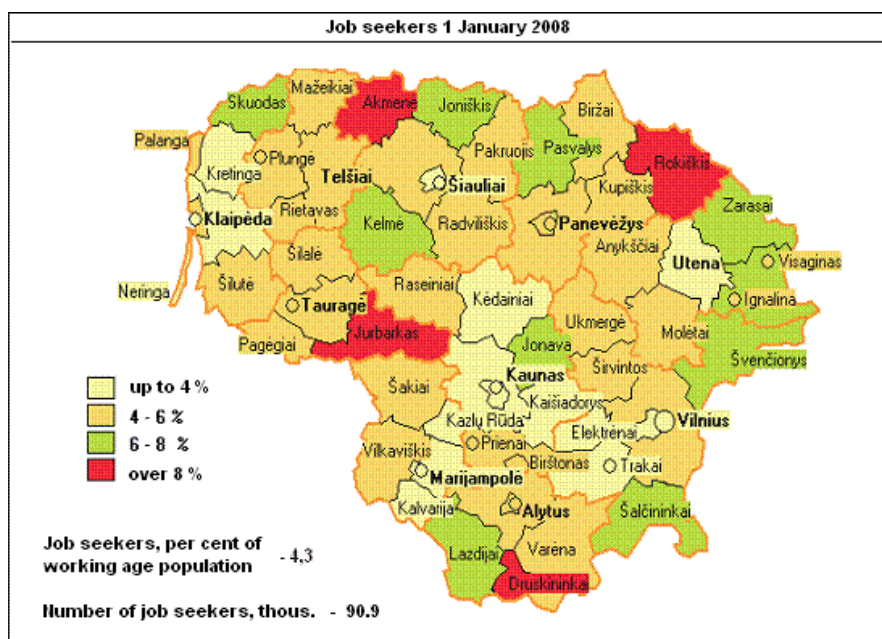
125. From 2002 to 2007, the average annual ratio of the registered unemployed to the working-age population dropped from 6.8 percent to 3.2 per cent.

126. The structure of job-seekers changed as well. The share of women in the structure of the unemployed has especially significantly expanded since 2003. In 2007, women accounted for 60 per cent of the unemployed. As the comparative weight of the elderly grew, the share of young unemployed persons decreased. While in early 1994, young unemployed people (under 25) accounted for 23 per cent of all the unemployed, in early 2006 this indicator was down to 7 per cent. The share of persons aged 50 or more in the total structure of the unemployed grew from 12 per cent to 37 per cent over the respective period.

127. On 1 January 1992, the highest percentage of the unemployed in the total working-age population was recorded in Druskininkai (1.5 per cent), Radviliškis (0.9 per cent), Zarasai (0.8 per cent), while the lowest was registered in Kaišiadorys, Prienai, Šakiai, Šilutė and Šalčininkai (0.1 per cent). On 1 January 2006, the highest unemployment rate was recorded in Akmenė (11.5 per cent) and Druskininkai (10.0 per cent), and the lowest was recorded among the working-age population of Elektrėnai (1.3 per cent), Trakai (1.4 per cent) and Kretinga (1.9 per cent).

128. Territorial gaps in unemployment were expanding from 1991 to 2001. The difference between territories with the highest and the lowest unemployment rates was 1.4 percentage points at the end of 1991 compared to 22.6 percentage points in 2001. With the launch of the implementation of the additional employment measures, unemployment in these areas began decreasing as of the year 2002. In the territories suffering from the highest unemployment, the decrease in the unemployment rate was faster from 2002 compared to the national average.

Chart 6.14



129. Major regional employment differences persisted until the recent years on the county level as well. These differences were predetermined by inconsistencies in the development level of the regions. Highest disparities in local development are between urbanised centres (first of all Vilnius and Klaipėda and other major towns) and rural areas (the periphery). The differences were preconditioned by the following main reasons: a more advanced infrastructure of urban centres, primarily the transport system, and thus a markedly stronger service sector. Additionally, the structure of the secondary sector of the economy (industry) is also different: in major towns, relatively modern branches of industry dominate in terms of production, labour force, etc., whereas in the periphery industrial capacity has largely been “inherited” from the former period and is outdated. Disparities in labour skills are also significant.

130. Regional centres lacking economic potential do not provide adequate conditions for employment and higher incomes in a way that would change the situation of the surrounding residential areas (scattered within a 50–70 km radius around the centres). The growth of regional centres’ economies remains weak: over the 1997–2005 period the Gross Domestic Product (hereinafter referred to as “GDP”) of the backward counties dropped from 20.6 per cent to 18.1 per cent. This was a result of the shortage of investments in human resources, innovation, technological progress as well as business support infrastructure in the previous years, weak cooperation ties among small, big and medium-sized businesses as well as among the businesses and scientific and other institutions, along with other factors.<sup>2</sup>

<sup>2</sup> Lietuvos ekonomikos apžvalga. 2007/1 G. Česonis, D. Jankūnaitė Nacionalinė regioninė politika.

Table 6.15  
**Unemployment rate, 1998-2007, per cent**

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Republic of Lithuania	13.2	14.6	16.4	17.4	13.8	12.4	11.4	8.3	5.6	4.3
Alytus County	16.9	19.2	18.4	22.6	16.2	13.6	16.0	8.2	5.1	3.3
Kaunas County	11.6	13.7	16.3	17.8	14.0	12.1	10.3	8.9	5.9	4.2
Klaipėda County	10.6	14.4	14.2	17.0	12.3	12.5	12.7	7.0	6.8	4.1
Marijampolė County	10.9	12.7	14.7	18.5	10.5	7.5	6.9	3.0	2.6	2.0
Panevėžys County	13.4	14.0	15.8	14.6	13.3	11.4	12.6	10.8	8.0	6.5
Šiauliai County	15.5	17.1	19.7	19.5	14.8	16.9	12.6	10.1	5.7	4.4
Tauragė County	9.4	13.5	13.6	16.4	8.6	9.5	8.9	6.0	4.2	3.4
Telšiai County	11.7	11.6	13.2	18.6	15.4	12.5	10.3	7.9	5.6	4.3
Utena County	13.2	12.3	15.4	16.6	14.3	15.3	12.3	6.0	5.9	4.4
Vilnius County	15.2	15.3	17.3	16.0	14.5	11.7	11.1	8.6	5.0	4.5

*Source:* Department of Statistics; Labour Force Survey.

131. With the aim to mitigate the negative effects of structural changes, social and economic development programmes for the regions and local areas as well as target employment promotion measures to eliminate the consequences of employee dismissals were carried out. In order to reduce territorial unemployment gaps (among wards, municipalities and counties), measures envisaged in the resolutions of the Government adopted in 2003 regarding joint measures to address the problems faced by Mažeikiai, Lazdijai, Akmenė and Pasvalys districts and Druskininkai municipality were implemented. They were intended to develop the local infrastructure, attract more investments and improve professional mobility of the labour force.

132. Since 2001, Local Employment Initiative projects have been carried out in the areas plagued by the highest unemployment rates. The area covered by implemented LEI projects and the number of projects was constantly increasing: from 9 areas and 16 projects in 2001 to 22 territories and 75 projects in 2007.

133. Thanks to the implemented measures, in 2002–2004 the decline in the registered unemployment rate (percentage of the unemployed from the working-age population) in the areas with the highest unemployment was faster compared to the national average: unemployment dropped 10.2 percentage points in Pasvalys, 9.6 percentage points in Druskininkai, 9.4 percentage points in Akmenė, 8.3 percentage points in Lazdijai and 6.4 percentage points in Mažeikiai, compared to the national average of 4.9 percentage points.

134. With the declining unemployment in the areas suffering from the highest unemployment rate, territorial gaps in unemployment also decreased. In 2003–2004 alone, the gap between the highest and the lowest comparative unemployment indicator for the counties went down from 6.5 to 5.3 percentage points and for the municipalities – from 19.5 to 14.1 percentage points. At the beginning of 2004, Lithuania had only one territory with the ratio of the registered unemployed to the working-age population exceeding 15 per cent (Akmenė District Municipality). The lowest registered unemployment, below 3 per cent, was recorded in the municipalities of Trakai District and Elektrėnai.

135. Consistent preparations were made in order to avoid large-scale job losses and the resulting negative social effects in relation to the decommissioning of the Ignalina Nuclear



Power Plant. On 29 April 2003, Law No IX-1541 of the Republic of Lithuania on Additional Employment and Social Guarantees for the Employees of the State Enterprise Ignalina Nuclear Power Plant was passed. Pursuant to the provisions of the law, special structures directly participating in addressing the issues of job creation and employment were established in the region of Ignalina Nuclear Power Plant. Assistance from foreign partners helped establish a regional development agency of the region as well as the business incubator, Visaginas Business Competence Centre, for the purpose of training future entrepreneurs. In 2004, the Strategy for the Development of the Region of the Ignalina Nuclear Power Plant was revised. As part of the preparation for redundancies at the Ignalina Nuclear Power Plant, a cooperation project was launched in 2003 by the Swedish National Labour Exchange and the Lithuanian Labour Exchange, "Active Labour Market Policy in the Region of the Ignalina Nuclear Power Plant"; with the assistance of experts, the competencies of the employees of the labour exchange offices in the region of Ignalina Nuclear Power Plant are being developed.

136. Government Resolution No 816 of 25 August 2006 approved a new version of the Programme for the Development of the Regions of the Republic of Lithuania along with its implementing measures for 2006–2008. Implementation of the programme included feasibility studies on the integrated development opportunities for the regional centres specified in the Lithuanian Regional Development Strategy until 2013. The studies envisage integrated development opportunities for Alytus, Marijampolė, Mažeikiai, Tauragė, Telšiai, Utena and Visaginas with the help of EU Structural Funds' assistance to integrated urban development.

Table 6.16

**Regional disparities in 2005–2007, per cent**

	<i>Employment rate population aged 15–64</i>		<i>Unemployment rate</i>		<i>Difference from national average</i>			
					<i>Employment rate</i>		<i>Unemployment rate</i>	
	2005	2007	2005	2007	2005	2007	2005	2007
<b>Total</b>	<b>62.6</b>	<b>64.9</b>	<b>8.3</b>	<b>4.3</b>				
Alytus	58.7	61.1	8.2	3.3	-3.9	-3.8	-0.1	-1.0
Kaunas	61.4	66.2	8.9	4.2	-1.2	1.3	0.6	-0.1
Klaipėda	63.2	64.4	7.0	4.1	0.6	-0.5	-1.3	-0.2
Mari-jampolė	63.6	67.1	3.0	2.0	1.0	2.2	-5.3	-2.3
Panevė-žys	59.6	60.6	10.8	6.5	-3.0	-4.3	2.5	2.2
Šiauliai	60.5	61.5	10.1	4.4	-2.1	-3.4	1.8	0.1
Tauragė	64.4	62.2	6.0	3.4	1.8	-2.7	-2.3	-0.9
Telšiai	62.5	65.3	7.9	4.3	-0.1	0.4	-0.4	0.0
Utena	63.5	65.0	6.0	4.4	0.9	0.1	-2.3	0.1
Vilnius	65.2	67.4	8.6	4.5	2.6	2.5	0.3	0.2

Source: Department of Statistics; Labour Force Survey.

137. The year 2008 saw a new important step in reducing the territorial disparities in unemployment and employment. In July 2008, the Government of the Republic of Lithuania approved the Programme for the Promotion of Labour force Migration Inside the Country for 2008–2010. The programme sets an objective to promote territorial mobility of the country's population in order to increase the employment of residents, to bring closer labour demand and supply, and to assist employers in acquiring suitable staff. The programme sets out the following tasks: to create the conditions and implement measures necessary for the promotion of residents' territorial mobility and to modernize the public transportation system. The programme's measures envisage drafting of new legislation that would provide for partial reimbursement of the travel and living expenses when unemployed persons find jobs in areas remote from their residencies. Development of programmes stimulating territorial mobility is also envisaged. In order to better adapt transportation for travelling to work, public passenger transportation vehicles will be upgraded and the railway transport will be modernized.

### Partial employment

Table 6.17

#### Full-time or part-time employees by status of employment, 2002–2007, thousand

	2002	2003	2004	2005	2006	2007
<b>Full-time and part-time</b>						
<b>Total by employment status</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Employers and the self-employed	233.3	242.8	216.7	206.3	199.8	183.2
Employees	1 124.0	1 144.8	1 169.6	1 224.1	1 263.7	1 324.4
Assisting family members	48.6	50.4	49.9	43.5	35.5	26.7
<b>Full-time</b>						
<b>Total by employment status</b>	<b>1 253.5</b>	<b>1 300.7</b>	<b>1 315.3</b>	<b>1 369.5</b>	<b>1 350.2</b>	<b>1 402.7</b>
Employers and the self-employed	182.7	197.2	171.3	171.5	149.3	141.9
Employees	1 032.2	1 064.3	1 104.2	1 162.4	1 180.2	1 245.4
Assisting family members	38.7	39.2	39.9	35.5	20.7	15.4
<b>Part-time</b>						
<b>Total by employment status</b>	<b>152.4</b>	<b>137.3</b>	<b>120.9</b>	<b>104.4</b>	<b>148.8</b>	<b>131.4</b>
Employers and the self-employed	50.6	45.6	45.5	34.8	50.5	41.2
Employees	91.8	80.4	65.4	61.6	83.5	78.9
Assisting family members	9.9	11.2	10.0	8.0	14.8	11.3

### Civil servants

138. According to the data of the register of civil servants published on the website of the Civil Service Department under MI.

139. In 2008, the total number of civil servants in the country amounted to 7 840 men and 22 304 women, including: 318 male executives and 162 female executives; 249 male and 399 female civil servants of political (personal) confidence; 7 273 male career civil servants and 21 743 female career civil servants.

140. *In 2007*, the total number of civil servants in the country amounted to 7,276 men and 19 500 women, including: 326 male executives and 153 female executives; 334 male and 504 female civil servants of political (personal) confidence; 6,616 male career civil servants and 18,843 female career civil servants.

141. *In 2003*, the total number of civil servants in the country amounted to 6,429 men and 13 141 women, including: 316 male executives and 169 female executives; 207 male and 239 female civil servants of political (personal) confidence; 5,906 male career civil servants and 12,733 female career civil servants.

**Responses to the questions and recommendations given in paragraphs 12 and 34 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**Integration of the disabled into the labour market**

142. In force since 1 July 2005, amendments of the Law of the Republic of Lithuania on Social Integration of the Disabled (as amended by Law No IX-2228 of 11 May 2004) establish the system of vocational rehabilitation and launch the provision of vocational rehabilitation services. Vocational rehabilitation is one of the most effective ways to assist the disabled in finding a job, earning a living and enjoying full-value life. 12 persons took part in the vocational rehabilitation programme in 2005.

143. In 2006, 252 persons registered with local labour exchange offices were found to be in need of vocational rehabilitation. Out of 69 persons who completed the vocational rehabilitation programme, a third found jobs.

144. In 2007, 335 persons completed the vocational rehabilitation programme and 157 of them found jobs (46.8 per cent).

145. In the first half of 2008, the vocational rehabilitation programme was completed by 41 persons, 18 (43 per cent) of whom found jobs (13 under a permanent employment contract). Active labour market policy measures had 24 participants, of whom: 18 persons were hired under a subsidy and 7 persons created jobs for themselves through participation in a self-employment promotion measure.

146. The Law of the Republic of Lithuania on Equal Treatment obliges the employer to enforce equal treatment at work and in the civil service: When implementing equal treatment, the employer, regardless of the person's sex, race, nationality, language, origin, social status, beliefs, convictions or views, age, sexual orientation, disability, national affiliation or religion, must take appropriate measures to provide conditions for the disabled to find work, to work, to have a career or to study, including adaptation of adequate premises, provided that the duties of the employer are not disproportionately burdened as a result.

**2. (b)**

147. Prior to 2005, one of the main instruments for the fulfilment of the objectives of the employment policy of the Government of the Republic of Lithuania, which are in compliance with the provisions of the European Employment Strategy, was the Programme for Increasing Employment of the Republic of Lithuania for 2001–2004 (Resolution No 529 of the Government of the Republic of Lithuania of 8 May 2001, Resolution No 1819 of the Government of the Republic of Lithuania of 19 November 2002), approved on 8 May 2001 and revised in 2002 (by providing for the necessary additional measures to ensure implementation of the guidelines and assumed obligations and supervision thereof in accordance with the Joint Assessment Paper on Lithuania's Employment Policy Priorities signed by the Government of the Republic of Lithuania and the European Commission on

12 February 2002). For the purposes of monitoring the Programme for Increased Employment, the Government considered, on an annual basis, reports about the performance of other public authorities in implementing the measures under the Employment Programme and their effect on the labour market, and adopted the necessary decisions. With regard to the guidelines presented in the *Joint Assessment Paper on Lithuania's Employment Policy Priorities*, the Programme for Increasing Employment of the Republic of Lithuania for 2001–2004 was revised and supplemented with specific measures: for instance, implementation of the State Distance Education Development Programme; development of a Strategy to ensure Life-long Learning and the plan of its implementing measures; implementation of the Programme for Social Adaptation of Convicts; conducting of periodic surveys, reviews, reports and forecasts on the status of employment and unemployment with regard to regional peculiarities, etc. When implementing the further Programme for Increasing Employment for 2001–2004, these measures were monitored and assessed in the general context of the programme, rather than individually.

148. Consistent implementation of the Programme for Increasing Employment of the Republic of Lithuania for 2001–2004 and active policy for employment and human resources development led to an essential breakthrough on the labour market was achieved:

(a) The number of bankrupt companies and companies in bankruptcy has stabilized. In 2004, the number of initiated bankruptcy procedures was 13.5 per cent smaller compared to 2002. In 2004, the total number of reports on group redundancies declined 34 per cent compared to 2001; and the total number of employees notified about planned redundancies was more two times lower.

(b) Under stable economic development, the employed population expanded by 85,000 or 6 per cent in the period from 2001 to 2004; the employment rate increased from 58.7 per cent to 61.1 per cent; the employment rate for women already in 2002 was above the EU target for 2005 (57 per cent); the constantly growing employment level for the elderly reached 46.9 per cent in 2004, nearly reaching the Lithuanian target for 2010.

(c) The growth of unemployment was stopped. According to the Department of Statistics, the total unemployment rate in 2004 was 35 per cent lower against 2001; long-term unemployment was down 40 per cent, from 10.2 per cent in 2001 to 6.1 per cent in 2004. Somewhat slower was the decrease in the unemployment of youth – from 30 per cent in 2001 to 22.5 per cent.

(d) With the rising expenses on active labour market policy measures (from 0.18 per cent of the GDP in 2000 to 0.26 per cent in 2003), along with the expansion of their scope and diversity, the average annual figure of the unemployed registered with local labour exchange offices went down from 223,500 in 2001 to 142,500 in 2004. The average annual percentage of the unemployed in the working-age population shrank from 11.1 per cent to 2001 to 6.8 per cent in 2004.

149. On 4 May 2005, discussion at a sitting of the Government on the final report on the Programme for Increasing Employment of the Republic of Lithuania led to a recognition that the strategic objectives of the programme, i.e. to eliminate the negative consequences of the structural economic reform and the external effects on population employment and the labour market; to increase population employment, reduce unemployment and achieve labour market balance; and to prepare for contribution to the coordination of the EU employment strategy, were accomplished.

150. In 2004, as a full EU Member State observing the provisions of the Treaty establishing the European Community, Lithuania submitted to the Council and to the European Commission an annual report on the key measures taken to implement the national employment policy in line with the Employment Guidelines. According to the

established procedure, the report was prepared in the form of National Employment Action Plan.

151. Pursuant to the standard structure proposed by the EC, the Employment Action Plan 2004 of the Republic of Lithuania presented a review of the essential economic and employment developments in the 2000–2004 period, Lithuania's objectives in terms of implementation of the EU Employment Strategy as well as the response to the employment guidelines and recommendations. The main priorities of the Lithuanian policies in the spheres such as economy, employment and social security, the directions, and the measures under implementation were identified. National measures were intended to secure the accomplishment of the three main objectives: total employment, work quality and efficiency, as well as social cohesion and inclusion. In pursuance of the employment policy, efforts have been maximized to take into account the European Commission's recommendations for Lithuania:

(a) To improve the capacities of workers and companies to adapt to the changing market conditions

(b) To attract more people to the labour market and to create the conditions necessary for free choice of work

(c) To make more substantial and effective investments in human resources and life-long learning

152. The Employment Action Plan drafted in 2004 included the following commitments of Lithuania towards the common employment objectives of the EU.

Table 6.18

**Pursuance of the Lisbon objectives**

<i>Employment rate (per cent)</i>	<i>2010</i>	
	<i>EU-25</i>	<i>Lithuania</i>
<b>Total</b>	<b>70.0</b>	<b>68.8</b>
Women	60.0	61.0
Population aged 55–64	50.0	50.0

153. Representatives of ministries and other Government institutions and bodies took part in the preparation of the Employment Action Plan, while their work was coordinated by MSSL.

154. It is noteworthy that, starting with 2004, the EU financial assistance was used to finance the employment policy measures. The priorities laid down the Single Programming Document of Lithuania 2004–2006, officially approved by Decision C(2004) 2120 of the European Commission of 18 June 2004 and by Resolution No 935 of the Government of the Republic of Lithuania of 2 August 2004, included measures aimed at implementing the following recommendations:

1. To improve the capacities of workers and companies to adapt to the changing market conditions:
  - By implementing development programmes for training, re-training and maintenance of skills intended for workers in industry, business and the Public sector

- By implementing development programmes for training, re-training and skills development intended for workers in industry, business and the Public sector
- By conducting on-the-job practice and traineeship measures at business companies
- By introducing flexible work and work organization methods
- By increasing IT literacy of the population

2. To attract more people to the labour market and to create the conditions necessary for free choice of work:

- By organizing vocational guidance, provision of information, vocational consulting, vocational training, requalification, and qualification advancement
- By adapting training and study programmes to special needs
- By adapting distance education to the requirements of special needs
- Through the development of a system of vocational rehabilitation for the disabled
- By developing the activities of social employment enterprises
- By increasing the qualification and improving the training of specialists working with social risk groups, especially the disabled
- By developing and implementing active labour market policy measures intended for the disabled and other social risk groups
- By implementing social adaptation and vocational rehabilitation programmes intended for convicts as well as persons returning from imprisonment, also persons suffering from psychotropic substances, national minorities, refugees and other persons
- By providing assistance to business start-ups
- By organizing activities promoting equal treatment

Lithuania took part in the European Communities' initiative EQUAL, which aims at finding new measures to fight social exclusion and discrimination on the labour market and to promote their implementation. On 29 June 2004, the European Commission adopted a decision approving the Single Programming Document 2004-2006 for the European Community initiative EQUAL in Lithuania.

3. To make more substantial and effective investments in human resources and life-long learning:

- By creating a national system of qualifications
- By creating a system for the assessment of knowledge and competence
- By creating a system for quality assurance
- By developing the second chance
- By implementing innovative training methods and forms
- By preparing and publishing training materials
- By improving the teacher training system

- By creating the vocational guidance and consulting system

155. After the revision of the Lisbon Strategy in 2005, in pursuance of the approved Integrated Guidelines 2005-2008 (they consisted of Broad Economic Policy Guidelines 1–16 and *employment guidelines 17–24*) and with regard to the specific recommendations offered by the EC, Lithuania, like other EU Member States, prepared a national reform programme for the next three years, i.e. the National Lisbon Strategy Implementation Programme<sup>3</sup> approved by Resolution No 1270 of the Government of the Republic of Lithuania of 22 November 2005. The programme sets out the following national priorities, which were implemented in 2005–2008 with a view to economic growth and increased employment: in the sphere of macroeconomics – to preserve rapid economic growth and macroeconomic stability and to pursue full membership in the Economic and Monetary Union; in the sphere of microeconomics – to stimulate the competitiveness of Lithuanian companies; in the sphere of employment – to promote employment and investment in the human capital.

156. The National Lisbon Strategy Implementation Programme envisages the following main objectives of the employment policy:

Objective 1 – to attract to and maintain in the labour market a maximum number of people, through ensuring high quality and safe employment and modernising labour market and social security systems;

Objective 2 – to improve adaptability capacities of employees and enterprises;

Objective 3 – to reduce structural unemployment through larger investments in human resources.

157. To achieve Objective 1 (related to the implementation of the provisions of employment guidelines 17–20), the following tasks were set: to develop services provided to community members by creating conditions to come back to the labour market and take active part in it; to retain experienced employees in the labour market as long as possible by applying a flexible retirement system; to improve health status and ensure work efficiency of population as high as possible; to promote employment of job-seekers, including young people, and enhance attractiveness of work; to promote integration of social risk persons into the labour market by broadening infrastructure of services and increasing access to them; to modernize labour market institutions and optimize services provided by them; to enhance social partnership to ensure employment security.

158. The following tasks were formulated for the implementation of Objective 2 (*related to the implementation of guidelines 21–22*): to reduce labour market segmentation and initiate restructuring of economy; to introduce innovative work organization methods and reduce undeclared work; to promote professional and territorial mobility of population and their adaptability; to improve labour taxation system.

159. To achieve Objective 3 (related to the implementation of the provisions of employment guidelines 23–24), the following tasks were set: to restructure lifelong learning system after compulsory education; to develop assistance to students and teachers; to make minimum standards of school material conditions higher; to update the contents of education, training and studies; to develop competence of teachers and lecturers; and to develop quality-oriented management culture.

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<sup>3</sup> This programme expired on 29 October 2008, as Resolution No 1047 of the Government of the Republic of Lithuania of 1 October 2008 approved the National Lisbon Strategy Implementation Programme 2008–2010.

160. With a start of new three-year cycle (2008–2010) for the implementation of the Lisbon Strategy, Lithuania, just as other EU Member States, prepared the National Lisbon Implementation Strategy 2008–2010, approved by Resolution No 1047 of the Government of the Republic of Lithuania of 1 October 2008. The programme was prepared pursuant to Council Recommendation 2008/390/EC of 14 May 2008 on the broad economic policy guidelines for the Member States and the Community (2008–2010), Council Decision 2008/618/EC of 15 July 2008 on guidelines for the employment policies of the Member States, Council Recommendation 2008/399/EC on the 2008 update of the broad guidelines for the economic policies of the Member States and the Community and on the implementation of Member States' employment policies, and the conclusions of the European Council of March 13–14, 2008.

161. The objective of the programme is to increase Lithuania's competitiveness in 2008–2010. The programme, *inter alia*, lays down the following tasks for the employment policy.

162. To attract and maintain in the labour market a maximum number of people by promoting an attitude to work as a life-long cycle and by increasing the attractiveness of work (*in compliance with guidelines 17–19*).

163. To modernize the labour market by increasing the flexibility of labour relations and employment guarantees and strengthening the role of social partners (*in compliance with guidelines 20–22*).

164. To ensure labour supply matching the labour demand by developing and increasing investments in human capital (*in compliance with guidelines 23 and 24*).

165. Recent years saw intense development of the legal framework of the employment policy. In force since 1 January 2005, the Law of the Republic of Lithuania on Unemployment Social Insurance (Law No IX-1904 of 16 December 2003) has essentially changed the system of assistance in the case of unemployment. The unemployment allowance has been replaced by the unemployment social insurance benefit the amount of which depends on the past wages of the unemployed person, while the duration of payment of the benefit depends on the work record. The payment of the unemployment benefit directly and strictly depends on the readiness of the unemployed person for work and for participation in active labour market policy measures.

166. To improve the employment opportunities for the disabled, a legal framework has been developed to prevent discrimination of persons with disability and to promote employment of the disabled. Adopted on 18 November 2003, the Law on Equal Treatment of the Republic of Lithuania ensures the exercise of the equal rights of human beings enshrined in the Constitution of the Republic of Lithuania and prohibits any direct or indirect discrimination by reason of age, sexual orientation, disability, race or other grounds. As already noted above, the amendments to the Law of the Republic of Lithuania on Social Integration of the Disabled, in force since 1 July 2005, define vocational and social rehabilitation, supplement social integration measures and provide for a mechanism of repayment of granted subsidies in case of failure to create a job or failure to maintain it. Adopted on 1 June 2004, the Law of the Republic of Lithuania on Social Enterprises (No IX-2251) provides a legal basis for the establishment and development of social enterprises as well as State assistance to social enterprises which, in the course of economic activities, hire persons belonging to the target groups of population identified in the law, including persons with a disability. The website of the Lithuanian Labour Exchange provides links to legislation governing the procedure of granting the status of a social enterprise and supplies information on enterprises or legal persons that have been granted the status of a social enterprise or a social enterprise of the disabled.

167. As already mentioned above, on 15 June 2006, the Seimas of the Republic of Lithuania adopted the Law of the Republic of Lithuania on Support for Employment, which



sets the objective of support for employment, namely to achieve full employment of the population, to reduce social exclusion and to reinforce social cohesion. This law has expanded the opportunities to hire persons whose integration into the labour market is difficult. The law specified and expanded the groups of persons additionally supported on the labour market. In order to encourage jobless people to qualify for a profession that enjoys demand on the labour market and to create advantageous conditions for employment, all the persons commencing their activities under the acquired speciality or profession and having completed vocational rehabilitation programmes are now treated as persons additionally supported on the labour market. Apart from that, in order to increase employment among the elderly, the law categorizes all persons aged 50 and above, irrespective of the gender, as persons additionally supported on the labour market. This group includes persons who actually rear a disabled child under 18 years of age as well as persons who did not have job for two or more years following registration with the local labour exchange. Moreover, the group of persons additionally supported on the labour market include persons suffering from addictions to narcotic, psychotropic or other psychoactive substances, also victims of human trafficking who have completed social and/or vocational rehabilitation programmes. These groups of persons additionally supported on the labour market were identified with regard to the situation on the labour market and the problems encountered by job-seekers when looking for employment. The Law on Support for Employment of the Republic of Lithuania differentiates employment support measures for groups of persons additionally supported on the labour market in order to eliminate obstacles on the way to employment.

168. With the aim to better motivate the unemployed as well as employees notified about redundancies to seek employment, the law establishes more favourable conditions for participation in vocational training and informal education. Persons attending training are paid, for a time period not exceeding the limit set in the training programmes, a training grant that equals 0.7 of the Government-approved minimum monthly wage (hereinafter referred to as “MMW”) over the first three months of training and equals 1 MMW during the remaining months of training. Persons attending vocational training continue to receive the unemployment insurance social benefit. Apart from that, they receive reimbursement of the expenses of travelling to and from the place of training as well as of the expenses of accommodation during training.

169. The law has approved new active labour market policy measures enabling a more flexible response to developments on the labour market. One of them is support to the accumulation of work experience. A very important reason that prevents graduates and persons that have acquired a speciality or profession from employment is the lack of work experience after acquisition of the profession.

170. Therefore, the Law on Support for Employment of the Republic of Lithuania allows supporting enterprises providing the unemployed with the lacking professional skills directly on the job for up to six months. They receive a subsidy of up to 1 MMW for every hired unemployed person per month. Another new active labour market policy measure, not previously used in Lithuania, is job rotation. Employers who hire unemployed persons by way of job rotation during a special leave of employees or in other cases provided for in collective agreements receive compensation in the amount of 0.5 of the MMA for each employed person according to the time actually worked for a period of up to twelve months.

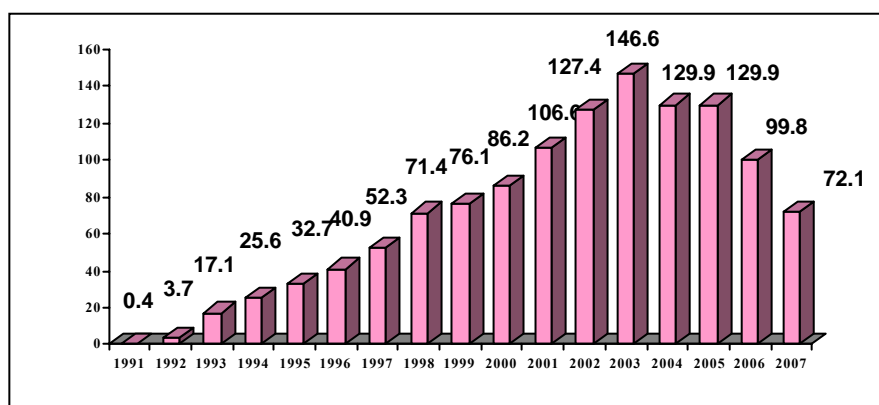
171. The Law on Support for Employment of the Republic of Lithuania motivates enterprises, institutions and organizations to establish jobs for the disabled. For the creation of jobs for the disabled, a subsidy amounting to 22 average monthly gross wages of the national economy, as last officially announced by the Government (hereinafter referred to as “GW”), is paid for the establishment or adaptation of one workplace, instead of 15

MMWs applicable under the previous version of the Law of the Republic of Lithuania on Support of the Unemployed. Moreover, the Law of the Republic of Lithuania on Support for Employment provides for partial compensation of the actual costs of establishing one workplace, instead of the previous compensation paid on a monthly basis. In addition, companies hiring disabled people with a 0–40 per cent level of working capacity to the existing workplaces are entitled to a subsidy, calculated according to the minimum hourly rate of remuneration, for every employed person throughout his employment period.

172. Beginning with 2003, unemployment, including unemployed people who took part in active labour market policy measures, has been declining. At the same time, the share of the unemployed involved in active labour market programmes increased from 42.7 per cent to 63.6 per cent over the period from 2005 to 2007.

Chart 6.19

**Unemployed people in active labour market policy measures**



Source: Labour Exchange of Lithuania.

173. In 2003, the system of serving the unemployed was reformed by introducing a new client service model. The essence of the new model is organization of the work of the Lithuanian Labour Exchange through the development of an open information provision system, so that its clients are informed in advance about assistance available from the local labour exchange and about their responsibilities in job seeking. For that purpose, mediation and consulting standards as well as the single-counter client service system were introduced at local labour exchange offices. Identification of flows of the unemployed was introduced, their preparation for the labour market, work motivation and the necessary assistance and support are being assessed. Activation of the unemployed registered at the labour exchange begins with the first day of their registration. In 2005–2007, conditions were created for non-active people and job-seekers to enter and maintain their positions on the labour market. In 2006, “new-start” opportunities in the form of jobs, training or other measures of employment were created for 91 per cent of adult and 90 per cent of young unemployed persons. Since 2005, the share of unemployed people who were not offered a “new start” has been regularly declining. This share slightly expanded after the Spring 2006 Council of Europe recommended that young unemployed people should be given a new start sooner, i.e. within the first four months, instead of the first six months, of unemployment.

Table 6.20  
**“New start”, per cent**

	2004		2005		2006		2007	
	<i>Youth</i>	<i>Adults</i>	<i>Youth</i>	<i>Adults</i>	<i>Youth</i>	<i>Adults</i>	<i>Youth</i>	<i>Adults</i>
<b>Total</b>	<b>83.5</b>	<b>81.5</b>	<b>89.7</b>	<b>89.5</b>	<b>89.7</b>	<b>91.2</b>	<b>77.1</b>	<b>95.5</b>
Men	88.0	86.2	93.4	93.4	92.5	94.5	79.2	96.6
Women	78.9	76.9	86.1	85.9	87.1	88.4	75	94.5

174. As of 1 May 2004, the Lithuanian Labour Exchange joined the network of European Employment Services (hereinafter referred to as “EURES”). EURES offices were established in eight largest local labour exchanges, located in county centres. They collect and provide information and consulting to job seekers concerning vacancies, the conditions of living and working in the EU and EEA states, also to workers from EU Member States seeking employment in Lithuania. In 2006, EURES offices were also established at the labour exchanges of the border regions of Pasvalys and Lazdijai. Lithuanian employers may provide information through EURES about vacancies that are available to EU nationals and select employees from the current EU database.

175. With the entry into force of the Law of the Republic of Lithuania on Support for Employment in 2006, the scope of active labour market policy measures as well as their diversity expanded. Some measures pursued before 2006 and recognized as unproductive were terminated.

176. In 2005, while building its labour market policy monitoring system and improving databases and information processing and analysis systems through cooperation between the Department of Statistics under the Government of the Republic of Lithuania and MSSL, Lithuania joined the Eurostat labour market policy database (LMP db).<sup>4</sup> Pursuant to the classification based on the action type applicable under the Eurostat labour market policy measures, active labour market policy measures have been pursued in Lithuania as of August 2006, grouped under LMP db categories (2 to 7) as follows:

## **2. Training**

- A vocational training programme for the unemployed and employees who receive redundancy notices
- Vocational training for persons returning from imprisonment

## **3. Job rotation and work sharing**

- Job rotation

## **4. Employment initiatives (employment incentives)**

- Support to social enterprises
- Local employment initiative projects
- Support to acquisition of working skills

<sup>4</sup> The data base stores descriptive information from all EU Member States on the services provided for residences by the labour market policy implementing bodies, active and passive labour market measures, also data about the number of the participants in the measures as well as the funds used to provide the services and implement the measures.

- Subsidized employment
- Subsidies to job creation

**5. Supported employment and rehabilitation**

- Subsidized recruitment of the disabled (permanent employment)
- Vocational rehabilitation

**6. Direct creation of jobs**

- Public works

**7. Business start-up incentives**

- Support to self-employment

177. The most popular measure for activation of the unemployed is the *professional training programme*. It enables people seeking jobs through the labour exchange to acquire a profession, raise qualification or change their qualification according to the demands of the labour market. In the course of the vocational training programme of 2007 for instance, 23,000 persons acquired a new or additional qualification in line with the requirements of the labour market. When organizing vocational training, major attention was devoted to the improvement of the professional capacities of persons without professional qualifications. Once they acquired professions, more than 70 per cent of the programme participants found jobs within 90 days. A lot of attention has been directed to activation of young people under 25 on the labour market, their professional career planning and acquisition of primary working skills.

178. *Job rotation* means temporary replacement of employees during their special leave or in other cases specified in collective agreements by job seekers.

179. *Subsidized employment* means recruitment of a person referred by the labour exchange, when the employer receives a gratuitous compensation of a part of the costs of wages paid to the person concerned. Subsidized employment helps reduce social exclusion of certain groups of residents. The support granted to persons additionally supported on the labour market helps reinforce their positions and stay active on the labour market.

180. Persons additionally supported on the labour market (version as of 1 June 2007):

- The disabled whose capacity for work is rated up to 40 per cent (before 1 July 2005 – persons with Group I or II disability) or the disabled for whom severe or moderate disability has been established
- The disabled whose capacity for work is rated at 45–55 per cent (before 1 July 2005 – persons with Group III disability) or the disabled for whom mild disability has been established
- Persons under curatorship who were assigned, until they reach majority, curatorship in a family, social family or child care institution – until they are 25 years of age
- Persons who have completed vocational rehabilitation programmes
- Persons taking up their activities under the acquired speciality or occupation
- The long-term unemployed
- Persons over 50 years of age who are capable of work
- Pregnant women, at the choice of a family, a mother (adoptive mother) or a father (adoptive father), a guardian or a custodian who actually raises a child under 8 years

of age or a disabled child under 18 years of age (before 1 July 2005 – a child recognised as an invalid)

- Persons who have been released from places of imprisonment, where the duration of imprisonment was longer than 6 months
- Persons whose unemployment period is or exceeds 2 years from the date of registration with a local labour exchange office
- Persons addicted to drugs, psychotropic or other psychoactive substances, who have completed psycho-social and/or vocational rehabilitation programmes
- Victims of trafficking in human beings, who have completed psycho-social and/or vocational rehabilitation programmes
- Persons entitled to additional employment guarantees under the Law of the Republic of Lithuania on Additional Employment and Social Guarantees for the Employees of the State Enterprise Ignalina Nuclear Power Plant

181. *Public work* means work useful to the society, organized by municipalities and employers with the aim to help people who have lost their jobs to earn a living and alleviate social tensions. In recent years, public work was mainly used as a tool to ensure temporary employment for the rural population. As of 2007, pupils also willingly take part in public work during their summer vacation.

182. *Vocational rehabilitation* refers to restoration or reinforcement of a person's working capacity, competence and ability to participate in the labour market through educative, social, psychological, rehabilitative and other instruments. Vocational rehabilitation helps the disabled to develop and restore the working capacity.

183. *Subsidized creation of jobs* means real assistance to the disabled in becoming full members of the society. To accelerate integration of the disabled into the labour market, the labour exchange provides financial assistance to employers who establish new jobs for people with disabilities. For instance, 300 new workplaces adapted for the disabled, nearly a half of which for persons with a 40 per cent working capacity, were established in 2007.

184. *Local employment initiatives (LEI)* refer to projects for creation of jobs for the disabled that help consolidate the efforts of the local community and social partners in increasing the employment of the population of individual municipalities (wards). LEI projects are distinguished for the multiplication effect, which means that, in the course of project implementation, in addition to the jobs established with State support, new jobs in the adjacent sectors of the economy are created. Observations show that ten jobs created upon implementation of the projects result in one additional job.

185. *Support for acquisition of working skills* is organized for those who have completed a vocational rehabilitation programme as well as those who take up activities under the acquired speciality or profession (graduates of educational establishments according to the profession or speciality acquired; persons who completed vocational training for the unemployed according to the qualification acquired) in order to provide them with the needed working skills directly on the job.

186. *Support to self-employment* is organized for job-seekers intending to start their own business. Local labour exchange offices provide persons seeking self-employment with information about the conditions applicable to start-ups, business development, recruitment of staff and possibilities of working under a business licence, also organize training in the business basics. A micro or a small undertaking defined in the Law of the Republic of Lithuania on Small and Medium-sized Business whose founder is a former unemployed person having started his own business, may, within 36 months from the day of registration of the company, receive substantial assistance for establishing a workplace provided that an

unemployed person referred by the local labour exchange office is employed in that workplace.

Table 6.21

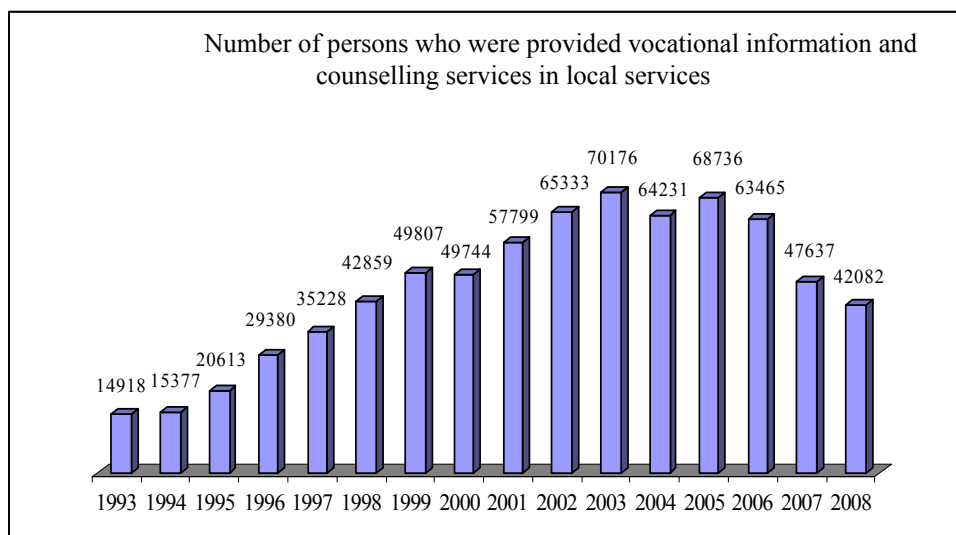
**Number of persons included into the active labour market policy programmes in 2003–2007, per cent**

	2003	2004	2005	2006	2007
Vocational training	21.4	17.7	19.8	19.6	24.4
Public work	50.6	37.4	39.3	34.4	22.4
Support for job creation	3.2	3.6	4.3	3.8	2.4
Vocational rehabilitation	-	-	0.01	0.2	0.3
Support for labour skills acquisition	-	-	-	1.3	4.9
Placement through subsidizing	-	-	-	2.7	11.7
Work rotation	-	-	-	0.1	0.6

*Source:* Lithuanian Labour Exchange.

187. The Law on the Support for Employment lays down that jobseekers are also provided general market services, i.e. provision of vocational information and vocational counselling. Lithuanian Labour Market Training Authority under the MSSL has seven subordinate local labour market training and counselling services that annually give counselling to 50,000–60,000 persons. Work is carried out with different groups of persons – the unemployed, students, pupils, parents of pupils and teachers, the disabled, persons returning from imprisonment institutions, retiring officials and soldiers, elder people, convicted persons, national minorities, etc. The unemployed account for the largest percent (50 per cent) of the people who get counselling. Almost one third of all those who apply are senior grade comprehensive school pupils.

Chart 6.22



188. Client counselling takes two forms: individual or group counselling. In recent years, the vocational group counselling has significantly expanded. Over 50 vocational guidance and general skills development programmes have been prepared for group counselling.

189. Lithuanian Labour Market Training Authority has the Information System for Counselling and Testing in place. The website [www.darborinka.lt](http://www.darborinka.lt) has an interactive real-time counselling and guiding service that allows every working day registration and advise on the issues of career choice, carrier planning and job seeking.

190. Six computer tests for vocational directions have been worked out; the client, having chosen from test menus, gets immediate results of interpretation. After the tests are completed, a person gets examples of potential professions, specific descriptions of professions, information on training institutions, etc.

191. The interactive methodical material 'Six Job Seeking Steps' has been worked out and is available to every visitor of the website [www.darborinka.lt](http://www.darborinka.lt). This methodical material expands possibilities to seek job in a consistent and efficient way.

192. Vocation information is given in the part of the website ([www.darborinka.lt](http://www.darborinka.lt)) called 'Questions & Answers'. Annually about 400 persons come to address issues of vocational guiding.

193. In order to mitigate the social consequences of group dismissal, preventive programmes have been worked out for increasing employment of the dismissed persons and solution of their social problems. In 2007 such programmes, approved by the Government, were implemented with regard to the bankruptcy of *AB Ekranas*, when 3,700 people were dismissed, also bankruptcy of *AB Alytus tekstilė*, when over 1,000 people were dismissed, and also with regard to 40 smaller prevention programmes that foresee inclusion of 1,800 persons warned of dismissal into the active labour market policy measures. In 2007, for the first time, an application was filed with the European Globalisation Adjustment Fund for receipt of funds. It is expected that with the aid of this Fund, the consequences of the bankruptcy of *Alytaus tekstilė AB* will be mitigated and the worsened situation of the Alytus labour market will be improved.

#### **Support of social enterprises**

194. The Law on Social Enterprises of the Republic of Lithuania provides for different support for socially vulnerable persons as they create special conditions for employees through different forms of state aid intended for supporting employment. Social enterprises are divided into social enterprises and social enterprises of the disabled. In social enterprises the number of employees who are attributed to the target groups must account for not less than 40 per cent of the annual average number of the employees on the staff list, and the number of the employees who are attributed to the target groups of persons is not less than four. In social enterprises of the disabled the employees who are attributed to the target group of the disabled must account for not less than 50 per cent of the annual average number of employees on the staff list, of whom the disabled for whom severe or moderate disability has been established or whose capacity for work does not exceed 55 per cent or who are rated as having high- or medium-level special needs – for not less than 40 per cent of the annual average number of employees on the staff list.

195. A social enterprise may be granted the State aid of the following types:

- (a) Partial reimbursement of wages and state social insurance contributions
- (b) Subsidy for the creation of workplaces, adaptation of workplaces to disabled employees and acquisition or adaptation of their work equipment
- (b) Subsidy for the training of the employees who are attributed to the target groups
- (c) In addition to these types of State aid, additional State aid of the following types may be provided to a social enterprise of the disabled

(d) Subsidy for the adaptation of the work environment of disabled employees, production premises and rest rooms

(e) Subsidy for the reimbursement of additional administrative and transport expenses

(f) Subsidy for the reimbursement of expenses on an assistant (sign language interpreter)

196. Partial reimbursement of wages and state social insurance contributions shall be designed to reimburse the additional expenses incurred by a social enterprise and relating to the lack of working skills of the employees who are attributed to the target groups, their reduced productivity or limited capacity for work. Reimbursement shall be calculated in percentage of the wage of all types as calculated for that month for every employee of a social enterprise who is attributed to a target group, without exceeding the amount of two minimum monthly salaries as valid in that month and approved by the Government, and of the amount of an insurer's compulsory state social insurance contributions calculated on this wage. The reimbursement awarded for every disabled employee with severe or moderate disability or for a disabled employee whose capacity for work does not exceed 25 per cent or who is rated as having high-level special needs shall make up 80 per cent; The reimbursement awarded for every disabled employee with moderate disability or for a disabled employee whose capacity for work has been established at 30–40 per cent or who is rated as having medium-level special needs shall make up 70 per cent; the reimbursement awarded for every disabled employee whose capacity for work has been established at 45–55 per cent or who is rated as having low-level special needs shall make up 60 per cent of the amount of two minimum monthly salaries as valid in that month and approved by the Government, and of the amount of an insurer's compulsory state social insurance contributions calculated on this wage.

197. A subsidy for the adjustment of a workplace to a disabled employee and for the reimbursement of expenses on the acquisition or adjustment of his work equipment may be granted only where these expenses are required to eliminate the obstacles within an enterprise arising due to the disability of employees and preventing him from performing work functions. The amount of a subsidy for the creation of a workplace may not exceed 90 per cent of the total amount of expenses required for this purpose, however, a subsidy for the creation of one workplace may not exceed 40 minimum monthly salaries as valid in the month of granting of the subsidy and approved by the Government.

198. With a view to reimbursing the expenses incurred by social enterprises of the disabled and intended to eliminate the obstacles arising due to the disability of a disabled employee and preventing the employee from accessing his workplace or the rest rooms of the enterprise, a subsidy shall be granted for the adaptation of the work environment of disabled employees, production premises and rest rooms. The amount of a subsidy to reimburse the expenses indicated in paragraph 1 of this Article may not exceed 70 per cent of the aggregate amount of these expenses.

199. With a view to reimbursing the additional administrative expenses of social enterprises of the disabled incurred due to the work of disabled employees, a subsidy for the reimbursement of additional administrative expenses shall be granted. Where a social enterprise organises transportation to and from work of its disabled employees with severe or moderate disability or of the disabled employees whose capacity for work does not exceed 55 per cent or who are rated as having high- or medium-level special needs, also delivery to and from home of the materials, parts, products, etc. required for work at home of the disabled employees upon conclusion of outwork contracts with them, this enterprise may be granted a subsidy for the reimbursement of the fuel expenses incurred by it.



200. As an assistant (sign language interpreter) is required to help disabled employees with severe or moderate disability or the disabled employees whose capacity for work does not exceed 40 per cent or who are rated as having high- or medium-level special needs to perform their work functions, a subsidy shall be granted for the reimbursement of such expenses. It makes up 40 per cent of the amount of the minimum hourly remuneration valid in the month of granting of the subsidy and approved by the Government per disabled employee with severe or moderate disability or disabled employee whose capacity for work does not exceed 25 per cent or who is rated as having high- or medium-level special needs and shall make up 20 per cent per disabled employee whose capacity for work is rated at 30–40 per cent, taking account of the time actually worked by the disabled employee.

201. The Law on Social Enterprises of the Republic of Lithuania provides that in order to reimburse the expenses incurred by social enterprises to train the employees with severe or moderate disability or of the disabled employees whose capacity for work does not exceed 55 per cent or who are rated as having high- or medium-level special needs, a subsidy may be granted to these enterprises. The training must be carried out in order to improve the qualification of employees required for the operation of a social enterprise. A subsidy for the training of the employees who are attributed to the target groups may be granted in the following amounts: for general training – up to 80 per cent of required expenses, and for specific training – up to 45 per cent of required expenses.

202. In 2007, Lithuania had 64 social enterprises operating. According to the Lithuanian Labour Exchange, in 2007 the state aid granted (LTL 14 million) allowed keeping jobs for over 1,500 disabled persons, establishing 87 new jobs and adapting 20 jobs for disabled persons, as well as organising general and special training.

#### **Expenditure for political measures of employment**

203. Article 12 of the Law on Support of the Unemployed of the Republic of Lithuania provided that the Employment Fund has to be set up for financing the population employment measures. This provision is also included into Article 37 of the Law on Support for Employment that entered into force on 1 August 2006.

204. Employment support measures are funded from the Employment Fund which is part of the State Social Insurance Fund. In the course of approving the annual budget of the State Social Insurance Fund at the Seimas of the Republic of Lithuania, the allocation rates to the Employment Fund are established depending on the situation in the labour market. In 2005 those deductions amounted to 1.4 per cent, in 2006 – to 1.4 per cent and in 2007 – to 1.3 per cent of the approved 31 per cent rate of the insurants' general social insurance contributions. Besides, employment support measures are also funded from the State Budget and the EU Social Fund.

205. The funds of the Employment Fund are administered by MSSL which prepares public reports on their use. The Tripartite Council of the Republic of Lithuania considers the project for the distribution of the funds of the Employment Fund and submits proposals concerning the project for the distribution of the funds and use of funds; besides, a report is delivered on the use of the funds of the Employment Fund.

Table 6.23

#### **The total funds allocated for the financing of the labour market policy measures in the GDP structure in 2002–2007**

	2002	2003	2004	2005	2006	2007
GDP (LTL million)	51 971.0	56 804.0	62 587.0	72 060.0	82 793.0	98 139.0*
Expenditure on active labour	186.8	207.2	259.5	248.3	281.8	288.9

	2002	2003	2004	2005	2006	2007
market policy (LTL million)						
Expenditure on passive labour market policy (per cent of GDP)	0.36	0.37	0.42	0.35	0.34	0.31

\* Preliminary data.

206. The funds of the Employment Fund are used for the financing of active labour market policy measures, the activities of the Lithuanian Labour Exchange and the Lithuanian Labour Market Training Authority as well as for co-financed EU and international projects in the field of employment.

Table 6.24

**Expenditure of the Employment Fund for financing of active and passive labour market policy measures, LTL thousand, per cent<sup>5</sup>**

No.	Expenditure	2002	2003	2004	2005	2006	2007
1.	Active labour market policy measures	75 301.0	87 042.0	90 618.1	92 598.9	96 120.7	136 123.0
		40.3	42.1	44.0	38.7	35.7	38.4
1.1.	Unemployment prevention	1 705.0	1 748.0	1 916.2	1 934.5		
		0.9	0.8	0.9	0.8		
1.2.	Labour supply and demand	5 712.0	9 186.3	4 172.8	5 433.5	4 232.8	
		3.1	4.4	2.0	2.3	1.6	
1.3.	Vocational training	30 722.0	33 309.8	33 113.6	29 635.1	32 894.6	48 852.63
		16.4	16.1	16.1	12.4	12.2	13.8
						546.7	3 569.0
1.4.	Informal education					0.2	1.0
1.5.	Placement through subsidizing					2 187.4	32 531.9
						0.5	9.2
1.6.	Support for labour skills acquisition					1 248.1	10 988.9
						0.3	3.1
1.7.	Subsidizing of jobs					1 340.8	10 939.6
						0.3	3.1
1.8.	Subsidies for job creation for 1st and 2nd group invalids	451.0	920.0	981.9	868.6	597.3	
		0.2	0.4	0.5	0.4	0.2	
1.9.	Subsidies for job creation for socially vulnerable persons	4 253.0	7 477.4	7 916.0	8 405.3	5 989.0	
		2.3	3.6	3.8	3.5	2.2	
1.10.	Arrangement of own business	168.0	51.5	21.6	15.0	5.0	
		0.1	0.0	0.0	0.0	0.0	
1.11.	Public work	25 260.0	24 911.2	32 166.7	35 822.9	37 355.3	18 935.0

<sup>5</sup> The Chart 6.25 "Expenditure for active and passive labour market policy measures" has been removed as data was insufficient.

No.	Expenditure	2002	2003	2004	2005	2006	2007
		13.5	12.0	15.6	15.0	13.9	5.3
1.12.	Jobs supported by the Employment Fund	6 950.0	6 521.9	6 829.4	7 009.2	6 159.3	
1.13.	Local employment initiative projects	2 915.9	3 499.9	3 499.9	3 474.8	3 439.8	7 553.6
		1.4	1.7	1.7	1.5	1.3	2.1
1.14.	Support for independent employment					90.7	2 002.4
						0.0	0.6
1.15.	Work rotation						750.0
							0.2
2.	General services of employment support						6 867.3
							1.9
3.	For maintenance and development of labour market establishments	47 499.0	54 365.8	60 437.6	70 563.4	77 929.1	82 853.0
		25.4	26.2	29.3	29.5	28.9	23.4
3.1.	Lithuanian Labour Exchange	40 658.0	46 544.1	49 363.1	58 716.2	65 127.3	66 494.1
		21.8	22.5	24.0	24.6	24.2	18.8
3.2.	Lithuanian Labour Market Training Authority	6 841.1	7 821.7	11 074.5	11 847.2	12 801.8	16 358.9
		3.7	3.8	5.4	5.0	4.8	4.6
4.	Research work of Labour Exchange	415.0	480.0	343.0	253.3	395.9	
		0.2	0.2	0.2	0.1	0.1	
5.	Co-financed EU and international projects in the field of employment	977.7	582.6	466.7	4 274.8	15 894.7	27 140.8
		0.5	0.3	0.2	1.8	5.9	7.7
6.	Passive labour market policy measures	62 569.5	64 408.7	53 858.2	71 329.8	79 131.3	98 592.0
		33.5	31.1	26.2	29.8	29.4	27.8
6.1.	Unemployment social insurance benefits (allowances for the unemployed)	48 386.0	40 453.3	31 503.4	58 476.8	74 743.3	98 592.0
		25.9	19.5	15.3	24.5	27.7	27.8
6.2.	Pre-retirement unemployment allowances	14 183.5	23 955.4	22 354.8	12 853.0	4 388.0	
		7.6	11.6	10.9	5.4	1.6	
7.	Vocational rehabilitation service provision						3 069.4
							0.9
8.	<b>Total expenditure</b>	<b>186 627.9</b>	<b>206 879.1</b>	<b>205 723.6</b>	<b>239 020.2</b>	<b>269 471.7</b>	<b>354 645.5</b>
		100.0	100.0	100.0	100.0	100.0	100.0

207. After the entry into force of the Law on Unemployment Social Insurance, the State Budget shall gradually (within 5 years from 2005) take over from the budget of the State Social Insurance Fund the funding of the measures of active labour market policy and of the maintenance of the labour market authorities (the Lithuanian Labour Exchange and the Lithuanian Labour Market Training Authority). Thus, the implementation of the active employment policy, as the key priority of the public activities, has been consolidated.

208. Since 2005, the formation of the active labour market policy has been getting the aid of the European Social Fund. The Single Programming Document of Lithuania for 2004–2006 (hereinafter referred to as “SPD”), approved by European Commission Decision No. C(2004)-2120, dated 18 June 2004, and Government of the Republic of Lithuania Resolution No. 935 of 2 August 2004, serves as the basis for the receipt of the aid of the EU Structural Funds.

209. Formulating the SPD strategy, the fact that the blooming and growing economy needs to be grounded on educated and high-skilled labour, was taken into account. One of the SPD objectives, therefore, is to improve labour skills in Lithuania and to ensure that labour is flexible and able to adjust to the changes in the labour market. Besides, it is important to broaden skills and competences of socially excluded groups, such as the unemployed and the youth, to make sure that the skills and competences being taught meet the needs of the labour market. Taking the above-mentioned objectives into consideration, **SPD Priority 2 ‘Human Resource Development’** is defined.

210. The following measures of Priority 2 would open more possibilities for employees to get adjusted to the changing labour market conditions: Measure 2.1 *Development of Employability*; Measure 2.2 *Development of Labour Force Competencies and the Ability to Adapt to Changes*; and Measure 2.3 *Prevention of Social Exclusion and Social Integration*. The funds allocated for the implementation of these measures amount to LTL 417.61 million, including LTL 316.75 million of the funds of the European Social Fund.

211. **Measure 2.1. Development of Employability** The goal of the measure is to improve the employability of the unemployed and their integration into the labour market in order to help reduce unemployment in general and prevent long-term unemployment in particular. Implementing this measure the main attention will be paid to the young and long-term unemployed as well as to the unemployed without the necessary professional qualification and to those who are exposed to the risk of the long-term unemployment. The supported activities include training and skills improvement for the unemployed (particularly in such basic areas as teaching languages and development of ICT literacy), activation and motivation of the unemployed, training in job search methods, drawing up of independent employment plans, vocational guidance and consulting, on-the-job training, training combined with support for employment, and training/support for persons starting their own business. Institutional capacities of the National Labour Exchange as the public employment agency are being strengthened including staff skills improvement.

212. **Measure 2.2. Development of Labour Force Competence and Ability to Adapt to Changes.** The goal of the measure is to increase the competitiveness of businesses across the whole Lithuanian economy through investment in training and skills development to help employees adapt to labour market changes and the rapidly evolving skills needs of employers. The implementation of this measure includes support to the training of specialists necessary for the national economy and business, to the training of managers and employees of the companies that plan to introduce new technologies or new products, as well as to the retraining or upgrading of qualifications of the population living in the areas undergoing essential transformation of economic activities and privatisation of state enterprises.

213. **Measure 2.3. Prevention of Social Exclusion and Social Integration.** The goal of this measure is to help prevent and reduce levels of social exclusion and to help promote equal opportunities in the labour market. Reduction of social exclusion is foremost related to the increased availability of professional training and employment possibilities. Investment is made into such activities as vocational training and support for employment, vocational guidance and counselling, and development of distance teaching. To ensure that the labour market is accessible to all, consideration will be given to the specific needs of these groups of people and additional measures will be applied to assist them in the

acquisition of necessary skills and integration into the labour market: the system of occupational and work rehabilitation of the disabled will be developed, employers will be encouraged to arrange practical training and to employ the disabled; besides, social employment enterprises (for disabled persons and other target groups) will be established and their activities will be developed. Another activity direction of the measure is ensuring equal opportunities for men and women.

214. In 2008, the implementation of 20 projects of women NGOs and other bodies and organisations was completed; the implementation of the projects was supported by the European Social Fund (LTL 13.2 million). The goal of these projects was to encourage women employment, especially that of elder women and women returning to their professional life after child care leave, to increase motivation of women to take part in decision making, to change traditional stereotypes about the role of men and women in the economic activities and about the so-called 'female' and 'male' jobs and sectors in order to reduce the horizontal segregation of the labour market, disbalance between sectors and professions that have particularly negative impact on the differences in the salaries paid to men and women.

215. **Measure 2.4. Development of conditions for lifelong learning.** The goal of the measure is developing the system of education and vocational education and training, science and higher education and creating high-quality conditions for lifelong learning.

216. **Measure 2.5. Improvement of human resources quality in scientific research and innovations.** This measure supports training and capacity building of researchers, the implementation of research and experimental development (hereinafter referred to as "R&ED") projects, improvement of scientific activities and enhancing of the information system of science and studies institutions and their databases.

217. Other SPD priorities also provide for the measures that are linked to and supplement the measures of the SPD human resource priority funded by the European Social Fund and that should rather improve the ability of people to get adjusted to the changing work market conditions and to be free to choose a favourite job.

218. **For example, Measure 1.5 Development of Infrastructure of Labour Market, Education, Vocational Training, Research and Study Institutions and Social Services of Priority 1 Development of Social and Economic Infrastructure.** The goal of the measure is to develop and upgrade infrastructure in the education, scientific research and development, to upgrade the technical and technological base of institutions, to develop the variety and quality of social services and, thus, to provide all material preconditions for the successful implementation of the measures of the human resource priorities. MSSL will implement this measure together with MES.

219. Implementing this measure, MSSL will aim at rectifying uneven territorial distribution of institutions that provide services of labour market, vocational guidance and counselling, as well as vocational training. Investment will be made into the upgrade of the infrastructure of the Lithuanian Labour Exchange and the Lithuanian Labour Market Training Authority, as well as into the upgrade of the existing network of consultation services and into the creation of bodies that provide the above-mentioned services. Besides, investment will be made into the upgrade and development of the infrastructure for the vocational rehabilitation of the disabled in order to improve quality and availability of services and to adapt physical and information environment and training infrastructure to special needs. Development of ambulatory social services will be supported, efforts will be laid to improve service quality, to reduce the number of state funded social service institutions and to increase willingness and ability of communities to take care of their members. Development of social services should create conditions for the members of the families in care to return to the labour market.

**Encouragement of independent activities**

220. It should be noted that an important aspect, with regard to the development of independent occupation and small business, is the fact that law and regulations do not provided an obligation to establish an enterprise in each case of individual activities (an enterprise should be established only when legislation regulating the conditions of relative activities provides that an enterprise must be established to be engaged into those activities). When a person is engaged in independent activities without establishing an enterprise, following the Law on Personal Income Tax (hereinafter referred to as "LPIT") (Law No IX-1007, 2 July 2002), such a person may pay income tax of the income resulting from those activities in to ways:

1. In case if a person is engaged in independent activities (and a tax administrator is notified of that), income tax shall be paid when submitting an annual income tax declaration (after the end of the tax period and before 1 May of the calendar year following that tax period). Besides, a person is free to choose the taxation rules to be applied:
  - To make the allowable deductions relating to income derived from independent activities and to pay income tax at the tax rate of 24 per cent or
  - To pay income tax at the tax rate of 15 per cent without making allowable deductions
2. Persons may pay a prescribed fixed amount of income tax, i. e. they may acquire a business certificate for the approved independent activities.

221. It should be also noted that according to the provisions of Article 5 of the Law on Corporate Income Tax (hereinafter referred to as "LCIT") (Law No. IX-657, 20 December 2001), taxable profits of Lithuanian entities shall be taxed at 0 per cent if during the tax period, the number of employees of an entity who are attributed to the target groups (i.e. the disabled, the unemployed, persons returning from imprisonment institutions) listed in Article 4 of the Law of the Republic of Lithuania on Social Enterprises accounts for not less than 40 per cent of the annual average number of the employees on the staff list, and an entity does not carry out the activities included in the list of non-supported activities of social enterprises as approved by the Government of the Republic of Lithuania or the income received from such activities during the tax period accounts for not more than 20 per cent of the total income received by the entity. Besides, according to the provisions of Article 58 of LCT, entities that do not have the status of a social enterprise whose income from own production exceeds 50 per cent of the total income received and which employ persons with limited capacity for work shall have the right to reduce the calculated corporate income tax. A specific extent of reduction of calculated corporate income tax shall depend on the proportion of persons with a limited work capacity within the total of persons employed.

**Opportunities for reconciliation of work obligations and family life**

222. One of the objectives of the National Programme for Equal Opportunities for Women and Men for 2005–2009 is to increase opportunities to reconcile family life and work obligations. This programme serves as the basis for supporting solution of gender equality problems using the funds of the budget and the EU Structural Funds.

223. In 2004–2008, in the framework of the projects supported by the EC initiative EQUAL in the field of reconciliation of family life and work obligations, two models of reconciliation of professional activities and family duties were created and tested; one of them was targeted at rural communities and another was targeted at town communities (the

project coordinator was the Women's Issues Information Centre). The model of a working place favourable for a family was created and tested in practice.

224. The issues of reconciliation of family and work obligations are included into the Human Resource Development Programme for 2007–2013 as a separate measure, so as to create conditions for supporting projects aimed at the reconciliation of family and work obligations in 2007–2013. The steering group within the thematic field 'Reconcile family and professional life' of the EC initiative EQUAL drafted 'The Outline of Reconciliation of Work and Family Model' and use of it is recommended when submitting project application in the framework of the above measure.

225. Opportunities to reconcile family and work obligations are being expanded through the implementation of the measures related to the reconciliation of family and work obligations set forth in the 2008–2010 Plan of Measures for the Promotion of Family Welfare of the National Demographic Policy Strategy, approved by Resolution No. 948 of the Government of the Republic of Lithuania of 5 September 2007. The primary tasks of the National Lisbon Strategy Implementation Programme and the measures for their implementation, approved by Resolution No. 854 of the Government of the Republic of Lithuania of 8 August 2007, were supplemented by a new measure 'to include the dimension of gender equality into the measures of the Social Responsibility Programme'. Thus, the measures that encouraged social responsibility of entities in 2006–2008 were supplemented by new measures aimed at the promotion of working places favourable for men and women with family obligations.

#### **Position of women in the labour market**

226. The opportunities for women, especially those in rural areas, to get job or to start and develop business are being increased. In 2007, the number of women sent to undergo vocation training was 14,400 thousand women, of whom 1,301 returned to the labour market after a longer pause and 314 were older women. Over 2,600 unemployed persons (including 2,000 women) were referred to the programmes presenting the elements of business. The largest number of women (1,700) participated in programmes intended for persons who acquire favourable business certificates, and 300 women participated in programmes intended for those who register their business enterprises or those who plan to get engage in independent activities. 2007 statistics of business incubators and business information centres show that women were rather more active in using the services provided by all business information centres and business incubators. According to MA, in 2007 of 440 persons who went to seminars women accounted for 80 per cent, and the number of women taking part in conferences was 415. According to the survey 'Business Success Factors' that probed into small and medium-size enterprises, in 2007 women accounted for 31 per cent, and in 2006 they accounted for 26 per cent of all businessmen.

227. Support to the victims of trafficking in human-beings is being expanded. The Law on Support for Employment entered into force on 1 August 2006. According to this law, victims of trafficking in human-beings who have completed vocational rehabilitation programmes are attributed to the group of people additionally supported in the labour market. On those grounds, persons who present a certificate proving the completion of the above-mentioned programmes may be enrolled into the measures of supported employment financed by the Employment Fund, State Budget and the EU Social Fund. The provisions of the law are implemented cooperating with labour exchanges and institutions and NGOs that provide social support to the victim.

#### **2. (c)**

228. Information given in the first report has not changed.

#### **2. (d)**

**Civil service**

229. Article 33 of the Constitution of the Republic of Lithuania provides that citizens shall have the right to participate in the governance of their State both directly and through their democratically elected representatives as well as the right to enter on equal terms in the State service of the Republic of Lithuania.

230. In its Ruling of 13 December 2004 the Constitutional Court of the Republic of Lithuania stated that it is the constitutional right of the citizen to enter into the state service of the Republic of Lithuania under equal conditions. Relations of the state service comprise relations linked with the implementation of the right of the citizen to enter into the state service of the Republic of Lithuania under equal conditions, as well as relations, which arise when the citizen enters into the state service and while he performs his duties at the state service; some other relations, which arise when the person finishes performing his duties at the state service (for example, relations linked with certain restrictions of professional activity for former state servants, with pensions granted and paid to former state servants), are also closely linked with the relations of the state service. Thus, the implementation of the right of the person to enter into the state service of the Republic of Lithuania under equal conditions is linked with the implementation of other human rights, inter alia the rights consolidated in the articles of the Constitution specified by the petitioners. To the extent that the relations of the state service are linked with human rights and freedoms, they must be regulated by laws.

231. Article 9 of the Law on Public Service of the Republic of Lithuania (Law No. VIII-1316, 8 July 1999) provides that persons entering the public service shall be subject to the following requirements:

- (a) Lithuanian citizenship
- (b) A command of the Lithuanian language
- (c) The age between 18 and 65
- (d) Education necessary for discharging the duties of a public servant of an appropriate category
- (e) Besides, persons accepted to the public service shall satisfy special requirements provided in job description
- (f) The following persons shall not be eligible for the public service:
  - Those found guilty, in accordance with the procedure prescribed by laws, of a serious or grave crime, or a criminal act against the civil service and public interest or any act comprising elements of corruptive nature, and whose conviction has not been spent or expunged
  - Those who have been deprived by the court of the right to occupy a post in the civil service
  - Those whose spouse, close relative or a person related to him by marriage performs the duties of a civil servant in a state or municipal institution or agency in the event that they would be related by direct subordination according to the posts held by them
  - Those recognised legally incapable in accordance with the procedure prescribed by laws
  - Those who are members of an organisation which is prohibited in accordance with the procedure prescribed by laws
  - In the cases provided for by other laws



**2. (e)**

232. The main information on the vocational training programmes has not changed, below please find some additional information.

233. Article 5 of the Law on Equal Opportunities of the Republic of Lithuania provides that an employer must enforce equal rights for women and men. Enforcing equal rights of men and women, an employer must provide equal working conditions and opportunities to improve qualification and to change their qualification.

**Tax reliefs**

234. The below tax provisions increase availability of studies and may contribute to making the training programmes being prepared adjusted to the labour market needs.

235. Article 21 of LPIT provides that for the purpose of calculating taxable income individuals shall have the right to deduct from their income the amounts paid for vocational training or studies that, after completion, result in qualification or higher education, and, thus, to pay a lower income tax.

236. Besides, Article 17 of LPIT provides that scholarships paid to students and pupils of educational establishments of entities (except for non-profit entities) under tripartite agreements signed by the entity, educational establishment and a student or pupil to cover educational and living expenses of the student or pupil shall be exempt from the personal income tax.

237. According to Article 13 of LCIT the amounts directly paid by the entity to the educational establishments for the training of natural persons who are not connected with the entity by employment relations, which results in post secondary or higher education and/or qualification, where such education and/or qualification is required by the entity to earn income, may be attributed to intangible fixed assets after the said natural persons commence their employment at the entity. According to Article 26 of the Law on Corporate Income Tax, the amounts directly paid by an entity for the training of natural persons connected with the said entity by employment relations, which results in higher education and/or qualification, where such education and/or qualification is required by the entity to earn income may be deducted from income.

**2. (f)**

238. A number of problems were identified in the National Lisbon Strategy Implementation Programme for 2008–2010 drafted in the period of 2005–2008.

239. The main reasons for achieving the complete employment of population are given in the National Lisbon Strategy Implementation Programme for 2008–2010 drafted and approved by the Government of the Republic of Lithuania in 2008. The Programme lists the following problems and challenges urgent for Lithuania in the field of employment policy:

(a) Decrease of the number of the country's population, ageing and consequences thereof – the increasing gap between gender and age groups

(b) Given the labour force shortages, the company dependency on activeness of elderly people and persons staying outside of the labour market becomes higher when they try to meet their staffing needs

(c) Social exclusion of some groups of the population is decreasing slowly, occurrence of discrimination is still observed

(d) Some working-age persons bringing up and caring for children or disabled and ill elderly people cannot find a job as the supply of such services is insufficient

(e) Insufficiently flexible working hours, which is why some of the unemployed having children have to rely on state allowances and are not motivated to work

(f) Position of women and men on the labour market remains different, there are not sufficient opportunities for smooth reconciliation of work and private life

(g) Insufficient youth (aged 15 to 24) entrepreneurship

(h) The labour market remains segmented. in the largest cities of the country there is a lack of qualified labour force which is becoming the main constraint for the economic development

(i) There is a lack of places and jobs in pre-school education institutions and there are few of them in rural areas

240. The following solutions to problems are provided in the National Lisbon Strategy Implementation 2008–2010:

(a) To improve the employment support policy pursuing full employment, improvement of work quality and increase of productivity as well as strengthening of social and territorial cohesion, to implement measures supporting participation and better retention in employment and longer working lives including measures listed in the National Youth Entrepreneurship Education and Promotion Programme for 2008–2012, the National Programme for Integration of People with Disabilities for 2003–2012 approved by Resolution No. 850 of the Government of the Republic of Lithuania of 7 June 2002, the measures for implementation of the National Strategy for Overcoming Ageing Consequences for 2005–2013 approved by Resolution No. 5 of the Government of the Republic of Lithuania of 10 January 2005, the State Programme for Equal Opportunities of Women and Men for 2005–2009 approved by Resolution No. 1042 of the Government of the Republic of Lithuania of 26 September 2005.

(b) Implementing preventive healthcare measures to implement measures of prevention of non-communicable diseases, to strengthen public health care at municipalities by establishing public health bureaux.

(c) To remove barriers for youth employment, to modernise social security and healthcare systems.

(d) To annually identify employment and activity targets for labour market institutions in order to reduce the weighting of the passive labour market policy as well as barriers for effective job-searching and to increase efficiency of labour market policy measures. Ensuring inclusive labour market, the Seniors Bank of the Lithuanian Labour Exchange will be actualised and maintained, an opportunity will be provided to elderly people to find a suitable job at all active stages in life, the more strong support for employment of the youth and the disabled to integrate them into the open labour market or to get employed in the social economy it will be provided.

(e) Using support of the EU Structural Funds, to implement measures promoting better reconciliation of work and family life as well as creation of family-friendly working environment and new jobs.

(f) To continue to establish pre-school groups, to ensure professional development of pre-school teachers, to renovate pre-school educational institutions.

(g) To take resolute actions to promote female participation in the labour market, to implement measures assuring equal opportunities policy in Lithuania aimed at returning women to the labour market and reducing gender discrimination.

(h) Applying the open coordination method of transposition of good practices, in the areas of social security and pensions to monitor trends of this policy implementation in

the EU Member States, to evaluate possibilities for narrowing early retirement schemes, to implement the European Commission Manual for Gender Mainstreaming of Employment Policies seeking to reduce gender gaps in employment, unemployment and pay as well as sectoral and occupational segregation of the labour market.

241. The programme also lists the problems related to the achievement of flexicurity, namely:

- (a) Some companies are going bankrupt unable to adapt to globalisation challenges.
- (b) Insufficient involvement of the working population in continuous training.
- (c) Low productivity of agricultural activities. In regions dominated by agriculture the unemployment rate is double the average national rate.
- (d) Due to relatively low educational level of rural residents, alternative economic activities are slowly being transferred to.
- (e) Illegal work scale is still large.
- (f) Work is not yet financially attractive. The level of salaries in some economic sectors is rather low and is no incentive to work.
- (g) Traditionally low territorial mobility of the population inside the country.
- (h) An important problem is still the number of physicians treating occupational diseases and enhancement of capacities thereof.

242. To solve these problems, the following solutions are provided in the programme:

1. In order to improve adaptability of workers and enterprises to changes, where needed, to review relevant legal acts and submit amendments thereto and to promote new work organisation forms. Transitions on the labour market, changes of professional status, vocational training and geographical mobility of the employed and the unemployed will be promoted. Activities of corresponding institutions will be strengthened and further coordinated to carry out prevention of illegal work. Social partners will be trained in collective bargaining, better provision for labour market change management and reduction of social costs in case of losing a job are to be ensured.
2. Following adoption of the draft Law of the Republic of Lithuania on Remuneration of Judges, salaries of judges will be regulated in accordance with rulings of the Constitutional Court of the Republic of Lithuania and salaries of judges of county courts will be increased by 16 per cent.
3. Ensuring professional development of persons engaging in agricultural and forestry activities, to provide consultation and training services, to support creation and development of alternative businesses in rural areas, to increase employment of rural population and income received thereby, to promote creation of products and services of higher quality and higher added value.
4. To implement unemployment prevention programmes for mitigating consequences of mass lay-offs or in case of a company's bankruptcy. To draft and approve programmes for mitigating economic and social consequences in the event of a company's bankruptcy.
5. To improve capabilities of employees and enterprises to adapt to changes reducing the number of labour accidents, implementing employer incentive measures for prevention of labour accidents and occupational diseases, to modernise the labour market, social security and healthcare systems.

6. To implement the Programme for Promotion of Labour Force Migration in the Country for 2008–2010 which will create conditions for increase of activity of the labour force in looking for a job and for employers – in finding suitable employees, promote territorial mobility of the population, modernise the public passenger transport system and improve provision of public services in villages and towns increasing staffing with appropriate employees.

7. Further implementation of measures of the Programme for Creation of a System of Social Adaptability, Medical Rehabilitation and Vocational Guidance in Other Areas of Activities for Retired Officers and Soldiers approved by Resolution No. 1030 of the Government of the Republic of Lithuania of 20 September 2005, the Programme for Reduction of Social and Economic Disparities of Regions for 2007–2010 approved by Resolution No. 1269 of the Government of the Republic of Lithuania of 28 November 2007, the Programme for Increase of Salaries of Culture and Art Professionals for 2009–2011 approved by Resolution No. 401 of the Government of the Republic of Lithuania of 17 April 2008, the Long-Term Programme for Increase of Salaries of Teachers approved by Resolution No. 193 of the Government of the Republic of Lithuania of 5 March 2008, the Long-Term Programme for Increase of Salaries of Social Workers and Improvement of Social Guarantees for 2008–2011 approved by Resolution No. 419 of the Government of the Republic of Lithuania of 29 April 2008.

8. To implement Measure 2.1 of the Investment Promotion Programme for 2008–2013. To analyse whether it is purposeful to draft the law on amendment or supplement to the LC in order to ensure more flexible regulation of labour relations and improvement of investment environment.

243. Notwithstanding positive changes in the market related to the implementation of gender equality, situation of women in it is often worse than that of men due to the prevailing traditional stereotypes about economic and social roles of women and men, the difference in salaries of women and men, the prevailing horizontal and vertical segregation of the labour market, and insufficient opportunities to reconcile family and work obligations. To solve these problems, the continuing 2005–2009 National Programme for Equal Opportunities for Women and Men is implemented, and it is funded by the State Budget and the EU Structural Funds.

### **3. (a)**

244. The Constitution and other laws of the Republic of Lithuania prohibit discrimination of employees on grounds of their ethnicity, nationality, etc.

245. Article 2(1)(4) of LC provides equality of subjects of labour law irrespective of their gender, sexual orientation, race, national origin, language, origin, citizenship and social status, religion, marital and family status, age, opinions or views, political party or public organisation membership, factors unrelated to the employee's professional qualities.

246. Article 96(1)(1) (*Guarantees upon Admitting to Work*) of LC provides that it shall be prohibited to refuse to employ on the grounds specified in Article 2 (1) (4) of this Code, i. e. on the grounds of their gender, sexual orientation, race, national origin, language, origin, citizenship and social status, religion, marital and family status, age, opinions or views, political party or public organisation membership, factors unrelated to the employee's professional qualities.

247. Paragraph 2 of the same article provides that refusal to employ in the cases specified in paragraph 1 of this Article may be contested in court not later than within one month, while paragraph 3 provides that in the event that the refusal to employ is established by the court to be unlawful, the employer shall be obligated by the court order to employ this

person and to pay him compensation in the amount of the minimum wage for the period from the day of refusal to employ him to the day of the execution of the court order.

248. Article 129(3)(4) (Termination of an Employment Contract on the Initiative of an Employer without any Fault on the Part of an Employee) of the Labour Law provides that a legitimate reason to terminate employment relations shall not be gender, sexual orientation, race, nationality, language, origin, citizenship and social status, belief, marital and family status, convictions or views, membership in political parties and public organisations.

249. Article 132(1) provides guarantees to pregnant women: an employment contract may not be terminated with a pregnant woman from the day on which her employer receives a medical certificate confirming pregnancy, and for another month after maternity leave, except for the cases specified in Articles 136 (1) and (2) of this Code. According to Article 113 of LC a temporary employment contract shall be an employment contract concluded for a period not exceeding two months.

250. Articles 136(1) and 136(2) of LC provide that an employment contract must be terminated without notice in the following cases:

(a) Upon an effective court decision, or when a court judgement whereby an employee is imposed a sentence, which prevents him from continuing his work, becomes effective

(b) When an employee is deprived of special rights to perform certain work in accordance with the procedure prescribed by laws

(c) Upon the demand of bodies or officials authorised by laws

(d) When an employee is unable to perform these duties or work in accordance with an opinion of the medical commission or the commission for the establishment of disability

(e) When an employee under 14 to 16 years of age, one of his parents, or the child's statutory representative, or his attending paediatrician, or the child's school demand that the employment contract be terminated

(f) Upon the liquidation of an employer, if under laws his labour obligations were not placed on another person

251. An employment contract shall expiry upon the death of an employer if the contract was concluded for the supply of services to him personally, as well as when the employer has no legal successor.

252. An employment contract with persons who have a child (children) under three may not be terminated if no blame of such an employee is seen (Article 129(2) of LC).

### **Guaranteeing equal opportunities for women and men**

253. Enforcement of equal opportunities for women and men is described in the Report (CEDAW/C/LTU/4 <http://www.socmin.lt/index.php?436913512>) on the Implementation in the Republic of Lithuania of UN Convention on the Elimination of All Forms of Discrimination Against Women (Part II, Articles 2, 3, 11).

254. The purpose of the Law on Equal Opportunities for Women and Men is to ensure the implementation of equal rights for women and men guaranteed by the Constitution of the Republic of Lithuania, and to prohibit any type of discrimination on grounds of gender, by reference in particular to marital or family status. Article 2(2) of this law provides that discrimination means any direct or indirect discrimination, sexual harassment, harassment or an instruction to directly or indirectly discriminate against persons on grounds of gender.

The scope of the law covers employment, education and science, consumers' rights protection and social security.

255. According to Article 6 of this law, the actions of an employer shall be treated as violating equal rights for women and men if, because of a person's gender, he applies to a person less (more) favourable terms of recruitment, transfer to another post or payment for the same work or for the work of equivalent value; in organising work, creates worse (better) working conditions for an employee; imposes a disciplinary penalty on an employee, changes the working conditions, transfers him to another job or terminates the employment contract; persecutes an employee, a representative of an employee or an employee who is testifying or providing explanations about the complaint or another legal procedure concerning discrimination on grounds of gender.

256. Article 5<sup>2</sup> of the law prohibits discrimination on grounds of gender in relation to membership of, and involvement in, an organisation of employees or employers, or any other organisation (association) whose members carry on a particular profession, including the benefits provided for by such organisations (associations).

257. Article 7<sup>2</sup> of the Law on Equal Opportunities for Women and Men provides that any acts that prevent from becoming member of an organisation of employees or employers, or any other organisation (association) whose members carry on a particular profession, or involving in them, including the benefits provided for by such organisations (associations), on grounds of gender shall be treated as violating equal rights for women and men.

258. Article 8 of this law provides that it shall be prohibited to specify the requirements in job advertisements, including those that offer civil service or education opportunities, that give priority to one of the genders, except for the case referred to in subparagraph 5 of paragraph 4 of Article 2, and to request information from job seekers about their family status, age (except for the cases prescribed by law), private life or family plans.

259. It should be noted that Article 2(4) of the Law on Equal Opportunities for Women and Men and Article 2(7) of the Law on Equal Treatment provide treatment that shall not be considered as discrimination on the grounds of race, skin colour, gender, religion, political creeds, ethnicity or social standing. The above-mentioned articles also provide a possibility to apply special temporary measures for the enforcement of actual equality. It is important to note that the law must provide both the application of special measures, on one hand, and other exceptions, behaviour and rules that are not considered as discrimination, on the other hand. There are also other guarantees that make the applied differences, exceptions or restrictions legally justified.

260. Everyone who notices any differences stemming from their race, skin colour, gender, religion, political views, national or social standing should appeal to court or to the office of the Ombudsmen of Equal Opportunities and ask for their rights violated due to certain restrictions to be re-established. The Ombudsmen of Equal Opportunities shall investigate such complaints and take one of the possible solutions.

### **3. (b)**

#### **Occupation**

261. The Law on Equal Treatment of the Republic of Lithuania provides that the implementation of human rights laid down in the Constitution of the Republic of Lithuania, and to prohibit any direct or indirect discrimination based upon age, sexual orientation, disability, racial or ethnic origin, religion or beliefs must be ensured. Article 5 of the law provides the duty of employer to implement equal treatment at work and in public service, namely:

“When implementing equal treatment the employer, regardless of the person’s age, sexual orientation, disability, racial or ethnic origin, religion or beliefs, must:

1. Apply equal recruitment criteria and employment conditions when employing or recruiting to the public service except in the cases set forth in sub-paragraphs 1,2,3,4 and 5 of paragraph 3 of Article 2 of this Law.
2. Provide equal working and public service conditions, opportunities to improve qualifications, seek more advanced vocational training, be retrained, acquire practical work experience and grant equal benefits.
3. Use equal criteria in evaluating work and the performance of public officers.
4. Apply evaluation criteria of dismissal from work and from public service.
5. Provide equal pay for equal work or work of equal value.
6. Take measures to prevent harassment of an employee or a public servant.
7. Take measures to prevent sexual harassment of an employee or public servant.
8. Take measures to prevent persecution of or an employee or public servant, who filed a complaint on discrimination to be protect him from hostile behaviour and negative consequences.
9. Take appropriate measures to provide conditions for the disabled to obtain work, to work, to a career or to study, provided that the duties of the employer would not be disproportionately burdened as a result.”

262. Nationals of the Republic of Lithuania are not obliged to provide data on their nationality. Thus, statistics on nationality and on national origin, race, skin colour and religion are not collected.

#### **Vocational guidance and training**

263. In 2007 labour market vocational centres trained 32 thousand persons, which is 4,100 or 14 per cent more than a year ago. The number of studying women was 13,000, the number of young people under 25 was 7,100, and the number of persons over 55 was 2,700.

264. The number of persons whose training was funded using the funds of projects and the budget was twice as high as that a year ago. A larger number of persons were trained using the funds of the Employment Fund (13 per cent more) and of employers (9 per cent more). The number of persons who paid for their training themselves was 10 per cent lower.

265. The programmes of formal education were completed by 21,900 persons, those of the informal training were completed by 7,700 persons, while 3,600 took part in the programmes of informal education.

Chart 6.26

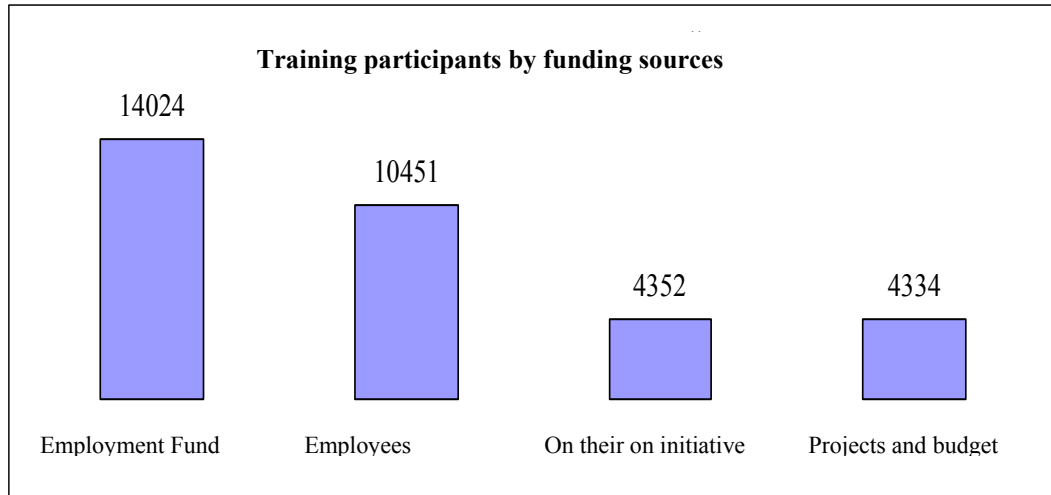
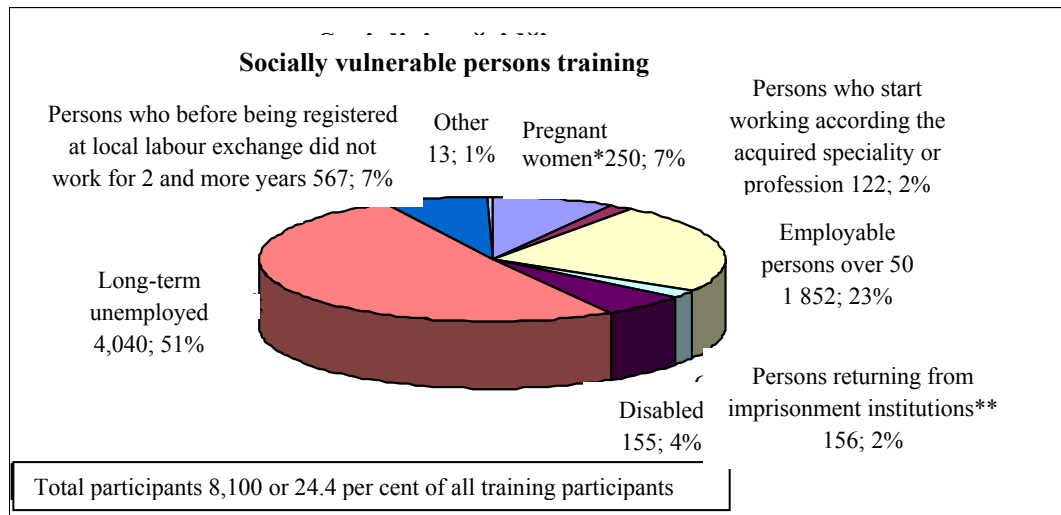


Chart 6.27



\* Pregnant women, child's mother, father, guardian who raise a child under 8 or a disabled child under 18.

\*\* Persons returning from imprisonment institutions whose imprisonment period was over 6 months.

266. In 2007, local labour market training and consultation services consulted 47,600 persons, including 28,900 adults.

267. The extent of counselling of comprehensive school pupils has increased (13 per cent). The number of unemployed persons (38 per cent), parents of pupils and teachers (33 per cent) and employed persons (22 per cent) has decreased.



Chart 6.28

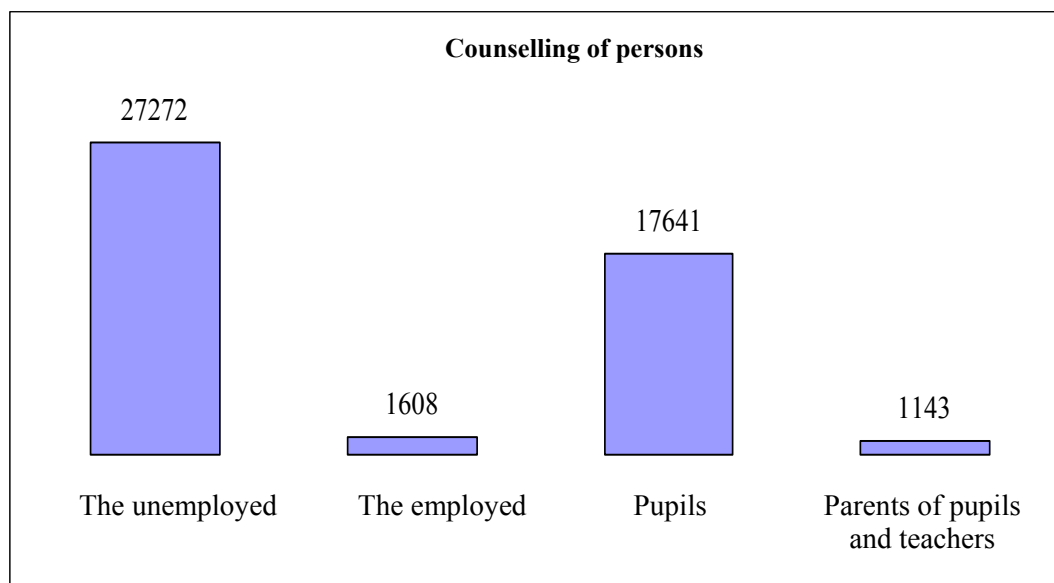
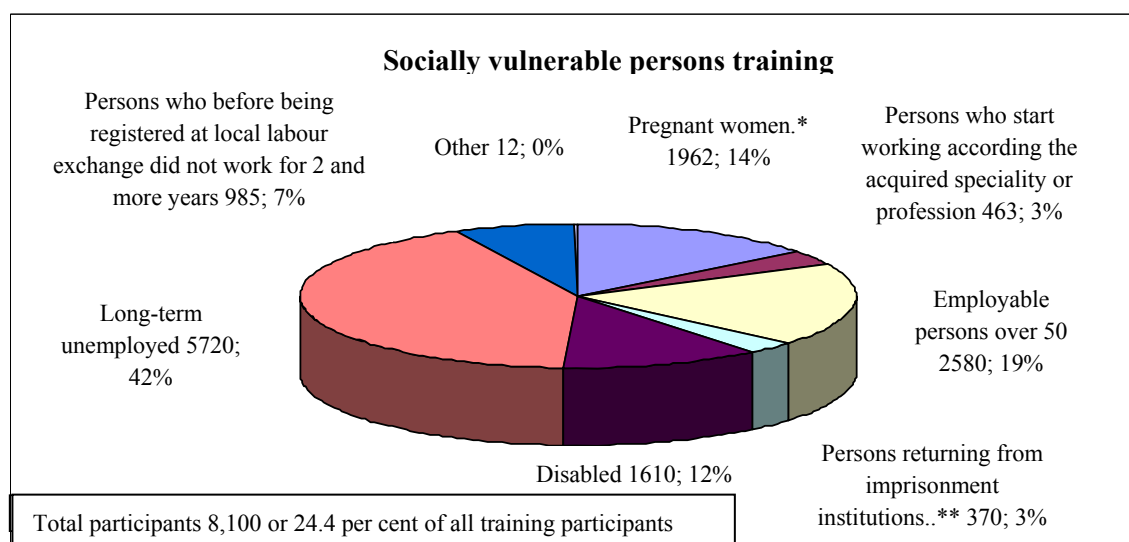


Chart 6.29



\* Pregnant women, child's mother, father, guardian who raise a child under 8 or a disabled child under 18.

\*\* Persons returning from imprisonment institutions whose imprisonment period was over 6 months.

268. The services of vocational counselling and vocational training are provided to every national of the Republic of Lithuania following the procedure set forth by laws, irrespective of their race, skin colour, gender, religion and national origin.

#### Integration of national minorities into the labour market

269. Since December 2004 DNMLLA as a partner has been participating in to projects of the EC initiative EQUAL: 'the Establishment and Testing of Support Mechanism for the

Integration of National Minorities into Labour Market’ and ‘Development of Support Mechanism of Roma Integration into Labour Market’.

270. The project ‘Development of Support Mechanism of Roma Integration into Labour Market’ is led by the public establishment The House of National Minorities. Other partners of the project are the following: Department of National Minorities, Vilnius Labour Exchange, Šalčininkai Labour Exchange, Russian Public Organisations Co-ordination Council of Lithuania, House of Polish Culture of Vilnius (Charity and Support Fund), Labour and Social Research Institute, Union of Poles of Lithuania Vilnius Department.

271. The main goals of this project is to created and test the supportive mechanism of integration into labour market and the cooperation networks using networks of non-governmental organisations of national minorities, human resources and influence. To achieve these goals the following task have been set up: to introduce the supportive mechanism of integration into labour market and typical labour programmes (activation plan, motivation programme, vocational guidance recommendations, career plan, guardianship programme, methodologies and working programmes for the development of cooperation networks of organisations involved in the integration process, to develop cooperation networks of organisations involved in the integration process based on national minority public organisations, their influence and impact on the public development.), to raise qualification of NGO personnel that take part in the integration process, to test the supportive mechanism of integration into labour market by getting representatives of national minorities employed, and to make impact on policy and practice.

272. The mechanism of integration of national minorities into the labour market was tested in the municipality of Šalčininkai district and the municipality of Vilnius district, where national minorities account for the majority of population.

273. In the course of the project implementation the Leader Training Programme was worked out and 44 leaders representing over 300 national minority NGOs of the country gained skills and capacities that should be treated as the jumping-off point for further development of the NGOs represented by them.

274. 94 national minority persons without employment were learning the Lithuanian language, 22 of them passed the qualification category exams for a command of the Lithuanian language, 60 of them studied under the programmes of additional training of the unemployed worked out in the course of the project. Training and the leader/guardian combination helped the representatives of national communities to increase their competitiveness in the labour market: 25 persons of national minorities who had been unemployed got a job.

275. Applying the training programme worked out in the course of the project, qualifications of 58 employees who in their working activities deal with the representatives of national minorities were improved.

276. The database of the concerned persons and service providers was compiled and in future the database may be used both in further work with the representatives of national minorities and in work with other public groups. The experience of leaders/guardians may be modified for immigrants and refugees to help them get a job and be integrated into the socium, while the Leader Training Programme and its individual parts may be adapted for the activities of other NGOs.

277. Two agreements concerning the development of cooperation networks were signed. Cooperation networks were created to solve the problems of social exclusion but in the course of the project it turned out that solution of other problems is also preconditioned. Cooperation networks may turn into parity networks enabling optimisation of the services

provided to different target groups and helping different target groups (and organisations that represent them) to become equal partners in the network.

278. The survey 'Opportunities for the Integration of National Majority Representatives into the Labour Market' was carried out and identified the barriers that prevent representatives of national minorities to get successfully integrated into the labour market. Survey conclusions and recommendations will contribute to addressing reduction of social exclusion of national minority representatives and increase of employment on the level of both municipalities and NGOs.

279. The analysis of the legislation was carried out to exert impact on practice and policy; moreover, the 'Survey into the Barriers to Integration into the Labour Market Encountered by National Minority Representatives' will help to successfully implement activities of NGOs and to make an impact on practice and policy.

### **Integration of Roma into labour market**

280. DNMLLA together with other partners take part in the implementation of the project 'Development of Support Mechanism of Roma Integration into Labour Market'. The project is led by Lithuanian Children Fund. Other partners of the project are the following: Vilnius City Municipality Administration, Ukmergė District Municipality Administration, Public Institution "Roma Community Centre", Lithuanian Roma Association "Gypsy Fire", Social Workers' Training Centre under MSSSL and Ukmergė District Labour Exchange.

281. EQUAL project 'Development of Support Mechanism of Roma Integration into Labour Market' is intended for Roma who live in Lithuania. The general goal of the project is to develop and test support mechanism for Roma integration into labour market and cooperation networks with the help of specially trained Roma and representatives of the public.

282. This project is aimed at the following: developing and testing of support mechanism for Roma integration into labour market and co-operation networks, training of *Social Workers* and their *Assistants* by applying experience from Western Europe for working with Roma, upgrading staff qualification of interested institutions that are working with Roma, testing support mechanism for Roma integration into labour market preparing Roma for employment market, elimination of obstacles preventing Roma to integrate them into labour market with support of the trained staff, formulating more favourable public attitude towards Roma and Roma attitude towards general public, dissemination of progressive Roma integration experience, making influence on politicians to remove legal barriers that prevents integration of Roma into labour market.

283. The mechanism of Roma integration into the labour market was tested in Vilnius, Ukmergė and Šalčininkai districts that currently have larger Roma communities. The following was worked out in the course of the project: methodology for working with Roma, the programme for promotion of Roma activity and motivation, the recommendations of Roma vocational integration process, the methodology for cooperation network creation, two training programmes, three qualification improvement programmes, four vocational training programmes for Roma and five additional training programmes, 14 social workers and 18 assistants, qualifications of 28 officials and 16 employers as well as eight trainers were improved, and the training measures and the training base were prepared.

284. Besides, support mechanism for Roma integration into labour market was tested: 410 Roma were made active, 60 interviews with Roma were arranged, assistance was given to 130 Roma seeking for job, additional training was arranged for 106 Roma, vocational training was arranged for 24 Roma, and 6 Roma were employed.

**Civil servants**

285. Article 15(1)(8) of the Law on Civil Service provides an obligation of a civil servant to study following the procedure laid down in the law. Article 16(1)(3) provides that a civil servant has the right to get training, in accordance with the procedure laid down in this Law, financed from the state budget and municipal budgets. These provisions and the main provisions laid down in Chapter X of the Law on Civil Service that regulate training of civil servants (qualification improvement) shall apply to all civil servants irrespective of their nationality, race, skin colour, gender, religion and national origin.

**3. (c)**

286. According to the Law on Equal Treatment of the Republic of Lithuania (Art. 2) the following shall not be considered as direct discrimination on the grounds of race, ethnicity, language, origin, social standing, beliefs, creeds or views, age, sexual orientation, disability, ethnical dependence or religion:

- (a) Statutory restrictions due to age when justified by a legal goal and when the goal is being pursued by legal and necessary measures
- (b) Statutory requirements to have a command of the national language
- (c) Statutory prohibition to take part in political activities
- (d) Different statutory rights stemming from nationality
- (e) Special statutory conditions and measures in the field of health, safety at work, employment, labour market, aimed at development and maintenance of opportunities guaranteeing and promoting integration into the labour environment
- (f) Statutory special temporary measures applied in order to guarantee equality and prevent equal opportunity violations on the grounds of gender, race, nationality, language, origin, social standing, beliefs, views or creeds, age, sexual orientation, disability, ethnical dependence or religion
- (g) Where a certain feature of a person is an essential and decisive professional requirement due to the nature of specific types of professional activities or conditions of their performance, and this goal is a legal and the requirements is proportional
- (h) When legal regulation of restrictions, special requirements and certain conditions due to social standing of a person is justified by a legal goal, and goal is being pursued by legal and necessary measures
- (i) Arrangement of individual sports games for the disabled

287. Article 2 of the Law on Equal Opportunities for Women and Men provides that the following shall not be considered as direct discrimination on the grounds of gender:

- (a) Special protection of women during pregnancy, childbirth and nursing
- (b) Compulsory military service prescribed exclusively for men
- (c) Different pensionable age for women and men, except for occupational pension schemes
- (d) Requirements for safety at work applicable to women aimed at protecting the women's health owing to their physiological properties
- (e) A certain job that can be performed only by a person of a particular sex, where, due to the nature of a specific professional activity or the conditions of its fulfilment, the sex is an essential (unavoidable) and determinant professional requirement, this treatment is legitimate and the requirement is appropriate (proportionate)

(f) Specific temporary measures set forth by laws, aimed at accelerating the guaranteeing of factual equal rights for women and men and which must be repealed upon implementation of equal rights and equal opportunities for women and men

(g) Procedure and conditions of implementation of certain penalties

(h) Where the sale of goods or the provision of services solely to, or in particular to, persons of one sex is justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary

288. Article 96(1)(1) (*Guarantees upon Admitting to Work*) of LC provides that it shall be prohibited to refuse to employ on the grounds specified in Article 2 (1) (4) of this Code, i. e. on the grounds of their gender, sexual orientation, race, national origin, language, origin, citizenship and social status, religion, marital and family status, age, opinions or views, political party or public organisation membership, factors unrelated to the employee's professional qualities.

289. Paragraph 2 of the same article provides that refusal to employ in the cases specified in paragraph 1 of this Article may be contested in court not later than within one month, while paragraph 3 provides that in the event that the refusal to employ is established by the court to be unlawful, the employer shall be obligated by the court order to employ this person and to pay him compensation in the amount of the minimum wage for the period from the day of refusal to employ him to the day of the execution of the court order.

290. Article 9 of the Law on Public Service of the Republic of Lithuania provides that persons entering the public service shall be subject to the following requirements:

(a) Lithuanian citizenship

(b) A command of the Lithuanian language

(c) The age between 18 and 65

(d) Education necessary for discharging the duties of a public servant of an appropriate category

291. Article 103(3) of the Constitution of the Republic of Lithuania provides that Citizens of the Republic of Lithuania who have an impeccable reputation, who have higher education in law, and who have not less than a 10-year work record in the field of law or in a branch of science and education as a lawyer, may be appointed as justices of the Constitutional Court.

292. A judicial office of the Supreme Court may be filled by:

(a) A judge of a regional administrative court, a judge of a regional court with a record of at least eight years of work as a judge.

(b) A judge of the Supreme Administrative Court and a judge of the Court of Appeals with a record of at least five years of work as a judge in any of these courts; a person having Doctor or Habil. Doctor of Social Sciences (Law) degree and a record of at least 15 years of work as a university professor of law who has submitted a health certificate (Article 68 of the Law on Courts of the Republic of Lithuania (Law No. I-480, 31 May 1994).

293. A judge entered in the register of persons seeking judicial office, of at least five years standing as a judge of a district court as well as a person having Doctor or Habil. Doctor of Social Sciences (Law) degree and of at least five years' standing as a university lecturer in law who has submitted a health certificate may be appointed a judge of a regional administrative court or a regional court (Article 66 of the Law on Courts of the Republic of Lithuania).

294. The post of a district court judge may be filled by a national of the Republic of Lithuania of good repute, having a university degree in law – the academic title of bachelor in law or master in law or the lawyer’s professional academic title (one-cycle university education in law) meeting the requirements established by law required for security clearance procedure or work permit or right of access to or exchange in classified information, upon submitting a health certificate, having a record of at least five years of work in the legal profession and passing the examination for candidates to judges. A person having Doctor or Habil. Doctor of Social Sciences (Law) degree, also a person of at least five years standing as a judge, if not more than five years have lapsed since he last held that position, shall be exempt from sitting for the candidate examination (Article 51 of the Law on Courts of the Republic of Lithuania).

295. Article 25 of the Law on the Prosecutor’s Office (Law No. I-599, 13 October 1994) provides that A person may be admitted to service at the prosecutor’s office and appointed to the post of the prosecutor provided that he is a national of the Republic of Lithuania of high moral character, has a good command of the state Lithuanian language, has a university degree in law and MA in law or a professional lawyer’s qualification degree or having Doctor or Habil. Doctor in Social Sciences (Law) degree, has passed an examination for candidates and has the recommendation of the Selection Commission.

296. The Constitution of the Republic of Lithuania guarantees that the law shall provide to working mothers a paid leave before and after childbirth as well as favourable working conditions and other concessions (Article 39 of the Constitution of the Republic of Lithuania).

297. Article 179 of LC provides that women shall be entitled to maternity leave: 70 calendar days before the child birth and 56 calendar days after the child birth (in the event of complicated confinement or birth of two or more children – 70 calendar days). This leave shall be added up and granted to the woman as a single period, regardless of the days used prior to the confinement. A benefit provided for in the Law on Social Insurance of Sickness and Maternity shall be paid for the period of leave.

298. Following Article 179(1) of LC, men shall be entitled to paternity leave for the period from the date of baby’s birth till the baby becomes one month old. A benefit provided for in the Law on Social Insurance of Sickness and Maternity shall be paid for the period of leave.

299. Parental leave before the child has reached the age of three shall be granted, at the choice of the family, to the mother/adoptive mother, the father/adoptive father, the grandmother, the grandfather or any other relatives who are actually raising the child also to the employee who has been recognised the guardian of the child. The leave may be taken as a single period or be distributed in portions. The employees entitled to this leave may take it in turn (Article 180(1) of LC). During the period of this leave the employee shall retain his job/position, with the exception of cases when the enterprise is dissolved.

#### 4.

300. Article 17(5) of the Law on Civil Service of the Republic of Lithuania provides that a civil servant cannot occupy more than one post in the civil service. Assistant secretaries of members of the Seimas shall be allowed to work as an assistant secretary to another member of the Seimas, if he belongs to the same parliamentary group, a secretary assistant to the elder of a parliamentary group or an employee working under an employment contract, but his working day may nor be longer than twelve hours.

301. According to the 2006 data of the Civil Servant Register, after the regulations of the Law on Civil Service of the Republic of Lithuania that regulate the right of civil servants to take another job, i.e. some job under an employment contract, entered into force, in 2004

429 permissions were issued (1.7 per cent of the total number of all civil servants), in 2007 802 permissions to take another job (2.9 per cent of the total number of all civil servants) were issued, while in 2008 1384 permissions to take another job (4.6 per cent of the total number of all civil servants) were issued.

## 5.

302. The Law No. IX-926 of 4 June 2002 on the Approval, Entering into Force and Implementation of LC provides that LC shall enter into force on 1 January 2003. Due to the entering into force of LC, the following laws became void: the Code of Labour Laws of the Republic of Lithuania, the Law on Wages of the Republic of Lithuania, Law on Collective Agreements and Collective Labour Agreements, the Law on Employment Contract, the Law on Holidays, the Law on the Regulation of Collective Disputes, the Law on Days Off.

303. In its Ruling of 13 December 2004, the Constitutional Court of the Republic of Lithuania stated.

304. “I. The state servant shall be prohibited from: <...> 4) working as a hired employee, advisor, expert or consultant in private legal persons, in state or municipal enterprises, in public establishments, as well as receiving remuneration for work other than established by this Law, save the remuneration for work in all level electoral and referendum commissions and for work under contracts with electoral and referendum commissions, for scientific and educational work in schools of higher education or establishments of state servants’ qualification raising, for informal adult education, for preparation of draft legal acts (unless this function is specified in the description of the position of the state servant), when he is assigned, by a Seimas resolution or decision of the Board of the Seimas, ordinance of the President of the Seimas, decree of the President of the Republic, Government Resolution or an ordinance of the Prime Minister, with preparation of draft legal acts, and save the royalties for production which is subject to intellectual property rights.”

305. Considering that, the Seimas of the Republic of Lithuania in 2006 by the law amending the Law on Civil Service entrenched a new provision regulating the right of civil servants to have another job, i.e. to work in enterprises, institutions and organisation irrespective of the form of their ownership, their legal form, type and activities, and to get remuneration for that, and laid down conditions under which this right could be exercised, unless that creates prerequisites for coming into conflict between public and private interests of civil servants, discredits the authority of the civil service, prevents a person who holds an office in the state service, properly perform the duties assigned to him, or unless these are enterprises, establishments, organisations in whose respect he enjoys authoritative powers or controls and supervises their activities, or adopts certain other decisions concerning this enterprise, establishment or organisation, as well as where there are certain other circumstances due to which state servants cannot work in another work place and receive other remuneration. The legislator also provided that an application for having another job shall be investigated following the procedure set forth by the Government of the Republic of Lithuania or by an authority authorised by it.

306. “II. It is the constitutional right of the citizen to enter into the state service of the Republic of Lithuania under equal conditions. Relations of the state service comprise relations linked with the implementation of the right of the citizen to enter into the state service of the Republic of Lithuania under equal conditions, as well as relations, which arise when the citizen enters into the state service and while he performs his duties at the state service; some other relations, which arise when the person finishes performing his duties at the state service (for example, relations linked with certain restrictions of professional activity for former state servants, with pensions granted and paid to former state servants), are also closely linked with the relations of the state service. . Thus, the implementation of the right of the person to enter into the state service of the Republic of

Lithuania under equal conditions is linked with the implementation of other human rights, inter alia the rights consolidated in the articles of the Constitution specified by the petitioners. To the extent that the relations of the state service are linked with human rights and freedoms, they must be regulated by laws.”

**6.**

307. Improving vocational training possibilities of the disabled, Lithuanian Labour Market Training Authority has worked out 32 training programmes adapted for the groups of the disabled. In 2003–2004 the international projects for the disabled were implemented, namely: Developing Entrepreneurship of Disabled Women (supported by ILO Council, Geneva), Reintegration of Disabled Women and Women who Take Care of Disabled Persons into the Labour Market (PHARE ACCESS project), Integration of the Disabled with Physical Disability into the Labour Market with the Help of Open and Distance Training (SOCRATES ADIS project), Training of the Disabled and Their Integration into the Labour Market (PHARE 2000 project), Improvement of Opportunities for Employment of Disabled Pupils (Leonardo da Vinci programme project) and Creation of Social Enterprise Model (PHARE ACCESS Project).

308. In 2003, implementing the programme of the Swedish National Labour Exchange Council and the Lithuanian Labour Exchange cooperation programme ‘Integration of the Disabled into the Labour Market’, the seminar for 14 local labour exchange counsellors who deal with disabled people was arranged together with Swedish experts. In March 2003, implementing the Baltic Sea Region labour market policy sectoral programme Increase of Employment Opportunities for the Disabled in Poland and Lithuania, the international conference Integration of the Disabled into the labour Market in Lithuania and Poland was arranged; among its participants were 12 local labour exchange counsellors who directly deal with the disabled.

309. The international cooperation in the field of gender equality – see the Report on the Implementation in the Republic of Lithuania of UN Convention on the Elimination of All Forms of Discrimination Against Women (Part II, Article 3(34); Part II Article 11(1)(b).

## **Article 7 of the Covenant**

**1.**

310. As has been mentioned in the Initial Report, Lithuania has ratified the Labour Inspection Convention, 1947 (No. 81) (Law No I-507, 23 June 1994). The last report to the International Labour Office (hereinafter referred to as the “ILO”) on the implementation of this Convention in Lithuania was submitted in 2007.

311. Lithuania’s last report to the ILO on the implementation of the Equal Remuneration Convention, 1951 (No. 100) was submitted in 2008 (the Convention was ratified by Law No I-507, 23 June 1994).

312. Lithuania’s last report to the ILO on the implementation of the Minimum Wage Fixing Convention, 1970 (No. 131) was submitted in 2007. (The Convention was ratified by Law No I-507, 23 June 1994).

313. Lithuania’s last report to the ILO on the implementation of the Weekly Rest (Industry) Convention, 1921 (No. 14) was submitted in 2008.

**2. (a)**

314. According to the LC, the wage of an employee shall depend upon the amount and quality of work, the results of the activities by the enterprise, institution or organisation as



well as the labour demand and supply on the labour market. Men and women shall get an equal pay for equal or equivalent work (LC, Article 186, Paragraph 3).

315. In 2004, on order by MSSL and after the approval by the Tripartite Council of the Republic of Lithuania, a Methodology for the Assessment of Jobs and Positions was drafted by the Institute for Labour and Social Research. The Tripartite Council of the Republic of Lithuania has recommended applying this Methodology in enterprises, institutions, and organisations. On 13 June 2005, heads of the Lithuanian Labour Federation, Lithuanian Trade Union Confederation, Lithuanian Trade Union "Solidarity", Lithuanian Confederation of Industrialists, and Lithuanian Business Employers' Confederation signed an agreement on the application of this Methodology in enterprises and organisations.

316. The Tripartite Council organizes seminars which, if necessary, also include consultations on the application of the Methodology. The Methodology for the Assessment of Jobs and Positions is available on the websites of MSSL and the Tripartite Council of the Republic of Lithuania. When there is a demand for seminars or consultations on the said issues, methodological support is provided to the interested employers or employees.

317. The LC defines the following major principles for setting terms for remuneration for work: according to Article 189 of the LC, the terms and conditions of remuneration for work to the employees of the institutions, enterprises, and organisations financed from the state, municipal and social insurance budgets, from the resources of funds established by the State as well as to the employees of the Bank of Lithuania shall be established following the procedure prescribed by legislation. An appropriate draft law has been submitted to the Government of the Republic of Lithuania, and, currently, until the said law comes into force, the terms and conditions of remuneration for work to the employees of institutions and organisations financed from the state and municipal budgets are regulated by resolutions of the Government of the Republic of Lithuania and depend upon the complexity of work, degree of responsibility, work conditions, qualifications and work performance of an employee, and not on the gender of an employee.

318. Remuneration for public servants is regulated by the Law of the Republic of Lithuania on Civil Service. The Law of the Republic of Lithuania on Civil Service specifies that the remuneration of a civil servant shall be comprised of the basic salary, seniority bonus, additional pays, and remuneration for work if they perform work on days off, holidays and at night, for overtime and staying on duty. The sum of bonuses and additional pays may not be in excess of 70 percent of the basic salary. Remuneration for work on days off, holidays and at night, for overtime and staying on duty, seniority bonuses for civil servants paid for the number of years in the service for the state of Lithuania, and a lump sum additional payment amounting to the basic salary are not included into this sum.

319. According to Article 24 of the Law of the Republic of Lithuania on Civil Service, the basic salary shall be paid for the grade of a civil servant and shall be the same for all the positions in the same grade, and shall be established according to the single methodology for the assessment of jobs. The amount of the basic salary shall be determined in accordance with the coefficient of the basic salary. The basic salary coefficient shall be the basic rate of the basic salary for civil servants. The basic rate for the following financial year shall be established in the national collective agreement, taking into account the average monthly inflation of the previous year (estimated according to the national consumer price index) as well as other factors that have effect on the rate and dynamics of the average salary in the public sector.

320. The remuneration of the public servants having worked not all working days of the month or working part-time shall be calculated as follows: the amount of the basic salary shall be divided by the number of working hours or days of that month according to the work schedule of a public servant or a state or municipal institution or agency; the

calculated pay for a working hour or a working day shall be multiplied by the number of hours or days worked by the public servant.

321. According to Article 25 of the above-mentioned Law, civil servants shall be paid the following bonuses:

- For the length of service to the Lithuanian State
- For the qualification class or qualification category
- For the grade or official rank
- For the diplomatic rank
- A lump sum additional payment amounting to the basic salary

322. Bonuses paid to civil servants for the length of service shall be 3 per cent of the basic salary for every three years of service for the Lithuanian State. The amount of the bonus may not exceed 30 percent of the basic salary.

323. A bonus for the third qualification class shall be 15 per cent, for the second qualification class – 30 per cent, and for the first qualification class – 50 per cent of the basic salary.

324. Bonuses for the grade or official rank or qualification category may only be paid to statutory civil servants in accordance with the procedure laid down in statutes. Bonuses for the qualification class shall not be paid to statutory civil servants whose service is regulated by Law of the Republic of Lithuania on the Diplomatic Service (Law No VIII-1012, December 29 1998).

325. Bonuses for the qualification class or qualification category, for the grade or official rank and for the diplomatic rank may not exceed 55 per cent of the basic salary.

326. Civil servants shall be paid the following additional payments:

(a) For activities which exceed the usual workload due to increased scope of work performed within job functions defined in a job description, but not in excess of the established working hours.

(b) For the performance of additional assignments outside the job functions that are specified in a job description. Additional assignments for a civil servant shall be formulated in writing.

(c) For work in harmful, highly harmful and hazardous conditions.

(d) To statutory civil servants for work, if the work is directly connected with attending service animals and their training to perform work tasks.

327. Additional assignments for a civil servant shall be formulated in writing. The amount of additional pays specified in first and second subparagraphs of this Article shall not exceed 60 per cent of the basic salary, and of those referred to in the last two subparagraphs – 20 per cent.

328. Additional pays for activities which exceed the usual workload and the performance of additional assignments may not be paid longer than one year after they had been fixed, except in the case of the civil servants of political (personal) trust.

329. In respect to other enterprises, institutions, organizations, the conditions for determining the wage, rates, tariffs and qualification requirements for professions and positions, specific hourly pay on the rate basis, monthly wages, other forms of remuneration for work and conditions shall be laid down in collective agreements and employment contracts (Article 188 of the LC).

**2. (b)**

330. Under Article 187 of the LC any employee working under an employment contract irrespective of the form of ownership of an enterprise shall be paid no less than the minimum rate of the hourly pay or MMW.

331. The Government of the Republic of Lithuania, upon the recommendation of the Tripartite Council, shall determine the minimum hourly pay and MMW. Upon the recommendation of the Tripartite Council, the Government of the Republic of Lithuania may fix different minimum rates of the hourly pay and MMW for different branches of economy, regions or categories of employees.

332. As of 1 July 2006, the State has fixed for the employees working under employment contracts MMW of LTL 600 and the minimum hourly pay of LTL 3.65 (the minimum wage increased more than by 9 per cent); as of 1 July 2007, for the employees working under employment contracts — MMW of LTL 700 and the minimum hourly pay of LTL 4.19 (the minimum wage increased respectively by 16.7 and 14.5 per cent); as of 1 January 2008, for the employees working under employment contracts — MMW of LTL 800 and the minimum hourly pay of LTL 4.85 (the minimum wage increased respectively by 14.3 and 15.8 per cent).

333. Collective agreements may establish higher rates of the minimum wage than those fixed by the Government of the Republic of Lithuania. The hourly pay or the monthly wage of an employee may not be less than the minimum rates established by the Government of the Republic of Lithuania.

334. The Department of Statistics under the Government of the Republic of Lithuania (Statistics Lithuania), on the basis of its statistical survey of the gross earnings of employees according to the data of October 2007, reported that the share of full-time employees receiving MMW, excluding individual enterprises, in the whole economy made up 7.0 per cent and decreased by 1.5 percentage point compared to October 2006, and compared to October 2003 – by 3.2 percentage point.

335. It has been observed that the share of full-time employees receiving MMW in accommodation and food service (17.7 per cent), agriculture, forestry and fishing (11.5 per cent), education (10.1 per cent), wholesale and retail trade (8.4 per cent) was considerably higher than in the whole economy (7 per cent), excluding individual enterprises. In 2007, the lowest proportion of full-time employees receiving MMW was in the public administration and defence as well as in compulsory social insurance activities.

336. The number of full-time employees\* earning MMW against the number of full-time employees by sector, October 2003–2007.

Table 7.1

**Per cent**

	2003	2004	2005	2006	2007
Whole economy	10.2	12.1	10.3	8.5	7.0
Public sector	5.1	5.6	5.2	5.0	5.2
Private sector	14.4	16.7	13.9	10.7	8.0

\* Individual enterprises excluded.

Table 7.2

**The number of full-time employees\* earning MMW against the total number of full-time employees by kind of economic activity, October 2003–2007, per cent**

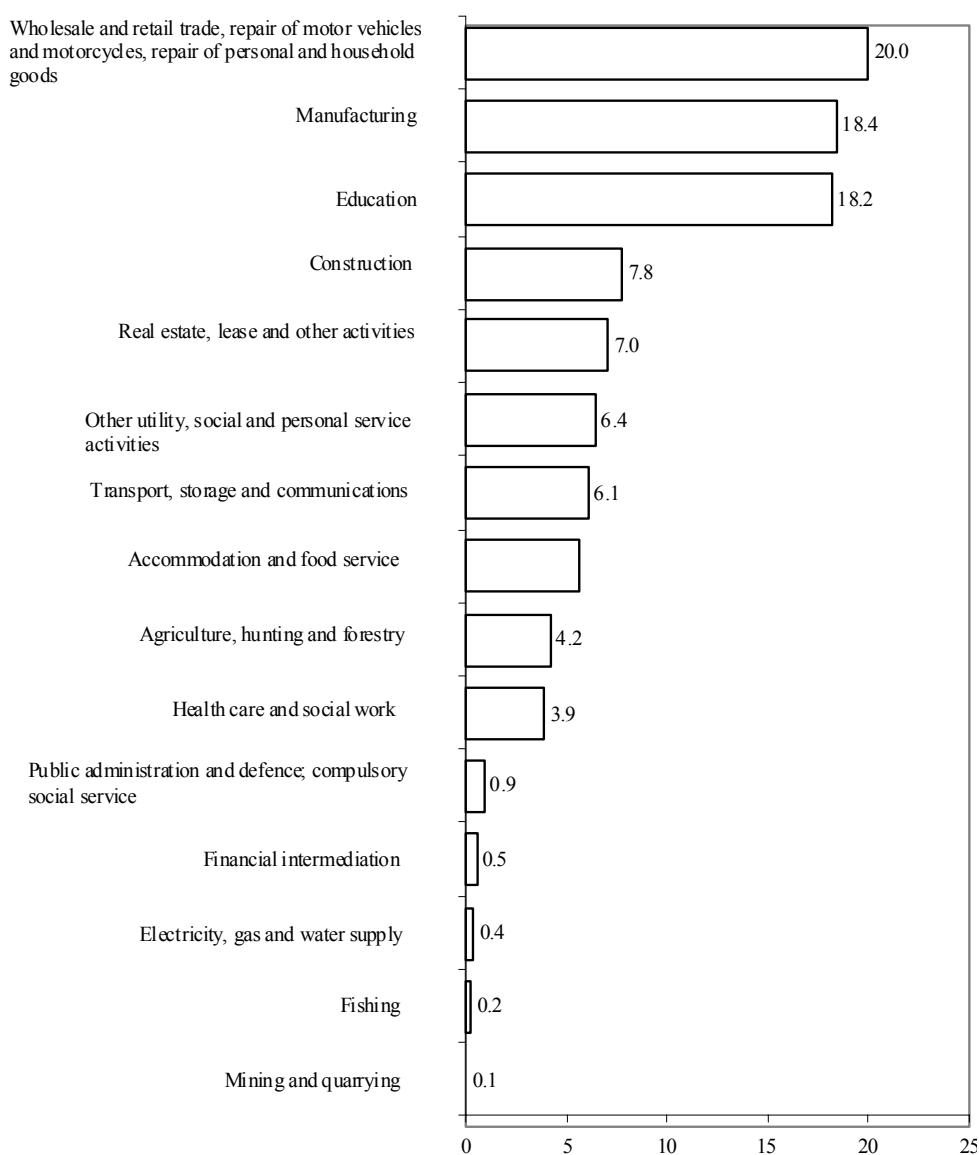
NACE codes	Kind of economic activity	Number of employees earning MMW				
		2003	2004	2005	2006	2007
<b>A–O</b>	<b>Total</b>	<b>10.2</b>	<b>12.1</b>	<b>10.3</b>	<b>8.5</b>	<b>7.0</b>
A	Agriculture, forestry and hunting	14.5	17.2	16.5	9.6	11.5
B	Fishing	(20.0)	15.5	18.0	9.5	10.8
C	Mining and quarrying	4.4	5.6	3.2	(3.4)	2.2
D	Manufacturing	(10.9)	14.1	12.0	9.1	6.8
E	Electricity, gas and piped water	0.9	1.0	1.1	1.0	1.1
F	Construction	10.8	13.7	(10.4)	5.9	5.8
G	Wholesale and retail trade; repair of motor vehicles and motorcycles, repair of personal and household goods	18.3	20.2	16.3	13.0	8.4
H	Accommodation and food service activities	27.6	27.8	25.6	20.4	17.7
I	Transport, storage and communications	8.0	8.7	7.7	7.6	5.6
J	Financial intermediation	3.3	4.1	3.9	(3.4)	2.0
K	Real estate, rental and other business activities	13.3	15.3	13.3	(11.0)	8.1
L	Public administration and defence; compulsory social security	(0.7)	(0.4)	(0.5)	(0.7)	0.8
M	Education	10.9	11.3	9.1	9.6	10.1
N	Health care and social work	3.9	4.8	5.5	4.0	3.6
O	Other utility, social and personal service activities	10.8	15.1	13.3	12.8	11.8

\* Individual enterprises excluded. ( ) – insufficient accuracy of statistical estimate.

337. There has been uneven distribution of the number of full-time employees earning MMW by economic activity compared to the number of such employees of the whole economy. In 2007, the largest proportion of full-time employees receiving MMW was in the enterprises engaging in the wholesale and retail trade, repair of motor vehicles and motorcycles, repair of personal and household goods (20 per cent) as well as manufacturing (18.4 per cent), while the lowest – in the mining and quarrying (0.1 per cent), and fishing (0.2 per cent).

**Chart 7.3**

**The number of full time employees earning MMW by kind of economic activity against the number of the full-time employees in the whole economy, October 2007, per cent**



**(i)**

338. The payment of the minimum wage (MMW or the minimum hourly wage) is established by law and shall be guaranteed to all employees working under employment contracts in enterprises, institutions and organizations, regardless of their forms of ownership. As has been mentioned, MMW shows steady, gradually increasing trend. The minimum wages rates are established according to financial possibilities after assessment of economic and social factors.

**(ii)**

**Responses to the questions and recommendations given in paragraphs 13 and 35 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**The minimum monthly wage rate**

339. The Tripartite Council of the Republic of Lithuania, which is formed on a parity basis from the representatives of employees, employers and government institutions, decides on how much and to what extent the minimum wage rates should be increased after taking into account financial possibilities and following the assessment of economic and social indicators.

**(iii)**

340. The control over the implementation of labour legislation as well as the enforcement of the payment of the minimum wage is carried out by the State Labour Inspection. In the period from 01-01-2008 to 30-06-2008, the State Labour Inspection carried out checks of enterprises and their structural divisions, in the course of which 1684 violations relating to payment of wages were revealed, a part of them – to the application of the minimum wage rates.

**(iv)**

Table 7.4

**Ratio of MMW, minimum standard of living and the average wage in 1998, 2003 and 2007 (LTL)**

<i>Year</i>	<i>MMW*</i>	<i>AW</i>	<i>MMW and AW ratio (per cent)</i>
1998	418	929.8	45
2003	437*	1 072.6	41
2007	650*	1 802.4	36

\* Average annual minimum wage.

**(v)**

341. The control and inspection of the payment of the minimum wage to employees is performed by the State Labour Inspection and the State Tax Inspectorate. According to Article 33 of the LC, the non-state control over compliance with labour laws, other regulatory acts, collective agreements shall be exercised by trade unions, inspectorates under their jurisdiction and other institutions operating in accordance with laws and other regulatory acts.

**2. (c)**

342. According to Article 48 of the Constitution of the Republic of Lithuania, each human being may freely choose a job or business, and shall have the right to have proper, safe and healthy conditions at work, to receive fair payment for work and social security in the event of unemployment. This forms one of the fundamentals of labour law. According to Article 186(3) of the LC, the wage of an employee shall depend upon the amount and quality of work, the results of the activities by the enterprise, institution or organisation as well as the labour demand and supply on the labour market.

343. Article 2 of the LC stipulates the equality of subjects of labour law irrespective of their gender, sexual orientation, race, nationality, language, origin, citizenship and social status, religion, marital and family status, age, opinions or views, political party or public organisation membership and factors unrelated to the employee's professional qualities.

344. The LC also sets forth the principles for the legal regulation of labour relations, one of which is equality for all employees regardless of their sex, race, nationality, citizenship, political convictions, religious beliefs, or any other factors which do not affect their professional qualifications. The Law of the Republic of Lithuania on Equal Opportunities obligates employers to pay equal pay for work of equal value. In addition, Article 5 of the Law on Equal Opportunities for Women and Men obligates employers to provide equal pay for the same work or for the work of equivalent value, including all the additional remuneration paid by the employer to employees for the performed work.

345. Article 41-6 of CAVL establishes penalties for violating the equal rights of women and men prescribed by the Law on Equal Opportunities for Women and Men.

346. The State Labour Inspectorate and its territorial divisions carry out control and supervision of the implementation of legislative acts on labour relations. The Equal Opportunities Ombudsman shall supervise the implementation of the Law on Equal Opportunities of Women and Men and investigate individual complaints.

347. Under the National Programme on Equal Opportunities for Women and Men for 2005–2009, employers are encouraged to provide equal pay for men and women for the work of equivalent value. In 2005, the Tripartite Council of the Republic of Lithuania, together with MSSL and the Institute for Labour and Social Research, developed the Methodology for the Assessment of Jobs and Positions aimed at increasing transparency of the remuneration for work, providing for a more objective evaluation of the complexity of jobs (positions), their levels in enterprises and organizations and facilitating the determination of basic pay rates in both individual economic units and economic branches, regardless of the gender. Every year, this methodology is presented at seminars attended by up to 25 members of trade unions from different industries, financiers from private enterprises and staff managers.

348. The principle of equal remuneration of women and men workers for work of equal value in the public institutions is not infringed. Under the Law of the Republic of Lithuania on Civil Service, wages of civil servants shall be determined according to the categories and grades of civil servants, which are established equally for men and women. Differences in remuneration persist due to vertical segregation of the labour market (women often occupy lower status positions than men) as well as horizontal segregation of the labour market.

349. According to the data of the Department of Statistics, the hourly AW of females in the State economy is lower than that of males. In 2006, women earned 16.2 per cent, and in 2007 – 19.3 per cent less than men. In 2007, a narrowing of earnings disparities between women and men was observed in the public sector, while in the private sector the gap was increasing and, in 2007, it made up 22.2 per cent (grew by 3.1 percentage point compared with the previous year).

350. The average hourly GW of females as compared to that of males is lower in all kinds of economic activities, excluding education. In 2007, women engaging in the said activity earned 0.9 per cent more than men. This is due to the fact that, in 2007, in the institutions engaging in education activities female employees were 3 times the number of males, most of the women having higher education and etc.

351. The biggest male and female wage differences in 2007 were observed in financial intermediation (42.6 per cent) and manufacturing (29.1).

Table 7.5  
**Male-female wage differences in the State economy\* by sector, 2000–2007,\* per cent**

	2002	2003	2004	2005	2006	2007
Whole economy	16.2	16.7	15.9	15.1	16.2	19.3
Public sector	21.2	21.6	20.0	18.0	18.4	18.0
Private sector	14.6	15.8	18.0	17.7	19.1	22.2

\* Individual enterprises excluded.

Table 7.6  
**Male-female wage differences in the State economy\* by kind of economic activity, 2000–2007,\* per cent**

<i>NACE codes</i>	<i>Kind of economic activity</i>	2002	2003	2004	2005	2006	2007
	<b>Total</b>	<b>16.2</b>	<b>16.7</b>	<b>15.9</b>	<b>15.1</b>	<b>16.2</b>	<b>19.3</b>
A	Agriculture, hunting and forestry	7.6	11.9	10.5	13.2	13.6	14.7
B	Fishing	7.6	13.1	8.6	10.4	7.7	19.0
C	Mining and quarrying	4.5	5.0	1.5	4.1	9.5	12.7
D	Manufacturing	21.7	22.6	23.5	24.2	26.0	29.1
E	Electricity, gas and piped water	16.6	14.4	12.9	14.3	14.1	14.9
F	Construction	5.9	1.4	4.4	2.5	11.5	16.9
G	Wholesale and retail trade; repair of motor vehicles and motorcycles, repair of personal and household goods	17.5	21.8	19.8	20.9	20.3	25.2
H	Hotels and restaurants	11.3	17.6	8.0	17.7	18.2	15.4
I	Transport, storage and communications	8.9	3.4	4.7	5.5	4.4	3.9
J	Financial intermediation	38.5	40.6	41.2	43.0	41.8	42.6
K	Real estate, rental and other business activities	14.3	15.1	17.9	15.2	9.6	6.7
L	Public administration and defence; compulsory social security	13.2	5.7	6.5	5.2	5.1	5.3
M	Education	-4.4	1.1	-4.0	-3.3	0.4	-0.9
N	Health care and social work	17.6	18.1	18.3	18.4	21.1	22.6
O	Other utility, social and personal service activities	19.1	18.3	17.9	16.0	13.3	22.1

\* Individual enterprises excluded.

352. The male-female wage disparity is the difference between the average hourly GW of females and the average hourly GW of males expressed as the percentage ratio.

353. The average hourly GW is the wage before taxes for one hour paid for.

**(i)**

354. The principle of equal remuneration of women and men workers for work of equal value in the public institutions is not infringed. Under the Law of the Republic of Lithuania on Public Service, wages and salaries of the public servants shall be determined according to the categories and grades of civil servants, which are established equally for men and



women. Wage differences persist due to uneven vertical distribution in the same occupation (by positions occupied) as well as due to horizontal distribution by complexity of occupations and remuneration (profitable and non-profitable occupations).

(ii)

355. Job positions are defined and evaluated in accordance with the Methodology for the Assessment of Jobs and Positions approved by Resolution No 685 of the Government of the Republic of Lithuania of 20 May 2002. Job descriptions of the subordinated civil servants shall be drafted by the person or the head of a collegiate public or municipal institution (in the case when a civil servant is accepted to the position by the afore-mentioned institution or its authorized person) as well as heads of the structural divisions of an institution accepting a civil servant to a position, in accordance with the above-mentioned methodology. Job descriptions shall be drafted based on an analysis of the tasks and functions of an institution and/or the structural division of an institution specified in legislative acts. With these taken into account, the purpose of a job position shall be determined. Besides, the job description shall specify areas of activity, specific requirements, functions and the civil servant's subordination. The levels and categories of positions of civil servants, except of statutory civil servants, shall be determined in accordance with the assessment criteria and a unified list of civil service positions **set out in Annex 3 of the Law on Public Service of the Republic of Lithuania.**

356. The Government of the Republic of Lithuania is focusing its efforts on reducing male and female wage differences by increasing wages in the fields that are funded from budget allocations and where the majority of workers are females. During 2007, the wages of employees working in different fields in budget-funded institutions and organizations were raised as follows: as of 1 January 2007, wage coefficients of health care workers employed in budget financed institutions were raised by 20 per cent on average, and from 1 July 2007, wage coefficients for workers of the institutions of science and studies and for teachers were increased by 20 per cent on average. As of 1 January 2007, the Seimas approved the basic salary rate equal to LTL 442 (increased by 2.8 per cent), which is applied to determine the salaries of State politicians, judges, State officials and civil servants. The Seimas has adopted the Law of Republic of Lithuania on the Basic Amount of Official Salaries for State Politicians, Judges, State Officials and Civil Servants Applicable for 2008 (No X-1270, 4 July 2007) which, since 1 January 2008, has set out the basic amount applied in determining an official salary of state politicians, judges, state officials and civil servants equal to LTL 490 (salary was increased by 10.9 per cent).

357. In 2007, The Government of the Republic of Lithuania adopted decisions, which impacted on wage growth in 2008. Upon the recommendation of the Tripartite Council, the Government of the Republic of Lithuania, from 1 January 2008, has established MMW equal to LTL 800 and the minimum hourly wage of LTL 4.85. The minimum wage as compared to its previous amounts (LTL 700 and LTL 4.19) was increased respectively by 14.3 and 15.8 per cent, and in 2008, the salaries of the employees of state and municipal budgetary institutions working under employment contracts were raised after the approval by the Government of the Republic of Lithuania of the basic monthly salary equal to LTL 128 and the basic hourly salary of LTL 0.76. As a result, from 1 January 2008, the salaries of all employees of state and municipal budgetary institutions working under employment contracts have increased by 11.3 per cent.

358. In 2008, the Government of the Republic of Lithuania adopted decisions concerning a further increase of remuneration for work of employees of budgetary institutions in certain fields:

(a) Resolution No 401 of the Government of the Republic of Lithuania of 17 April 2008 “On the Approval of the Programme for Increasing the Salaries of Cultural and Art Workers for 2009–2011”

(b) Resolution No 397 of the Government of the Republic of Lithuania of 29 April 2008 “On Amending the Resolution No 193 of the Government of the Republic of Lithuania of 5 March 2008 on the Approval of the Long-Term Wage Increase Programme for Teachers”

(c) Resolution No 419 of the Government of the Republic of Lithuania of 29 April 2008 “On the Approval of the Long-Term Programme for Increasing the Wages and Improving Social Guarantees of Social Workers for 2008–2011”

(d) Resolution No 509 of the Government of the Republic of Lithuania of 28 May 2008 “On the Approval of the Programme for Increasing the Wages of the Workers of Science and Research Institutions for 2009–2011”; Regardless of the fact that, under the laws, **men and women should be provided with equal pay for the work of equivalent value**, it is difficult to ensure the implementation of this principle in the private sector

## 2. (d)

350. A more rapid increase in the average GW has been observed in Lithuania since 2002. The average GW (before tax deductions) increased by 20.5 percent in 2007 as compared to 2006, and compared to 2002 – by 1.8 times.

360. The increase in GW was conditioned by a rapid economic growth, the rise of MMW and remuneration for work for employees engaging in health, education and other activities. In 2002–2007, MMW saw its annual rise and, during the said period, grew from LTL 430 to LTL 700.

361. GW by sector (public and private) was subject to fluctuation. Since 2002, a more intense growth of GW has been observed in private sector compared to the previous year. In 2007, GW in the private sector made up LTL 1755.9 and grew by 23.8 per cent year on year (in 2006 – LTL 1418.7 and grew – by 18.8 per cent). GW in the public sector was LTL 1891.8.4 in 2007 and, compared to 2006, increased by 15.9 per cent.

Table 7.7

### Average GW and indices, 2002–2007

		<i>GW, LTL</i>	<i>GW, compared to the previous period, per cent</i>
2002	W	1 013.9	103.2
	Pu	1 133.8	103.3
	Pr	925.8	104.2
2003	W	1 072.6	105.8
	Pu	1 200.7	105.9
	Pr	984.8	106.4
2004	W	1 149.3	107.2
	Pu	1 271.3	105.9
	Pr	1 069.6	108.6
2005	W	1 276.2	111.0
	Pu	1 413.6	111.2
	Pr	1 194.0	111.6
2006	W	1 495.7	117.2

		<i>GW, LTL</i>	<i>GW, compared to the previous period, per cent</i>
2007	Pu	1 633.0	115.5
	Pr	1 418.7	118.8
	W	1 802.4	120.5
	Pu	1 891.9	115.9
	Pr	1 755.9	123.8

Symbols: W – whole economy; Pu – public sector; Pr – private sector.

Table 7.8  
**MMW, basic monthly wage and average GW in the whole economy, 2002–2007**

	<i>MMW, LTL</i>	<i>Basic monthly wage,* LTL</i>	<i>GW, LTL</i>	<i>MMW against GW, per cent</i>	<i>Basic monthly wage against GW, per cent</i>
2002	430	105	1 013.9	42.4	10.4
2003	436.7/430	105	1 072.6	40.7/40.1	9.8
2004	483.3/430	111.7	1 149.3	42.1/37.4	9.7
2005	525/430	115	1 276.2	41.1/33.7	9.0
2006	575/430	115	1 495.7	38.4/28.7	7.7
2007	650	115	1 802.4	36.1	6.4

\* Monthly average.

362. The average gross monthly salary in the whole economy (less individual enterprises) in Q2 of 2008 made up LTL 2236.8 and increased by 22.5 per cent compared to Q2 of 2007, in the public sector it equalled LTL 2287.2 and, compared to Q2 of 2007, ascended by 23.8 per cent, while in the private sector totalled LTL 2208.0 and went up by 21.7 per cent against the second quarter of the previous year.

363. The average GW in Q2 of 2008 as compared to Q1 of 2008 grew: in the country's economy – by 4.0 per cent, in the public sector – by 5.0 per cent, and in the private sector – by 3.4 per cent.

364. The growth of earnings in Q2 of 2008, compared to Q1 of 2008, was influenced by a higher number of working days, increased wages and salaries for health care employees and raised coefficients of the basic salary of the pedagogical staff.

365. The average wage (hereinafter referred to as the “AW”) in the whole economy (less individual enterprises) in Q2 of 2008 equalled LTL 1713.1 and, compared to Q2 of 2007, went up by 25.2 per cent, in the public sector – LTL 1749.8 increasing by 26.5 percent over the year, while in the private sector – LTL 1692.0 or 24.4 per cent higher than in Q2 of 2007.

366. The AW in Q2 of 2008 as compared to Q1 of 2008 increased: in the country's economy – by 3.8 per cent, in the public sector – by 4.7 per cent, and in the private sector – by 3.2 per cent.

367. According to the data provided by the Civil Servants Register, the AW of civil servants in 2005–2008 was as follows: in 2005 – LTL 2408; in 2006 – LTL 2445; in 2007 – LTL 2606; in 2008 – LTL 3364.

### 3.

368. The right of employees to enjoy safe and healthy working conditions is guaranteed by the Constitution of the Republic of Lithuania, the LC, the Law of the Republic of Lithuania on Health and Safety at Work (Law No IX-1672, 1 July 2003), the Law of the Republic of Lithuania on State Labour Inspectorate (Law No IX-1768, 14 October 2003), the Law of the Republic of Lithuania on the Maintenance of Potentially Hazardous Equipment (Law No I-1324, 2 May 1996) as well as by other regulatory legislation on health and safety at work. The state policy in the area of occupational safety and health is carried out by MSSL and MH which establish the minimum requirements for occupational health and safety.

369. The year 2003 saw the adoption of a new version of the Law of the Republic of Lithuania on Health and Safety at Work, the Law of the Republic of Lithuania on State Labour Inspectorate, the Law of the Republic of Lithuania on Social Insurance of Labour accidents and Occupational Diseases (Law No VIII-1509, 23 December 1999; version of the Law No IX-1819, 11 November 2003).

370. On 7 June 2007, Law No X-1169 Amending and Supplementing the Law of the Republic of Lithuania on Health and Safety at Work was adopted which provides for the implementation of the Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003.

371. The amendments to the said Law lay down that an employer, seeking to ensure safe and healthy working conditions shall, after taking into account occupational risks and the number of employees in the enterprise, appoint one or more employees as occupational safety and health experts or set up a separate structural unit in the enterprise – an occupational safety and health service or shall conclude a contract on the provision of occupational safety and health services with a licensed natural or legal person. The Law was supplemented with Article 12,<sup>1</sup> which lays down the requirements for legal entities and natural persons seeking to obtain a licence to provide occupational safety and health services.

372. Occupational safety and health comprises all preventive measures aimed at protecting functional capacity, health and life of employees at work, which shall be used or planned at all operational stages of a company to protect employees from occupational risks or minimise these risks. It is the duty of an employer to ensure secure and healthy working conditions in all work-related aspects. For performing this duty, an employer shall organise the implementation of preventive measures (technical, medical, legal, organizational, etc.) aimed at prevention of labour accidents and occupational diseases, by establishing in his enterprise a procedure for the implementation and control of these measures, designating persons to act as their representatives and delegating to them specific tasks to implement the preventive measures.

373. Article 19 of the Law of the Republic of Lithuania on Health and Safety at Work stipulates that the employer shall take measures to ensure safe and healthy working conditions and, on his own, organize internal supervision over the employees' safety and health in the enterprise. For this purpose the employer:

- (a) Shall organize occupational risk assessment
- (b) Shall organize the drawing up and completion of the Occupational Risk Assessment Card of the company
- (c) The sample form of such a Card shall be established by the Minister of Social Security and Labour and the Minister of Health

(d) On the basis of the results of occupational risk assessment, shall establish the procedure for the supervision over the compliance with the occupational safety and health requirements in the enterprise

(e) Shall approve the Regulations of the Occupational Safety and Health Service of the company and/or job descriptions (instructions) of the company's occupational safety and health experts

(f) Shall instruct the heads of the company's units to implement the measures for improving occupational safety and health and supervise the compliance with the requirements for safety and health at work

374. The employer, in the course of establishing the internal supervision over occupational safety and health in the company and planning the measures for improving safety and health at work, shall be guided by the following common principles of risk assessment and ensuring occupational safety and health:

(a) Avoidance of occupational risks to safety and health, reduction of risk factors and their impact

(b) Assessment of the potential impact of the unavoidable occupational risks to safety and health

(c) Elimination of the identified risks at source

(d) Evaluation of the employee's capabilities to perform the occupational task entrusted to him (by determining whether the working process, design of work places, chosen work equipment, working methods, the predetermined work or production rate match the employee's capabilities)

(e) Application of technological progress in the workplace design by creating secure and healthy working environment, selecting work equipment

(f) Replacement of hazardous work processes with non-hazardous or less hazardous ones

(g) Giving priority to collective protective safety and health measures over the personal protective measures

(h) Providing employees with personal protective measures;

(i) Training and instructing of employees on compulsory occupational safety and health requirements

(j) Application of other necessary measures of safety and health at work

375. The employer, on the basis of safety and health status of the workers working in his enterprise, shall decide on the collective protective measures to be used, organize the installation of collective preventative measures and, if they offer insufficient protection from occupational risks, provide workers with personal protective measures, organize checks of such measures, provide workers with safe work equipment, introduce safe working and technological processes, place safety signs in work places potentially exposed to occupational hazards, provide utility, sanitary and personal hygiene facilities. Personal protective measures must be adapted to work, comfortable to use and should not pose additional risks to the safety of workers. If case of contamination-related jobs, the workers must be provided with personal hygiene items (soap, towels and etc.).

376. Article 18 of the Law of the Republic of Lithuania on Health and Safety at Work stipulates that enterprises engaging in activities relating to the use of hazardous chemical substances and their preparations as well as biological agents (i.e. those engaging in the use, production, packaging, labelling, storage, transportation, supply of such substances to other

users and processing of their waste) shall plan and implement measures for workers' protection from exposure to such substances. The employer, seeking to protect workers from the impact of hazardous chemical substances and preparations, shall:

- (a) Take measures to replace dangerous chemical substances with less dangerous or non-dangerous ones
- (b) Take all necessary measures to protect workers from the impact of hazardous chemical substances and preparations as well as biological substances
- (c) Organize work in such a manner so as to reduce to a minimum the number of workers exposed to hazardous chemical substances and preparations as well as biological substances
- (d) Employ work equipment, technological processes, organize work in such a manner so as hazardous chemical substances and preparations as well as biological substances would not have a negative impact on workers' health
- (e) Draw up plans for preventive measures and rescue operations against possible emergencies when employees, other persons and environment may be exposed to dangerous factors of chemical substances and preparations as well as biological substances

377. The duties of an employer concerning the protection of workers from the risks arising or likely to arise from workplace exposure to chemical factors or due to activities related to chemical factors are laid down in the Regulations on Protection of Workers from Exposure to Chemical Substances at Work and the Regulations on Protection of Workers from Exposure to Carcinogens and Mutagens at Work. Every employee must receive instructions regarding the health impact of specific dangerous chemical substances produced, used, transported or stored in the enterprise. Employees involved in the production, handling and transportation of dangerous chemical substances or supervise their storage must receive safety instructions and training concerning work with specific chemical substances, moreover, they must be well-instructed on protective equipment against such exposure as well as first-aid means. The units of an enterprise and/or workplaces exposed to dangerous chemical substances must be equipped with collective protection measures. The units of an enterprise and/or workplaces exposed to flammable, explosive or likely to cause fire highly hazardous chemical substances must be equipped with special systems for detecting the quantity of such dangerous substances in the working environment, warning the workers about the imminent risk to their safety and health and also with first medical aid means to help in acute health disorders caused by these substances. The list of such means shall be approved by the MH.

378. Employees handling hazardous chemical substances shall be provided with appropriate personal protection equipment specified in the safety data sheet of the dangerous chemical substance. The workplaces where dangerous chemical substances are produced, used and stored shall be labelled with special warning and/or mandatory signs. Occupational safety and health requirements concerning the production, use, transportation and storage of hazardous chemical substances at work shall be laid down in appropriate legislative acts on occupational safety and health. Hazardous chemical substances shall be used in accordance with the occupational safety and health requirements specified in the material safety data sheet, which accompanies the material and is provided by the producer with the material supplied.

379. Pursuant to Article 29 of the Law of the Republic of Lithuania on Health and Safety at Work, employees who are at risk of exposure to an infectious disease shall be vaccinated from employer's funds. The list of employees to be vaccinated from employer's funds shall be approved by the MH.

380. The employees engaging in activities, which are organized and performed in compliance with the occupational safety and health requirements, may be entitled to longer holidays in accordance with the procedure established by laws.

381. Pursuant to Article 22 of the Law of the Republic of Lithuania on Health and Safety at Work, employers shall draw up emergency evacuation plans for the workers in an enterprise and its units. Employees are introduced to these plans upon assuming work in an enterprise. Personnel emergency evacuation plans shall be prominently displayed on the premises of an enterprise and its units. The emergency evacuation plans and accidents' prevention and elimination plans of an enterprise shall be familiar to the staff responsible for occupational safety and health in the enterprise as well as employees' representatives. The employer shall in each enterprise designate workers (on their consent) and regularly offer training to them in the enterprise on the protection of their own and other workers' health against imminent danger, provide them with first medical aid and other necessary means, taking into account work specifics and the number of workers.

382. In the event of imminent danger in an enterprise or its unit, the employer shall:

(a) As soon as possible, inform the workers who may be exposed to danger as well as all other personnel of the enterprise and indicate which measures are to be used regarding protection of workers' health and life and what steps are to be taken by the employees themselves

(b) Take all necessary steps to stop work, give instructions to enable workers to stop work themselves, if they have been trained to do so, give instructions to workers to leave the work place and proceed to an area of safety

(c) As soon as possible, inform appropriate internal and external services of an enterprise (i.e. civil protection, fire-fighting, emergency medical care and police) about the danger and the workers who have suffered it

(d) Until help from external services can be obtained, so as to eliminate danger, resort to personnel who have had appropriate training referred to in paragraph 3 of this Article as well as the personnel of the enterprise's occupational safety and health service and the workers' representatives responsible for health and safety

(e) Organize the provision of first medical aid to the workers who have suffered from emergency and the evacuation of the workers

383. Enterprises where dangerous chemical substances are produced and/or used shall be equipped with special work environment control systems or equipment for the control of technological processes and accident prevention, plans for accidents' prevention and elimination measures shall be drawn up. The control over the installation of work environment control systems, the implementation of accidents' prevention and elimination plans shall be carried out by the Fire and Rescue Department under MI and the State Labour Inspectorate.

### **3. (a)**

384. The Law of the Republic of Lithuania on Health and Safety at Work shall be applicable to any enterprise located in the territory of the Republic of Lithuania. The officials and soldiers of the systems of the National Defence, the Interior, the Customs, the State Security and other institutions, whose employment-related relations are regulated by relevant statutes, shall be subject to the provisions of the Law of the Republic of Lithuania on Health and Safety at Work and other regulatory legislation on occupational safety and health except only in cases when the said persons carry out functions attributable to activities of specific nature. The regulatory legislation regulating the service of the officials and soldiers of the said institutions must lay down safety and health requirements

concerning the performance by the said persons of activities of specific nature. When the said officials and soldiers perform functions, which are not attributable to specific activities, they shall be subject to the provisions of the Law of the Republic of Lithuania on Health and Safety at Work and other regulatory legislation.

385. The safety and health of workers working with radioactive substances and other sources of ionising radiation is regulated by the Law on Radiation Protection (Law No VIII-1019, January 12 1999), the Law of the Republic of Lithuania on Health and Safety at Work and other regulatory legislation on occupational safety and health.

386. According to the provisions of Article 228 of the LC and Article 33 of the Law of the Republic of Lithuania on Health and Safety at Work, it shall be the duty of every employee to comply with the requirements of the regulatory legislation on occupational safety and health. The said legislative acts lay down the duties of both employers and employees, irrespective of personal status.

387. Provisions of LC and the Law on Health and Safety at Work neither single out nor refer to self-employed persons, i.e. the term “self-employed person” is not used in the said legislative acts. However, the term “self-employed person” is used in the General Regulations on Setting-up Workplaces in Construction approved by Order of No A1-22/D1-34 of the Minister of Social Security and Labour and the Minister of Environment of 15 January 2008. These Regulations were developed for implementation of Council Directive 92/57/EEC of 24 June 1992 on the implementation of minimum safety and health requirements at temporary or mobile constructions sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ 2004 Special Edition, Chapter 5, Volume 2, p. 71). A self-employed person, in the course of his or her work, shall bear responsibilities of both an employer and a worker. Self-employed persons must comply with LC, the Law on Health and Safety at Work and other provisions of the regulations on occupational safety and health.

388. Article 5(2) of the Law of the Republic of Lithuania on Health and Safety at Work stipulates that the Minister of Health shall approve health care regulations (hygiene norms), i.e. establish safety and health requirements for separate activities or exposure of workers to separate factors. These hygiene norms shall be compulsory to both legal and natural persons, irrespective of their status.

389. Furthermore, the Rules on Occupational Safety and Health have been developed with regard to performance of specific work and use of working equipment, which shall also be applicable to both natural and legal persons, irrespective of their status.

### **3. (b)**

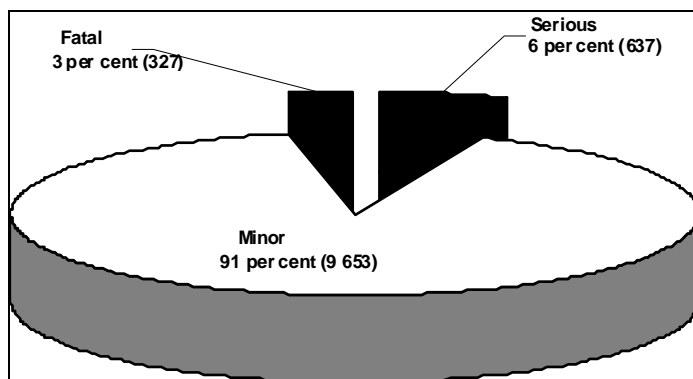
#### **Responses to questions and recommendations in paragraphs 14 and 36 of summary notes of the Economic, Social and Cultural Rights Committee**

##### *Number of labour accidents*

390. According to the revised data of 25-08-2008, the total number of labour accidents in 2005 was 3,358, in 2006 – 3,581 and in 2007 – 3,647. The distribution of labour accidents (form N-1), which occurred in 2005–2007, is shown in the chart below.



Chart 7.9  
**Breakdown of labour accidents in the country in 2005–2007**



391. The total number of labour accidents in 2007, as compared to 2005, as a result of enforcement of new regulations on investigation and register of labour accidents, which provided for a stricter regulation of minor labour accidents, increased by 9.4 per cent. However, according to the data per 100,000 workers, the situation stayed almost the same (274.4 in 2005 and 273.5 in 2007). In 2006, the total scope of labour accidents was 279.3.

Chart 7.10

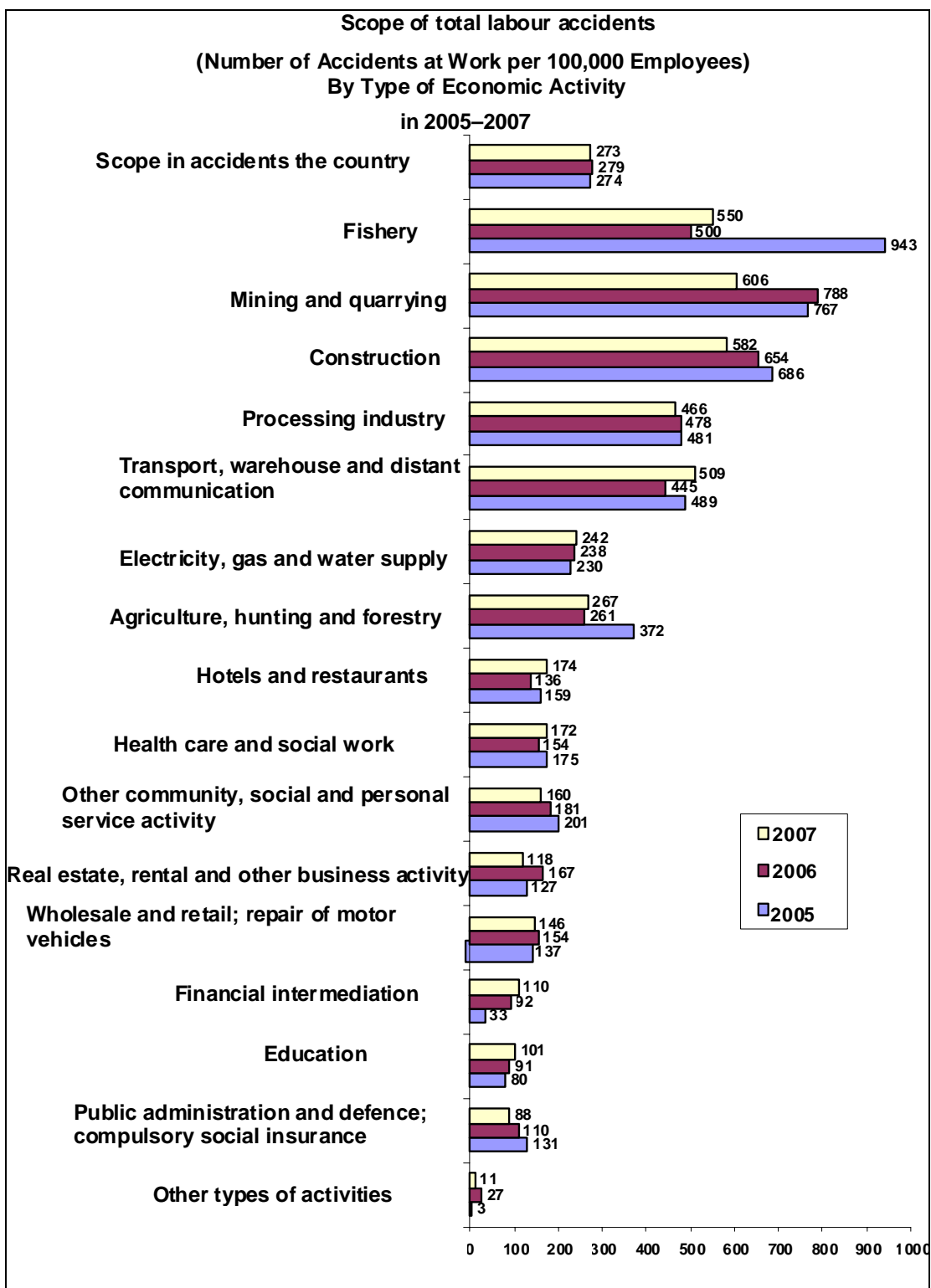
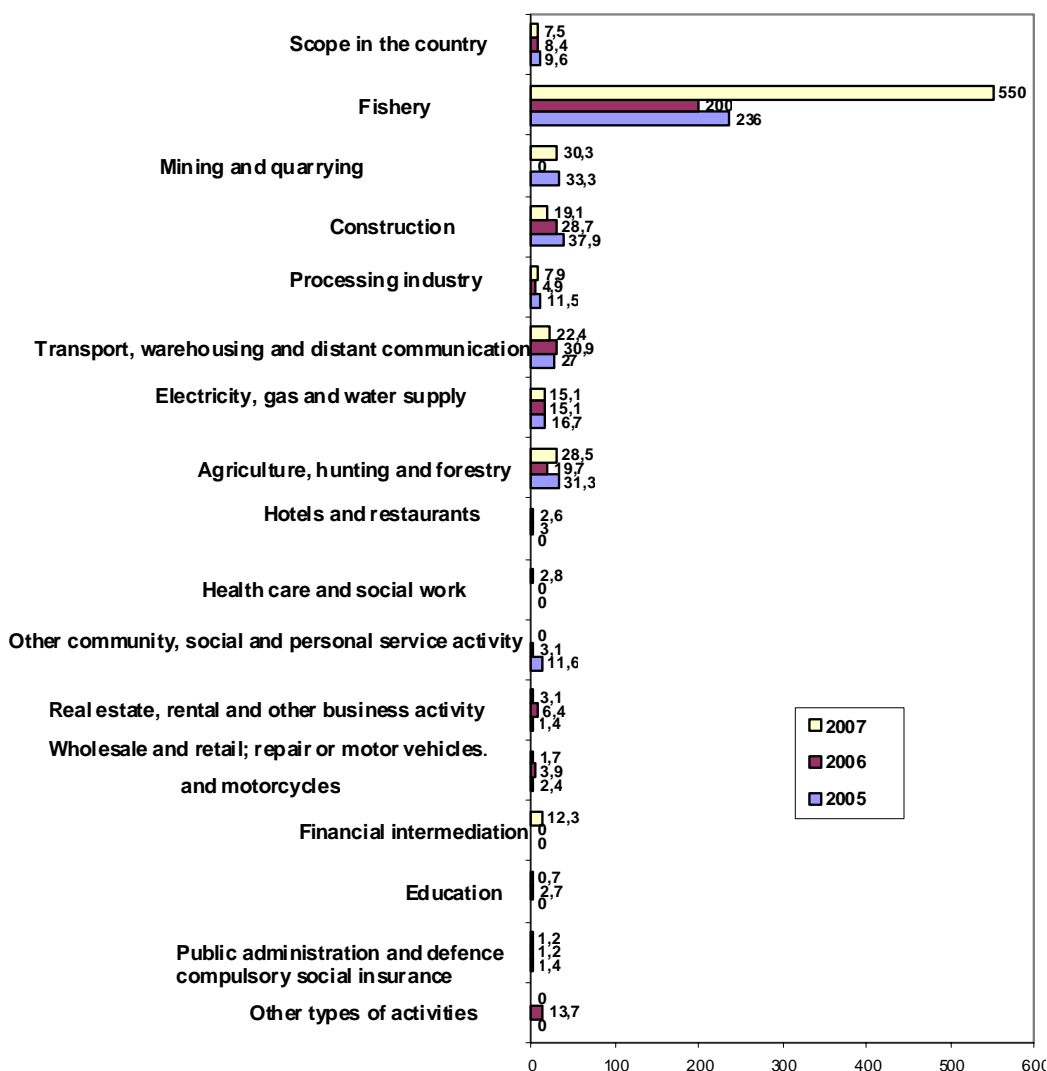


Chart 7.11

**Scope of fatal accidents at work (number of labour accidents per 100,000 employees) by type of economic activity in 2005–2007**



392. The breakdown of labour accidents by year and by traumatic factors is presented in Annexes 23 and 24 hereto.

#### 4.

393. The Law of the Republic of Lithuania on Equal Opportunities lays down an obligation upon an employer regarding the provision of equal opportunities at work and civil service: seeking to implement equal opportunities, the employer, regardless of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnicity, religion, shall provide equal work, civil service possibilities, opportunities to improve qualification, to seek professional training and occupational retraining, to acquire practical work experience as well as provide equal benefits.

394. Article 5 of the Law of the Republic of Lithuania on Equal Opportunities of Women and Men lays down obligations upon an employer regarding the implementation of equal opportunities for men and women at work, one of the obligations being the application of equal recruitment requirements or equal selection criteria for the promotion of workers.

395. Career principle is one of the main principles underlying the public service of the Republic of Lithuania.

396. Civil service positions of the Republic of Lithuania shall be divided into the following categories: career civil servants, civil servants of political (personal) confidence, heads of institutions and statutory civil servants. The right to career development in the civil service according to appropriate qualifications shall be guaranteed only for career civil servants. A career civil servant means a civil servant recruited for an indefinite term of office and having an opportunity to realise his right to career development in the civil service in accordance with the procedure laid down in the Law of the Republic of Lithuania on Civil Service. The right to career development shall be guaranteed to all career civil servants, irrespective of their race, gender, skin colour, religion or national origin.

397. The career principle in the civil service shall be implemented in the course of evaluation of the performance of the civil servant, transfer of the civil servant to another post in the same or another state or municipal institution or agency, international or foreign country institutions. The career development of civil servants and the principles of its implementation shall be regulated by Chapter V of the Law of the Republic of Lithuania on Civil Service and relevant resolutions of the Government of the Republic of Lithuania.

398. In accordance with legislative acts, a career civil servant may be promoted to a higher civil service post after winning an appropriate competition or after the evaluation of his performance. A civil servant may also be temporarily transferred to another civil service post (including higher posts).

399. A career civil servant may be transferred to a higher civil service post without competition by a decision of the appointing authority only if the career civil servant is evaluated by the civil servants' evaluation commission and if he or she meets special requirements. This may occur during annual or extraordinary evaluation of the civil servant's performance.

**(a)**

400. As has been mentioned earlier, on July 5 2008, after the new version of the Law of the Republic of Lithuania on Equal Opportunities came into force, equal opportunities at work guaranteed for representatives of different social groups, since the employer, regardless of gender, race, nationality, language, origin, social status, belief, convictions or views, age, sexual orientation, disability, ethnicity, religion, shall provide equal opportunities at work.

401. Article 5 of the Law of the Republic of Lithuania on Equal Opportunities of Women and Men lays down obligations upon an employer regarding the implementation of equal opportunities for men and women at work and one of the obligations is the provision of equal working conditions, opportunities to improve qualification, seek professional training and occupational retraining, acquire practical work experience as well as provision of equal benefits.

402. Article 3 of the Law of the Republic of Lithuania on Civil Service lays down the main principles of civil service. The principle of equality is one of them.

403. As the ongoing EQUAL projects of integrating national minorities into the labour market have shown, so far, most of the measures in favour of employment and professional integration are aimed at ensuring the equality between men and women as well as the

occupational integration of the disabled. In 2006, the Law of the Republic of Lithuania on Support of Employment was adopted in replacement of the previous Law on Support of the Unemployed. The new Law substitutes the support for the unemployed — by establishing quotas for the employment of certain groups of the unemployed persons — with the support for the employment through the provision of financial support to employers who employ the persons, additionally supported in the labour market and through a wider application of active labour market policy measures. The new Law includes an extended list of the persons who shall be additionally supported in the labour market. The concepts of the previously supported groups have also been extended, for example, the concept of the long-term unemployed, which now includes the persons whose unemployment period is or exceeds 2 years from the date of registration with a local labour exchange office. This is to the benefit of the persons who had been unemployed, but did not register with the local labour exchange office. The concept of additionally supported jobseekers according to age has also been extended. The Law of the Republic of Lithuania on Support of Employment, however, does not provide for all socially excluded groups. It should be necessary to include in the Law of the Republic of Lithuania on Support of Employment one more group of the additionally supported persons — national minorities — and specify additional support measures for the integration of national minorities into the labour market.

404. In the course of drafting a new Law of the Republic of Lithuania on National Minorities, it should be necessary to lay down the obligations of the competent public and municipal institutions concerning the implementation of measures for the integration of national minorities into the labour market in compliance with Article 3 the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation. For the purpose of implementing the Framework Convention for the Protection of National Minorities, the LC should be supplemented with a norm laying down an obligation for the Government of the Republic of Lithuania to undertake measures for improving the employment situation and encouraging a deeper social integration of the national minorities.

**(b)**

405. In the course of implementing the objective of the National Programme on Equal Opportunities for Women and Men for 2005–2009 of “increasing the opportunities for women to hold managing positions and decision-making positions”, seminars and conferences are organized, projects to promote equal representation of women and men in politics and decision-making are implemented, and also, a more active social and political participation of women is encouraged. (Please refer to Article 7 of the Third and Fourth Reports on the Implementation in the Republic of Lithuania of UN Convention on the Elimination of All Forms of Discrimination against Women).

406. Article 100 of the LC stipulates that labour laws, other regulatory acts and collective agreements may provide for that appointment to certain posts is made by way of competition, elections or upon passing qualification examinations.

407. Appointments by way of competition may be made to positions of managers and specialists, as well as such posts, which may be held by persons, who have certain skills or are subject to special intellectual, physical, medical or other requirements.

408. The list of competitive positions and the procedure of competitions in state and municipal enterprises, state and municipal institutions financed from state or social insurance budgetary funds as well as other state-established funds shall be established by the Government, excluding the institutions where competitive positions and the procedure of competitions shall be regulated by special laws. Lists of competitive positions and competition regulations at other workplaces shall be approved by an employer or his authorised person taking into account the opinion of representatives of employees.

409. In the cases specified in competition regulations a person may be appointed to a position included on the list of competitive positions under a fixed-term employment contract but for a period not exceeding one year (Article 101 of the LC).

**5.**

410. The laws and other legal acts regulating holidays are:

- (a) The Constitution of the Republic of Lithuania
- (b) The LC
- (c) Resolution No 941 of the Government of the Republic of Lithuania of 18 July 2003 “On Approval of the List of Certain Categories of Employees Entitled to the Annual Extended Holiday and the Duration of the Said Holiday”
- (d) Resolution No 497 of the Government of the Republic of Lithuania of 22 April 2003 “On Approval of the Duration of the Annual Additional Leave, Conditions and Procedure of Granting thereof”
- (e) Resolution No 587 of the Government of the Republic of Lithuania of 14 May 2003 “On Approval of the List of Jobs Where the Working Time up to Twenty Four Hours per Day May be Applicable, Working and Rest Period Specifics in the Areas of Economic Activity, Jobs and Conditions when Summary Recording of Working Time May Be Applied as Well as the Procedure for Introduction of Summary Recording of Working Time in Companies, Institutions and Organisations”
- (f) Resolution No 160 of the Government of the Republic of Lithuania of 3 February 2003 “On Approval of the Procedure for the Establishment of Additional and Special Breaks to be Included into Working Time”

411. Pursuant to Articles 156 and 157 of the LC, the rest period shall be the time free from work, regulated by law, a collective agreement or a contract of employment. Types of the rest period shall be:

- A break to rest and to eat
- Additional special breaks for rest during a working day/shift
- Uninterrupted rest for 24 hours in between working days/shifts
- Uninterrupted rest for a week
- An annual rest period (public holidays, annual holiday)

**Breaks and daily rest**

412. Employees shall have the right to have a break and to eat. Article 158 of the LC stipulates that employees shall be granted a break of maximum two hours and minimum half an hour to rest and to eat. This break shall be provided, as a rule, after half of the working day/shift but not later than after four working hours. Employees shall use the break to rest and to eat at their discretion. During the break they may leave the work place. This break shall not be included in the working time. In a six-working day week, on the eve of rest days and public holidays, work may continue without a break to rest and to eat only where the duration of the working day does not exceed six hours. An employer must take care that adequate conditions are provided for the employees to rest and to eat during the break. Categories of work where, owing to industrial conditions, no breaks to rest and to eat may be made, employees must be provided with a possibility to eat during working time. The beginning, end and other conditions attaching to a break to rest and to eat shall be set by the internal work rules, the work schedule, a collective agreement and a contract of employment.

413. In addition to the breaks for rest and eating, Article 159 of the LC also provides for additional and special breaks with regard to the working conditions. Employees under 18 years of age, who work for more than four hours, must be granted an additional break of at least 30 minutes to rest during their working time. This break shall be included in their working time. When work is performed out of doors or in unheated premises, where the temperature is below  $-10^{\circ}$  C, also when performing hard physical work involving severe mental strain or work involving exposure to other effects adverse to health, special breaks must be provided. Additional and special breaks shall be included into the working time and the procedure for their establishment shall be approved by the Government of the Republic of Lithuania (Resolution No 160 of the Government of the Republic of Lithuania of 3 February 2003 “On Approval of the Procedure for the Establishment of Additional and Special Breaks to be Included into Working Time”). The number of additional and special breaks, their duration and the place of rest shall be defined, taking account of specific working conditions, in collective agreements or internal work rules.

414. Article 160 of the LC stipulates that the duration of daily uninterrupted rest between working days/shifts may not be shorter than 11 consecutive hours. The duration of daily uninterrupted rest to employees under 16 years of age must be at least 14 hours, and to persons from 16 to 18 years of age – at least 12 hours and must fall in the time from 22.0 h to 6.0 h.

#### **Weekly rest**

415. The weekly rest is regulated by Article 161 of the LC. Sunday shall be a general rest day and where there are five working days in a week – Saturday and Sunday, with the exception of cases specified in paragraphs 2, 3 and 4 of this Article and in other regulatory acts.

416. For enterprises and organisations where work cannot be interrupted because it involves the need for continuity of services to be provided to the population (public transport, health institutions, public utilities, theatres, museums, etc.) rest days shall be established by the executive municipal body.

417. At enterprises and organisations where work cannot be interrupted on technical grounds or involving the need for continuity of services to be provided to the population as well as at other enterprises of uninterrupted production rest days shall be provided on other week days in succession to each group of the employees in accordance with the work/shift schedules which shall be drawn up and approved following the procedure prescribed by Article 147 of the LC. Where the aggregate working time is calculated, employees shall be provided rest days in accordance with work/shift schedules.

418. An uninterrupted weekly rest period shall not be shorter than 35 hours. In the cases referred to in paragraphs 2, 3, and 4 of Article 161 both rest days to be provided must be consecutive. It shall be prohibited to assign work on rest days, with the exception of work which cannot be interrupted on technical grounds (enterprises and organisations of uninterrupted operation), work involving the need to provide services to the population as well as work involving urgent repair and loading.

419. Pregnant women, women who have recently given birth, breast-feeding women, the single parent employees raising a child before he/she has reached the age of three, and employees raising a child before he has reached the age of fourteen or a disabled child before he has reached the age of sixteen, and persons under eighteen may be assigned work on rest days only subject to their consent.

420. Persons under eighteen years of age must be provided at least two rest days per week. With a view to combining the rest time of employees with public holidays, the holiday days in the enterprises, institutions and organizations financed from state and

municipal budgets may be transferred to some other time by decision of the Government of the Republic of Lithuania, which would be recommendatory to other enterprises, institutions and organizations. The working time may not be prolonged as a result of transfer of rest days.

#### **Annual rest**

421. According to Article 165 of the LC, annual holiday shall be a period calculated in calendar days granted to an employee for rest and rehabilitation of working capacity, whereby his job/position and AW is retained. The public holidays shall not be included in the period of the holiday. Annual holiday shall be minimum, extended and additional.

422. The annual holiday shall be regulated by Article 166 of the LC. Annual 35-calendar-day minimum holiday shall be granted to: employees under 18 years of age; single parent employees raising a child before he has reached the age of fourteen or a disabled child before he has reached the age of sixteen; disabled persons; other persons specified by law. Annual holiday shall not be shortened for part-time employees.

423. The annual extended holiday shall be regulated by Article 167 of the LC. Extended annual holiday up to 58 calendar days shall be granted to certain categories of employees whose work involves greater nervous, emotional and intellectual strain and professional risk, as well as to those employees who work in specific working conditions. The Government of the Republic of Lithuania shall approve the list of categories of employees who are entitled to the extended holiday and shall define therein the specific duration of the extended holiday for each category of employees. The duration of the annual extended holiday and the specific categories of employees entitled to it are determined by Resolution No 941 of the Government of the Republic of Lithuania of 18 July 2003 "On Approval of the List of Certain Categories of Employees Entitled to the Annual Extended Holiday and the Duration of the Said Holiday".

424. According to Article 168 of the LC, additional annual holidays may be granted:

(a) To employees for the conditions of work which do not conform to normal work conditions.

(b) For a long uninterrupted employment at the same work place.

(c) For a special character of work. The duration of annual additional holiday, the terms and conditions as well as the procedure for the provision thereof shall be established by the Government of the Republic of Lithuania (Resolution No. 497 of the Government of the Republic of Lithuania of 22 April 2003 "On Approval of the Duration of the Annual Additional Holiday, Conditions and Procedure of Granting thereof").

425. A contract of employment, a collective agreement or internal work regulations may define a longer additional annual holiday or additional annual holiday of types other than those specified in this Article.

426. The procedure of granting of annual holiday and the pay for it shall be regulated by Articles 169–177 of the LC. It should be noted that the annual holiday for each working year shall be granted in the same working year. Annual holiday for the first working year shall be granted, as a rule, after six months of uninterrupted work at the enterprise. For the second and subsequent working years annual holiday shall be granted at any time of the working year in accordance with the schedule of granting an annual holiday. The procedure of making the schedule shall be laid down in a collective agreement and, where such an agreement is not made, the schedule of annual holiday shall be made by agreement of the parties.



427. Where there are less than six months of uninterrupted work, annual holiday shall be granted at the request of an employee in the following cases:

- (a) To women before pregnancy and confinement leave or after it
- (b) In other cases laid down in laws and collective agreements

428. The following persons shall be entitled to choose the time of annual holiday after six months of uninterrupted work at an enterprise:

- (a) Under 18 years of age
- (b) Pregnant women and single parent employees raising a child before he has reached the age of fourteen or a child with disabilities before he has reached the age of sixteen

429. Men shall be granted their annual holiday at their request during the pregnancy and confinement leave of their wives. During the first year of employment, the teaching staff of educational institutions shall be granted annual holiday during the summer holiday of school children and students, irrespective of the date when the staff began to work at the appropriate institution.

430. Annual holiday for the persons, who are studying without interruption of their employment, shall be adjusted, at their request, to the time of their examinations, tests, work on the graduation thesis, laboratory work and consultations. Persons who are taking care of sick or disabled persons at home as well as persons who are suffering from chronic diseases which become more acute depending on the atmospheric conditions shall be granted their annual holiday at the time of their choice subject to a recommendation of a health institution.

431. The number of years entitling an employee to annual holiday shall include:

- (a) The actual period of work
- (b) The period during which, under law, an employee retains his/her job/position and the full wage or a part thereof
- (c) The period during which, under law, an employee retains his/her job/position and is paid a grant or other benefits, with the exception of the period of parental leave where the child is under three years of age
- (d) The period during which the employee received a sickness or a maternity benefit
- (e) Annual holiday with pay
- (f) Unpaid holiday for up to 14 calendar days
- (g) Unpaid holiday for up to 30 calendar days for employees with disabilities
- (h) Unpaid holiday for up to 30 calendar days for employees taking care of a person with disabilities
- (i) The period of forced absence for an employee who has been reinstated in his former position
- (j) The period of a lawful strike
- (k) Other periods specified by law

432. The year of employment for which annual holiday is granted shall start from the date of admission of the employee to work.

433. Additional annual holiday shall be added to the minimum annual holiday and may be granted either together with it or separately. The employees who are entitled to an extended annual holiday and an additional annual holiday shall be granted, subject to their request, either only an extended annual holiday or, following the procedure laid down in paragraph 1 of this Article, by adding to the minimum annual holiday the additional annual holiday.

434. Annual holiday may, at the request of the employee, be taken in instalments. One instalment of annual holiday may not be shorter than 14 calendar days.

435. Recall from annual holiday shall be permitted only on the employee's consent. The unused portion of annual holiday shall be granted following the procedure set out in paragraphs 2 and 3, Article 174 of the LC.

436. It shall be permitted to transfer annual holiday only at the request or subject to the consent of the employee. Annual holiday shall also be transferred where the employee:

- (a) Is temporarily incapacitated
- (b) Becomes entitled to a special-purpose leave
- (c) Becomes entitled to unpaid leave
- (d) Is excused from work for the performance of official or public duties in the cases specified in Article 183 (1) and (3) of the LC
- (e) Takes part in relief operations after natural disasters and accidents, irrespective of the procedure according to which he was mobilised to take part in these operations

437. Where the afore mentioned causes or any other causes due to which annual holiday could not be used, arose before the commencement of annual holiday, annual holiday shall be transferred to some other time by agreement between the employee and the administration. Where such causes arose during annual holiday, the annual holiday shall be extended by an appropriate number of days, or, by agreement between the employee and the administration, the unused portion of annual holiday shall be carried forward to some other time. The transferred annual holiday shall be, as a rule, granted in the same year of employment. At the request or with the consent of the employee, the unused portion of annual holiday may be transferred and added to the annual holiday of the next year of employment.

438. When an employee is being dismissed from work, with the exception of cases when he/she is being dismissed through his/her own fault, the unused annual holiday shall be granted, at his/her own request, by carrying forward the date of dismissal. If this is the case, the date of dismissal shall be the next day after the final day of the annual holiday.

439. During annual holiday, the employee shall be guaranteed his/her AW received at all places of employment. The procedure of computation of AW shall be determined by the Government of the Republic of Lithuania. The pay for annual holiday shall be paid at least three calendar days before the commencement of annual holiday. Where the pay due to the employee is not paid at the prescribed time not through the fault of the employee, annual holiday shall be extended by as many days as the pay was delayed, and the pay for the extended period shall be the same as the pay for annual holiday.

440. The annual holiday may not be replaced by an allowance in lieu. If the employee cannot be granted annual holiday due to the termination of employment relationship or where the employee does not wish to go on holiday, he shall be paid an allowance in lieu. An allowance for the unused annual holiday shall be paid by terminating the contract of employment irrespective of its term. The amount of the allowance shall be determined in

accordance with the number of working days of the unused annual holiday for this period of employment. If the employee was not granted annual holiday for a period longer than one year, the allowance shall be paid for all the period of the unused annual holiday but not more than for three years.

### **Public holidays**

441. Public holidays and their pay shall be regulated by Articles 162 and 194 respectively of the LC. Work at enterprises, offices and organisations shall be suspended on the following public holidays:

- 1 January – New Year's Day
- 16 February – the Day of the Restoration of the Lithuanian State
- 11 March – the Day of the Restoration Lithuanian Independence
- Easter Sunday and Monday (according to the Western tradition)
- 1 May – International Labour Day
- First Sunday in May – Mother's Day
- 24 June – Rasos and Joninės Day (Midsummer Day)
- 6 July – the Day of the State (Coronation of the Lithuanian King Mindaugas)
- 15 August – Žolinė (Feast of the Assumption)
- 1 November – All Saints Day
- 25 and 26 December – Christmas

442. It shall be prohibited to assign work on public holiday days, with the exception of work which cannot be interrupted on technical grounds (enterprises and organisations of uninterrupted operation), work involving the need to provide services to the population as well as work involving urgent repair and loading. Pregnant women, women who have recently given birth, breast-feeding women, single parent employees raising a child under three years of age and employees raising a child before he has reached the age of fourteen or a disabled child before he has reached the age of sixteen, and persons under eighteen may be assigned work during holidays only subject to their consent.

443. The pay for work on a rest day or a public holiday day which has not been provided for in the work schedule, shall be at least at the double rate and shall be calculated on the basis of the wage referred to in Article 186 of the LC, or it shall be compensated for by granting to the employee another rest day during the month or by adding that day to his/her annual holiday. The pay for work on a public holiday day which has been provided for in the work schedule shall be at least the double rate of the payment referred to in Article 186 of the LC.

### **Working time**

444. Article 142 of the LC stipulates that the working time shall mean any period during which an employee must work carrying out his activities or duties and other periods equivalent to it.

445. Working time may not exceed 40 hours per week. A daily period of work must not exceed 8 working hours. Exceptions may be established by laws, Government of the Republic of Lithuania resolutions and collective agreements. Maximum working time, including overtime, must not exceed 48 hours per 7 working days. The duration of working time of specific categories of employees (of health care, care (custody), child care

institutions, specialised communications services and specialised accident containment services, as well as other services which work in etc.) as well as of watchmen in premises may be up to 24 hours per day. The duration of working time of such employees must not exceed 48 hours per seven-day period, and the rest period between working days must not be shorter than 24 hours. The list of such jobs shall be approved by the Government of the Republic of Lithuania. For employees employed in more than one enterprise or in one enterprise but under two or more employment contracts, the working day may not be longer than 12 hours (Article 144 of the LC).

446. Shorter working time shall be set for:

(a) Persons under 18 years of age – in accordance with the provisions of the Law of the Republic of Lithuania on Safety and Health at Work.

(b) Persons who work in the working environment where the risk assessment has identified that the concentrations of hazardous factors exceed the acceptable limits set in legal acts on safety and health at work and it is technically or otherwise impossible to reduce these concentrations in the working environment to acceptable non-hazardous levels, working time shall be set taking into account the working environment, but not exceeding 36 hours per week. The specific daily and weekly working time for employees working in the said environments shall be established after evaluation of the results of the examination of work environment in accordance with the criteria and procedure for establishing short working hours according to working environment factors approved by the Government of the Republic of Lithuania.

(c) Employees working at night.

447. Shorter working time for employees performing work involving heavy mental, emotional strain shall be established by the Government of the Republic of Lithuania (Article 145 of the LC).

448. Part daily working time or part weekly working time shall be set:

(a) By agreement between the employee and the employer

(b) By request of the worker due to his/her health status in accordance with conclusions of medical institution

(c) On request of a pregnant woman, a woman who has recently given birth (mother who submits to the employer a certificate of a health care institution confirming that she has given birth, and who raises a child before he/she has reached one year of age, hereinafter referred to in the Code as a woman who has recently given birth), a woman who breast-feeds (mother who submits to the employer a certificate of a health care institution confirming that she raises and breast-feeds her child before he/she has reached one year of age, hereinafter referred to as a woman who breast-feeds), an employee raising a child before he/she has reached three years of age, as well as a single parent employee who raises a child before he/she has reached fourteen years of age or a child with limited functional capacity before he/she has reached sixteen years of age

(d) On request of an employee under eighteen years of age

On request of a person with limited functional capacity according to the conclusions of the Service for Establishing Disability and Capacity for Work under the MSSL

(e) On request of an employee nursing a sick member of his family, according to the conclusions of a health care institution

449. Unless otherwise provided for in the conclusions of a health care institution, part-time work may by agreement be established by decreasing the number of working days per week or shortening a working day (shift), or doing both. Part-time work during a working

day may be divided into parts. Other conditions related to the procedure of establishing part-time work and duration thereof shall be set by the Government of the Republic of Lithuania. The conditions set by the Government of the Republic of Lithuania may not be applied when there is an appropriate provision in a collective agreement.

450. Part-time work shall not result in any limitations when setting the duration of annual holiday, calculating the length of service, promoting an employee, improving qualification, as well as shall not limit other labour rights of the employee. Employees shall receive payment in proportion to the time of work or by result (Article 146 of the LC).

#### **Civil servants**

451. In accordance with the Law of the Republic of Lithuania on Civil Service, a civil servant shall be granted a 28-calendar day. A single parent civil servant raising a child before the child has reached 14 years of age, a single parent civil servant raising a disabled child before the child has reached 18 years of age as well as a civil servant who has been recognized disabled, shall be granted a 35-calendar day minimum annual holiday.

452. A civil servant with a length of service of more than five years shall be granted additional 3 calendar days of the annual holiday for each subsequent three-year period of service, however the total duration of the annual holiday may not exceed 42 calendar days.

453. A civil servant shall usually be granted an annual holiday for the first year in the service after 6 months of service with a specific state or municipal institution or agency.

454. The pay for a civil servants' work on a public holiday day which has been provided for in the work schedule shall be at least the double rate of the civil servant's basic salary rate including bonuses to be paid to him. The pay for a civil servants' work on a rest or public holiday day which has not been provided for in the work schedule shall be at least the double rate of the civil servant's basic salary rate including bonuses to be paid to him.

#### **(a)–(b)**

455. Information regarding these questions was provided in:

- Lithuania's Report 2008 on the Weekly Rest (Industry) Convention, 1921 (No. 14). (Ratification of the Convention registered with the ILO on 19-06-1931.)
- Lithuania's Report 2008 on the Equal Remuneration Convention, 1951 (No. 100).
- Lithuania's Report 2007 on the Minimum Wage Fixing Convention, 1970 (No. 131).

#### **Peculiarities of Working and Rest Time in the Spheres of Economic Activity**

456. Article 148 of the LC lays down the peculiarities of working and rest time in the spheres of economic activities. Time to work and to rest in transport, postal, agricultural, health and care (custody) enterprises, as well as in marine and river navigation and other sectors of economic activities may, taking into consideration seasonality nature of work and other conditions, vary from the norms established by the LC. Specific features of the time to work and to rest in the sectors of such activities shall be established by the Government of the Republic of Lithuania.

457. The Government of the Republic of Lithuania has approved Resolution No 587 of 14 May 2003 "On Approval of the List of Jobs Where the Working Time up to Twenty Four Hours per Day May be Applicable, Working and Rest Period Specifics in the Areas of Economic Activity, Jobs and Conditions when Summary Recording of Working Time May Be Applied as Well as the Procedure for Introduction of Summary Recording of Working Time in Companies, Institutions and Organisations."

458. The number of working days per week, work/rest time distribution (change) per day, week or reporting period as well as the beginning and end of a working day (shift), break to eat and rest, additional and special breaks, uninterrupted weekly rest shall be established in collective agreements, internal work rules, working time (shift) schedules of enterprises approved by administration after an agreement with the representatives of the employees of an enterprise, agency or organization (Article 19 of the LC) or in accordance with the procedure established in a collective agreement, with the exception of marine transport, inland waterway transport, fishing vessels where work and rest schedules shall be developed by the captain. In working shifts, equal change of shifts must be guaranteed.

459. Working time schedules shall be announced publicly on information boards of enterprises and their subdivisions not later than two weeks in advance, excluding the exceptions applied in the Peculiarities of Working and Rest Time.

460. Paragraph 1 of the said Peculiarities provides that for the employees of the spheres of economic activity in respect of whom, due to nature and/or seasonality of work, it is impossible to plan in advance daily or weekly working time, summary recording of the working time and periods of summary recording of the working time may be introduced. Upon the introduction of the summary recording of the working time, the following requirements shall be observed: the duration of the reporting period in transport and energy enterprises shall not exceed one year.

461. The specific duration of the reporting period shall be established in work contracts, collective agreements or internal work regulations. The duration of the working time, daily and weekly rest, compensation for the unused annual holiday of the employees in the sphere of transport shall be determined by the Peculiarities of Working and Rest Time – in the road transport, rail road transport, civil aviation, marine transport and inland waterway transport. The regularity and duration of the obligatory rest breaks for drivers in road transport shall be specified in Chapter II of the Peculiarities of Working and Rest Time. The duration of work in energy enterprises shall not exceed 48 hours per week and 112 hours per working day (shift). The reporting period for the employees of enterprises involved in agriculture, agricultural products processing and fisheries shall be established in work contracts, collective agreements or internal work regulations, taking into account the seasonality of jobs and shall not exceed one year. The duration of working time of the employees working in the said enterprises over the reporting period may not exceed the number of working hours established for employees of the said category calculated on the basis of a 40-hour workweek; the duration of daily uninterrupted rest between working days (shifts) shall be at least 11 consecutive hours, while the duration of weekly uninterrupted rest shall be at least 35 hours, the days of rest shall be granted to employees according to established working schedules.

462. The employees who, during the reporting period, work in excess of prescribed working hours calculated on the basis of a 40-hour workweek shall be compensated as follows: the employees, on their request, may be given a shorter working day or a day (days) of rest according to the procedure established in a contract of employment, a collective agreement or internal work regulations or they may be entitled to additional pay for overtime work, excluding the employees working in the spheres of road transport, railway transport, civil aviation where other procedures for overtime work and unused rest shall apply.

463. Collective agreements may provide for more favourable work and rest periods for employees than the Peculiarities of Working and Rest Time. The issues concerning work and rest which are not covered by the Peculiarities of Working and Rest (the issues of working time accounting and being on duty are dealt with in Articles 147 and 155 of the LC) shall be regulated by the LC and other legislative acts.

**6.**

464. Detailed information concerning the investigation of discrimination complaints in the Office of Equal Opportunities Ombudsman and the decisions taken is available on the webpage of the Office of Equal Opportunities Ombudsman, <http://lygybe.lt/assets//ataskaita2007.doc>, p. 16–59.

465. The Constitutional Court of the Republic of Lithuania in its Ruling of 13 December 2004 stated that: “Under the Constitution, there may not be any such situation where the state servant who works during days off and holidays as well as at night, in harmful, highly harmful and hazardous conditions, and who performs duties beyond the scope of the normal work load or additional assignments which exceed the established work time would not be paid or where this work would be paid unjustly.”

**Article 8 of the Covenant****1.**

466. The following ILO Conventions were ratified:

- Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) (the Convention was ratified by Law No I-507 of 23 June 1994). Lithuania’s last report was submitted to the ILO in 2008;
- Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (the Convention was ratified by Law No I-507 of 23 June 1994). Lithuania’s last report was submitted to the ILO in 2008.

**2.**

467. Under the Law of the Republic of Lithuania on Trade Unions (Law No I-2018, 21 November 1991), persons legally working in the territory of the Republic of Lithuania under an employment contract or under other legal grounds shall be granted the right to form trade unions or join them for the protection of their interests, in accordance with the procedure prescribed by law.

468. Trade unions shall be voluntary, independent and organizations in the representation and protection of employees’ professional, labour, economic and social rights and interests.

469. The employer or his authorized representative may not be a member of trade unions functioning in his enterprise, institution or organization. Trade unions in the Republic of Lithuania shall be free and independent. All trade unions shall have equal rights. They shall have the right to prepare the regulations and rules of their activities, to freely choose their representatives, to organise their apparatus and activities, and to shape the program of their activities. State bodies, employers and their authorised representatives, managing bodies of enterprises, institutions, organisations, the administration, officials, political parties and 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 liable under law.

**2. (a)**

470. Certain aspects of application of the Law of the Republic of Lithuania on Trade Unions (Law No I-2018, 21 November 1991) in respect to the organisations of national defence, police, state security, as well as other organisations may be established by the national law (Article 1, Paragraph 2). These aspects shall be specified by individual laws of the Republic of Lithuania: the Law on Civil Service, the Statute of Internal Service, Law on the Organization of the System of National Defence and Military Service and etc.

471. Article 16 (1)(7) of the Law of the Republic of Lithuania on Civil Service stipulates that civil servants shall have the right to hold membership in trade unions. Civil servants, who are members of trade unions, shall have the right to participate in decision-making on issues of evaluation of civil servants' performance, promotion, imposition of disciplinary penalties as well as organizational activities of trade unions. Up to 10 hours of office (working) time per month shall be allocated for this purpose. According to Article 16 (1)(6) of the Law of the Republic of Lithuania on Civil Service, civil servants shall have the right to strike, except for civil servants occupying the post of the head of a department in a state or municipal institution or agency or any other senior post.

472. Under the Statute of Internal Service, approved by Law of the Republic of Lithuania No IX-1538 of 29 April 2003, officers may form trade unions or join them for the protection of their interests. The specific issues relating to trade unions in the institutions of internal affairs shall be specified in Section 9 of the said Statute. The head of the institution of internal affairs and his deputy may not be members of the trade union functioning in their institution (Article 23(2)). The activities of the trade union in an institution of internal affairs may, on recommendation of the head of the said institution, in accordance with the procedure prescribed by laws, be suspended or terminated, if their activities contradict the laws and interfere with the implementation of the functions aimed at ensuring human rights and public security (Article 43(3)). Conditions for the activities of a trade union within the institution of internal affairs shall be specified in an agreement between the trade union and the head of the said institution (Article 44 (1)). Pursuant to Article 15(7) of the Statute, the selection procedure for promotion into senior ranks shall be established by the Minister of the Interior. The commission for selection into vacant senior ranks shall be functioning in the institution of internal affairs. A trade union representative shall be one of the members of the commission.

473. Trade union members (except in the cases when an officer who has been elected into elective bodies of the trade union of an internal affairs institution, is dismissed from internal service, provided the said trade union concludes a labour contract with him/her and upon his/her election into elective bodies of the trade union of an internal affairs institution, provided the said trade union concludes a labour contract with him) may not be subject to disciplinary penalties or dismissal from internal service on account of their membership in trade unions, representation for trade union members of the institutions of internal affairs or due to their activities in trade unions. Disciplinary penalties, with the exception of the penalty of dismissal from internal service, may be imposed also upon an advance agreement from the elective body of the trade union (Article 43(4)).

474. Trade union members, who have been dismissed from internal service due to their election into electable positions in trade union bodies, shall, after the expiry of the mandates of the electable positions, be returned to their previous positions and if they held none – to other positions of equal rank in the same or, upon consent of the person concerned, in other internal affairs institution. These persons shall be returned to internal service, provided they comply with the requirements specified in the Statute, except the requirement concerning the highest age limit (Article 43(6)).



475. Pursuant to Article 545 of the said Statute, the trade unions functioning in an internal affairs institution shall be prohibited from:

- (a) Organizing strikes and participating therein
- (b) Organizing pickets or rallies which would directly disturb the activities of the internal affairs institution or prevent the officer from performing his official duties as well as participating therein
- (c) Organizing (heading) meetings of trade union members during work hours, using office facilities for trade unions' activities, means of transport and communication without permission of the head of internal affairs institution

476. Article 36(3) of the Law No VIII-723 on the Organization of the System of National Defence and Military Service adopted on 5 May 1998 stipulates that the military may participate in the activities of associations and other non-political organizations, as well as in other non-political activities oriented towards fostering of moral, national, patriotic and civil and democratic values, unless participation in such activities interferes with implementation of the servicemen's duties. However, Article 36(8) of the afore-mentioned Law prohibits professional military servicemen from becoming members of a trade union.

477. Article 21 of the Law of the Republic of Lithuania on the Prosecutor's Office (No. IX-1518, adopted on 22 April 2003) provides for that officers of the prosecutor's office may join trade unions and associations for satisfying their professional, cultural and social requirements; however, they shall be prohibited from striking and organizing pickets.

478. Pursuant to Article 11(1)(6) of the Law of the Republic of Lithuania on the Approval of the Law on the Statute of the State Security Department (No IX-1042, 5 July 2002) security officers shall be prohibited from striking and picketing.

479. Article 15(1)(6) of the Law of the Republic of Lithuania on Special Investigations Service (No VIII-1649, 2 May 2000) lays down restrictions applicable to officers of the special investigation service under which the officers shall be prohibited to take part in strikes, pickets or rallies which might directly obstruct the activities of the Special Investigations Service or the performance of duties by an officer of the Special Investigations Service, to be a member of a trade union.

480. Pursuant to Article 21 (1)(5) of the Law of the Republic of Lithuania on the Approval of the Statute on Service in the Prison Department under the Ministry of Justice of the Republic of Lithuania (No VIII-1631, 18 April 2000) officers of the Prison Department and its subordinate institutions or state enterprises shall be prohibited from striking and picketing. They may form societies, clubs and other associations to satisfy their professional, cultural and social needs, however, participation in such activities may not interfere with their direct duties (Article 20).

481. Officers of the State Border Protection Service shall be prohibited from striking (Article 19 (1)(3) of the Law of the Republic of Lithuania on State Border Protection No NrVIII-1996 of 10 October 2000).

482. According to Article 15 (1)(6) of the Law of the Republic of Lithuania on the Approval and Implementation of the Statute on Service in the Customs of the Republic of Lithuania, customs officers shall be prohibited from striking. However, customs officers shall have the right to take part in the activities of trade unions (Article 16 (3)). Authorized representatives of the customs' trade unions shall have the right to participate as an observer in decision-making on issues of evaluation of officers' performance, encouragement, imposition of disciplinary penalties as well as other social issues. Trade unions of customs officers shall have the right to, in accordance with the procedure and

conditions established in LC, sign collective agreements in so far as it does not prejudice the said Statute and other legislative acts establishing the legal status of customs officers.

483. Officers of the Financial Crime Investigation Service shall be prohibited from striking or participating in pickets and rallies which might directly obstruct the activities of the Service or the performance of duties by an officer of the Service (Article 13 (1)(6) of the Law on the Financial Crime Investigation Service, No IX-816 13, 28 March 2000).

484. Judges may form professional judicial associations or other organizations representing their interests (Article 44 (3)(115) of the Law of the Republic of Lithuania on Courts). The Lithuanian Association of Judges is a non-governmental organization that unites judges of Lithuanian courts. The Lithuanian Association of Judges has the right to express an opinion on its members. The Lithuanian Association of Judges assists in professional judicial development. The Lithuanian Association of Judges has been a member of the International Association of Judges since October 2006.

485. Diplomats shall be prohibited from engaging in activities incompatible with the official duties of a civil servant as well as striking (Article 29 of the Law of the Republic of Lithuania on the Diplomatic Service, No VIII-1012, 29 December 1998).

**2. (b)**

486. Article 1 of the Law on Trade Unions stipulates that persons who are permanently residing in Lithuania and who are working under employment contract or on other grounds provided by laws shall have the right to freely join trade unions and take part in their activities. Specific aspects of application of the said Law concerning the organisations of national defence, police, state security, as well as other organisations may be established by the national law and are covered in the response to question 2(a).

487. The employer or his authorized representative may not be a member of trade unions functioning in his enterprise, institution or organization.

488. Article 16 of the Law on Civil Service stipulates that civil servants shall enjoy the right to hold membership in trade unions, organisations or associations, also membership in political parties or organisations, and participate in political activities outside office (working) hours, except for civil servants who are members of a municipal council.

**2. (c)**

489. The initial report did not mention that trade unions shall have the right to form different associations (Article 7 of the Law of the Republic of Lithuania on Trade Unions).

490. The Government of the Republic of Lithuania guarantees this as well as other rights of trade unions through legal prerequisites and, also, through the allocation of funds under appropriate social partnership development programmes. Under the Programme for Strengthening of Social Dialogue in 2007–2011, in 2007, the Lithuanian trade union associations were allocated LTL 1.702 thousand, while the allocations foreseen for the period 2008–2011 total LTL 1.700 thousand per year.

**2. (d)**

491. In accordance with the Law of the Republic of Lithuania on Trade Unions, trade unions shall function in compliance with the Constitution of the Republic of Lithuania, this Law and other laws of the Republic of Lithuania, and conventions of the ILO, and shall base their activities on the registered regulations (statute) of a trade union.

492. The activities of trade unions or their associations may be suspended and terminated:

- According to the procedure established in their regulations (statute)
- By a court decision

493. If a trade union or association of trade unions violates the Constitution of the Republic of Lithuania and the Law on Trade Unions, the body which registered the regulations (statute) of the trade union or association of trade unions shall inform in writing the governing bodies of the trade union or association of trade unions of the violation and shall state the term for the elimination of said violations. If the violations are not eliminated, the body which registered the regulations (statute) of the trade union or association of trade unions shall have the right to appeal to court for the termination of the activities of the trade union or association of trade unions. On the decision of the court, the activities of a trade union or association of trade unions may be suspended for the term not exceeding three months. If the violations are not eliminated during the established period, the activities of a trade union or association of trade unions may be terminated by a court decision. The activities of trade unions or their associations may also be terminated by a court decision, if trade unions or their associations, within a year's period from the day when their activities were suspended by a court decision, repeatedly violate the Constitution of the Republic of Lithuania or the Law on Trade Unions. The activities of trade unions may not be terminated under an administrative procedure or temporarily suspended.

494. The establishment of a trade union as a legal person shall be regulated by the Civil Code of the Republic of Lithuania (hereinafter referred to as "CIC"), which was approved by Law of the Republic of Lithuania No VIII-1864 of 18 July 2000. According to Article 2.38, Chapter IV, Part II, Book Two of the CIC "Trade unions":

“1. Trade unions shall be considered to be legal persons, if the requirements of paragraph 2 of the given Article are fulfilled.

2. A trade union shall be formed when it has no less than 30 founders or when an enterprise, an institution or an organisation has no less than 30 founders and they account for no less than one fifth of all employees (while one fifth would account for no less than three employees) and if the general meeting of the trade union approves its statute and elects its managing bodies.

3. The founders of a trade union may be citizens of the Republic of Lithuania or natural persons domiciled in the Republic of Lithuania who are not younger than fourteen years of age and are employed on the basis of labour contracts or some other basis.

4. Provisions of Chapter V of the given book shall be applied to trade unions inasmuch as they fail to contradict the provisions of paragraph 1 of the given Article. Trade unions shall file documents testifying to their compliance with the requirements laid down in paragraph 2 of the given Article with the register of legal persons.”

495. Investigation of activities of trade unions shall be subject to the provisions applicable to the investigation of legal persons' activities referred to in the CIC, Book Two "Persons", Part II "Legal Persons", Chapter X "Investigation of Legal Persons' Activities".

496. With regard to the contents of the ILO Convention No 87, Article 2.38 of the CIC lays down such rules of establishment of trade unions which are different from the common rules of establishment and registration applicable to other legal persons. Under the CIC, trade unions may not be registered as indicated in Chapter II, Book Two of the CIC, and shall acquire the rights of a legal person upon fulfilment of the requirements specified in paragraph 2 of Article 2.38 of the CIC.

497. On the decision of 16 January 2007 (Protocol No 101) of the Tripartite Council of the Republic of Lithuania, the 2007–2008 Plan for the Development of Social Partnership among the Government of the Republic of Lithuania, trade unions and employers' organizations was approved, which foresees, through encouragement of collective

negotiations, the organization of regular consultation meetings of the representatives of employers' and trade union organizations on the drafting of industry branch collective agreements, the encouragement of employers for conclusion of collective agreements and the creation of a socially responsible enterprise. Encouragement of collective negotiations had been foreseen in the previously approved similar measures for social partnership development. Collective agreements are also encouraged by adoption of appropriate legal provisions aimed at making employers interested in negotiating and concluding collective agreements (LC provisions on the cases of overtime work, unpaid holidays and other).

498. There have not been any complaints about adverse effects of the current legal provisions on the establishment of trade unions.

### **Civil servants**

499. An amendment to Article 5<sup>1</sup> of the Law of the Republic of Lithuania on Civil Service No X-1535, adopted on 13 May 2008, laid down that collective agreements in civil service should be negotiated on three levels:

(a) National collective agreement is a written agreement concluded between trade union organizations (association, federation, centre, etc.) representing civil servants and the Government of the Republic of Lithuania which establishes civil servants' salary, office (work) and rest time and other social and economic conditions.

(b) An industry branch collective agreement is a written agreement, concluded between trade union organizations (association, federation, centre, etc.) representing civil servants, who work in one sphere of administrative activities, and the Government of the Republic of Lithuania or its authorized institutions, which establishes remuneration for work, office (work) and rest time and other social and economic conditions of all civil servants of one sphere of administrative activities.

(c) A collective enterprise agreement is a written agreement, concluded between a public or municipal institution or head of an institution or his authorized person and a civil servants' trade union functioning in a public or municipal institution or body, and representing the interests of civil servants, which establishes office (work) and other social and economic conditions of civil servants of the public or municipal institution or body. The collective enterprise agreement may not lay down additional conditions relating to additional financing from state and municipal budgets as well as government funds.

500. Civil servants, who are members of trade unions, shall enjoy the right to participate in decision-making on issues of evaluation of civil servants' performance, promotion, imposition of disciplinary penalties as well as organizational activities of trade unions. Up to 10 hours of office (working) time per month shall be allocated for this purpose and remuneration shall be paid for this time.

### **2. (e)**

501. In the beginning of 2008, the number of trade unions was 115 thousand which made up 11 per cent of all hired employees.

### **3. (a)**

## **Responses to questions and recommendations in paragraphs 15 and 37 of summary notes of the Economic, Social and Cultural Rights Committee**

### **Restrictions on the right to strike**

502. Pursuant to Article 77(1) of the LC, the right to adopt a decision to declare a strike in an enterprise or its structural unit shall be vested in the trade union according to the

procedure laid down in its regulations. If there is no trade union present in the enterprise and if the meeting of the employees has not transferred the functions of representation and protection of employees to the trade union in charge of respective economic activity, the decision to declare a strike in an enterprise or its structural unit shall be vested in the labour council. A strike shall be declared if a corresponding decision has been approved by secret ballot by:

(a) More than a half of the enterprise employees voting in favour of a strike in the enterprise

(b) More than a half of the employees of a structural subdivision of the enterprise voting in favour of a strike in the structural subdivision of the enterprise

503. It should be noted that according to the provisions of the LC which were valid before 1 July 2008, the decision to strike had to be approved by at least two-thirds of the employees of an enterprise or its structural subdivision. Thus, the legislator from 1 July 2008 has revised legislative acts and simplified the procedure of the declaration of strikes. Moreover, it is notable that from 1 July 2008, when before a strike a warning strike is organized, which may not last longer than two hours, such a strike may be declared by the trade union's authorized governing body or a written decision of the labour council without a separate approval from employees.

504. According to the LC, the employer must be given an advance (i.e. at least 14 days) written notice of a decision to hold a strike (including a warning strike) in railway and public transport, civil aviation, health care, water, electricity, heating and gas supply, sewerage and waste disposal enterprises. Before 1 July 2008 such requirement was also applicable to cases when a strike was declared in communications and energy enterprises, pharmaceutical, food and water enterprises, oil refineries, enterprises with continuous production cycle and other enterprises cessation of work in which would result in grave and hazardous consequences for the community or human life and health. Therefore, since 1 July 2008, the list has been reduced. The decision to call a strike shall specify:

- Demands with respect to which the strike is called
- The beginning of the strike
- The body leading the strike

505. In accordance with Article 78(1) of the LC, strikes are currently prohibited only for the employees in first medical aid services. The demands put forward by the said employees shall be settled by the Government of the Republic of Lithuania, after consulting the parties of collective labour dispute. Until 1 July 2008 such prohibition was also applicable to the internal affairs, national defence and state security systems (except persons working there under work contracts). The demands put forward by the employees of the said systems and enterprises had to be settled by the Government, taking into account the opinion of the Tripartite Council. Strikes shall be prohibited in natural disaster areas as well as in the areas where state of martial law or state of emergency has been declared in accordance with the established procedure until the liquidation of the consequences of natural disaster or lifting of the state of martial law or state of emergency (Article 78(2) of the LC). Moreover, it shall be prohibited to declare a strike during the term of validity of the collective agreement if the agreement is complied with (Paragraph 3 of the same Article).

506. According Article 80(1) of the LC, the body leading a strike shall ensure, together with the employer, the safety of property and people. Article 80(2) of the LC stipulates that during a strike in railway and public transport, civil aviation, health care, water, electricity, heating and gas supply, sewerage and waste disposal enterprises conditions (services) necessary for meeting the immediate (vital) needs of the society must be ensured. These

conditions shall be determined, within three days from the service of a written notice of a strike to the employer, by an agreement of the parties to collective labour dispute who shall inform the Government of the Republic of Lithuania or executive municipal body accordingly in writing. Fulfilment of the above conditions shall be ensured by the body leading the strike, the employer and the employees appointed by them. If the parties to collective labour dispute fail to agree on the afore-mentioned minimum conditions necessary for meeting the immediate (vital) needs of the society, the decision shall be taken by the Government of the Republic of Lithuania or the executive municipal body after consultation with the parties to collective labour dispute A 80 (3) of the LC). In case of failure to fulfil the said conditions, the Government of the Republic of Lithuania or the executive municipal body may for this purpose resort to the aid of other services.

### **Public Service**

507. According to Article 16 of the Law of the Republic of Lithuania on Civil Service, civil servants shall have the right to strike, except for civil servants occupying posts of heads of departments in a state or municipal institution or body or any other senior posts.

#### **3. (b)**

508. As has already been mentioned, Article 78 of the LC stipulates that the right to strike is denied to the employees of first medical aid services. The demands of the said employees shall be settled by the Government of the Republic of Lithuania, after consulting the parties of collective labour dispute. Strikes shall be prohibited in natural disaster areas as well as in the areas where state of martial law or state of emergency has been declared in accordance with the established procedure until the liquidation of the consequences of natural disaster or lifting of the state of martial law or state of emergency. During the term of validity of a collective agreement, declaration of strikes shall be prohibited, if the said agreement is complied with. The Department of Statistics does not collect data on the number of the employees of first medical aid services.

509. According to Article 16 of the Law of the Republic of Lithuania on Civil Service, civil servants shall have the right to strike, except for civil servants occupying the post of the head of a department in a state or municipal institution or body or any other senior post.

#### **4.**

510. The legal information is provided in this report in the response to question 2(a), Article 8 of the Covenant.

511. According to the data of the Department of Statistics, in the period 2000–2007, 252 strikes were held in the country, of which 146 were warning strikes. The greatest number of strikes — 245 — in the said period was held in educational institutions.

512. In 2007, 161 strikes were held, of which 96 were warning strikes. This is the largest number of strikes held over a year since 2000 when statistical information on lawful strikes has been collected. In 2007, the average number of employees participating in strikes was 7033, of which 3978 employees participated in warning strikes (56.6 per cent of all the employees who went on strike). The data on strikes, the number of employees participating in them and the average duration of strikes by kinds of economic activities are presented in Annex No 27 hereto.

#### **5.**

513. We would like to remind that, after the enforcement of the LC, the laws mentioned in this Report in the response to question 5 of Article 6 of the Covenant have lost their validity. On 13 May 2008, an amendment to Article 5<sup>1</sup> of the Law of the Republic of Lithuania on Civil Service was adopted which laid down that collective agreements in civil

service should be negotiated on three levels (for more detail refer to the response to question 2).

## **Article 9 of the Covenant**

2.

514. According to the laws and regulations currently in force, the following state social insurance benefits may be paid: sickness, professional rehabilitation, maternity (for the period of pregnancy and confinement) benefits, maternity (paternity), paternity, labour accidents and occupational disease benefits, unemployment, pension (old-age, widows and orphans and work incapacity (invalidity) benefits). Moreover, health care and family benefits are provided.

3.

### **Responses to questions and recommendations in paragraphs 18 and 40 of summary notes of the Economic, Social and Cultural Rights Committee**

#### **Availability of social benefits and social services**

##### **Sickness and maternity social insurance benefits**

515. With a view to promoting regular improvement of sickness and maternity social insurance systems, which would allow for the combination of work and family duties as well as child care by facilitating an increase in birth rates.

##### *Sickness benefit*

516. Article 8 of the Law of the Republic of Lithuania on Sickness and Maternity Social Insurance (No IX-110, 21 December 2000) stipulates that the sickness benefit shall be paid to insured persons who have had the sickness and maternity social insurance record of not less than 3 months during the last 12 months or not less than 6 months during the last 24 months before the day of establishment of temporary incapacity for work.

517. The amount of sickness benefit for the first 2 calendar days of incapacity for work shall be paid by the employer, and from the 3<sup>rd</sup> day of incapacity for work – with the resources of the State Social Insurance Fund. The sickness benefit shall be paid until the recovery or the day of establishment of a level of the capacity for work.

518. The amount of sickness benefit for the first 2 calendar days of incapacity for work paid by the employer may not be less than 80 per cent and not more than 100 per cent of the AW of the beneficiary.

519. Sickness benefit may be paid for nursing a family member or caring for the sick child. Sickness benefits may be paid to the persons undergoing treatment at the health care institutions providing orthopaedic and/or prosthetic services. Sickness benefit paid from the budget of the State Social Insurance Fund equals 85 per cent of the compensatory wage of the beneficiary. As of 1 August 2008, the amount of a sickness benefit paid upon having become temporarily incapable for work as a result of taking of the tissues, cells or organs for transplantation with the purpose of donation, shall make up 100 per cent of the compensatory wage of the beneficiary. Sickness benefit paid from the budget of the State Social Insurance Fund may not be less per month than a quarter of the current year's insured income valid during the month when incapacity for work occurred.

*Maternity (pregnancy and confinement) benefit*

520. The Government of the Republic of Lithuania seeks to improve the material well being of the families raising small children and guarantee to the insured an appropriate social protection as well as to increase on a consistent basis state social insurance benefits.

521. Pursuant to the Law of the Republic of Lithuania on Sickness and Maternity Social Insurance, a maternity benefit amounting to 100 per cent of the beneficiary's compensatory wage shall be paid to women for 126 calendar days during the maternity leave, if by the first day of the pregnancy and confinement leave they have the sickness and maternity social insurance record of not less than 3 months during the last 12 months or not less than 6 months during the last 24 months. Later, the insured who have the sickness and maternity social insurance record of not less than 7 months during the last 24 months shall be entitled to maternity (paternity) benefit.

*Paternity benefit*

522. Since 1 July 2006, a new type of social insurance benefit — paternity benefit — has been provided for by law. The latter benefit is payable to working parents who have been granted paternity leave until the child reaches the age of 1 month and who, over the last 12 months before the first day of paternity leave had no less than 7 months of sickness and maternity social insurance record. Paternity benefit equals 100 per cent of the compensatory wage.

*Social insurance expenses related to sickness and maternity benefits*

523. In 2007, the expenditure for sickness and maternity social insurance benefits amounted to LTL 940.5 million or 10.1 per cent of total expenditure. This is LTL 180.7 million or 23.8 per cent in excess of the planned expenditure. The expenditure of sickness and maternity social insurance increased by LTL 319.1 million or by 51.4 per cent as compared to 2006. This increase in expenditure was determined by the growing number of the covered days and beneficiaries as well as increased amounts of **maternity (paternity) social insurance benefits**: since 1 January 2007, the amount of the said benefit has been increased from 70 to 85 per cent of the covered wage, and since 1 July 2007, to 100 per cent of the covered wage until the child reaches the age of 6 months and 85 per cent of the covered wage until the child is 1 year old.

524. As a result of amendments to the law, an additional amount of LTL 75 million was used for payment of the increased maternity (paternity) social insurance benefits. In 2007, the expenditure for maternity (paternity) social insurance was LTL 607.3 million or by 182 per cent higher than in 2002, and was influenced by the growing number of social insurance beneficiaries and increasing wages of the insured.

525. The number of the beneficiaries of maternity benefit grew by 6 219 people or 32 per cent, compared to the data for 2002. The average one day's maternity benefit in 2007 was LTL 69 or by 95 per cent higher than in 2002. In 2007, the average monthly maternity (paternity) benefit was LTL 1 489,60 or 231 per cent higher than in 2002 as a result of a rapid increase of the wages of the insured and the change in the average benefit/ monthly AW ratio from 61 per cent in 2002 to 91 per cent in 2007. After the introduction of maternity (paternity) benefit before a child has reached the age of 2 years since 2008, the planned expenditure on this benefit makes up LTL 192 million.

526. The data on compulsory and voluntary social insurance are supplied in Annex No 28 hereto.



### **Social insurance of labour accidents**

527. Under the Law of the Republic of Lithuania on Social Insurance of Labour accidents and Occupational Diseases, the insured who has suffered partial or total loss of capacity for work due to an insurable occurrence shall be paid from the budget of the State Social Insurance Fund allocations for labour accidents and occupational diseases the following benefits:

- (a) A benefit for sickness resulting from an occupational labour accident place or accident on the way to/from work or occupational disease
- (b) A lump sum compensation of benefit for lost capacity for work
- (c) Periodical compensation of benefit for lost capacity for work
- (d) A lump sum insurance benefit on the death of an insured
- (e) Periodic insurance benefit on the death of an insured

528. In 2007, the expenditure for the social insurance of labour accidents and occupational diseases made up LTL 44.2 million or 0.5 per cent of the total expenditure. Expenditure on this type of insurance made up 89.6 per cent of the planned funding or 31.6 per cent more than in 2006 (LTL 10.6 million). A part of the labour accidents which occurred in 2007 was under investigation and related benefits payments were made in 2008. In 2007, the social insurance of labour accidents and occupational diseases was allocated 2.8 times more funding than in 2002.

529. Information on the amounts calculated for the social insurance of labour accidents and occupational diseases, average benefits and the number of beneficiaries is provided in Annex 26 hereto.

530. In 2000–2002, the Law of the Republic of Lithuania on Social Insurance of Labour Accidents and Occupational Diseases included a provision that an employer shall pay 1 per cent rate of the annual contribution of social insurance for labour accidents.

531. In 2003–2005, the 0.3 percent rate of social insurance for labour accidents was approved for all employers.

532. The Law of the Republic of Lithuania of the Approval of Indicators for 2008 of the Budget of the State Social Insurance Fund (Law No X-1356, 6 December 2007) approved the 0.3 percent general rate of social insurance contribution for labour accidents and occupational diseases.

533. Seeking a more objective categorization of the insurers to groups of the social insurance contribution rates for labour accidents, employers are divided into three groups of social insurance contribution rates for labour accidents and occupational diseases, taking into account the indicators of injuries and occupational morbidity. Currently, employers pay social insurance contributions for labour accidents and occupational diseases according to the following three rate groups:

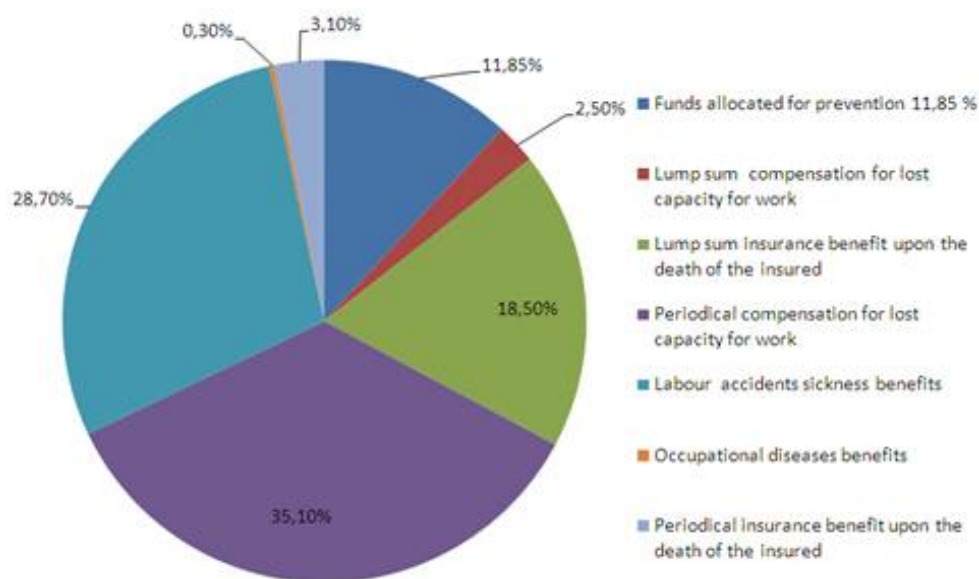
- Group I – 1 per cent
- Group II – 0.41 per cent
- Group III – 0.28 per cent

534. Since 2006, a new type of social insurance benefit for labour accidents and occupational diseases have been paid to employers in order to give more attention to ensuring the prevention of labour accidents and occupational diseases, also, steps have been taken to reduce the number of concealed labour accidents, to motivate employers to improve safety and health of employees. In 2006, expenditure allocations to the employers

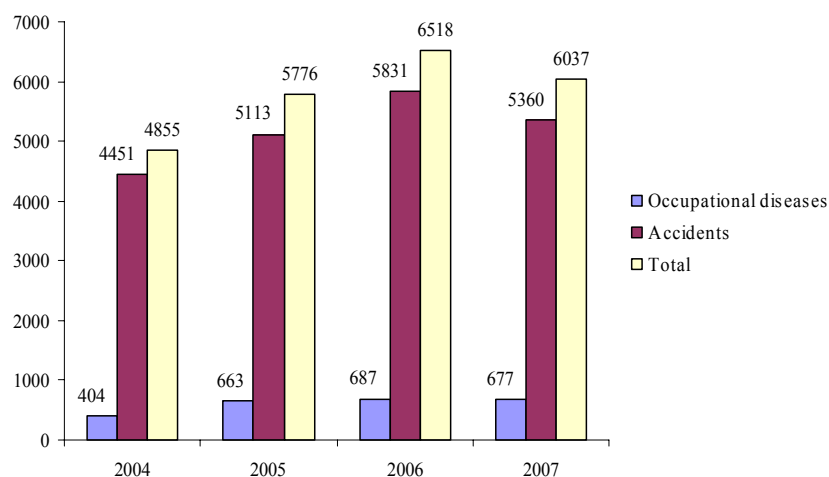
for the prevention of labour accidents and occupational diseases amounted to LTL 1.6 million. In 2007, the estimated amount to be paid for the prevention of labour accidents and occupational diseases was LTL 5.2 million, i.e. by 5.9 per cent more as compared to the planned LTL 4.9 million, since, in 2006, due to unused allocations, the agreements on the implementation of preventive measures were extended and fulfilled in 2007. According to the approved 2008 forecast, planned allocations for the prevention of labour accidents and occupational diseases were over LTL 5.8 million. The most recent available data on labour accidents and occupational diseases in 2008 are provided in the annexes on Article 7 of the Covenant.

Chart 9.1

**Structure of social insurance contributions for labour accidents and occupational diseases in 2007, per cent**



535. During 2007, the total number of labour accidents and on the way to/from work as well as occupational diseases investigated under the Law of the Republic of Lithuania on Social Insurance of Labour Accidents and Occupational Diseases by the structural subdivisions of the Incapacity for Work Control Department of the State Social Insurance Fund Board under the MSSL was 7030 of which 6037 (86 per cent) were acknowledged as insurable.

**Chart 9.2**

536. The number labour accidents and on the way to/from work as well as occupational diseases in 2007 is provided in Annex 26 hereto.

Table 9.3

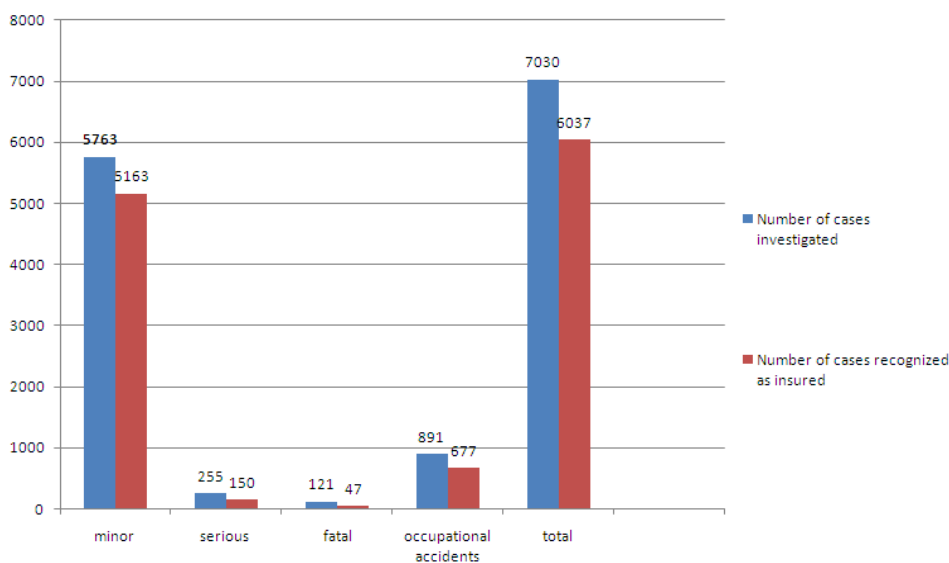
**Number of cases of occupational diseases in 2002–2007**

<i>Year</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Number of cases of occupational diseases	801	808	939	1 380	1 447	1 123

537. 176 cases (60 per cent) were recognized as covered by occupational insurance.

538. In 2007, 891 cases of professional diseases were registered. 677 cases (76 per cent) were recognized as insured cases. The main reason for not recognizing an occupational accident or an accident on the way to or from work as an insured event is intoxication with alcoholic substances of a person insured at the moment of the accident.

Chart 9.4

**Labour accidents and occupational diseases by seriousness of injury in 2007**

539. Percentage of GNP allocated for the State social insurance is presented in the table below.

Table 9.5

**Expenditure of the State Social Insurance Fund in GDP in per cents**

	2002	2003	2004	2005	2006	2007
In comparison to GDP	8.6	8.3	8.5	8.6	8.8	9.6

**Unemployment benefit****Responses to the questions and recommendations given in paragraphs 17 and 39 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights***Unemployed person's benefit (before 1 January 2005)*

540. In 2000 due to fewer employment opportunities bigger part of reserves of the Employment Fund was used for unemployed person's benefits as a compensation mechanism in case of unemployment. It is temporary financial support for persons who lost their job. Under the Law on Support for the Unemployed the right to receive unemployed person's benefit is granted to the unemployed, whose State social insurance period before registration at the State Labour Exchange is at least 24 months during the last three years, if the State Labour Exchange has not offered a job according to their professional qualification and state of health, or has not offered professional training. The amount of an unemployed person's benefit is linked to the compulsory State social insurance (employment) period and reasons of job loss. Bigger unemployed person's benefit is paid to individuals, who worked and had compulsory social insurance for a longer period.

541. Certain requirements are applied to an unemployed individual, who wishes to receive benefit or is already receiving it. He is obliged to accept a job offer, if it corresponds to his professional qualification and state of health, as well as an offer to pursue a profession; he is obliged to pay regular visits to the State Labour Exchange. If

these requirements are not met, the unemployed person's benefit may be refused, reduced or its payment may be terminated.

542. In 2000 as a year before the amount of the unemployed person's benefit was not less than State supported income as approved by the Government of the Republic of Lithuania (hereinafter referred to as "SSI") (LTL 135) and not more than the amount of the minimum standard of living (hereinafter referred to as "MSL") multiplied by two (i.e. LTL 250).

*Unemployment social insurance benefit (from 1 January 2005)*

543. After the adoption of the Law on Unemployment Social Insurance of the Republic of Lithuania unemployment social insurance became one of the types of social insurance; unemployed person's benefit was substituted by unemployment social insurance benefit. Each unemployed individual seeking for a benefit was required to have at least 18 month unemployment social insurance period over the last 36 months before his/her registration at the territorial labour exchange, unless the law provides otherwise.

544. The term of unemployment social insurance benefit payment depends on the unemployed person's unemployment social insurance period acquired before the day of registration at the territorial labour exchange. If the unemployment social insurance period is shorter than 25 years, unemployment social insurance benefit is paid for 6 months; if the unemployment social insurance period is between 25 and 30 years, the benefit is paid for 7 months; if the unemployment social insurance period is between 30 and 35 years, the benefit is paid for 8 months; if the unemployment social insurance period is longer than 35 years, unemployment social insurance benefit is paid for 9 months.

545. The unemployment social insurance benefit is calculated as a sum of fixed and variable parts. The fixed part of the unemployment social insurance benefit is the amount of SSI valid during the month of payment. The variable part of the unemployment social insurance benefit is calculated as follows: insured income of each month of an unemployed person is calculated according to 36 months before the end of the calendar quarter after the last quarter from the day of registration of an unemployed person at the territorial labour exchange. If there is no insured income during any of the months, it is considered to be equal to zero; the average insured income, divided by current year insured income gained during a certain month, is calculated; the calculated average is multiplied by current year insured income of the month when the unemployment social insurance benefit is granted; the variable part of unemployment social insurance benefit is calculated as comprising 40 per cent of the amount indicated in paragraph 3 of this part, but not more than the difference between 70 per cent of current year insured income and SSI valid during the month when the unemployment social insurance benefit is granted.

546. At the end of the year 2007 unemployment social insurance benefits were granted to 21.2 thousand (30.4 per cent) of unemployed people. In 2006 the percentage of such unemployed people was 22.4. The average unemployment social insurance benefit was LTL 463; it increased by LTL 64.5 compared to the year 2006.

**Table 9.6**

	2003	2004	2005	2006	2007
Average duration of unemployment (months)	8.9	9.1	9.0	7.5	5.8
Average duration of unemployment social insurance benefit payment (months)	3.9	3.9	3.8	3.6	3.5
Individuals receiving unemployment social insurance benefits	19.5	14.9	15.4	15.5	18.0

*Source:* Labour Exchange of Lithuania.

**Table 9.7****Parameters used to evaluate the adequacy of unemployment social insurance benefit**

Parameters	2005	2006	2007
Absolute poverty risk margin for one individual (LTL)	215.21	238.06	282.57
Poverty risk margin fixed as 50 per cent of equivalent income median average for desolate individual (LTL)	295.8	364.0	
Minimum unemployment social insurance benefit (LTL)	140	169.2	212.5
Average monthly unemployment social insurance benefit (LTL)	312.3	398.4	464.6
Monthly net AW (LTL)	916.7	1 092.9	1 359.3
Average unemployment social insurance benefit and net AW ratio (per cents)	34.1	36.5	34.2

**Pensions****Responses to the questions and recommendations given in paragraphs 16 and 38 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

547. On 1 July 2008 the Law on the Indexation of Minimum Payment, Social Insurance Benefits and Basic Rate of Fines and Penalties of the Republic of Lithuania (No X-1710 of 15 July 2008) has entered into force. It stipulates the indexation of all the reference indicators of social insurance benefits according to average inflation of the previous two years, if the average annual customer price increase during the accounting period is more than 3 per cent. As regards pensions, basic pension rate will be indexed as well; its amount determines the main part of the social insurance pension and the basic rate for assistance pensions, targeted compensations for the disables and survivors' pensions as well as the basic rate for State pensions paid to injured or honoured persons.

548. Under the State social insurance pensions system currently in force, there are three types of pension security benefits: **old-age pension, work incapacity pension (instead of disability pension) as well as survivor's and orphan's pension.**

*Old-age pensions*

549. The old-age pension age has been established as 62 years and 6 months for men and 60 years for women. This age has been increased every year since 1995: by four months for women and by two months for men during each calendar year. As from 1 January 2001, the old-age pension age is being increased equally for both men and women – by six months each year until it reached 62 years and 6 months for men in 2003 and 60 years for women in 2006.

550. The old-age pension consists of three parts: main, supplementary and premium for work experience.

551. The *main part* is a fixed-size benefit (equal to 110 per cent of the basic pension rate). The entire amount of the main part (instead of basic pension rate) is granted to individuals who have acquired a certain compulsory State social insurance period as fixed by the Law on State Social Insurance Pensions of the Republic of Lithuania (No I-549 of 18 July 1994). In 2008 the basic pension rate amounted to LTL 360 (as compared to LTL 138 in 1998–2002).

552. Information on the supplementary part of the pension remains the same.

553. *Premium for work experience* is additionally granted to individuals who worked for more than 30 years. Premium is paid for each full year of work experience that exceeds 30 years of work experience. The amount of the premium is calculated by way of multiplying 3 per cent of the basic pension rate by the number of full working years that exceed 30 years of work experience.

#### *Work incapacity pension*

554. State social insurance work incapacity pensions are granted to persons who lost capacity to work in part or in full and therefore were recognized as having partial work capacity or having no work capacity, provided that they have completed the qualifying State social pension insurance period giving entitlement to a work incapacity pension.

555. Work incapacity pensions are granted and paid to individuals recognized as having lost 45–55 per cent of their work capacity (previously known as disability group III), having lost 60–70 per cent of their work capacity (previously known as disability group II) or having lost 75–100 per cent of their work capacity (previously known as disability group I) and who have completed at least the minimum social pension insurance period. The qualifying period is established having regard to the person's age on the date of establishment of work capacity level; however, the maximum period required for the granting of a work incapacity pension is 15 years.

556. Similarly to old-age pension, work incapacity pension consists of the same components (main part, supplementary part and premium for work experience). These parts of a work incapacity pension are calculated on the same principle as calculating the components of the old-age pension.

557. The main part of a pension of individuals who have completed the qualifying State social pension insurance period giving entitlement to work incapacity pension and who are recognized as having lost 75–100 per cent of their work capacity is equal to 1.5 of the basic pension rate (LTL 540 in 2008). The main part of a work incapacity pension granted to individuals recognized as having lost 60–70 per cent of their work capacity is equal to 110 per cent of the basic pension rate (LTL 396 in 2008). The calculation of the supplementary part is the same as for old-age pensioners. The work incapacity pension granted to individuals recognized as having lost 45–55 per cent of their work capacity is calculated in the same way as for individuals recognized as having lost 60–70 per cent of their work capacity; later it is reduced by 50 per cent.

Table 9.8  
**Social insurance period giving entitlement to a work incapacity pension**

<i>Age</i>	<i>Minimum period</i>	<i>Qualifying period</i>
Under 22	2 months	1 year
22	4 months	1 year
23	6 months	1 year
24	8 months	1 year and 4 months
25	10 months	1 year and 8 months
26	1 year	2 years
27	1 year and 2 months	2 years and 4 months
28	1 year and 4 months	2 years and 8 months
29	1 year and 6 months	3 years
30	1 year and 8 months	3 years and 4 months
31	1 year and 10 months	3 years and 8 months
32	2 years	4 years
33	2 years and 2 months	4 years and 4 months
34	2 years and 4 months	4 years and 8 months
35	2 years and 6 months	5 years
36	2 years and 8 months	5 years and 4 months
37	2 years and 10 months	5 years and 8 months
38	3 years	6 years
39	3 years and 6 months	7 years
40	4 years	8 years
41	4 years and 6 months	9 years
42	5 years	10 years
43	5 years and 6 months	11 years
44	6 years	12 years
45	6 years and 6 months	13 years
46	7 years	14 years
47	7 years and 6 months	15 years
48	8 years	16 years
49	8 years and 6 months	17 years
50	9 years	18 years



<i>Age</i>	<i>Minimum period</i>	<i>Qualifying period</i>
51	9 years and 6 months	19 years
52	10 years	20 years
53	10 years and 6 months	21 years
54	11 years	22 years
55	11 years and 6 months	23 years
56	12 years	24 years
57	12 years and 6 months	25 years
58	13 years	26 years
59	13 years and 6 months	27 years
60	14 years	28 years
61	14 years and 6 months	29 years
62	15 years	30 years
63	15 years	30 years
64	15 years	30 years
65	15 years	30 years

558. A person receiving a State social insurance old-age or work incapacity pension may additionally receive survivor's pension, provided that the person meets the conditions entitling him/her to such a pension.

*Survivor's and orphan's pensions*

559. State social insurance survivor's pensions do not depend on the insured income of a deceased person, but on the qualifying period for a certain State social insurance pension of a deceased person. Fixed amount survivor's pensions are granted and paid to all survivors of the age qualifying for an old-age pension or to survivors with partial work capacity or with work incapacity.

560. According to the pension laws in force, persons of the following categories are entitled to survivor's pension:

- (a) Persons of the age qualifying for an old-age pension
- (b) Persons who were recognized as having work incapacity or having partial work capacity at the time of spouse's death or within 5 years after spouse's death
- (c) Persons who were recognized as having work incapacity or having partial work capacity at the time when attended the children (adopted children) of the deceased person under 18 years of age who were recognized as disabled at his/her home as well as children (adopted children) who under 18 years of age were recognized as disabled (serious disability level; later – loss of 75–100 per cent of work capacity)

561. As mentioned above, in addition to the State social insurance old-age pension or work incapacity pension the survivor's pension may be granted only to the spouse of the

deceased person. Single persons and spouses having reached old-age pension age are not entitled to any additional State social insurance pensions.

562. State social insurance pensions (except for survivor's pension) already granted shall be increased to all insured persons: State social insurance pensions increase along with the increase in the State social insurance basic pension rate and covered income of the current year.

#### *Amount of pensions*

563. In 2001 the average State social insurance old-age pension amounted to LTL 317; in July of 2008 the average State social insurance old-age pension amounted to LTL 738 (increase in 132 per cent). The average work incapacity pension (previous disability pension) increased from LTL 277 to LTL 536 (in 93 per cent). Orphan's pensions were increased as well: in 2001 the average orphan's pension amounted to LTL 71; in 2008 it amounted to LTL 262 (increase in approx. 270 per cent). As mentioned above, from 1 January 2007 survivor's pensions were fixed to LTL 70.

Table 9.9

#### **Data on average State social insurance pension increase**

<i>Year</i>	<i>Old-age pension</i>	<i>Old-age pension when the qualifying period is completed</i>	<i>Advance old-age pension</i>	<i>Disability pension</i>	<i>Work incapacity pension</i>
2000	312.54	318.07	-	279.63	-
2001	317.61	323.23	-	277.72	-
2002	323.05	328.78	-	282.2	-
2003	340.5	346.63	-	296.83	-
2004	371.55	378.53	300.97	325.57	-
2005	420.29	428.08	335.60	369.04	355.68
2006	476.88	486.06	374.04	431.84	380.71
2007	595.41	608.38	450.28	543.70	458.07
I quarter	553.89	564.65	427.63	514.68	439.03
II quarter	577.02	588.75	443.94	541.44	458.87
III quarter	623.09	637.47	465.80	560.37	465.78
IV quarter	627.48	642.66	465.16	562.24	465.83

#### *Expenditure on pensions*

564. According to the State Social Insurance Fund Budget Implementation Report of 2007 expenditure for social insurance pensions accounted for 6.3 per cent of GDP, contributions to pension funds accounted for 0.9 per cent of GDP. Overall budget of social insurance pensions was positive – 0.7 per cent of GDP. Preliminary data of the Department of Statistics under the Government of the Republic of Lithuania indicate that expenditure for all pensions, including State and assistance pensions, account for 6.8 per cent of GDP.

#### *State pensions*

565. State pensions are paid from the State budget. State pensions granted by the Republic of Lithuania and paid according to the Law on State Pensions of the Republic of Lithuania (No. I-549 of 18 July 1994), the Law on State Pensions for Officials and Servicemen of the Republic of Lithuania (No. I-693 of 13 December 1994; new version Law No. X-212 of 19 May 2005), the Temporary Law on State Pensions for Scientists of

the Republic of Lithuania (No. I-732 of 22 December 1994), the Law on State Pensions for Judges of the Republic of Lithuania (No. IX-1011 of 2 July 2002) are as follows:

- State pensions for judges
- State pensions of Degree I and II of the Republic of Lithuania
- State pensions for persons who have suffered
- Officials' and servicemen's State pensions
- Scientists' State pensions

566. These pensions are paid together with the State social insurance old-age pension or work incapacity pension payable to the person.

*Social assistance benefits*

567. **Social assistance pensions** are granted to:

- (a) Disabled children
- (b) Individuals who were recognized as having work incapacity or recognized as having partial work capacity
- (c) Parents, trustees or guardians who nursed at home at least 15 years the disabled with recognized special need for constant nursing or care (assistance)
- (d) Mothers who gave birth to five or more children and raised them up to 8 years of age
- (e) Individuals who reached the age qualifying for an old-age pension

568. Social assistance pension is granted to **permanent residents** of the Republic of Lithuania who have not acquired the State social insurance pension period required for a State social insurance pension. The disabled, recognized as such over 24 years of age, and individuals of pension age having right to a pension and (or) pensions benefits that are (their sum) smaller than an assistance pension receive the difference between the assistance pension and pension and (or) pensions benefits (their sum).

569. The unit of an assistance pension is the State social insurance basic pension rate (LTL 360 in 1 August 2008). The amount of assistance pensions vary from 0.75 to 2 basic pension rates depending on the category of a recipient.

570. **Orphan's social assistance pensions** are granted in accordance with the procedure established by the diseased person or by law to children of a person who is announced dead:

- (a) Children under 18 years
- (b) Children over 18 years but younger than 24 years who take full-time studies at higher, college-type and secondary schools that are registered pursuant to the prescribed procedures
- (c) Children over 18 years who were recognized as disable before they became 18, if all the time from that day they are invalid or have only partial work capacity

571. Each child receives orphan's assistance pension that amounts to 0.5 of the basic pension rate. If the right to such a pension is granted to four or more children, all the children receive 1.5 of the basic pension rate in equal parts.

572. **Social assistance compensations** are granted to:

- Parents (adoptive parents), nursing for more than 10 years at home before 1 January 1995 disabled children or children, who were recognized as group I or II disabled persons since their childhood or who became group I or II disabled persons before they became 18
- Mothers, who gave birth to five or more children and raised them to the age of 8 by 1 January 1995

573. The social assistance compensation amounts to 1.5 of the basic pension rate. Social assistance compensations are granted to indicated individuals who are of the age 5 years less than of old-age pension age or were recognized as having work incapacity or recognized as having partial work capacity, lost 60 per cent of their work capacity or more.

574. Targeted compensations of nursing or care (assistance) expenses are paid to meet the special needs of disabled persons. Disabled children, individuals of working age with work incapacity as well as individuals of old-age pension age who need constant care are granted **targeted compensations for nursing expenses** equal to 2.5 of the basic pension rate.

575. The disabled, who are recognized as being in a special need of constant care, receive **targeted compensations for care (assistance) expenses**. The amount of compensations varies from 0.5 to 1 of the basic pension rate.

*Reform of the current pension system*

576. Since 2003 a three-stage pension system model is in place in Lithuania.

577. **Stage I. Pensions financed from current social insurance contributions.** Stage I of the pension system consists of the aforementioned State social insurance old-age, work incapacity, survivors' and orphan's pensions paid from the budget of the State Social Insurance Fund, collected as compulsory social insurance contributions of all working individuals.

578. **Stage II. Pensions financed from compulsory cumulative pension insurance.** Stage II allows to ensure the residents of the Republic of Lithuania higher social guarantees in case of old age. Compulsory cumulative insurance is implemented by private pension funds. At this stage of the pension reform part of the social insurance contribution apportioned for pensions is allotted to accumulation of pensions when part of compulsory social insurance contributions is transferred to a certain management or insurance company chosen by an individual and that company invests the received funds.

579. **Stage III. Voluntary accumulation of pensions.** This stage is intended for those who want to receive, in their old age, more income than provided for in stages I and II. Such persons can accumulate additional funds for pensions in pension funds and/or take out relevant insurance with insurance companies.

580. In 2007 additional 95 thousand persons signed pension accumulation contracts in the context of successful reform, in 2008 the proportion of insured persons under the State social insurance reached 69 per cent (880 thousand).

581. The percentage of the total number of individuals participating in the accumulation according to age groups after the 5<sup>th</sup> stage of contract signature in 2007 is as follows:

- 76 per cent of those aged 25–44
- 21 per cent of those aged 45–54
- 3 per cent of those aged over 55

582. Active individuals of age group under 25 and age group between 25 and 34 indicate the success of the pension reform. Since they will accumulate their pensions until the age qualifying for the old-age pension, this high proportion will move to the age groups of elder people.

583. In 2004–2007 LTL 1864 million were transferred to personal pension accumulation accounts (0.3 per cent of GDP in 2004, 0.4 per cent of GDP in 2005, 0.9 per cent of GDP in 2007). It is foreseen that in 2008 1 per cent of GDP will be transferred (LTL 1130.5 million). Such forecasts are constantly influenced by faster than foreseen salary and employment growth, more active insured individuals when opting for pension accumulation.

584. It should be noted that according to article 17 of LPIT stage I and II pensions are not subject to the personal income tax.

585. By means of taxation measures individuals are encouraged to take care of their pension and accumulate funds in private pension funds. According to Article 21 of LPIT an individual when calculating taxable income has the right to deduct from income pension contributions paid to the pension funds, pension funds of professional pension funds participants associations or similar subjects active in an European economic area of a Member State to the benefit of himself, his/her spouse and children under 18 years and disabled children (adopted children) over 18 years who are recognized as having special need for constant nursing.

586. In addition, if certain conditions pursuant to the law are met, the part of pension benefits from the established pension fund exceeding pension contributions paid to this pension fund is exempt from personal income tax and part of benefits that corresponds to pension contributions paid to the pension fund is taxed by a smaller personal income tax of 15 per cent.

### **Family benefits**

587. In line with the legislation in force the system of social assistance in cash to families with children and poor persons is comprised of:

(a) Benefits to families with children granted in line with the Law on Benefits to Children and assistance to citizens in line with the Law on Assistance in Case of Death despite of person's income and property

(b) Social assistance in cash to poor families and single persons granted in line with the Law on Cash Social Assistance for Poor Families and Single Residents and the Law on Social Assistance for Pupils after evaluation of their income and property

588. The Law on Benefits to Children of the Republic of Lithuania provides the following types of benefits granted despite family's income and property:

- Lump-sum child benefit
- Child benefit
- Benefit to a conscript's child
- Guardianship (curatorship) benefit
- Lump-sum grant for housing
- Lump-sum pregnancy grant

589. **Lump-sum child benefit** is paid to one of the child's parents, adoptive parents (or the one who is the only one parent) or to a child guardian for each child born alive. This benefit is equal to 8 basic social benefits (hereinafter referred to as "BSB").<sup>6</sup> Aiming to encourage adoption in Lithuania and ensure that adoption became similar to child's birth in a family, on 1 July 2006 a lump-sum benefit for an adopted child came into force. Thus an adopted child despite the fact that he received a benefit for a born child is granted a lump-sum benefit equal to 8 BSB.

590. **Child benefit** (child's money) is paid to one of the child's (children's) parents (or the one who is the only one parent), a child guardian (trustee) or a person himself at the age of 18 and over. This benefit is granted despite of family's income and the fact if a person has State social insurance or not but taking account of the age of children and their number in a family. Each child under 3 years of a family with one or two children is granted a monthly benefit of 0.75 BSB, while a monthly benefit of 0.4 BSB is granted to families with children under 18 years and older, who study according to the curriculum of a secondary school and (or) professional training for first qualification, but not longer until they reach 21 years of age.

591. Each child under 3 years of a family with three or more children is granted a monthly benefit of 1.1 BSB, while a child from 3 to 18 and over, who study according to the curriculum of a secondary school, formal professional training or study in high school according to a full-time consequential study programme, including the period of academic holiday, but not longer until they reach 24 years of age is granted a monthly 0.4 BSB benefit (on 1 August 2008 the amount of this benefit has increased from 0.4 to 0.75 BSB per month).

592. Each conscript's child is granted a benefit of 1.5 BSB during his father's period of service. **A benefit to a conscript's child** is paid to child's mother. If the mother raising that child is not a permanent resident of the Republic of Lithuania, a benefit is paid to child's father.

593. **Guardianship (curatorship) benefit** is granted to a child who is entitled to guardianship (curatorship). This benefit is paid during the period of guardianship (curatorship) and equals to 4 BSB per month. If when child's guardianship (curatorship) ends due to adulthood, emancipation or marriage, he studies according to the curriculum of a secondary school, formal professional training or in high school according to a full-time consequential study programme, including the period of academic holiday or in case both parents (or the only parent) of a person of full age are dead, during the period of studies but not longer until he becomes 24 the payment of a monthly benefit of 4 BSB continues. It should be noted that the abovementioned benefit is not granted and not paid to persons who had entered for more than twice the school of the same group of schools. Moreover, such a person is entitled to receive scholarship according to his study results.

594. When the beneficiary of a guardianship (curatorship) benefit according to the procedure prescribed by the law is granted orphan's pension and (or) a periodic monthly benefit paid for child's maintenance, the amount of a guardianship (curatorship) benefit is equal to the difference between the amount of a guardianship (curatorship) benefit and the amount of orphan's pension and (or) a periodic monthly benefit paid for child's maintenance.

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<sup>6</sup> When the Seimas of the Republic of Lithuania adopted the Law on the Indexation of Payment and Social Insurance Benefits of the Republic of Lithuania, from 1 August 2008 amounts of benefits became linked to a new indicator BSB instead of MSL.

595. If a child (a person) studies according to the curriculum of a secondary school and (or) of formal professional training and receives free accommodation and meal at the hostel of a secondary school or professional training establishment, he receives a monthly benefit of 2 BSB.

596. **Lump-sum grant for housing** is paid to persons who were entitled to guardianship (curatorship) when child's guardianship (curatorship) came to an end due to adulthood, emancipation or marriage. It amounts to 50 BSB. Lump-sum grant for housing is not paid in cash; it could be used for the purchase of housing (living space), as payment for part of a credit for purchase or construction of a housing, rent of housing, payment for utility services provided to a rented or owned housing, refurbishing or reconstruction of a housing, purchase of furniture, domestic electric appliances, sound and video appliances, home appliances, purchase of one personal computer, payment for studies and informal education or purchase of land. This grant is granted if a person files an application at the municipal administration before he becomes 25 years of age. Moreover, this grant must be used within 24 months from the day on which the decision to provide this grant was taken.

597. **Lump-sum pregnancy grant** is granted to a pregnant woman who according to the Law on Sickness and Maternity Social Insurance of the Republic of Lithuania is not entitled to receive a maternity benefit. This grant is granted 70 calendar days before the planned birth day and amounts to 2 BSB.

598. The grant and payment of these grants is administered by the municipal units of social assistance in line with the Law on Benefits to Children and instructions approved by the Resolution on the Grant and Payment of Benefits to Children No. 801 of the Government of the Republic of Lithuania of 28 June 2004.

599. Until 1 January 2007 funds for a lump-sum child benefit, child benefit, benefit to a conscript's child, guardianship (curatorship) benefit, lump-sum grant for housing and lump-sum pregnancy grant were received from the State budget in the form of special-purpose subsidies to municipalities, from 1 January 2007 – from the State budget. 4 per cent of these received funds are granted for the administration of the abovementioned benefits.

600. In 2007 expenditures in the form of benefits for families with children amounted to LTL 398.75 million. In 2007 the biggest part of funds i.e. LTL 286.1 million (on average this benefit was granted to 350.7 thousand children per month) was allocated for the payment of a child benefit. In 2007 monthly guardianship (curatorship) benefits were granted to 12.5 thousand of children. During 2007 a sum of LTL 70 million was allocated for the payment of the abovementioned benefit.

601. In 2008 expenditures in the form of benefits for families with children amounted to LTL 596.5 million. In 2008 the biggest part of funds i.e. LTL 481.9 million (on average this benefit was granted to 624.2 thousand children per month) was allocated for the payment of a child benefit. In 2008 monthly guardianship (curatorship) benefits were granted to 12.4 thousand of children. During 2008 a sum of LTL 68 million was allocated for the payment of the abovementioned benefit.

602. According to the Law **on Assistance in Case of Death** of the Republic of Lithuania, if a citizen of the Republic of Lithuania whose permanent place of residence is in the Republic of Lithuania dies, if a foreigner who permanently resides in Lithuania or a person without citizenship dies in Lithuania, or if a person who under the procedure prescribed by the laws of the Republic of Lithuania has a status of a refugee dies in Lithuania, a death grant equal to 8 BSI is paid. A grant is also paid in cases when a child of a citizen of the Republic of Lithuania, foreigner or person who has a status of a refugee in the Republic of Lithuania and who permanently resides in the Republic of Lithuania is born dead.

603. Municipal social assistance departments are responsible for the administration of awarding and payment of this grant. This grant is paid from special-purpose funds allotted to municipal budgets at the time of calculation of their financial indicators. During 2007, funeral allowances were paid when 44.8 thousand persons died, with the relevant expenditure totalling LTL 34.9 million. During 2008, funeral allowances were paid when 43.6 thousand persons died, with the relevant expenditure totalling LTL 45.2 million.

604. In addition to the abovementioned social allowances to poor families and single persons who due to objective reasons lack money for the payment for their subsistence or basic utility services, in accordance with the Law on Cash Social Assistance for Poor Families and Single Residents of the Republic of Lithuania **social assistance in cash** is provided taking account of persons income and property: social benefit and reimbursement for cost of house heating, hot and cold water.

605. The right to receive social assistance in cash is entitled to families and single persons who are unable to earn sufficient money necessary for their living on their own. The State commits itself to provide social assistance to those families and single persons the adult family members of which aiming to receive social assistance have already exhausted all the possibilities of receiving income.

606. Social assistance in cash is provided after evaluation of the amount of income received (income from work, pensions and etc.) and of property in possession. According to the abovementioned Law, a family or a single person has the right to social assistance in cash, if the value of the property owned by a family or a single person does not exceed property value norm. This norm serves as a base indicator on which the evaluation of whether a person has the right to assistance is based and as an indicator with which a comparison is made when establishing the value of a property a person actually possesses. The property value norm is calculated by adding the value norms of movable property, immovable property, amounts in cash, securities and shares. When a family or a single person applies for social assistance in cash, the sum of the value of all family members' property (registered residential and non-residential buildings, garden houses, land plots) is calculated; the value is determined on the basis of the data of the Register Centre. When determining the amount of all the property of a family or a person, no account is taken to a low value property in possession, if it does not exceed the value prescribed by the Law.

607. Social assistance in cash is granted taking account of the reasons why a family or a single person lacks money for a living. The right to assistance is enjoyed by employed people, persons who take full-time studies at education institutions, pensioners, disabled people or people taking care of them, one of the parents who raise preteens, if they meet the conditions prescribed by the Law and other. The abovementioned assistance is provided to unemployed families when adult family members receive unemployment social insurance benefits or scholarship or are engaged in public work or work supported by the Employment Fund or are registered at the State Labour Exchange for at least 6 months.

608. 1. **Social benefit** is paid to permanent residents of the Republic of Lithuania the income of which for one person does not exceed the SSI level defined by the Government of the Republic of Lithuania (from 1 August 2008 SSI is LTL 350 for one family member per month). The amount of social benefit is equal to 90 per cent of difference between SSI for a family or a single person and monthly income of a family or a single person. It means that on 1 August 2008, when SSI was LTL 350 per month, a single person with no property in possession exceeding the fixed norms and no income had the right to receive social benefit of 90 per cent of SSI, i.e. LTL 315.

609. Social benefits are paid by municipalities from special-purpose subsidies they receive from the State.



610. In 2007 expenditures for social benefits amounted to LTL 52.41 million, i.e. by 42 per cent less compared with 2002. In 2007 the number of social benefit beneficiaries declined by 69 per cent compared with 2002, i.e. in 2007 social benefits were granted to 36.3 thousand persons, while in 2002 – to 117 thousand persons.

611. In 2008 expenditures for social benefits amounted to LTL 78.9 million, i.e. by 12 per cent less compared with 2002. In 2008 the number of social benefit beneficiaries declined by 68 per cent compared with 2002, i.e. in 2008 social benefits were granted to 37.3 thousand persons, while in 2002 – to 117 thousand persons.

612. Such an evident change of the number of social benefit beneficiaries was a result of increase of income, lower unemployment level, migration of people, more targeted assistance in cash provided after evaluation of family income as well as property. Due to the fact that MMW and pensions grow faster than SSI, the number of social benefit beneficiaries and expenditures decline.

613. 2. Another form of assistance provided to poor families and single persons is **reimbursement for cost of house heating, hot and cold water**. The sum a family or a single person pays for heating does not exceed 20 per cent of difference between the income received and 100 per cent of SSI for a family or a person. The remaining sum for house heating is paid as reimbursement from funds of the State budget. This principle for reimbursement calculation protects citizens from the increase of payment for housing heating due to increasing prices for energy and utility services.

614. A family or a single person receives a reimbursement for heating expenditures of a housing which it or he/she have declared as a place of residence. One of family members or one single person receives a reimbursement for heating cost of 38 square metres of housing, and every other family member receives a reimbursement for heating cost of 12 square metres. These fixed areas of house that receive reimbursement for cost guarantee support for poor citizens living in medium size housing.

615. In addition, reimbursement is paid as regards cost for a fixed amount of hot or cold water and sewerage. Each poor citizen receives support in relation to 1.5 cubic metres of hot water and 2 cubic metres of cold water per month. Reimbursement is paid for the part of cost for cold water that exceeds 2 per cent of income of a family or a single person and for the part of expenditures for hot water that exceeds 5 per cent of income of a family or a single person.

616. Reimbursements are paid by municipalities from special-purpose subsidies they receive from the State.

617. In 2007 the funds paid as the abovementioned reimbursements amounted to LTL 33.7 million, and LTL 45.8 million in 2008.

618. 3. Aiming to solve individual problems of citizens, poor families and single persons are granted **lump-sum benefits** in cases of poverty, homelessness, illness, disability, natural disaster, etc. The procedure of payment of lump sum benefits allocated to the citizens of their territory from the municipal budgets and their amount are regulated by the municipalities taking account of their budget capacity.

619. In 2007 the expenditures for lump-sum benefits amounted to LTL 8.6 million, i.e. more than twice exceeded the amount of 2002. In 2007 lump-sum benefits were granted to 33.7 thousand beneficiaries. In 2008 the expenditures for lump-sum benefits amounted to LTL 8.67 million; they were granted to 33.2 thousand beneficiaries.

620. 4. As from 1 December 2006 the Law on Cash Social Assistance for Poor Families and Single Residents of the Republic of Lithuania entitles the municipalities to make a

decision on the use of State budget funds by utilising **up to 2 per cent** of funds allocated for social assistance to support citizens suffering from serious shortage.

621. In 2007 the funds paid for the abovementioned purpose amounted to LTL 0.9 million, and LTL 2 million in 2008.

622. In addition to assistance in cash for families raising children, children from poor families receive **other forms of support**. Taking account of the fact that at the beginning of the new school year low-income families need support for preparing children to go to school and aiming to ensure that children living in such families receive education despite their parents social and material status, the State provides support for the children from the most disadvantaged families for preparation to attend the school. The Law on Social Assistance for Pupils of the Republic of Lithuania provides two types of social assistance for pupils: free meals for pupils (dinner, breakfast, meals at day summer leisure camps organized at schools) and support for acquiring schoolchild's necessities.

623. From 1 July of 2008 the amendments to the abovementioned law came into force stipulating that all pupils who study according to the curriculum of pre-school or primary education programmes are entitled to receive free dinner. The right of other pupils to receive free meals is determined taking account of income of a family:

(a) Pupils who study according to the basic, secondary or special education programmes are entitled to receive **free dinner**, if average income for one family member per month is less than 1.5 of SSI

(b) Pupils who study according to the pre-school training or secondary education (primary, basic, secondary or special education) programmes are entitled to receive **free breakfast**, if average income for one family member per month is less than 1 of SSI

(c) Pupils who study according to the pre-school training or secondary education (primary, basic, secondary or special education) programmes are entitled to receive **support for acquisition of pupil's necessities**, if average income for one family member per month is less than 1.5 of SSI

624. Social assistance for pupils may be provided in other cases determined by the municipalities as well (for example, in case of illness, accident, loss of a breadwinner, in case of a child living in a family with three or more children or with disabled parents, etc.) taking account of family income. In addition, pupils from low-income families may be granted free meals at day summer leisure camps organized by schools.

625. Aiming to ensure that pupils' nutrition corresponds to physiological norms as well as to improve public health and quality of life, bigger amounts of social assistance to pupils were fixed compared to those valid before the entry into force of the abovementioned law. When establishing the prices of a daily free meal of pupils the funds allocated in 2007 for the purchase of food products made up a sum of 28 per cent more for dinner (LTL 3.54), a sum of 45 per cent more for breakfast (LTL 1.64), a sum of 25 per cent more for meals at day summer leisure camps organized by schools (LTL 7.7) compared to 2005. In 2008 the funds allocated for the purchase of food products made up a sum of 42 per cent more for dinner (LTL 3.93), a sum of 72 per cent more for breakfast (LTL 1.94), a sum of 31 per cent more for meals at day summer leisure camps organized by schools (LTL 8.03).

626. In 2007 83 thousand (17 per cent of all the pupils of secondary schools) pupils received free dinner on average per month; in 2008 210 thousand (44 per cent of all the pupils of secondary schools) pupils received free dinner on average per month. In 2007 25 thousand (in 2008 – 58 thousand) pupils received free breakfast on average per month; 15 thousand of pupils received free meals at day summer leisure camps organized by schools (in 2008 – 14 thousand).

627. In 2007 funds allocated as assistance for the purchase of a pupil's school necessities for one child amounted to LTL 156. In 2007 around 57 thousand pupils (11 per cent of all the pupils of secondary schools) received assistance to prepare for a new school year. Expenditure for providing support to pupils from low-income families for the purchase of pupil's necessities at the beginning of a new school year increased each year and amounted to LTL 8.9 million in 2007.

628. In 2008 funds allocated as assistance for the purchase of a pupil's school necessities for one child amounted to LTL 156. In 2008 around 93 thousand pupils (20 per cent of all the pupils of secondary schools) received assistance to prepare for a new school year. Expenditure for providing support to pupils from low-income families for the purchase of pupil's necessities at the beginning of a new school year increased each year and amounted to LTL 14.5 million in 2008.

629. In addition, according to the provisions of LPIT, an additional tax-free income amount is applied to all individuals raising children.

#### 4.

630. Aiming to compare information with the information of other EU Member States, the Department of Statistics under the Government of the Republic of Lithuania calculates the expenditure for social security according to the methodology of the European system of integrated social protection statistics (ESSPROS). In 2007 expenditure for social security made up 13.9 per cent of GDP. However, during 1999–2006 when GDP grew faster than expenditure for social security part of this expenditure compared to GDP declined: from 16.4 per cent in 1999 (in 1997 – 13.8 per cent) to 13.1 per cent in 2005. During 2007 expenditure for social security increased by 24 per cent, i.e. twice as compared to the indicators of the year 1997.

631. In 2008 expenditure for social security from the national budget made up 13.3 per cent of GDP. For more detailed information on State expenditure for social security please refer to the table below. It should be noted that as from 1 January 2004 and from 1 January 2006 later on the classification of expenditures from the State and municipal budgets has been changed leaving no possibility to compare data of a ten year period.

Table 9.10

#### Expenditure for social security, in per cents

	1999	2000	2001	2002	2003	2004	2005	2006	2007
Compared to GDP*	16.4	15.8	14.7	14.0	13.5	13.3	13.1	13.4	13.9
Compared to the national budget**						10.4	10.2	9.8	-

\* This indicator was calculated according to the ESSPROS methodology. Social security includes all measures taken by the states or private institutions aiming to ease the burden of certain risk factors or needs pressing households or individuals, if that security is not determined by interpersonal or personal contracts. Expenditure for social security includes social security benefits, administration and other expenditure. Expenditure for social security benefits includes social security in the form of benefits in cash, payment of expenditures and direct provision of goods and services to households and individuals.

\*\* Expenditure from the national (State and municipal) budget for social security.

632. Additional information is provided in Annex 34.

**5.**

633. Aiming to fight negative family development trends, strengthen the institution of a family and positive attitude to a family, create a more friendly environment to families and upbringing of children that could ensure a better quality family life, more emphasis is placed on the co-operation of non-governmental organizations and state institutions by creating conditions for non-governmental organizations to participate in the formation and implementation of family policy.

634. LC stipulates that employment intermediation services are provided by the National Job Centre under the MSSL free of charge. Employment intermediation services may also be provided by other enterprises, agencies, organizations if such activity is included in their statutes of establishment. The exclusive right of intermediation in the field of citizens' employment abroad is granted to the State. It is implemented by the National Job Centre. Other enterprises, agencies, organizations may provide intermediation services in the field of citizens' employment abroad only in case they have acquired licences from an institution accredited by the Government of the Republic of Lithuania. Private employment intermediation enterprises, agencies or organizations do not grant unemployment benefits.

**6.**

635. Although according to the principle of solidarity all the employed people should participate in the system of compulsory State social insurance, large part of farmers and members of their farms were exempt from payment of contributions due to insufficient financial capacity of farmers. Farmers like all other society groups are likely to be faced with all kinds of social risks, thus from the point of view of social risk they should participate in the system of the State social insurance. The procedure for compulsory social insurance of farmers has been improved in parallel with the overall social insurance system taking account of proposals and requests of farmers that indicated that payment of social insurance contributions is a very heavy financial burden on farmers. Farmers, however, like other social groups that do not participate in compulsory insurance can voluntarily insure themselves by social pension insurance for the main or for the main and supplementary parts of a pension. In addition, a person can voluntarily insure himself by a sickness and maternity social insurance to receive sickness benefit and maternity benefit. The legal framework for voluntary insurance by State social insurance has been established. Since voluntary State social insurance depends on the will of an individual, it should be stated without any reference to the criteria of compulsory insurance that more favourable conditions of State social insurance for farmers and self-employed persons have already been created.

636. Self-employed persons such as owners of personal companies, true members of true economic associations and commandites, individuals performing individual activity as defined in LPIT (solicitors, solicitor assistants, notaries, bailiffs, persons with business certificates and other) are compulsory insured by social pension insurance. Self-employed persons excluding those who perform individual activity under the business certificate are compulsory insured only by social pension insurance to receive the main and supplementary parts of pension. The abovementioned individuals are compulsory insured to receive a supplementary part of a pension, if the annual sum of their income is equal to the sum of 12 MMW or more. The abovementioned individuals may choose a voluntary sickness and maternity social insurance.

**6. (a)**

637. At present farmers as well as other individuals who are not insured by compulsory State social insurance are not obliged to pay contributions of State social insurance. It

would be possible to legalize the duty to pay State social insurance contributions by providing State social insurance guarantees bigger than assistance pensions paid.

638. In Lithuania the system of social assistance for families with children and poor citizens includes assistance to families with children despite their income and property and assistance to poor citizens taking account of their income and property.

7.

639. On 26 September 2007 the Constitutional Court of the Republic of Lithuania has ruled on the constitutionality of the provisions of the Law on State Social Insurance of the Republic of Lithuania (Law No I-1336 of 21 June 1991) providing that pensioners who work and receive social insurance old-age pensions must pay contributions to the State Social Insurance Fund. The Constitutional Court acknowledged that provisions of Article 4(3) (new version of Law No IX-2535 of 4 November 2004) and Article 8(2) of the Law on State Social Insurance stating that self-employed individuals excluding those who perform individual activity according to business certificate are compulsory insured only by social pension insurance to receive the main and supplementary parts of a pension and that the abovementioned individuals are compulsory insured to receive the supplementary part of a pension only in case the sum of their annual income calculated under the procedure established by the law is equal to 12 MMW or more, do not conflict with the Constitution.

640. In addition it was acknowledged that provisions of Article 34(3)(1) (new version of Law No IX-10 of 4 July 2002), Article 34(4) (new version of Law No IX-1029 of 4 July 2002, new version of Law No IX-1748 of 7 October 2003) of the Law on State Social Insurance stating that State social insurance contributions may not be paid only if the sum of annual income of owners of personal companies, tenants of personal companies, true members of true economic associations and commandites, individuals performing individual activity excluding individual activity performed according to business certificates calculated according to the procedure established by the law is less than 12 MMW and such persons are pensioners of the State Social Insurance Fund did not conflict with the Constitution.

641. The Constitutional Court stated that there is no legal ground to state that by means of challenged legal regulation the constitutional duty of the State to ensure the right of citizens to receive old-age pension or ensure any other form of social security enshrined in Article 52 of the Constitution was denied. The Resolution of the Constitutional Court states that the determination of the minimum amount of insured income received which poses the duty to pay State social insurance contributions aims to achieve goals of constitutional importance. On the one hand, the objective is to create background to form the State social insurance fund in order to provide the State with financial resources necessary for social assistance and social security, on the other hand, the objective is to ensure that duty to pay State social insurance contributions does not unreasonably become a burden on individuals with very low income and they do not become socially disadvantaged due to that duty. Thus, as the Resolution states, employed people on the basis of objective basis, i.e. according to the amount of insured income received, are divided into two groups: those who are obliged to pay social insurance contributions and those who may not pay social insurance contributions. Such division does not discriminate nor provides privileges.

642. According to the Law on Social Insurance of Labour Accidents and Occupational Diseases of the Republic of Lithuania labour accidents or accidents on the way to work or from work home are not recognized as insured events when an injured insured person was under the influence of alcohol or under the influence of substances influencing his mind despite the fact whether the reasons for the accident to occur were determined by the insobriety of the person or other circumstances (violation of safety at work, equipment out of order or other). Aiming to implement the Resolution of the Constitutional Court of the

Republic of Lithuania of 29 April 2008 Article 7 of the Law on Social Insurance of Labour Accidents and Occupational Diseases of the Republic of Lithuania is amended. It is proposed to provide that only labour accidents or acute occupational diseases were not recognized as insured events when after the examination according to the order prescribed by the occupational health and safety legislation it is concluded that the events happened in the presence of appropriate, safe and health friendly working conditions and due to insobriety of the insured person or influence of substances influencing his mind. Accidents on the way to work or back home from work would not be recognized as insured events if according to the conclusions of competent institutions the insured person has suffered from insobriety or influence of substances influencing his mind. The causal link between the occupation accident or acute occupational diseases and insobriety of an insured person or influence of substances influencing his mind would be indicated by the State Labour Inspection of the Republic of Lithuania under the Ministry of Social Security and Labour. It is expected that after the adoption of the draft Law it will become possible to perform a more objective evaluation of the reasons of occupation accidents and circumstances under which it happened as well as to grant benefits to the insured if they suffered at work because of the reasons other than insobriety, influence of drugs, toxic, psychotropic substances.

#### *Family benefits*

643. On 1 July 2004 the new version of the Law on Benefits to Children of the Republic of Lithuania came into force that improved the system of support to families with children. The provisions of this law regulate public relations related to State support to families with children and to children deprived of parental care, define types and amounts of benefits to children, groups of people entitled to receive such benefits as well as regulate conditions and order for granting and payment of benefits and financing. On the basis of this law the Regulations on the Grant and Payment of Benefits to Children were approved.

644. In the same year the amendments (new version Law No IX-2470 of 29 September 2004) to the abovementioned law were adopted that increased the lump-sum benefit for each born child from 6 BSI to 8 BSI, provided a more detailed procedure for the calculation of benefits and a definition of a family.

645. After the adoption of the amendments to the Law on Benefits to Children (new version Law No X-496 of 19 January 2006; new version Law No X-641 of 1 June 2006), State's support to families with children became more targeted, i.e. aiming to encourage adoption of children financial support to families having an adopted child is granted; family was granted the right to receive a lump-sum benefit when child is born despite the fact that at the time of application the child is dead; the grant of a guardianship (curatorship) benefit was described in cases of parents' temporal stay abroad; possibilities for using housing purchase benefits and settlement were broadened, the amount of funds necessary for the administration of benefits became regulated (up to 4 per cent of funds allocated for benefits) as well as other provisions were reviewed aiming to ensure effective and targeted State support to families and children.

646. After the evaluation of the State's financial capacity, gradual introduction of a benefit for each child in a family was foreseen, i.e. as from 1 January 2008 the provision of the Law on Benefits to Children of the Republic of Lithuania was implemented according to which a child benefit is paid to all the families with children under 18 years or more who attend day secondary schools. From 1 August 2008 with a view to implement amendments to the Law on Benefits to Children of the Republic of Lithuania child benefits are granted also to persons who attend professional training schools until they reach 21.

647. The amendments introduced in 2008 (new version Law No X-1664 of 1 July 2008, new version Law No XI-90 of 19 December 2008) improved the system of family benefits

and benefits for children in care; State support to families with children became more targeted and important, i.e. benefits were increased to families with children, provisions regulating the payment of benefits to children were specified, more favourable benefit grant conditions were established by entitling studying applicants over 18 to independently receive child benefit, support for children in care and persons who were adoptive children until they became adults was specified by giving to children entitled to guardianship (curatorship) the right to receive child benefit and by specifying the purpose of the grant for housing.

648. Aiming to establish a cohesive means-tested system of social assistance in cash for poor families and single persons and aiming to solve the problem of poverty of families, on 1 April 2004 the Law on Cash Social Assistance for Poor Families and Single Residents of the Republic of Lithuania came into force that ensures that families with children or single persons who due to objective reasons lack money for a living or for payment for utility services receive social assistance in cash, i.e. social benefit, reimbursement for cost of house heating, cold and hot water.

649. Aiming at the most targeted social assistance in cash and seeking to make this State support available to all low-income individuals, on 1 December 2006 new version of the Law on Cash Social Assistance for Poor Families and Single Residents of the Republic of Lithuania (new version Law No X-916 of 21 November 2006) with an amended title came into force the provisions of which guarantee support for a wider group of individuals, provide better conditions to receive reimbursement for cost of house heating for those families that due to increased income lose the right to reimbursements, entitle the municipal administration to provide social assistance on the basis of municipal decision from special-purpose subsidies allocated to municipal budgets targeted to persons with serious financial difficulties; norms regulating the provision of non-cash social assistance to families with social risk or problematic families were specified; reimbursement for cost of house heating were increased, calculation of such reimbursements was simplified, more accurate regulation of organization, administration and financing of social assistance in cash was ensured.

650. In June 2008 the amendment to the abovementioned law was adopted (new version of Law No X-1611 of 17 June 2008) that provides more detailed provisions on the calculation of family income, ensures more favourable conditions to receive social assistance in cash for families as well as socially vulnerable citizens, since income of social type received, i.e. transport compensations for the disabled, compensations for donors, child benefits, social scholarship, aid money paid according to the Law of Social Services of the Republic of Lithuania, income of pupils from labour relations, will no longer be included into the amount of family income when calculating the amount of social assistance in cash.

651. When minimizing social exclusion of families with children aiming to provide for pupils full scale catering at schools, ensure equal social assistance to pupils at schools of all the founders, guarantee a possibility for a child of a healthy growth and develop healthy nutrition habits, on 13 June 2006 the Law on Social Assistance for Pupils of the Republic of Lithuania was adopted, which entered into force on 1 January 2007. The law determines two types of social assistance for pupils: free meals for pupils and pupil's school necessities at the beginning of a new school year.

652. In 2007 the provisions of the Law on Social Assistance for Pupils of the Republic of Lithuania (new version Law No X-1033 of 18 January 2007) were made more detailed providing that municipal administrations administer free pupils' meals at schools of municipalities as well as at non-state schools established in the territories of municipalities.

653. The amendment of the abovementioned law that came into force on 1 July 2008 (new version Law No X-1544 of 15 May 2008) determines that all pupils studying according to the pre-school or primary education programme have the right to free dinner, while the right to free meal of other pupils is determined taking into account of family income; specifies the amount of funds allocated for one pupil's free meal per day as well as fixes the maximum limit; provides for that support for pupils' necessities in cash except in cases when the pupil lives in a family with social risk, provides a new version of other provisions of the law.

654. In 2005 amendments to the Law on Assistance in Case of Death (new version Law No X-213 of 19 May 2005) were adopted that extended the term for application for a funeral allowance, i.e. it eliminated the gaps of the law of that time due to which in some cases individuals missed the possibility to receive assistance in case of death due to other reasons than personal fault.

655. With a view of providing people with the possibility to receive real assistance in case of death, the amendments of the abovementioned law came into force from 1 January 2008 (new version Law No X-1294 of 11 October 2007) that increased death grant from 6 to 8 BSB.

656. With the view of making social services closer to the citizen, the Resolution No 171 of the Government of the Republic of Lithuania of 6 February 2002 approved the conception of the reform of provision of social services. On the basis of this conception the abovementioned Law of Social Services of the Republic of Lithuania was adopted that came into force on 1 July 2006. The aim of social services is to create conditions for a person (family) to train or strengthen capacities and possibility to solve one's social problems independently, maintain social links with the society as well as help to overcome social exclusion. Social services are provided on the basis of the principle of accessibility that ensures the availability of social services for a person (family) as close to his place of residence as possible. The services are provided on the principle of social justice that states that financial possibilities of a person (family) to pay for social services does not influence the possibilities of the person (family) to receive proper services. The law stipulates that depending on the type of a social service, social services a person (family) receives are financed from municipal budgets or State subsidies to municipal budgets, part of a person's (family's) payment, funds of social services establishments and other funds. In all cases the sum paid for social services should not exceed the amount of expenditures for social services per person (family). In case a person receives social benefit or his income (family income per one family member) is less than SSI multiplied by three, services of general type and social attendance are provided for free. It should be noted that municipality is free to decide to exempt a person (family) from the payment for social services in cases it determines necessary. The amount of payment for special services (social attendance and social care) depends on person's income; in case of long-term social care the amount of payment for services in addition to person's income depends on property. From 1 January 2007 the new procedure for financing the provision of social services came into force, thus social care for persons with severe disability is financed from State subsidies to municipal budgets; the planned amount for a person is LTL 936 per month. Social care for children deprived of parental care is also financed from targeted-purpose subsidies to municipal budgets.

**8. Please indicate the role of international assistance in the full realization of the right enshrined in article 9**

657. When implementing Lithuanian BPD Measure 1.5 of 2004–2006 in the field of activity 'Development of Fixed Social Service Infrastructure' 24 contracts on the grant or support were signed amounting to LTL 36.19 million from which LTL 27.51 million come



from the European Regional Development Fund. By means of this measure support was granted to projects on the development of fixed social service infrastructure; the projects were devoted to the construction of new or reconstruction of existing institutions providing fixed social service. The established centres provide social services to the disabled people, elder people who need temporary care, mentally disordered people and members of their families, families at social risk and children of such families, children under care, their parents, caretakers and adoptive parents.

658. On 28 April 2007 the European Commission approved the Strategy for the Use of EU Structural Support of 2007–2013 of Lithuania according to which Lithuania will receive EU structural support amounting to around LTL 23 billion during 2007–2013. The strategy specifies the main objective for the use of EU structural support which is to ensure fast improvement of investment, work and living conditions in Lithuania and guarantee that benefits from economy growth were available to all the citizens of Lithuania. Action programmes will help to implement the goals and tasks of the strategy. 4 measures of priority ‘Quality and Availability of Public Services’ under the Cohesion Encouragement Action Programme (financed from the European Regional Development Fund) devoted to the development of social services and of infrastructure for the disabled people, development of professional training and of infrastructure of the systems of the Lithuania’s Labour Exchange. Thus efforts will be made to make effective use of ESF funds aiming to develop the infrastructure of social services, make the services available to all the citizens, and provide relevant and effective services.

## **Article 10 of the Covenant**

### **1.**

659. Lithuania ratified the ILO Minimum Age Convention No 138 (1973). (The Convention was ratified by the Law No VIII-437 of 7 October 1997). The last report of Lithuania was submitted in 2007.

660. The International Convention on the Elimination of all Forms of Discrimination was ratified by Law No VIII-920 of 10 November 1998. The Convention No 183 (2000) revising the Convention on Maternity Protection Convention (1952) (as amended) was ratified by Law No IX-1396 of 25 March 2003. ILO Minimum Age Convention, 1973 (No. 138) was ratified by Law No VIII-437 of 7 October 1997.

661. Information on other conventions is presented in the introductory part of this second report.

### **2.**

662. The concept of a family depends on the content of legal relations and their regulation by certain legislation.

663. In the literature on law the term “family” from a legal point of view is defined as a group of natural persons (two or more) united by property and personal non-property legal relations formed on the basis of marriage, joint life without marriage registration, blood relationship, adoption or other legal form of child care and raising. It is a general definition of a family, however, in certain cases CIC or other legislation may provide a definition of a family or a member of a family characteristic only to a certain legal relationship. For example, Article 588 (1) of CIC provides that members of the lessee’s family are the spouse (cohabitant), their minor children, parents of the lessee and those of the spouse residing together with the lessee (in this case the fact of residing together is important).

664. In addition, Article 248 of the CRC lists family members of a perpetrator: parents (adoptive parents), children (adopted children), brothers, sisters and their spouses living

together with him, also the spouse of the perpetrator or the person living with him in common law (partnership) and parents of the spouse. According to the provisions of CRC family members of the perpetrator shall not be held liable for a failure to report a crime, concealment of a crime or the perpetrator.

665. Resolution No. X-1569 of the Seimas of the Republic of Lithuania of 3 June 2008 on the Approval of the State Family Policy Concept points out that family is the principal good of the society, arising from human nature and based on voluntary matrimonial pledge of man and woman to devote their life to developing family relations, ensuring the welfare of all family members – man and woman, children and all generations and the development of a healthy society, the vitality and creativity of the people and the state. The family policy concept incorporates not only the concept of a family ('Family is husband, wife and their children (adopted children) if any. It may be incomplete or extended') but the concepts of an extended family ('Extended family – spouses, their children (including adopted), if any, and immediate family members living together'), of an incomplete family ('Incomplete family – family or extended family, where, upon termination of marriage, the children have been deprived of one or both parents') as well.

666. According to legislation regulating social assistance, a family is defined as spouses or an adult man and an adult woman living together without marriage registration, as well as a married person who on the basis of judicial decision lives with children when his (her) spouse lives apart or one of the parents, their children under 18. The concept of a family also includes unemployed unmarried persons who do not live together with other persons from 18 to 24 years of age; persons who study at full-time secondary schools and other full-time formal education institutions (schoolchildren or students), as well as persons from the day they graduate from full-time secondary schools until 1 September of the same year. Children entitled to guardianship (curatorship) under the rule of law are not considered as members of trustees (guardians) family.

667. The Law on the Declaration of Property of Residents of the Republic of Lithuania (new version Law No I-1338 of 16 May 1996, new version Law No IX-1911 of 18 December 2003) provides for the obligation of persons holding certain positions and their family members to declare their property. Article 2(2) of this Law states that family members are spouses and children (adopted children) under 18 years of age living together with them, who must declare their property only if they permanently reside in Lithuania.

### **3.**

668. Article 2.5 of CIC Book II states that on attaining full age, i.e. when a natural person is eighteen years of age, he, by his acts, shall have full exercise of all his civil rights and shall assume civil obligations.

669. According to Article 2 of the Law on Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania No I-1234 of 14 March of 1996, a child is a human being below the age of 18 years, unless otherwise established by laws.

670. Thus on the basis of the abovementioned legislative provisions children are deemed to attain their majority at the age of 18.

### **4. (a)**

671. Information remains the same.

### **4. (b)**

672. CIC states that parents are the main persons to hold responsibility for the maintenance and bringing up of their children and for ensuring appropriate growth conditions. Children, however, due to their special position form an exclusive group of

individuals, thus the responsibility for ensuring child's wellbeing falls on a family as well as on the State.

673. Childcare and upbringing involve additional costs for parents, therefore a system of benefits for children is applied for child protection purposes. These are benefits of fixed amount paid to all families with children despite their income and despite the fact if a person has the State social insurance (the system of this type of benefits is described in Article 9(3) of the Covenant). When determining the necessity to grant benefits to families with children account is taken of the age of children and number of children in a family concerned. When the public was solidary compensating part of expenditures of maintenance of every child the system of assistance to families became more targeted and ensured higher social security for families with children.

674. In cases when the set State support for families raising children does not ensure means required for minimal living or for the payment for the key utility services, a family may receive social assistance in cash, having regard to the reasons of poverty of a family concerned and having evaluated its income as well as property in possession (the system of social assistance in cash is described in Article 9(3) of the Covenant).

675. Moreover, since low-income families need assistance to prepare children for school at the beginning of a new school year and aiming to ensure that children from such families were educated despite of social and material wellbeing of their parents, the State provides support to children from families with lowest income to help to prepare for school, for example, provides free meals and assists in the purchase of pupil's necessities for school (the system of social assistance for pupils is described in Article 9(3) of the Covenant).

676. Problems arise when a child lives in a family in which one of the parents has not acquired the necessary social insurance period and has no right to social insurance benefits and the other parent participates in the labour market. In such a case it is necessary to ensure minimum income for child rearing for parents who study, for mother or father who raise a child under 1 or 2 years of age alone and the like.

#### **4. (c)**

677. Aiming to ensure the participation of at least one parent of a family in the labour market when the other parent raises a child, create a basis for combining family duties and commitments at work and minimize social exclusion, plans are under way to legalize a new child care benefit for one of the parents who takes care of a child but has no right to maternity or maternity (paternity) benefit which will amount to 2 BSB until a child is under 1 year of age and to 1.5 BSB until a child is from 1 to 2 years of age. The introduction of this provision would provide State support to one of child's parents who has not acquired the necessary social insurance period and has no right to social insurance benefits.

678. When improving the system of support for families, increased attention is devoted to the combination of support to families in cash and provision of social services. Taking account of certain peculiarities of a family, i.e. a family concerned belongs to a group of families at social risk, legislation that governs social assistance in cash provides an opportunity to change assistance in cash into social services. For this purpose infrastructure of social services is being developed in municipalities.

#### **5.**

679. Detailed information concerning benefits related to maternity and paternity is presented in question 3 of Article 9.

**5. (a) (i)**

680. The scope of the scheme of protection of the State social insurance could be defined on the basis of the ratio between persons insured by compulsory State insurance and average annual number of those insured by all types of this insurance.

**Table 10.1**

	2002	2003	2004	2005	2006	2007
Number of persons insured by the compulsory State insurance in thousand	1 304	1 319	1 337	1 367	1 419	1 465
Average annual number of those insured by all types of State social insurance (maternity) in thousand	1 127	1 155	1 192	1 224	1 269	1 322
Ratio in per cent	86%	88%	89%	90%	90%	90%

Chart 10.2

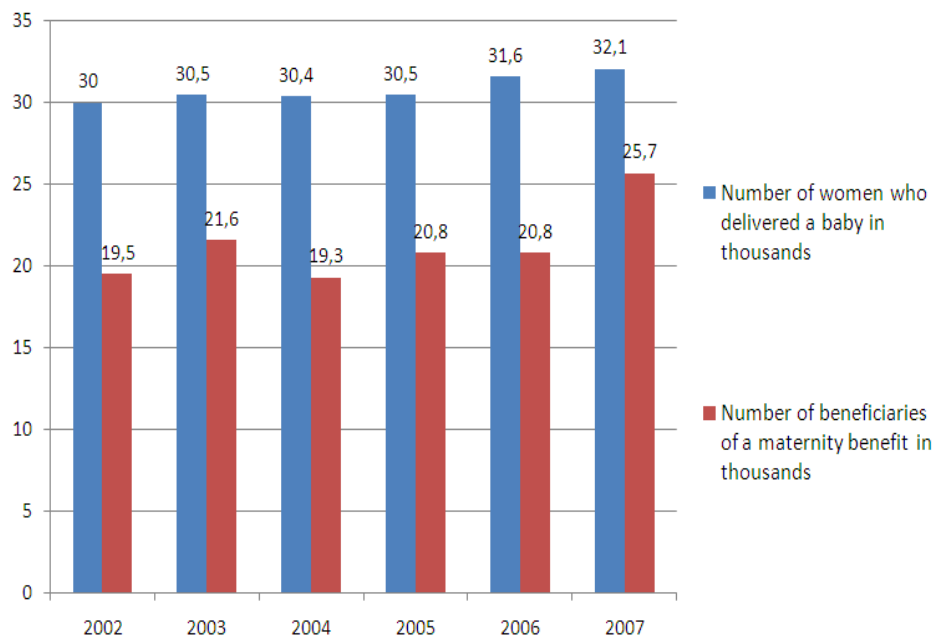
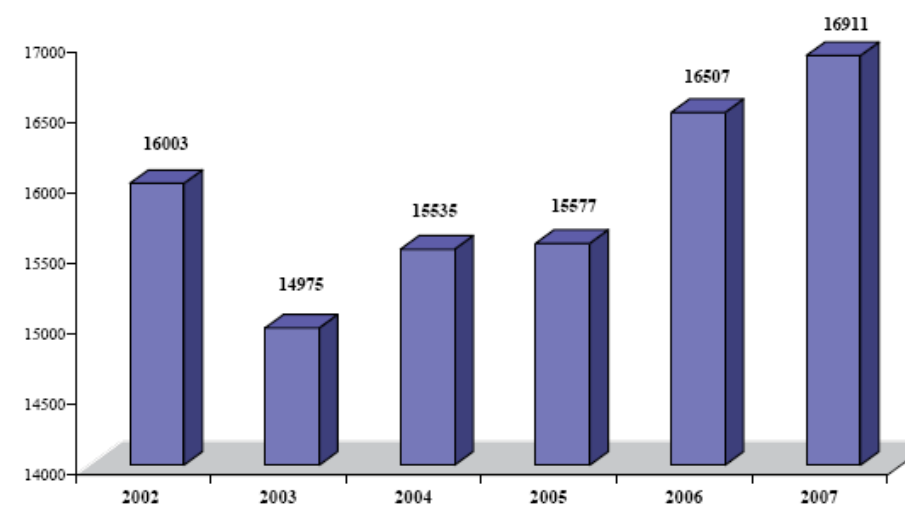
**Changes in the number of beneficiaries of a maternity benefit during 2002–2007**

Chart 10.3

**Changes in the average monthly number of beneficiaries of maternity (paternity) benefits (during the maternity (paternity) leave until a child becomes 1 year of age) during 2002–2007**

**(ii)**

681. Maternity (paternity) benefit is paid during maternity (paternity) leave from the end of maternity leave until a child reaches two years of age. If a mother was not granted a maternity benefit during her maternity leave, maternity (paternity) benefit is granted to those entitled to receive it from the day the child is born. If a mother who was granted a maternity benefit during her maternity leave died, maternity (paternity) benefit is granted to those entitled to receive it from the day of mother's death.

682. Woman whose pregnancy is 30 weeks or more is granted a maternity benefit for 126 calendar days during maternity leave which amounts to 100 per cent of covered income. In case of complications of delivery and if two or more children are born this benefit is granted and paid for additional 14 calendar days.

683. Woman who before the date of delivery (when pregnancy is 30 weeks and more) did not make use of a maternity leave, is granted a maternity benefit for 56 calendar days after delivery. Woman who before the date of delivery (when pregnancy is 30 weeks and more) did not make use of a maternity leave, in case of complications of delivery and if two or more children are born is granted a maternity leave for 70 calendar days after the delivery.

684. Woman who delivers on the 22<sup>nd</sup>–30<sup>th</sup> week of pregnancy is granted a maternity leave for 28 calendar days after the delivery. If the newborn lives 28 days or longer, the benefit is paid for 126 calendar days after the delivery date. For those women who give birth on the 22<sup>nd</sup>–30<sup>th</sup> week of pregnancy to a dead child, maternity benefit is paid for 28 calendar days after the delivery date. Woman who delivers on the 22<sup>nd</sup>–30<sup>th</sup> week of pregnancy in case of complications of delivery and if two or more children are born is granted a maternity leave of additional 14 calendar days.

685. The insured person who adopts a newborn child or is appointed as his (her) guardian is granted a maternity benefit from the day of adoption or establishment of guardianship until a child is 70 days old.

**(iii)**

686. Maternity (paternity) benefit from the day on which a maternity leave ends amounts to 100 per cent of covered income of the beneficiary until a child becomes 1 year of age; maternity (paternity) benefit amounts to 85 per cent of covered income of the beneficiary until a child becomes 2 years of age. Monthly maternity (paternity) benefit shall not be less than one third of covered income of current year valid during the first month of maternity (paternity) leave.

687. If two or more children of the insured person are borne and he (she) takes a maternity (paternity) leave, the maternity (paternity) benefit is increased taking account of the number of children born at one time (if two children are born at one time, the benefit is increased by two times, if three children are born at one time, the benefit is increased by three times, etc.).

688. If an insured person who was or is still on a maternity (paternity) leave has covered income, the amount of which is less than the amount of maternity (paternity) benefit (sum of these benefits), he is granted the difference between that benefit (sum of these benefits) and covered income of a certain month.

**(iv)**

689. In recent years social insurance maternity (paternity) benefits were gradually increasing. From 1 March 2004 maternity (paternity) benefits granted to one of the parents who takes a maternity (paternity) leave until a child becomes 1 year of age were increased from 60 to 70 per cent of covered income of the beneficiary without any changes to the period of payment of the abovementioned benefits.

690. Aiming to improve material wellbeing of families with children under 1 year of age on 1 July 2006 a provision was introduced stating that in case two or more children are born at a time an insured person who is on a maternity (paternity) leave until the children becomes 1 year of age receives a social insurance maternity (paternity) benefit amounting to 100 per cent of covered income of the beneficiary.

691. On 1 January 2007 social insurance maternity (paternity) benefits granted to one of the parents who takes a maternity (paternity) leave until a child becomes 1 year of age were increased from 70 to 86 per cent of covered income of the beneficiary; on 1 July 2007 the amount of social insurance maternity (paternity) benefit paid from the end of the maternity leave until a child becomes 6 months old was increased from 85 to 100 per cent of the covered income; later, until a child becomes 1 year of age a benefit of 85 per cent of covered income of the beneficiary is paid.

692. On 4 December 2007 new version of the Law on Sickness and Maternity Social Insurance of the Republic of Lithuania No X-1338 was adopted that introduced more favourable conditions for the grant of social insurance benefits and extended the period of social insurance maternity (paternity) benefit payment. The Law provides that social insurance maternity (paternity) benefit from the end of maternity leave until a child becomes 1 year of age amounts to 100 per cent of covered income of the beneficiary, later this benefit paid until a child becomes 2 years of age amounts to 85 per cent of covered income of the beneficiary. Minimum monthly amount of a social insurance maternity benefit shall be not less than one third (previously – one fourth) of covered income of current year valid during the month on which a maternity leave was granted.

693. Sickness, paternity and maternity (paternity) social insurance benefits may be granted to insured persons having no required sickness and maternity social insurance period, i.e. the insured who are under 26 years of age and who have not acquired the required period due to the fact that they at certain periods studied as full-timers at high, professional and secondary schools and the break from the end of studies (according to the

document proving the date of end of studies) until they became insured is not longer than three months as well as the insured who have not acquired the required period due to the fact that they at certain periods indicated were statutory officials and the break from the change of their status is not more than three months.

694. When two or more children are delivered social insurance maternity (paternity) benefit is increased depending on the number of children born at a time (in case two children are delivered, two benefits are granted; in case three children are delivered, three benefits are granted, etc.) In addition, when more than one child is delivered at a time, social insurance maternity benefit is granted on the basis of the number of children delivered. When a woman on a maternity (paternity) leave is entitled to receive social insurance maternity benefit (during maternity leave) due to another child, she receives two benefits, i.e. social insurance maternity benefit and social insurance maternity (paternity) benefit.

#### **5 (b)**

695. Information remains the same.

#### **6.**

696. These issues are regulated by:

- Constitution of the Republic of Lithuania
- LC
- Law on Health and Safety at Work of the Republic of Lithuania
- Law on Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania
- Resolution No. 138 on the Approval of the Order for the Employment of Persons under 18 Years of Age, Health Check and Evaluation of their Ability to Take a Certain Job Position, of their Working Hours, List of Job Positions they Are Not Allowed to Take and Factors Harmful and Dangerous to their Health of the Government of the Republic of Lithuania of 29 January 2003

697. The Laws of the Republic of Lithuania as well as other legislation in force guarantee persons under 18 years of age special protection and provide opportunities and conditions for safe work, that pose no risk to health, physical, mental and spiritual development and no obstacle to learning.

698. Articles 38 and 41 of the Constitution of the Republic of Lithuania stipulate that the State is obliged to protect and foster childhood; education is obligatory for persons under 16 years of age. Article 39 of the Constitution provides that minor children are protected by laws.

699. According to Article 13(2) of LC a person shall acquire full legal capacity in labour relations and ability to acquire labour rights and undertake labour duties when he reaches the age of 16 years. Cases of exception shall be established by this Code and other labour laws.

700. The Law on Health and Safety at Work of the Republic of Lithuania defines the following terms:

- Young person means a person under 18 years of age
- Adolescent means a young person from 16 to 18 years of age
- Child means a person who is under 16 years of age

701. LC stipulates the required minimum age of persons employed that is applied to all categories of jobs including in the fields of agriculture, households and family business. Conditions regulating the employment of persons from 14 to 16 years of age are applied to them when taking easy jobs the list of such jobs being approved by the Resolution No 138 of the Government of the Republic of Lithuania of 29 January 2003. The Resolution states that health care specialists (doctors) determine the ability of a young person (under 18 years of age) to take a certain position. Conclusions on the suitability to take a certain job are included in a medical certificate which young persons under 18 years of age are obliged to present to an employer. Obligatory health checks of young persons are carried out before the employment and each year later until they become 18 years of age. Compulsory medical examinations shall take place during working time. The employer shall pay employees their AW for the working time spent undergoing medical examination (Article 265(6) of LC).

702. An employer in the case of employing a minor from 14 to 16 years of age must require to submit his birth certificate, written consent of one of the child's parents or his another statutory representative, as well as permission of his attending paediatrician and the written consent of his school if the school year is not over (Article 104(2) of LC).

703. Children may take permitted easy jobs during their holidays or other free time from school. Job contract may be terminated at any time by a child, one of the child's parents or the child's other statutory representative, his attending paediatrician as well as on the request of school the child attends when the school year is not over. An employer after the termination of a job contract informs on this matter the territorial unit of the State Labour Inspectorate of the Republic of Lithuania under the MSSL indicating persons requiring to terminate the job contract as well as reasons of such termination.

704. Article 277 of LC provides that employment of persons who are under 18 years of age shall be prohibited for:

- (a) Work which is beyond their physical and psychological capacity
- (b) Work involving exposure to agents which are toxic, carcinogenic, cause genetic mutation or are harmful to health
- (c) Work involving possible exposure to ionising radiation or other hazardous and (or) harmful agents
- (d) Work involving a higher risk of accidents or occupational diseases and work which young person might not be able to perform safely due to lack of experience or attention to safety

705. Persons under 18 years of age may not be employed in more than one workplace at the same time if the duration of work exceeds that specified in the Law on Health and Safety at Work of the Republic of Lithuania. A list of persons who are under 18 years of age must be compiled in an enterprise, establishment or organisation.

706. Employer must ensure working conditions corresponding the young age of a young person. The work performed by the minor must be safe, not detrimental to health, physical and mental development, and not causing hindrance to study. Employment of children under 16 years of age is forbidden, except in cases of easy work that corresponds to their physical ability.

707. The application of safety and health protection requirements is obligatory in spite of the type of job contract of a young person. Before employing a young person an employer shall inform a young person concerned and his parents or statutory representatives about possible risks and measures to avoid them. These provisions are in line with the Council Directive 94/33/EC on the protection of young people at work of 22 June 1994.



708. It should be emphasized that LC includes a great number of provisions related to the employment of young people under 18 years of age and providing guarantees to them: Article 145 stipulates shorter working time, Article 146 stipulates part-time work, Article 150 sets limitation on overtime work, Article 154 prohibits work at night, Article 155 prohibits on-call duty at the enterprise or at home, Article 159 introduces additional breaks. Analogous provisions are included into Article 36(7) of the Law on Health and Safety at Work of the Republic of Lithuania.

709. According to Article 61(1) of LC the parties to a collective agreement of an enterprise shall lay down in the agreement the work, additional professional, social and economic conditions and guarantees that are not regulated by laws and other regulatory acts or by a national, sectoral or territorial collective agreement or which are not contrary to the above-mentioned acts and do not make the position of the employees less favourable. Additional guarantees may be laid down in a job contract as well.

710. LC provides that a list of persons who are under 18 years of age must be compiled in each enterprise, persons under 18 years of age may not be employed in more than one workplace at the same time if the duration of work exceeds that specified in the Law on Health and Safety at Work of the Republic of Lithuania. Article 36(7) of the Law on Health and Safety at Work of the Republic of Lithuania and Resolution No 138 of the Government of the Republic of Lithuania of 29 January 2003 stipulate the following working time for young persons:

(a) For adolescents – not more than 8 hours a day counting the daily duration of lessons as working time and not more than 40 hours a week counting the weekly duration of lessons as working time.

(b) For children performing light work – two hours on a school day and 12 hours a week for work performed in term-time outside the hours fixed for school attendance, or seven hours a day and 35 hours a week for work performed during a period of at least a week when school is not operating (these limits may be raised to eight hours a day and 40 hours a week in the case of children who have reached the age of 15).

(c) For young persons – not more than 8 hours per day and 40 hours per week, if they work according to the programme combining work and learning or practice in an enterprise. The abovementioned working time for young persons working according to the programme combining work and learning includes working time in an enterprise and learning time at school.

711. Resolution No. 138 of the Government of the Republic of Lithuania of 29 January 2003 stipulates uninterrupted rest time for persons under 18 years of age: for children the uninterrupted rest time per 24 hours is not less than 14 uninterrupted hours, for adolescents – not less than 12 uninterrupted hours including time from 10 in the evening to 6 in the morning. Young persons whose working day lasts more than 4 hours must be granted at least a 30-minute additional rest period during work. Such rest period is included in the working time. Young persons must be granted not less than two days off during a week; one of them must be Sunday. The provided maximum working time for young persons and minimum rest time is in line with the provisions of Directive 94/33 EC.

712. Part daily working time or part weekly working time shall be set on request of an employee under eighteen years of age (Article 146(1)(4) of LC). Partial working time of young persons is without prejudice to guarantees enshrined in the legislation concerning the period of their annual holidays, calculation of their employment period, improvement of qualifications, promotion.

713. The State Labour Inspectorate aiming to prevent the breach of laws and regulations on safety at work, health and labour relations controls how laws and regulations including

those regulating the grant of safety and health guarantees to persons under 18 years of age are obeyed.

714. In implementing the Resolution No 1407 on the Coordination of Control of Cases of Illegal Work of the Government of the Republic of Lithuania of 26 November 2001 the State Labour Inspectorate coordinates control over illegal work, including children and adolescents, exercised by the Board of the State Social Insurance Fund, State Tax Inspectorate under the Ministry of Finance, Financial Crime Investigation Service under the MI, Police Department under MI and territorial units of the State Labour Inspectorate under MSSL.

715. If during the inspection procedure the State Labour Inspectorate identifies the fact of illegal work, it files a protocol on the breach of administrative law and submits it to courts in line with the procedure provided in CAVL. In cases of illegal work employers or their representatives are subject to a penalty: each illegal worker results in a fine from LTL 3000 to 10000. If an employer or his representative has already been punished by an administrative fine for the infringement referred to in part one of this article, an employer or his representative is subject to a penalty: each illegal worker results in a fine from LTL 10 000 to 20 000.

716. According to Article 41 of CAVL the breach of labour laws and regulations on safety at work and work hygiene result in a fine on employers or their representatives from LTL 500 to 5 000.

717. The fine for the breach of regulations on safety at work and work hygiene on officials ranges from LTL 300 to 3 000, on other workers – from LTL 20 to 100.

718. MSSL aiming to define the term of economic exploitation of a child and to evaluate the spread of this phenomenon in Lithuania performed an investigative monitoring in 2007. Having summarized the marks of economic exploitation the investigators suggested to define two areas of children economic exploitation (in a wide sense and in a narrow sense) that could be used in Lithuania.

719. Child's economic exploitation in a wide sense was defined as any activity aimed at certain benefit, gain from a child, his abilities, and activity by giving unfair remuneration posing threat to his health, physical, mental and spiritual, moral and social development, by making use of coercion, fraud or violating child's rights in other ways. In addition to labour relations according to a job contract (or similar relations), this includes commercial sexual exploitation of a child, child's slavery for debts, trade in children, use of children in pornography and other type of illegal activity, involvement of children into armed conflicts, etc.

720. The investigators suggest defining child's economic exploitation in a narrow sense as child's labour that poses an obstacle to his learning, possible threat to his health and physical, mental and spiritual, moral and social development and violates the essential provisions of legislation on child's employment, safety at work and other labour relations. Such cases are related to the violation of provisions related to minimum age limits, working time, requirements on labour conditions.

721. In the opinion of the investigators a comparatively low number of cases of economic exploitation of children was probably determined by misconception of the concept of economic exploitation of a child. In many cases the society, community and families justify child's work and consider it to be beneficial to a child in spite of working conditions, its impact on child's development, his studies; labour which according to international standards should be considered as prohibited labour of children our society tends to evaluate as positive phenomenon.

722. More detailed information as a reply to the committee's additional question on violence in a family is presented below. Also refer to Article 2 (Violence against women) and Article 6 (Trade in people) of the Fourth Report on the Implementation of the UN Convention on the Elimination of all Forms of Discrimination Against Women in Lithuania, Part II.

**Responses to the questions and recommendations given in paragraphs 19 and 41 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**Trafficking in human beings**

723. The legislation of the Republic of Lithuania is in principle in line with the international legislation, i.e. requirements on control and prevention of trafficking in human beings and prostitution set by the UN, EU, Council of Europe and other international institutions. In addition, seeking to strengthen the system for providing social support to victims of trafficking in human beings and international efforts in fight with trafficking in human beings, in February of 2008 the Republic of Lithuania signed the Council of Europe Convention on Action against Trafficking in Human Beings.

724. It should be noted that USA State Department in line with the Law on Coercion and Protection of Victims of Trafficking in Human Beings of 2000 performs a global scale annual evaluation of efforts of foreign countries in fighting trafficking in human beings; it is for five years already that Lithuania is included into the group of countries making extreme efforts in fighting trafficking in human beings.

725. Article 147 and Article 157 of CRC define the illegal acts of trafficking in human beings and purchase or sale of a child and introduce sanctions. Persons involved in trafficking of human beings shall be punished by imprisonment for a term up to twelve years; persons involved in purchase or sale of a child shall be punished by imprisonment for a term up to fifteen years. CRC introduces criminal liability of legal persons for the abovementioned acts. This becomes of great importance in cases when criminal liability is put on heads of fashion model, employment or tourism agencies who are alleged to be involved in trafficking of human beings.

726. In line with the provisions of international and EU legislation that protect individuals from slavery, trafficking in human beings and other form of economic exploitation, in 2005 CRC was supplemented by a new Article 147<sup>(1)</sup> that introduced criminal liability for use for forced labour.

Table 10.4

**Statistical data on the investigation of offences that were registered under Article 147 'Trafficking in human beings' of CRC**

<i>Year</i>	<i>Number of pretrial investigations initiated</i>	<i>Number of cases that reached the courts</i>	<i>Number of cases heard at the courts</i>	<i>Number of the alleged</i>	<i>Number of victims</i>	<i>Number of convicted</i>
2004	22	13	4	25	23	14
2005	32	18	7	21	25	15
2006	26	21	7	19	27	10
2007	15	4	3	6	9	1

727. On the basis of Article 157 ('Purchase or sale of a child') of CRC (new version Law No. X-272 of 23 June 2005), in 2008 18 pre-trial investigations were initiated (in 2007 – 17 pre-trial investigations, in 2006 – 3 pre-trial investigations, in 2005 – no pre-trial investigations).

728. In 2005 CAVL introduced administrative liability for the use of prostitution services for remuneration. Moreover, CAVL was supplemented by a provision stating that a person who participated in trafficking in human beings but who was involved into it because financial, employment related or other kind of dependency by means of physical or psychical coercion or fraud or involved in other way into the prostitution when being minor or (and) who has suffered from trafficking in human beings and is recognized as a victim in a criminal proceeding, shall be released from administrative liability.

729. In 2006 the Law on the Legal Status of Aliens of the Republic of Lithuania (new version Law No X-924 of 28 November 2006) was supplemented by Article 49<sup>1</sup> 'Issue of a Temporary Residence Permit to an Alien who Cooperates with a Pre-trial Investigation Institution or a Court Fighting Against Trafficking in Human Beings or Against Trafficking in Human Beings Related Offences' that stipulates that an alien whose mediator is a pre-trial investigation institution or a court is issued a temporary residence permit for a period of six months. Moreover, this Law was supplemented by Article 130(4) stating that an alien shall not be expelled from the Republic of Lithuania or returned to a foreign country if he (she) is granted a period of self-determination when he (she) as a present or former victim of a trafficking in human beings related crime has to decide whether to cooperate with a pre-trial investigation institution or with a court.

730. The Government of the Republic of Lithuania pays a lot of attention to the problem of trafficking in human beings. With a view to continue work started when implementing the Programme on Control and Prevention of Trafficking in Human Beings and Prostitution for the year 2002–2004 in 2005 the implementation of the Programme on Control and Prevention of Trafficking in Human Beings for the year 2005–2008 approved by the Resolution No 558 of the Government of the Republic of Lithuania of 19 May of 2005 was started.

731. In line with the abovementioned Programme the system of law enforcement institutions fighting trafficking in human beings was introduced in Lithuania. In 2006 a specialized Department for Trafficking in Human Beings Investigation was established at the Lithuania's Criminal Police Bureau, on the basis of order of the Prosecutor General of the Republic of Lithuania 32 specialized prosecutors at the Prosecutor's Office, Regional Prosecutor's Offices and certain District Prosecutor's Offices were appointed for the coordination, organization and management of investigation of trafficking in human beings related criminal activities. Seeking to strengthen this system in 2007 10 job positions for the fight against trafficking in human beings were set up at 10 police headquarters of higher level. For this reason work in the field of prevention and control of trafficking in human beings became decentralized and better coordinated.

732. Efforts are made to strengthen capacity of experts of different fields to work with those who suffered from trafficking in human beings. In 2005 qualification improvement course was organized according to the training programme 'Peculiarities of Work with Victims of Trafficking in Human Beings and Means of Help'. The aim of this course was to inform social workers, social educators, police officers and other social partners about the concept of trafficking in human beings, genesis of this phenomenon and spread, means of help. Methodological paper 'Trafficking in Women: Problems, Prevention, Help to Victims' drafted by the International Organization for Migration (hereinafter referred to as "IOM") in collaboration with the Vilnius University was updated and repeatedly published. In 2006 training (seminars) 'Particularity of Investigation of Trafficking in Human Beings' was held for police officers, training 'Trafficking in Human Beings and Prevention and

Control of Prostitution’ was held for State border protection officers. In 2007 training was organized at the Health Education Department of the Vilnius Pedagogical University. It included presentations on the peculiarities of work with victims of prostitution and trafficking in human beings.

733. In 2006 IOM in cooperation with the Office of the Prosecutor General published a review ‘Problems Resulting from Trafficking in Human Beings and Judicial Hearing in Lithuania’. On the basis of the abovementioned review on 29–30 of March, 19–20 of April and 26–27 of April of 2007 seminars on the topic of trafficking in human beings related crime investigation for different groups of representatives of law enforcement institutions (prosecutors, police investigators, operational staff of the State Border Protection Service and judges) were held at the Prosecutor General of the Republic of Lithuania.

734. In 2007 Vilnius office of IOM in cooperation with the Office of the Prosecutor General published a methodological paper ‘Methodology for the Investigation of Trafficking in Human Beings Related Crimes’. This publication is a helpful instrument for officers performing pre-trial investigations, prosecutors investigating trafficking in human beings related crimes.

735. Each year funds from the State budget of the Republic of Lithuania are allocated for projects of state institutions and non-governmental organizations targeted to the provision of social assistance to the victims of trafficking in human beings, their protection and return to the society. In 2005 funds from the State budget of the Republic of Lithuania were allocated for 11 projects, in 2006 and 2007 – for 13 projects each year, in 2008 – for 15 projects.

736. Major attention is devoted to the victim identification system; collection of data on individuals who became victims of trafficking in human beings is improving. Due to common efforts of state institutions, non-state organizations and international organizations the system for identification and calculation of victims of trafficking in human beings was set up. It includes:

(a) Data on those who suffered from criminal acts and registered according to Article 147 (Trafficking in Human Beings) of CRC of the Information and Communications Department under the Ministry of the Interior.

(b) Data on victims of trafficking in human beings from a depersonalized database of the Vilnius office of IOM. In this database a victim of trafficking is identified according to Article 3 of UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children despite victim’s participation in a pre-trial investigation. The database enables the non-governmental organizations to exchange information on victims of trafficking. Statistical and analytical data which is updated every six months is available to state institutions as well. The database in addition to quantitative data on age, education, state of departure of victims of trafficking in human beings accumulates qualitative data on means used when making influence on victims, assistance that victims of trafficking in human beings received from non-governmental organizations and the like.

(c) Data from MSSL on the potential and current victims of prostitution and trafficking in human beings that in the context of implementation of non-governmental organizations’ projects on social integration and return to society received social, judicial, medical and similar assistance financed by the State.

**Table 10.5**

	2005 m	2006	2007	2008
Data from ICD	25	27	11	25
Data from Vilnius office of IOM	135	110	56	86
Data from MSSL	287	402	438	621

737. With a view to solve the problem of identification of victims and calculation of their number, an interdepartmental group established at MI for the coordination of Programme implementation in cooperation with non-governmental organizations and Vilnius office of IOM prepared Methodological Recommendations on the Identification of Victims of Trafficking in Human Beings.

738. It should be noted that according to the data of institutions, non-state and international organizations, consulates and diplomatic missions of the Republic of Lithuania the number of registered victims of trafficking in human beings from 2002 (800–1000 victims) to 2008 (50–70 victims) declines each year.

739. Prevention of trafficking in human beings is actively carried out. Each year informational campaigns on fight against trafficking in human beings are organized the majority of which are targeted to young audience. In 2006 an informational video clip was created and shown on the National TV, an audio clip was created and broadcasted for 40 times on the most popular radio station among the youth. Special information actions are held at night clubs. Posters with slogan ‘Sort out life from illusion. Don’t become a commodity’ appeared in bus stops, special stands and newspapers. Information material, i.e. 10 000 posters, 10 000 calendars, 4 000 ballpoints, 60 000 postcards, 40 000 stickers and the like, on threats of trafficking in human beings and points for help in case of trafficking was distributed to the schools in Lithuania. Moreover, around 10 000 of school pupils saw a movie ‘Lilly for ever’ based on a true story of a trafficked girl for free.

740. During the implementation of the preventative information campaign in Vilnius, Kaunas, Šiauliai, Panevėžys, Klaipėda and Palanga the aim was to attract the attention of the audience as wide as possible, thus the campaigns were included into free mass events, such as See Feast, festival Panevėžio garsas, etc. All in all seven information campaigns were held. In addition an informative audio clip was created and broadcasted for 40 times at the radio station *Radiocentras*. Fifteen informative posters were posted in targeted places (for example bus or rail stations, air ports) of the abovementioned towns. An informative video clip was created and shown for 169 times on the national and regional TV. The effectiveness of the information campaign was examined by means of inquiries before and after the campaigns.

741. In 2008 during the information campaign 16 posters on the prevention of trafficking in human beings were posted at public transport stops and streets of towns, information on threats of trafficking in human beings, means of involvement and the like was prepared and presented in internet sites of 90 schools of Lithuania. A 15 seconds informative audio clip on trafficking in human beings was created and broadcasted for 40 times on one of the most popular (according to the survey data) radio stations among the youth. It should be noted that the information campaign for the year 2008 was prepared in cooperation with the non-governmental organization Missing Persons’ Families Support Centre.

742. As part of the implemented Programme on Control and Prevention of Trafficking in Human Beings for the year 2005–2008, information threats of trafficking in human beings was prepared and presented in internet sites of at least 80 schools of Lithuania.

743. Lithuania actively participates in international and regional cooperation in fighting trafficking in human beings. It actively participates in the activities of the labour force on fight against trafficking in human beings of the Council of the Baltic Sea States, the labour force on fight against trafficking in human beings of the European Police Bureau (Europol), operative expert labour force on fight against trafficking in human beings of the labour force on fight against organized crime of the states of the Baltic Sea Region. Special-purpose labour force on fight against trafficking in human of high political level of the countries of the North Sea and Baltic Sea was active until the year 2006. Lithuania actively participated in the activities of this labour force as well. In addition, international labour force headed by the representative of Lithuania's police draw up the Programme on Training in the Field of Trafficking in Human Beings of the European Police College (CEPOL).

744. On 26 April of 2005 the international seminar 'Prevention of Trafficking in Human Beings in Lithuania: Problems and Solutions' was held in Vilnius. On 14–15 December of 2006 the international scientific-practical conference 'International Cooperation in Fighting Trafficking in Human Beings' was held in Vilnius. On 25–26 October of 2007 the conference 'Prevention of Trafficking in Human Beings: Problems and Solutions' was held in Vilnius in close cooperation of the Government of the Republic of Lithuania, Organization for Security and Co-operation in Europe and UN Office on Drugs and Crime. The participants of the conference considered issues related to the reduction of demand of trafficking in human beings, analysed the function of business, media and education in posing obstacles to trafficking in human beings, presented the first independent report on the situation in Lithuania in terms of trafficking in human beings. In May of 2008 the international seminar-discussion 'Link between prostitution and trafficking in human beings for the purpose of sexual exploitation' was held in Druskininkai. Officers from the Lithuania's Criminal Police Bureau and police headquarters of higher level were among the participants.

745. Preparation of the new Programme on Control and Prevention of Trafficking in Human Beings was started in 2008.

#### **Trafficking in children**

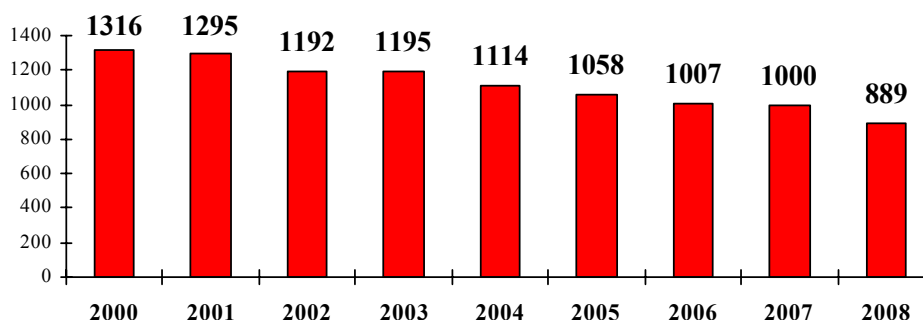
746. On 18 September of 2008 during the 49<sup>th</sup> session of the UN children rights committee meeting Lithuania's report on the implementation of Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was analysed. The report presents all the relevant information on legislation of the Republic of Lithuania prohibiting the sale of children, their sexual exploitation as well as on its implementation in Lithuania.

#### **Responses to the questions and recommendations given in paragraphs 20 and 42 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

##### **Missing people**

747. Organization and implementation of search of people is regulated by the Instructions for the Search of People approved by the Order No 4RN of the Minister of MI of 16 July of 2003 (new version approved by Order No 2RN of 26 June of 2007). Activity of territorial police headquarters in organizing and implementing search is coordinated by the Lithuania's Criminal Police Bureau, in particular its search unit, i.e. Fourth unit of the First Division of the Crime Investigation Division. According to the data of the Lithuania's Criminal Police Bureau during 2000–2008 the number of registered missing people tended to decline.

Chart 10.6



748. The analysis of the data allows classifying all the cases of missing people into two main groups:

(a) Cases of criminal nature that are or may be related to criminal activities (victims of crimes and the like)

(b) Other cases when the place of stay is not known due to accidents, sudden death, death because of old-age, illness, unwillingness to disclose the place of stay and the like

749. This allows to suppose that the number of those who are truly missing is only relatively big, since general statistical data includes cases of people who, for example, cut their relations with nearest people at their own will. On the basis of procedure prescribed by the legislation the search is initiated in all cases upon receipt of notification about a missing individual. A person is often found or he informs about his place of stay immediately after the search is announced or it appears that an individual has no wish to communicate with those who notified about the fact of missing.

750. In each case upon receipt of information about a missing person certain measures are applied seeking to determine his place of stay. In case there are allegations that the missing person is a victim of a criminal activity (for example, trafficking in human beings), on the basis of procedure prescribed by the legislation special measures are applied, information is transmitted to police units in Lithuania taking account of their field of competence, relevant institutions of other countries are promptly informed by means of Interpol channels stressing in the search form that a searched person may be a victim of crime.

751. In addition to other registers, the Interdepartmental Register of searched people, unidentified corpses and missing helpless people that help to ensure prompt response to information on missing people was established at the information system of Lithuania's police.

752. When Lithuania joined the Schengen information system on 1 September 2007, it acquired access to all the databases of countries in the Schengen area and possibility to promptly exchange the information on missing people with the institutions of countries in the Schengen area.

753. When investigating cases of missing people who may be victims of trafficking in human beings, active cooperation with non-governmental organizations of Lithuania, Missing Persons' Families Support Centre and others, is carried out. This cooperation also includes media as well publication of photos of missing people with relevant information. Citizens can provide information by calling number 112.



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**Responses to the questions and recommendations given in paragraphs 21 and 43 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights****Violence in the family**

754. In Lithuania prevention of violence in the family is carried out and cases of violence in the family related criminal acts are investigated by policemen, units of prevention and units of criminal police of territorial police institutions. Notifications, statements, requests concerning violence in the family are accepted, registered and examined at territorial police units.

755. Policemen who are often the first to arrive responding to a violence in the family related phone call must prevent and terminate breach of order or criminal acts, provide support to victims and in case of the presence of a legal basis to seize the offender and bring to the police office.

756. Requests related to violence in the family are examined by investigators (inspectors of a district) of police units for prevention of territorial police departments. In case of breach of law and order they file a protocol on the administrative breach of law, perform pre-trial investigation of criminal acts, control persons who tend to initiate conflicts at home, collect information on such persons in a file for information about the district.

757. In line with paragraph 1 of Article 19 ('Rights of the Police Officer when Carrying out the Prevention of Criminal Acts and other Law Violations') of the Law on Police Activities of the Republic of Lithuania (Law No VIII-2048 of 17 October of 2000) a person using violence may be summoned to police quarters, officially cautioned for inadmissible behaviour which is in conflict with public interests and informed about liability.

758. The most common criminal acts in cases of violence in the family are defined in Article 140 ('Causing Physical Pain or a Negligible Health Impairment') of CRC. Article 407 ('Private Prosecution Cases') of CRC provides that in criminal cases pre-trial investigation in relation to the abovementioned criminal activities is not carried out.

759. It should be noted that on 14 June 2008 an amendment of CIC came into force providing an opportunity to oblige a person committing acts of violence to live separately from a victim; in addition, from 27 June 2008 CRC stipulates two new types of punitive measures: prohibition to come close to the victim of violent act and participation in programmes aimed at correcting violent behaviour.

760. Up until 2007 Lithuania's police institutions had no system for collection and systematization of statistical data on violence in the family. At present territorial police units collect, accumulate and analyze data on violence in the family. Data on violence in the family presented by territorial police units in 2008:

(a) 33927 calls concerning conflicts in the family were registered at territorial police units (33165 calls in 2007)

(b) 12407 requests concerning violence in the family were examined (14466 requests in 2007), 8066 from which were related to violence against women (9974 in 2007)

(c) Pre-trial investigation was not initiated in 4355 cases related to violence against women in the family (3939 cases in 2007)

(d) Pre-trial investigation was initiated in 680 cases related to violence against women in the family (810 cases in 2007)

(e) 1284 protocols (1076 protocols in 2007) were filed for the breach of Article 181 'Failure to Use Parental Authority or Use of such Authority Against the Interests a Child' of CAVL (in cases related to violence in the family)

(f) 1276 protocols (889 protocols in 2007) were filed according to other articles of CAVL (in cases related to violence in the family)

761. According to Order No 5-V-37 of Police Commissioner General of 21 January 2008 persons responsible for activities related to violence in the family shall be appointed in each territorial police unit by 31 December of 2008.

762. It should be noted that great attention is paid to the improvement of qualification of police officers in this field. Lithuania's Police Training Centre organizes training seminars 'Violence in the Family' for police officers that include analysis of legal and psychological aspects of this phenomenon, issues concerning use of methods for dealing with conflicts in the family and application of legal measures by police, peculiarities of pre-trial investigation in cases related to violence against women in the family. Students of the Klaipėda police school may attend classes of the programme 'Violence in the Family' aimed at qualification improvement. Police officers participate in conferences and seminars on the topic organized by social partners and experts from abroad. In 2007 methodological recommendations (5 000 pieces) and instructions (10 000 pieces) for police officers for dealing with conflicts in the family were drawn up at the Police Department.

#### Violence against children

763. According to the data of children rights protection services at municipalities (hereinafter referred to as "CRPS), in 2007 1778 children (0.24 per cent of all children) suffered from violence in the family. If compared with the year 2006, the number of such children has increased. In 2006 1639 children suffered from violence in the family. The highest level of violence against children in 2007 was registered in the counties of Tauragė (0.7 per cent), Utena (0.5 per cent), Vilnius (0.4 per cent), the lowest level was registered in the counties of Alytus, Telšiai, Klaipėda (0.1 per cent). The increasing number of registered cases of violence is a result of the fact that the responsible persons learned to recognize and evaluate the state of a child, improvement was achieved in public information and interdepartmental cooperation.

Table 10.7

#### Cases of violence by counties

Country	Number of children in total	2007		2006	
		Number of children who suffered from violence in total	Percentage	Number of children who suffered from violence in total	Percentage
Vilnius	171 956	641	0.4	686	0.54
Kaunas	135 974	164	0.12	170	0.21
Klaipėda	84 694	89	0.1	92	0.16
Šiauliai	81 837	229	0.3	160	0.24
Panevėžys	61 847	122	0.2	86	0.19
Alytus	40 660	35	0.1	61	0.18
Utena	36 271	175	0.5	220	0.32
Marijampolė	45 078	77	0.2	59	0.17
Tauragė	32 299	211	0.7	54	0.2

Country	2007			2006	
	Number of children in total	Number of children who suffered from violence in total	Percentage	Number of children who suffered from violence in total	Percentage
Telšiai	44 488	35	0.1	51	0.11
<b>Total</b>	<b>735 104</b>	<b>1 778</b>	<b>0.24</b>	<b>1 639</b>	<b>0.27</b>

Source: State Child Rights Protection and Adoption Service under the MSSL.

764. In 2007 as in previous years physical violence prevailed in most registered cases. According to data of CRPS, physical violence was present in 56 per cent of cases, psychological violence was present in 38 per cent of cases, and sexual violence was present in 6 per cent of cases. However, it should be emphasized that physical injuries are the easiest to notice and are identified without difficulty in comparison to psychological or sexual coercion or sexual commercial exploitation. For the identification and proof of the abovementioned types of violence competence of qualified expert and close interdepartmental cooperation are required, while children who suffered from violence need integrated services and confidentiality. Thus it is likely that the number of cases of psychological and sexual violence may increase.

765. The analysis of data on violence by gender indicates the tendency that boys experience violence more often than girls. In 2007 637 boys and 351 girls experienced physical violence, on the other hand, girls experienced sexual coercion more often than boys.

766. In Lithuania municipalities organize the provision of assistance to children who experienced violence. Social activities involve families; a child may consult a psychologist, social educator of a school. Consultations of a psychologist are in most cases provided for children living in towns; however, there is no possibility to provide such consultation for children and the families living in rural areas. According to data of CRPS, during the accounting period assistance to children and their families who experienced violence was provided in 2627 cases. The most usual help in cases of violence against children is integrated help of specialists (psychological, legal, social, medical). Such help was provided in 590 cases. In 310 cases such help was provided to children, in 255 cases it was provided to a child and his family. The number of psychologist consultations was only 487.

767. Aiming to protect children from various types of violence, limit the spread of violence and create a culture of society without violence, MSSL implemented measures under the National Programme on Prevention of Violence against Children and Help for Children for 2005–2007 approved by the Resolution No 491 of the Government of the Republic of Lithuania of 4 May 2005. The implementation of the National Programme on Prevention of Violence against Children and Help for Children for 2005–2007 includes annual announcement of calls for tenders concerning projects on short-term and long-term integrated help for children who experienced violence and their families.

768. In 2005 such tender was announced for projects on short-term and long-term integrated help for children and their families. 9 projects on short-term and long-term integrated help for children and their families received support amounting to LTL 250 thousand.

769. In 2006 15 institutions of Lithuania received support, LTL 200 thousand were allocated to co-finance their projects. When the projects were implemented, psychological, legal, social help was provided to more than 700 children who experienced violence.

770. In 2007 10 project executors provided help to 513 children who experienced emotional, physical or sexual violence. On average one project provided help to approximately 51 children. In 2007 the number of girls who experienced violence and sought help in the organizations was higher than the number of boys (55 and 45 per cent respectively). The biggest number of projects (7 projects) that received funds in 2007 was from the county of Kaunas (3 projects from Kaunas, 1 project from Ringaudai in Kaunas region). Funds were allocated for 3 projects from the county of Vilnius (all from the city of Vilnius) and for 1 project from the county of Klaipėda (Kretinga), 1 project from the county of Šiauliai (Kelmė) and 1 project from the county of Marijampolė (Marijampolė). In comparison, in 2006 funds were allocated for 6 projects from the county of Vilnius, 5 projects from the county of Kaunas, 2 projects from the county of Klaipėda, 1 project from the county of Šiauliai and 1 project from the county of Telšiai.

771. The analysis of data on the spread of violence against children in Lithuania shows that in comparison to the year 2006 the spread of violence in towns has increased, whereas the number of cases of violence in rural areas remained the same (data of CRPS).

Chart 10.8

**Violence against children by gender**

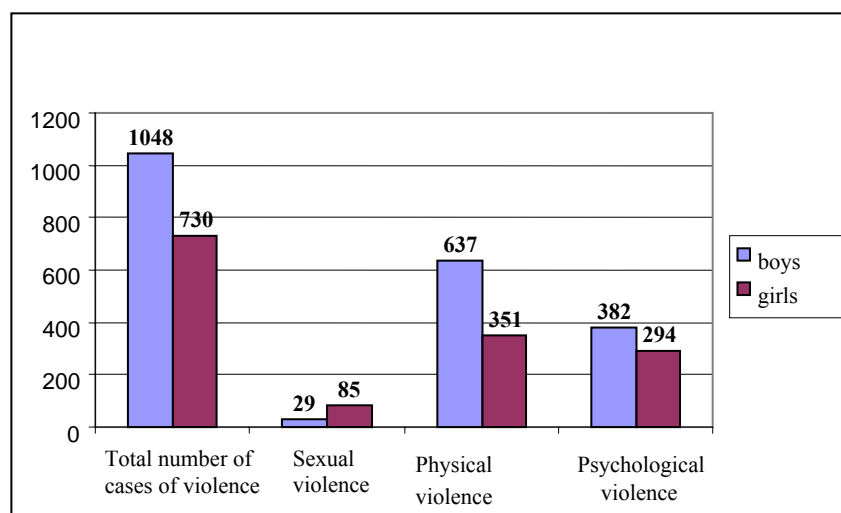
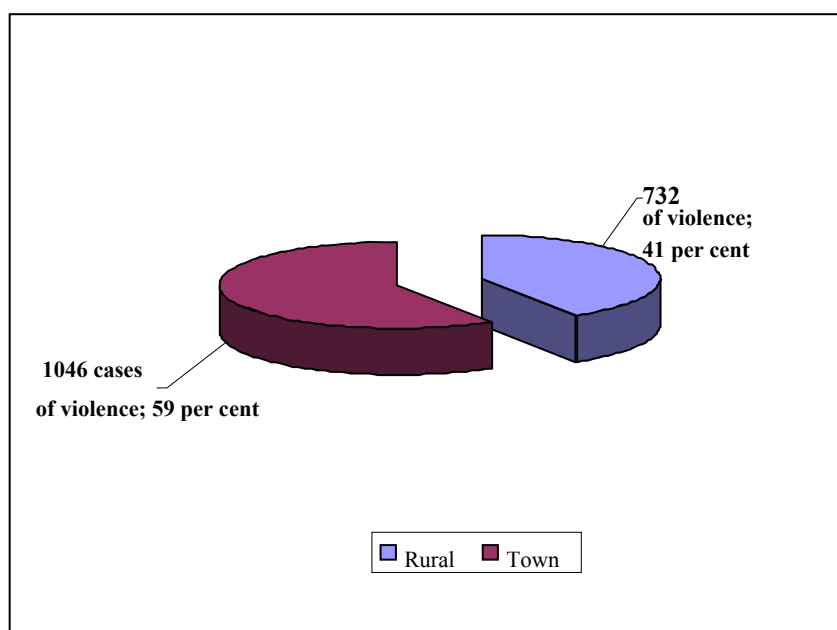


Chart 10.9

**Spread of violence against children in towns and rural areas in 2007**

772. When implementing the National Programme on Prevention of Violence Against Children and Help for Children for 2005–2007 social, medical, legal and psychological integrated help was provided to around 1500 children and their family members. The integrated help for children who experienced violence and their family members was provided for free. This ensured the availability of the service to low-income families. Qualified experts trained 649 persons working in various institutions such as education, children rights protection, social assistance, law enforcement institutions in evaluating various forms of violence, its nature, mechanisms for help provision.

773. MSSL aiming to prevent violence against children and to continue to provide help for children in the society, implements continuous National Programme on Prevention of Violence Against Children and Help for Children for 2008–2010 approved by the Resolution No 392 of the Government of the Republic of Lithuania of 24 April 2008. The main purpose of this programme is to foresee integrated and continuous measures aimed at eliminating violence against children. Measures of the programme are designed for children who may experience or have already experienced psychological, physical, sexual exploitation and neglect to their families, prevention of violence and taunt at school. In addition, plans are under way to organize alternative impact exerting measures for persons initiating violence.

774. Taking into account the spread of offences that violate child's freedom to decide in terms of sex or child's immunity in Lithuania, MSSL initiated draft amendments to Article 49 of the Law on Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania supplementing it with Article 47<sup>1</sup> that was approved by the Resolution No 404 of the Government of the Republic of Lithuania of 24 April 2008 and that was submitted to Seimas of the Republic of Lithuania. The aim of the draft is to add a new provision to the Law on Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania prohibiting persons convicted for offences violating child's freedom to decide in terms of sex or child's immunity despite the fact that their conviction has expired and despite work tasks to get employment at social, health care, sports, educational institutions and

organizations for children if it is directly (constantly or temporarily) related to education of children or their safety.

**Responses to the questions and recommendations given in paragraphs 22 and 44 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**Children living in streets**

775. In Lithuania there are no problems related to children living in the streets. CIC and other legislation ensure protection and care of children.

776. CIC provides for that employees of educational, health care, police and other institutions as well as any person in possession of any knowledge of minors deprived of parental care or of the necessity to protect a minor's rights and interests (cruel treatment of children by their parents, illness, death, departure or disappearance of the parents, failure of the parents to take back their children from educational or health care institutions, etc.) shall be obliged to notify immediately the State institution for the protection of the child's rights of the child's district of residence or their own district. The State institution for the protection of the child's rights shall place a child under temporary guardianship/curatorship within three days of the receipt of information about the child's need of guardianship/curatorship.

777. For more information on families and children at social risk and custody please refer to question 6 d) of this article.

**6 (a)**

778. Children under 14 any kind of work is prohibited.

779. Resolution No. 138 on the Approval of the Order for the Employment of Persons under 18 Years of Age, Health Check and Evaluation of their Ability to Take a Certain Job Position, of their Working Hours, List of Job Positions they Are Not Allowed to Take and Factors Harmful and Dangerous to their Health of the Government of the Republic of Lithuania of 29 January 2003 regulates work of children over 14 years of age.

**6 (b)**

780. The data of wage structure analysis of the Statistics Department indicate that in 2006 the average provisory number of employed persons of 18 years of age and under 18 was 3181 in Lithuania (0.3 per cent if compared with number of such employers in Lithuania). 95.8 per cent of persons of 18 years of age and younger worked in the private sector. Majority of them were men (2267 or 71.3 per cent). Provisory number of employed persons is the sum of workers who work full month full time and workers who work partial month partial time calculated as workers working full month full time.

781. In 2007 the number of children aged 15–18 was 4004. In 2007 79 cases of violations concerning illegal work of minors (56 violations related to children aged 14–16; 23 violations related to children aged 16–18) were registered.

**6 (c)**

782. It should be reminded that statistical data on the number and age of children employed in Lithuania are not available.

**6 (d)**

783. The State guarantees full legal and social protection for children deprived of parental care or who have become orphans. When organizing childcare for children who lost their parents after evaluation of child's interests priority is given to childcare (curatorship) in a

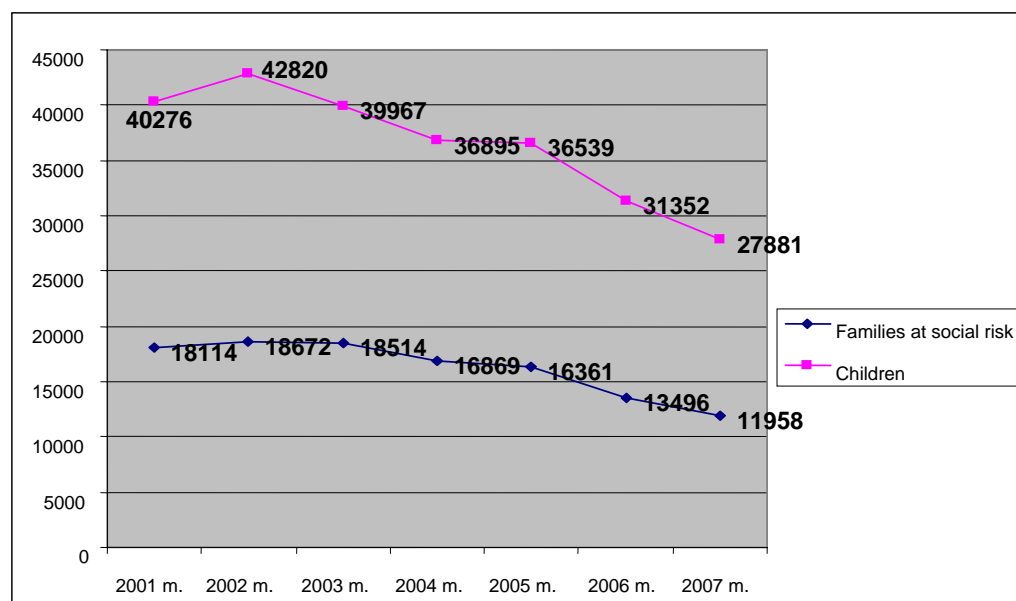
family or foster family; only in case there is no possibility for a child to live in a family, he is accommodated in a special childcare institution. Lack of care for and violence against children in the family are the main reasons for the establishment of State care for a child and for granting State assistance for his/her maintenance.

784. The legislation of the Republic of Lithuania defines a family at social risk as a family with children under 18 years of age in which one of the parents abuses alcohol, drugs, psychotropic or toxic substances, has dependency on gambling, lacks social skills to take care of children or cannot take adequate care of children, uses psychological, physical or sexual coercion against them, uses State support received for purposes other than family interests and poses threat to physical, mental, spiritual, moral development of children as well as their security. The concept of a family at social risk includes a family the child of which was granted temporary childcare (curatorship) according to the order prescribed by the law.

785. According to the data of CRPS, in 2007 2266 families were registered on the municipal record of families at social risk having children 4812 of which were of minor age. On 31 December 2007 all in all there were 11958 families at social risk with 27881 children on the record of families at social risk of CRPS. Compared with the data from 2006, the number of socially vulnerable families with children declined by 1538, and the number of children in these families came down by 3471. Moreover, data in the charts indicate that from 2001 the number of children living in families at social risk declined by almost 30 per cent. 27881 children living in socially vulnerable account for 3.7 per cent of all the children in Lithuania. The major part of children living in families at social risk are children of 10–14 years of age, while the smallest part of children living in families at social risk are children under 3 years of age.

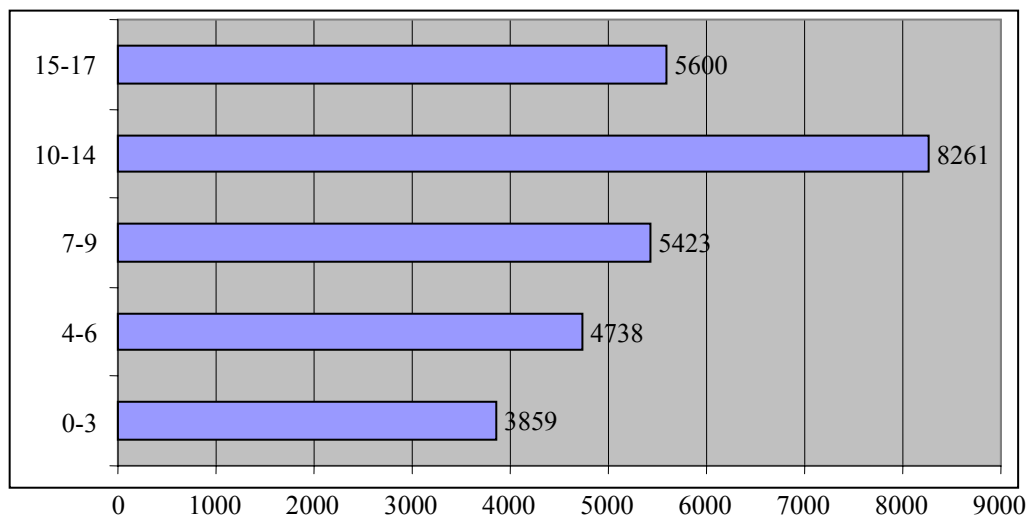
Chart 10.10

**Development trends in the number of families at social risk and their children, 2001–2007**



Source: CRPS.

Chart 10.11  
**Children in families at social risk by age in 2007**



Source: CRPS.

786. The falling number of families at social risk has largely been affected by a new procedure for the registration of socially vulnerable families, approved by Order No A1-212 of the Minister of Social Security and Labour of 28 July 2006, and later updated by Order No A1-84 of 27 March 2007. A credit for the positive development should also go to such factors as complex community services for socially vulnerable and socially supported families provided in child day care centres, as well as an improving cooperation between municipal children's rights protection service, social support units and social partners working in support of children and families.

787. In 2007, municipalities introduced a social worker job to assist socially vulnerable families. According to the Ministry of Social Security and Labour, 457.8 from 556 available vacancies were filled at the end of 2007. The larger part of the specialists (370) worked in rural areas. 241 social workers worked in subdistrict (seniūnija), 126 at social service centres, others in home care service or other social care establishments. Improved services for families at social risk resulted in a falling trend.

788. MSSL implemented a National Programme for Child Day Care for 2005–2007, approved by Regulation No. 1525 of the Government of the Republic of Lithuania of 1 December 2004. Child day care services played a significant role in the reduction the number of socially vulnerable families. In 2007, 151 child day care projects received funding. In 2006, 121 projects were funded. 33 per cent of the 2007 projects were carried out in rural areas (to compare with 20 per cent in 2006), 67 per cent of the projects were carried out in urban areas (to compare with 80 per cent in 2006). In 2006, day care centres were attended by 5.5 thousand children, including 4.5 thousand who were on regular assistance in terms of social and education services. Overall, child care centres provided services to 3.2 thousand families, including 2.7 thousand regularly supported families. Against 2006, both indicators grew by 22 per cent. In 2007 (to compare with 2006), the number of attending children went up by almost 31 per cent. Social assistance was also offered to the parents of the attendees, encouraging them to provide a better care and education to their children. The parents were also provided with psychological, pedagogical and legal assistance needed. Preventive work was done to help socially vulnerable families.



789. The number of families at social risk and their children is basically impacted by several reasons. Drinking has been identified by municipal children's rights protection services as one of the major factors putting families at social risk. In 2007, 16.724 children grew in families at social risk which had been listed as such due to alcohol consumption. The number included 8668 children above 10 years of age, which means that at a very difficult period of their early and late teens 50 per cent of all the children growing in these families saw their parents drunk, which would later have a negative impact on their social and mental development in the future. Drinking is more common in rural areas. According to the data provided by municipal children's rights protection services, 5118 from the total number of 7321 of alcohol abusing families at social risk live in the countryside.

Table 10.12

**Number of families at social risk and their children by reasons, 2007**

<i>Reasons</i>	<i>Number of families</i>	<i>Number of children</i>					
		<b>Total</b>	0–3 yrs.	4–6 yrs.	7–9 yrs.	10–14 yrs.	15–17 yrs
Drinking	7 321	<b>16 724</b>	2 009	2 737	3 310	5 080	3 588
Gambling	3	<b>6</b>	0	0	0	2	4
Lack of skills	2 918	<b>7 440</b>	1 421	1 396	1 338	2 044	1 241
Child abuse	258	<b>613</b>	74	90	113	210	126
Misuse of support money	258	<b>683</b>	56	101	177	205	144
Temporary child guardianship	360	<b>740</b>	136	134	159	204	107
Restricted parental authority, decision to place under permanent guardianship	109	<b>231</b>	46	40	40	64	41
Other reasons	731	<b>1 444</b>	186	249	265	406	338
<b>Total</b>	<b>13 496</b>	<b>27 881</b>	<b>3 928</b>	<b>4 747</b>	<b>5 402</b>	<b>8 215</b>	<b>5 589</b>

*Source:* State Child Rights Protection and Adoption Service under the MSSSL.

790. Both historically and traditionally, child custody cases have been a very sensitive and critical issue for the society. Our society today faces a new challenge: crisis-ridden families unable to provide security and wellbeing to their children. The number of children deprived of parental care is considerably high in our country due to various objective and subjective reasons. In 2007, the total number of children under guardianship went down by 400. In 2006, the total number of children under guardianship was 13 337, while in 2007, only 12 910. According to the Department of Statistics under the Government of the Republic of Lithuania, there were 748.311 children in Lithuania in 2007, which means that the children under guardianship accounted for 1.7 per cent of the total number of the children living in Lithuania.

791. During 2007, 2824 children were deprived of parental care. In 2007, like the year before, the main reasons for deciding about guardianship for these children were the following: parents neglected their children, they did not take care of them, treated them improperly, abused physically or mentally. As a result, 1846 children were deprived of parental care in 2007. Notable, that parental authority restriction cases came down, i.e. from 559 in 2006 to 354 in 2007. To compare with 2006 and 2005, there is a slight drop in the

number of the children deprived of parental care. This, however, was not only a result of better social services offered to families, but also of growing emigration and falling birth rate.

Table 10.13  
**Parental care loss by cause**

No.	Reasons for loss of parental care	2004	2005	2006	2007
1.	Death of parents	242	259	288	234
2.	<b>Parenthood or near relationship was not established</b> (child found abandoned)	4	27	1	2
3.	Parents are missing and wanted	74	53	36	31
4.	Parents' death or their unknown whereabouts pronounced by court	1	15	1	7
5.	Parents recognized as incapable	9	23	9	8
6.	Temporary inability of parents to take care of the child (due to illness, detention, serving sentence, or other important reasons)	359	411	327	311
7.	Parents do not care about their children, neglect them, raise them improperly, abuse them physically or mentally, which threatens physical, mental or moral development and security of their children, who are therefore removed from the family according to the requirements of law until the decision is pronounced by court)	2 087	1 992	1 733	1 846
8.	Child separated from the parents in pursuance with the procedure prescribed by law	491	429	52	31
9.	Temporary or termless restriction of parental authority by court	–	–	559	354
10.	<b>Total</b>	<b>3 267</b>	<b>3 209</b>	<b>3 006</b>	<b>2 824</b>

Source: State Child Rights Protection and Adoption Service under the MSSL.

792. To improve the child care system, a Plan for the Reorganisation Strategy of the Child Guardianship (Curatorship) Framework and its Implementing Measures for 2007–2012 was approved by Resolution No 1193 of the Government of the Republic of Lithuania of 31 October 2007. With a view to implementing the Strategy and better training guardians and adoptive parents in Lithuania, best practices in the area of the preparation of guardians (caretakers) in Europe was considered. In 2007, Lithuania became an official holder of the licence of the Parenting Resources for Information, Development and Education (PRIDE) Programme providing with an exclusive access to its resources while training and assessing future adoptive and foster families and extending assistance to adoptive and foster families.

793. In 2007, 16 social workers completed a Foster and Adoptive Parent PRIDE training course for trainers, including 4 who have been granted PRIDE trainer's qualification. The qualified specialists will in their turn train other people who will subsequently train adopters, guardians (caregivers) and professionals. Placing a child deprived of parental care under state custody is an intermediate and temporary measure while a permanent solution is being sought (return to the biological family or subsequent adoption). Foster care in a family is among the best alternatives after the adoption. According to the data provided by

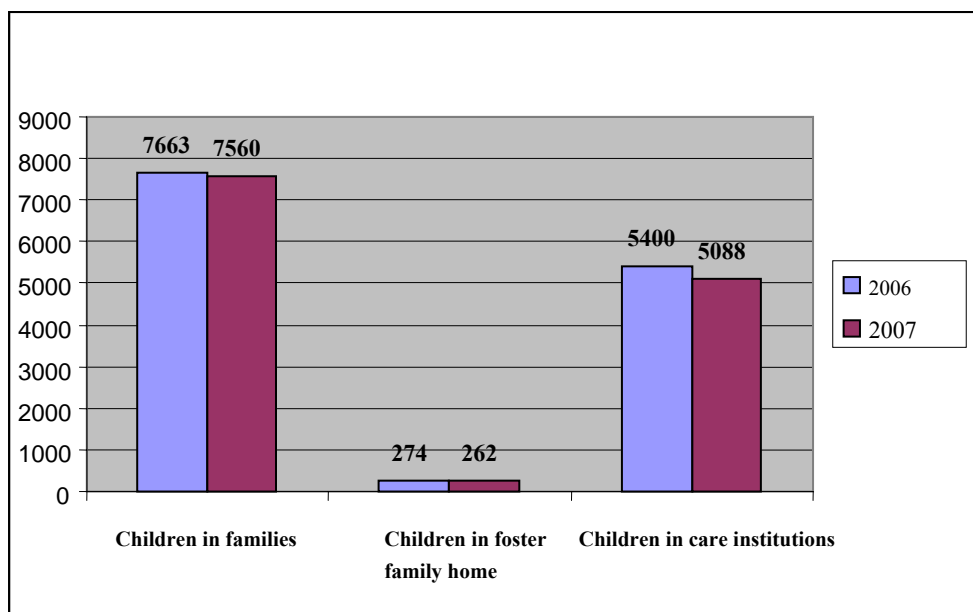
municipal children's rights protection services, in 2007 there were 7560 children deprived of parental care who were granted family foster care. These children were taken care by 5701 foster families. The majority of children in foster care, i.e. 3515, were looked after by their grandparents, 515 were left in the care of elder brother or sister, and 1401 children were in the care of the family of their aunts (uncles). 2129 were taken care by families with no kinship relationship.

794. Reasons for senior children being placed under state guardianship in institutions remain the same: caretakers fear problems they inevitably face when the foster child reaches his/her teen years.

795. The process of training guardians (caregivers) and prospective adoptive parents has been lately gaining momentum. During the training, prospective guardians (caregivers) and adoptive parents get to know the problems and possible solutions and what support is available for bringing up a teenager in their family. Still, the services offered for foster families in difficulties are not sufficient. They are best developed in cities and municipalities where social partners of municipal children's rights protection services not only search and later screen prospective guardians (caregivers) or adoptive parents, arrange trainings, but also provide social services to the family following the decision establishing guardianship (curatorship) status in that family.

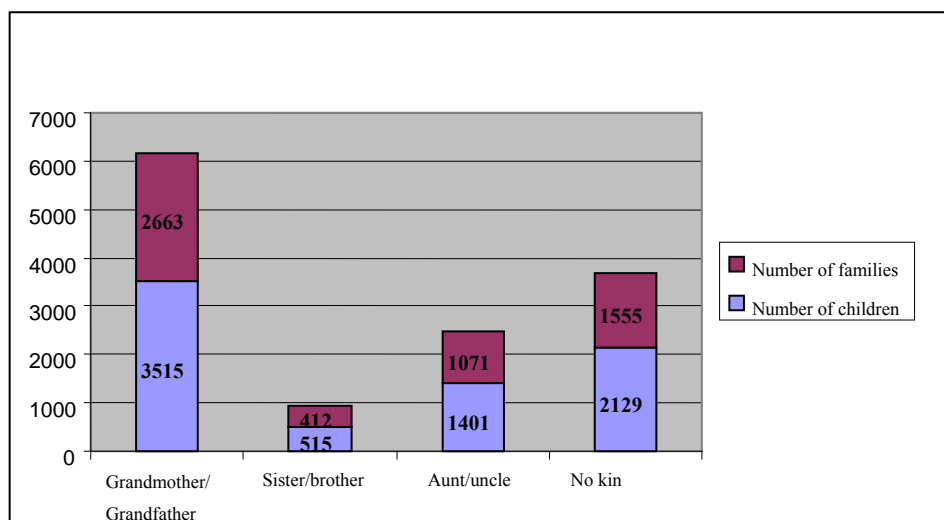
Chart 10.14

**Childcare in 2006–2007**



Source: State Child Rights Protection and Adoption Service under the MSSL.

Chart 10.15

**Children fostered in families, and foster families, 31 December 2007**

*Source:* State Child Rights Protection and Adoption Service under the MSSL.

796. It needs to be pointed out that the number of children under 3 years of age placed in institutions is double compared to that in care-giving families: 356 from the total of 966 children in this age group live in families, 5 in foster family homes, and 605 in institutions. Reasons may vary (small children are usually placed under temporary state guardianship in hope to have them eventually reunited with their biological families, while those with legal status fixed due to health problems have no possibilities of being cared in families, or they need special medical conditions in an institution).

797. As a result of growing emigration (especially economic) from Lithuania, children have often been left in the care of relatives or friends of the emigrating parents. According to the data of municipal children's rights protection services of 31 December 2007, 916 children were appointed guardianship on the account of the prolonged stay abroad of their parents. The number included 435 girls and 481 boys.

(e)

798. During the course of the implementation of the State Child Welfare Strategy and the Plan for Implementation Measures for 2005–2012, the information on child rights protection policy formation in Lithuania and progress achieved in carrying out the implementation measures of the State Child Welfare Strategy has been continuously brought to the attention of the media and the public at large. Furthermore, the information about draft legal acts aimed at improving child rights protection and overall welfare of the children living in the Republic of Lithuania has also been made public.

799. In 2007 and 2008, MSSL selected by way of competition non-governmental umbrella organisations in Lithuania involved in promoting the provisions of the UN Convention on the Rights of the Child, particularly focussing on children. The Ministry made necessary allocations to fund the winners of the competition.

800. The implementation of the Programme for Support and Social Integration of Orphans and Children Deprived of Parental Care for 2005–2008, approved by Resolution No 1279 of the Government of the Republic of Lithuania of 13 October 2004, necessitated the preparation and publication of the Independent Living Skills Development Programme for Orphans and Children Deprived of Parental Care in 2007, as well as its

recommendations, which served as guidelines while organising a methodical work at children care institutions. This programme will help children deprived of parental care to get better equipped for the independent life and gain practical skills.

801. With a view to improving the social integration of the children deprived of parental care and developing municipal inter-institutional cooperation, the project involved 257 children deprived of parental care, placed at child care institutions, including 17 individuals deprived of parental care and having previously left a care institution, providing them with a complex of social, legal and career counselling services.

7.

802. Apart from the ones already mentioned in this chapter, the following legal acts have been adopted during the reporting period:

- Resolution No 405 of the Government of the Republic of Lithuania of 27 March 2002 approving the Regulations for Child Custody Arrangements
- Resolution No 1422 of the Government of the Republic of Lithuania of 10 September 2002 approving the Procedure for the Registration of Adoptions in the Republic of Lithuania
- Resolution No 1655 of the Government of the Republic of Lithuania of 24 December 2004 approving the Rules for Bringing Back Children Devoid of Parental Care from Foreign States to the Republic of Lithuania
- Order No 56 of the Minister of Social Security and Labour of 18 April 2002 approving Regulations for Temporary Child Guardianship (Curatorship)
- Order No A1-154 of the Minister of Social Security and Labour of 18 June 2004 approving the Specification of the Procedure for Assessment of Prospective Adopters' Readiness for Adoption
- Order No A1-68 of the Minister of Social Security and Labour of 3 March 2005 on the General Regulations for State and Municipal Child Care Institutions
- Order No A1-162 of the Minister of Social Security and Labour of 3 June 2005 approving the Specification of the Procedure for Granting Authorization to Foreign Institutions in Respect of Inter-Country Adoption in the Republic of Lithuania
- Order No A1-296 of the Minister of Social Security and Labour of 26 October 2006 approving Payment Arrangements for the e Mother's (Father's) Work in Foster Family Home Established by the Municipality
- Order No A1-32 of the Minister of Social Security and Labour of 1 February 2007 approving the Description for Pre-trial Procedure for Adoption of Adoptable Children with Special Needs
- Order No A1-282 of the Minister of Social Security and Labour of 11 October 2007 approving the Plan for Rationalisation of the Network of Child Care Institutions
- Order No A1-283 of the Minister of Social Security and Labour of 11 October 2007 approving the Plan for the Transfer of the Functions of the Founder of State Child Care Institutions to Municipalities, and the List of Transferrable State Child Care Institutions

803. Information about the amendments to the Law of the Republic of Lithuania on Benefits to Children, the Law on Cash Social Assistance to Poor Families and Single Residents, the Law on Social Assistance to Pupils, and the Law on Support in Case of Death, which have an effect on the provisions enshrined in Article 10 of the Covenant, is provided in Article 9(7) of the Covenant.

804. Having regard to demographic changes such as the falling number of the population and the declining birth rate, migration developments, family instability, decreasing number of marriages and increasing number of divorces, aging population, and the priorities of the Lithuanian Government Programme for 2006–2008 in the area of social and family wellbeing, the National Demographic Strategy was approved by Resolution No 1350 of the Government of the Republic of Lithuania of 28 October 2004 approving the National Demographic Strategy which looks into demographic problems, formulates goals for major elements of the demographic policy (family wellbeing, public health and migration of the population), mission of the state, action guidelines until 2015, and provides for the regulation of the implementation of the Strategy. The Strategy in question addresses all the areas related to family life: employment, gender equality, family stability, child security, solidarity between generations, child care, education, family planning, reproductive health, housing and social guarantees.

805. For the purpose of the implementation of the Strategy, the Measures Implementing the National Demographic Strategy for the period 2005–2007 were approved by Resolution No 572 of the Government of the Republic of Lithuania of 23 May 2005. These measures are designed to strengthen and support families with children, provide more favourable conditions for young people to create families and raise children, promote healthy life style and behaviour and address issues related to foreigners' legal status and employment migration, etc.

806. In the course of the implementation of the National Demographic Strategy, a Plan of Implementing Measures for Family Wellbeing 2008–2010 was adopted by Resolution No 948 of the Government of the Republic of Lithuania of 5 September 2007. Having taken into account best foreign practices and the national potential, Lithuania is set to implement a complex and integrated family policy, reconciling employment, child care, and gender equality. The mentioned Plan is designed to fix the current negative trends in family development, strengthen the family institution and encourage positive approach to the family, create a more favourable environment for families and upbringing of children, ensure higher quality of family life, etc.

## **Article 11 of the Covenant**

### **1 (a)**

#### **Responses to questions and recommendations given in paragraphs 23 and 45 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

##### **Rural living standards**

807. In order to assess the level of living standards, it is necessary to resort to surveys on household budgets, income and living conditions conducted by the Department of Statistics under the Government of the Republic of Lithuania, as well as opinion polls. Since 2005, the survey on income and living conditions has provided fully comparable among the EU states information about income and living conditions, the level and structure of poverty and social exclusion, and prolonged poverty.

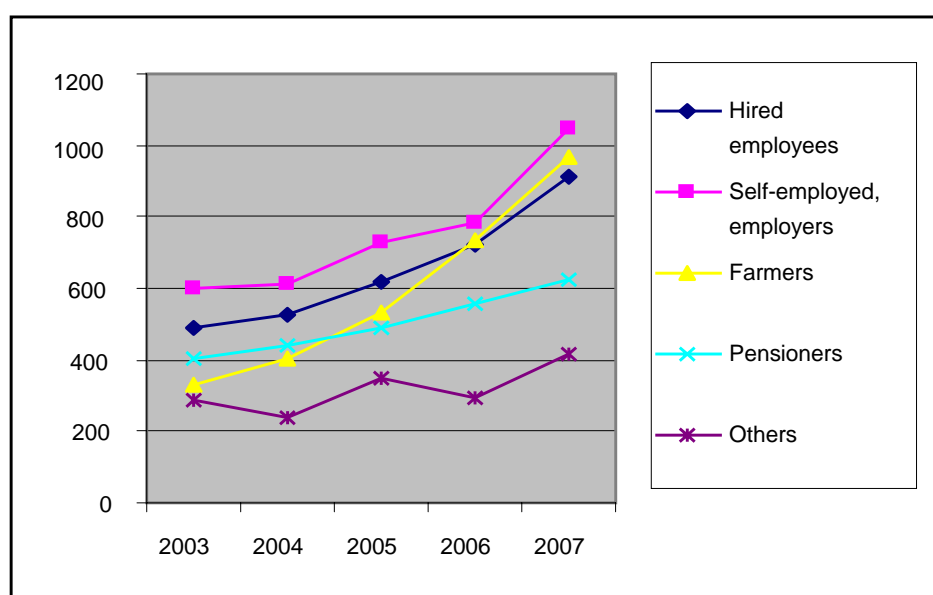
808. The aggregate income index is disposable income. It includes total income in cash and in kind after deduction of the income tax and social insurance contributions. High GDP growth rate has reflected in growing income of the population. During 2003–2007, average disposable income (cash and in-kind) grew by 87.8 per cent, cash income increased 1.07 times, and 1.52 times in rural areas. Actual average cash income of the population during the reference period grew by 82.3 per cent and in rural areas it grew 1.21 times. Faster growth rate of disposable income in rural areas bridged the gap between the city and the

countryside. The difference in average disposable income per household member between the city and the countryside narrowed by 5.9 per cent in 2003–2007, and disposable income in cash by 43.4 per cent.

809. For the purpose of the survey, all the households were relatively classified into five socio-economic groups according to the main income source of the head of household, i.e. a person with the largest share of income in the family (Chart 11.1). The main income source for farmers is individual farming activities; for employees: from hired work within public or private sectors; for self-employed and employers: from business, trades and crafts and free professional activities; for pensioners: a pension; for others: various benefits, scholarships, grants, savings.

Chart 11.1

**Monthly disposable household income per capita by socio-economic group (LTL)**

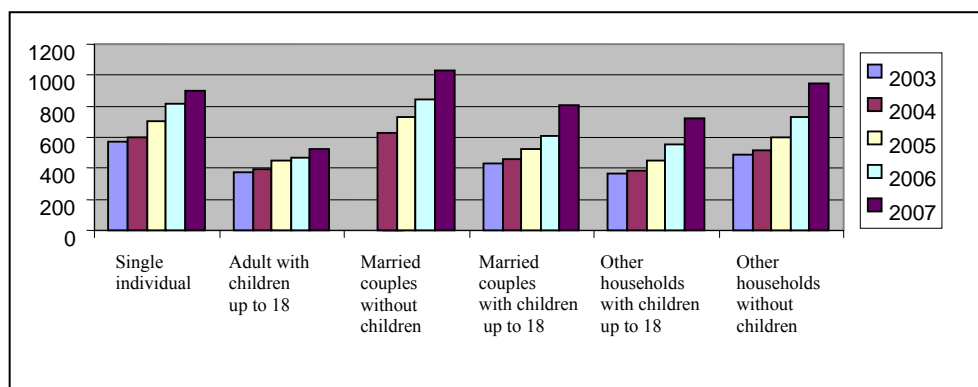


810. In 2003–2007, farmers' income demonstrated the highest growth. Farmers' disposable income almost doubled during the reference period. In general, income growth across all the categories of the population was considerably fast (paid employees by 85 per cent; pensioners by 67 per cent).

811. The data of the household budget survey enable the evaluation of the developments in disposable income by type of household (single person, an adult with children up to 18 years of age, a married couple without children, and other types of household with or without children).

812. In 2003–2007, the level of disposable income by type of household went up from 41 per cent to 96 per cent. The fastest growth of disposable income was observed among the so called other households with under-aged children (several-generation-households, grandparents with grandchildren, etc) namely 96 per cent, while the lowest growth was observed among households of a single adult with children (41 per cent).

Chart 11.2

**Average monthly disposable household income per capita by type of household (LTL)**

813. An increase of minimum income makes a significant difference in terms of absolute or relative poverty. In 2003–2007, it was important to keep the growth rate of the minimum income apace with the average income rate. The statistics confirms that the growth rate of the minimum income by far surpassed the growth rate of the average and maximum income. In 2007, the average disposable income per household member was 87.8 per cent up on 2003. The income of households with the lowest income (lowest 1 quintile) went up 1.09 times, and that of the most affluent households top 5 quintile by 82.5 per cent. Faster growth of minimum income rate contributed to narrowing income differentiation gap.

814. Minimum income growth was favourably affected by a marked increase in state income support which determined the size of cash support provided for families with objectively low income as well as the size of other benefits (fixed component of unemployment benefit, etc). As of the beginning of 2007, Government-approved rate of the state income support was raised to LTL 205, and later on 1 August 2008, to LTL 350, which was more than 2.6 times higher compared to 2003 when it was LTL 135.

**Household budget survey information**

815. For supplementary data please see charts in annexes No. 29–32

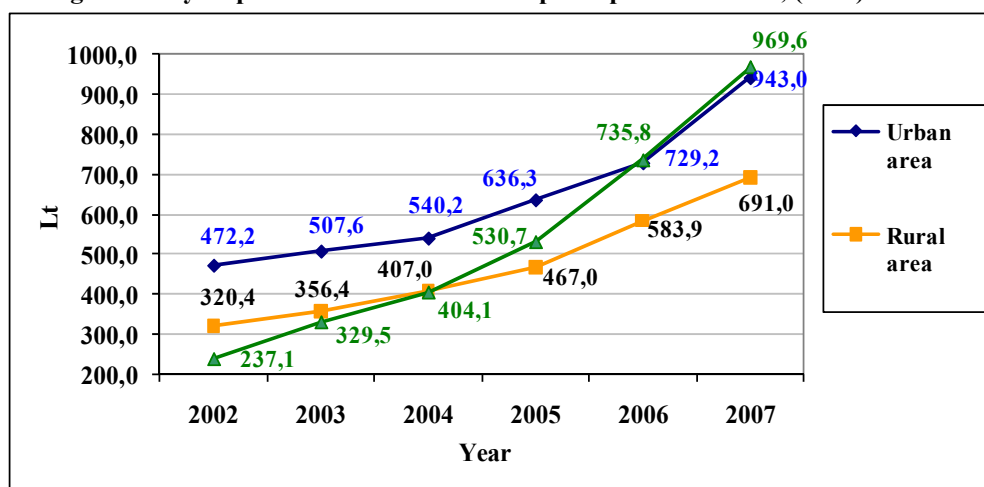
816. Average monthly household income per capita in Lithuania had demonstrated annual growth well before the EU membership in 2004 (Chart 11.3), however in 2004, it gained special momentum, particularly with regard to farmers whose income grew exceptionally fast. It was directly related to the EU agricultural support: direct compensation payments, and available investment support agriculture. In 2006, for the first time in history, the Lithuanian farmers' income grew by 27.9 per cent a year. In 2007, it accounted for LTL 969.6 a month thus exceeding urban household monthly income of LTL 943.

817. Yet, irrespective of the marked income growth, the overall economic status of rural households remained far worse compared to the city. In 2007, average monthly disposable household income per capita in rural areas made up LTL 691, which accounted for 71.3 per cent of the respective urban income indicator. In conclusion, a fundamental improvement felt by a small number of the rural inhabitants.



Chart 11.3

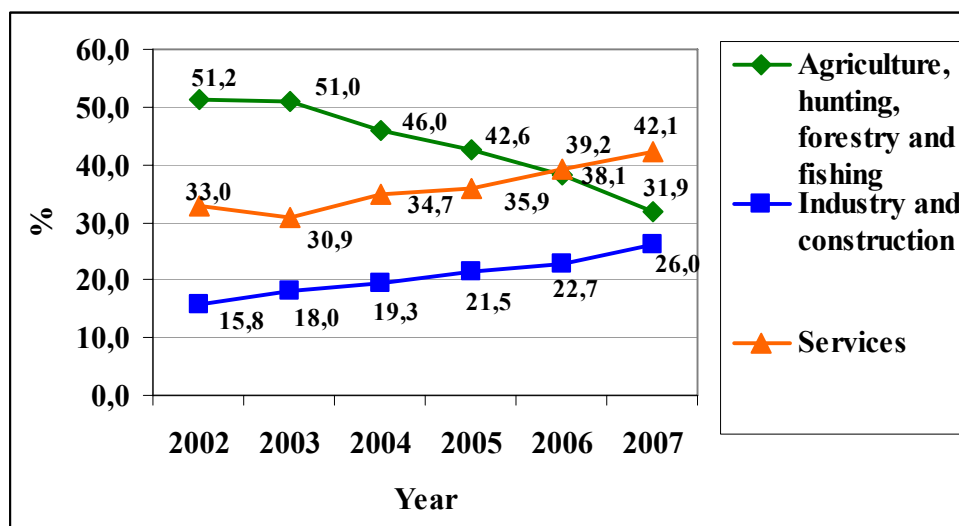
Average monthly disposable household income per capita 2002–2007, (LTL)



818. The EU support helped to speed up the rural restructuring processes, i.e. the number of those engaged in agriculture went down as the growing economy provided for the absorption of the labour force in other areas of economic activity. In 2006, it was the first time that services took the largest share in rural employment (39.2 per cent) overtaking employment in industry and construction (22.7 per cent), and even agriculture (38.1 per cent). In 2007, the trend continued with employment in the service sector at 42.1 per cent, industry and construction – 26 per cent, agriculture – 31.9 per cent (Illustration 11.4). Employment in agriculture (including hunting, forestry and fishery) prevailed in rural areas until 2005.

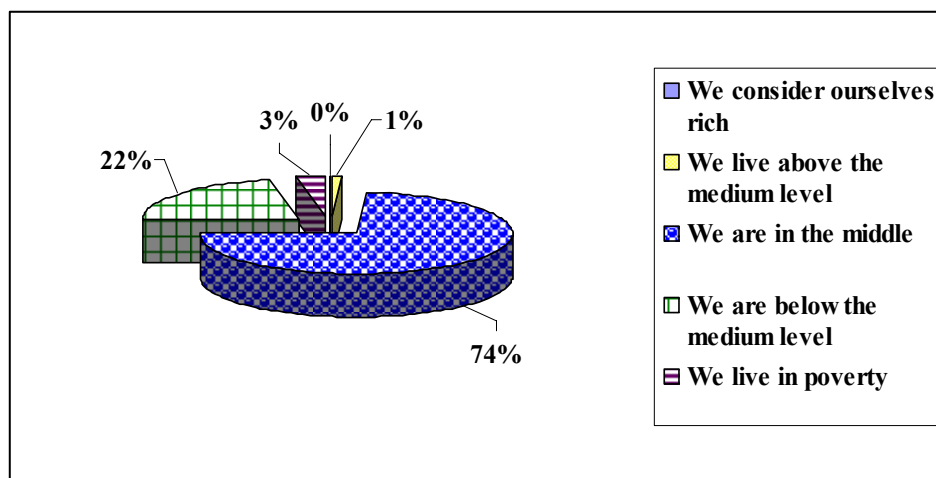
Chart 11.4

Rural employment by type of economic activity in 2002–2007, per cent



819. Abundant support for agriculture positively affected the poorest segment of the society. According to the budget survey, the percentage of the rural population with poor living conditions went down from 5 per cent in 2006 to 3 per cent in 2007 (Illustration 11.5).

Chart 11.5

**Living standard categories identified by inhabitants in rural areas, 2007, per cent**

*Source:* Household budgets 2007 – V.: Department of Statistics under the Government of the Republic of Lithuania, 2007; p. 106.

**Poverty level**

820. The Data provided by the Department of Statistics do not show any critical changes in the level of poverty. Back in 2005, the EU launched a new poverty risk calculation method; therefore the data of the previous years is not adequate for comparison with later poverty related indicators. Here, you will find 2005 and 2006 data as regards poverty risk indicator development.

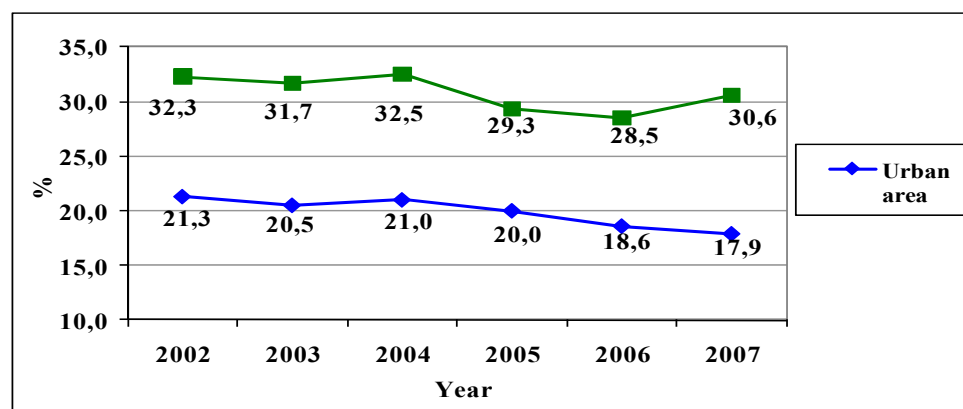
821. The preliminary data of the survey on income and living standards reveal the following: in 2006, 34 per cent of the rural population lived below the poverty threshold (to compare with 34.6 per cent in 2005), the respective figures as regards the urban population were 13.1 per cent and 13.2 per cent. The declining trend in poverty was followed both in the rural area as well as in the city. In rural case, the decline was only 1.7 percentage points, while in the case of the city, it was 3.0 percentage points.

822. In 2006, the poverty risk threshold in Lithuania stood at LTL 437 a month per single individual, and LTL 918 per family, consisting of 2 adults and 2 children under 14 (in 2005, LTL 355 and LTL 746 respectively). The gap between the rural and urban areas in terms of poverty indicators has remained almost unchanged. The risk-of poverty threshold in the rural area in 2006 was 2.6 times higher than the urban area. The income of the rural population group in poverty is one third below the poverty threshold while in case of the urban population it is one seventh.

823. In rural areas, the poverty depth rate, which serves as a reference to establish on average how far below the poverty line is the income of people in poverty, has changed insignificantly. The risk-of poverty threshold in the city has come down from 23.3 per cent in 2005 to 19.4 per cent in 2006, while in rural areas it went up from 33 per cent to 33.9 per cent in respective years.

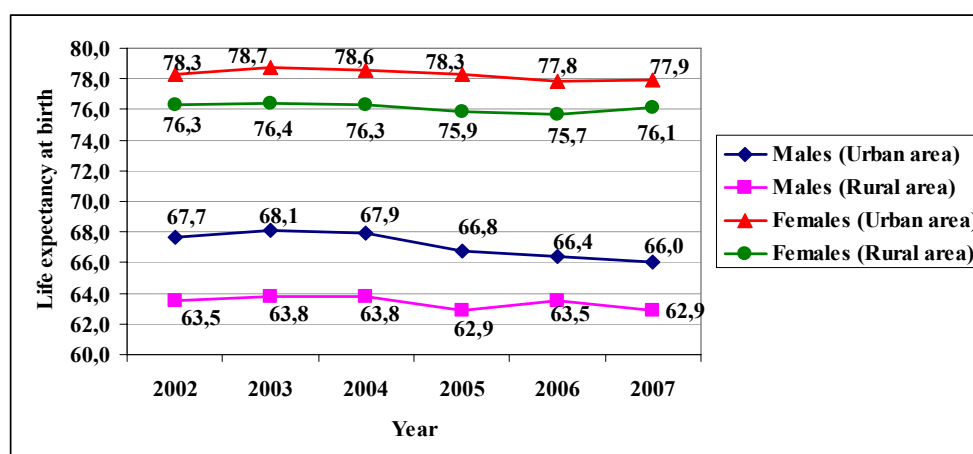
824. 2007 was also marked by negative structural changes in income in the Lithuanian rural area. The declining social support component across the income in 2005–2006 changed its course towards growth in 2007, i.e. from 28.5 per cent in 2006 to 30.6 per cent in 2007. The city, however, has maintained the declining trend (Illustration 11.6.).

Chart 11.6

**Social support component in the structure of average disposable income, per cent**

825. Irrespective of certain positive trends in the countryside, the average life expectancy trend in Lithuania during the period between 2002 and 2007 was on steady decline: from 72.2 in 2002 to 70.9 in 2007 (Illustration 5). Average male life expectancy in the period between 2002 and 2007 was on average 11.8 years shorter to female life expectancy; in the countryside, however, this difference was 12.8 years. The studies showed that, the life expectancy difference between the genders during the mentioned period had insignificant yet negative tendency, as it continued to grow by 0.25 on average annually.

Chart 11.7

**Male and female average life expectancy development in Lithuania during 2002–2007**

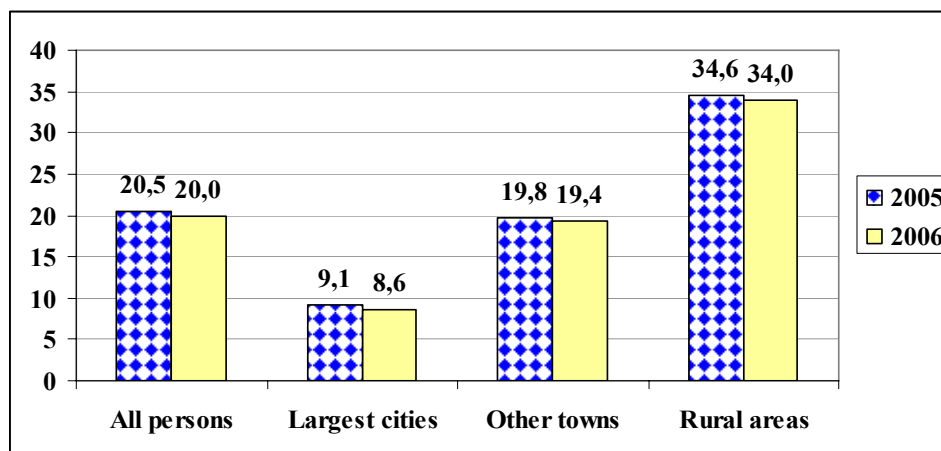
Sources: Demographic chronicles 2004, 2003, 2002. – Vilnius: Department of Statistics under the Government of the Republic of Lithuania, 2005, 2004, 2003.

(c)

826. No officially approved poverty line exists.

827. Following the accession to the EU, Lithuania joined the open coordination process for the formation of social protection and social inclusion policies. To assess the level of poverty, Lithuania, as other member states uses risk-of-poverty threshold, which is set by Eurostat at 60 *per cent* of the national average equivalised disposable income after social transfers.

Chart 11.8

**Risk-of poverty threshold after social transfers by household location, 2005–2006**

Survey: On income and living standards.

828. Risk-of poverty threshold is an individual equivalised disposable income share below the risk-of-poverty threshold. Here it is presented the risk-of-poverty threshold, calculated at 60 per cent of the national average equivalised disposable income.

Table 11.9

**Risk-of poverty threshold by place of residence and household composition 2006, per cent**

	<i>Risk-of-poverty threshold</i>	<i>Risk-of-poverty threshold before social transfers, except pensions</i>
All individuals	20.0	26.6
Residence location		
City	13.1	18.7
Large cities	8.6	13.7
Towns	19.4	25.9
Rural area	34.0	42.4
Type of household		
Households without children <sup>7</sup>	19.2	25.6
Single individual	38.0	42.3
Two adults below 65 without children	13.7	22.5
Two adults, at least one is 65 or older without children	11.9	16.2
Other households without children	9.5	17.9
Households with children	20.5	27.2
One adult with one or more children	44.2	50.4

<sup>7</sup> Children are considered persons below 18 years of age as well as economically inactive (unemployed and not actively seeking employment) persons between 18 and 24 living with at least one parent (or another person that status). Adults are not included in the category of children.

	<i>Risk-of-poverty threshold</i>	<i>Risk-of-poverty threshold before social transfers, except pensions</i>
Two adults with a child	16.1	21.0
Two adults with two children	15.4	20.0
Two adults with three or more children	41.5	52.2
Other households with children	13.1	22.1

Table 11.10  
**Risk-of poverty threshold by age brackets 2006, per cent**

	<i>Risk-of-poverty threshold</i>	<i>Risk-of-poverty threshold before social transfers, except pensions</i>
Age brackets		
0–17	25.1	32.4
18–24	17.5	23.6
25–49	17.6	23.2
50–64	18.3	28.9
65 and older	22.0	25.8

## 2. (a)

829. In Lithuania, the right to adequate food is directly related to available income. As regards those with inadequate income, the right is ensured through benefits and monetary assistance specified in responses to Article 9 of the Covenant.

830. According to surveys on actual nutrition and lifestyle of adults carried out quintannually since 1997 by health institutions under the Ministry of Health, nutrition habits in Lithuania are still found as unhealthy: the diet has excessive fat (fat-related calories account for 39 per cent of total energy value) and the shortage of carbohydrates (carbohydrate calories account only for 46 per cent of total energy value), inadequate consumption of fruit, vegetables, fish and fish products; excessive consumption of products containing fat and sugar.

831. The last decade has shown a somewhat more positive turn in the nutrition of the Lithuanian people. The Lithuanians have chosen to cut on meat and fat and have started consuming more fish and fish products; however this is not relevant across all age brackets. Animal fat intake has come down, and the majority of the population use vegetable oil for cooking. About one third of the respondents have fresh vegetables only 1–2 times a week (instead of the recommended daily 3–5); scarce consumption of cereals: only half of the respondents have cereals on daily basis; 60 per cent of the respondents additionally season ready dishes with salt. Furthermore, there is insufficient consumption of dietary fibre, which is considered to be a very important factor in preventing cancer, particularly digestive system cancer. Based on the results of surveys, the daily intake of dietary fibre for men was 15.1 g and for women 17.6 g, while the norm should be about 20–30 g per day.

832. Calcium deficiency in the Lithuanian diet has also been found. Likewise, the deficiency of a very important antioxidant selenium which is rarely found in the Lithuanian soil (NNC data). Iodine is also scarce in the Lithuanian diet. To address the problem, the Minister of Health of the Republic of Lithuania issued order No V-675 (1 September 2005) approving the hygiene standard HN 15:2005 Food hygiene providing that as of 2006 only

iodized salt containing 20–40 mg/kg is sold in food retail, as well as used in catering and bread production.

**(b) (i)–(iii)**

**Population nutrition habits**

833. The survey on the lifestyle and actual nutrition of adults carried out by the National Nutrition Centre in 2002 provides us with enough evidence to state that the nutrition in Lithuania is adequate but unhealthy. A substantial part of the Lithuanian men and women (9.6 per cent and 14.5 per cent respectively) are obese. An excessive intake of fats and oil has been found across different age groups, though it is recommended that fats should not exceed 30 per cent of the daily energy value. The actual fat share, according to the survey, is 42–45 per cent. According to the results obtained during the above-mentioned survey, there are almost no regional (county) variations in terms of actual nutrition. There are no substantial differences in the nutrition of urban and rural-dwellers, though consumption of fat is slightly higher in rural areas (46 per cent and 45 per cent).

834. The National Health Programme approved by Resolution No VIII-833 of the Seimas of the Republic of Lithuania of 2 July 1998, provides for the “reduction, by the year 2010, of the share of energy received from fat to 30 per cent and the share of energy received from saturated fatty acids to 14 per cent. The safety of food must be ensured”.

835. All age groups of respondents showed high consumption of meat and meat products, traditional for Lithuania: 158 g per day on average. Comparison of age groups shows that older persons (50–64 years) consume relatively less meat (~147 g); in the age group 19–34 years, this figure is 170 g. Studies show that the daily consumption of fish by people of various ages is about 18 g, i.e. the same as in most European countries.

836. According to the study on breastfeeding of newborns conducted by health institutions under MH in 2005, 76.3 per cent of women breastfeed up to one month, 43.4 per cent up to four months, 30.5 per cent up to six months and 10.8 per cent up to twelve months. The breastfeeding trend in Lithuania has turned positive over the last decade; the number of breastfeeding women has been growing, still behind the EU countries, however.

837. There is no new data as regards the nutrition status of the children in Lithuania. In 1994–1996, the National Nutrition Centre conducted a nutritional survey of the Lithuanian children of school age. Around 2,000 schoolchildren were surveyed. It has been established that the energy value of the daily food intake among schoolchildren aged 11–17 is sufficient in both urban and rural areas, however, this compliance with norms is achieved on account of low-value carbohydrates (sugar). It must be noted that the schoolchildren’s diet is not balanced: it lacks such essential food components as proteins and vitamins. The poorest daily diets were found among children aged 8–10.

838. In order to assess the nutritional status of elderly people, in 1994–1996, the National Nutrition Centre conducted a survey in elder people homes. It was established that the energy value of the daily food intake exceeds the recommended norm by 52 per cent; elder people consume a lot of fat, however, the quantities of vegetables and milk products (yoghurt in particular) are two times smaller than required.

**(c)**

839. The National Nutrition data show no changes during the reporting period in this respect.

**(d)**

840. As it has already been pointed out in 2b), the nutrition in Lithuania is adequate but unhealthy, therefore food quality stands at the focus of our attention.

841. Following the WHO initiative to draft a Food and Nutrition Action Plan for Europe, an Operational Food and Nutrition Strategy and Implementing Measure Plan for 2003–2010 was approved by Resolution No 1325 of the Government of the Republic of Lithuania of 23 October 2003. The strategy provides for measures aimed at ensuring food safety, implementing the principles of healthy nutrition, ensuring sufficient provision of quality foodstuffs to Lithuanians, improving the training of specialists and creating a research-based public information system providing data on nutritional status, food safety and quality, nutrition-related diseases, etc. The projected measures cover the period until 2010.

842. Along with additional measures aimed at improving nutrition standards and listed in the previous report, the following instruments have been introduced: the Law of the Republic of Lithuania on the Protection of Plant Varieties (Law No IX-1761 of 14 October 2003 amending Law No I-1069 of 19 October 1995), Lithuanian Hygiene Standards approved by orders of the Minister of Health of the Republic of Lithuania and other legal acts. The public health of the Republic of Lithuania is monitored on regular basis as prescribed by the provisions of the Law of the Republic of Lithuania on Monitoring of Public Health in the Republic of Lithuania No. IX-1023 of 3 July 2002.

843. With a view to the implementation of agricultural and food product quality and safety requirements, the State Plant Protection Service under MA.

844. *In the area of the compliance of imported and exported plant products with the phytosanitarian requirements:* provides for the operation of border plant quarantine points according to the procedure prescribed by law and promotes the development of the regional infrastructure of plant protection and quarantine points, as required by the EU; Develops plant disease and pest warning system, effects phytosanitarian checks on imported plants, plant products and other items, keeps record of plant protection means, oversee their import, storage, trade and application.

845. *In the area of monitoring of agrochemicals, contamination and degrading processes in soil:* in pursuance with EU legal requirements and progressive farming rules, and with a view to ensuring healthy soil, reducing nitrogen or other type of contamination in the soil, it carries out soil fertility tests, analyses agrochemical properties and their regional variations.

846. *In the area of GMO:*

(a) MA carries out risk assessment of agriculture-related GMOs and GM products

(b) State Food and Veterinary Service carries out safety examination of genetically modified products; establishes the procedure for approval, registration and use of veterinary products, veterinary equipment, and veterinary pharmaceuticals, made of or containing genetically modified organisms

847. *In the area of food safety:*

**MA:**

(a) Implements policies aimed at higher standards for food and raw materials, promotion of the organic farming and increased global competitiveness of locally made products

(b) Develops and approves programmes for higher food standards, and for supply of healthy/organic food to the market; establishes compulsory requirements for the composition and quality of food, assessment of quality of raw materials, cultivation and supply to the market of food plants, as well as application and control of plant protection means

(c) Establishes obligatory requirements for food product labelling

- (d) Carries out quality control inspections for fresh fruit and vegetables

**State Food and Veterinary Service:**

(a) Carries out policies of monitoring over safety, quality and handling of food, and reduction of occurrences of animal-for-food morbidity; and is responsible for early food alerts.

(b) Establishes compulsory requirements for safety of raw materials of food of animal origin; for hygiene and control of handling the food of animal origin and its placing on the market; hazard analysis and critical control points system at handling entities of the food of animal origin.

(c) Monitors contamination of animals and raw materials of food of animal origin with harmful substances, including pesticides.

(d) Takes decisions regarding further application of confiscated food products which have been smuggled without the compliance documents confirming the origin, quality and safety.

(e) Effects food safety and control inspections at all the stages of food handling to ensure that the food supplied to the domestic and international markets as well as publicly supplied drinking water complies with safety, labelling, quality and other compulsory requirements established by relevant legal acts.

(f) Reviews and implements a national consolidated integrated multi-annual control plan of the Republic of Lithuania, providing for major priorities across specific sectors of food surveillance (animal and non-animal food (food additives, alcoholic drinks, publicly supplied drinking water, substances and products in contact with food, etc). The plan is being drafted for the implementation of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules. The plan will be drafted regularly for three years period in the future. The above mentioned plan has been drafted for the period between 2007 and 2009. As this plan is based on the Operational Strategic Plan of the State Food and Veterinary Service, it shall be reviewed twice a year: in July, when a draft of the operational strategic plan is developed and in December, before the approval of the operational strategic plan. An annual report on national consolidated integrated multi-annual control plan with the latest amendments shall be submitted to the European Commission in pursuance with the provisions laid down in the Regulation (EC) No 882/2004.

848. *In the areas ensuring quality and safety of foodstuffs on the Lithuanian market in terms of human or animal health and the environment:* develops programmes controlling entities engaged in handling feed and animal by-products, oversees the implementation of animal feed safety requirements, safe collection, procession, handling and disposal of animal by-products at animal by-product handling entities.

849. *In the area of protection of the territory of the Republic of Lithuania and the territory of the European Communities against unsafe food, animal feed, animal contagious diseases, and monitoring exported animal welfare:* ensures the compliance of imported, exported and transported in transit products under control of the State Plant Protection Service with the requirements of relevant legal acts with a view to posing no danger to human or animal health.

**National food safety standards**

850. The provisions of the EU regulations implemented through Order No. 3D-524 of the Minister of Agriculture of the Republic of Lithuania of 29 November 2007 on the Rules



Approving Agricultural and Food Products of Exceptional Quality laying down the following:

- (a) General requirements for products, their production, procession and supply to the market
- (b) Requirements for certifying authorities
- (c) Requirements for applicants

851. General requirements for products, their production, procession and supply to the market:

(a) Products of exceptional quality (hereinafter referred to as “PEQ”) must be produced and (or) processed according to the requirements of good farming (production), meet or exceed the EU or national legal requirements for food safety, quality, animal welfare, environmental protection, the rules in question and relevant specifications

(b) The whole production process of PEQ is implemented in monitored farms and companies, making a maximum use of local traditional raw materials meeting these requirements, and traditional animal breeds and plant varieties and bee breeds; all PEQ production stages are under control, process traceability is ensured; verification of compliance with the rules and specifications must be carried out by a certifying authority

(c) PEQ and (or) its production process is characterised by organic, nutritional and environmental sustainability aspects

(d) Specific requirements for PEQ related farming and procession are laid down in individual specifications depending on product group or product type

(e) PEQ certification and watch-keeping is done by certifying authorities appointed by MA

852. Applications for production or (and) procession of PEQ may be submitted by any natural or legal person registered according to the procedure prescribed by laws of the Republic of Lithuania and engaged in production or (and) procession of PEQ and able to provide evidence about their legal and technological capacity to supply PEQ to the market and carry out self-checking of complete process of production and marketing.

853. The National Food Quality Scheme provides assessments of PEQ specifications.

854. Lithuania has specifications for the following PEQs:

- Bee product production
- Corn and corn processing products
- Production of combined fodder
- Meat and meat products
- Production of poultry and poultry products
- Production of milk and dairy products
- Fruit and vegetables and their products

(e)

855. Following its accession to EU, Lithuania fully transposed and implemented the EU *acquis* in the area of food production and safety. All food companies introduced self-checking systems. The State Food and veterinary Service keeps watch over food companies and product safety in the market, and issues warnings about detected threats through the early warning system for food and feed safety.

**(g) (i)–(iii)**

856. Relevant laws and other legislative acts (additionally to the ones listed in the previous report):

- The Law of the Republic of Lithuania on Agriculture and Rural Development (Law No X-1663 of 1 July 2008 amending law No IX-987 of 25 June 2002)
- The Law of the Republic of Lithuania on Warehouses and Documents of Storage (No IX-1046, 5 July 2002)
- The Law of the Republic of Lithuania on Product Safety (No VIII-1206 of 1 June 1999)
- Resolution No 1361 of the Government of the Republic of Lithuania of 20 December 2005 approving the Establishment of the Register of Feed Businesses Approved by the Republic of Lithuania, and the Bylaws of the Register

857. As it has already been mentioned, the system of Hazard Analysis and Critical Control Points (hereinafter referred to as “HACCP”) was introduced in Lithuanian food handling enterprises as early as 1998. The rollout of the system began with international food handling companies, gradually spreading across the national entities.

858. Article 4(3) of the Law on Food of the Republic of Lithuania (No VIII-1608, of 4 April 2000) provides for “HACCP application in food handling enterprises within the procedure prescribed by law as well as statutory laboratory tests to ensure self-checking in terms of food handling safety”. The hygiene standard HN 15: 2001 “Food Hygiene”, approved by Order No 684 of the Minister of Health on 29 December 2001 historically provided for a slow down of the introduction of HACCP system across food enterprises by grouping them into three categories based on a number of employees: small, medium and large. The mentioned hygiene standard enabled small and medium food handling enterprises to leave aside HACCP and introduce instead hygiene requirements relevant to specific business, which had been approved by competent authorities.

859. The hygiene standard HN 15: 2003 Food Hygiene, issued by Order No V-392 of the Minister of Health of the Republic of Lithuania of 1 July 2003 and fully transposing Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs, streamlined all the food handling enterprises in Lithuania through a universal requirement to put in place a self-checking system. Food handlers are obliged to determine operation stages important for food safety and ensure that the following safety procedures are established, implemented, upgraded, supported and monitored according to the principles of HACCP:

- (a) Analysis of food-handling risks
- (b) Establishment of food handling stages exposed to risk
- (c) Establishment of critical control points
- (d) Monitoring and management of critical control points
- (e) Regular review and evaluation of the monitoring, control and supervision systems for crucial control points

860. MH and the State Food and Veterinary Service encourage the preparation of a guide for good hygiene practice, which could be used by food handlers individually as HACCP manuals, which describes the above safety procedures.

861. The above mentioned Hygiene Standard HN 15: 2003 Food Hygiene was repealed by Order No V-675 of the Minister of Health of the Republic of Lithuania of 1 September 2005 m. replacing it with the Hygiene Standard HN 15:2005 Food Hygiene, which provided for an individual application of HACCP in food handling by sectoral food

business operators. It was drafted following the provisions of the Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004. The operators may individually use sectoral good hygiene practice rules (guide for the application of HACCP principles) complying with the provisions laid down in Article 8 of the Regulation (EC) No 852/2004 of the European Parliament and of the Council.

862. Repeatedly encouraged by MH and the State Food and Veterinary Service, sectoral food associations and unions undertook to develop hygiene practice guide suitable for their industries. In 2003, Food Industry Guide to Good Hygiene Practice: Guide for Catering was finalised and made ready for use with the assistance of the Dutch company Precon in the framework of the programme on improvement of food safety and security in Lithuania, and under coordination of the Ministry of Health, the State Food and Veterinary Service.

863. Another two projects are currently being finalised: Food Industry Guide to Good Hygiene Practice: Guide for Retail, and Food Industry Guide to Good Hygiene Practice: Baking guide. Targeted at the operations of small and medium food enterprises, the good hygiene practice rules define, analyse, assess and regulate general and specific food safety requirements, which ensure risk analysis and implementation of the safety requirements. Each owner or chief executive of a small/medium food handling enterprise shall confirm by an ordinance that his/her company is ready to handle foodstuffs as required by the Guide to Good Hygiene Practice. If a food handling company is exercising any other operation related to food handling, beyond these rules, this particular operation shall be described separately and approved by the head of the company to be later used as a supplement to the Guide to Good Hygiene Practice within the established procedure.

**(h)**

864. Currently, the Lithuanian agriculture is capable of fulfilling national market needs in terms of all the required food products; it also has an adequate export potential. In 2007, the added value generated in agriculture-related fields amounted to LTL 4019.4 m which is 37 per cent up on 2003; and 18 per cent up on 2006.

865. Steadily shrinking added value share generated by the agriculture between 2003 and 2006, in 2007 managed to retain the level of 2006 and made up 4.6 per cent in the general national structure of the added value; while in 2003, it amounted to 5.8 per cent. At the same time, the sector generated 1.37 times higher added value.

866. Even before the accession to the EU, the Lithuanian agricultural and food sector boasted a substantial export share, whose value in 2003 for instance was 10.6 per cent of total exports. The first four years of the EU membership saw agricultural and food export rise 3.1 times to reach 17.0 per cent of total export value in 2007, which amounted to LTL 7352.4 m. On the other hand, imports of agricultural and food products kept a steadily growing trend too. In 2007, its value totalled LTL 6071.7 m., and to compare with 2006, it grew 1.2 times and 2.5 times against 2003.

867. Foreign trade turnover in 2007 grew 1.3 times compared with 2006 amounting to LTL 13.4 b. In 2004, foreign trade balance in food products turned positive and grew to LTL 1.28 b. in 2007.

868. Lithuania's export in ready made products, drinks and tobaccos made the largest share (36 per cent) in agricultural and food exports in 2007. Animal origin products took the second place (32 per cent). Traditionally, milk and dairy products account for the largest specific weight (19 per cent) in agricultural and food export. In comparison with 2006, their export grew by 36 per cent.

**3. (a)**

869. The responsibility for shaping and coordination of the implementing the public housing policy lies with the ME. The majority of people acquire a dwelling in the market. Those who cannot afford buying in the market, are provided with access to social housing. As of 1 January 2003, following the enactment of the Law Amending the Housing Law (amendment of the law No IX-1188 of 12 November 2002) (amending the Law on State Support to Acquire or Rent a Housing and Modernization of Blocks of Flats), municipalities have to hold waiting lists for individuals (families) entitled to social housing.

870. Every year, 900–1000 individuals (families) entitled to social housing are provided with accommodation at municipal level. According to municipalities, in 2007, 922 individuals (families) were provided with social housing, compared to 890 in 2006.

871. More detailed information on state support to acquire or rent social housing is provided in 3 b) vi) below.

**Temporary accommodation**

Table 11.11

**Temporary accommodation**

	2000	2001	2002	2003	2004	2005	2006	2007
<b>Night shelters</b>								
Establishments at the end of the year	19	19	21	22	22	22	23	22
Beds at the end of the year	656	667	744	763	997	1 001	1 021	1 120
<b>Total annual turnover of people</b>	<b>1 389</b>	<b>1 359</b>	<b>1 572</b>	<b>1 589</b>	<b>1 762</b>	<b>1 977</b>	<b>1 952</b>	<b>1 819</b>
Men	1 207	1 093	1 313	1 278	1 421	1 582	1 518	1 452
Women	182	266	259	311	341	395	434	367
<b>Temporary accommodation establishments at the end of the year</b>								
	115	102	115	197	280	247	217	245
<b>Crisis centres, temporary accommodation centres for mothers with children</b>								
Establishments at the end of the year	1 <sup>1</sup>	1 <sup>1</sup>	1 <sup>1</sup>	10	15	17	18	21
Beds at the end of the year	60	62	62	231	203	225	275	308
<b>Total annual turnover of people</b>	<b>142</b>	<b>347</b>	<b>782</b>	<b>1 337</b>	<b>1 698</b>	<b>1 727</b>	<b>1 529</b>	<b>1 590</b>
Men	38	85	127	230	296	300	234	357
Women	104	262	655	1 107	1 402	1 427	1 295	1 233
<b>Temporary accommodation establishments at the end of the year</b>								
	10	10	10	28	30	54	60	93

<sup>1</sup> Mother and child centre.

872. In 2006, Lithuania had 43 temporary accommodation homes housing 1428 beds and accommodating annually 3409 people, including 3054 men and 355 women. Furthermore, in 2006 there were 115 temporary shelters (one night). Overall annual number of people provided with shelter was 5544.

873. In 2007, Lithuania had 22 temporary accommodation homes housing 1120 and accommodating annually 1819 people, including 1452 men and 367 women; 541 individuals stayed longer than 6 months. Furthermore, in 2007 there were 245 temporary shelters (one night). Overall annual number of people provided with one night shelter was 83.

#### **Return of political prisoners and deportees**

874. As it has been mentioned in the previous report, MSSL has been implementing the Programme for the Returning Political Prisoners and Deportees and Their Family Members and for the Providing them with Apartments and Jobs since 1992. During the period between 1992 and 2007 the Lithuanian municipalities provided housing to 1855 political prisoners and deportees and their families having returned to Lithuania for permanent residence. To this end, LTL 98 m. of the Lithuania's national investments were used; during the period between 1992 and 2007, 2793 returnees were provided with state support for the relocation and social integration.

875. On 1 February 2008, local and regional municipalities had entered into their records another 466 deportees waiting for housing in the municipalities of Vilnius, Klaipeda and Kaunas. Therefore, the Government of the Republic of Lithuania approved the Programme for the Return to Lithuania of Political Prisoners and Deportees and their Family Members for 2008–2012 by Resolution No 1214 of 13 November 2007. The implementation of the Programme will complete the delivery of an important political commitment in the history of Lithuania's independence: facilitating the return of unlawfully deported individuals and their families through access to housing and social integration programme.

**(b)**

#### **Responses to the questions and recommendations given in paragraphs 24 and 46 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

876. The population census 2001 revealed 1250 homeless nationwide. The next population and housing census will be conducted in 2011.

877. The first homeless poll in Lithuania was conducted during the months of April and June in 2003. Homeless living conditions were surveyed in the framework of 2000 PHARE ACCESS programme Social Integration and Human Development during Pre-accession Period in Lithuania. 606 homeless were questioned. The absolute majority (77 per cent) were men, including 51 per cent of working age (30–49). The youth (below 30) represent a small part among the homeless (14 per cent), and every third homeless person is above 50. The majority (91 per cent) are single. 57 per cent have children, however, only 5 per cent of men and 20 per cent of women take care of their own children.

878. Lower education is typical among homeless women: 55 per cent have basic (10 years) or lower education. The largest number of homeless men (62 per cent) has general secondary or vocational secondary education.

879. Temporary homeless, whose homelessness lasts less than a year, make up 12 per cent, 1–5 years homelessness constitutes 28 per cent, 5–10 years – 30 per cent, 10 years and more – 25 per cent.

880. The most frequent reason for losing home was related to family circumstances: evicting by the spouse (cohabitant), children of the respondent or the spouse (cohabitant), and constituting 25 per cent. Other reasons for losing home were of economic character (11.7 per cent): selling the dwelling to have money to live on or to repay debts or pledging it for different reasons; and 10 per cent were victims of fraud.

881. For four weeks before the survey, 34 per cent of the homeless felt no shortage of food, 11 per cent had no access to food for several consecutive days, and 32 per cent went hungry more often than not. 51 per cent bought food and 45 per cent had it in charity establishments.

882. Irrespective of very tough living conditions, almost 40 per cent of the respondents hope the improvement will come in the near future, 8 per cent do not. As many as 59 per cent of the respondents relate this improvement with employment, and more than one third relate it with the expectation to be put on social support.

(ii)

Table 11.12

**Communal facilities of the stock dwellings in 2006, per cent (Lithuania's statistical yearbook 2007)**

	<i>Piped water</i>	<i>Sewerage</i>	<i>Central heating</i>	<i>Hot water</i>	<i>Bath/shower</i>	<i>Gas</i>	<i>Electric cooker</i>
<b>Total</b>	<b>76.1</b>	<b>74.6</b>	<b>72.9</b>	<b>61.2</b>	<b>70.7</b>	<b>74.2</b>	<b>10.9</b>
Urban area	92.1	91.7	90.3	77.1	90.3	72.0	16.3
Rural area	48.1	44.6	42.4	33.5	36.3	78.0	1.6

883. The housing in Lithuania is fully (100 per cent) supplied with electricity; all the inhabitants have access to post services.

**Household budget survey**

Table 11.13

**Households by location and communal facilities in 2007, per cent**

	<i>Total</i>	<i>Urban area</i>	<i>Rural area</i>
Type of accommodation	<b>100</b>	100	100
One family house	<b>32</b>	12	69
Part of a house	<b>10</b>	8	15
Apartment in block of flats	<b>58</b>	80	16
Others	<b>0</b>	0	0
Accommodation with communal facilities			
Electricity	<b>100</b>	100	99
Central heating	<b>76</b>	89	50
Piped water	<b>85</b>	96	63
Central	<b>75</b>	90	47
Hot piped water	<b>79</b>	94	50
Central	<b>51</b>	76	2
Sewerage	<b>84</b>	96	62
WC	<b>74</b>	93	40
Bath, shower	<b>76</b>	91	47
Separate kitchen	<b>95</b>	94	97
Gas cooker	<b>86</b>	83	93
Electric cooker	<b>12</b>	16	3

## Income and living conditions survey

Table 11.14

**Useful floor area per dwellings and share of persons with less than one room per person in the dwelling, 2006**

	<i>Average useful floor space per dwelling per capita, m<sup>2</sup></i>	<i>Share of persons with less than one room per person in the dwelling, per cent</i>
All households	29.2	51.1
Place of residence		
Urban area	27.9	52.1
Largest cities	26.8	54.0
Other towns	29.4	49.3
Rural area	32.0	49.3
Type of household		
Households without children	37.2	18.3
Single person	47.2	-
Two adults below 65 without children	30.7	15.0
Two adults, at least one is 65 or older without children	29.6	7.0
Other households without children	21.2	50.2
Households with children	18.1	71.6
One adult with one or more children	21.5	49.8
Two adults with a child	20.2	50.2
Two adults with two children	17.1	80.4
Two adults with three or more children	14.0	88.7
Other households with children	15.5	83.7
Type of dwelling		
Detached house	37.4	39.5
Semi-detached house	27.1	57.6
Flat in a block of flats	25.4	56.6
Others	/	/

Table 11.15

**Share of disposable income to defray the housing expenditure, 2006, per cent**

	<i>All households</i>	<i>Of which</i>	
		<i>Below poverty risk threshold</i>	<i>Above poverty risk threshold</i>
All households	14.4	31.2	13.1
Place of residence			
Urban area	14.7	38.1	13.6

	<i>All households</i>	<i>Of which</i>	
		<i>Below poverty risk threshold</i>	<i>Above poverty risk threshold</i>
Largest cities	13.8	42.8	12.9
Other towns	16.6	34.8	14.9
Rural area	13.4	24.3	11.5
<b>Type of household</b>			
Households without children	16.1	34.4	14.6
Single person	24.9	38.0	22.0
Two adults below 65 without children	13.3	34.1	12.5
Two adults, at least one is 65 or older without children	16.0	23.8	15.6
Other households without children	10.4	24.7	10.0
Households with children	13.0	28.2	11.9
One adult with one or more children	20.6	36.8	16.9
Two adults with a child	13.0	35.7	11.9
Two adults with two children	12.8	23.7	12.2
Two adults with three or more children	12.7	21.8	10.6
Other households with children	11.1	22.4	10.6

Table 11.16  
**Share of persons affected by material deprivation in dwelling dimension in 2006, per cent**

	<i>Total</i>	<i>Urban area</i>	<i>Rural area</i>
Lack of indoor flushing toilet	<b>23.7</b>	9.2	52.9
No bath or shower	<b>22.2</b>	10.0	46.7
Leaking roof, damp walls, rotten windows or floor	<b>28.5</b>	26.0	33.3
Dwelling is too dark, not enough light	<b>11.2</b>	11.0	11.7
Noise from neighbouring accommodations, street or industrial facilities	<b>20.0</b>	25.3	9.3
Air or environmental pollution due to heavy traffic or industry	<b>13.8</b>	17.5	6.5
Neighbourhood is infamously known for the high crime rate, violence and vandalisms	<b>7.8</b>	10.0	3.2



Table 11.17  
**Problems emerging for households in 2006, per cent**

	<i>Households without children</i>	<i>One adult with one or more children</i>	<i>Two adults with one child</i>	<i>Two adults with two children</i>	<i>Two adults with three or more children</i>	<i>Other households with children</i>
Lack of indoor flushing toilet	27.7	20.9	14.5	17.1	37.4	25.5
No bath or shower	25.8	21.3	14.2	16.6	31.1	24.2
Leaking roof, damp walls, rotten windows or floor	26.2	33.8	28.9	26.4	29.8	33.1
Dwelling is too dark, not enough light	11.2	11.6	12.7	9.2	9.9	12.4
Noise from neighbouring accommodations, street or industrial facilities	17.7	25.9	28.6	20.1	12.4	18.2
Air or environmental pollution due to heavy traffic or industry	13.1	16.4	16.4	13.7	7.8	14.9
Neighbourhood is infamously known for the high crime rate, violence and vandalisms	7.1	9.0	11.4	7.1	5.7	6.8

**(iii)–(v)**

884. No available data.

**(vi)**

**Responses to the questions and recommendations given in paragraphs 25 and 47 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**State assistance for home acquisition or rent**

885. The Law of the Republic of Lithuania on Housing amending the previous Law on Housing, which came into effect on 1 January 2003, provides for state housing assistance for home acquisition, construction or reconstruction to be granted to natural entities (families), who hold permanent residence in the territory of the Republic of Lithuania and whose annual income and property before the year of granting the state assistance is below the highest rate of income and property established by the Government of the Republic of Lithuania, and if this has been the first adequate residence they have acquired, i.e. if these entities (families) have not owned any residence in the territory of the Republic of Lithuania or they have owned the residence whose average useful floor area per capita was below 14 m<sup>2</sup>, or currently owned residence, irrespective of its useful floor area, has higher than 60 per cent depreciation, or it is not adjusted to the needs of the disabled with movement disorders.

886. The state housing assistance for home acquisition, construction or reconstruction is provided through subsidies covering housing credit insurance in full or in part, or through housing credit subsidies. A right to a subsidy of 20 per cent is granted to adult orphans under 35, disabled persons or families with the disabled. A right to a subsidy of 10 per cent is granted to young families with one or more children (adopted children), families with

three or more children (adopted children), families with one of parents dead. The compensation of housing credit insurance payment allows for 5 per cent off advance payment.

887. In 2007, the state granted LTL 9.0 m. in subsidies and LTL 449.7 thousand in insurance premiums to persons (families) entitled to state housing assistance.

Table 11.18

**Persons (families), who received State-supported housing credits**

	<i>Number of persons (families)</i>	<i>Amount of credit thousand LTL</i>	<i>20 per cent subsidy</i>		<i>10 per cent subsidy</i>		<i>The insured</i>	
			<i>Number of persons (families)</i>	<i>Amount of subsidies thousand LTL</i>	<i>Number of persons (families)</i>	<i>Amount of subsidies thousand LTL</i>	<i>Number of persons (families)</i>	<i>Insurance premium thousand LTL</i>
2004	1 047	72 730.9	116	1 700.7	655	4 624.5	748	868.1
2005	1 007	96 274.9	108	2 309.4	573	5 495.1	678	545.6
2006	914	105 860.6	103	2 427.0	510	5 949.8	598	504.6
2007	698	100 326.0	104	2 669.6	448	6 373.2	423	449.7

**Social housing**

888. State social rental housing assistance is provided to a person (family) who has had no housing property in the territory of the Republic of Lithuania, or the average useful floor area of the current home is below 10 m<sup>2</sup>, per capita and whose annual income and property before the year of granting the state assistance is below the highest rate of income and property established by the Government of the Republic of Lithuania. The rate of the rent is established by local authorities following the provisions of Resolution No 472 of the Government of the Republic of Lithuania of 2 April 2001 (amended by Resolution No 138 of the Government of the Republic of Lithuania of 9 February 2004) laying down the procedure for the calculation of the public housing rent.

889. The registry of individuals (families) entitled to municipal social housing or improvement of its conditions is held with competent local authority. The following lists are available:

- (a) Young families.
- (b) Families with three or more children (adopted children).
- (c) Orphans and persons deprived of parental care. This list includes orphans and persons (families) deprived of parental care, who on the expiry of the period of care or freedom deprivation are not older than 35 years of age.
- (d) Disabled persons (families). This list includes individuals who, according to the Law of the Republic of Lithuania on Social Integration of the Disabled (Law No I-2044 of 26 November 1991 amended by Law No IX-2228 of 11 May 2004), have been recognized through established procedure as unable or partially able to work, or who have reached the retirement pension age and have been recognized as people with special needs, as well as families that have a person who, according to the Law of the Republic of Lithuania on Social Integration of the Disabled, has been recognised as disabled or as unable or partially able to work or who has reached the retirement pension age and has been recognized as having special needs, as well as persons suffering from chronic diseases included on the list approved by the Government of the Republic of Lithuania or its authorised body, and families that have a family member suffering with the mentioned diseases.

- (e) General list. It includes all individuals outside the above lists.
- (f) Social housing tenants entitled to improvement of housing conditions.

Table 11.19

**Data of Department of Statistics on state subsidized housing credits and social rental housing between 2003 and 2007**

<i>Year</i>	<i>Persons (families) who received State supported housing credits</i>	<i>Number of persons on the list for social rental housing</i>	<i>Municipal housing rented to persons (families)</i>
2003	1 284	8 818	562
2004	1 047	11 130	775
2005	1 007	13 475	956
2006	914	16 314	890
2007	698	20 305	922

890. Towards the end of 2007, the total number of the applicants listed for social rental housing was 20 305 thousand persons (families), including 7021 thousand (34.6 per cent) persons (families) included into the general list, 6747 thousand (33.2 per cent) – young families, 3474 thousand (17.1 per cent) – disabled persons (families). The largest number of applicants for municipal rental housing was in the municipalities of Vilnius (28.6 per cent), Kaunas (22.8 per cent) and Klaipėda (10.1 per cent). The waiting lists have a tendency to grow.

Table 11.20

**Persons (families) entitled to social municipal housing by lists, at the end of the year**

	<i>Number of persons (families)</i>				<i>Number of family members</i>			
	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>Total number of applicants</b>	<b>11 130</b>	<b>13 475</b>	<b>16 314</b>	<b>20 305</b>	<b>28 079</b>	<b>32 906</b>	<b>38 863</b>	<b>48 149</b>
Young families	4 053	4 941	5 845	6 747	12 267	14 930	17 487	19 483
Families raising three or more children (adopted children)				860				4 265
Orphans or children deprived of parental care	630	869	1 235	1 659	906	1 234	1 684	2 285
Disabled persons (families)	1 781	2 194	2 754	3 474	3 985	4 799	5 774	6 871
General list	4 163	4 993	5 966	7 021	9 420	10 528	12 404	13 590
Social housing tenants entitled to better housing conditions	503	478	514	544	1 501	1 415	1 514	165

891. In 2007, 922 persons (families) were provided with a possibility of renting a dwelling. Municipal social dwellings were basically rented by families from the young family waiting list (29.7 per cent), persons (families) from the general list (28.5 per cent) and the disabled list (24.6 per cent). On average, one person (family) rented 42.5 m<sup>2</sup> useful floor area.

Table 11.21  
Municipal housing rented to persons (families)

	Year	Total	Young families	Families with three or more children (adopted children)	Orphans or persons deprived of parental care	Disabled persons (families)	General list	Social housing tenants entitled to better housing conditions	
Number of persons (families)	2004	775	277			63	187	221	27
	2005	956	309			79	209	323	36
	2006	890	305			73	192	257	63
	2007	922	274	18		85	227	263	55
Number of family members	2004	2 174	939			116	493	531	95
	2005	2 735	1 012			155	542	873	153
	2006	2 471	1 076			124	442	634	195
	2007	2 472	892	100		161	499	649	171
Useful floor area of rented municipal dwellings m <sup>2</sup>	2004	32 882	13 022			2 254	7 662	8 840	1 104
	2005	42 544	14 508			2 912	8 755	14 517	1 852
	2006	38 346	14 785			2 567	7 558	10 534	2 902
	2007	39 182	12 594	914		3 242	8 961	11 107	2 364
Average useful area of a rented dwelling m <sup>2</sup>	2004	42.4	47.0			35.8	41.0	40.0	40.9
	2005	44.5	46.9			36.9	41.9	44.9	51.4
	2006	43.1	48.5			35.2	39.4	41.0	46.1
	2007	42.5	46.0	50.8		38.1	39.5	42.2	43.0

#### 892. Average waiting time is 10–15 years

893. With a view to increasing access to housing and implementing the Lithuanian Housing Strategy, approved by Resolution No 60 of the Government of the Republic of Lithuania of 21 January 2004:

(a) The Government of the Republic of Lithuania approved the Programme of the Republic of Lithuania for the Development of Social Housing Stock in 2005–2007<sup>8</sup> by Resolution 708 of 9 June 2004. Social housing is funded from the budget appropriations of the Republic of Lithuania, State Special Financial Programme for the Acquisition of a House or an Apartment, and municipal budgets. The appropriations of the budget of the Republic of Lithuania are allocated for the construction or reconstruction of buildings, technical designs for construction or reconstruction of buildings.

(b) The Law of the Republic of Lithuania Amending the Housing Law provides for a publicly funded partial compensation of the difference between social and private market housing rent to the mentioned persons (families) who use private rental services. This measure is expected to shape the market demand for rental housing thus encouraging constructions of this type of accommodation.

(c) The Passive House idea has been given serious considerations with a view to increasing energy efficiency in buildings. This type of low-energy buildings help to save

<sup>8</sup> Programme for Development of social housing Stock 2008-2010 approved by Resolution No 548 of the Government of the Republic of Lithuania of 5 June 2008.

energy for space heating or cooling. Heat is being generated by people, electricity devices or solar panels, and in case of need, other alternative energy sources. This would cut down housing running costs, which is important for low-income families. The project might be more fit, as we see it, in resort towns.

(d) Lithuania has conducted a feasibility study of non-profit housing development in Lithuania. Its findings show possibilities of providing for legal and economic conditions to develop this sector from the joint resources of central and local authorities and private businesses. This type of housing would be offered for rent to households with medium income which is not sufficient for buying their own property, and it is too high to be eligible for social housing.

**(vii)**

894. Adequate housing is one of the most important factors ensuring human rights and stability, and has deserved a serious attention across the world. Economic and development changes that came together with the Lithuanian independence led to rapid developments in the housing sector: housing sector restructuring, refusing central housing market regulation and making housing a private property. The quality of the current housing stock is often below the technical standards, however, by its value, it is considered national assets, as its adequate utilisation and development helps to promote stable national economic development.

895. The Lithuanian Housing Strategy provides for long term national housing goals and objectives until 2020. Following the implementation of the Strategy, two programmes were approved in 2004: the Social Housing Development Programme for 2005–2007 and the programme for Renovation of Blocks of Flats (approved by Resolution No 1213 of the Government of the Republic of Lithuania of 23 September 2004), which provide for legal, financial and organisational measures aimed at the implementation of the goals and objectives of the Housing Strategy.

896. At the end of 2004, there were 1367592 thousand dwellings in Lithuania (including private houses). Their shortage made up 7 per cent (397 flats per 1000 population, and 23.4 sq. m of useful floor area per capita).

897. Housing construction has come down dramatically in Lithuania (to compare 22100 new flats in 1990 with 4562 in 2002 or 4628 in 2003 and 6804 in 2004). The decline was directly related to decreasing direct public funding, inadequate population income, huge costs of equipping new infrastructure, limited supply of development plots and unresolved land restitution.

898. Rental housing market in Lithuania is in rudimental stage of its development (to compare with the EU rental housing sector which accounts for 20–30 per cent of total housing stock). The supply of social housing for low-income families is especially scarce (it makes up 2.4 per cent of total housing stock). At the end of 2004, municipal social rental housing lists contained 11130 persons (families), including 4163 thousand persons (families) (37.4 per cent) from the general list, 4053 thousand young families (36.4 per cent), 1781 thousand (16 per cent) disabled persons (families). In 2004, only 775 persons (families) were provided access to renting a dwelling (to compare with 562 in 2003).

899. According to the Housing Strategy the social housing share should go up from 2.4 per cent to 4–5 per cent by 2020. In other words, the social housing stock should enlarge by 25–30 thousand flats during the period between 2004 and 2020. It would require about 2.4 b. in investments at current housing construction price rates.

900. State assisted housing is regulated by the Law of the Republic of Lithuania on State Support to Acquire or Rent a Housing and Modernization of Blocks of Flats (No I-2455 of 7 April 1992). By the end of 2007, the municipal social housing development will be

implemented according to the Social Housing Development Programme for 2005–2007, and from 2008, it will follow the provisions of the Social Housing Development Programme for 2008–2010.

### **Housing administration, maintenance and rehabilitation**

901. The majority of the Lithuanian population (66 per cent) live in blocks of flats built back in 1961–1990. The fast privatisation of state housing stock was far ahead the emerging legal and institutional framework to run and maintain this type of houses. Only 20 per cent of blocks of flats are run and maintained by property owners themselves through flat owners associations. Poor maintenance and inadequate thermo insulation result in unreasonably high consumption of heating energy. As the dwelling stock grows older and the price for energy resources goes up, housing renovation and rehabilitation gain particular importance. Back in 1996, the Government of the Republic of Lithuania and the World Bank carried out an Energy Efficiency/Housing Pilot Project resulting in renovated 700 blocks of flats across Lithuania. The average energy efficiency increased by 24 per cent. Effective utilisation, maintenance, renovation, modernisation and effective use of energy resources could be ensured through flat owners' associations that run these buildings.

902. The establishment and operation of flat owners' associations is regulated by the Law of the Republic of Lithuania on the Associations of Multi-Family Apartment House Owners (No. I-7981 of 21 February 1995 amended by Law No. VIII-1741 of 20 June 2000). The common ownership of flat owners is administrated and maintained in pursuance with the provisions laid down in Reference Regulations for the Administration of Common Property Owners of Flats and Other Premises, approved by Resolution No 603 of the Government of the Republic of Lithuania of 23 May 2001. State assistance in multi-apartment housing renovation is regulated by the Law of the Republic of Lithuania on State Support to Acquire or Rent Housing and Modernization of Blocks of Flats, and is provided following the Programme of the Modernization of Blocks of Flats, approved by Resolution No 1213 of the Government of the Republic of Lithuania of 23 September 2004.

903. The programme for public information on housing policy, approved by Order D1-539, of the Minister of Environment of 18 October 2004, provides for measures promoting training, education and awareness with a view to creating fully-fledged participant and consumer of the housing market, capable to adequately run, maintain and use the available housing property. The body in charge of the implementation of the above-mentioned programme is Public Institution Būsto agentūra (Housing Agency) (in 2007, it was reorganized into State Housing and Urban Development Agency).

### **Dwelling stock**

904. At 31 December 2006 national dwelling fund was 81.4 million sq. m of useful floor space, in the urban area – 51.8, in the rural area – 29.6 million square meters. 97 per cent of housing was privately owned. State and local authorities owned 3 percent of the housing stock. Private house accommodation accounted for 45 per cent. On average, there were 24.1 sq. m of useful floor space per capita; 22.9 sq. m in the urban area and 26.3 sq. m. in the rural area.

905. According to the preliminary data of the Department of Statistics, at 31 December 2006, the national dwelling stock was 81.4 m. of useful floor space; 51.8 in the urban area and 29.6 m<sup>2</sup> in the rural area. 97 per cent of the total housing stock was privately owned. State and local authorities owned 3 percent of the housing stock. Accommodation in private houses accounted for 46 per cent of all the housing stock. On average, there were 24.1 sq. m of useful floor space per capita; 22.9 sq. m in the urban area and 26.3 sq. m in the rural area. In Vilnius city there were 24.2 sq. m of useful floor space per capita, in Kaunas – 22.0 sq. m, in Klaipėda – 20.8 sq. m, Šiauliai – 21.0 sq. m, Panevėžys – 22.8 sq. m of useful

floor space per capita. The housing stock was made up of 1299.1 thousand apartments. The largest number was taken by two-room apartments, i.e. 39.0 per cent, three-room apartments accounted for 29.3 per cent, one-room apartments accounted for 14.2 per cent, four-room apartments – 10.1 per cent, five- or more room apartments – 7.4 per cent of total apartments. 384 apartments were for 1000 population. The average flat size was 61.8 sq. m, in the city – 57.9, in the rural area – 69.9 sq. m.

906. At the beginning of 2007, 76.1 per cent of housing facilities had piped water, 74.6 per cent had sewerage systems, 72.9 per cent had central heating, 61.2 per cent had hot piped water, 70.7 per cent had bath or shower, 74.2 per cent had gas, and 10.9 per cent had an electric cooker. Quantitative indicators of dwellings in rural areas were higher compared to urban areas, but quality was worse, especially in terms of supply. Only 33.5 per cent of rural dwellings had hot water, 36.3 per cent had a bath or shower.

907. At the beginning of 2008 Lithuania had 831 dormitories with useful floor area 1.1 m. sq. m, which is 1.4 per cent of the total housing stock. Improperly maintained and badly run, housing stock wears down and becomes unsuitable for living. At the beginning of 2008, emergency housing (excluding private estates) was 74.0 thousand m<sup>2</sup> of useful floor space, accommodated by about 4.1 thousand people. Currently, 86 per cent population live in the private dwelling, 11 per cent use private rental housing, about 3 per cent live in social accommodation.

908. The housing stock does not include summer cottages, hunting cabins, camping sites, rest houses, spas, garden houses and other buildings for temporary residence, including hotels.

### **3 (c)**

909. Notable that in order to facilitate housing, it was provided by LPIT that came into effect on 1 January 2003 that interest paid on the credit taken out for the construction or acquisition of housing to banking and other credit institutions, as well as interest paid to a financial institution on the financial lease (leasing) of housing may be deducted from the taxable income.

910. However, tax benefit application without any restrictions as regards a mortgage credit or a number of purchased homes, was one of the factors pushing housing demand up and resulting in high prices and triggering desire to buy for profit. Therefore, the Law Amending Articles 17 and 21 of LPIT (No X-834 of 3 October 2006) was adopted providing for the application of the tax benefit only for one taken credit and for a single housing construction or purchase.

911. The Lithuanian housing sector is governed by the following key laws: the CIC, the Law of the Republic of Lithuania on the Associations of Multi-Family Apartment House Owners (No.I-7981 of 21 February 1995), the Law on State Support to Acquire or Rent Housing and Modernization of Blocks of Flats, the Law on the Restoration of the Rights of Ownership to the Existing Real Property (Law No VIII-359, 1 July 1997), the Law of the Republic of Lithuania on Land (Law No I-446, 26 April 1994) and the Law of the Republic of Lithuania on Construction (No. I-1240, 19 March 1996).

### **(i)**

912. The Constitution of the Republic of Lithuania provides that a person's dwelling place shall be inviolable.

913. The right to housing is provided to all the citizens of the Republic of Lithuania, however public support to acquire or rent a dwelling is granted only to the most needy families, and single individuals having no private housing property and if, during the year

preceding the year of public support, the annual income and assets are not above the limit established by the Government of the Republic of Lithuania.

914. Housing conditionalities are laid down in the Law on State Support to Acquire or Rent a Housing and Modernization of Blocks of Flats.

915. Under this law, low-income persons (families) are provided with public support in purchasing a dwelling (by covering from 10 to 20 percent of the housing mortgage credit as prescribed by the Government of the Republic of Lithuania), and in renting social housing.

916. Lithuania has developed a favourable mortgage lending system. Commercial banks selected by the Government of the Republic of Lithuania offer a facility of state-supported housing credit. UAB Paskolų draudimas (CJSC “Mortgage Credit Insurance”) assume a part of state-sponsored credit insurance premiums.

**(ii)**

917. The housing-related requirements and standards are set forth in the Law of the Republic of Lithuania on Construction, as well as operational technical construction regulations.

918. The Law of the Republic of Lithuania on State and Municipal Enterprises (Law No I-722, 21 December 1994).

919. The Law of the Republic of Lithuania on Local Self-Government (Law No I-533, 7 July 1994).

**(iii)**

920. Land use is regulated by the Law of the Republic of Lithuania on Land, the Law of the Republic of Lithuania on Land Reform (No I-1607, 25 July 1991), the Law of the Republic of Lithuania on Soil (No I-1034, 5 July 1995) and the Law of the Republic of Lithuania on Territorial Planning (No I-1120, 12 December 1995); this legislation is in one or another way related with the implementation of the right to housing in Lithuania.

921. Land allocation is regulated by the Law of the Republic of Lithuania on Land, the Law on Land Reform and the Law on the Restoration of the Rights of Ownership to the Existing Real Property (Law No VIII-359, 1 July 1997).

922. Spatial planning is regulated by the Law of the Republic of Lithuania on Territorial Planning.

923. Compensation arrangements for the expropriation (nationalization, or other illegal expropriation following the legislation of the former USSR (Lithuanian SSR)) are regulated by the Law on the Restoration of the Rights of Ownership to the Existing Real Property and the Law on the size, sources, payment terms and procedures of the compensation for the realty bought by the state, as well as guarantees and incentives provided for in the Law Amending the Law on the Restoration of the Rights of Ownership to the Existing Real Property (No VIII-792, 16 June 1998).

**(iv)**

924. The CIC provides for conditions and procedures of renting accommodation (including state and municipal housing), as well as rights and duties of lessors, tenants and their family members, also payment arrangements in relation to fees and other expenses for the services provided to the tenant, and the arrangements for the termination of the accommodation rental contract.

925. The Law on State Support to Acquire or Rent a Housing and Modernizing Blocks of Flats provides for the forms, conditions and procedures of state support granted to families and individuals with permanent residence in the Republic of Lithuania in purchasing,



construction and reconstruction of housing facilities, and modernisation of blocks of flats, and formation of municipal social housing development, as well as the procedure and conditions for municipal social housing rent and partial compensation of the rent fee in private market rental cases, as well as the arrangements for the termination of the accommodation rental contract.

926. Lithuania has developed a favourable housing mortgage lending system. Credit institutions offer a facility of state-supported housing credit to the socially disadvantaged. UAB Paskolų draudimas (CJSC “Mortgage Credit Insurance”) assume a part of state-sponsored credit insurance premiums.

927. Prevention of any form of eviction relating to children, as well as children’s right to housing are established, protected and defended by the Law on the Fundamental Children’s Rights Protection.

928. The control of the rent fee (or subsidy) is governed by the Republic of Lithuania Law on Cash Social Assistance to Low-Income Families (single individuals living on their own), which establishes compensational arrangements for heating, cold water and hot water, following the evaluation of the income and assets of low-income families or single individuals living on their own, when adult family members and single individuals living on their own had exhausted all other income generating opportunities.

929. The description of the calculation procedure for the rent of state and municipal rental dwellings, adopted by Resolution No 472 of the Lithuanian Government of 25 April 2001, is applied for the rent calculation when state and municipal housing is leased by the state and municipal institutions, enterprises, establishments and organizations.

**(v)**

930. The CIC, the Law on Construction, the Law on Territorial Planning. In addition, the STR 1.01.01:2005 Regulations for Cultural Heritage Repair Works (approved by Order No D1-233/IV-196 of the Minister of Environment and Minister of Culture of the Republic of Lithuania of 5 May 2005), STR 2.02. 01:2004 Residential Buildings (approved by Order No 705 of the Minister of Environment of 24 December 2003).

**(vi)**

931. Being a member of the EU, Lithuania adheres to the EU legislation prohibiting discrimination. The national legislation does not contain specific provisions prohibiting any form of discrimination in the area of housing, nor does it have any provisions prohibiting discrimination against those groups that are not traditionally protected.

**(vii)**

932. Prevention of any form of eviction relating to children, as well as children’s right to housing are established, protected and defended by the Law on the Fundamental Children’s Rights Protection.

**(viii)**

933. Lithuania does not have any legislation detracting from the fulfilment of the right to housing.

**(ix)**

934. In Lithuania, there is no legislation directly restricting speculation on housing or property. Home buying for the purpose of reselling is considered business and therefore is taxed under LPIT.

**(x)**

935. Lithuania does not have any legislation conferring legal title to those living in the “illegal” sector.

**(xi)**

936. The Law on Territorial Planning and other legislation implementing this law;  
The Law on Social Integration of the Disabled;  
STR 2.03.01:2001 Buildings and Territories. Requirements for People with disabilities (approved by Order No 317 of 14 June 2001 of the Minister of Environment of the Republic of Lithuania);  
Order No V-455 of the Minister of Health of 23 July 2003 endorsing Lithuanian Hygiene Standard HN 24:2003 on the approval of safety and quality requirements for drinking water;  
Order No V-758 of the Minister of Health of 23 December 2003 endorsing the Lithuanian Hygiene Standard Norm HN 28:2003 on the approval of requirements for the use and placement on the market of natural mineral water and spring water;  
Order No V-555 of the Minister of Health of 2 July 2007 endorsing the Lithuanian Hygiene Standard HN 33:2007 Acoustic Noise. Noise restriction values for residential and public buildings and immediate environment;  
Order No V-362 of the Minister of Health the Republic of Lithuania of 10 May 2007 endorsing the Lithuanian Hygiene Standard HN 35:2007 Maximum permitted chemical (pollutants) concentration in the air of residential environment. (amending Order No V-1191 of the Minister of Health of 5 December 2008);  
Order No V-479 of the Minister of Health of 29 June 2004 endorsing the Lithuanian Hygiene standard HN 42:2004 approving microclimate requirements in residential and public buildings;  
Order No V-513 of the Minister of Health of 22 June 2005 endorsing the Lithuanian Hygiene Standard HN 43:2005 Drinking wells and springs: public health security requirements for building and supervision;  
Order No V-613 of the Minister of Health of 17 July 2006 endorsing the Lithuanian Hygiene Standard HN 44:2006 establishing water source sanitary protection zones and monitoring;  
Order No V-791 of the Minister of Health of 31 December 2003 endorsing the Lithuanian Hygiene Standard HN 50:2003 on vibration affecting all human body: the maximum allowed size and measurement requirements in residential and public buildings, and HN 51:2003 vibration affecting all human body: the maximum allowed size and measurement requirements in the workplace;  
Order No V-770 of the Minister of Health of the Republic of Lithuania of 24 December 2003 endorsing the Lithuanian Hygiene Standard HN 69:2003 on thermal comfort and adequate thermal conditions on the premises. Requirements for parameters of the standard values and measurement;  
Order No V-361 of the Minister of Health of 27 June 2007 endorsing the Lithuanian Hygiene Standard HN 80:2000 on Electromagnetic Field in the workplace and living environment. The requirements for allowed value of parameters and the measurements in bands between frequencies of 10 kHz–300 GHz;  
Order No W-1029 of the Minister of Health of 29 December 2005 approving the Lithuanian Hygiene Standard HN 81:2005 on base stations of the mobile radio;

Order No V-749 of the Minister of Health of 22 December 2003 endorsing the Lithuanian Hygiene Standard HN 85:2003 on natural exposure. Radiation safety standards;

Order No 4 of the Minister of Health of 4 January 2001 endorsing the Lithuanian Hygiene Standard HN 104:2000 on population safety in relation to electric fields created by external wiring.

**3 (d) (i)**

937. In Lithuania, building organisations can build residential housing and provide related services. Communities can operate freely, but the Government of the Republic of Lithuania does not provide them with any funding.

**(ii)**

938. The Passive House idea has been given serious considerations with a view to increasing energy efficiency in buildings. This type of low-energy buildings help to save energy for space heating or cooling. Heat is being generated by people, electricity devices or solar panels, and in case of need, other alternative energy sources. This would cut down housing running costs, which is important for low-income families. The project might be more fit, as we see it, in resort towns.

939. Lithuania has conducted a feasibility study of non-profit housing development in Lithuania. Its findings show possibilities of providing for legal and economic conditions to develop this sector from the joint resources of central and local authorities and private businesses. This type of housing would be offered for rent to households with medium income which is not sufficient for buying their own property, and it is too high to be eligible for social housing.

940. The development of social housing stock is funded from the budget appropriations of the Republic of Lithuania, State Special Financial Programme for the Acquisition of a House or an Apartment, and municipal budgets.

941. The appropriations of the budget of the Republic of Lithuania are allocated for the construction or reconstruction of buildings as well as for the preparation of technical designs for construction or reconstruction of buildings.

942. The Lithuanian Housing Strategy provides for an increase of social housing stock from 2.4 per cent in 2004 to 4–5 per cent of total national housing stock by 2020. The social housing is foreseen to be consistently enlarged depending on the availability of public funds. Programming approach must be applied in planning the resources.

**(iii)**

943. No data available.

**(iv)**

944. Financial measures taken by the State in terms of housing account for approximately 0.6 per cent of the national budget.

**(v)**

945. Lithuania is not a recipient of international assistance for housing and human settlements.

**(vi)**

946. The programme for Reducing Regional Disparities in Economic and Social Development for 2007–2010 was approved by Resolution No 1269 of the Government of the Republic of Lithuania of 28 February 2007. It seeks to reduce the territorial and socio-

economic differences and allow for greater social and economic cohesion between regions and within them. 14 problem regions were identified.

947. Among other tasks, this programme focuses on the following: integrated urban development and modernization of infrastructure, renovation of apartment houses and the development of social housing, raise regional centre appeal for investments, ensure a consistent and planned allocation of the resources from EU Structural Funds and the national budget based on the territorial principle; and have a comprehensive approach to modernizing and developing rural infrastructure.

(vii)

948. According to Article 23 of the Constitution of the Republic of Lithuania Property may only be seized for the needs of society according to the procedure established by law and must be adequately compensated for. These provisions are enshrined in Articles 4.100–4.102 of the CIC.

(e)

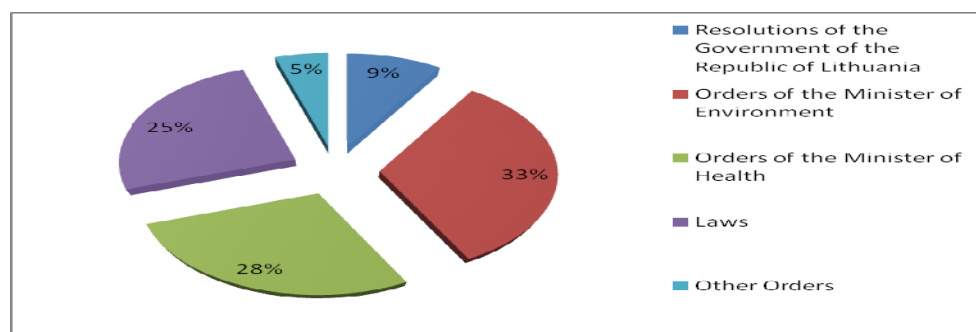
949. The CIC regulates property relations and provides for joint management of common property: the flat owner association; managing property on the basis of joint operation contract or appointment of an administrator to run shared property. Membership in the association, however, is not compulsory according to the Law of the Republic of Lithuania on the Associations of Multi-Family Apartment House Owners. This encumbers the management of joint property in apartment houses.

950. From 1991 to 2007, Lithuania adopted 155 legal acts regulating housing (and residential environment), including 40 that are currently repealed. Fast legislative turnover complicates adequate legal regulation.

951. The impact of residential environment on health depends on many factors: moisture, noise, ventilation, air pollution, chemicals and others. These factors are regulated by hygiene standards. In many cases, instead of prevention of these factors, efforts are made to reduce their adverse effects on human health.

Chart 11.22

**Legislation of the Republic of Lithuania regulating residential environment, 1991–2007**



952. Although Lithuania has many hygiene standards, requirements for technical construction, and different legal acts regulating many housing factors affecting human health, as well as setting standards and minimum allowed hazardous substance concentration and limit values, but certain areas still remain unregulated (insulation, access areas for the disabled, artificial lighting, etc).

953. The main part of the housing legislation contains orders of the Minister of Health and the Minister of Environment. The impact of harmful factors on health in the living

environment is regulated by orders of the Minister of Health in the form of the Lithuanian hygiene standards, which also include requirements in relation to allowed minimum concentration of hazardous substances. Occasionally orders of both ministers fail coordination and therefore result in contradictive communication.

4.

954. Please see 3 e) for the response.

5.

955. There has been no international assistance.

## Article 12 of the Covenant

1.

956. Lithuania has high and ever growing prevalence of mental and behavioural disorders (In 2002 – 2696.5 cases/100 000 population, while in 2007 – 2803.4 cases/100 000 population) and addiction diseases (in 2002 – 2025.8 cases/100 000 population, while in 2007 – 2060.6 cases/100 000 population). Though suicide rates have been falling annually since 2002 but still remains very high (in 2002 – 44.7 cases/100 000 population, and in 2007 – 30.4 cases/100 000 population). Among the most common mental disorders are mood (affective) disorders and schizophrenia. Alcohol-related psychosis cases were steadily growing too during the period 2002–2007: in 2002, there were 65.0 cases/100.000 population, while in 2007 it almost doubled – 111.3 cases/100.000 population. Mental health problems are observed in 41.7 per cent of school-age children. Bullying among school-age children is the most widely spread in the entire EU. Information on Mental Health provided to: [www.euro.who.int/mentalhealth](http://www.euro.who.int/mentalhealth)).

957. Aggregated thematic information on the country's physical and mental condition of health is provided to the World Health Organization in various reports. The main health problems that the Lithuanian population faces remain as follows: aging of the population, high suicide rate, high mortality in vehicle and other accidents. A growing number of elderly population calls for increased public spending on health. The main cause of deaths in Lithuania is circulatory system diseases (53.3 per cent of all deaths), malignant tumours (18.2 per cent) and external causes (11.5 per cent).

958. Population age structure and its changes have a significant impact on health-care needs. The aging of the Lithuanian population has been marked. In 2007, the population above 60 accounted for 20.5 per cent, and above 65 – 15.7 per cent of the population. Because of the increased mortality of men, this age group is dominated by women. Children/elderly ratio is 100/134 respectively (in 2000 – 94), the segment of the children under 15 was smaller by a quarter than the elderly. In urban areas, the elderly accounted for approximately 19 per cent, and in rural areas – 23 per cent. Every fourth rural inhabitant was 60 years and older; during this century, women have accounted for nearly two-thirds of the rural population. Spatial distribution of the elderly is not even. In 2007, demographically oldest were the counties of Utena, Panevėžys and Alytus with the population over 60 accounting for 22–24 per cent of the total population in the county. This indicator has been the lowest in the counties of Vilnius, Telšiai and Klaipėda (19 per cent each).

959. Oncology diseases are among the most pressing public health problems in our country. Cancer morbidity and mortality rates as well as their development trends in Lithuania raise concerns: the incidence of malignant tumours in recent years has been growing. In 2005, it accounted for 2 per cent of all oncology cases, 16.124 thousand new cancer cases were identified (197 case up on 2004), 39 per cent of the patients were

diagnosed with cancer stages III–IV. From 1995 to 2005 the recorded annual increase of morbidity in men was 40 per cent and in women it was slightly lower (34.7 per cent). Deaths from malignant tumours grew less rapidly than illness cases: since 1995, tumour-related death rate for men increased by 5.5 per cent and for women 15.6 per cent. In 2005, the most frequently diagnosed were malignant skin tumours (12.6 per cent), followed by the prostate cancer (12.4 per cent), then lung cancer (9.8 per cent). The other most common tumours were colorectal (9.2 per cent), breast (8.3 per cent), stomach (6.0 per cent), kidney (4.3 per cent), uterine body (3.5 per cent), bladder (3.1 per cent) and cervical (3.1 per cent).

960. The National Cancer Prevention and Control Programme for 2003–2010 was adopted by Resolution No 1593 of the Government of Lithuania of 10 December 2003. Its goal was to reduce the incidence of malignant tumours, and mortality and disability related to oncological diseases. The implementing measures aimed to ensure early cancer diagnosis, comprehensive treatment, improve quality of life of those suffering from oncological diseases, training of oncology professionals, raising public awareness, palliative support development.

961. Currently, Lithuania has the following early diagnosis and screening programs running:

- Cervical screening programme, since 2004
- Breast screening programme, since 2005
- Programme for early diagnosis of prostate cancer, since 2006

962. Following the implementation of directly-controlled treatment strategy (called DOTs) recommended by the World Health Organization, the incidence of tuberculosis in Lithuania has stabilized and has been subsiding. To compare 1998 and 2007, tuberculosis incidence rate (new cases) decreased from 79.6/100 000 population to 58.6/100 000 population. Children (0–17 years) have demonstrated the most marked decline in tuberculosis-related morbidity: from 212 (1998) to 104 (2007). However, despite these positive trends, the overall situation in Lithuania as regards TBC gives much cause for concern. In 2007, from 1977 new TB cases, 1214 (61.4 per cent) were open pulmonary tuberculosis. Men were three times more susceptible than women. From 1370 cases in men, 65.5 per cent (897 men) had open pulmonary tuberculosis. Furthermore, in 2007, 3 new cases of open pulmonary tuberculosis were recorded in children aged 0–14.

963. In 1996 a resolution was passed to establish mental health centres. Psychologists, child and adolescent psychiatrists, social workers, community nurses, and other specialists started work alongside psychiatrists. At present there are 83 mental health centres in Lithuania. Approximately 200 doctors and 200 nurses, more than 160 social workers, and more than 100 psychologists work there. In parallel, reforms have been implemented on the level of psychiatric hospitals. The number of beds has been cut for several years now: in 1991, there were 5,160 beds for adults and 220 beds for children, and there were 2,642 beds for adults and 106 beds for children on 1 January 2007, i. e. the total number of beds has fallen by 48.8 per cent over these years. At present inpatient psychiatric care is provided at 9 psychiatric hospitals, 2 university clinics, and 12 psychiatric units in general hospitals (there are approximately 300 beds in these units) in Lithuania. Dynamics of performance indicators of psychiatric hospitals has intensified markedly. The number of inpatients rose from 563.6 per 100,000 inhabitants in 1989 to 923.6 per 100,000 inhabitants in 2006. Meanwhile, the average duration of inpatient treatment in psychiatric hospitals has shortened more than twice and currently lasts approximately 30 days.

2.

964. In 2002–2007, major changes in primary health care system took place: a mixed model of payment for services was introduced. An institution is being paid not only for a

registered inhabitant with respect to the age groups, but additional financing is also allocated for incentive services that have been provided. This model encourages providing more outpatient services thereby reducing admissions.

965. Development of primary health care and outpatient services, growing share of health complaints tackled at the primary health care level (from 50 per cent in 2006 to 57 per cent in 2009), optimization of inpatient services as well as development of alternative forms of activities, and development of nursing, supportive treatment and palliative care remain a priority.

966. The Minister of Health of the Republic of Lithuania approved Guidelines for the Development of Primary Health Care by Order No V-717 of 5 September 2007, which provides guidelines for primary health care for 2007–2015. The Guidelines cover development of services of primary health care, primary mental health care, odontology, and nursing. The Guidelines set forth general provisions, situation analysis, development aims and objectives, service providers, assessment criteria, implementation, and sources of financing for development and expenses. The Guidelines plan for the introduction of new medical technologies, renovation and restructuring of health care institutions, and creation of an integral and open for development information system. The average duration of inpatient services is planned to be shortened (for 2008, 7.3 days are planned, while it amounted to 7.5 days in 2007), and the number of visits to primary health care specialists that provide outpatient health care services is planned to be increased (for 2008, 16,000 visits are planned, and it made up 15,000 visits in 2007).

### 3.

967. With a view to obtaining information that could be comparable with the other EU member states, the Department of Statistics under the Government of the Republic of Lithuania has started gathering information on health care expenditure since 2004, on the basis of the OECD System of Health Accounts Methodology.

968. In 2007, 4.4 billion Litas from public sector were allocated for national health care, and 0.8 billion from this amount were allocated for outpatient treatment services. Compared to 2004, outpatient treatment expenditure has risen by 1.8 times; however, this expenditure made up only a fifth of the general health care expenditure. Approximately 9 per cent were allocated from public sector for general medical and diagnostic services.

969. General national expenditure for health care made up 6.2 per cent of GDP, and public sector expenditure, 4.6 per cent. Compared to 2004, the share of public sector expenditure for health care grew by 0.7 per cent.

Table 12.1  
Public sector<sup>9</sup> health-care expenditure<sup>10</sup>

	2004	2005	2006	2007 <sup>11</sup>
<b>Total, billion LTL</b>	<b>2 414.4</b>	<b>2 862.5</b>	<b>3 574.4</b>	<b>4 455.6</b>
Inpatient treatment services, billion LTL	428.1	501.4	643.3	789.3
General medical and diagnostic services, billion LTL	223.0	271.1	354.5	419.6
Compared to GDP, per cent				
<b>Total</b>	<b>3.9</b>	<b>4.0</b>	<b>4.4</b>	<b>4.6</b>

970. The 2008 Budget Plan provides that public sector expenditure for health care shall make up 4.6 per cent of GDP. More detailed data about public sector expenditure for health care is provided in the table. It should be noted that state and municipal budget expenditure classification has been amended as of 1 January 2004 and 1 January 2006; therefore it is not possible to compare data from the period of 5 or 10 years ago.

971. Data about national budget expenditure for health care, social security, and education is provided in Annex 34.

#### 4. (a)

972. Infant mortality rate fell from 7.9 (2002) to 5.9 (2007) per 1000 live births. In 2007 infant mortality rate in cities was 7.2 and 3.3 in rural areas per 1000 live births; hence, in cities infant mortality rate was 2.2 higher. Infant mortality rate differed not only in urban and rural areas, but also depended on the district. The highest Infant mortality rate per 1000 live births was in Marijampolė County (8.3 per 1000 live births), and it was lowest in Panevėžys County (3.4 per 1000 live births). 41.6 per cent of all the infants that had died were 0–6 days old. Out of 1000 live births, 2.5 infants died in 0–6 days (3.4 in 2000). In 2007 the highest percentage of infants (37.4 per cent) died due to conditions originating in the perinatal period, 33.7 per cent of infant deaths accounted for congenital anomalies, and 6.8 per cent died due to external causes of death. 12.1 per cent of infants died due to causes that could have been averted: infectious diseases, respiratory diseases, and external causes of death.

#### 4. (b)

973. In Lithuania the major drinking water source is groundwater (from the ground and artesian aquifers). According to the 2007 data, 75.5 per cent of Lithuania's inhabitants used drinking water from public piped water systems; the rest — the majority of rural and suburban inhabitants — used water through individual supply from shaft or bore water wells. In principle, drinking water supplied through public piped water systems complies with the secure drinking water requirements, except for several piped water basins in the North-West Lithuania that supply drinking water in excess of fluoride levels (more than 1.5 mg/l). Approximately 170,000 inhabitants are supplied with drinking water in excess of fluoride levels. Microbial pollution has occasionally been detected in drinking water supplied by small town piped water systems due to poor technical condition of piped water

<sup>9</sup> State, Municipal and Social Insurance Fund Budgets.

<sup>10</sup> Data has been calculated according to the OECD System of Health Accounts Methodology.

<sup>11</sup> Preliminary data.



systems and inadequate hygiene. Water quality in shaft water wells is not high: in 2007 following examination of 3008 water wells, it was found that 28 per cent of them did not comply with the requirements according to the microbiological criteria, and 46 per cent were in excess of nitrates (by 50mg/l). In accordance with the Order of the Minister of Health of the Republic of Lithuania No 250 of 30 May 2002, with a view to preventing nitrite and nitrate poisoning of infants, public health care institutions must carry out a free water analysis in shaft water wells that are used to supply water for the pregnant women or infants under 6 months old, and inform the residents about the water quality in the water wells that have been examined. The Law on Drinking Water of the Republic of Lithuania came into force as of 1 July 2003 (The Law No IX-433 of 10 July 2001), which provides for the drinking water requirements and institutional responsibility in this regard; however, the development of piped water services is still slack due to weak financial position of the piped water companies and huge regional and economic disparities in the piped water sector. With a view to strengthening piped water companies and developing public piped water services and accessibility thereof to the citizens, as well as ensuring the quality of services, the Law on Drinking Piped water and Waste Water Management (Law No X-764 of 13 July 2006) came into force on 1 January 2007; the Law regulates the public piped water policy and provides for the implementation thereof.

#### 4. (c)

Table 12.2

#### Communal facilities in dwellings 2005–2006, per cent

	<i>Total</i>		<i>Urban</i>		<i>Rural</i>	
	<i>2005</i>	<i>2006</i>	<i>2005</i>	<i>2006</i>	<i>2005</i>	<i>2006</i>
Piped water	<b>75.9</b>	<b>76.1</b>	92.2	92.1	47.7	48.1
Sewerage	<b>74.1</b>	<b>74.6</b>	91.5	91.7	43.9	44.6
Central heating	<b>72.4</b>	<b>72.9</b>	89.9	90.3	41.8	42.4
Hot water	<b>59.9</b>	<b>61.2</b>	76.3	77.1	31.2	33.5
Bathtub or shower	<b>70.2</b>	<b>70.7</b>	90.0	90.3	35.9	36.3
Gas	<b>76.1</b>	<b>74.2</b>	73.9	72.0	80.0	78.0
Electric cooker	<b>9.4</b>	<b>10.9</b>	13.9	16.3	1.5	1.6

974. The table shows that utilities supply differed in the urban and rural areas in the period 2005–2006: in terms of piped water, sewerage and central heating, the difference was more than twice, and in terms of the possibility to use hot water, bathtub and shower, the difference was 2–3 times. Rural areas have a slightly higher indicator as compared to the urban areas only in terms of gas supply.

975. The trends of 2005–2006 in this area show that the dynamics of utilities supply is positive. This trend could be applied both to the urban and rural areas.

#### 4. (d)

976. Information has not changed in principle.

## 4. (e)

Table 12.3

**Life expectancy**

<i>Average life expectancy</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>Total</b>	<b>71.32</b>	<b>71.12</b>	<b>70.92</b>
Males	65.36	65.31	64.87
Females	77.42	77.06	77.20

977. Average life expectancy is one of the major health indicators, which most precisely reflect the difference in the population mortality. In 2007 the average life expectancy was 70.92 years. Lower indicator was determined by growing mortality of the population. The average life expectancy of males was 64.87 years, and the average life expectancy of females grew as compared to 2006 from 77.06 to 77.20 years. There still remains a considerable difference between the average male and female life expectancy: in 2007 the average life expectancy of males was shorter by 12.3 years than that of women (in 2000 it was shorter by 10.7 years).

978. In 2007 the average life expectancy of urban population was 72.07 years, and that of the rural population, 68.77 years. The average life expectancy of both males and females in the cities was longer than compared to that of the population in the rural areas: the average life expectancy of males in the cities was longer by more than 3 years, and that of females, by 1.8 years. Over the recent years the longest average life expectancy in Lithuania was in Kaunas and Panevėžys counties (71.82 years in both), and the shortest one, in Tauragė and Utena counties (70.09 in both).

979. There is a different life expectancy due to different causes of death. That depends on the general number of deaths and the age of the deceased. The average life expectancy of males became shorter by 12 years, and that of females, by 9 years due to the cardiovascular diseases. If external causes of death were averted, the average life expectancy of males would become longer by five years, and that of females, by one year. Malignant tumours shorten the average life expectancy by 2.5 years. In recent years, the negative trend of the average life expectancy is predominantly determined by premature (early) deaths. Deaths of males who are younger than 65 shorten the average life expectancy by 12 years, and those of females, by 6 years.

**Responses to the questions and recommendations given in paragraphs 26 and 48 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

**Suicides**

980. The suicide rate has been falling over the recent years. In 2002–2007 the suicide rate fell from 44.7 to 30.4 cases per 100,000 inhabitants; however, the rate still remains high and markedly exceeds the EU average (17.5 cases per 100,000 inhabitants). In Lithuania men commit suicides several times more frequently than women. Men of the working age from rural areas are within the highest risk group. In Lithuania the suicide rate of people from rural areas is approximately twice as high as that of the people from urban areas (in 2006, 21.5 cases per 100,000 inhabitants from urban areas, and 38.3 cases per 100,000 inhabitants from rural areas).

981. The National Mental Diseases Prevention Programme (approved by Resolution No 1441 of the Government of the Republic of Lithuania on 20 December 1999) was followed

during 1999–2008, and the Suicide Prevention Programme (approved by Resolution No 451 of the Government of the Republic of Lithuania on 10 April 2003), aiming to reduce the suicide rate to the European average, was followed during 2003–2005.

982. The assessment of the current situation in the field of mental health, as well as future prospects and aims with regard to the development of mental health care are provided in the Mental Health Strategy, which was approved by Resolution No X-1070 by the Seimas of the Republic of Lithuania on 3 April 2007. The Government of the Republic of Lithuania approved the National Programme for the Implementation of the Mental Health Strategy for 2008–2010 by Resolution No 645 on 18 June 2008. The strategic aim of the Programme is to create a mental health care system in the Republic of Lithuania, which, by making use of the contemporary scientific knowledge and values could contribute to efficient and rational strengthening of the public mental health and to provide full support to the individuals with mental and behavioural disorders as well as families thereof. The Programme plans for 2009 to summarize the results of the surveys on suicides in Lithuania and to carry out feasibility study with regard to the demand for and introduction of suicide prevention programmes.

#### **Responses to the questions and recommendations given in paragraphs 27 and 49 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

##### **Effect of alcohol and tobacco use on mortality rates**

983. The National Tobacco Control Programme (approved by Resolution No 954 of the Government of the Republic of Lithuania on 30 July 1998) has been followed in Lithuania since 1998 with a view to reducing the prevalence of smoking and its social and economic harm on health. The National Alcohol Control Programme (approved by Resolution No 212 of the Government of the Republic of Lithuania on 25 February 1999) has been followed since 1999 with a view to reducing alcohol consumption and abuse, its supply, and negative effects on health in Lithuania.

984. The Temperance Programme (approved by Resolution No 19 of the Government of the Republic of Lithuania on 9 January 2008) has been announced for the year 2008, it aims to develop temperance attitudes among the public, especially children and youth, encourage sober life-style, develop cooperation among state, municipal institutions and agencies, non-governmental organisations and the public in promoting temperance ideas among the public and educating children and the youth about the values of a healthy life-style. The National Drug Control and Addiction Prevention Programme for 2004–2008 (approved by Resolution No IX-2110 of the Seimas of the Republic of Lithuania on 8 June 2004) has been followed aiming to improve healthcare services for addictive diseases and accessibility of specialized services, to provide quality medical and psychological services for children and youth with addictive diseases as well as for adults, pregnant women and women with small children, and to improve rehabilitation of these patients.

##### **4. (f)**

985. Information has not changed.

##### **4. (g)**

986. All pregnant women (100 per cent) have a possibility to apply to the medical personnel during pregnancy and to receive qualified medical support. 99.7 per cent of women gave birth at obstetric establishments in 2007. In 2005 maternal mortality rate was 13.1 per 100,000 live births, in 2006 no maternal deaths were recorded, and in 2007 maternal mortality rate was 6.2 per 100,000 live births.

**Responses to the questions and recommendations given in paragraphs 28 and 50 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights**

987. In 2000–2007 abortion rate fell from 48.1 to 32.7 per 100 live births. 10.9 abortions were carried out per 1000 women ages 15 to 49. Although the general abortion rate has been falling annually, the number of young women terminating their pregnancies has been growing. 863 women ages 15 to 19 (6.6 per 1000 women ages 15 to 19) voluntarily terminated their pregnancies, and 7 induced abortions were carried out for women under age 15 in 2007.

988. MES seeks that schools focus on primary prevention (measures that develop resistance among children and youth to negative phenomena of life prior to encountering them) and early intervention (measures that develop conscious refusal of smoking, alcohol consumption, resorting to violence and other types of misconduct). General programmes and Education Standards define skills, competencies, and values related to the consolidation of basics of healthy living and the notion of personal safety. Programme on Preparation for Family Life and Sex Education, Life Skills Development Programme, Methodological Recommendations for Drafting of Programmes on Preparation of Children and Youth for Family Life (approved by Order No 261 of the Minister of Education and Science on 4 February 2006) have been followed in schools. These programmes and methodological recommendations aim to develop a mature and moral personality that is capable of creating mature inter-personal relations and can resist negative social impacts.

989. Life Skills Development Programme provides opportunities for children to make constructive and safe decisions while developing their personal and social skills. The Programme aims to prepare children for life outside the boundaries of school and for adult life in the changing society; it develops problem-solving, decision-making, creative and critical thinking, communication, self-knowledge, stress management, refusal and other skills.

990. A teachers' book "Drafting of Programmes on Preparation of Children and Youth for Family Life" by S. Ustilaitė, V. Gudžinskienė, D. Jakučiūnienė, A. Petronis, A. Narbekovas, G. Vaitoška, and B. Obelenienė was published in 2008.

991. Education establishments have been paying special attention with a view to preventing the spread of HIV epidemics among the pupils. Since 2004 the Ministry of Education and Science, together with the AIDS Centre, has been organising a competition "Mes prieš AIDS" ("We are against AIDS"), with a view to implementing the National Drug Control and Addiction Prevention Programme for 2004–2008 (approved by Resolution No IX-2110 of the Seimas of the Republic of Lithuania on 8 June 2004). The rules for the competition "Mes prieš AIDS" ("We are against AIDS"), which is devoted to the World AIDS Day, were approved by the Order No 1596 of the Minister of Education and Science of the Republic of Lithuania on 12 October 2004. Competitions "Mes prieš AIDS" ("We are against AIDS") were held in 2005–2007. The aims of the competition are to inform the public about the harm posed by the HIV/AIDS and drug addiction, to warn children and youth about the effects of the risky behaviour, to encourage demanding assessment of the behaviour of friends, and to pay attention to the problems of HIV/AIDS and drug addiction in Lithuania and the world. A non-governmental organisation — Family Planning and Sexual Health Association — also looks after sexual and reproductive rights and health of the public, and especially of the youth, in Lithuania. The Association was founded in 1995; it unites more than 200 of different experts: doctors, teachers, psychologists, journalists, etc.

**4. (h)**

992. Information has not changed.

**5.**

993. There are no such groups.

**5. (a)**

994. There were no such measures taken.

**5. (c)**

995. Public health care is being strengthened in municipalities: municipal public health care offices are being established, with the following major functions: to improve public health within the territories of municipalities by improving accessibility of health care services for the community and by encouraging municipalities to provide quality public health care services and organize disease prevention measures.

996. Municipalities have been organizing social services for the people with severe disability, for the elderly, and for the people at social risk groups. Services have been provided both in the social service institutions, and for individuals at home. It should be noted that as of 1 January 2007, 612.5 workplaces financed from the state budget have been created in municipality subdistrict and social service centres for social workers to provide social attendance for the families at social risk groups.

**5. (e)**

997. National Mother and Child Health Programme was followed in 2004–2006. Infant deaths under one year of age per 1000 live births fell from 8.5 in 2000 to 5.9 in 2007. Lithuanian Health Programme (for 1998–2010) planned to reduce infant mortality by 30 per cent. Stillbirth rate per 1000 live births fell from 6.4 in 2000 to 5.0 in 2007. In 2007, 216 babies of less than 1500 g weight were delivered (0.7 per cent of all live births). Infants of low birth weight were more often delivered by women under age 18 and 35 and older.

**5. (f)**

998. The State Public Health Service under MH (hereinafter referred to as “Service”) and territorial public health care institutions under its supervision pursue the following objective: to ensure environment in line with legal acts regulating public health safety. With a view to implementing this objective, the institutions issue the following:

(a) Certificate on Approval of Natural Mineral Water in the Republic of Lithuania. In 2007 the Service issued 4 Certificates on Approval of Natural Mineral Water in the Republic of Lithuania.

(b) Rules for the Application of Clause for the Limit Values of Toxic (Chemical) Indices for Drinking Water. In 2007 the Service issued 1 Clause for the Limit Values of Toxic (Chemical) Indices for Drinking Water on Application of Clauses on Concentration of Fluorides in Drinking Water.

(c) Permit to Acquire, Sell or Transfer in any Other Way Toxic Substances. In 2007 the Service issued 406 Permits to Acquire, Sell or Transfer in any Other Way Toxic Substances.

(d) Certificate for Substances and Products Used or Intended for Use in or on Foodstuffs. In 2007 the Service issued 146 Certificates for Substances and Products Used or Intended for Use in or on Foodstuffs following examination of documents submitted by natural and legal persons with a view to obtaining the Certificate.

(e) Permit-Hygiene Certificate. In 2007 territorial public health care institutions under the supervision of the Service issued 6672 Permits-Hygiene Certificates.

(f) Report on the Inspection of Public Health Safety at a Food Management Entity. In 2007 territorial public health care institutions under the supervision of the Service issued 2867 Reports on the Inspection of Public Health Safety at a Food Management Entity.

999. The Service also takes part in the process of territorial planning, state construction inspection, as well as public health and environmental impact assessment of planned economic activities. With a view to creating safe and healthy work conditions and ensuring work efficiency, territorial public health care institutions under the supervision of the Service take part in the process of ensuring occupational health and identifying occupational diseases: approve lists (contingents) of individuals working under conditions of possible occupational risks (who are exposed to hazardous factors and perform hazardous activities) and take part in activities of the commissions investigating and approving causes of occupational diseases.

1000. With a view to ensuring safe use of hazardous substances as well as the protection of people and the environment, territorial public health care institutions under the supervision of the Service have been classified as institutions that are responsible for coordination of danger and risk analysis and accident liquidation plans.

1001. Almost all European states have stressed in their national environmental and health care action programmes the ever growing impact of environmental factors on health and the necessity to act in different sectors on all levels. Expert working groups founded by MH and the Ministry of Environment have drafted the Lithuanian National Environmental and Health Care Action Programme. The Programme was approved by Resolution No 66 of the Government of the Republic of Lithuania on 21 January 2003. In 2007 the programme implementation assessment was carried out, and Report on the Assessment of Implementation of the National Action Programme for Environmental Health for 2003–2006 was drafted by the Hygiene Institute under the Ministry of Health, the national service for public health care.

1002. Implementation of the National Environmental and Health Care Action Programme is among the top objectives of the Lithuanian Health Programme. Major objectives by 2010 are as follows: compliance with the drinking water quality standards of Lithuania, air quality should not bear negative effects on public health, food standards shall be in compliance with the EU standards, healthy mental and social environment shall be created in both urban and rural areas, there shall be created an efficient system for management of work environment and occupational health protection, extremely hazardous work conditions shall be eliminated, and the radiation monitoring and control system shall be implemented. Asbestos Management Programme was approved by Resolution No 351 of the Government of the Republic of Lithuania on 17 April 2008.

**5. (g)**

1003. A law of the Republic of Lithuania that regulates communicable disease monitoring in Lithuania is the Law on Prevention and Control of Communicable Diseases in Humans (Law No I-1553 of 25 September 1996), alongside secondary legal acts. International Health Regulations (2005) were ratified by the Law of the Republic of Lithuania on the Ratification of International Health Regulations (2005) (Law No X-1430 of 18 January 2008). On 11 June 2008 Resolution No 589 of the Government of the Republic of Lithuania approved the Programme for Implementation of International Health Regulations (2005) by the World Health Organisation in Lithuania for 2008–2012. National Pandemic Influenza Preparedness Programme was approved by Resolution No 67 of the Government of the Republic of Lithuania on 23 January 2008.

1004. National HIV/AIDS Prevention and Control Programme for 2003–2008 (approved by Resolution No 1273 of the Government of the Republic of Lithuania on 14 October

2003), National Programme for Prevention and Control of Sexually Transmitted Infections for 2006–2009 (approved by Resolution No 1253 of the Government of the Republic of Lithuania on 21 November 2005), Programme for Hospital Infections Management in Health Care Institutions for 2007–2011 (approved by Order No V-385 of the Minister of Health of the Republic of Lithuania on 17 May 2007), National Immuno-Prevention Programme for 2006–2008 (approved by Order No V-682 of the Minister of Health of the Republic of Lithuania on 8 August 2006), and other national programmes aim to prevent the spread of communicable diseases and ensure control thereof.

1005. With a view to transposing provisions laid down in the European Commission Decision 2002/253/EC of 19 March 2002, Decision 2003/534/EC of 17 July 2003, and Decision 2000/96/EC of 22 December 1999 to the national legislation of Lithuania, definitions of communicable diseases, with laboratory diagnostic criteria or specific methods for treatment of confirmed cases of communicable diseases were approved by Order No V-344 of the Minister of Health of the Republic of Lithuania “On the Approval of Definitions of Cases of Communicable Diseases Listed in the European Commission Decisions 2000/96/EC and 2003/534/EC” on 10 May 2004.

1006. Procedure for prevention of occupational diseases and labour accidents has been established by the Code of Labour, the Law on Safety and Health at Work, and other laws and legal acts.

1007. In 2003 the Seimas of the Republic of Lithuania passed the Law of the Republic of Lithuania on Safety and Health at Work with a view to transposing the Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, with the recent amendments made by Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003; the Law lays down legal provisions and requirements to protect workers against occupational risks or reduce such risks, general provisions of occupational risk assessment, procedure of investigation of labour accidents and occupational diseases, requirements on safety and health at work applicable to working young people, pregnant workers and workers who have recently given birth or are breastfeeding and persons with limited functional capacity, establishes public administration of safety and health at work and the competence of State institutions, the rights and obligations of employers, representatives of employers and workers in order to ensure safe and healthy working conditions, as well as the rights of representatives of workers when ensuring safe and healthy working conditions for workers, and provides general principles of responsibility for violation of legislation on safety and health at work; these general principles and provisions are implemented by Resolutions of the Government of the Republic of Lithuania, Orders by the Minister of Health of the Republic of Lithuania and Minister of Social Security and Labour of the Republic of Lithuania, and other legal acts.

1008. On 20 June 2007 Minister of Health of the Republic of Lithuania approved the Lithuanian medical norm MN 73:2007 “Occupational Medicine Doctor. Rights, Duties, Competencies, and Responsibilities” by Order No V-516, which establishes requirements for professionals engaged in health care of workers (health monitoring, diagnosing of work-related health problems and establishing causes for occupational diseases, examination of types of these health problems and occupational diseases, and application of measures for diagnosing, treatment, rehabilitation, nursing, and prevention of occupational health problems).

1009. Law No I-552 of 19 July 1994 on the Health System of the Republic of Lithuania lays down the provisions and procedures for health care service provision for patients with occupational diseases.

**5. (h)**

1010. In Lithuania medical care is provided free of charge to all residents who pay, or are paid on their behalf, the compulsory health insurance (hereinafter referred to as “CHI”) contributions. Additional (voluntary) health insurance is available alongside CHI. Only ambulance aid is provided free of charge for individuals who are not covered by CHI.

1011. Individuals who are covered by CHI out of the Compulsory Health Insurance Fund’s budget through the territorial patients’ funds are guaranteed a three-level outpatient and inpatient health care, provision of medicines, eyeglasses, hearing aids, orthopaedic and certain other medical aids, etc. The Fund also covers medical rehabilitation and sanatorium treatment, nursing and social services in hospices, and individual health check-ups. All these services are provided to the insured by health care institutions, other institutions and drug-stores that have signed contracts with territorial patients’ funds. Individuals who are covered by CHI may freely choose or change their health care institution and doctors.

1012. Lists of health care services, medicines and medical aids, the expenses for which are reimbursed in accordance with the basic prices have been approved by Orders of Minister of Health of the Republic of Lithuania. Methodology for establishing basic prices for medicines and medical aids is approved by the Government of the Republic of Lithuania. Basic prices for services are indexed, when inflation exceeds 5 percent.

1013. Primary level outpatient health care services are reimbursed from the Compulsory Health Insurance Fund’s budget in accordance with the number of residents registered with the institution and the annual basic cost for health care services per individual. Secondary and tertiary level outpatient health care services are reimbursed on the basis of factual consultations provided by health care professionals. Inpatient health care institutions are financed per patients treated on the basis of prices for disease treatment (therapy, surgery, etc) approved by the Minister of Health. Part of the inpatient services are reimbursed on the basis of inpatient days (on the basis of the cost established per inpatient day).

1014. Health care services are provided free of charge for all individuals who pay CHI contributions themselves, or are covered on their behalf by the State, enterprises, institutions, organisations, etc.

1015. The following groups of individuals are covered by CHI on their behalf by the State:

(a) Individuals entitled to any type of pension or social benefit established by the laws of the Republic of Lithuania

(b) Individuals of working age who are registered with the labour exchange of their place of residence as willing and able to accept suitable work

(c) Unemployed individuals of working age who have worked the required number of years established by the law, thus are covered by the state social pensions insurance and are entitled to the state social insurance old-age pension

(d) Women who are on maternity leave in compliance with the procedure established by the law and the unemployed women within the period of their pregnancy for 70 days (after 28 weeks of pregnancy and more) before delivery and 56 days after delivery

(e) One of the parents (adoptive parents) bringing up a child until 8 years of age, and one of the parents (adoptive parents) bringing up two and more under-aged children

Individuals under 18 years of age



(f) Full time pupils and students at general education schools, vocational, college and university educational establishments of the Republic of Lithuania, as well as citizens of the Republic of Lithuania, foreign nationals and stateless persons permanently residing in the Republic of Lithuania and studying full-time at the EU higher education establishments

(g) Individuals supported by the State and receiving social benefit

(h) One of the parents (adoptive parents), foster parent or guardian, nursing at home an individual who is recognised as disabled (a disabled child), or a person under 24, who is recognised as incapable of work (by 1 July 2005, with group 1 disability), or a person under 26 recognised as incapable of work (by 1 July 2005, with group 1 disability), whose disability originated from diseases before he/she reached the age of 24, or a person who is recognized as having a special need for constant care (by 1 July 2005, with full disability)

(i) Individuals recognised disabled by law

(j) Individuals with dangerous to the public infectious diseases, which are on the list compiled by the Ministry of Health

(k) Participants of resistance movements: voluntary soldiers, participants of fights for independence, vindicated political prisoners and persons equated to them, deportees and persons equated to them, victims of 13 January 1991 events or any other similar events while defending independence and statehood of Lithuania

(l) Persons, who contributed to the mitigation of consequences of the nuclear accident at the Chernobyl nuclear power plant

(m) Former inmates of the ghetto and juvenile prisoners of the fascist forced confinement institutions

(n) Clergy of the state recognised traditional religious communities, students at clergy educational schools, and novices performing regular formation at novitiates

(o) Individuals, who are legally recognised participants of the Afghanistan war

(p) Unaccompanied foreign minors

(q) Foreigners, who were granted additional and temporary protection in the Republic of Lithuania: individuals under 18, individuals with the health status or diseases entered in the list of the Ministry of Health, single parents bringing up under-aged children, women during the period of pregnancy for 70 days (after 28 weeks of pregnancy and more) before delivery and 56 days after delivery, and individuals, who reached the retirement age defined by the legislation of the Republic of Lithuania

1016. Unemployed wives are not entitled to medical benefits listed below, if they do not fall in any of the groups of individuals covered by CHI and if they do not pay CHI contributions themselves. In Lithuania, however, 58.2 per cent of women of working age have a job and are covered by CHI. The unemployed wives of working age who are registered with the labour exchange of their place of residence, or who have worked the required number of years established by the law, thus are covered by the state social pensions insurance and are entitled to the state social insurance old-age pension, women who are on maternity leave in compliance with the procedure established by the law, the unemployed women within the period of their pregnancy for 70 days (after 28 weeks of pregnancy and more) before delivery and 56 days after delivery, or women bringing up a child until 8 years of age, as well as women bringing up two and more under-aged children are covered by CHI on their behalf by the State. The unemployed wives of working age may also pay CHI contributions themselves.

1017. In Republic of Lithuania, all children are covered by CHI on their behalf by the State.

#### 8.

1018. As of 1 January 2008, with a view to implementing the Law of the Republic of Lithuania on Public Health Care, municipalities have been establishing public health care budgetary institutions — municipal public health bureaus — to perform public health care functions. The 28 currently functioning municipal public health bureaus exercise the following activities: provide consultations to the citizens, provide information to the citizens on health risk factors and prevention measures, raise awareness for separate groups of citizens (teachers, public servants, doctors, social workers, etc.), provide sufficient information to the citizens on healthy lifestyle (the choice of food, leisure activities, housing, disease prevention), exercise and coordinate more efficient healthcare for children and youth, provide analysis of pupils' health to parents of children of school-attendance age, provide information to communities about the environmental quality of their place of residence (noise level, air pollution, drinking-water quality) and the possible effects on health thereof, as well as provide consultations with regard to environmental health and healthy lifestyle.

1019 By 2008, territorial public health care institutions have been actively providing information to the public on preservation and strengthening of health, disease prevention, promotion of healthy lifestyle, ensuring healthy environment, public health safety control, and consumer rights protection.

Chart 12.4

**Public information measures exercised by the territorial public health care institutions with a view to ensuring implementation of legal requirements for public health safety (2007)**

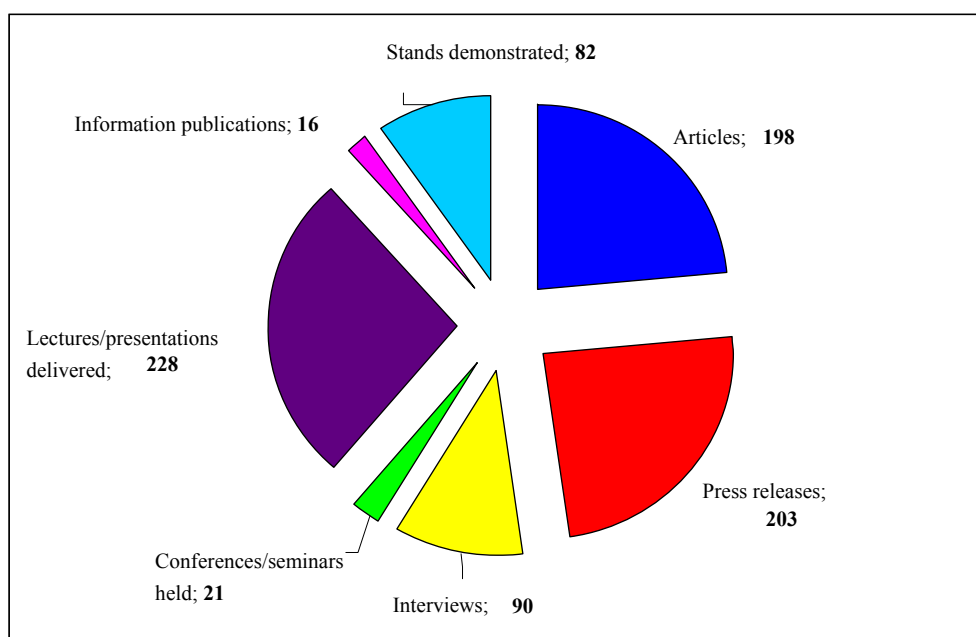
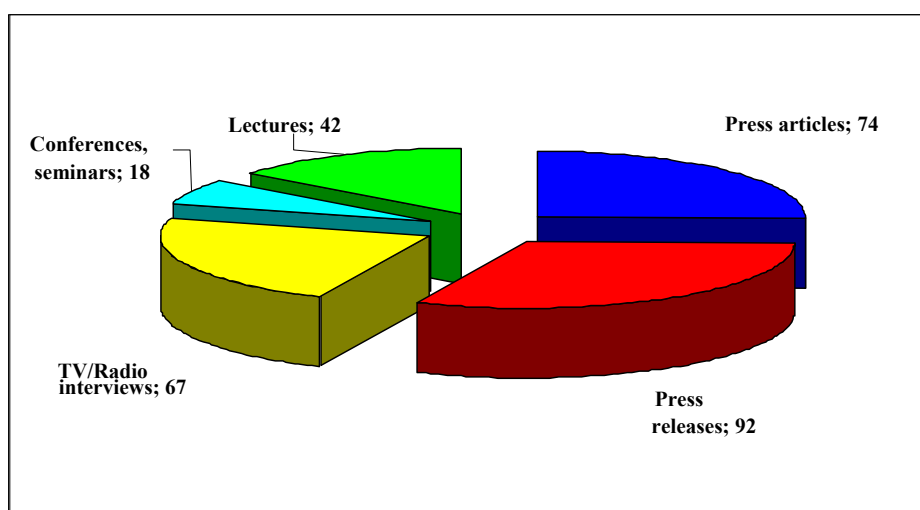


Chart 12.5

**Public information measures exercised by the territorial public health care institutions with regard to public health safety control and consumer rights protection (2007)**



1020. As of 2008, territorial public health care institutions have been educating the public in the following ways: organising conferences, seminars and events, publishing articles, providing information on websites, demonstrating posters, as well as employing other means to spread information on ensuring safe environment, exercising state public health safety control, ensuring consumer rights protection with regard to public health safety and quality of services, as well as pursuing prevention and control of communicable diseases.

**9.**

1021. Lithuania, being an EU member state, harmonises national legislation with the EU directives.

### **Article 13 of the Covenant**

**1. (a)**

1022. Paragraph 1, Article 41 of the Constitution of the Republic of Lithuania provides: “Education shall be compulsory for persons under the age of 16”, and Paragraph 2 lays down: “Education at State and municipal schools of general education, vocational schools and schools of further education shall be free of charge.”

1023. Article 35 of the Law of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child guarantees that “every child shall have the right to a free education at state and municipal general education schools”.

1024. Article 25 of the Law of the Republic of Lithuania on Education (Law No I-1489 of 25 June 1991), which regulates the right and duty of Lithuanian residents to study, provides: “the State takes measures so that each child in Lithuania studies according to primary, basic, secondary or special education curricula; the State guarantees each citizen of the Republic of Lithuania, also each alien having a permanent or provisional residence permit for the Republic of Lithuania: 1) primary, basic and secondary education; access to special education, post-secondary and higher education or vocational training programmes

that result in the acquisition of a primary qualification”. Article 47 provides that parents must “send their children who have reached the age of 6–7 to school, provided they have achieved adequate maturity; ensure punctual and regular school attendance”.

1025. Hence the State guarantees all its citizens free general education at all levels: primary, basic and secondary education. General education is funded by the State on the basis of the pupil’s basket principle. Children from socially disadvantaged families receive free meals at school, and children residing in rural areas at a distance of more than three kilometres from school, are provided with free transport to the closest school by school busses or other means of transport. When a pupil needs a school dormitory accommodation, living expenses are covered by the founder of the school.

**1. (b)**

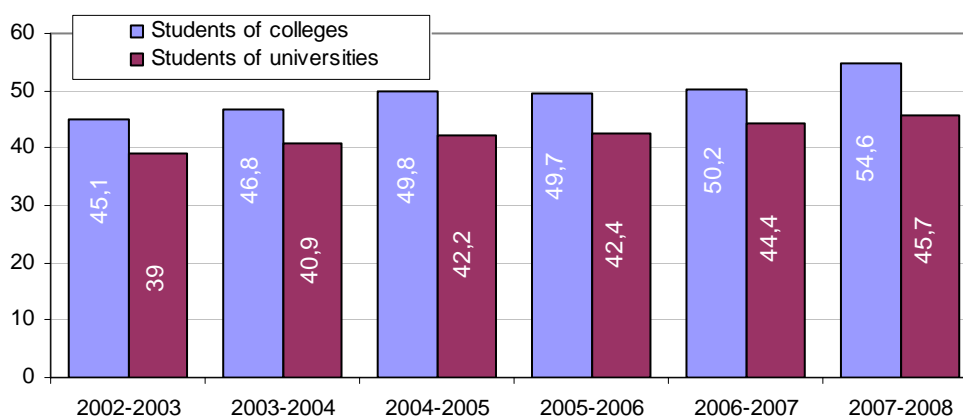
1026. Accessibility of general secondary education has been discussed above. Vocational education of this level is free: Article 31 of the Law of the Republic of Lithuania on Vocational Training (Law No VIII-450 of 14 October 1997, amended by Law No X-1065 of 3 April 2007) stipulates: “funding for the formal vocational training shall be provided from the State budget and/or the Employment Fund on the basis of methodology approved by the Government for calculation of an amount for teaching funds per pupil”, i.e., the pupil’s basket. Moreover, grants and other material support may be offered for students wishing to obtain their first professional qualification.

**1. (c)**

1027. Paragraph 3 of the Article 41 of the Constitution of the Republic of Lithuania provides: “Higher education shall be accessible to everyone according to his/her individual abilities. Citizens who are good at their studies shall be guaranteed education at State schools of higher education free of charge.”

1028. In line with the above-mentioned provision, the State establishes a quota of academically well-performing students, who are guaranteed free higher education. For example, in 2008, 34 per cent of secondary school graduates had access to State-funded, or free, places to study at a higher education establishment (since not all the study programmes offered were popular, slightly less students entered the State-funded studies). National Secondary School Graduation Examination System (to assess student attainment in general education), which is harmonized with the General System for Admission to Higher Education Establishments in Lithuania, ensures equal student admission conditions. In compliance with this system, secondary school graduates may select higher education establishments and study programmes of their choice, and student admission to the paid or free studies is determined by the results of secondary school graduation examinations. The share of students who have been paying for their studies during the discussed period was not decreasing, but grew (see the graph below).

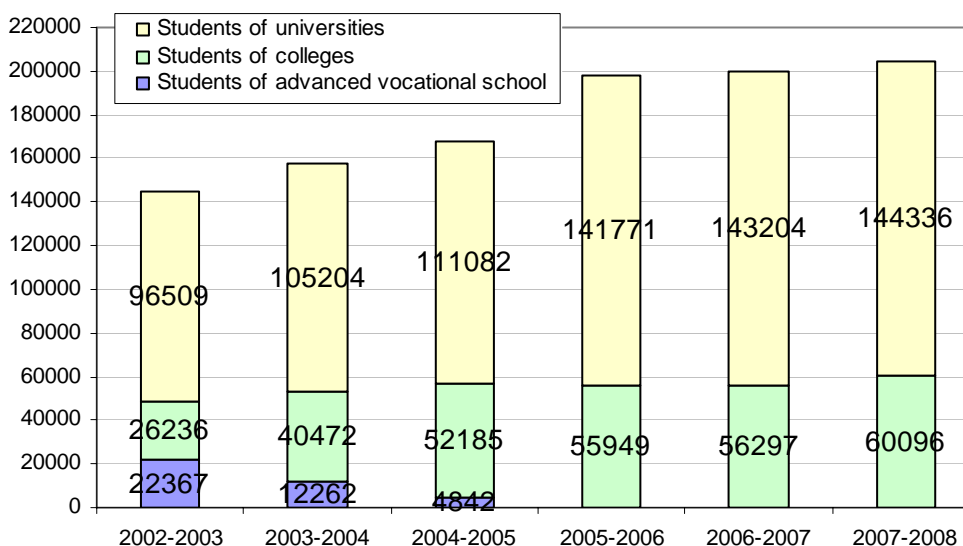
Chart 13.1

**Dynamics of students who were paying for their studies in 2003–2008, per cent**

Source: Statistics Lithuania.

1029. The situation was determined by the growing popularity of higher education, the growth of economic capacity of the citizens, and the growth of the general number of students conditioned thereof (see the graph below). In 2008, the total number of students admitted to higher education establishments made up 60 per cent of the number of secondary school graduates of that year (gross admission rate).

Chart 13.2

**Dynamics of student numbers in 2003–2008**

Source: Statistics Lithuania.

1030. The tuition fee for the students admitted to self-financed study places is determined by the cost for training of a professional, the study programme popularity, and the study stage. In 2008, the tuition fee ranged from LTL 3,000 to LTL 20,000 or more per year.

1031. The best-performing full-time students who are guaranteed free education by the State are entitled to student grants equal to the amount of up to 2.5 minimum standards of living. As it was already mentioned, as of 1 August 2008, MSL was replaced by the BSB, which is equal to LTL 130 (2008). In 2007–2008, 43 per cent of university students and 55 per cent of college students of a determined category received student grants. Furthermore, social grants and orphan benefits are offered to the poorest students.

1032. As mentioned above, both LCIT and LPIT provide for favourable tax conditions for studying and professional training in all types of educational establishments, including higher education establishments (see information about the implementation of Article 6 provisions of the Convention).

1033. Moreover, in compliance with Article 17 of LPIT, scholarships and benefits to students and pupils of educational establishments, financed from the funds of the State budget, municipal budgets, and the funds provided by enterprises, institutions, or organisations, to cover a student's or a pupil's study and subsistence costs, are attributed to tax-exempt income of a student or pupil who has received a grant (excluding the cases defined by the Law in which the benefit can be abused).

**1. (d)**

1034. The revised Strategy for Ensuring Lifelong Learning by 2012, which was approved by the Order No 2795/A1-347 of the Minister of Education and Science and of the Minister of Social Security and Labour of the Republic of Lithuania of 15 October 2008, provides, *inter alia*, to attain the following goal: to offer a “second chance” for adults to acquire primary, basic, and secondary education, to develop general competences, and create greater accessibility to lifelong learning services for different social groups.

1035. Adults who did not acquire or complete primary education are offered opportunities to acquire primary education in adult education institutions. Programmes for non-formal adult education can be developed by the Lithuanian non-formal education establishments, schools of general education, vocational training schools, and higher education establishments, which have established branches (departments, groups, etc.) for non-formal adult education, as well as other legal and natural entities, which, in accordance with the procedure established by the Government or an authorised institution of the Republic of Lithuania, have acquired a right to provide non-formal adult education. Teaching is organised in a linear and modular forms, and students may choose extramural or independent studies. Flexible study forms provide opportunities for adults to study at the most convenient time and to choose a required scope of the programme, as well as to develop lifelong learning attitudes.

1036. Sequential teaching in adult education establishments, teaching centres and classes differs from teaching in other general education schools in that it, in compliance with the General Education Plans, provides less of the study hours per week and offers opportunities to study in the evenings, so that learning and work/family-life balance can be found.

1037. Modular teaching, which is organized in schools, teaching centres or classes, create opportunities for studying separate modules in education programmes or subjects, thus making it possible to complete a study course in a shorter period of time, repeat studies of particular subjects, prepare for examination retake, as well as study elective subjects. Study year of modular studies and the number of study hours have been determined by the General Education Plans.

1038. Teaching is organized in the form of tutoring and is based on credit system. Students study independently, and have access to individual or group tutoring with a tutor. The student knowledge is tested by way of taking credits. General Education Plans provide for the number of tutoring hours and credits to be taken. One third of all the tutoring time for

an extra-mural student may be provided in the form of distance tutoring via virtual teaching environment, e-mail, or online telephony applications.

1039. Independently studying individuals may choose education programmes or subjects, tutoring and frequency of testing. They have an opportunity to receive half of their tutoring for independent studying in the form of distance tutoring, and the disabled students may study independently solely by way of distance tutoring. This procedure provides opportunities to complete a course and to take exams in those subjects that had been absent from the previous education programmes, as well as to study at home due to illness or other reasons.

1040. There is little number of adults seeking to acquire primary education (see a table below); the majority of adults seek secondary education.

Table 13.3

**Number of adult students in adult general education schools, according to grades**

	2005–2006	2006–2007	2007–2008
<b>Total number of students</b>	<b>13 361</b>	<b>12 393</b>	<b>11 931</b>
Out of them			
Grades 1–4	14	27	33
Grades 5–9	1 534	1 459	1 530
Grades 10	1 789	1 520	1 592
Grades 11	5 342	4 080	4 274
Grades 12	4 455	5 295	4 471
Remedial classes*	227	12	

*Source:* Statistics Lithuania.

\* For drop-outs or those who have not studied certain subjects and wish to acquire basic or secondary education.

1041. The number of adults, i.e. individuals aged 18 and over, has been falling over the recent years in general education and vocational schools; however, with the number of children of school attendance age also falling, the share of adult students grows. In 2007 they made up 10 per cent of all the pupils in general education schools, and excluding 18-year-olds who have not yet completed secondary school, it amounted to 3.4 per cent. Adult students in vocational schools made up 77.6 per cent of all students. Most frequently it is young adults aged 18 to 19 who seek both types of education, while the number of adult students falls sharply at a later age.

Table 13.4

**Number of adult students in general education and vocational schools**

	2002	2003	2004	2005	2006	2007
18-year-olds						
General education schools	28 182	31 997	35 019	35 824	34 375	34 086
Vocational schools	11 272	10 905	11 113	10 674	10 062	9 772
19-year-olds						
General education schools	4 250	4 943	5 337	5 772	5 875	5 452

	2002	2003	2004	2005	2006	2007
Vocational schools	10 532	10 850	11 240	10 820	10 851	9 622
20-year-olds						
General education schools	1 920	1 861	1 748	1 601	1 620	1 751
Vocational schools	4 670	4 973	5 924	6 331	6 059	5 769
21-year-olds						
General education schools	1 630	1 473	1 318	1 048	1 015	1 036
Vocational schools	1 783	1 841	2 344	2 664	2 290	2 678
22-year-olds						
General education schools	1 993	1 798	3 977	899	756	810
Vocational schools	948	969	1 097	1 273	1 173	1 244
23-year-olds						
General education schools	1 602	1 421	931	910	749	649
Vocational schools	582	613	610	657	677	734
24-year-olds						
General education schools	1 592	1 502	905	968	736	633
Vocational schools	414	387	363	408	420	462
25-year-olds						
General education schools	1 551	1 482	993	1 079	801	622
Vocational schools	288	302	291	310	316	336
26-year-olds						
General education schools	3 299	4 718	4 948	1 161	844	667
Vocational schools	211	272	259	254	254	273
27-year-olds						
General education schools	..	..	..	1 310	961	709
Vocational schools	187	203	232	293	257	235
28-year-olds						
General education schools	-			1 280	1 018	770
Vocational schools	136	163	207	265	284	243
29-year-olds						
General education schools	-	-	-	1 196	1 036	773
Vocational schools	112	136	187	263	270	271
Aged 30–34						



	2002	2003	2004	2005	2006	2007
General education schools	-	-	-	1 469	2 091	2 347
Vocational schools	314	445	491	728	865	1 016
Aged 35–39						
General education schools	-	-	-	139	125	172
Vocational schools	227	231	303	406	477	580
Aged 40 and over						
General education schools	-	-	-	292	73	60
Vocational schools	217	280	372	571	687	834
<b>Total number of students</b>						
General education schools	594 313	583 063	563 107	538 541	514 622	489 442
Vocational schools	44 441	44 403	46 344	46 334	45 382	43 880
Number of adult students						
General education schools	46 019	51 195	55 176	54 948	52 075	50 537
Vocational schools	31 893	32 570	35 033	35 629	34 942	34 069
Share of adult students (per cent)						
General education schools	7.7	8.8	9.8	10.2	10.1	10.3
Vocational schools	71.8	73.4	75.6	76.9	77.0	77.6

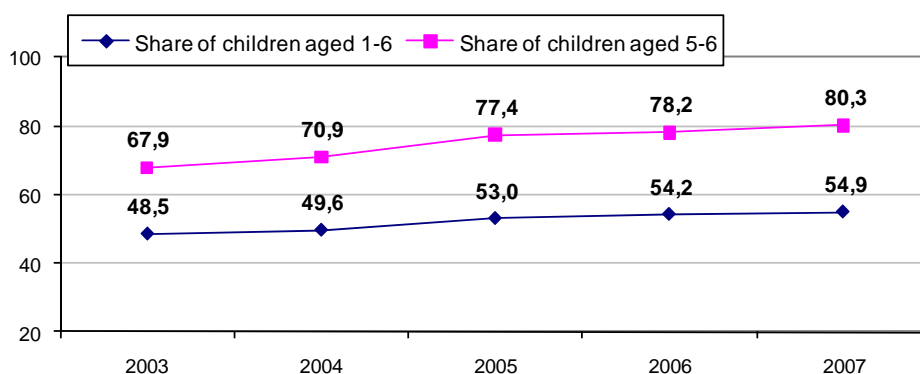
Source: Statistics Lithuania.

## 2.

1042. Access to preschool education is still insufficient in Lithuania. In 2007, approximately 55 per cent of children aged 1–6 and four fifths of children aged 5–6 were taught according to the preschool education programme. There still remain huge differences in accessibility between urban and rural areas (see graphs below). In 2007, one fifth of children from rural areas and three fourths of children from urban areas participated in preschool and pre-primary preparatory education.

Chart 13.5

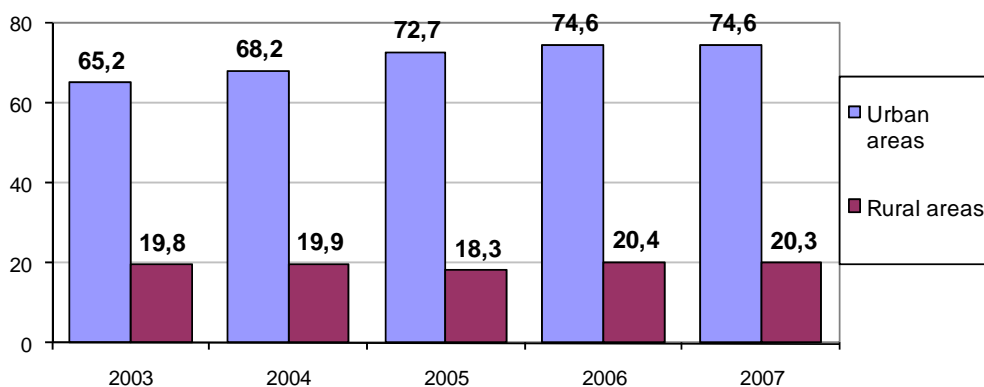
Share of children aged 1–6 and 5–6 in preschool and pre-primary preparatory education, per cent (2003–2007)



Source: Statistics Lithuania.

Chart 13.6

Share of children aged 1–6 from urban and rural areas in preschool and pre-primary preparatory education, per cent



Source: Statistics Lithuania.

1043. There is insufficient number of places for children in preschool education establishments in urban areas, while in rural areas the access is hard, or there is no access at all, due to little density of residents. With a view to dealing with the problem, the Government of the Republic of Lithuania approved the Programme for the Development of Preschool and Pre-Primary Preparatory Education for 2007–2012 by Resolution No 1057 of 19 September 2007.

1044. Measures for the Implementation of the Action Programme of the Government of the Republic of Lithuania for 2008–2012, approved by Resolution No 189 of the Government of the Republic of Lithuania of 25 February 2009 provide for the introduction of financing for preschool education on the basis of the application of a child's basket and support (by means of funding, provision of premises, etc) for the establishment of preschool education institutions (non-public institutions included), thereby creating more favourable conditions for legal and natural persons to provide programmes and services for preschool and pre-primary preparatory education.

1045. Another problem has been discussed under 1. (c): with higher education becoming ever more popular, and under the economic crisis conditions, the State is not able to ensure adequate quality of higher education for all who wish it; therefore, the number and share of students financed by the State needs to be reduced.

3.

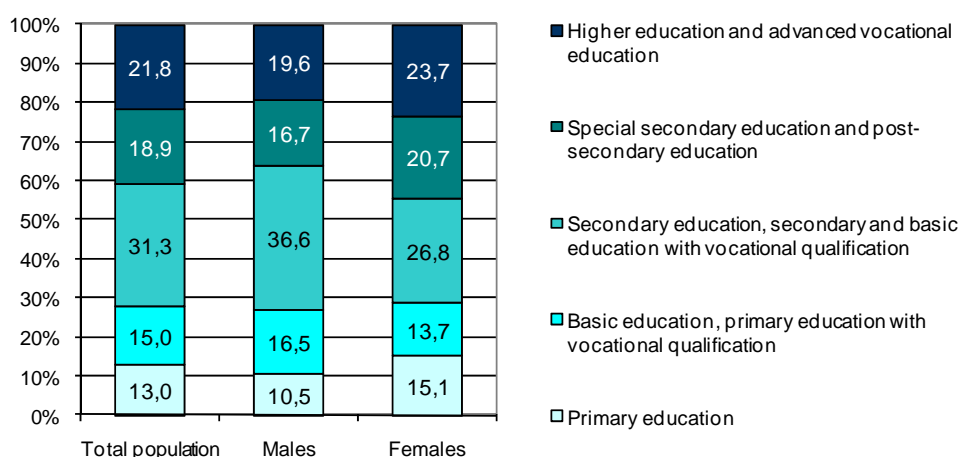
### Responses to the questions and recommendations given in paragraphs 29 and 51 of the Concluding Observations of the Committee on Economic, Social and Cultural Rights

#### Drop-out rates and additional data

1046. According to the education acquired, shares of population aged 15 and over are as follows: 13 per cent of ISCED Level 1, 15 per cent of ISCED Level 2, 31.3 per cent of ISCED Level 3, 18.9 per cent of ISCED Level 4, and 21.8 per cent of ISCED Level 5 (see a graph below). Females have attained slightly higher level of education than males, except for females of the retirement age, the share of which with only primary education is higher than that of males. Relatively large share of citizens with only a primary education can be explained by the fact that general education can be achieved only at the age of 16–17 in Lithuania, and the statistics provided includes the 15-year-olds as well.

Chart 13.7

#### Distribution of adult population in Lithuania (aged 15 and over) by education level achieved, 2007



Source: Statistics Lithuania.

Table 13.8  
**Number of students in adult education schools by grades (at the start of a school year)**

	2002–2003	2003–2004	2004–2005	2005–2006	2006–2007	2007–2008	
						<i>In total</i>	<i>Females</i>
Students	17 318	17 477	17 822	13 361	12 393	<b>11 931</b>	4 703
Out of them:							
grades 1–4	-	16	10	14	27	<b>33</b>	23
grades 5–9	2 001	1 906	1 893	1 534	1 459	<b>1 530</b>	427
grades 10	3 989	4 422	4 231	1 789	1 520	<b>1 592</b>	541
grades 11	5 261	5 205	5 748	5 342	4 080	<b>4 274</b>	1 771
grades 12	5 867	5 897	5 915	4 455	5 295	<b>4 471</b>	1 941
Remedial classes*	200	31	25	227	12	<b>31</b>	-

\* For drop-outs or those who have not studied certain subjects and wish to acquire basic or secondary education.

1047. The level of education achieved of the working population of Lithuania has been growing over the recent years, and the number and share of those having attained higher education has been growing especially rapidly: from 268,3,000, or 20 per cent in 2001, to 406,4,000, or 26 per cent in 2007 (see a graph below). Education level of working women is higher than that of men and has been growing faster: the share of women with higher education grew from 23 per cent in 2001 to 31 per cent in 2007. There are almost no individuals with only a primary education in this group left: the share of them does not even amount to a half per cent.

Chart 13.9

**Distribution of adult population of Lithuania by education level, 2001 and 2007 (average annual numbers, thousand)**

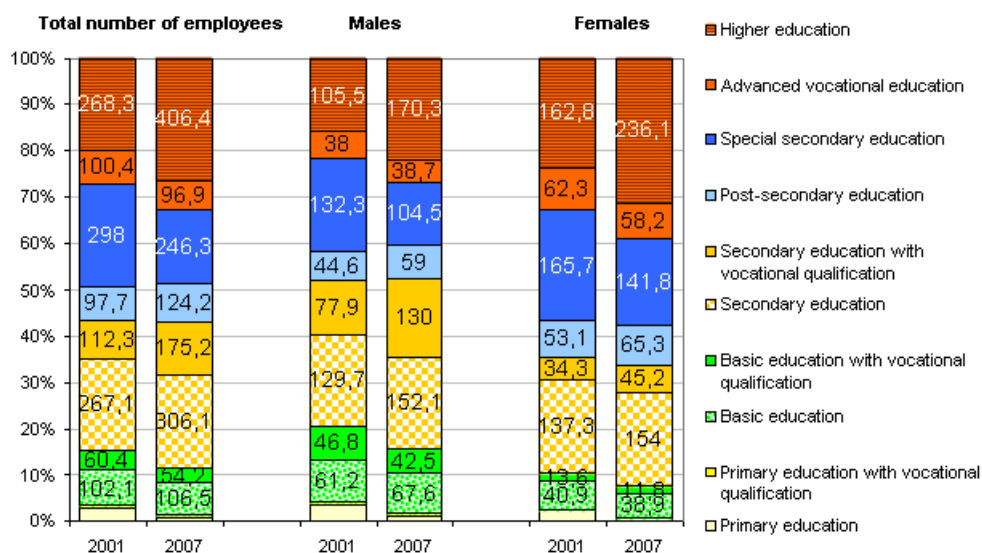


Table 13.10  
**Education level of Lithuanian population aged 25–64, per cent (2007)**

<i>Primary education with vocational qualification</i>	<i>Basic education</i>	<i>General education with vocational qualification</i>	<i>Secondary education</i>	<i>Secondary education with vocational qualification</i>	<i>Special secondary education</i>	<i>Advanced vocational education</i>	<i>Higher education</i>
0.4	9.2	3.7	20.7	18.8	17.4	5.9	23.9

Source: Statistics Lithuania.

Table 13.11  
**Number of students by study stages and types of establishments (at the start of a school year)**

	<i>In total</i>	<i>Urban</i>	<i>Rural</i>
2002–2003 m.			
	<b>576 995</b>	435 415	141 580
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>181 247</b>	126 657	54 590
Lower secondary schools (grades 5–10)	<b>295 614</b>	218 778	76 836
Upper secondary schools (grades 11–12)	<b>50 957</b>	41 975	8 982
Gymnasiums	<b>41 998</b>	41 549	449
out of them, in gymnasium grades 1–2	<b>22 003</b>	21 733	270
Special schools	<b>6 781</b>	6 311	470
Sanatorium schools	<b>398</b>	145	253
2003–2004			
	<b>565 586</b>	425 626	139 960
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>167 962</b>	117 930	50 032
Lower secondary schools (grades 5–10)	<b>293 091</b>	214 200	78 891
Upper secondary schools (grades 11–12)	<b>52 324</b>	42 646	9 678
Gymnasiums	<b>45 120</b>	44 491	629
Out of them, in gymnasium grades 1–2	<b>22 860</b>	22 493	367
Special schools	<b>6 703</b>	6 208	495
Sanatorium schools	<b>386</b>	151	235
2004–2005 m.			
	<b>545 285</b>	411 508	133 777
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>156 046</b>	110 239	45 807
Lower secondary schools (grades 5–10)	<b>282 106</b>	205 430	76 676
Upper secondary schools (grades 11–12)	<b>50 495</b>	40 532	9 963

	<i>In total</i>	<i>Urban</i>	<i>Rural</i>
Gymnasiums	<b>49 771</b>	49 130	641
Out of them, in gymnasium grades 1–2	<b>24 769</b>	24 400	369
Special schools	<b>6 506</b>	6 047	459
Sanatorium schools	<b>361</b>	130	231
2005–2006 m.			
	<b>525 180</b>	462 365	62 815
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>148 884</b>	126 461	22 423
Lower secondary schools (grades 5–10)	<b>266 179</b>	229 513	36 666
Upper secondary schools (grades 11–12)	<b>49 299</b>	46 500	2 799
Gymnasiums	<b>55 168</b>	54 911	257
Out of them, in gymnasium grades 1–2	<b>27 950</b>	27 797	153
Special schools	<b>5 193</b>	4 862	331
Sanatorium schools	<b>457</b>	118	339
2006–2007 m.			
	<b>502 229</b>	443 069	59 160
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>142 225</b>	121 109	21 116
Lower secondary schools (grades 5–10)	<b>248 563</b>	214 488	34 075
Upper secondary schools (grades 11–12)	<b>44 432</b>	41 936	2 496
Gymnasiums	<b>61 568</b>	60 657	911
Out of them, in gymnasium grades 1–2	<b>31 947</b>	31 427	520
Special schools	<b>5 052</b>	4 763	289
Sanatorium schools	<b>389</b>	116	273
2007–2008 m.			
	<b>477 511</b>	424 183	53 328
Pre-primary classes/groups	-	-	-
Primary schools (grades 1–4)	<b>134 176</b>	115 417	18 759
Lower secondary schools (grades 5–10)	<b>229 587</b>	199 344	30 243
Upper secondary schools (grades 11–12)	<b>41 317</b>	39 033	2 284
Gymnasiums	<b>67 269</b>	65 782	1 487
Out of them, in gymnasium grades 1–2	<b>34 299</b>	33 481	818
Special schools	<b>4 715</b>	4 444	271
Sanatorium schools	<b>447</b>	163	284

*Source:* “Švietimas = Education: [Statistikos rinkinys] /Statistikos departamentas” (Švietimas = Education: [Statistical Data] / Statistics Lithuania). – Vilnius, 2004, 2006, 2008.

1048. It should be pointed out that data on the number of students and the scope in terms of urbanization level *is not informative* due to the specific nature of education organisation in Lithuania: a large share of children from rural areas are provided with free transport to city schools. 36.5 per cent of children of school attendance age live in rural areas; however, the share of children attending rural schools makes up only 11 per cent of the total number

of children. Preschool education differences between urban and rural areas have been discussed while providing an answer to question 2 (see above).

Table 13.12

**Further education of pupils and students upon completion of different education establishments (apart from special schools)**

Year	Completed	Total	Continued education the same year			
			In vocational schools	In advanced vocational schools	In colleges	In universities
<b>Secondary schools</b>						
2002	33 280	<b>27 964</b>	3 103	1 610	5 845	17 406
2003	36 099	<b>29 104</b>	4 147	130	7 285	17 542
2004	37 994	<b>30 232</b>	4 104	60	8 365	17 703
2005	36 154	<b>30 721</b>	3 690	-	8 582	18 449
2006	37 758	<b>30 519</b>	3 481	-	9 244	17 794
2007	37 629	<b>30 494</b>	2 559	-	10 175	17 760
<b>Vocational schools</b>						
2002	13 587	<b>1 442</b>	338	363	522	219
2003	14 465	<b>1 258</b>	360	62	621	215
2004	12 596	<b>975</b>	368	16	467	124
2005	12 980	<b>927</b>	397	-	411	119
2006	12 581	<b>796</b>	275	-	371	150
2007	12 565	<b>1 235</b>	517	-	586	132
<b>Advanced vocational schools</b>						
2002	9 208	<b>2 492</b>	15	23	1 904	550
2003	6 893	<b>1 516</b>	26	2	1 110	378
2004	5 392	<b>2 008</b>	13	8	1 602	385
2005	2 158	<b>692</b>	18	-	495	179
2006	693	<b>176</b>	8	-	92	76
<b>Colleges</b>						
2004	8 750	<b>716</b>	x	-	229	487
2005	11 173	<b>626</b>	x	-	127	499
2006	12 475	<b>1 049</b>	x	-	52	997
2007	11 940	<b>1 032</b>	x	-	80	952
<b>Universities</b>						
2002	20 499	<b>171</b>	x	1	17	154
2003	22 959	<b>235</b>	x	-	22	213
2004	23 965	<b>351</b>	x	-	19	332
2005	28 089	<b>92</b>	x	-	13	79
2006	30 120	<b>119</b>	x	-	30	89
2007	31 153	<b>276</b>	x	-	49	227

Table 13.13  
**Number of pupils and students in educational establishments**

School year	Total number of pupils and students, 000	Out of that number				
		In general education schools	In vocational schools	In advanced vocational schools	In colleges	In universities
1990/91	686	525	48	46	-	67
1995/96	665	538	49	24	-	54
2000/01	787	604	47	37	3	96
2001/02	797	603	45	32	10	107
2002/03	807	594	45	22	26	120
2003/04	810	583	44	12	41	130
2004/05	805	563	46	5	52	139
2005/06	784	539	46	1	56	142
2006/07	759	515	45	0.02	56	143
2007/08	738	490	44	-	60	144
Number of pupils and students per 10,000 residents						
1990/91	1 853	1 418	130	124	-	181
1995/96	1 838	1 487	136	66	-	149
2000/01	2 253	1 729	134	106	9	275
2001/02	2 289	1 732	129	92	29	307
2002/03	2 330	1 716	128	65	76	345
2003/04	2 352	1 692	129	36	117	378
2004/05	2 350	1 644	135	14	152	405
2005/06	2 303	1 584	136	2	164	417
2006/07	2 242	1 520	134	0.0	166	422
2007/08	2 192	1 454	130	-	179	429

Source: Statistics Lithuania.

1049. The number of students in the basic level of education has been falling over the recent years due to the declining total number of children (see a table below). The preschool education level makes an exception, since there the absolute number grows due to the widening scope.

Table 13.14  
**Number of pupils in ISCED Levels 0–3, by the type of education programmes**

	2002–2003	2003–2004	2004–2005	2005–2006	2006–2007	2007–2008
Preschool education (Level 0)	90 434	88 297	87 282	89 067	86 793	87 412
Primary education (Level 1)	183 542	170 216	158 115	150 422	143 841	135 752
General education (Level 2)	335 632	333 834	323 801	307 213	292 815	275 848
Basic general education	327 999	326 570	315 168	299 236	285 029	268 388
Basic vocational education	7 633	7 264	8 633	7 977	7 786	7 460
Secondary education (Level 3)	112 320	114 930	117 717	116 641	113 440	112 733



	2002–2003	2003–2004	2004–2005	2005–2006	2006–2007	2007–2008
Secondary general education	82 979	86 503	87 882	86 607	83 539	83 122
Secondary vocational education	29 341	28 427	29 835	30 034	29 901	29 611

Source: Statistics Lithuania.

Table 13.15  
Pupils and students by age

	Pupils and students, 000	Out of them, per cent				
		Until age 16	Aged 16–19	Aged 20–24	Aged 25–29	Aged 30+
End of 2002						
At general education schools	594 313	75.7	22	1.5	0.8	-
At vocational schools	44 441	1.2	76.1	18.9	2.1	1.7
At advanced vocational schools	22 367	0.5	13.5	54.3	15.7	16
At colleges	26 236	-	26.8	42.4	15.6	15.2
At universities	119 548	-	19.5	50	16.3	14.2
End of 2003						
At general education schools	583 063	74	23.4	1.5	1.1	-
At vocational schools	44 403	1.1	74.5	19.8	2.4	2.2
At advanced vocational schools	12 262	0.8	8	55.7	16.9	18.6
At colleges	12 262	-	21	43.6	16	19.4
At universities	130 245	-	18.2	50.3	15.6	15.9
End of 2004						
At general education schools	563 107	73.1	24.2	1.6	1.1	-
At vocational schools	46 344	1	71.7	22.3	2.5	2.5
At advanced vocational schools	4 842	1.3	9.4	46.6	17.7	25
At colleges	52 185	-	16.9	47.1	16	20
At universities	138 516	-	15.8	51.3	15.4	17.5
End of 2005						
At general education schools	538 541	72.6	24.9	1	1.1	0.4
At vocational schools	46 334	1	67.8	24.5	3	3.7
At advanced vocational schools	832	-	0.6	33.8	22.1	43.5
At colleges	55 949	-	15.8	49.1	14.4	20.7
At universities	141 771	-	16	51.7	15	17.3
End of 2006						
At general education	514 622	71.8	26	0.9	0.9	0.4

	<i>Pupils and students, 000</i>	<i>Out of them, per cent</i>				<i>Aged 30+</i>
		<i>Until age 16</i>	<i>Aged 16–19</i>	<i>Aged 20–24</i>	<i>Aged 25–29</i>	
<b>schools</b>						
At vocational schools	45 382	0.9	68.2	23.4	3	4.5
At advanced vocational schools	16	-	-	75	25	-
At colleges	56 297	-	15.8	51.4	13.2	19.6
At universities	143 204	0	12.9	54.7	14.8	17.6
<b>End of 2007</b>						
At general education schools	489 442	70.9	26.9	1	0.7	0.5
At vocational schools	43 880	1	65.6	24.8	3.1	5.5
At advanced vocational schools	-	-	-	-	-	-
At colleges	60 096	-	14.9	54.9	12	18.2
At universities	144 336	-	13.6	56.3	14.2	15.9

Table 13.16  
**Learning scope, gross and net, per cent (2001–2007)**

	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>In total by education levels (Levels 1–7)</b>							
Gross	86.7	88.5	90	91	90	88.8	88.1
Net	81.1	81.5	81.7	81.9	80.7	79.5	79.2
<b>Preschool education (Level 0)</b>							
Gross	58.5	61.5	62	64.3	68.9	70.1	72.5
Net	56.3	59.5	60.3	63	67.9	69.2	71.7
<b>Primary education (Level 1)</b>							
Gross	103.2	103	103.6	101.9	100.5	99	96.9
Net	96.1	95.4	95.3	95.1	94.9	94	92.8
<b>General education (Level 2)</b>							
Gross	102	103	104.4	104.7	103.7	103.5	103.4
Net	94.4	94.9	95.7	96	95.9	95.5	94.9
<b>Secondary education (Level 3)</b>							
Gross	97.3	101.1	101.5	104.1	107.5	108.2	107.3
Net	68	71.1	73.5	75.9	77.6	77.7	78.4

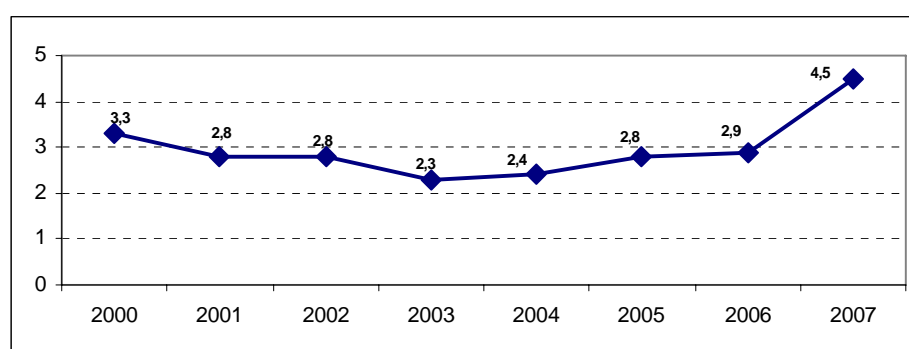
	2001	2002	2003	2004	2005	2006	2007
Post-secondary vocational education that does not provide college and university type education (Level 4 I)							
Gross	7.6	7.3	8.2	9.2	9.3	8.7	8.2
Net	4.3	4.3	5.1	5.7	5.1	4.7	3.7
College education (Level 5 )							
Gross	21.2	14.2	7.3	2.7	0.5	0	..
Net	11.2	6.5	2.8	0.7	0	0	..
Higher education (Level 6)							
Gross	39.9	48.4	55.5	61.2	61.7	61	61.9
Net	25.7	31.3	35.7	39.2	40	40.4	42.5
Post-graduate education (Level 7)							
Gross	1.1	1.2	1.4	1.6	1.6	1.6	1.5
Net	0.5	0.6	0.7	0.8	0.8	0.8	0.7

Source: Statistics Lithuania.

1050. In 2007 the share of children aged 7–16 who did not follow compulsory education programmes grew to 4.5 per cent (see a graph below). The causes for this were related to large (the largest in the EU) level of emigration: due to it, emigration of some families had not been recorded, and some children had been left in Lithuania to be brought up by their relatives or acquaintances who have not been able to take proper care of them.

Chart 13.17

**Share of children aged 7–16 who do not follow compulsory education programmes**



Source: Education Management Information System.

1051. Pupils are not excluded from general education schools until age 16: those who are unable to study in a conventional school are directed to a youth school, which is intended for problematic children who find it hard to adapt to conventional school, or children may choose vocational schools as of age 14. Drop-out rates in other types of schools are provided below.

Table 13.18

**Number of pupils and students having discontinued their education in educational establishments\***

<i>Academic year</i>	<i>Number of pupils and students having discontinued their education in educational establishments</i>	<i>Drop-out percentage</i>
<b>Vocational schools</b>		
2002/03	5 136	11.3
2003/04	5 726	12.8
2004/05	6 750	14.6
2005/06	7 293	15.6
2006/07	6 950	15.5
<b>Colleges</b>		
2002/03	3 055	10.2
2003/04	5 189	11.6
2004/05	6 332	12.1
2005/06	8 134	14.0
2006/07	8 261	14.2
<b>Universities</b>		
2001/02	12 777	11.6
2002/03	13 748	11.3
2003/04	13 435	10.3
2004/05	14 088	10.2
2005/06	17 253	11.3
2006/07	17 373	11.6

\* Excluding those having proceeded to other schools of the same type.

Table 13.19

**Number of pupils dismissed from general education schools\***

	<i>2002–2003</i>	<i>2003–2004</i>	<i>2004–2005</i>	<i>2005–2006</i>	<i>2006–2007</i>
Dismissed from schools	607	601	637	1 279	1 373

\* Except for special and adult schools.

Table 13.20  
**Number of students having left vocational schools in 2002–2006 (excluding graduates of vocational schools)**

	2002–2003	2003–2004	2004–2005	2005–2006	2006–2007
Number of students having left vocational schools over the academic year	6 143	5 726	6 750	7 293	6 950
Including on account of academic failure	2 322	2 566	2 829	2 650	2 607
Number of students having left advanced vocational schools over the academic year	2 075	1 018	335	-	-
Including on account of academic failure	1 385	803	224	-	-
Number of students having left colleges over the academic year	3 872	5 910	7 109	8 134	8 261
Including on account of academic failure	2 058	3 173	3 754	4 868	5 306
Number of pupils having left universities over the academic year	13 748	13 435	14 088	17 253	17 373
Including on account of academic failure	5 606	6 962	7 810	8 214	9 167

Table 13.21  
**Number of individuals having attained education in 2002–2007**

	2002	2003	2004	2005	2006	2007
General education	47 670	50 035	51 693	46 076	48 254	49 461
Secondary education	41 063	44 007	44 817	42 817	44 172	44 502
Advanced vocational* education	9 208	6 893	5 337	2 178	693	7
Higher university education (undergraduate studies)	12 705	14 654	15 758	18 312	20 609	21 402
Higher non-university education	46	4 602	8 750	11 173	12 475	11 940

\* Education of this type is no longer provided following reorganization of advanced vocational schools into colleges.

Table 13.22  
**Number of individuals having attained education per 10,000 inhabitants**

	2002	2003	2004	2005	2006	2007	
Higher university education (undergraduate studies)		37	43	46	54	61	63
Higher non-university education		0.1	13	26	33	37	35
Advanced vocational education*		27	20	15	6	2	0.0
Secondary education		119	128	131	126	131	131

	2002	2003	2004	2005	2006	2007
Basic education	138	145	151	135	143	146

\* Education of this type is no longer provided following reorganization of advanced vocational schools into colleges.

### Measures taken to promote literacy

1052. Over the discussed period, two areas received greatest attention: enhancing access to and promoting motivation for learning.

1053. Access to learning has been enhanced through application of the following measures:

1. Introduction of the universal one-year pre-primary preparatory education for children aged 5–6, with a view to harmonization of children’s preparation for school (pre-primary preparatory education is regulated by the General Programme for Pre-Primary Preparatory Education No 1147, 24 June 2002).
2. School network optimisation with a view to offering sufficient supply of general education programmes of all levels in each municipality (Article 28 of the Law on Education of the Republic of Lithuania: “The municipality must have a sufficient network of providers of primary, basic, secondary, and non-formal education programs, thus ensuring individuals’ learning and securing their right to learn in the State language, as well as a network of institutions that provide assistance to learners, teachers, and schools. The municipality initiates the formation of a network of vocational training and adult education providers to meet local needs”).
3. Provision of free transportation services to/from school for pupils from rural areas who live more than 3 kilometres away from school (Article 36 of the Law on Education of the Republic of Lithuania: “Public transport is used to bring learners to schools that implement the needed curriculum, by way of the route specified in the learner’s (identification) certificate, as established in the Law on Transportation Privileges. Learners of pre-primary curriculum groups and general education grades 1–8 in rural areas who live more than 3 kilometres away from school must be transported to the nearest appropriate municipal school or that of another founder by way of school buses or other transport. The procedure of granting transport privileges to learners at day general education, vocational and children’s non-formal education, schools as well as full-time students of post-secondary schools and schools of higher education travelling to/from school and the procedure of compensation of their travel costs is set forth in the Law on Transportation Privileges”).
4. Provision of free meals for children from poor families.
5. Provision of free dormitory accommodation for children of general education schools (Article 36 of the Law on Education of the Republic of Lithuania: “A learner who is admitted to a general education school and lives in a territory other than the service territory assigned by the founder to that school, upon the request of his/her parents (adoptive parents, guardians) is provided with dormitory accommodation. The founder of the school covers the costs of learners’ accommodation at a general education school dormitory”).
6. Development of register of children not attending schools and imposing greater adult responsibility for children in their care with regard to school attendance (Article 33 of the Law on Education of the Republic of Lithuania: “The Government

and municipalities utilise the database of the Register of Residents and that of learners, to determine the number of children not attending school and their education needs and, together with schools, implement targeted programs for their inclusion in education activity”).

7. Introduction of a pupil’s basket, with its indirect effects of schools being interested in finding and retaining at school all children residing in the territory assigned thereto.

8. Provision of accessibility of education to all people with special needs (Article 34 of the Law on Education of the Republic of Lithuania: “Upon the request of the parents (adoptive parents, guardians) of a child with special needs, conditions are ensured for the child to study in a fully or partially integrated form at a preschool and general education school located as close as possible to his/her home or at a school implementing a special education program. The school’s special education commission or the Pedagogical-psychological Service assess special education needs and recommend a form of education. The Pedagogical-psychological Service recommends a school for the child. Vocational, post-secondary schools and schools of higher education establish a supplementary preferential enrolment procedure for persons with special needs. Accessibility of education to persons with special needs is ensured by adapting the school’s environment, by providing psychological, special-pedagogical and special assistance, by supplying such persons with assistive education technology and special teaching aids, also in other ways prescribed in law”).

9. Provision of accessibility of education to prisoners and soldiers (Article 35 of the Law on Education of the Republic of Lithuania: “Persons who have been temporarily deprived of freedom or whose freedom has been temporarily restricted are provided the opportunity to study at their corrective or penal institution, so that they may attain a primary, basic and secondary education level, a qualification and to study independently; such conditions are provided as prescribed by the Government or its authorised institution. Servicepersons engaged in compulsory military service are provided with opportunities to study according to modules of general education programs, and to participate in non-formal education programs as prescribed by the Minister of Education and Science and the Minister of National Defence, also to engage in self-education”).

10. Removal of learning streams in the education system: harmonisation of programmes, introduction of a one-channel system for the graduation examinations, and creation of opportunities to freely chose among the schools providing programmes of the same level and types as well as to advance to programmes of higher level.

11. Introduction of national surveys on pupils’ attainment, which, although not universal, help establish teaching and learning problems upon completion of grades 4, 6, 8, and 10, assess differences in quality between urban and rural areas as well as among different types of schools, and relate attainment data to pupil social characteristics.

1054. Focus on learning attractiveness has enhanced learning motivation. Primary and general education programmes have been updated, by strengthening cultivation of skills and general competences. Practice of repetition of an academic year has almost been phased out (see a table below). Following examination of causes of excessive learning load in general education schools, recommendations for learning load reduction were developed and monitoring has been exercised.

Table 13.23  
**Number of pupils attending the same class for the second year\***

	<i>Pupils attending the same class for the second year, thousand</i>			<i>Share of total number of pupils, per cent</i>		
	<i>2005–2006</i>	<i>2006–2007</i>	<i>2007–2008</i>	<i>2005–2006</i>	<i>2006–2007</i>	<i>2007–2008</i>
<b>In total</b>	<b>3.9</b>	<b>4.3</b>	<b>4.2</b>	<b>0.8</b>	<b>0.9</b>	<b>0.9</b>
Grades 1–4	0.9	0.9	0.9	0.6	0.6	0.7
Grades 5–10 and gymnasium grades 1–2	2.7	3.1	3.0	0.9	1.1	1.1
Grades 11–12 and gymnasium grades 3–4	0.3	0.3	0.3	0.4	0.4	0.4

\* Excluding adult, special, and sanatorium schools.

1055. Profile education has been introduced in final grades of general education schools to satisfy pupil predispositions; and as of 2007, the method of pupil's individual choice started to be applied, by taking account of a pupil's interests and plans for future studies.

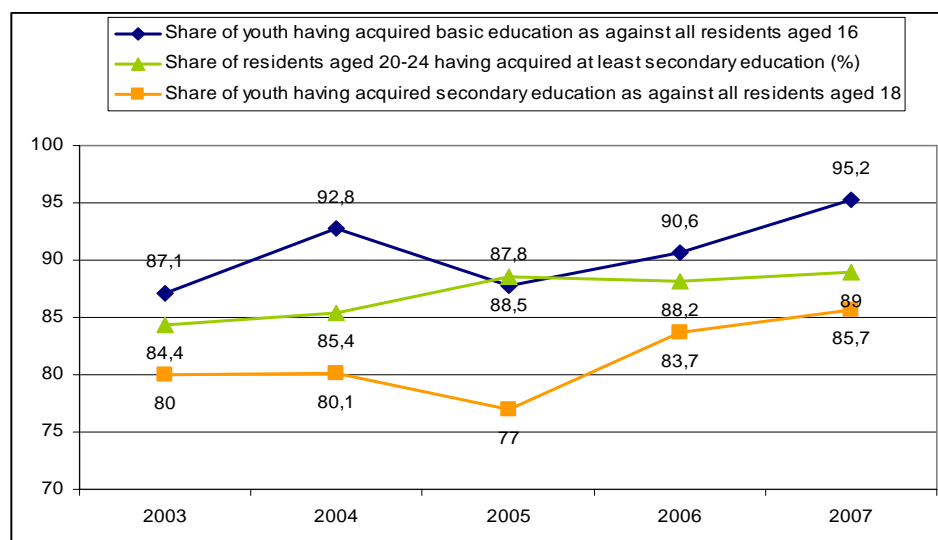
1056. More attention has been given to the development of practical rather than academic skills, such as teaching technologies in general education schools and more rapid updating of course programmes in vocational schools by adapting them to market demands. All vocational schools have been obliged to provide conditions for their students to attain general education.

#### **Positive results**

1057. The share of youth having acquired basic and secondary education has been growing over the recent years (see a graph below). The share of children and youth having acquired secondary education rose from 87.1 per cent to 95.2 per cent as against the total number of the Lithuanian population aged 16 during the period from 2003 to 2007. The share of population having acquired secondary education rose from 80 per cent to 85.7 per cent as against the total number of the Lithuanian population aged 18 during the period from 2003 to 2007. The share of population aged 20–24 having acquired at least secondary education rose from 84.4 per cent to 89 per cent.

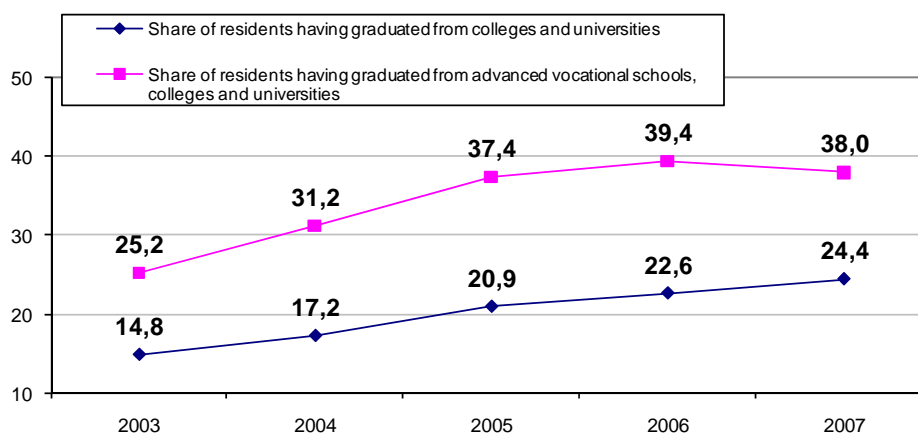


Chart 13.24

**Share of youth having acquired basic and secondary education in 2003–2007, per cent**

1058. The share of individuals aged 30–34 having acquired higher education has been growing as well (see a graph below). The share of individuals having acquired education in universities and colleges rose from 14.8 per cent to 24.4 per cent during the period from 2003 to 2007, and, together with advanced vocational education (no longer provided), this share rose from 25.2 per cent to 38 per cent.

Chart 13.25

**Share of population aged 30–34 having acquired higher education, per cent**

Source: Statistics Lithuania.

1059. The average reading literacy score for Lithuania's fourth-graders, according to PIRLS 2006 (Progress in International Reading Literacy Study), was 537 (the average score of the countries having participated in the study was 500), and Lithuania was ranked 21 out of 45 countries having participated in the study. Furthermore, reading results of Lithuania's primary school pupils had an even distribution: only 1 per cent of pupils did not reach the minimum achievement level, and 14 per cent, of the average one.

1060. According to the TIMSS 2007 (Trends in International Mathematics and Science Study) results, the mathematics scores of the Lithuanian fourth-graders were higher by 30 points, and those of the eight-graders, by 6 points, as compared to the average score of the countries participating. Achievements of the fourth-graders in natural sciences were higher than the average by 14 points, and those of the eight-graders, by 19 points. Results improved as compared to 2003.

#### **Problems and failures**

1061. According to the PISA 2006 (Program for International Student Assessment) results, Lithuania's 15-year-olds scored 488 in science literacy, 486 in mathematics literacy, and 470 in reading literacy, and thus were ranked lower than the international average (500 points). The results demonstrate that education based on the current notion of literacy differs in Lithuania from the one adopted in contemporary education systems elsewhere.

1062. National studies on student achievements have revealed other problems as well: a gap between student achievements in urban and rural areas and a fall in achievement in certain areas of education.

1063. Also, a trustworthy accounting and monitoring system for children of school attendance age was failed to be introduced: the planned launch of the automatic information system combining data from Citizens Register and Pupils Register is 1 September 2009. With internal and external migration of citizens growing, unreliability of accounting does not allow to timely notice children not attending school.

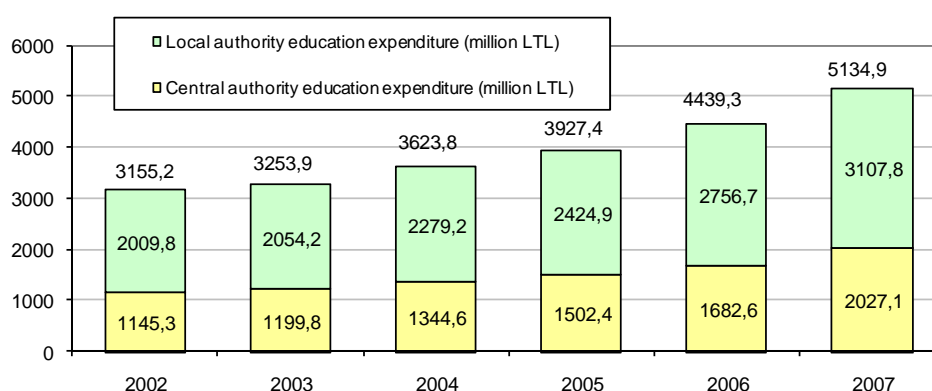
#### **4.**

1064. 5.8 per cent of GDP was allocated for education in 2008. Detailed data on public expenditure for education is provided in a table "Data on public expenditure for health care, social security, and education" (see Annex 34).

#### **Public expenditure on education**

1065. In Lithuania education is financed from two public sources: public and municipal budgets. Approximately 40 per cent of public expenditure for education is allocated from the central state budget, and the remaining 60 per cent, from municipal budgets. The total public expenditure on education from both budgets has been growing annually, however, at a different rate: from 2002 to 2007, the total public expenditure on education rose by 63 percentage points, expenditure on education from central state budget rose by 78 percentage points, and that from the municipal budgets, by 54.6 percentage points. This is related with the division of functions between the central and local governments: municipalities are founders of preschool educational establishments and general education schools, where the number of pupils has been falling over the recent years, while the central government is founder of higher educational establishments, where the number of students has been growing. Furthermore, central government allocates funding for the pupil's basket (which is a means to allocate teaching funding) for general education schools and vocational schools, while the local government finances the educational environment at these schools, i.e., maintenance costs.

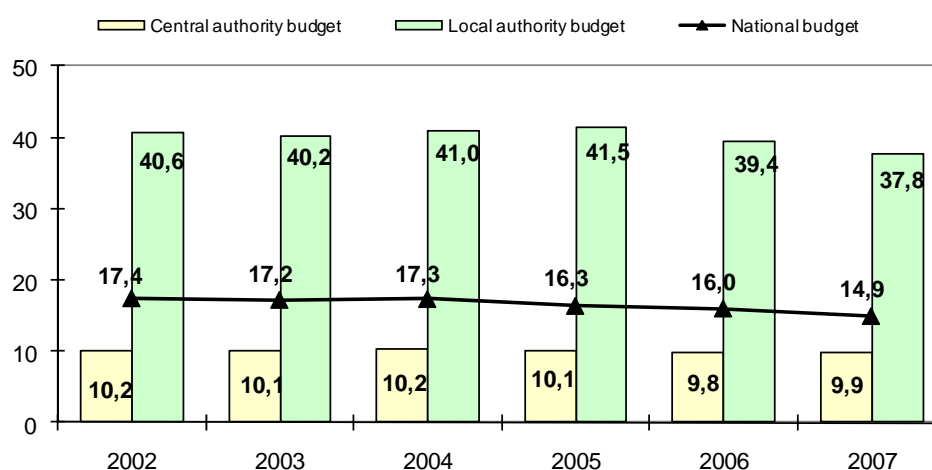
Chart 13.26

**Annual expenditure on education from national, central, and local budget (million LTL)**

Source: Statistics Lithuania.

1066. Share of the national budget allocated for education fell from 17.4 per cent to 14.9 per cent during the period in 2002–2007 (see a graph below). In a budget of central authority this share has always stood at 10 per cent; however, the share of the municipal budgets allocated for education has been falling since 2005. The trend has been determined by a faster growth of economy and the total municipal budgets.

Chart 13.27

**Expenditure on education from national, central, and local budget, as a share of total expenditure, per cent****Schools**

1067. The majority of educational establishments in Lithuania are schools, although recently mixed model establishments have started to be founded, such as vocational training centres or multifunctional education centres.

1068. Preschool education is provided at nurseries, kindergartens, nurseries/kindergartens, and kindergartens/schools. Kindergartens/schools, basic schools, youth schools, secondary schools, gymnasiums, and conservatories provide general education. Vocational training is

provided in vocational schools, which also offer general basic and secondary education. Higher education is provided in two types of establishments: university (universities and academies) and non-university (colleges).

1069. Despite a variety of school types, the education system of Lithuania is not based on the model of streams, i.e., students are able to freely choose among schools offering programmes of a corresponding level, as well as continue their studies, having acquired education of a required level, at a school of any type, which provides education of a higher level.

1070. The number of general education schools has been gradually reduced due to the falling birth rates in Lithuania (Chart 13.28). This process has been observed only in rural schools: the population density is low, thus the number of pupils in schools and classrooms is very low, too. Conversely, there is a lack of schools in the cities due to the population migration from rural areas and the construction of new residential quarters; however, only a few new schools have been built. The major reason is that founders of the general education schools are municipalities, and not the state, and the municipalities claim not possessing enough of funds for the procurement of land plots and the construction of schools. 15 schools were built during the period from 2002 to 2008.

1071. School renovation process has been far more intense. Renovation is greatly needed, for the majority of Lithuania's schools were built in 1960–1980 in accordance with the construction standards that no longer conform to the current requirements with regard to heating, sanitary conditions, energy efficiency, and safety. Furthermore, schools did not have renovation during the first decade of independence due to the lack of funding. From 2002 to 2008, 110 schools were renovated from the funding allocated by the Ministry of Education and Science, while other schools were renovated from the funding allocated directly by municipalities in line with the State Investment Programme. In 2008 there were 391, or 27 per cent of schools in total that received investment for renovation totalling at least LTL 1 million (there were 2.3 per cent of such schools in 2002).

1072. At the same time, school distribution according to types has been reorganized as well. Two stages for school network reorganization have been planned. The first stage, by 2005, encompassed school network reorganization: small basic schools with few pupils were to grow into ten-year basic schools, remain as eight-year basic schools, or were reorganized into primary schools or other types of educational, cultural, or social establishments. The second stage, 2005–2010, will see reorganization of general education establishment types, so that each school offers programmes of only one level (ISCED, 1, 2, or 3), and all schools are harmonised with a view to ensuring learning continuity. Reorganization has been pursued in compliance with the Guidelines for Reorganization of Network of General Education Establishments (Order No 150 of the Minister of Education and Science of the Republic of Lithuania of 4 February 1999, Order No 526 of 13 April 2002) as well as Methodological Recommendations for School Network Reorganization (Order No 1554 of the Minister of Education and Science of the Republic of Lithuania of 6 October 2004).

Chart 13.28  
School system

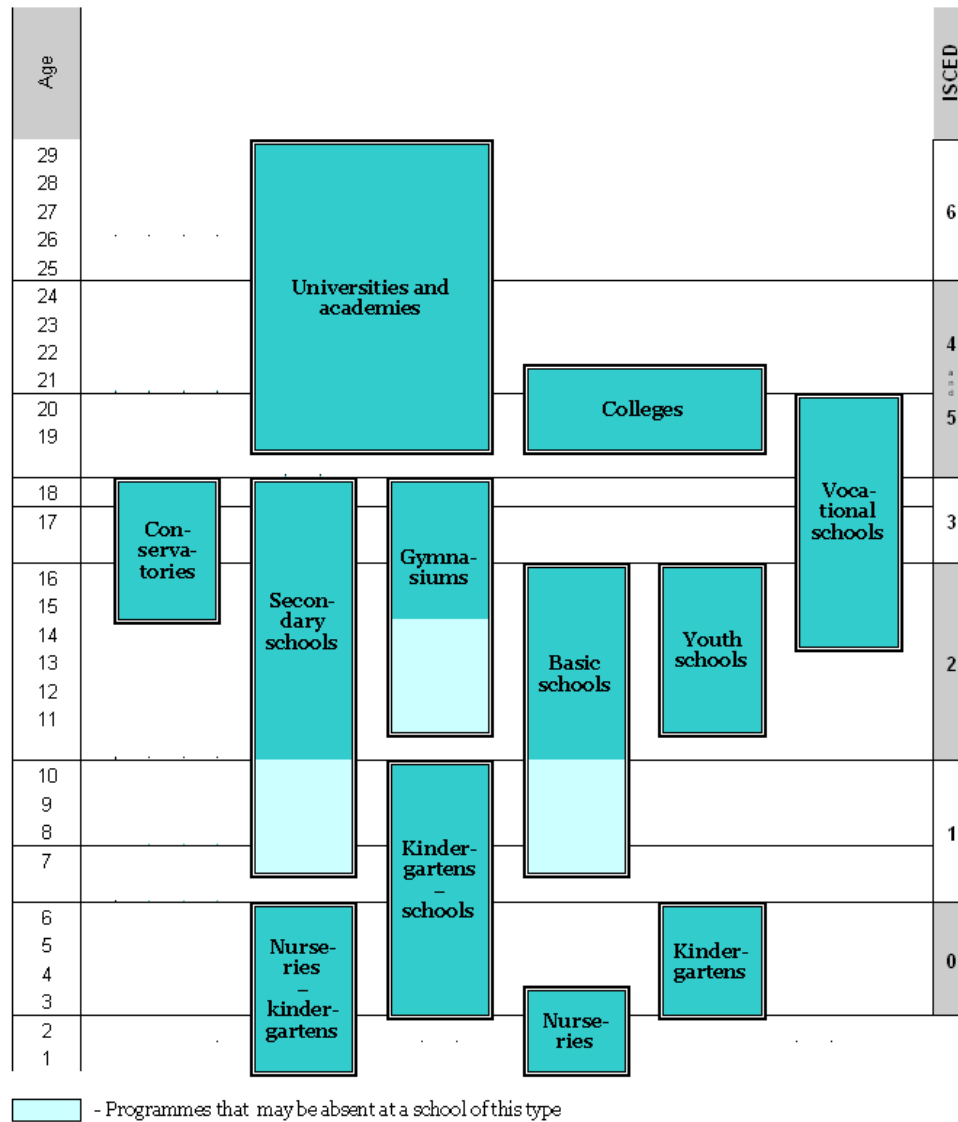
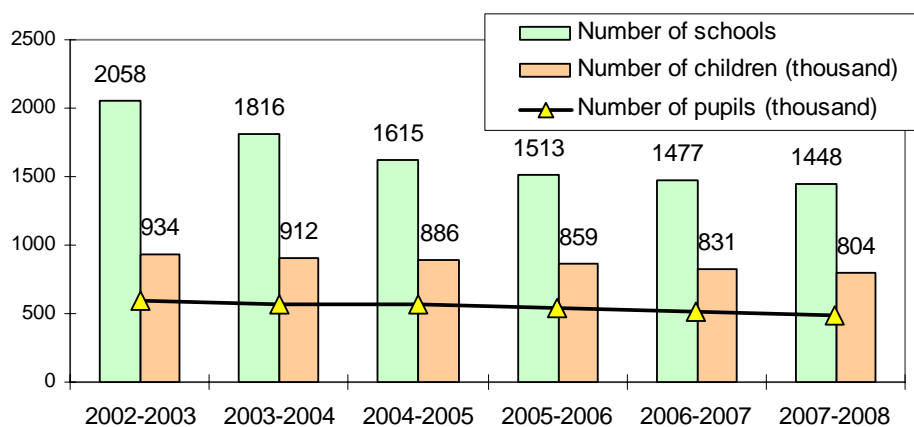


Chart 13.29

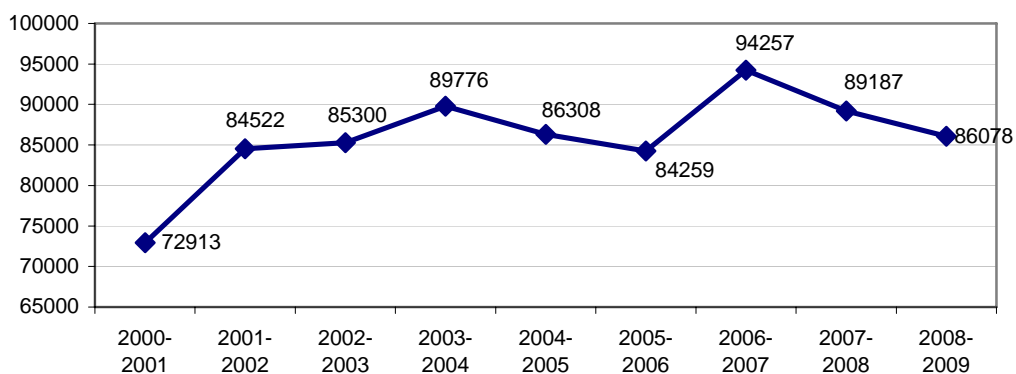
**Dynamics of the number of general education schools, as against dynamics of the number of children and pupils aged 0–19**



1073. Schools have been moving further away from some of the pupils due to the school network reorganization. The number of pupils residing at a distance of more than 3 kilometres away from school grows in the year when a larger number of schools is closed, and this number falls when almost no children of school attendance age remain in the territories where schools are closed (see a graph below). In 2008–2009 the number of pupils from rural and small-town areas, residing at a distance of more than 3 kilometres away from school, amounted to 18 per cent of all the pupils attending general education schools in Lithuania.

Chart 13.30

**Dynamics in the number of pupils residing at a distance of more than 3 kilometres from their school**



Source: Education Management Information System.

1074. Municipal and county educational establishments as well as science and study institutions yearly draft and submit to MES investment projects. The Ministry examines and assesses the projects, and allocates capital investment for separate investment projects and programmes in accordance with the ceiling set for the education sector.

1075. In compliance with the Resolution No 478 of the Government of the Republic of Lithuania of 26 April 2001, the procedure for planning, corrections, use, accounting and control of the State funds allocated for the state capital investment, the number of municipal and county educational establishments to be renovated, as well as the number of science and study institutions and the concrete list thereof depend on the capital investment ceiling. Compared to the capital investment made in 2004–2009, proportional growth has been observed. The sum of LTL 425,341,000 was approved by a Resolution in 2007, LTL 509,095,000 in 2008, and LTL 533,414,000 in 2009. Building and reconstruction of new schools has been exercised by the founders. MES exercises the building of those schools, the building and reconstruction whereof is delegated to it by the Seimas of the Republic of Lithuania, the Government of the Republic of Lithuania, or the schools that the Ministry has founded.

#### 5. (a)

1076. In practice, with a developed legal basis in place, there are no problems with regard to illiteracy or having no access to education because of gender. There are more female pupils and students in Lithuanian schools as compared to males (see a table below). Due to the higher number of boys in the population, there are slightly less of females in general education schools (49.4 per cent), and less of females as compared to males choose education in vocational schools (38.5 per cent). However, every year approximately 60 per cent of students in higher educational establishments are female.

Table 13.31

#### Female pupils and students in educational establishments

<i>Academic year</i>	<i>Total number of pupils and students</i>	<i>Female</i>		<i>Number of females per 100 males</i>
		<i>Number</i>	<i>Share per cent</i>	
<b>All types of schools</b>				
2002/03	<b>806 905</b>	411 856	51.0	104
2003/04	<b>810 445</b>	415 308	51.2	105
2004/05	<b>804 994</b>	414 583	51.5	106
2005/06	<b>783 427</b>	404 123	51.6	107
2006/07	<b>759 521</b>	392 325	51.7	107
2007/08	<b>737 754</b>	381 229	51.7	107
<b>General education schools</b>				
2002/03	<b>594 313</b>	293 164	49.3	97
2003/04	<b>583 063</b>	287 738	49.3	97
2004/05	<b>563 107</b>	278 400	49.4	98
2005/06	<b>538 541</b>	266 794	49.5	98

<i>Academic year</i>	<i>Total number of pupils and students</i>	<i>Female</i>		<i>Number of females per 100 males</i>
		<i>Number</i>	<i>Share per cent</i>	
2006/07	<b>514 622</b>	254 627	49.5	98
2007/08	<b>489 442</b>	241 883	49.4	98
<i>Vocational schools</i>				
2002/03	<b>44 441</b>	17 776	40.0	67
2003/04	<b>44 403</b>	17 774	40.0	67
2004/05	<b>46 344</b>	18 592	40.1	67
2005/06	<b>46 334</b>	18 337	39.6	65
2006/07	<b>45 382</b>	17 873	39.4	65
2007/08	<b>43 880</b>	16 884	38.5	63
<i>Advanced vocational schools</i>				
2002/03	<b>22 367</b>	13 735	61.4	159
2003/04	<b>12 262</b>	7 651	62.4	166
2004/05	<b>4842</b>	2936	60.6	154
2005/06	<b>832</b>	517	62.1	164
-	-	-	-	-
<i>Colleges</i>				
2002/03	<b>26 236</b>	16 404	62.6	167
2003/04	<b>40 472</b>	25 055	61.9	163
2004/05	<b>52 185</b>	31 398	60.2	151
2005/06	<b>55 949</b>	33 263	59.5	147
2006/07	<b>56 297</b>	33 592	59.7	148
2007/08	<b>60 096</b>	35 501	59.1	144
<i>Universities</i>				
2002/03	<b>119 548</b>	70 777	59.2	145
2003/04	<b>130 245</b>	77 090	59.2	145
2004/05	<b>138 516</b>	83 257	60.1	151
2005/06	<b>141 771</b>	85 212	60.1	151
2006/07	<b>143 204</b>	86 230	60.2	151
2007/08	<b>144 336</b>	86 961	60.2	152

*Source:* Statistics Lithuania.

### 5. (b)

1077. Pupils with special needs constitute quite a large share of all pupils: in 2007–2008 there were 51,955 pupils with special needs, or 10.6 per cent of all pupils, in general education schools. During the recent 3 years, the share of pupils with special needs rose by 1 percentage point. Article 15 of the Law on Education of the Republic of Lithuania provides the following regulation for special education: “the purpose of special education is to assist an individual with special needs in his development, to help him learn according to his abilities, attain an education level and acquire a qualification; and to overcome social exclusion”. Special education is provided in compliance with all the compulsory and universally available programs of education. If necessary, such programs are amended and



adjusted, special education curricula are developed and additional assistance is provided. Special education is implemented by all schools that provide compulsory and universally available education, other education providers and, in certain cases, special education schools. Completion of formal education programs may, for the purposes of special education, take longer than the established period. A learner who studies at intervals may complete the programs by way of discrete modules. Individuals with special needs who study according to programs that meet national standards for attainment of an education level may attain such a level and/or a qualification. In certain cases a qualification is acquired without having attained an education level. Special education is regulated in greater detail by the Law on Special Education of the Republic of Lithuania (Law no VIII-969, adopted on 15 December 1998).

1078. Pupils with special needs may study in two ways: at general education schools or special schools. The major share (98.5 per cent) of pupils with special needs study at general education schools, and the minority (1.5 per cent), at special or remedial classes. Slightly more than a half (52.2 per cent) of pupils with special needs who had been integrated into general education schools, had language and communication disorders. 12.8 per cent of pupils had specific cognitive disorders, and 11.3 per cent complex disorders. The smallest share of pupils had hearing and visual disorders.

1079. The major share (70.2 per cent) of pupils with special needs studying at special schools or special education centres had intellectual disorders. Among other disorders, hearing, movement and motor function, language and communication, and visual disorders could also be mentioned.

Table 13.32

**Distribution of pupils with special needs, who are integrated into general education schools, according to groups of disorders, per cent (2007–2008)**

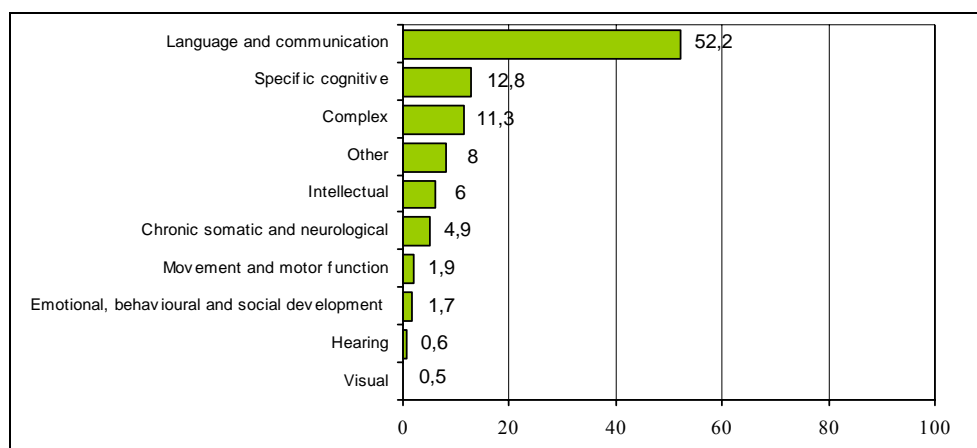
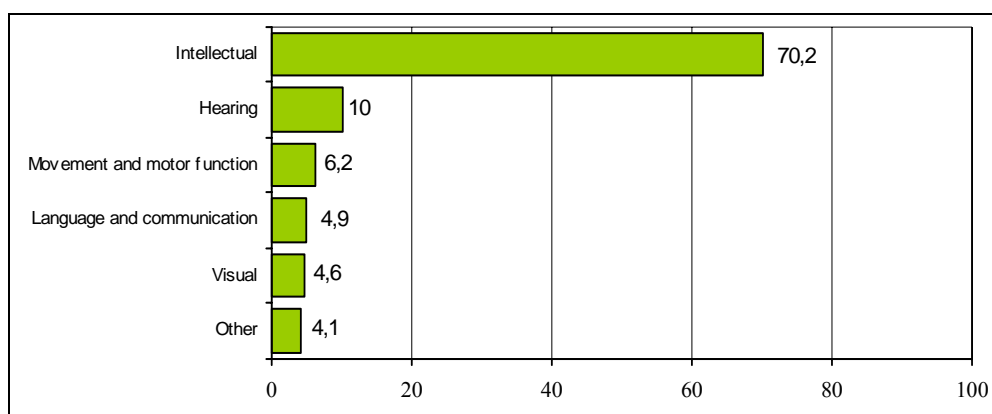


Table 13.33

**Distribution of pupils with special needs, studying at special schools and special education centres, according to groups of disorders, per cent (2007–2008)**

Source: Statistics Lithuania.

1080. Over the recent years, integrated education of pupils with special needs was supported; however general education schools are not yet fully ready to educate pupils with all types of disorders, therefore education results might be better in certain subjects when teaching these pupils separately.

**5. (c)**

1081. The traditional way of support for students is state grants. Grants are offered to students studying at vocational schools and higher education establishments.

1082. Grants are provided for students of primary vocational education in accordance with the Procedure for Allocation of Grants and Material Support for Students Studying According to the Programmes of Primary Vocational Education and Students of Advanced vocational schools approved by the Resolution No 876 of the Government of the Republic of Lithuania of 10 August 2005. The grants are low: the minimum grant for a student studying according to the programmes of vocational education with a view to obtaining primary qualifications amounts to 0.27 of MSL (LTL 35.1), and the maximum one is 0.76 of MSL (LTL 98.8). The grant amount is determined for concrete individuals by the vocational education establishments themselves based on the students' results and behaviour at the educational establishment.

1083. The number of students receiving the grant grew during the period from 2003 to 2005; however, it began to fall since 2006. In 2007, 63.9 per cent of students studying at vocational schools received grants, and that was less by 4 percentage points as compared to 2005. 99 per cent of all students studying at vocational schools and receiving grants received grants that were less than one MSL (LTL 130).

Table 13.34  
**Number of vocational schools students receiving grants**

	2003	2004	2005	2006	2007
Total number of students receiving grants*	27 903	30 232	31 501	29 537	28 051
Share, per cent	62.8	65.2	68.0	65.1	63.9
Number of students receiving a social benefit in addition	8 719	8 242	6 817	6 406	5 568

Source: Statistics Lithuania.

\* Except for students receiving an orphan student's benefit, social benefit, or company grant.

1084. Vocational schools students from low-income families, single students receiving financial assistance, students coming from large families, or students bringing up children may receive social benefit in addition to State grants. The number of students receiving State grants or social benefits has been falling over the recent two years. Approximately one eighth of students studying at vocational schools received social benefit during the period of 2007–2008.

1085. Students studying at public higher education establishments whose studies are fully or partially financed by the State may receive grants based on their study results. The data from the recent three years shows that the share of students receiving grants based on their academic results has been decreasing. The number of college students receiving such grants has fallen by 2,5,000 (10 percentage points), while that of university students, by 2,000 (2 percentage points).

Table 13.35  
**Number of students studying at public higher education establishments and receiving grants based on their academic results, excluding those paying for their studies (percentage share in brackets)**

	2005–2006	2006–2007	2007–2008
College students <sup>1</sup>	14 172 (65 per cent)	12 612 (57 per cent)	11 661 (55 per cent)
University students <sup>2</sup>	27 958 (45 per cent)	27 176 (44 per cent)	25 921 (43 per cent)

<sup>1</sup> Full-time students excluding those receiving an orphan student's benefit, social benefit, or company grant.

<sup>2</sup> Full-time undergraduate students excluding those receiving an orphan student's benefit, social benefit, or company grant.

1086. Students from low-income families, single students receiving financial assistance, students coming from large families, or students bringing up children are granted social benefit. Slightly less than a fifth of college students and a small share (4 per cent) of full-time undergraduate students whose studies are financed by the State receive social benefit. A very small share of students receive grants from various organisations and companies. During 2007–2008 only 0.2 per cent of students studying at higher education establishments received such grants.

Table 13.36

**Number of students receiving social benefit or company or organisation grants (percentage share in brackets)**

		2005–2006	2006–2007	2007–2008
College students receiving	Social benefit	3 993 (18.3 per cent)	4 056 (18.5 per cent)	3 761 (17.6 per cent)
	Company or organisation grant	3 (0.01 per cent)	17 (0.1 per cent)	28 (0.1 per cent)
University students receiving	Social benefit	4 750 (7.6 per cent)	2 088 (3.4 per cent)	2 425 (4.0 per cent)
	Company or organisation grant	193 (0.3 per cent)	123 (0.2 per cent)	384 (0.6 per cent)

Source: Statistics Lithuania.

1087. The Action Programme of the Government of the Republic of Lithuania for 2008–2012 provides for the following measures with a view to ensuring access to education and equal study opportunities:

- With adequate preparation, we shall finance preschool education according to a child’s basket model which will include the financing of economy supply as well.
- Aiming to achieve high quality of early child education, we shall encourage educators and other staff of pre-school training institutions to improve their qualification by including funds for qualification improvement into the child’s basket.
- We shall make efforts to give the majority of children the opportunity to participate in the activity of at least one non-formal education. We shall create a “mobile” non-formal education basket consisting of municipal, state budget, and programme funds. This basket will be used for accredited and licensed suppliers of non-formal education services selected by a child and their parents: centres, classes, public, non-governmental organizations, and private persons.
- We shall reform the system of funding for vocational education in accordance with the principle that funding has to be allocated for an individual, and not for an institution. We shall restructure study financing by granting state funds to the most talented school graduates.
- We shall introduce the higher education student’s basket to finance the best (in accordance with the national school leaving examination results).
- We shall create a system of state supported credits. For this purpose, we shall restructure Lithuania’s State Science and Education Fund and determine conditions for guaranteeing credits and interest compensation procedure.

**5. (d)**

1088. Lithuania’s education system provides a possibility for national minority pupils to study at general education schools for national minorities. Article 30 of the Law on Education of the Republic of Lithuania provides the following:

“At those general education and non-formal education schools, the by-laws of which (respecting the requests of parents and learners) provide for teaching in a language of an national minority and fostering of the national minority’s culture, the teaching process is conducted or certain subjects are taught in the language of the

national minority. The subject of the Lithuanian State language is a constituent part of the curriculum at such schools. In such schools:

- (1) The primary and basic curricula are implemented in the language of the national minority, while selected curriculum subjects may be taught in the Lithuanian State language, upon the parents' (adoptive parents', guardians') request.
- (2) The secondary curriculum is implemented in the language of the national minority. Curriculum subjects selected by the learners may be taught in the Lithuanian state language.
- (3) State-run and municipal pre-schools and general education schools provide opportunities for learners who belong to national minorities to have supplementary study of their mother tongue; this is subject to the existence of a real need and the availability of a specialist of that language and if the teaching process is organised in another language.
- (4) A person who belongs to a national minority may study his mother tongue at a school that implements non-formal education programs or with another education provider."

1089. In accordance with laws of the Republic of Lithuania, municipalities guarantee teaching in the language of a national minority, respecting requests of the community, in areas that traditionally have been inhabited by a large national minority. In general education and non-formal education schools, the by-laws of which (respecting the requests of parents and learners) provide for teaching in a language of an national minority and fostering of the national minority's culture, the teaching process is conducted or certain subjects are taught in the language of the national minority. In compliance with paragraph 3 of Article 30 of the Law on Education of the Republic of Lithuania, conditions have been created during the recent years for individuals who belong to a national minority to study their mother tongue at all educational establishments where language of instruction differs from the native language of the learner. General education plans of general education schools provide that teaching of a native language may be organised when 5 children request thereof and when a school has a teacher for the subject. That is of special importance for small national minority groups that until recently could learn their native language only in non-formal education establishments, most often at Saturday/Sunday schools.

1090. Saturday/Sunday schools as well as classes in general education schools for small and incompact national minorities provide possibility to learn their mother tongue. There are 45 national minority Saturday/Sunday schools in Lithuania. The majority of these schools have been founded by members of small national minority communities (Tatars, Jews, Ukrainians, Germans, Armenians, Karaites, Chechens, etc.). However, with the number of pupils falling in schools with the Russian and Polish languages of instruction, the need for these national minorities to have their Saturday/Sunday schools is growing. State budget of the Republic of Lithuania offers financial aid for the activities of the Saturday/Sunday schools.

1091. There are two private national minority schools in Vilnius: Marina Mizhigurskaja general education school with the Russian language of instruction and Jewish secondary school "Beth Menahem".

1092. The higher education establishments in Lithuania train teachers who teach native language at national minority schools. Teachers are offered possibilities to acquire qualifications and to pursue professional training, as well as to get ready for work in educational establishments with several languages of instruction.

**Data with regard to teaching in a state and other languages in schools of various levels**

Table 13.37

**Pre-school educational establishments according to languages of instruction**

	2005	2006	2007
Number of preschool educational establishments	656	652	649
Number of educational establishments with one language of instruction			
Lithuanian	561	570	565
Russian	16	13	16
Polish	11	9	10
Number of educational establishments with several languages of instruction			
Lithuanian and Russian	24	19	14
Lithuanian and Polish	25	24	25
Lithuanian, Russian, and Polish	9	9	9
Russian and Polish	9	8	9
Lithuanian and one other language	1	1	1
<b>Total number of pupils</b>	<b>90 021</b>	<b>90 552</b>	<b>93 044</b>
Out of them, the number of pupils instructed in			
Lithuanian	83 192	84 013	86 218
Russian	4 849	4 553	4 696
Polish	1 954	1 981	2 124
Other language	26	5	6
Share of the total number of pupils (per cent)			
Lithuanian	92.4	92.8	92.7
Russian	5.4	5.0	5.0
Polish	2.2	2.2	2.3
Other language	0.0	0.0	0.0

Source: Statistics Lithuania.

Table 13.38

**General education schools according to languages of instruction\***

	2005–2006	2006–2007	2007–2008
<b>In total</b>	<b>1 437</b>	<b>1 398</b>	<b>1 363</b>
Number of schools with one language of instruction			
Lithuanian	1 265	1 240	1 215
Polish	64	63	63
Russian	45	42	40
Belorussian	1	1	1
French	1	1	1
Number of schools with several languages of instruction			

	2005–2006	2006–2007	2007–2008
Lithuanian and Polish	15	17	14
Lithuanian and Russian	19	13	11
Russian and Polish	15	13	11
Lithuanian, Russian, and Polish	9	5	4
Lithuanian and English	2	2	2
Lithuanian, Russian, and Belorussian	1	1	1
Lithuanian and German	1	1	1

\* Excluding adult schools, special schools, and sanatorium schools.

Table 13.39  
Pupils of general education schools according to languages of instruction\*

	2005–2006	2006–2007	2007–2008
<b>Total number of pupils</b>	<b>519 530</b>	<b>496 788</b>	<b>472 349</b>
Out of them, the number of pupils instructed in			
Lithuanian	475 851	457 200	436 158
Russian	25 037	22 122	19 867
Polish	18 363	17 193	16 041
Belorussian	149	138	140
French	42	56	75
English	88	79	68
Share of the total number of pupils (per cent)			
Lithuanian	91.6	92.0	92.3
Russian	4.8	4.5	4.2
Polish	3.5	3.5	3.4
Belorussian	0.0	0.0	0.0
French	0.0	0.0	0.0
English	0.0	0.0	0.0
<b>Total number of pupils</b>	<b>519 530</b>	<b>496 788</b>	<b>472 349</b>
Out of them, the number of pupils instructed in			
Lithuanian	475 851	457 200	436 158
Russian	25 037	22 122	19 867
Polish	18 363	17 193	16 041
Belorussian	149	138	140
French	42	56	75
English	88	79	68
Share of the total number of pupils (per cent)			
Lithuanian	91.6	92.0	92.3
Russian	4.8	4.5	4.2

	2005–2006	2006–2007	2007–2008
Polish	3.5	3.5	3.4
Belorussian	0.0	0.0	0.0
French	0.0	0.0	0.0
English	0.0	0.0	0.0

\* Excluding adult schools, special schools, and sanatorium schools.

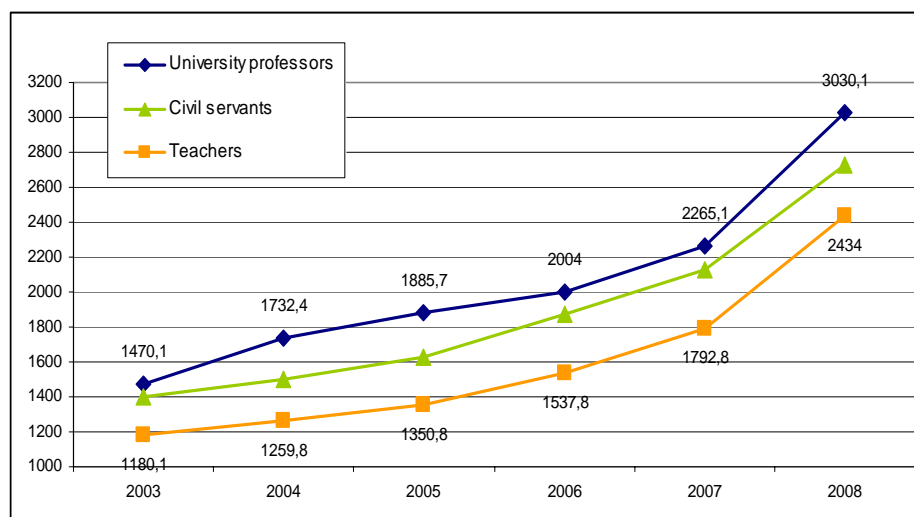
1093. Higher education establishments conduct studies in the state language (Lithuanian). Another language of instruction is used when the study content is related to that language or when that is required for the purposes of international exchange programmes. This level of studies provides possibilities to train school and kindergarten teachers to teach at national minority schools where the language of instruction is the pupils' mother tongue.

## 6.

1094. Salaries for teachers and university professors grew during the period from 2003 to 2008; however, salaries for other civil servants grew during that period as well (see a graph below).

Chart 13.40

**Dynamics of average monthly pay for civil servants, teachers, and university professors in 2003–2008, LTL**



1095. Teachers' salaries during the reported period were lower than the average pay for civil servants: the difference ranged from 17 to 11 percentage points. Pay for university professors, which was commensurate with the average pay for civil servants in 2003, exceeded it later on, and was higher by 11 percentage points at the end of 2008. However, there is a large differentiation with regard to salaries for university professors: in fact only salaries for university professors of the highest professional status are higher than the average pay for civil servants.

1096. On 1 January 2008 the salary of teachers was raised by 15 percent; from 1 May 2008 it was additionally increased by 10 percent, and from 1 September 2008 – again by 15 percent.



1097. Other means under consideration for improvement of the working conditions of teachers is the transition from an hourly model to a set salary status; the application of this principle would help assess not only teaching but also additional extracurricular hours; the right to a sabbatical every 7 years; the right to retirement and to an age pension after 25 years of teaching. The two last provisions have been included into the Programme of the recent Government of the Republic of Lithuania (which took office at the end of 2008); the implementation of the above provisions, however, most likely depends on the economic condition and success in addressing the shortage of teaching staff.

1098. The small salary have also brought about a variety of problems in higher education system: “brain drain” (teachers switched over into other areas of activity), work overload (teachers are employed in two or more higher schools in order to survive on a teacher’s salary), lack of young specialists, ageing of teaching staff, and, last but not least, quality of studies. In order to address the above problems, the salary of teachers and scientific staff was raised by 20 percent on 1 July 2007, followed by a further 10 percent salary increase for least paid academic personnel (assistants, scientific staff, lecturers and researchers) on 1 September in the same year. Salaries for all teachers and scientific staff were again raised by 20 percent in the beginning of 2008; the same year saw the adoption of the 2009–2011 Programme on the Salary Increase of Research and Studies Institutions by Resolution No. 509 of the Government of the Republic of Lithuania of 28 May 2008. The key target of the programme is to ensure that the least salary of researchers and lecturers would surpass AW of persons employed in the public sector by the relevant salary increase for all workers of research and studies institutions.

7.

1099. For the consolidated table on non-state (private) education institutions see Annex No. 33 to the report.

1100. The part of non-state schools in Lithuania is very small, making up only 2.8 percent of the total number (see the table below). The number of such schools during the reporting period grew, but only fractionally (see the chart below).

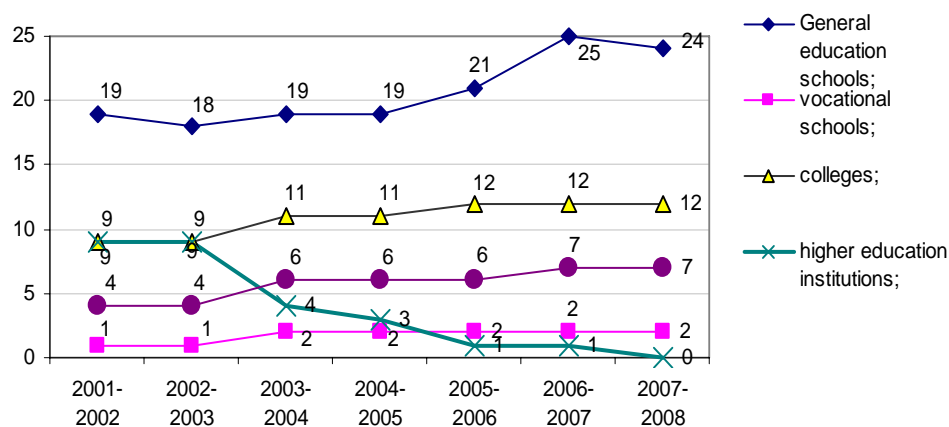
Table 13.41

**Consolidated table on non-state schools during 2007–2008 school years**

<i>Type</i>	<i>Total</i>	<i>Number of non-government schools</i>	<i>(Per cent) of non-government schools</i>
Universities	22	7	31.8
Colleges	28	12	42.9
Vocational schools	80	2	2.5
Schools of general education	1 472	24	1.6
<b>In total</b>	<b>1 602</b>	<b>45</b>	<b>2.8</b>

*Source:* Department of Statistics of the Republic of Lithuania.

Chart 13.42

**The change in numbers of non-State schools according to their types during the 2002–2008 period**

Source: Department of Statistics of the Republic of Lithuania.

1101. The reporting period saw reorganization of higher education institutions into colleges (higher education non-university establishments) or their dissolution, and this fact accounts for a rapid change of their numbers.

1102. According to the Law on Education of the Republic of Lithuania a non-state school is “a school founded by a Lithuanian legal entity (except the Seimas of the Republic of Lithuania, the Government of the Republic of Lithuania, the Ministry of Education and Science, other ministries, Government agencies, agencies under the Ministries, the county governor or the municipal council) or natural person; or a school founded by a Lithuanian legal entity or natural person in co-operation with foreign legal entities or natural persons; a school founded by a foreign legal entity or natural person.”. Currently, there are no restrictions concerning the establishment of non-state schools. There are two types of schools according to the type of establishing entities, i.e. non-state schools in the strict sense of the word and schools of two establishing entities, with one of them being a state or a municipality. The activity of non-state schools is subject to the same regulatory framework as that of state schools.

1103. State and non-state schools are funded differently. From 2002 onwards, schools of general education receive the so-called “pupil’s basket” (allocation of funds to a single pupil) from the state budget which is identical in all schools. The basket, however, does not include funds for maintenance (administration) as they lie within the responsibility and duty of the founder of a school. Accordingly, state and municipal schools receive funds for administration and maintenance from the state or municipal budget, while non-state schools collect those funds from pupils’ parents. Hence parents of pupils attending non-state schools finance indirectly — through taxes — the maintenance of state schools and directly the administration of the school their child goes to. The above circumstance as well as insufficient economic capacity of the country’s population underlies the problem with the establishment of non-state schools – the incapacity of people to maintain schools. Moreover, being quite a new phenomenon in Lithuania, these schools do not own their premises, have not enough funds to build or acquire them and cannot afford to take out a lease on premises due to high prices. Financial problems are more acutely felt in non-state preschool education institutions as they receive no state support, therefore parents pay the full tuition fee for a child.

1104. According to the Republic of Lithuania Law on Higher Education, a higher education establishment not belonging to the State may be founded by a legal person (except the State higher education establishment of the Republic of Lithuania) with material facilities necessary to ensure the functioning of a higher education establishment and upon the issuance of a licence to a higher education establishment in a manner prescribed by the Government of the Republic of Lithuania. Non-state higher education establishments obtain the licence to implement studies in the same manner as other higher education institutions (regulated by the Procedure for Registration and Issue of Permits to Implement Studies (Order No. 1173 of the Minister of Education and Science of the Republic of Lithuania, dated 12 June 2006). These establishments should additionally submit the documents proving the founders have material facilities necessary for provision of its planned new educational activity and the field or stage of studies; the activity (business) plan of the prescribed form for provision of its planned new educational activity, the field or stage of studies; descriptions of the programmes of the field or stage of studies drafted according to the conditions prescribed by the study quality assessment commission; proofs of preparations for a planned scientific activity (fields of research, lists of scientists who have agreed to work in a non-state higher education establishment, descriptions of their scientific activity and documentation of that activity). A non-state higher education establishment is not funded by the state, but MES may conclude an agreement with it to train specialists in a certain field and allocate state funds for relevant studies. The cost of studies in state higher education establishments shall be stipulated by an agreement.

## 9.

1105. In the beginning of the reporting period the major influence on general education system was made by the World Bank and Government-funded School Improvement Programme (for 2002–2006). The aim of the programme was to introduce system changes, i.e. to improve pupil performance by reorganising the networks of schools, renovating and upgrading schools, establishing the education monitoring and assessment system (Education Management Information System, Internal and External Institutional Quality Assessment, National Pupil Performance Research and Education Policy Analysis) and improving teaching methodologies.

1106. With the reporting period drawing to a close, the biggest impact on education is being made by the projects financed from the EU structural funds. The following projects administered by MES were carried out during the period 2004–2006:

- Creation and development of the open information, counselling and guidance system (AIKOS) (Total amount: 9 347 353.29 Lt)
- Creation and introduction of careers counselling (Total amount of the project: 6 733 572 Lt)
- Creation and development of the vocational training knowledge and skills evaluation system (Total amount: 1 741 250 Lt)
- Development of adult education opportunities: Portfolio of andragogic literature (Total amount: 1 515 485 Lt)
- Training of administration staff of MES and its subordinate institutions with the aim of improving management, foreign languages and computer literacy skills (Project value: 1 055 600 Lt)

1107. For the period 2007–2013, MES administers the total amount of LT 3 398.84 allocated for education and science from EU structural funds. The strategic guidelines for the amount of structural funds and its beneficiaries have been stipulated in seven programmes for improvement of general education, vocational training, careers counselling, studies and science (approved by the Minister of Education and Science):

- School improvement programme plus
- Programme for resources development of practical vocation training
- National programme for careers counselling in the education system
- National studies programme
- Researchers' careers programme
- General national integrated programme
- General national research, science and business co-operation programme

1108. The assessment of the scope of EU financial support for education and training is a difficult thing to do as the projects administered by other ministries place a sharp focus on training of personnel or society as well as other means that exert an indirect influence on education matters. The impact of education exchange programmes (Comenius, Erasmus, Grundtvig, Leonardo da Vinci and others) on general education and integration into the EU education space is no less significant.

### Article 15 of the Covenant

1. **Please describe the legislative and other measures adopted by or in your State to realize the right of everyone to take part in the cultural life which he or she considers pertinent, and to manifest his or her own culture. In particular, provide information on the following:**

1. (a) **Availability of funds for the promotion of cultural development and popular participation in cultural life, including public support for private initiative**

Table 15.1

**Public and municipal budgetary expenditure for recreational, cultural and religious activities**

	2006		2007	
	Thou. LTL	<i>In comparison with total social sector expenses, per cent</i>	Thou. LTL	<i>In comparison with total social sector expenses, per cent</i>
Social sector expenses	8 587 250	100.0	10 095 100	100.0
Recreation, culture and religion	824 921	9.6	993 075	9.8
Recreation and sport services	137 026	1.6	163 931	1.6
Cultural services	547 888	6.4	669 879	6.6
Public information institutions	54 811	0.6	63 716	0.6
Religious communities and other social organisations	39 301	0.5	49 198	0.5
Other recreational, cultural and religious activities not falling under any other group	45 895	0.5	46 351	0.5

1. (b)

1109. People are invited to take part in cultural activities through cultural institutions. As of 2007, 13 state theatres, 21 non-state theatre, 920 theatre groups (567 drama theatres and

studies, 34 puppet theatres, 5 pantomime troupes, 6 dance theatres, 4 circuses, 202 recitation groups and 102 others (motion, etc.)) and companies operated in the country.

1110. Also, 853 cultural centres, 1,395 libraries and their affiliates under MC, 1,462 libraries of education institutions, 106 museums and 44 cinemas are operating in the country. On the national scale, amateur cultural activities are administered via the Lithuanian Folk Culture Centre.

#### 1. (c)–(d)

1111. The State of Lithuania, through its continuous support to the culture of national minorities, aims at strengthening the cultural rights of Lithuanian citizens of other nations, creating conditions to integrate minorities into the country's public life and foster their cultural traditions and heritage.

1112. Every year DNMLLA provides financing for the culture and education projects of nearly 300 non-government organisations of national minorities and organises seminars and workshops for the representatives of national communities. The developing network of national communities centres, established in 2001, contributes to the preservation of the cultural and ethnical individuality of Lithuanian national minorities.

1113. In Lithuania, national minority communities are provided with conditions for using mass media in their mother tongue. At present, 105 periodicals are published in Russian, Polish, German, Latvian and Estonian languages. Lithuanian Tatars publish their daily in Lithuanian, Polish or Russian languages with some parts in their native language.

1114. The national minorities provide information about their activities in the Informational Bulletin of National Communities published by DNMLLA and the public organisation – the House of National Communities. The list of publications for national minorities is presented in the table below.

Table 15.2

#### Periodicals for Representatives of National Minorities

<i>Title of Publication</i>	<i>Language</i>	<i>Periodicity</i>	<i>Place of Publication</i>
“Ekspress-nedelia”	Russian	Weekly	Vilnius
“Fan (Fakty i Novosti)”	Russian	Weekly	Visaginas
“Klaipėda”	Russian	Daily	Klaipėda
“Kurier Wilenski”	Polish	Daily, 5 times a week	Vilnius
“Lietuvos Jeruzalė”	Lithuanian, English, Russian, Yiddish	Monthly	Vilnius
“Lietuvos totoriai”	Lithuanian, Russian, Polish	Monthly	Kaunas
“Litovskij kurjer”	Russian	Weekly	Vilnius
“Magazyn Wilenski”	Polish	Monthly magazine	Vilnius
“Spotkania”	Polish	Monthly	Vilnius

<i>Title of Publication</i>	<i>Language</i>	<i>Periodicity</i>	<i>Place of Publication</i>
“Nasz Czas”	Polish	Weekly	Vilnius
“Obzor”	Russian	Weekly	Vilnius
“Respublika”	Russian	Daily	Vilnius
“Sugardas”	Lithuanian, Russian	Weekly	Visaginas
“Vilniaus krašto savaitraštis” (“Tygodnik Wilenszczyzny”)	Lithuanian, Russian	Weekly	Vilnius
“V každij dom”	Russian	Weekly	Visaginas

1115. According to the provisions provided for in the Law on the National Radio and Television of the Republic of Lithuania (No. I-1571 of 8 October 1998), the national broadcaster is obliged to ensure that its programmes are geared to different public groups of various age, various nationalities and various convictions. In adherence to this provision, the Lithuanian National Radio broadcasts informational programmes of various durations for Russian, Belarusian, Tatar, Ukrainian, Jewish and other national minorities. Programme One of the National Lithuanian Radio has a daily 30-minute information broadcast in Russian; Programme Two (“Klasika”) of the Lithuanian Radio airs an hour long programme “Santara” (Concord) for diverse Lithuanian national minorities as well as a 30-minute programme in Polish (see Table 15.3). National minorities have a TV programme under the title “Kultūrų kryžkelė” (Crossroad of Cultures), a programme in Ukrainian (“Trembita”), in Belarussian (“Vilneskiy Šytok”), a bi-monthly programme for Jews “Menora” (Menorah), and a programme for Orthodox believers, “Krikščionio žodis” (“A Christian’s Word”).

Table 15.3

**“Santara” programmes for representatives of national minorities**

<i>Broadcast</i>	<i>Periodicity of programme</i>
TV programme for various national minorities living in Lithuania	Every Monday
TV programme for Belarusians	Every Tuesday and Saturday
TV programme in Russian language	Every Wednesday and Sunday, every first and third Thursday and Friday of the month
TV programme for Jews	Every second and fourth Thursday of the month
TV programme for Ukrainians	Every second and fourth Friday of the month

1116. In 2007, Programmes One and Two of the Lithuanian National Radio transmitted a total of 716 hours of information broadcasts in Russian, Polish, English and other languages as part of the programme for national minorities under the umbrella term

“Vaivorykšte” (Rainbow). The period 2004–2007 saw no decrease in programmes for national minorities, but as of June 2007 there are no repeated broadcasts.

Table 15.4

**National Television programmes for national minorities**

<i>Title</i>	<i>Target audience</i>	<i>Periodicity</i>	<i>Duration</i>
<i>Album Wilenski</i> (Album of Vilnius)	Polish	Once a week	15 minutes
<i>Vilenskij sšytak</i> (Notebook of Vilnius)	Belarusian	Once a week	15 minutes
<i>Menora</i> (Menorah)	Jewish	Once a week	10 minutes
<i>Russkaja ulica</i> (Russian street)	Russian	Once a week	15 minutes
<i>Trembita</i>	Ukrainian	Once a week	10 minutes
<i>Labas</i> (Hello)	For all national minorities	Once a week	10 minutes

1117. Lithuania has the following private radio stations that broadcast in the languages of national minorities: “Russkoye Radio” (twenty-four-hour broadcast in Russian), “Znad Wili” (twenty-four-hour broadcast in Polish) and the radio station “Baltijos Bangos” (Baltic Waves), which broadcasts a number of programmes in Belarusian. Visagin and Klaipėda have local radio stations that broadcast programmes in Russian.

1118. As of 2007, there are nine traditional religious communities in Lithuania. The total number of religious communities is 881. The Church of Old Believers has 60 and the Russian Orthodox has 50 communities. Services in churches of 71 parishes situated in Vilnius, Kaunas and various eastern and south-eastern districts of Lithuania are held in Polish. Germans and Evangelic Latvians also have their houses of worship, holding services in German and Latvian. Lithuanian Karaites also have their houses of worship, called *kenesas*, in Vilnius and Trakai. The Jews, accordingly, have synagogues. Tatars have mosques holding services in Kaunas, Alytus district (Raižiai), Vilnius district (Nemėžiai) and Forty Tatars’ village, as well as a house of worship in Vilnius. Moreover, there are different religious public organisations with their own publications, radio and TV broadcasts.

**Table 15.5**

<i>Religious organisation</i>	<i>Allocation of funds (thou in LTL)</i>				
	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Lithuanian Bishops’ Conference	2 609.7	2 609.7	2 982.6	2 982.6	3 002.2
Lithuanian Orthodox Archbishopry	144	144	163,2	163.2	164.2
Supreme Pomorski Old Ritualists’ Council of Lithuania’s Church of Old Believers	35.6	35.6	39.2	39.2	38.2

<i>Religious organisation</i>	<i>Allocation of funds (thou in LTL)</i>				
	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Consistory of Evangelical Lutheran Church of Lithuania	28.6	28.6	31.2	31.2	31.3
College of Lithuanian Evangelical Reformed Church Synod	12.7	11.6	12.3	11.1	9.5
Synod of the Evangelical Reformed Church of Lithuania – <i>Unitas Lithuaniae</i>	4	5.1	5.3	6.5	8.2
Lithuania’s spiritual centre of Sunni Muslims, Muftiate	12.7	12.7	13.1	13,1	13.1
Jewish religious community of Lithuania	9.1	9.1	9.4	8.4	8.1
Jewish religious community of Kaunas	1.1	1.1	1	2	2.3
Jewish religious community of Vilnius “Chassidie Chabad Lubavitch”	1	1	1	1	1
Lithuania’s Greek Catholic Church (Centre: Vilnius Monastery of the Basilian Order of St. Josaphat)	10.3	10.3	10.4	10.4	10.4
Lithuania’s Karaites religious community	10.2	10.2	10.3	10.3	10.3

**1. (e)**

1119. A majority of newspapers provides adequate information and coverage of culture-related matters with special supplements or separate columns (sections). In 2007, the Press, Radio and Television Support Fund provided financial support to 178 cultural and educational projects in the mass media. Only the Lithuanian National Radio and Television broadcasts cultural programmes (private televisions and radio stations mostly focus on entertainment programmes); the Lithuanian National Radio broadcasts a lot of cultural information and has an independent radio channel for classical music. In general, radio is the most accessible to the widest public audience.

**1. (f)**

1120. The first report failed to mention that the Seimas of the Republic of Lithuania ratified the following conventions: Second Protocol to the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocol, Hague 1954; Convention for the Safeguarding of the Intangible Cultural Heritage, and Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

1121. Following the amendments, the Law on Archives of the Republic of Lithuania was renamed into the Law on Documents and Archives (No. I-1115 of 5 December 1995; amended on 30 March 2004 No. IX-2084).

1122. The Department for the Protection of Cultural Properties was renamed into the Department of Cultural Heritage, and the State Monument Protection – into the State Commission for Cultural Heritage, but the functions of both institutions have not basically changed since the first report.



**1. (g)**

1123. The Law on Culture Support Fund of the Republic of Lithuania (No X-1260 of 4 July 2007).

The Law on Artistic Creators and Their Organisations of the Republic of Lithuania was amended as the Law on the Status of Artistic Creators and Organisations of Artistic Creators of the Republic of Lithuania (No I-1494 of 15 August 1996; as last amended on 28 September 2004 No IX-2454).

**1. (h)–2**

1124. Information has not changed.

**2. (a)**

1125. Undoubtedly, the process of a developing information society in Lithuania and the vision of a new knowledge-based society and economy that has taken shape in the recent years have increasingly exerted an influence on scientific progress in the country. Year 2000 saw the establishment of the Knowledge Economy Forum that gathered representatives from business, political, academic and non-government sectors, researchers and high-tech specialists.

1126. From 2008 onwards, the process of introduction of research, studies and business centres has already started, and presently the long-term projects of above five centres have been approved with funding until 2013.

1127. Currently this institutional framework in Lithuania contributes to the development and preservation of science as well as application and dissemination of scientific progress:

1. Higher education sector (55 institutions):
  - 15 state universities
  - 6 state research institutions under state universities
  - 15 state non-university higher education establishments
  - 7 private universities
  - 12 private higher education non-university establishments
2. Public sector (57 institutions) and private sector (2 institutions):
  - 17 national institutes of science
  - 8 national science institutions
  - 14 other institutions<sup>12</sup>
  - 18 institutes of science under the universities
  - 2 private institutes of science
3. Sixty-seven institutions in the system of businesses and non-profit organisations involved in R&ED totals (according to the data on [www.mokslas.lt](http://www.mokslas.lt)).

1128. Other information provided in the first report remains the same.

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<sup>12</sup> Including diverse experimental stations and institutions, e.g. Astronomical Observatory of the Vilnius University, Molėtai Astronomical Observatory.

**2. (b)**

1129. The Seimas of the Republic of Lithuania Resolution No. IX-1187 “On the Long-Term Development Strategy of the State” declares that knowledge-based economy is becoming a priority target of Lithuania.

1130. Science and education will continue to be a priority sphere in the development of the country; a harmonised and effective education system will be created, accessible to all categories of the population, providing conditions for life-long learning for the people of Lithuania, acquisition of social and professional competence, cherishing of community awareness and culture, making use of scientific knowledge for a sustainable development of the country, providing the highest growth of the national product and ensuring the optimal development of the country under the conditions of the toughening competition on the world stage.

1131. While developing an effective, coherent, universally accessible and continuous education system, providing conditions for lifelong learning:

(a) To seek the establishment of universal secondary education accessible to all sections of the population irrespective of their age, social status, place of residence and linguistic environment

(b) To guarantee universal preschool and pre-primary education and equal starting positions in acquiring education

(c) To develop the system of schools of various forms, first of all the system of preschool education accessible to children subjected to social exclusion, also the system of youth schools of all types; to expand the type diversity of schools of general education, higher educational establishments and scientific institutions; to enhance education in technology, economics at schools of general education

(d) To proceed with the structural reform of the system of institutions of science and studies, to ensure that the binary system of higher education should embrace all persons seeking higher education and capable to study; to participate in international programmes and projects for co-operation and exchange in education, science and studies; to develop and implement the system of promotion of scientific activities and their results; to develop the system of financial assistance to students (especially systems of offering credits for studies), investment projects

(e) To implement the concept of continued learning, to increase the diversity of part-time studies; to develop a modern system of adult education and training, ensuring every resident of Lithuania possibilities to engage in life-long learning, to acquire secondary education and professional qualifications, to upgrade one’s qualifications and re-skill

(f) To strengthen the interaction of all chains of the education system, ensuring continuity of the chains

(g) To develop and implement a system of effective assistance for pupils and students; to shape modern competence of school and university teachers; to introduce the position of social pedagogue at schools of general education, to involve social partners from different interest groups; to shape and deliver the standards for general capacities, trends and quality of studies; to adopt a modular approach in teaching; to speed up the introduction of information technologies in the spheres of education, science and studies

(h) To organise external evaluation of institutions, to develop the system of monitoring, audit, diagnostic tests and strategic planning

1132. When implementing regional policy of the education system, to develop strategic planning in regions, strengthen the role of regional higher educational establishments in regional policy, to carry out a rational reorganisation of the school network guaranteeing possibilities for learning to people of all ages; to raise the number of schools for adults, increasing the number of training courses on offer at them; to augment children's attendance of additional education institutions, to attain socialisation of children who are not attending school.

1133. Seeking to ensure the quality of education system while integrating into the common education area of the European states:

(a) To guarantee a stable, rational and transparent system of education financing based on unambiguous obligations assumed with respect to every pupil by the state and municipality

(b) To develop continuous monitoring and diagnostic research of the education system; seeking recognition of qualifications, to ensure the quality of education meeting the standards of the EU countries

(c) To develop distance learning and to expand the application of educational technologies verified in practice as well as the use of information technologies in the teaching and studies process

(d) To reform the teacher training system and to expand their in-service training system, bringing both systems in line with the goals and objectives of education in order to prepare teachers for work in the knowledge society and to receive adequate remuneration for their work

(e) To define, develop and consolidate the independence and responsibility of school communities; to introduce the system of management based on situation evaluation, strategic planning and clearly defined institutional responsibility

(f) To improve the contents of general education, vocational training and studies, transferring from knowledge formation and development of limited professional skills to the development of general capacities (basic skills) and recognition of the system of values (democratic and civic values) which can bring the pupils the competencies required in personal life and society; to adjust the system of vocational training having regard to the demand on the regional job market

(g) To strengthen the cohesion of higher educational establishments and research institutions as well as the interface of science and studies within the context of the EU countries

(h) To ensure the participation of education and science in the EU programmes, to expand exchange opportunities for pupils, students, secondary school and university teachers

(i) To seek uniformity of the system for the award of qualifications and qualification degrees

1134. While training highly qualified specialists and seeking to ensure the country's required scientific and technological potential:

(a) To seek that student admission should proceed based on employment studies conducted by specialists, national and European job market trends; to improve teacher training and re-training system, to increase the number of specialists-andragogues

(b) To determine priority trends in the development of science and to plan the training of specialists accordingly

(c) To support and strengthen the available scientific potential, stepping up investment into the infrastructure of the education and science institutions capable of training specialists in demand on the changing job market and competent to master new technologies

(d) To pursue a policy seeking the return of professionals who departed abroad as a result of brain drain

1135. When carrying out research work with a view to attaining the country's sustainable development and conformity with the demands of the national economy, promoting interaction between science and business and ensuring speedier progress of the country:

(a) To create a system of research orders, to expand applied research and research aimed at creating and introducing new flexible technologies, to develop applied scientific activities

(b) To conduct financing of research by tenders, when financing priority research programmes to link the financing of other programmes with the preservation of the country's scientific competence

(c) To promote research quality having regard to the common European research area; to launch projects common with other countries, to carry out research on the international scale

1136. Also, Resolution No. 335 of the Government of the Republic of Lithuania of 5 April 2006 "On the Approval of the Lithuanian Higher Education System Development Plan for 2006–2010" stipulates that "the goal is quality higher education for as many Lithuanian citizens as possible, thus satisfying the present and future needs of learning people and the society as well as ensuring society's progress".

1137. Resolution No. 166 of the Government of the Republic of Lithuania of 7 February 2008 "On the Approval of Lithuanian Research and Development Priority Guidelines" which approved the following Lithuanian R&ED priority guidelines for 2007–2010:

1. Research to safeguard the quality of human life:
  - Genomics in biotechnologies for health and agriculture
  - Good quality, safe and ecological food technologies
  - Ecosystem and climate changes
2. Development for creation of a knowledge society:
  - Information society technologies
  - Citizens and management in the knowledge society
  - Preservation of national identity under the conditions of growing globalisation
3. Nanotechnology research and development:
  - Nanoscience
  - Nanotechnologies
  - Creation of multi-functional nanostructural materials
4. Research and development tailored to address and solve the tasks of nuclear safety for utilisation of the Ignalina NPP, its decommissioning and radioactive waste treatment:
  - Nuclear safety

- Radioactive waste treatment technologies

5. Research and development for the increase of international competitiveness of Lithuanian industry; development of biotechnologies, mechatronics, lasers, information and other cutting-edge technologies.

1138. Also the Government of the Republic of Lithuania approved the following programmes fostering scientific progress and dissemination of knowledge:

- Resolution No. 222 of 20 February 2008 “On the Approval of the Programme for the Promotion of Lithuanian Language (Baltistics) Studies and Research in Foreign Scientific and Studies Institutions for 2008–2010”
- Resolution No. 1048 of 24 October 2006 “On the Approval of the High Technologies Development Programme for 2007–2013”
- Resolution No. 1050 of 24 October 2006 “On the Approval of the Lithuanian Industrial Biotechnology Development Programme for 2007–2010”
- Resolution No 1449 of 19 December 2007 “On the Approval of Annexes to the Action Programme on Promotion of the Development of Human Resources, Economic Growth and Cohesion”
- Resolution No. 1017 of 17 October 2006 “On the Approval of the Programme for Implementation of Lithuanian Language Research Priorities for 2007–2008”
- Resolution No. 615 of 21 June 2006 “On the Approval of the Lithuanian Information Society Development Programme for 2006–2008”
- Resolution No. 1270 of 22 November 2005 “On the National Lisbon Strategy Implementation Programme”
- Resolution No. 1646 of 22 December 2003 “On Approving the Long Term Research and Experimental Development Strategy and the Implementation Programme of the Provisions of the White Paper of Lithuania on Science and Technology”

### 3.

1139. Law on Copyright and Related Rights of the Republic of Lithuania (No. VIII-185 of 18 May 1999) regulates the author’s moral and economic rights (Articles 14 and 15) and stipulates that any limitations on economic rights shall be permitted exclusively to the cases provided for in this law (Articles 20 and 33). The law defines that they must not conflict with a normal exploitation of a work and must not prejudice the legitimate interests of the author or other owner of copyright. The terms of copyright (Articles 34 and 37) were harmonized with terms defined in Council Directive 93/98/EEC of 29 October 1993 harmonizing the term of protection of copyright and certain related rights. It is stipulated that the author’s economic rights shall run for the life of the author and for 70 years after his death, irrespective of the date when the work is lawfully made available to the public. In line with requirements laid down in Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases, the law defines special provisions for the legal protection of databases (*sui generis* right) regulating the rights of makers of databases. The rights of makers of databases shall be protected without prejudice to copyright in the making of a database and to copyright or related rights in the works or subject matter contained in the database (Paragraph 3 of Article 61).

#### **Exercise of copyright**

1140. The collective copyright administration in Lithuania is carried out by the Agency of the Lithuanian Copyright Protection Association (hereinafter referred to as “LATGA-A”). At present, LATGA-A represents the rights of 3594 Lithuanian authors (as associate

members) and the rights of more than 2 million foreign authors. The Agency has signed 132 bilateral agreements with 101 organisations from 55 countries of the world.

1141. Lithuanian Neighbouring Rights Association (hereinafter referred to as “AGATA”) represents the rights of both Lithuanian and foreign authors and producers of phonograms. According to the available report date of 2007, AGATA represents the rights of 1,136 performers, 69 producers of phonograms, 23 producers of audio-visual works and has signed agreements with 28 allied organisations. From 2002, AGATA is a member of Association of European Performers’ Organisations (AEPO-ARTIS) and the Societies’ Council for the Collective Management of Performers’ Rights (SCAPR).

1142. Order No IV-401 of the Minister of Culture of the Republic of Lithuania dated 30 July 2008 on the Approval of the Concept of the Anti-Piracy Centre for Intellectual Property and the Establishment of the Anti-Piracy Centre; the aim of the centre is to help public institutions implement the defence policy of intellectual property rights and promote legal use of intellectual property in the information society.

#### **Application of copyright protection and enforcement measures**

1143. The Law on Copyright and Related Rights of the Republic of Lithuania (harmonized with European Union’s Directive on the Enforcement of Intellectual Property Rights) defines the acts which infringe any copyright, related rights and sui generis rights (Article 73), remedies for infringement (Article 77), recovery of recovery of material damage and redress of non-pecuniary damage (Articles 83 and 84). Individual articles also deal with application of technological measures and limitation of application of technological measures (Articles 74 and 75), violation of rights-management information (Article 76), right to apply for an injunction against intermediaries (Article 78), right of information (Article 79), evidence (Article 80), provisional measures and measures for preserving evidence (Article 81), corrective measures (82 Article) and publication of judicial decisions (85 Article).

1144. CRC and the Code of Criminal Procedure set out the provisions of criminal responsibility for violation of the rights of a copyright holder (plagiarism), unlawful reproduction, distribution, transportation or possession of literary, scientific, artistic or any other works. The law also stipulates criminal responsibility for unlawful destruction or change of information on the owners of copyright and related rights and for removal of technical copyright protection measures.

1145. Council Regulation (EC) of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights was passed to be applied for protection of intellectual property rights in the field of import and export. This Regulation lays down appropriate measures for the customs to prohibit the release for free circulation, export, re-export or entry of counterfeit and pirated goods and fight in an effective manner with the illegal trade of such goods.

1146. The development of efficient copyright protection and enforcement measures saw the introduction of the system of relevant and competent institutions. The Intellectual Property Protection Unit of the Crime Investigation Board of the Lithuanian Criminal Police Bureau conducts investigation into the violations or intellectual property rights and coordinates action at national level. The Prosecutor General’s Office (PGO) investigates a case and conducts criminal investigation in the area of violations of intellectual property rights and brings legal proceedings. The Forensic Science Centre of Lithuania (FSCL) carries out investigations of copyright objects in Lithuania. Public institutions and authorities keep vigorously cooperating between themselves and non-government

associations operating in this specific area, thereby seeking more efficient safeguards of the protection of intellectual property rights.

1147. Lithuania places a special emphasis on society education in the matters related to the protection of intellectual property rights. MC initiated the implementation of the Society Education Programme on intellectual property rights which aims at informing, educating the society at large and promoting respect for the protection of intellectual property rights.

1148. Despite more than 15 years of the restoration of the country's independence, Lithuania still faces certain obstacles due to the lack of experience, a slowly growing understanding of the meaning of intellectual property rights, a long transitional period regarding the implementation of intellectual property rights (caused by lingering reforms of national economy) and an insufficient legal awareness of society in seeking protection of intellectual property rights.

#### **4. (b)**

1149. The Law on Artistic Creators and their Organisations of the Republic of Lithuania was changed into the Law on the Status of Artistic Creators and Organisations of Artistic Creators (Law No. I-1494 of 15 August 1996 as last amended on 28 September 2004 No IX-2454).

1150. This Law establishes the grounds and procedure for granting and revoking the status of artistic creator and organisation of artistic creators. The law gives the following main definitions.

1151. Artistic creator means a natural person, granted the status of artistic creator, who creates artistic works, as well as performs, interprets them artistically and thus adds a new artistic value to them.

1152. Organisation of artistic creators means an association, granted the status of organisation of artistic creators, which unites artistic creators according to the art fields or combinations of such fields. Its goals are to carry out artistic programmes, to protect creative, professional, social rights, copyright and related rights of artistic creators, to represent artistic creators in accordance with the procedure laid down by laws.

1153. Article 10 of the above Law stipulates the right of an artistic creator and organisation of artistic creators to State support:

- State scholarships and prizes shall be granted with the aim to promote artistic creation of an artistic creator
- The Government shall lay down the procedure for granting State scholarships and prizes to artistic creators
- An artistic creator shall have the right to bring, in the manner prescribed by the Government, into the Republic of Lithuania the artistic works created by him during the events
- Other rights of an artistic creator to State support and social guarantees shall be set out by other laws and legal acts
- Creative programmes of organisations of artistic creators shall be financed with appropriations of the State budget allotted for MC

1154. Resolution No. 1270 of the he Government of the Republic of Lithuania 22 November 2005 "On the National Lisbon Strategy Implementation Programme" affirms that "one of the key mid-term priorities in the macroeconomic area in the mid-term is to seek a full-fledged membership in the Economic and Monetary Union as of 1 January 2007".

1155. Lithuania is striving to create a knowledge society, establish a knowledge-based economy, proceed along the road of sustainable development, create and develop a modern, dynamic and competitive economy. The basic provision of the implementation of such an objective is the universal strengthening of national R&ED; social partners (private businesses) are invited and encouraged to increase investment into R&ED.

1156. The national innovation policy is oriented towards all sectors, including industry and services, high technologies and traditional branches. One of the key conditions for the development of innovation activity and knowledge-based economy is the dissemination of information and communication technologies (ICT). The state will continue to develop necessary infrastructure and establish favourable conditions for the delivery of public services by coordinating public information sources (registers and information systems).

1157. The sustainability of economic growth requires to guarantee that the sustainable use of resources as the increase in the amount of goods and services should be speedier than the utilisation of natural resources for their production. To this end, wider utilisation of secondary resources for productions grows in importance. Furthermore, materials that are hazardous to people's health or the environment should be replaced by safe materials, and exhaustible resources – by renewable ones.

1158. In developing and upgrading infrastructure at European level and implementing priority trans-border projects, a special emphasis is laid on modernisation of the infrastructure of trans-European networks. The implementation of Lithuanian-Polish, Lithuanian-Swedish power bridges, "Amber" gas pipeline and "Rail Baltica" projects as well as development and modernisation of I and IX multimodal corridors and their segments, improvement of links with trans-European networks, modernisation of Klaipėda Seaport facilities and improvement of interconnection with multimodal transport corridors, modernisation of the infrastructure of international airports, flight safety and security enhancement are of particular importance to Lithuania.

1159. Resolution No. 1646 of the Government of the Republic of Lithuania of 22 December 2003 "On Approving the Long Term R&ED Strategy and their Implementation Programme of the Provisions of the White Paper of Lithuania on Science and Technology" approved:

- The long term R&ED strategy
- The implementation programme of the provisions of the white paper of Lithuania on science and technology
- The measures of the implementation programme of the provisions of the white paper of Lithuania on science and technology

1160. Enhancement of competitions is a key goal of the economic development policy of Lithuania. The development of the national economy of a small country scarcely endowed with natural resources and its social welfare is very much dependent on its ability to produce and deliver competitive goods and services (whose production needs more high technologies rather than resources) to the market. With the aim of establishing a competitive national economy, its structure should be oriented towards the high-tech, science and knowledge-based sectors with qualified labour force that produces increasingly sophisticated or high added value products. To this end, the Government of the Republic of Lithuania adopted Resolution No. 902 of 11 July 2003 "On Science and Technology Parks", which laid down the exemplary provisions of science and technology parks and established criteria which a science and technology park, with one of its founders being a state or municipal institution, must meet so that it could dispose of state or municipal property for its activity as a credit for use. The above criteria are as follows:



1. The science and technology park shall not perform activity that is not supported by the state as laid down in Resolution No. 4 of the Government of the Republic of Lithuania of 9 January 2003 “On the Approval of the List of Activities Not Supported by the State”.

2. The science and technology park is involved at least in one of the following areas of activity:

- Creation of new technologies, materials, products or improvement and of existing ones and implementation into production
- Invention, patent and licensing activity
- International scientific and technological co-operation
- Establishment of favourable conditions for companies operating in the science and technology park
- Training of personnel and raising of qualifications

1161. On 18 July 2003, the Government of the Republic of Lithuania adopted Resolution No. 963 “On the Concept Paper on Science and Technology Parks” which laid down the following goals of science and technology parks:

- To increase competitiveness of national industry and economy in general
- To promote co-operation between science, industry and other economy sectors
- To promote development of the high-tech sector
- To preserve and develop scientific potential
- To build a culture of innovation in Lithuania and promote innovation activity of companies

1162. The key goal of science and technology parks:

- To promote cooperation between large companies, middle-sized and small businesses in upgrading operational technologies
- To create a favourable climate for development of innovations and establishment of innovative enterprises (support to start-ups, decrease of business risks and business development expenses, delivery of marketing services)
- To attract foreign and domestic capital investment by increasing the concentration of high-tech companies in the region
- To promote establishment of new jobs, especially for top qualification specialists and experts
- To organise retraining of specialists

1163. In further promoting knowledge economy, scientific progress and dissemination, the Government of the Republic of Lithuania adopted Resolution No. 321 of 21 March 2007 “On the Approval of the Establishment and Development Concept of Integrated Science, Studies and Business Centres (Valleys)”. The main objective of the development of integrated science, studies and business centres (valleys) is to establish science, studies and knowledge economy clusters on the international level in Lithuania, to speed up creation of a knowledge-based society and strengthen the long-term competition foundations of Lithuania economy.

1164. It must be underlined that the current tax legislation also provides for certain tax benefits related to scientific and creative activities:

(a) According to article 17 of LPIT, scholarships and benefits from the funds of the state budget and municipal budgets, prizes awarded by competition from the state budget of the Republic of Lithuania or municipal budgets as well as prizes awarded by decisions of the Government of the Republic of Lithuania or municipal councils; prizes to winners of professional art competitions awarded by decisions of art creators' organisations from the funds of those organisations; prizes initiated by non-profit organisations and awarded for achievements and merits in the field of Lithuanian culture, science and society provided the recipients of these awards were selected through a competition shall be exempt from the income tax

(b) According to the provisions in article 6 of LPIT, the 15 rate of income tax shall be applied to income derived from creative activities under commission contracts as well as royalties

(c) With the aim of encouraging companies to invest into R&ED activities for design of new products and technologies with high-added value, LPIT stipulates certain income tax benefits for such investments

(d) According to provisions in article 19 of the Law No. IX-751 on Value Added Tax, the reduced rate of VAT of 5 per cent shall be applied to creative activities or performances of an author, composer or performer (actor, singer, musician, conductor, dancer or any other individual engaged in acting, singing, reading, reciting activities or literature, art, folklore performances or circus acts) as well as services that the above persons receive royalties from

#### **5. (c)**

1165. Also, the Research Council of Lithuania plays an important role in scientific research by providing grants for scientists, post-doctoral studies and by coordinating the return programme of scientists, national science programmes and funding.

1166. Research and creational activities are also supported by the Agency for International Science and Technology Development Programmes in Lithuania which started its activities in 1998. Its goal is to promote Lithuanian science integration into the European research area. The Agency has a mission to achieve that Lithuanian science and study institutions should successfully join international research and development programmes, carry out high-level research, develop advanced technologies, encourage science and business partnership in Lithuania, participate in development of new products, and contribute to the economic, social and cultural well-being of the country. From 2008, the Agency also coordinated the national integrated programmes and support.

#### **6. (a)**

1167. MES also authorised the Agency for International Science and Technology Development Programmes in Lithuania to coordinate bilateral and trilateral programmes on cooperation in R&ED (Order No. 3090 of the Minister of Education and Science of the Republic of Lithuania dated 7 November 2008). The following programmes shall be coordinated:

- The French-Lithuanian programme of integrated activities "Gilibert" on bilateral cooperation in the field of R&ED
- Lithuanian-Ukrainian programme on bilateral cooperation in the field of R&ED
- The scientific co-operation of Republic of Lithuania and the Republic of Latvia with the National Science Council of Taiwan (Republic of China) according to the Guidelines for the Programme on Mutual Funds

1168. In line with relevant Resolutions of the Government of the Republic of Lithuania during 2002–2008, a Lithuanian cultural attaché's office was established in the diplomatic representations of the Republic of Lithuania to the following countries: Federal Republic of Germany, United Kingdom of Great Britain and Northern Ireland, Republic of Italy, Japan, Kingdom of Denmark, Ukraine, Ireland, Republic of Austria, Republic of Belarus, Kingdom of Spain and the Republic of Latvia.

**6. (b)**

1169. With a view to promoting active participation of scientists in international programmes, the Minister of Education and Science of the Republic of Lithuania adopted Order No. 2672 "On the expenditure and reimbursement procedure for the development of applications according to the international research and information technology programmes in 2008" of 29 September 2008 and Order No. 1543 "On the approval of a partial funding scheme for participation of Lithuanian science and study institutions in the projects of the Seventh Framework Programme for research, technological development and demonstration activities" of 27 May 2008 that stipulated partial funding for the participants in the Seventh Framework Programme for research and technological development and demonstration activities.

1170. The following tax legislation is no longer valid: Resolution No. 550 of the Government of Lithuania of 2 June 1997 "On the Approval of the List of International Organisations and Funds for Grants Which Are Exempt from Income Tax", Law No. I-345 of 22 December 1993 on the Value Added Tax, Law No. VIII-633 of 19 February 1998 on Customs Tariffs, and Provisional Law No. I-641 of 5 October 1990 on Income Tax of Natural Persons.

**6. (c)**

1171. Inadequate level of foreign language proficiency, lack of international cooperation skills and management knowledge, as well as insufficient financial resources have impeded the development of international cooperation.

**9.**

1172. See the answer to the similar question in article 13.

## Annexes

## Annexes to article 6

## 1. Employed population by employment status, thou.

	2002	2003	2004	2005	2006	2007
<b>Employed, total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Men	707.8	726.2	733.8	750.9	755.8	777.7
Women	698.1	711.8	702.5	723.0	743.2	756.5
Urban areas	973.3	1001.3	1005.2	1040.2	1066.4	1093.6
Rural areas	432.6	436.7	431.1	433.7	432.6	440.5
Employers and self-employed persons	233.3	242.8	216.7	206.3	199.8	183.2
Men	144.0	151.2	133.8	128.6	123.1	117.9
Women	89.2	91.6	82.9	77.7	76.6	65.2
Urban areas	71.9	80.3	78.4	75.6	90.6	88.1
Rural areas	161.4	162.5	138.3	130.7	109.2	95.0
Employees	1 124.0	1 144.8	1 169.6	1 224.1	1 263.7	1 324.4
Men	543.9	554.8	580.8	606.7	622.7	651.1
Women	580.0	589.9	588.8	617.3	641.0	673.3
Urban areas	892.9	911.4	918.4	956.6	972.1	1001.8
Rural areas	231.0	233.3	251.2	267.5	291.6	322.5
Assisting family members	48.6	50.4	49.9	43.5	35.5	26.7
Men	19.9	20.2	19.1	15.5	10.0	8.7
Women	28.8	30.3	30.8	28.0	25.5	18.0
Urban areas	8.5	9.5	8.3	8.1	3.8	3.7
Rural areas	40.2	41.0	41.6	35.4	31.8	23.0
Others	-	-	-	-	-	-
Men	-	-	-	-	-	-
Women	-	-	-	-	-	-
Urban areas	-	-	-	-	-	-
Rural areas	-	-	-	-	-	-

## 2. Employed with additional employment (secondary jobs) according to employment status, thou.

	2002	2003	2004	2005	2006	2007
<b>Employed, total</b>	<b>90.8</b>	<b>88.6</b>	<b>72.9</b>	<b>84.4</b>	<b>90.2</b>	<b>92.6</b>
Men	40.9	40.9	35.5	45.2	49.1	46.9
Women	49.9	47.7	37.4	39.2	41.1	45.8
Urban areas	46.7	42.7	34.2	37.0	39.9	43.6
Rural areas	44.1	45.9	38.7	47.4	50.3	49.0

	2002	2003	2004	2005	2006	2007
Employers and self-employed persons	38.3	36.5	30.1	31.4	36.3	35.0
Men	22.1	20.7	17.9	18.7	24.0	22.5
Women	16.2	15.7	12.2	12.8	12.3	12.6
Urban areas	8.0	8.4	8.0	6.8	9.2	9.7
Rural areas	30.3	28.1	22.1	24.7	27.2	25.3
Employees	42.6	35.1	29.6	35.0	32.1	37.4
Men	14.7	12.8	12.0	16.1	13.1	13.9
Women	27.9	22.3	17.7	18.9	19.0	23.5
Urban areas	36.9	30.7	24.6	28.9	27.9	31.5
Rural areas	5.7	4.4	5.0	6.1	4.2	5.9
Assisting family members	9.9	17.0	13.2	18.0	21.8	20.2
Men	4.1	7.3	5.6	10.4	12.0	10.5
Women	5.8	9.7	7.5	7.6	9.8	9.7
Urban areas	1.8	3.6	1.6	1.3	2.8	2.4
Rural areas	8.1	13.4	11.6	16.7	18.9	17.8
Others	-	-	-	-	-	-
Men	-	-	-	-	-	-
Women	-	-	-	-	-	-
Urban areas	-	-	-	-	-	-
Rural areas	-	-	-	-	-	-

### 3. Employed by sector, thou.

	2002	2003	2004	2005	2006	2007
<b>Employed, total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Men	707.8	726.2	733.8	750.9	755.8	777.7
Women	698.1	711.8	702.5	723.0	743.2	756.5
Public sector	422.7	403.9	400.1	408.2	394.5	401.9
Men	150.8	144.5	137.8	143.1	127.4	124.1
Women	271.9	259.4	262.3	265.1	267.1	277.8
Private sector	983.2	1 034.1	1 036.2	1 065.7	1 104.5	1 132.3
Men	557.0	581.7	596.0	607.8	628.4	653.5
Women	426.1	452.4	440.2	457.9	476.1	478.7

### 4. Employed by economic activity, thou.

	2002	2003	2004	2005	2006	2007
<b>Employed, total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Men	707.8	726.2	733.8	750.9	755.8	777.7
Women	698.1	711.8	702.5	723.0	743.2	756.5
Urban areas	973.3	1 001.3	1 005.2	1 040.2	1 066.4	1 093.6
Rural areas	432.6	436.7	431.1	433.7	432.6	440.5

	2002	2003	2004	2005	2006	2007
Agriculture, fisheries	250.6	257.0	227.5	207.0	186.6	159.5
Men	151.7	153.8	133.4	124.8	110.6	100.1
Women	98.9	103.2	94.2	82.2	75.9	59.4
Urban areas	29.3	34.1	28.9	22.2	21.9	19.0
Rural areas	221.3	222.8	198.5	184.8	164.7	140.5
Industry	293.3	297.5	288.7	296.2	296.0	299.4
Men	156.9	154.2	156.0	157.8	161.0	162.2
Women	136.4	143.3	132.7	138.5	135.0	137.2
Urban areas	240.1	234.7	224.8	232.1	229.5	226.5
Rural areas	53.2	62.7	64.0	64.1	66.5	73.0
Construction	93.2	107.1	116.2	132.5	148.7	170.9
Men	84.1	96.2	106.2	120.5	139.0	158.5
Women	9.0	10.9	9.9	12.0	9.7	12.4
Urban areas	78.1	91.0	97.2	103.4	117.1	129.4
Rural areas	15.1	16.1	19.0	29.1	31.7	41.6
Services	768.8	776.5	803.9	838.2	867.7	904.3
Men	315.1	322.0	338.2	347.8	345.2	356.8
Women	453.7	454.5	465.7	490.4	522.5	547.5
Urban areas	625.9	641.4	654.3	682.5	697.9	718.8
Rural areas	143.0	135.0	149.6	155.7	169.7	185.5

## 5. Employed full-time and part-time

	<i>Thou.</i>					
	2002	2003	2004	2005	2006	2007
<b>Employed in total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Men	707.8	726.2	733.8	750.9	755.8	777.7
Women	698.1	711.8	702.5	723.0	743.2	756.5
Full-time	1 253.5	1 300.7	1 315.3	1 369.5	1 350.2	1 402.7
Men	641.0	672.4	686.4	712.5	696.5	723.3
Women	612.5	628.3	629.0	657.0	653.7	679.5
Part-time	152.4	137.3	120.9	104.4	148.8	131.4
Men	66.8	53.8	47.4	38.4	59.3	54.4
Women	85.5	83.5	73.5	66.1	89.4	77.1
<i>Percentages</i>						
Full-time	89.2	90.5	91.6	92.9	90.1	91.4
Men	90.6	92.6	93.5	94.9	92.1	93.0
Women	87.7	88.3	89.5	90.9	88.0	89.8
Part-time	10.8	9.5	8.4	7.1	9.9	8.6
Men	9.4	7.4	6.5	5.1	7.9	7.0
Women	12.3	11.7	10.5	9.1	12.0	10.2

## 6. Labour force by age group, thou.

	<i>Total</i>	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
<b>Total</b>						
2002	<b>1 630.3</b>	1 608.2	155.7	1 283.6	168.9	22.1
2003	<b>1 641.9</b>	1 616.2	156.3	1 281.7	178.2	25.7
2004	<b>1 620.6</b>	1 600.4	137.9	1 278.4	184.1	20.2
2005	<b>1 606.8</b>	1 586.8	131.6	1 269.0	186.2	20.0
2006	<b>1 588.3</b>	1 564.9	139.3	1 238.8	186.8	23.4
2007	<b>1 603.1</b>	1 574.8	146.1	1 233.2	195.5	28.4
<b>Men</b>						
2002	<b>829.0</b>	816.4	89.2	634.6	92.6	12.5
2003	<b>831.6</b>	817.1	90.0	633.2	93.9	14.6
2004	<b>824.4</b>	813.0	82.4	634.6	96.0	11.3
2005	<b>818.0</b>	806.7	78.7	631.3	96.8	11.2
2006	<b>802.6</b>	790.0	79.3	619.7	90.9	12.6
2007	<b>812.3</b>	795.6	86.4	613.5	95.7	16.7
<b>Women</b>						
2002	<b>801.4</b>	791.8	66.6	648.9	76.3	9.6
2003	<b>810.2</b>	799.1	66.3	648.5	84.3	11.1
2004	<b>796.3</b>	787.4	55.5	643.9	88.1	8.9
2005	<b>788.8</b>	780.0	52.9	637.7	89.5	8.8
2006	<b>785.7</b>	774.9	60.0	619.0	95.9	10.8
2007	<b>790.8</b>	779.2	59.6	619.8	99.8	11.7
<b>Urban areas</b>						
2002	<b>1 151.1</b>	1 138.4	108.0	917.5	112.9	12.8
2003	<b>1 158.6</b>	1 142.5	110.0	913.2	119.3	16.1
2004	<b>1 143.3</b>	1 130.3	93.8	909.7	126.8	13.0
2005	<b>1 137.6</b>	1 122.1	86.8	906.5	128.9	15.5
2006	<b>1 128.3</b>	1 111.6	89.6	889.5	132.6	16.7
2007	<b>1 142.2</b>	1 122.2	94.2	890.2	137.8	19.9
<b>Rural areas</b>						
2002	<b>479.2</b>	469.8	47.8	366.1	56.0	9.3
2003	<b>483.2</b>	473.7	46.2	368.5	58.9	9.6
2004	<b>477.4</b>	470.1	44.1	368.8	57.3	7.2
2005	<b>469.2</b>	464.7	44.8	362.5	57.4	4.5
2006	<b>460.0</b>	453.3	49.7	349.3	54.3	6.8
2007	<b>461.0</b>	452.6	51.9	343.0	57.7	8.4

## 7. Employed population by age group, thou.

	<i>Total</i>	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
<b>Total</b>						
2002	<b>1 405.9</b>	1 383.8	119.9	1 114.3	149.6	22.1
2003	<b>1 438.0</b>	1 413.7	117.4	1 138.5	157.7	24.3
2004	<b>1 436.3</b>	1 416.9	106.9	1 145.1	164.9	19.4
2005	<b>1 473.9</b>	1 454.0	110.9	1 169.4	173.6	19.9
2006	<b>1 499.0</b>	1 475.9	125.6	1 175.0	175.3	23.1
2007	<b>1 534.2</b>	1 505.8	134.1	1 183.7	188.0	28.4
<b>Men</b>						
2002	<b>707.8</b>	695.3	68.6	547.1	79.6	12.5
2003	<b>726.2</b>	712.1	69.8	558.8	83.5	14.2
2004	<b>733.8</b>	722.7	64.0	571.9	86.7	11.1
2005	<b>750.9</b>	739.7	66.1	584.0	89.6	11.2
2006	<b>755.8</b>	743.3	71.4	587.4	84.5	12.5
2007	<b>777.7</b>	761.0	80.4	588.8	91.8	16.7
<b>Women</b>						
2002	<b>698.1</b>	688.5	51.3	567.2	70.0	9.5
2003	<b>711.8</b>	701.6	47.7	579.8	74.2	10.1
2004	<b>702.5</b>	694.2	42.9	573.2	78.2	8.3
2005	<b>723.0</b>	714.3	44.8	585.5	84.0	8.8
2006	<b>743.2</b>	732.6	54.2	587.5	90.9	10.5
2007	<b>756.5</b>	744.8	53.7	594.9	96.2	11.7
<b>Urban areas</b>						
2002	<b>973.3</b>	960.6	81.4	782.7	96.5	12.7
2003	<b>1 001.3</b>	986.5	79.5	804.6	102.3	14.8
2004	<b>1 005.2</b>	993.0	71.8	808.4	112.8	12.2
2005	<b>1 040.2</b>	1 024.8	72.9	833.2	118.7	15.4
2006	<b>1 066.4</b>	1 050.1	80.5	845.5	124.1	16.3
2007	<b>1 093.6</b>	1 073.7	85.7	856.0	132.0	19.9
<b>Rural areas</b>						
2002	<b>432.6</b>	423.2	38.5	331.6	53.1	9.3
2003	<b>436.7</b>	427.2	38.0	333.9	55.4	9.5
2004	<b>431.1</b>	423.9	35.1	336.7	52.1	7.2
2005	<b>433.7</b>	429.2	38.1	336.2	54.9	4.5
2006	<b>432.6</b>	425.9	45.1	329.5	51.2	6.8
2007	<b>440.5</b>	432.1	48.4	327.7	56.0	8.4



## 8. The unemployed by age group, thou.

	<i>Total</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65-74</i>
<b>Total</b>					
2002	<b>224.4</b>	35.8	169.3	19.3	0.0
2003	<b>203.9</b>	38.8	143.2	20.5	1.4
2004	<b>184.4</b>	31.0	133.3	19.2	0.8
2005	<b>132.9</b>	20.7	99.5	12.6	0.1
2006	<b>89.3</b>	13.7	63.8	11.5	0.4
2007	<b>69.0</b>	12.0	49.5	7.5	0.0
Men					
2002	<b>121.1</b>	20.6	87.6	13.0	-
2003	<b>105.4</b>	20.2	74.5	10.4	0.4
2004	<b>90.6</b>	18.4	62.6	9.3	0.2
2005	<b>67.1</b>	12.6	47.3	7.2	0.1
2006	<b>46.7</b>	7.9	32.3	6.5	0.1
2007	<b>34.6</b>	6.0	24.7	3.9	0.0
Women					
2002	<b>103.3</b>	15.2	81.7	6.3	0.0
2003	<b>98.4</b>	18.6	68.7	10.1	1.0
2004	<b>93.8</b>	12.6	70.7	9.9	0.6
2005	<b>65.8</b>	8.1	52.2	5.5	-
2006	<b>42.6</b>	5.8	31.5	5.1	0.3
2007	<b>34.3</b>	6.0	24.8	3.5	-
Urban areas					
2002	<b>177.8</b>	26.5	134.8	16.4	0.0
2003	<b>157.4</b>	30.5	108.6	16.9	1.3
2004	<b>138.1</b>	22.0	101.3	14.0	0.8
2005	<b>97.4</b>	13.9	73.2	10.2	0.1
2006	<b>61.9</b>	9.1	44.0	8.5	0.4
2007	<b>48.5</b>	8.5	34.2	5.8	0.0
Rural areas					
2002	<b>46.6</b>	9.3	34.5	2.8	-
2003	<b>46.5</b>	8.3	34.6	3.5	0.1
2004	<b>46.3</b>	9.0	32.1	5.2	-
2005	<b>35.5</b>	6.8	26.3	2.5	-
2006	<b>27.4</b>	4.6	19.8	3.0	-
2007	<b>20.5</b>	3.5	15.3	1.7	-

## 9. Activity rate by age group, per cent

	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
<b>Total</b>					
2000	70.5	36.3	88.8	45.2	7.5
2001	69.4	32.6	88.4	44.8	5.7
2002	69.3	30.7	88.5	46.6	4.5
2003	69.7	30.0	88.7	50.3	5.0
2004	69.0	26.2	88.7	52.4	3.9
2005	68.3	25.0	87.9	52.8	3.9
2006	67.4	26.3	86.2	52.9	4.5
2007	67.9	27.4	86.0	55.5	5.4
<b>Men</b>					
2000	74.2	41.7	89.7	57.6	10.3
2001	73.4	37.3	89.7	59.3	8.3
2002	73.2	34.5	90.4	59.6	7.3
2003	73.1	34.0	90.4	61.6	8.3
2004	72.7	30.8	90.7	63.5	6.4
2005	72.0	29.3	90.0	63.8	6.3
2006	70.5	29.3	88.7	59.9	7.1
2007	71.0	31.8	87.9	63.3	9.3
<b>Women</b>					
2000	67.1	30.6	88.0	35.9	6.1
2001	65.8	27.8	87.3	33.8	4.4
2002	65.7	26.7	86.6	36.9	3.0
2003	66.5	25.9	87.1	41.7	3.3
2004	65.6	21.5	86.8	44.0	2.6
2005	64.9	20.5	85.8	44.5	2.6
2006	64.6	23.1	83.8	47.6	3.2
2007	65.0	22.8	84.2	49.7	3.4
<b>Urban areas</b>					
2000	71.5	34.2	90.2	46.7	4.8
2001	71.0	32.7	90.0	46.1	5.7
2002	70.5	30.6	89.6	47.7	4.4
2003	70.9	30.8	89.5	51.0	5.3
2004	70.5	26.4	89.6	54.5	4.2
2005	70.2	24.8	89.3	55.1	5.0
2006	69.6	25.7	87.9	56.2	5.3
2007	70.4	27.2	88.0	58.2	6.2
<b>Rural areas</b>					
2000	68.1	41.2	85.4	42.6	11.2
2001	65.9	32.5	84.8	42.2	5.8

	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
2002	66.5	30.8	85.8	44.7	4.5
2003	66.9	28.2	86.9	48.9	4.6
2004	65.6	25.8	86.4	48.2	3.5
2005	64.2	25.4	84.6	48.3	2.2
2006	62.5	27.3	82.1	46.2	3.3
2007	62.4	27.8	81.0	50.1	4.1

#### 10. Employment rate by age group, per cent

	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
<b>Total</b>					
2000	58.7	25.4	75.0	40.3	7.3
2001	57.2	22.5	73.8	38.9	5.7
2002	59.6	23.6	76.8	41.3	4.5
2003	60.9	22.6	78.8	44.5	4.8
2004	61.1	20.3	79.4	46.9	3.7
2005	62.6	21.1	81.0	49.2	3.9
2006	63.6	23.7	81.7	49.6	4.4
2007	64.9	25.2	82.5	53.4	5.4
<b>Men</b>					
2000	60.1	28.4	73.8	49.9	9.8
2001	58.5	23.8	73.2	49.4	8.1
2002	62.3	26.5	77.9	51.2	7.3
2003	63.7	26.3	79.8	54.8	8.1
2004	64.6	23.9	81.7	57.3	6.2
2005	66.0	24.6	83.3	59.1	6.3
2006	66.3	26.4	84.1	55.7	7.0
2007	67.9	29.6	84.3	60.7	9.3
<b>Women</b>					
2000	57.5	22.2	76.1	33.0	6.0
2001	55.9	21.1	74.5	30.9	4.4
2002	57.1	20.6	75.7	33.9	2.9
2003	58.4	18.6	77.9	36.7	3.0
2004	57.8	16.6	77.3	39.0	2.4
2005	59.4	17.4	78.8	41.7	2.6
2006	61.0	20.9	79.5	45.1	3.1
2007	62.2	20.5	80.8	47.9	3.4
<b>Urban areas</b>					
2000	58.8	24.0	75.1	40.2	4.5
2001	57.6	22.6	74.0	39.2	5.6
2002	59.5	23.1	76.4	40.7	4.4

	<i>15-64</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65+</i>
2003	61.2	22.3	78.8	43.7	4.9
2004	62.0	20.2	79.7	48.5	3.9
2005	64.1	20.8	82.1	50.7	5.0
2006	65.8	23.1	83.5	52.6	5.1
2007	67.3	24.8	84.7	55.7	6.2
Rural areas					
2000	58.6	28.7	74.6	40.3	11.2
2001	56.2	22.1	73.6	38.3	5.8
2002	59.9	24.8	77.7	42.4	4.5
2003	60.3	23.2	78.7	46.0	4.6
2004	59.1	20.5	78.9	43.8	3.5
2005	59.3	21.6	78.4	46.2	2.2
2006	58.7	24.8	77.4	43.6	3.3
2007	59.6	25.9	77.4	48.7	4.1

#### 11. Unemployment rate by age group, per cent

	<i>Total</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65-74</i>
<b>Total</b>					
2000	<b>16.4</b>	30.0	15.6	11.0	3.0
2001	<b>17.4</b>	31.1	16.5	13.2	1.2
2002	<b>13.8</b>	23.0	13.2	11.4	0.2
2003	<b>12.4</b>	24.8	11.2	11.5	5.8
2004	<b>11.4</b>	22.5	10.4	10.4	4.5
2005	<b>8.3</b>	15.7	7.8	6.8	0.3
2006	<b>5.6</b>	9.8	5.1	6.2	1.7
2007	<b>4.3</b>	8.2	4.0	3.8	0.1
Men					
2000	<b>18.8</b>	31.9	17.7	13.4	5.4
2001	<b>19.9</b>	36.1	18.4	16.7	2.0
2002	<b>14.6</b>	23.1	13.8	14.0	-
2003	<b>12.7</b>	22.5	11.8	11.0	2.7
2004	<b>11.0</b>	22.3	9.9	9.7	2.4
2005	<b>8.2</b>	16.0	7.5	7.4	0.6
2006	<b>5.8</b>	10.0	5.2	7.1	0.8
2007	<b>4.3</b>	7.0	4.0	4.1	0.1
Women					
2000	<b>13.9</b>	27.4	13.5	8.0	0.7
2001	<b>14.7</b>	24.1	14.7	8.6	0.5
2002	<b>12.9</b>	22.9	12.6	8.2	0.5
2003	<b>12.2</b>	28.1	10.6	12.0	10.0

	<i>Total</i>	<i>15-24</i>	<i>25-54</i>	<i>55-64</i>	<i>65-74</i>
2004	<b>11.8</b>	22.7	11.0	11.2	7.0
2005	<b>8.3</b>	15.3	8.2	6.1	-
2006	<b>5.4</b>	9.6	5.1	5.3	2.8
2007	<b>4.3</b>	10.0	4.0	3.5	-
Urban areas					
2000	<b>17.7</b>	29.9	16.7	13.7	7.6
2001	<b>18.6</b>	30.7	17.8	15.1	2.0
2002	<b>15.4</b>	24.6	14.7	14.6	0.4
2003	<b>13.6</b>	27.8	11.9	14.2	8.5
2004	<b>12.1</b>	23.5	11.1	11.0	6.7
2005	<b>8.6</b>	16.0	8.1	7.9	0.4
2006	<b>5.5</b>	10.1	4.9	6.4	2.4
2007	<b>4.2</b>	9.0	3.8	4.2	0.1
Rural areas					
2000	<b>13.3</b>	30.4	12.6	5.4	-
2001	<b>14.4</b>	32.0	13.3	9.4	-
2002	<b>9.7</b>	19.4	9.4	5.1	-
2003	<b>9.6</b>	17.9	9.4	6.0	1.1
2004	<b>9.7</b>	20.3	8.7	9.1	-
2005	<b>7.6</b>	15.1	7.2	4.3	-
2006	<b>6.0</b>	9.2	5.7	5.6	-
2007	<b>4.4</b>	6.7	4.5	2.9	-

## 12. The unemployed by length of unemployment, thou.

	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>Total</b>	<b>273.7</b>	<b>284.0</b>	<b>224.4</b>	<b>203.9</b>	<b>184.4</b>	<b>132.9</b>	<b>89.3</b>	<b>69.0</b>
Up to 1 month	13.0	16.6	15.8	15.3	11.0	9.6	11.8	13.7
1-2 months	33.2	23.5	17.6	18.6	13.8	10.7	7.6	8.7
3-5 months	44.9	33.9	28.3	29.9	25.1	16.5	14.8	13.4
6-11 months	40.4	43.0	39.4	37.8	36.2	23.2	15.5	10.9
1 year or longer	142.2	167.0	123.3	102.3	98.2	72.9	39.6	22.2
Men	158.5	165.6	121.1	105.4	90.6	67.1	46.7	34.6
Up to 1 month	7.9	9.2	9.0	8.6	5.7	5.9	7.3	7.9
1-2 months	19.5	13.5	9.8	9.1	7.4	4.7	3.5	3.7
3-5 months	23.9	20.5	16.4	16.5	12.8	8.3	6.7	6.2
6-11 months	22.5	21.8	19.0	19.6	17.4	12.0	8.9	5.2
1 year or longer	84.7	100.6	66.9	51.7	47.3	36.2	20.4	11.6
Women	115.2	118.4	103.3	98.4	93.8	65.8	42.6	34.3
Up to 1 month	5.1	7.4	6.7	6.8	5.4	3.7	4.6	5.7
1-2 months	13.7	10.0	7.9	9.5	6.4	6.0	4.1	5.1

	2000	2001	2002	2003	2004	2005	2006	2007
3–5 months	21.0	13.4	11.9	13.4	12.4	8.2	8.1	7.3
6–11 months	17.8	21.2	20.4	18.1	18.7	11.1	6.6	5.7
1 year or longer	57.5	66.4	56.3	50.6	50.9	36.8	19.2	10.6
Urban areas	207.1	215.6	177.8	157.4	138.1	97.4	61.9	48.5
Up to 1 month	8.8	12.0	11.6	10.7	7.1	6.1	7.5	10.3
1–2 months	24.8	18.2	14.3	14.4	9.7	8.3	5.2	6.5
3–5 months	35.4	26.6	22.8	22.3	18.4	11.4	10.6	10.3
6–11 months	32.1	33.5	32.3	29.5	28.5	17.0	11.5	7.5
1 year or longer	106.0	125.3	96.7	80.6	74.4	54.6	27.1	13.9
Rural areas	66.6	68.4	46.6	46.5	46.3	35.5	27.4	20.5
Up to 1 month	4.2	4.7	4.1	4.7	3.9	3.4	4.3	3.3
1–2 months	8.4	5.3	3.4	4.2	4.2	2.4	2.4	2.3
3–5 months	9.5	7.2	5.5	7.6	6.8	5.1	4.2	3.1
6–11 months	8.3	9.5	7.0	8.3	7.7	6.2	4.0	3.4
1 year or longer	36.2	41.7	26.5	21.7	23.7	18.3	12.5	8.3

### 13. Labour force by county, thou.

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>1 630.3</b>	<b>1 641.9</b>	<b>1 620.6</b>	<b>1 606.8</b>	<b>1 588.3</b>	<b>1 603.1</b>
Alytus	80.3	77.7	80.3	78.9	74.9	74.1
Kaunas	333.8	331.7	334.4	316.7	322.6	327.2
Klaipėda	182.0	175.7	176.5	178.4	179.0	176.2
Marijampolė	86.6	86.5	81.2	76.3	76.6	83.6
Panevėžys	137.9	134.6	136.2	131.6	123.1	127.5
Šiauliai	164.9	180.6	167.0	170.3	162.5	155.5
Tauragė	59.9	62.6	60.1	60.4	56.1	52.9
Telšiai	83.9	83.7	80.3	80.2	79.9	81.7
Utena	82.4	79.9	76.2	79.1	81.9	85.8
Vilnius	418.7	428.9	428.6	434.9	431.7	438.8
Men	829.0	831.6	824.4	818.0	802.6	812.3
Alytus	40.0	40.0	42.8	41.4	39.6	38.0
Kaunas	173.3	169.6	168.5	155.6	160.0	163.6
Klaipėda	93.6	86.0	89.3	91.1	90.3	90.1
Marijampolė	44.5	44.8	42.3	39.3	40.6	43.7
Panevėžys	68.4	66.2	66.6	65.2	61.7	62.6
Šiauliai	84.3	95.0	85.3	87.8	84.6	80.9
Tauragė	31.4	32.4	31.6	31.4	28.4	28.4
Telšiai	43.0	42.8	43.6	43.4	40.0	41.8
Utena	42.7	44.3	39.8	41.1	44.8	44.8
Vilnius	207.8	210.3	214.6	221.6	212.5	218.4

	2002	2003	2004	2005	2006	2007
Women	801.4	810.2	796.3	788.8	785.7	790.8
Alytus	40.3	37.6	37.5	37.5	35.3	36.1
Kaunas	160.5	162.1	165.9	161.1	162.7	163.6
Klaipėda	88.4	89.7	87.2	87.3	88.6	86.1
Marijampolė	42.1	41.7	38.9	36.9	36.0	39.9
Panevėžys	69.5	68.4	69.7	66.3	61.5	64.9
Šiauliai	80.6	85.5	81.7	82.6	77.8	74.6
Tauragė	28.5	30.2	28.5	29.0	27.6	24.4
Telšiai	40.9	40.9	36.6	36.8	39.9	39.9
Utena	39.7	35.6	36.4	37.9	37.1	41.1
Vilnius	210.9	218.6	214.0	213.3	219.2	220.3

#### 14. Employed by county, thou.

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Alytus	67.3	67.1	67.4	72.5	71.0	71.7
Kaunas	287.1	291.7	299.9	288.7	303.6	313.4
Klaipėda	159.6	153.7	154.0	165.9	166.8	168.9
Marijampolė	77.5	80.0	75.6	73.9	74.6	81.9
Panevėžys	119.6	119.2	119.1	117.3	113.3	119.2
Šiauliai	140.6	150.1	145.9	153.1	153.1	148.7
Tauragė	54.7	56.6	54.7	56.8	53.7	51.1
Telšiai	71.0	73.2	72.0	73.9	75.4	78.2
Utena	70.6	67.7	66.8	74.4	77.1	82.0
Vilnius	357.9	378.7	380.9	397.5	410.3	419.1
Men	707.8	726.2	733.8	750.9	755.8	777.7
Alytus	32.5	33.8	36.8	37.7	37.2	36.9
Kaunas	146.1	148.1	152.7	143.2	152.0	156.3
Klaipėda	80.9	76.6	78.7	84.4	84.3	86.3
Marijampolė	40.0	41.4	39.4	38.4	39.2	43.2
Panevėžys	58.0	57.7	56.1	56.6	55.3	58.5
Šiauliai	71.4	78.5	75.2	79.4	79.1	77.4
Tauragė	28.7	29.5	29.2	29.6	27.5	27.2
Telšiai	36.1	37.4	40.3	40.3	39.0	40.7
Utena	37.6	38.0	34.3	39.3	42.3	42.8
Vilnius	176.5	185.1	191.0	201.9	199.6	208.1
Women	698.1	711.8	702.5	723.0	743.2	756.5
Alytus	34.8	33.3	30.6	34.7	33.8	34.7
Kaunas	141.0	143.5	147.2	145.5	151.6	157.1
Klaipėda	78.7	77.2	75.3	81.4	82.5	82.6

	2002	2003	2004	2005	2006	2007
Marijampolė	37.5	38.6	36.1	35.5	35.3	38.7
Panevėžys	61.6	61.5	63.0	60.8	58.0	60.7
Šiauliai	69.1	71.6	70.6	73.7	74.0	71.3
Tauragė	26.1	27.1	25.5	27.2	26.2	23.8
Telšiai	34.9	35.7	31.7	33.6	36.3	37.4
Utena	33.0	29.7	32.5	35.1	34.8	39.2
Vilnius	181.5	193.6	190.0	195.6	210.7	210.9

**15. The unemployed by county, thou.**

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>224.4</b>	<b>203.9</b>	<b>184.4</b>	<b>132.9</b>	<b>89.3</b>	<b>69.0</b>
Alytus	13.0	10.6	12.9	6.5	3.8	2.4
Kaunas	46.7	40.1	34.5	28.1	19.0	13.8
Klaipėda	22.4	22.0	22.4	12.5	12.1	7.2
Marijampolė	9.1	6.5	5.6	2.3	2.0	1.6
Panevėžys	18.3	15.4	17.1	14.2	9.8	8.3
Šiauliai	24.3	30.5	21.1	17.3	9.3	6.8
Tauragė	5.1	6.0	5.4	3.6	2.4	1.8
Telšiai	12.9	10.5	8.3	6.3	4.5	3.5
Utena	11.8	12.2	9.4	4.7	4.8	3.8
Vilnius	60.7	50.2	47.6	37.4	21.4	19.7
Men	121.1	105.4	90.6	67.1	46.7	34.6
Alytus	7.5	6.2	6.0	3.6	2.4	1.0
Kaunas	27.2	21.5	15.8	12.4	7.9	7.3
Klaipėda	12.7	9.5	10.5	6.7	6.0	3.7
Marijampolė	4.4	3.4	2.9	0.9	1.4	0.5
Panevėžys	10.4	8.6	10.5	8.6	6.4	4.1
Šiauliai	12.9	16.5	10.1	8.4	5.5	3.5
Tauragė	2.7	2.9	2.4	1.8	0.9	1.2
Telšiai	6.9	5.3	3.4	3.0	0.9	1.1
Utena	5.1	6.3	5.5	1.8	2.5	1.9
Vilnius	31.3	25.2	23.6	19.7	12.9	10.3
Women	103.3	98.4	93.8	65.8	42.6	34.3
Alytus	5.6	4.3	6.9	2.8	1.5	1.4
Kaunas	19.5	18.6	18.7	15.6	11.1	6.5
Klaipėda	9.7	12.5	11.9	5.8	6.1	3.5
Marijampolė	4.6	3.1	2.7	1.4	0.7	1.2
Panevėžys	7.9	6.9	6.7	5.6	3.5	4.2
Šiauliai	11.5	13.9	11.1	8.9	3.8	3.3
Tauragė	2.4	3.1	3.0	1.8	1.5	0.6



	2002	2003	2004	2005	2006	2007
Telšiai	6.0	5.2	4.9	3.3	3.6	2.4
Utena	6.7	5.9	3.9	2.9	2.4	1.9
Vilnius	29.5	25.0	24.0	17.7	8.5	9.4

**16. Labour force activity rate by county, population aged 15–64, per cent**

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>69.3</b>	<b>69.7</b>	<b>69.0</b>	<b>68.3</b>	<b>67.4</b>	<b>67.9</b>
Alytus	63.9	63.2	65.7	64.1	61.8	63.2
Kaunas	69.5	68.2	70.2	67.5	67.7	69.2
Klaipėda	69.5	68.8	69.3	68.0	68.0	67.2
Marijampolė	69.3	68.8	67.2	65.6	67.2	68.4
Panevėžys	70.2	68.5	68.1	66.9	62.3	64.9
Šiauliai	67.5	71.5	66.6	67.3	65.0	64.4
Tauragė	70.5	73.3	68.5	68.5	67.8	64.4
Telšiai	71.5	69.7	67.7	68.0	67.1	68.3
Utena	68.4	67.3	66.0	67.6	67.3	68.1
Vilnius	70.1	72.3	71.2	71.5	70.8	70.7
<b>Men</b>	<b>73.2</b>	<b>73.1</b>	<b>72.7</b>	<b>72.0</b>	<b>70.5</b>	<b>71.0</b>
Alytus	65.8	67.0	69.6	67.7	69.2	67.2
Kaunas	74.0	73.0	73.6	70.0	69.9	70.9
Klaipėda	73.2	71.2	73.2	73.2	71.9	72.2
Marijampolė	73.9	69.5	72.0	69.9	71.7	72.0
Panevėžys	72.6	70.5	72.1	68.8	63.9	67.8
Šiauliai	72.4	76.7	69.0	72.3	68.4	67.9
Tauragė	71.1	76.2	71.1	72.1	68.7	68.4
Telšiai	73.6	73.1	71.1	74.0	69.6	73.8
Utena	73.0	73.2	71.2	71.2	71.0	70.2
Vilnius	74.5	75.0	75.2	74.8	73.8	73.3
<b>Women</b>	<b>65.7</b>	<b>66.5</b>	<b>65.6</b>	<b>64.9</b>	<b>64.6</b>	<b>65.0</b>
Alytus	62.1	59.7	61.8	60.5	55.2	59.4
Kaunas	65.2	63.8	67.0	65.2	65.6	67.6
Klaipėda	66.0	66.6	65.7	63.3	64.6	62.8
Marijampolė	65.0	68.0	62.5	61.6	62.7	65.0
Panevėžys	68.1	66.7	64.7	65.2	60.9	62.3
Šiauliai	63.1	66.5	64.3	62.8	61.7	60.9
Tauragė	69.8	70.4	65.8	65.1	67.0	60.3
Telšiai	69.3	66.4	64.0	62.1	64.8	63.4
Utena	63.9	61.2	61.0	64.0	63.3	65.9
Vilnius	66.3	69.9	67.7	68.3	68.1	68.3

**17. Employment rate by county, population aged 15–64, per cent**

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>59.6</b>	<b>60.9</b>	<b>61.1</b>	<b>62.6</b>	<b>63.6</b>	<b>64.9</b>
Alytus	53.3	54.5	55.0	58.7	58.6	61.1
Kaunas	59.6	59.9	62.9	61.4	63.6	66.2
Klaipėda	60.9	60.1	60.4	63.2	63.4	64.4
Marijampolė	62.0	63.5	62.4	63.6	65.4	67.1
Panevėžys	60.9	60.6	59.4	59.6	57.3	60.6
Šiauliai	57.4	59.5	58.2	60.5	61.3	61.5
Tauragė	64.3	66.2	62.3	64.4	65.0	62.2
Telšiai	60.1	60.7	60.6	62.5	63.3	65.3
Utena	58.5	57.0	57.8	63.5	63.3	65.0
Vilnius	59.9	63.8	63.2	65.2	67.2	67.4
<b>Men</b>	<b>62.3</b>	<b>63.7</b>	<b>64.6</b>	<b>66.0</b>	<b>66.3</b>	<b>67.9</b>
Alytus	53.3	56.3	59.7	61.7	65.0	65.3
Kaunas	62.2	63.6	66.6	64.3	66.3	67.6
Klaipėda	63.1	63.3	64.5	67.8	67.0	69.1
Marijampolė	66.5	64.0	67.1	68.2	69.3	71.2
Panevėžys	61.4	61.3	60.6	59.6	57.3	63.3
Šiauliai	61.2	63.3	60.8	65.3	64.0	64.9
Tauragė	64.7	69.2	65.8	67.9	66.5	65.5
Telšiai	61.4	63.8	65.6	68.7	68.0	71.8
Utena	64.2	62.7	61.3	68.0	67.1	67.2
Vilnius	63.2	65.9	66.8	68.1	69.2	69.8
<b>Women</b>	<b>57.1</b>	<b>58.4</b>	<b>57.8</b>	<b>59.4</b>	<b>61.0</b>	<b>62.2</b>
Alytus	53.3	52.7	50.4	55.8	52.8	57.1
Kaunas	57.2	56.5	59.5	58.7	61.2	64.8
Klaipėda	58.7	57.3	56.6	59.0	60.1	60.2
Marijampolė	57.7	62.9	58.0	59.2	61.5	63.1
Panevėžys	60.3	60.0	58.5	59.6	57.3	58.2
Šiauliai	54.0	55.8	55.6	56.1	58.6	58.2
Tauragė	63.8	63.1	58.8	61.1	63.4	58.7
Telšiai	58.8	57.7	55.3	56.5	58.9	59.5
Utena	53.1	51.0	54.6	59.2	59.2	62.9
Vilnius	57.0	61.9	60.0	62.6	65.4	65.3

**18. Unemployment rate by county, per cent**

	2002	2003	2004	2005	2006	2007
<b>Total</b>	<b>13.8</b>	<b>12.4</b>	<b>11.4</b>	<b>8.3</b>	<b>5.6</b>	<b>4.3</b>
Alytus	16.2	13.6	16.0	8.2	5.1	3.3
Kaunas	14.0	12.1	10.3	8.9	5.9	4.2

	2002	2003	2004	2005	2006	2007
Klaipėda	12.3	12.5	12.7	7.0	6.8	4.1
Marijampolė	10.5	7.5	6.9	3.0	2.6	2.0
Panevėžys	13.3	11.4	12.6	10.8	8.0	6.5
Šiauliai	14.8	16.9	12.6	10.1	5.7	4.4
Tauragė	8.6	9.5	8.9	6.0	4.2	3.4
Telšiai	15.4	12.5	10.3	7.9	5.6	4.3
Utena	14.3	15.3	12.3	6.0	5.9	4.4
Vilnius	14.5	11.7	11.1	8.6	5.0	4.5
Men	14.6	12.7	11.0	8.2	5.8	4.3
Alytus	18.6	15.5	14.0	8.8	6.0	2.8
Kaunas	15.7	12.7	9.4	8.0	5.0	4.4
Klaipėda	13.6	11.0	11.8	7.3	6.6	4.1
Marijampolė	10.0	7.7	6.8	2.3	3.3	1.1
Panevėžys	15.2	12.9	15.7	13.2	10.3	6.5
Šiauliai	15.3	17.4	11.8	9.6	6.5	4.3
Tauragė	8.7	9.0	7.5	5.8	3.2	4.1
Telšiai	16.1	12.5	7.7	7.0	2.3	2.6
Utena	12.0	14.2	13.8	4.5	5.5	4.3
Vilnius	15.1	12.0	11.0	8.9	6.1	4.7
Women	12.9	12.2	11.8	8.3	5.4	4.3
Alytus	13.8	11.6	18.4	7.5	4.1	3.9
Kaunas	12.2	11.5	11.3	9.7	6.8	4.0
Klaipėda	11.0	13.9	13.6	6.7	6.9	4.1
Marijampolė	11.0	7.4	7.1	3.8	1.9	2.9
Panevėžys	11.4	10.0	9.6	8.4	5.7	6.4
Šiauliai	14.2	16.3	13.5	10.7	4.9	4.4
Tauragė	8.4	10.2	10.6	6.1	5.3	2.6
Telšiai	14.7	12.6	13.5	8.9	8.9	6.1
Utena	16.8	16.6	10.7	7.6	6.4	4.6
Vilnius	14.0	11.4	11.2	8.3	3.9	4.3

### 19. Education of the population, thou.

	2002	2003	2004	2005	2006	2007
Population aged 15 and more	2 816.0	2 829.6	2 837.1	2 840.2	2 842.9	2 846.8
Higher	361.9	381.0	408.5	441.8	461.1	503.1
Advanced vocational school	122.9	122.5	129.4	119.6	110.4	117.0
Special secondary	459.1	448.9	418.0	394.9	394.8	366.4
Post-secondary	136.2	142.2	149.7	154.3	153.0	160.1
Secondary with vocational qualification	186.8	192.0	193.7	200.1	204.0	225.1
Secondary	560.2	583.6	586.6	602.4	609.6	599.0

	2002	2003	2004	2005	2006	2007
Basic with vocational qualification	83.9	79.6	77.2	77.5	90.4	81.9
Basic	424.2	428.4	450.9	432.7	413.3	414.9
Primary with vocational qualification	15.2	16.1	14.9	15.5	16.7	12.5
Primary	465.6	435.4	408.1	401.4	389.7	366.6
Men	1 286.7	1 292.8	1 296.3	1 298.1	1 299.3	1 301.2
Higher	146.8	159.5	171.8	184.3	187.7	209.4
Advanced vocational school	47.7	46.5	56.2	47.0	43.4	44.5
Special secondary	180.8	178.8	165.5	149.9	149.7	141.7
Post-secondary	63.3	67.9	69.7	72.4	69.0	70.3
Secondary with vocational qualification	129.6	131.2	135.3	138.4	140.1	158.8
Secondary	254.8	258.3	262.2	276.5	274.3	263.7
Basic with vocational qualification	64.5	59.9	56.5	58.4	70.0	63.2
Basic	209.0	217.9	224.8	211.6	207.8	205.5
Primary with vocational qualification	11.8	12.2	10.2	11.3	12.7	9.4
Primary	178.5	160.5	144.1	148.2	144.5	134.6
Female	1 529.3	1 536.8	1 540.8	1 542.1	1 543.6	1 545.6
Higher	215.1	221.5	236.6	257.4	273.3	293.7
Advanced vocational school	75.2	76.0	73.2	72.5	67.0	72.6
Special secondary	278.4	270.1	252.5	245.0	245.1	224.7
Post-secondary	73.0	74.3	80.1	81.8	84.0	89.8
Secondary with vocational qualification	57.3	60.8	58.3	61.7	63.9	66.3
Secondary	305.3	325.3	324.5	325.8	335.2	335.3
Basic with vocational qualification	19.3	19.7	20.7	19.1	20.4	18.6
Basic	215.1	210.5	226.1	221.1	205.6	209.4
Primary with vocational qualification	3.5	3.9	4.7	4.2	4.0	3.1
Primary	287.1	274.9	264.0	253.2	245.2	232.1

## 20. Education of the employed, thou.

	2002	2003	2004	2005	2006	2007
<b>In total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Higher	275.8	293.1	312.8	349.0	370.2	406.4
Advanced vocational school	95.3	97.6	105.5	100.4	94.1	96.9
Special secondary	309.5	302.9	280.4	266.9	264.4	246.3
Post-secondary	95.9	101.8	109.1	114.0	113.3	124.2
Secondary with vocational qualification	136.4	141.7	147.2	154.8	157.8	175.2
Secondary	292.6	295.2	288.2	309.6	316.2	306.1
Basic with vocational qualification	51.1	51.1	47.7	50.8	60.6	54.2
Basic	115.5	123.9	123.1	110.5	102.6	106.5

	2002	2003	2004	2005	2006	2007
Primary with vocational qualification	6.3	5.6	6.0	5.1	7.2	5.7
Primary	27.4	25.1	16.3	12.8	12.6	12.8
Men	707.8	726.2	733.8	750.9	755.8	777.7
Higher	113.1	125.5	135.5	148.2	150.5	170.3
Advanced vocational school	37.4	37.1	47.0	41.9	38.5	38.7
Special secondary	134.2	129.5	117.0	111.1	110.9	104.5
Post-secondary	45.9	48.9	52.9	56.7	55.9	59.0
Secondary with vocational qualification	99.5	100.8	106.8	112.0	113.6	130.0
Secondary	143.3	147.5	146.9	158.6	161.4	152.1
Secondary with vocational qualification	40.7	38.9	35.7	40.2	48.0	42.5
Basic	70.3	78.0	77.6	71.0	62.7	67.6
Primary with vocational qualification	5.3	4.7	4.5	3.2	5.5	4.4
Primary	18.0	15.3	10.0	8.1	8.8	8.8
Women	698.1	711.8	702.5	723.0	743.2	756.5
Higher	162.8	167.6	177.4	200.8	219.7	236.1
Advanced vocational school	57.9	60.4	58.6	58.6	55.5	58.2
Special secondary	175.3	173.4	163.3	155.8	153.5	141.8
Post-secondary	50.0	52.9	56.2	57.3	57.5	65.3
Secondary with vocational qualification	36.9	40.8	40.4	42.8	44.2	45.2
Secondary	149.3	147.8	141.3	151.1	154.8	154.0
Basic with vocational qualification	10.4	12.2	12.1	10.6	12.6	11.8
Basic	45.2	46.0	45.5	39.5	39.9	38.9
Primary with vocational qualification	0.9	1.0	1.5	1.9	1.6	1.3
Primary	9.4	9.8	6.2	4.6	3.7	4.0

## 21. Education of the unemployed, thou.

	2002	2003	2004	2005	2006	2007
<b>In total</b>	<b>224.4</b>	<b>203.9</b>	<b>184.4</b>	<b>132.9</b>	<b>89.3</b>	<b>69.0</b>
Higher	16.6	18.5	19.6	12.4	9.6	7.9
Advanced vocational school	10.5	8.9	10.8	6.4	2.6	2.7
Special secondary	39.9	33.2	29.9	19.7	12.4	9.2
Post-secondary	17.8	15.3	18.7	13.1	8.5	5.0
Secondary with vocational qualification	23.6	24.9	21.7	20.0	14.0	10.8
Secondary	64.8	58.9	49.4	33.2	24.0	19.7
Basic with vocational qualification	13.1	11.2	6.7	6.3	4.7	3.9

	2002	2003	2004	2005	2006	2007
Basic	34.0	28.2	23.9	17.8	12.1	8.7
Primary with vocational qualification	1.9	1.7	0.9	1.8	0.2	0.3
Primary	2.4	3.1	2.8	2.2	1.3	0.7
Men	121.1	105.4	90.6	67.1	46.7	34.6
Higher	7.4	7.7	6.9	5.8	3.9	3.0
Advanced vocational school	4.2	4.4	5.3	2.5	1.1	1.1
Special secondary	16.8	14.9	11.8	7.4	4.5	3.8
Post-secondary	9.1	7.2	8.1	5.3	3.7	1.9
Secondary with vocational qualification	15.6	16.4	14.8	11.7	9.7	6.7
Secondary	32.5	23.8	21.7	16.0	11.1	9.0
Basic with vocational qualification	11.0	9.4	4.8	4.1	3.8	3.0
Basic	20.9	17.9	14.1	10.9	7.8	5.3
Primary with vocational qualification	1.4	1.4	0.8	1.5	0.2	0.3
Primary	2.2	2.3	2.2	1.9	1.0	0.4
Women	103.3	98.4	93.8	65.8	42.6	34.3
Higher	9.2	10.8	12.7	6.6	5.7	5.0
Advanced vocational school	6.3	4.5	5.4	3.9	1.5	1.6
Special secondary	23.0	18.3	18.1	12.3	7.9	5.4
Post-secondary	8.7	8.1	10.6	7.8	4.8	3.1
Secondary with vocational qualification	8.0	8.5	6.9	8.4	4.3	4.1
Secondary	32.3	35.1	27.8	17.1	12.8	10.7
Basic with vocational qualification	2.0	1.7	1.9	2.2	0.9	0.9
Basic	13.1	10.4	9.8	6.9	4.3	3.4
Primary with vocational qualification	0.5	0.3	0.1	0.3	-	-
Primary	0.1	0.7	0.6	0.4	0.3	0.3

## 22. Employed population by county and municipality,\* thou.

	2002	2003	2004	2005	2006	2007
<b>In total</b>	<b>1 405.9</b>	<b>1 438.0</b>	<b>1 436.3</b>	<b>1 473.9</b>	<b>1 499.0</b>	<b>1 534.2</b>
Alytus County	67.3	67.1	67.4	72.5	71.0	71.7
Alytus City Municipality	31.6	31.7	31.7	32.6	31.6	33.5
Alytus District Municipality	10.0	9.7	9.9	11.4	11.1	10.6
Druskininkai City Municipality	10.1	10.3	10.4	11.6	11.7	11.8
Lazdijai District Municipality	6.8	6.7	6.7	7.3	7.3	6.9
Varėna District Municipality	8.8	8.7	8.7	9.6	9.3	8.9
Kaunas County	287.1	291.7	299.9	288.7	303.6	313.4
Birštonas Municipality	1.9	2.0	2.2	2.2	2.4	2.1

	2002	2003	2004	2005	2006	2007
Jonava District Municipality	20.8	21.4	21.9	21.1	21.3	23.3
Kaišiadorys District Municipality	12.5	12.2	12.2	12.4	12.7	13.0
Kaunas City Municipality	159.9	161.9	167.4	160.5	169.7	173.0
Kaunas District Municipality	32.8	32.6	33.0	33.2	36.3	37.7
Kėdainiai District Municipality	30.3	30.8	32.1	30.2	32.2	32.4
Prienai District Municipality	12.6	13.6	13.9	12.6	12.6	13.5
Raseiniai District Municipality	16.3	17.2	17.2	16.5	16.4	18.4
Klaipėda County	159.6	153.7	154.0	165.9	166.8	168.9
Klaipėda City Municipality	83.9	79.2	78.4	86.5	86.9	87.9
Klaipėda District Municipality	20.7	20.5	20.0	21.4	21.6	21.4
Kretinga District Municipality	17.7	17.4	17.3	18.2	18.3	19.2
Neringa Municipality	1.2	1.2	1.2	1.3	1.4	1.4
Palanga City Municipality	9.0	9.1	9.6	9.6	9.8	9.8
Skuodas District Municipality	8.8	8.3	9.0	9.0	9.0	9.1
Šilutė District Municipality	18.3	18.0	18.5	19.9	19.8	20.1
Marijampolė County	77.5	80.0	75.6	73.9	74.6	81.9
Kalvarija Municipality	3.4	3.9	4.5	3.6	3.7	5.1
Kazlų Rūda Municipality	4.6	5.0	5.0	4.8	4.9	6.0
Marijampolė Municipality	35.2	36.4	34.7	33.7	33.9	35.1
Šakiai District Municipality	12.9	12.8	12.3	12.7	12.9	14.7
Vilkaviškis District Municipality	21.4	21.9	19.1	19.1	19.2	21.0
Panevėžys County	119.6	119.2	119.1	117.3	113.3	119.2
Biržai District Municipality	12.0	12.1	11.9	11.8	11.3	13.1
Kupiškis District Municipality	8.8	8.7	8.2	8.3	8.1	10.3
Panevėžys City Municipality	54.0	53.5	52.1	50.5	48.2	49.3
Panevėžys District Municipality	17.0	17.1	18.5	18.0	17.9	18.0
Pasvalys District Municipality	12.8	12.6	12.2	12.5	12.6	12.2
Rokiškis District Municipality	15.0	15.2	16.2	16.2	15.2	16.3
Šiauliai County	140.6	150.1	145.9	153.1	153.1	148.7
Akmenė District Municipality	10.0	10.4	9.2	10.4	10.4	11.4
Joniškis District Municipality	12.5	13.4	12.8	13.1	13.1	10.4
Kelmė District Municipality	15.0	16.2	17.0	16.6	16.6	13.8
Pakruojis District Municipality	11.0	11.5	11.0	11.7	11.7	10.2
Radviliškis District Municipality	17.5	18.5	20.1	20.5	20.5	20.7
Šiauliai City Municipality	58.4	62.7	57.6	62.4	62.4	63.4
Šiauliai District Municipality	16.2	17.4	18.2	18.4	18.4	18.8
Tauragė County	54.7	56.6	54.7	56.8	53.7	51.1
Jurbarkas District Municipality	17.2	17.6	16.4	17.3	16.3	14.2
Pagėgiai Municipality	4.5	4.9	5.0	4.5	4.5	4.0
Šilalė District Municipality	14.0	14.5	15.0	14.6	14.6	13.5
Tauragė District Municipality	19.1	19.6	18.3	20.4	18.3	19.4

	2002	2003	2004	2005	2006	2007
Telšiai County	71.0	73.2	72.0	73.9	75.4	78.2
Mažeikiai District Municipality	25.4	27.1	26.8	26.6	27.7	27.6
Plungė District Municipality	16.9	16.7	15.9	1.7	17.9	19.5
Rietavas Municipality	3.3	3.5	3.4	3.4	3.5	4.7
Telšiai District Municipality	25.4	25.9	25.9	26.1	26.3	26.4
Utena County	70.6	67.7	66.8	74.4	77.1	82.0
Anykščiai District Municipality	12.2	12.2	12.7	13.9	13.9	14.5
Ignalina District Municipality	8.1	7.7	6.7	7.0	7.5	7.9
Molėtais District Municipality	7.8	8.1	9.0	9.6	9.6	9.6
Utena District Municipality	19.0	18.0	18.3	20.7	21.9	26.1
Visaginas Municipality	14.0	13.7	12.1	14.5	14.5	14.3
Zarasai District Municipality	9.5	8.0	8.0	8.7	9.7	9.6
Vilnius County	357.9	378.7	380.9	397.5	410.3	419.1
Elektrėnai Municipality	12.0	14.2	13.8	13.7	13.9	13.3
Šalčininkai District Municipality	12.2	13.4	12.4	13.4	13.6	14.3
Širvintos District Municipality	7.5	7.8	7.4	8.3	8.7	8.5
Švenčionys District Municipality	11.0	11.9	12.1	12.7	12.9	13.8
Trakai District Municipality	13.9	14.5	14.9	15.3	15.3	16.7
Ukmergė District Municipality	16.4	17.0	18.0	18.5	18.7	19.0
Vilnius City Municipality	250.4	265.1	267.2	278.6	288.6	292.1
Vilnius District Municipality	34.4	34.8	35.1	37.1	38.6	41.4

\* Data on population employment in counties is submitted in population employment survey; while respective municipal data is submitted in expert evaluations.



## Annexes to article 7

### 11 Breakdown of labour accidents by year, 1998–2008 (Data as of 20 April 2009)

Year	Labour accidents			
	Total	Fatal	Number of labour accidents per 100 000 employees	
			Total	Fatal
1998	3 279	95	263.6	7.6
1999	3 017	74	244.9	6.0
2000	2 798	66	236.6	5.6
2001	2 589	88	224.4	7.6
2002	2 599	83	224.1	7.2
2003	2 721	119	228.9	10.0
2004	2 704	94	220.5	7.7
2005	3 358	118	274.4	9.6
2006	3 581	108	279.3	8.4
2007	3 678	101	273.8	7.5
2008	3 293	77	244.3	5.7

### 11 Breakdown of labour accidents by traumatic factors, 1998–2008 (Data as of 20 April 2009)

Year	Breakdown of labour accidents by traumatic factors													
	Running equipment, mechanism		Road vehicle		Falls (due to slips, obstacles, other reasons)		Falls from height		Falling objects		Flying fragments, etc.		Other factors	
	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent
1998	14.9	7.4	6.7	27.4	20.5	5.3	6.5	12.6	11.4	1.1	4.0	4.2	36.0	42.0
1999	14.1	5.4	6.4	27.0	23.4	4.1	7.4	18.9	10.8	12.2	4.0	1.4	33.8	31.0
2000	15.2	1.5	6.3	24.2	24.1	4.5	5.9	7.6	10.3	6.1	4.1	3.0	34.1	53.0
2001	15.4	4.5	7.0	29.6	21.1	3.4	8.2	17.0	8.0	4.5	5.4	3.4	34.8	37.5
2002	16.8	4.8	7.8	32.5	20.4	4.8	9.2	15.7	5.7	6.0	5.1	2.4	35.0	33.7

## Breakdown of labour accidents by traumatic factors

Year	Running equipment, mechanism		Road vehicle		Falls (due to slips, obstacles, other reasons)		Falls from height		Falling objects		Flying fragments, etc.		Other factors	
	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent	Total per cent	Fatal per cent
	2003	14.4	4.2	8.9	36.1	20.8	6.7	9.0	11.8	5.4	3.4	5.1	0	36.4
2004	13.4	5.3	9.5	28.7	21.6	6.4	8.8	17.0	5.0	2.1	5.0	2.1	36.7	38.4
2005	13.7	6.8	9.1	26.3	20.5	3.4	9.4	18.6	5.9	4.2	5.2	5.9	36.1	34.7
2006	12.5	4.6	8.5	30.6	21.7	12.0	9.3	15.7	5.9	3.7	4.8	4.6	37.3	28.7
2007	11.8	7.0	8.6	33.0	21.0	10.0	8.4	14.0	6.7	7.0	4.4	0	39.1	29.0
2008	9.7	7.8	7.4	26.0	23.4	5.2	8.0	11.7	6.0	5.2	5.0	7.8	40.2	35.1

**25. Amounts calculated for social insurance of labour accidents and occupational diseases, average benefits and the number of recipients**

	Measured in	2002 report	2003 report	2004 report	2005 report	2006 report	2007 report	2008 plan
Amounts for insurance of labour accidents and occup. Diseases	LTL, thou	16 037.8	18 322.8	21 217.0	25 533.6	33 592.6	44 198.1	58 778.0
Sickness benefit for a disease due to labour accident, on the way to/from work or occupational disease	LTL, thou	7 147.3	7 426.7	7 303.0	8 795.3	11 194.4	12 829.0	16 405.0
Number of recipients	people	6 443	7 765	4 654	5 288	6 050	5 843	6 235
One day average sickness benefit	LTL	40.2	44.1	55.4	45.3	53.4	63.8	73.6
Lump sum compensation for lost capacity for work	LTL, thou	742.9	664.5	1 001.0	1 338.9	925.2	1 091.8	1 363.0
Number of recipients	people	143	153	206	247	176	193	180
Average benefit	LTL	5 195.1	4 346.0	4 858.0	5 421.0	5 256.8	5 657.0	7 569.8
Periodical compensation for lost capacity for work	LTL, thou	1 602.0	2 466.2	4 929.0	7 376.2	10 604.8	15 528.7	22 460.0
Average number of recipients per month	people	679	1 090	1 680	2 267	2 997	3 799	5 000
Per month	LTL	199.5	194.0	255.0	281.0	303.9	351.6	374.3
Lump sum insurance benefit on the death of the insured	LTL, thou	6 201.0	7 265.2	7 274.0	7 149.3	8 141.4	8 168.9	10 888.0
Number of recipients	people	71	87	82	72	77	69	77
Average benefit	LTL	87 338.0	83 508.0	88 706.0	99 296.0	105 733.0	118 390.0	141 400.0

	<i>Measured in</i>	<i>2002 report</i>	<i>2003 report</i>	<i>2004 report</i>	<i>2005 report</i>	<i>2006 report</i>	<i>2007 report</i>	<i>2008 plan</i>
Periodical insurance benefit on the death of the insured	LTL, thousand	344.6	500.2	710.0	873.9	1 082.9	1 355.5	1 784.0
Average number of recipients per month	people	135	210	304	360	396	433	500
Per month	LTL	188.5	186.0	194.0	210.0	241.3	274.6	297.3
Funds allocated for prevention of labour accidents and occ. Diseases	LTL, thou	-	-	-	-	1 643.9	5 224.2	5 878.0

### 11 Number of labour accidents, in the way to/from work and occupational diseases in 2007

	<i>Labour accidents</i>				<i>Accidents on the way to/from work</i>			
	<i>Number of registered persons suffering work accidents</i>		<i>Of which recognized as insurable events</i>		<i>Number of registered persons suffering work accidents</i>		<i>Of which recognized as insurable events</i>	
	<i>Number of persons</i>	<i>Percentage distribution</i>	<i>Number of persons</i>	<i>Ratio to registered persons suffering work accidents, per cent</i>	<i>Number of persons</i>	<i>Percentage distribution</i>	<i>Number of persons</i>	<i>Ratio to registered persons suffering work accidents, per cent</i>
Minor	3 741	93	3 401	91	2 022	96	1 762	87
Serious	196	5	124	63	59	3	26	44
Fatal	97	2	41	42	24	1	6	25
<b>Total</b>	<b>4 034</b>	<b>100</b>	<b>3 566</b>	<b>-</b>	<b>2 105</b>	<b>100</b>	<b>1 794</b>	<b>-</b>

## Annex to article 8

## 11 Number of strikes, employees taking part in a strike and the average duration of a strike by kind of economic activity, 2000–2007\*

NACE codes	Kinds of economic activity	All strikes	Of which		Average number of participating employees	Of which		Average strike duration during workdays	Of which		
			Warning strikes	Strikes		Warning strikes	Strikes		Warning strikes	Strikes	
		<b>2000</b>	<b>56</b>	<b>21</b>	<b>35</b>	<b>3 303</b>	<b>1 208</b>	<b>2 095</b>	<b>3.15</b>	<b>0.31</b>	<b>4.79</b>
		<b>2001</b>	<b>34</b>	<b>29</b>	<b>5</b>	<b>1 703</b>	<b>1 114</b>	<b>589</b>	<b>1.27</b>	<b>0.35</b>	<b>3.01</b>
		<b>2005</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>70</b>	<b>-</b>	<b>70</b>	<b>11.9</b>	<b>-</b>	<b>11.9</b>
	<b>Total</b>	<b>2007</b>	<b>161</b>	<b>96</b>	<b>65</b>	<b>7 033</b>	<b>3 978</b>	<b>3 055</b>	<b>1.36</b>	<b>0.30</b>	<b>2.74</b>
		2000	-	-	-	-	-	-	-	-	-
		2001	2	-	2	•	-	•	•	-	•
		2005	-	-	-	-	-	-	-	-	-
D	Manufacturing	2007	-	-	-	-	-	-	-	-	-
		2000	4	2	2	985	346	639	0.74	0.25	1.00
		2001	-	-	-	-	-	-	-	-	-
	Transport, storage and communications	2005	-	-	-	-	-	-	-	-	-
I		2007	-	-	-	-	-	-	-	-	-
		2000	52	19	33	2 318	862	1 456	4.17	0.33	6.45
		2001	32	29	3	1 465	1 114	351	0.66	0.35	1.65
		2005	-	-	-	-	-	-	-	-	-
M	Education	2007	161	96	65	7 033	3 978	3 055	1.36	0.30	2.74
		2000	-	-	-	-	-	-	-	-	-
	Other utility, social and personal service activities	2001	-	-	-	-	-	-	-	-	-
		2005	1	-	1	70	-	70	11.9	-	11.9
O		2007	-	-	-	-	-	-	-	-	-

\* There were no strikes in 2002–2004 and in 2006.

- Confidential data.

## Annex to article 9

### 28.

	<i>Measured in</i>	<i>2002 report</i>	<i>2003 report</i>	<i>2004 report</i>	<i>2005 report</i>	<i>2006 report</i>	<i>2007 report</i>	<i>2008 report</i>
Sickness and maternity social insurance	LTL, thousand	333 164.5	358 603.5	414 197.2	494 114.3	621 432.1	940 468.6	1 281 465
1. Compulsory State social insurance	LTL, thousand	333 156.7	358 601.0	414 196.5	494 111.1	621 427.1	940 462.7	1 281 449
1.1 Sickness benefits	LTL, thousand	191 551.9	208 856.0	234 848.5	283 266.7	352 408.7	503 319.7	586 884
Number of paid sickness days for one employee	work days	5.1	5.1	4.80	6.0	6.1	6.9	6.2
Total number of paid sickness days	work days	5 705 124	5 912 009	5 749 620	7 292 257	7 757 492	9 088 797	8 151 050
Average one day income of one employee	LTL	43.31	45.61	49.49	54.87	66.40	79.15	94.61
Benefit for one sickness day in relation to one day income	per cent	78	77	83	71	68	70	77
Average benefit for one sickness day	LTL	33.60	35.30	41.00	38.84	45.43	55.40	72.00
1.2 Maternity benefit	LTL, thousand	55 114.9	60 083.0	66 825.9	75 163.4	99 323.7	140 239.0	155 397
Number of recipients	people	19.485	21.587	19.253	20.777	20.806	25.704	22.200
Number of days covered by maternity benefits paid	work days	1 561 618	1 626 010	1 634 989	1 632 130	1 771 796	2 032 900	1 877 000
Average duration of a maternity benefit	work days	80.2	75.5	84.9	80.0	85.1	79.1	85.0
Average one day benefit of a maternity benefit	LTL	35.30	37.00	40.90	46.05	56.06	69.00	82.79
One day maternity benefit in relation to average one day income	per cent	82	81	83	84	84	87	88
<b>1.3 Maternity (paternity) benefits in total</b>	<b>LTL, thousand</b>	<b>86 489.9</b>	<b>89 662.0</b>	<b>112 522.1</b>	<b>135 681.0</b>	<b>164 179.3</b>	<b>277 701.4</b>	<b>513 035</b>
Maternity (paternity) benefits until the age of one year	LTL, thousand	86 489.9	89 662.0	112 522.1	135 681.0	164 179.3	277 701	320 727
Average number of recipients	people	16 003	14 975	15 535	15 577	16 507	16 911	17 000
Average benefit	LTL	450.50	509.70	603.80	708.18	815.07	1 489.60	1 715.12
Average benefit in relation to average monthly income	per cent	61	61	61	61	60	91	88

	<i>Measured in</i>	<i>2002 report</i>	<i>2003 report</i>	<i>2004 report</i>	<i>2005 report</i>	<i>2006 report</i>	<i>2007 report</i>	<i>2008 report</i>
Maternity (paternity) benefits until the age of two years		-	-	-	-	-	-	192.308
Average number of recipients	people	-	-	-	-	-	-	11.500
Average benefit	LTL	-	-	-	-	-	-	1 520.22
Average benefit in relation to average monthly income	per cent	-	-	-	-	-	-	78
1.4. Professional rehabilitation benefits	LTL, thousand	-	-	-	-	18.9	40.3	1.576
Number of recipients	people	-	-	-	-	10	15	175
Average duration of one event	work days	-	-	-	-	33.90	81.60	124.50
Average one day benefit	LTL	-	-	-	-	55.75	32.90	72.32
1.5. Paternity benefits	LTL, thousand	-	-	-	-	5 496.5	19 162	24 557
Number of recipients	people	-	-	-	-	3 085.00	9 185	12 600
Average monthly benefit	LTL	-	-	-	-	1 781.7	2 086.3	1 949
2. Voluntary State social insurance	LTL, thousand	7.80	2.50	0.70	3.2	5.0	5.9	16.0
2.1 Sickness benefits	LTL, thousand	7.80	2.50	0.70	3.2	5.0	5.9	16.0
2.2 Maternity benefits	LTL, thousand	-	-	-	-	-	-	-

## Annexes to article 11

### 29. Average disposable income and its development in 1997–2007

	<i>Average disposable income per capita/month, LTL</i>	<i>Disposable income development in per cent</i>		<i>Development in actual disposable income, per cent</i>	
		<i>Compared to previous year</i>	<i>Compared to 1997</i>	<i>Compared to previous year</i>	<i>Compared to 1997</i>
1997	368.9	-	-	-	-
1998	422.5	14.5	14.5	9.0	9.0
1999	428.0	1.3	16.0	0.6	9.6
2000	415.4	-2.9	12.6	-3.9	5.3
2001	409.9	-1.3	11.1	-2.7	2.5
2002	422.0	3.0	14.4	2.6	5.2
2003	457.6	8.4	24.0	9.6	15.4
2004	495.8	8.3	34.4	7.1	23.5
2005	579.7	16.9	57.1	13.8	40.6
2006	680.8	17.4	84.5	13.2	59.3
2007	859.3	26.2	132.9	19.4	90.2

### 30. Average disposable income by socio-economic groups in 1997–2007, per capita/month. LTL

	<i>Total</i>	<i>Farmers</i>	<i>Hired employees</i>	<i>Self-employed; employers</i>	<i>Pensioners</i>	<i>Others</i>
1997	<b>368.9</b>	245.7	399.9	489.5	309.7	255.3
1998	<b>422.5</b>	286.0	451.3	575.6	372.8	258.1
1999	<b>428.0</b>	252.6	465.1	512.4	380.2	253.4
2000	<b>415.4</b>	239.3	463.3	472.5	360.5	256.7
2001	<b>409.9</b>	252.6	455.0	458.7	363.5	242.1
2002	<b>422.0</b>	237.1	465.4	553.4	376.4	262.5
2003	<b>457.6</b>	329.5	491.9	600.4	402.3	285.6
2004	<b>495.8</b>	404.1	527.2	615.0	439.8	240.7
2005	<b>579.7</b>	530.7	618.6	729.7	488.7	349.4
2006	<b>680.8</b>	735.8	724.7	781.0	558.5	296.5

	<i>Total</i>	<i>Farmers</i>	<i>Hired employees</i>	<i>Self-employed; employers</i>	<i>Pensioners</i>	<i>Others</i>
2007	<b>859.3</b>	969.6	911.2	1 046.2	672.4	419.2

### 31. Average disposable income by type of household in 1997–2007, per capita/month, LTL

	<i>Total</i>	<i>Single resident</i>	<i>One adult with children* under 18</i>	<i>Married couple without children</i>	<i>Married couple with children under 18</i>	<i>Other households with children under 18</i>	<i>Other households without children</i>
1997	<b>368.9</b>	485.7	326.7	449.2	344.5	300.1	403.6
1998	<b>422.5</b>	553.4	336.2	519.1	395.8	350.8	451.2
1999	<b>428.0</b>	553.6	323.2	542.4	392.3	344.0	460.8
2000	<b>415.4</b>	544.4	376.7	507.6	383.8	333.8	442.5
2001	<b>409.9</b>	538.2	334.5	523.1	374.5	327.7	432.6
2002	<b>422.0</b>	528.8	347.6	555.5	379.3	333.2	448.6
2003	<b>457.6</b>	572.7	375.4	552.7	427.4	370.2	483.6
2004	<b>495.8</b>	602.7	394.3	627.1	463.3	386.4	512.9
2005	<b>579.7</b>	698.8	447.8	734.4	524.8	448.9	601.6
2006	<b>680.8</b>	811.9	470.0	845.7	611.9	549.3	734.9
2007	<b>859.3</b>	895.4	529.5	1 033.2	804.6	725.5	942.8

\* Children: individuals under 18.

### 32. Average consumption expenditure and its structure in 2003–2007

	<i>Average monthly household consumption expenditure per capita, LTL</i>					<i>Structure of consumption expenditure, %</i>				
	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
<b>Total consumption expenditure</b>	<b>487.2</b>	<b>512.3</b>	<b>578.1</b>	<b>651.5</b>	<b>748.8</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Food products and non-alcoholic beverages	192.3	198.8	211.8	219.9	248.1	39.5	38.8	36.6	33.7	33.1
Alcoholic beverages	11.0	11.6	14.0	16.5	18.7	2.3	2.3	2.4	2.5	2.5
Tobacco products	7.5	7.8	8.3	8.1	8.6	1.5	1.5	1.4	1.2	1.2
Clothing and footwear	38.3	41.9	49.7	57.1	69.0	7.9	8.2	8.6	8.8	9.2
Housing, water, electricity, gas, fuel	61.6	62.5	69.6	77.9	89.5	12.7	12.2	12.0	12.0	12.0
Furnishings, household equipment and routine	18.6	21.4	26.2	35.8	43.3	3.8	4.2	4.5	5.5	5.8



	<i>Average monthly household consumption expenditure per capita, LTL</i>					<i>Structure of consumption expenditure, %</i>				
	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
maintenance										
Health care	24.1	26.8	29.8	32.7	36.1	4.9	5.2	5.1	5.0	4.8
Transport	42.0	45.2	51.0	67.3	77.5	8.6	8.8	8.8	10.3	10.4
Communication	25.5	25.6	29.1	32.3	37.0	5.2	5.0	5.0	5.0	4.9
Recreation and culture	20.9	22.7	26.9	34.0	41.1	4.3	4.4	4.7	5.2	5.5
Education	3.9	4.6	6.8	6.1	5.7	0.8	0.9	1.2	0.9	0.8
Hotels, cafes, restaurants	20.6	20.8	28.7	31.6	38.9	4.2	4.1	5.0	4.8	5.2
Miscellaneous goods and services	20.9	22.7	26.3	32.2	35.1	4.3	4.4	4.6	4.9	4.7

## Annex to article 13

### 33. Summary table on private education establishments

	2002–2003	2003–2004	2004–2005	2005–2006	2006–2007	2007–2008
Higher (university) establishments						
<b>Total</b>	<b>19</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>22</b>	<b>22</b>
Out of them, private	4	6	6	6	7	7
Percentage of private establishments, of the total number	21.1	28.6	28.6	28.6	31.8	31.8
Higher (non-university) establishments						
<b>Total</b>	<b>24</b>	<b>27</b>	<b>27</b>	<b>28</b>	<b>28</b>	<b>28</b>
Out of them, private	9	11	11	12	12	12
Percentage of private establishments, of the total number	37.5	40.7	40.7	42.9	42.9	42.9
Advanced vocational schools						
<b>Total</b>	<b>27</b>	<b>15</b>	<b>11</b>	<b>5</b>	<b>1</b>	<b>-</b>
Out of them, private	9	4	3	1	1	-
Percentage of private establishments, of the total number	33.3	26.7	27.3	20	100	-
Vocational schools						
<b>Total</b>	<b>82</b>	<b>83</b>	<b>73</b>	<b>76</b>	<b>80</b>	<b>80</b>
Out of them, private	1	2	2	2	2	2
Percentage of private establishments, of the total number	1.2	2.4	2.7	2.6	2.5	2.5
General education schools						
<b>Total</b>	<b>2 172</b>	<b>1 932</b>	<b>1 634</b>	<b>1 534</b>	<b>1 502</b>	<b>1 472</b>
Out of them, private	18	19	19	21	25	24
Percentage of private establishments, of the total number	0.8	1	1.2	1.4	1.7	1.6

## Annex to articles 9, 12, 13

### 34. National and municipal spending by public functions in the area of health, social protection and education\*

No	Type of spending	1998		2004		2006		2008 approved									
		National spending		Including municipal spending		National spending		Including municipal spending									
		mln. Lt	% GDP**	mln. Lt	% GDP**	mln. Lt	% GDP**	mln. Lt	% GDP**								
	<b>Total</b>	<b>9 915.6</b>	<b>22.183</b>	<b>3 574.2</b>	<b>7.9962</b>	<b>14 540.4</b>	<b>23.232</b>	<b>4 214.2</b>	<b>6.7333</b>	<b>20 684</b>	<b>25.253</b>	<b>5 638.4</b>	<b>6.8841</b>	<b>30 408.3</b>	<b>27.541</b>	<b>6 468.2</b>	<b>5.8582</b>
	Including																
1.	Health	658.4	1.473	44.1	0.0987	260.4	0.4161	52.9	0.0845	1 254.9	1.5321	82.2	0.1004	1 797.1	1.6276	140.9	0.1276
2.	Education	2 749.9	6.152	1 827.6	4.0887	3 642	5.8191	2 298.9	3.6731	4 469.9	5.4574	2 784.1	3.3992	6 413.8	5.8089	3 697.3	3.3486
3.	Social protection	990.5	2.2159	423.6	0.9477	1 519.1	2.4272	646.9	1.0336	2 037.3	2.4874	765.8	0.935	3 455.7	3.1298	673.9	0.6103

\* State and municipal spending classification was amended in 2004-01-01, and then again in 2006-01-01, therefore it is impossible to compare the data over 10 year period.

\*\* GDP in 1998 – 44 699 mln. Lt; 2004 – 62 587 mln. Lt; 2006 – 81 905 mln. Lt; 2008 forecast – 110 413.