



Quality in Gender+ Equality Policies

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Integrated Project

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Report Analysing Intersectionality in Gender Equality Policies for Lithuania and the EU

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1. Introduction¹

The key question for the report is:

- What are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies?

The report will address the research questions for STRIQ (Annex to the Contract p. 32):

- How are inequalities and their intersections conceptualised in terms of their structure and mechanisms?
- To what extent does context matter in the (re)production of inequalities across Europe?
- What attention must be paid to other structural (in)equalities in the making and implementing of European gender equality policies?

In order to address these questions it will be necessary to consider the possible range of meanings (or frames) of gender equality; the range of forms and meanings (or frames) of intersectionality; and the implications of intersectionality for gender equality.

This introduction provides a map of the report. It introduces the main questions and notes: the range of framings of gender equality; the range and conceptualizations of forms of inequalities; the range of meanings of intersectionality; and the possible implications of intersectionality for gender equality.

In Lithuania's context it is very difficult to discuss issues of the intersection of multiple inequalities because the problem of multiple discrimination is hardly recognised and discussed at the national level, including in the policy, academic, and civil society sectors. The discourse on inequalities and antidiscrimination developed quite recently. Since 2000, when Lithuania started the European Union (EU) accession process, there has been an increased focus on the issues of human rights' protections, gender equality, and the rights of ethnic and sexual minorities. However, all these issues were separated under different political goals and strategies and different actors and social movements.

Academic research in Lithuania, as will be shown in chapter 2, does not investigate the multiple social construction of women and mainly conceptualizes and addresses women in homogeneous terms without questioning their ethnic origins, age, ability, or sexual identity. Academic research continues the examination of

¹ Thanks to Jo Armstrong, Mieke Verloo, Susanne Baer, Lucy Nowotnick and the participants of the QUING workshop, Vienna 11-12 April 2008, for helpful comments.

inequalities in power relations mainly covering the dichotomous line of positioning of women opposite to men in the economy, polity, and society in general.

Chapter 3 will provide evidence on gender equality and the machinery showing that gender equality has never been the priority of the state's policies since 1995, regardless of the early adoption of legislation on gender equality in post-Soviet space. Statistics show that women mainly devote their life to caring for their families and occupy a lower social status, lower paid job positions in the labour market, and a lower power position in public life.² As social research shows, women are twice as likely to experience stress due to the pressure of being the primary caregivers and trying to advance professionally.³ In her report on the implementation of EU Directives 2000/43/EC (Race Equality Directive) and 2000/78/EC (Employment Equality Directive), Edita Ziobiene, the human rights expert, noticed that intersectionality on the political level is hardly relevant in Lithuania, with the exception of some cases where gender and age and gender and class intersect. Thus the current report will be the first attempt to shed light on structural and political intersectionalities.

The analysis of policies on gender equality in Lithuania shows that equality policies are constructed in terms of integration and social inclusion of vulnerable social groups (women, ethnic minorities, disabled people and other) into general society rather than transformation of existing power relations. Policy and many civil society actors, as will be shown below, treat each inequality separately without understanding and targeting the relationship between gender inequality and other inequalities originating in ethnicity, age, class, religion or sexuality. Gender equality as a policy strategy in policy documents is identified as a goal without challenging and transforming the policy process. Rather it is a way to more effectively attempt to achieve political goals. Traditional equal opportunity policies mean monopolization of the male norm and ignorance of the female experience in policy thinking and practice. This is still evident in Lithuanian politics even though the state follows EU requirements on the transformation of gender equality policies (gender mainstreaming). Social policies, for example, involve the problems of pay gap or child-care provisions for the reconciliation of family and work. This does suggest that the state formulates the policy vision on gender mainstreaming (diagnosis), however when it turns to the solution (prognosis) no concrete steps or strategies of practical implementation are suggested. Similarly, analysis of the national programmes on equal opportunities for women and men, family and child welfare, and the national Lisbon strategy demonstrates that the state involves all three pillars of gender equality as described by western feminist research. These three pillars cover equal opportunities, women's perspective, and gender perspective (Walby 2006). By encouraging equal opportunities for women and men, the Lithuanian state promotes

² National programme on Equal Opportunities for women and men 2005-2009. Section on Employment

³ Reingarde Jolanta and Arturas Tereskinas. *Reconciliation of work and family life in Lithuania: challenges and opportunities for gender equality* in J. Reingarde (ed) *Between paid and unpaid work: family friendly policies and gender equality in Europe* (Vilnius: 2006)

employment of women to reach the levels of men's employment, special programmes for women's reduction in unemployment, and child-care services to meet the Barcelona objectives. Introduction of strategies for care and employment under reconciliation of family and work suggests that gender equality moves forward from equal opportunities and equal treatment strategies but the practical policies on long-term child-care leave provisions, which encourage women to stay out of labour market for two years, suggests the loose commitment of the state to transformative policies in Lithuania. Thus gender equality in the Lithuanian context is closely interconnected to employment and the economic field.

The civil society, while relying on gender mainstreaming, tends to follow the integrationist approach as a strategic choice. Leading civil society activists refer to the context of Lithuania where gender equality objectives are considered as non-important or irrelevant. They argue that feminists in Lithuania should wrap gender equality in the broader context of economic competitiveness in order to promote the issues of gender equality and include them in the agenda with the goal of transforming and reshaping the policy processes and decision making practices and rethinking policy outcomes.

The integration approach, as will be shown in the chapter 4, is adopted in antidiscrimination policies that address discrimination due to ethnicity/race, age, disability, and sexuality. In policy documents it is seen as a vision of equal opportunities and equal treatment that makes for effective integration of vulnerable groups (ethnic minorities, disabled people, elderly, and young) into society. Each group is treated separately with the most focus on ethnic minorities and disability in gender-neutral terms. Sexual minorities are frequently silenced in the project agenda, and if approached, usually defined in gender-neutral terms.

At the civil society level, each form of discrimination is represented and defended by separate NGOs who deal only with one issue. For example, gender equality is an issue addressed by women's organizations, ethnic minority rights by NGOs of separate minorities, sexual orientation by gay and lesbian organizations and so on. Many ethnic minorities and women's rights activists differentiate between inequalities and establish a hierarchy of one form of discrimination over the others. (Usually, women's rights activists emphasise the most significant issues of women's discrimination while activists of ethnic minorities' rights emphasize the issues of ethnic minorities.) Only a few human rights' organizations (HRMI, LHRC, CEA) have recently started to attempt to encompass all grounds of discrimination by addressing issues of multiple discrimination and developing new political goals on mainstreaming diversity. However, the discourse on multiple discrimination just started by manifesting the clash and contest between different sources of inequalities by amplifying gender or ethnicity and marginalising sexual minorities. This was most evident during the opening and closing conferences in 2007 of the *Year of Equal Opportunities for All* when discussions covered discrimination against LGBT.

Chapter 5 of this intersectionality report discusses the implications of intersectionality for gender+ equality policies. It will be shown that intersectionality is not a primary concern in Lithuanian policies. Though certain intersections along

gender, class, and marital status are evident, other intersections such as gender and ethnicity or gender and sexuality are missing throughout the whole report. While identifying changes in approaching intersectionality, chapter 6 will focus on the separation of inequalities rather than their merging. Changes in Lithuanian gender+ equality mostly did not occur during the period 1995-2007. The crucial shift was the adoption of the gender equality and equal opportunities legislation.

The project Gender+ equality policies is based on frame and voice analysis, where frame defined by Verloo is identified as the policy formation process during which the problems are formulated and the solution is proposed. Frame analysis provides the possibility to analyse the complexity of the formation of gender and equality policy processes, which in Lithuania heavily relies on international actors and national civil society voices in shaping and transforming the national policies, on the one hand, and conservative voices that oppose and stop gender equality policies, on the other. These contested voices within both civil society and political circles show a different understanding and interpretation of gender equality on separate issues suggesting that policies that aim to eliminate gender inequality reproduce and reinforce inequalities shifting from gendered issues to the gender neutral and sometimes more conservative policies. The research will also attempt to demonstrate the power relations that intersect and construct separateness of other grounds of inequalities, the hierarchy of inequalities, and ignorance of the gender machinery to recognise the intersection of inequalities. By analysing tensions and debates between state and civil society in formulating the hierarchy of inequalities there will be an attempt to show the weakness of civil society's approach to the issue of multiple discrimination and dependence on the state for resources, which leads them to ignore the problematic issues for the sake of securing resources and political prestige.

2. Literature review

Though much theoretical and empirical research has been produced by western academia on intersectionality, the debates continue on the importance of the concept in gender equality policies and whether intersectionality of social divisions should be interpreted as an additive or as a constitutive process (Nira Yuval-Davis, 2007). Sylvia Walby in her critical review of the academic research on intersectionality theories posed a number of questions and proposed a complex approach to intersectionality that would encompass multiple sets of social relations (gender, class, ethnicity or race, disability, religion, sexual orientation, and age) within each of the domains of the economy, polity, and civil society as well as examine the intersections of these domains. Walby introduces civil society as a possible domain and suggests investigating the intersection of domains rather than analysing inequalities within a concrete domain. However, these theoretical debates pose the problem of empirical research in a complex way as will be shown below.

International feminist scholarly research has built theoretical models and conducted various empirical analyses addressing intersectionality (S. Walby, *Review of literature on theories of intersectionality*). For example, Crenshaw discussed the intersection of different power relations in dealing with gender and race, while others have included sexuality and class in debates on structural and political intersectionalities (Crenshaw, 1991). In describing structural and political intersectionalities, Mieke Verloo (2006) refers to two different trends in the feminist literature, raising different questions for both. Firstly, structural intersectionality is connected to the structural inequalities in the labour market (economy and social sphere) when women of other races might be refused employment due to the stereotype that women employees are only white women or employment is available only for black men. This kind of feminist research highlights gender and race inequalities, reproduces heteronormativity in gender inequality policies, and ignores homosexuality as a constitutive part of intersecting inequalities. Thus questions on the intersection of different powers of inequalities and the building of their hierarchies still remain open. Secondly, analysis of political intersectionality shows the limits of civil society to include the multiple inequalities in their political strategies due to the specific context of the society or country. The case analysed by Crenshaw shows that civil society deliberately opposed the inclusion of “race” into statistics on gender based violence in order to eliminate possible exaggeration of stereotypes about violent behaviour of black men. However, as Verloo notes, the silencing of facts does not contribute to diminishing the problem of gender based violence (Verloo, 2007).

The analysis, funded by EU structural funds, of the Finish project on building gender equality in the multicultural Finish society also shows that by promoting gender equality civil society marginalises ethnic minorities and promote “otherness” in a national state rather than deconstructing the nationalism and national identity (Salla Tuori, 2007). Salla Touri suggests that this happens due to the specific positioning of civil society that depends on state funding and, thus, will construct the discourse in a manner that corresponds to the political values of the Finish

government; namely, that gender equality is inherent in Finish society. Similarly, as will be shown below, civil society in Lithuania deliberately ignores the issues of sexuality and, by promoting gender equality, marginalises lesbians for the sake of promoting women's rights in general.

These empirical examples imply the complex reproduction of inequalities through material (resources) and discursive (norms) mechanisms. Thus analysis of this report covers how policy strategies on gender equality are constructed at the institutional level, including power relations between institutions and power dynamics of a specific inequality. Here the impact and limits of civil society in formulating the policies on gender equality policies and their contribution to the equality policies need further investigation. Walby particularly emphasised social movement theory in research on intersectionality, when civil society actors at the points of intersection of gender and other forms of inequality could influence the state. Diani refers to the social movement frame which might be oppositional to the system or inclusionary, close to popular views or radical to the public opinion. The questions in this report are the following. What alliances and networks are built in civil society strategic actions? What actors are chosen to make the alliances? What are the limits and challenges of building certain alliances?

In this international debate on intersectionality Lithuanian academia hardly produces theoretical or empirical studies on intersectionality. This literature survey will thus present a critical evaluation of the Lithuanian academic literature on social inequalities and explore a possible theoretical model for future empirical research on intersectionality in Lithuania.

Academic research on gender equality in Lithuania has developed by importing international theoretical discourses and adapting them to analyze empirical data on the participation of women and men in the public sphere, legal instruments and institutional mechanisms for the prevention of discrimination (Juraite and Zdanevicius 2004). Much research on gender and gender equality policies was undertaken by sociologists in Lithuania. Some of them critically assess Esping-Andersen's model of the development of three forms of welfare state regime (liberal, social democratic, and conservative corporatist) for confining women to the family sphere (Reingarde and Tereskinas 2006). Their empirical research, however, shows that the impact of the Lithuanian welfare state as part of a broader set of power structures in society on the gender policy model and its practical implications on gender relations is still very much overlooked (e.g., gendering of specific types of welfare policies such as taxes/benefits and care institutions). Furthermore, there is a lack of comprehensive conceptualizations of the relation between the welfare state and gender in the national context (Tereskinas and Reingardiene 2006).

Sociologists' inquiry into the subject of employment and gender equality in Lithuania demonstrates structural inequalities in the labour market in terms of the difference between women and men and, therefore, the difference in gender power relations (V. Kanopiene, 2004). Research on qualitative and quantitative research on paternal leave (Tereskinas 2005, Reingardiene 2005), reconciliation of family and

work (Tereskinas and Reingardiene, 2006), social services for families facilitating women's employment in public sphere (Stankuniene et. al, 2005), segregation in the labour market and cultural stereotypes of femininity and masculinity (Daukantiene, 2006, Reingarde 2004 Zdanavicius 2004, Valuckaite 2002, Kanopiene, 2000), and discrimination and marginalization of ageing and rural women (Vosyliute, 2002) shows that employment is a crucial source of power, resources, quality of life, and identity. However, in Lithuanian society these are attached to the male identity. Some social scientists point out the necessity to evaluate the cultural factors which have an impact on social inequalities and thus limit the development of welfare state in Lithuania. Research shows that care as practical and emotional unpaid work is strongly embedded in the feminine identity. This cultural norm on the feminization of care continues without changes. Therefore, scientists claim that without the redefinition of culturally-structured feminine and masculine identities no positive results in solving gender inequality will be achieved. Structural and institutional innovations are not enough to make substantial resolutions of gender inequalities, which continue to limit women's full citizenship rights in terms of their social participation and equal access to decision making (Maslauskaite 2004, Tereskinas & Reingardiene 2006, and Davidavicius 2006). Results of emerging academic inquiry into masculinity studies suggest the tendencies of limited male participation in child care and house care and society's reluctance to accept males as caregivers (Tereskinas 2005, Kublickiene 2003).

These culturally constructed gender roles and attitudes to paid and unpaid work along gender lines also shows the vitality of paternalistic orientations towards the state in the society and the lack of commitment to gender mainstreaming. As gender experts argue, gender mainstreaming of the national programmes is fragmented and lacks a clear strategy, inter-institutional cooperation, and professionally-competent staff to supervise the programmes. Other obstacles to gender mainstreaming are gender role stereotypes, the absence of solidarity within the women's movement, the lack of continuity due to frequent governmental changes, and patriarchal attitudes among responsible officials.⁴ The analysis of the attitudes amongst the population also demonstrates a limited understanding of transformation in gender relations. Surveys show that the population prefer the financial allowances provided by the state for childcare (even though these are very low and cannot guarantee the economic welfare of the family) to other measures, such as childcare services for pre-school children or flexible working hours, which are less attractive (Davidavicius 2006, Stankuniene et al 2005).

Academic research on the inter-sectional connection between gender and ethnicity hardly exists in Lithuania; though a few studies by sociologists provide a complex analysis on the problems of social adaptation of ethnic minorities in Lithuanian society (Kasatkina and Leoncikas, 2003; Kasatkina, Beresneviciute,

⁴ Reingarde Jolanta and Arturas Tereskinas. *Reconciliation of work and family life in Lithuania: challenges and opportunities for gender equality* in J. Reingarde (ed) *Between paid and unpaid work: family friendly policies and gender equality in Europe* (Vilnius: 2006) p. 34-35.

2006). This work shows the segregation of the labour market along ethnicity and argues that the lowest economic and social status in Lithuanian social hierarchy is occupied by ethnic minorities. Women from ethnic minority groups particularly expressed dissatisfaction with their position in the social hierarchy after ten years of independence and with their decreased social status. However, this work does not investigate further on structural intersectionality, but bases its conclusions on individual interviews with ethnic minority women.

Similarly, sociological studies on sexual minorities and discrimination in labour market were carried out within the implementation of EQUAL project. Sexual minorities were treated in gender neutral terms and research based on individual interviews mainly discussed discrimination against gays and homophobia in Lithuania (Reingarde, Zdanevicius).

In general, sociologists in Lithuania theorise only separate sets of social relations in one or few locations. Usually social scientists investigate relationships between gender and class in economy and family, relationships between ethnicity and class in gender neutral terms, or sexuality and class in a labour market or family context. Social scientists in Lithuania make little attempt to broaden the approach to intersectionality, whether empirically or theoretically.

The interest of the QUING project is to identify how gender equality policies contribute to equality policies and how to deal with intersectionality in policy research. In this report, I refer to intersectionality as an object for analysis (how intersectionality is framed in policies on gender equality) rather than an analytical tool. There will be an attempt to analyse how the framing of social categories exists in gender equality policy documents and how they are linked to inequalities. The other question is how social movement and policy actors link these inequalities in policy strategies. Is there a hierarchy of one inequality over the others? Or, do they try to approach it in a non-hierarchical way?

Bearing in mind the very limited analysis of intersectionality in Lithuania, the main questions are the following. How is gender equality framed and differently interpreted in separate issues? How do policies that aim to eliminate gender inequality reproduce and reinforce inequalities? How do other power relations intersect and construct the hierarchy of inequalities? How do the state and civil society reproduce gender inequalities and reinforce the separateness of other sources of inequalities? (Gender machinery, for example, ignores the intersection of inequalities).

3. The range of the meanings or frames concerning gender equality in gender+ equality policies

This chapter will provide the range of frames concerning gender equality in gender+ equality policies. Analysis is organized along QUING's four areas of research: general gender equality legislation and machinery, non-employment, intimate citizenship, and gender based violence.

The analysis of the third chapter is based on the issue history for Lithuania (*QUING Deliverable No. 19: Timelines of policy debates: Lithuania*), the country study for Lithuania (*QUING Deliverable No. 40: Series of LARG Country reports: Lithuania*), and the frame and voice analysis which was conducted using the QUING software.

3.1 The range of the meanings or frames of gender equality in general legislation and machinery

Legislation

The transition from socialism to capitalism in the early 1990s in Lithuania can be identified as a period of elimination of the Soviet heritage. This had a negative impact on the situation of women and their involvement in the public sphere. Under socialism, gender equality *de jure* existed. In reality, however, it meant women were active in the labour market and had full responsibility for family and domestic duties. As a result, the policies in the early 1990s aimed to "reduce the double burden" by "privileging" women in the private sphere. As a result, many women dropped out of public life and ceased working outside the home. Furthermore, the economic hardships of the transition strengthened the inequalities between women and men.

The analysis of gender equality policies in Lithuania suggests that gender equality was not a priority issue in the policies from 1995 to 2007. Though the Constitution of Lithuania, adopted in 1992, has enshrined the principle of equality between women and men, the concepts of gender and gender equality were articulated by politicians under the influence of international organizations in the beginning of 1990s.

A shift in the policy discourse occurred after the UN's Fourth Women's Conference in Beijing (1995) and the adoption of the Beijing Declaration and Action Plan. On November 8, the Government of Lithuania approved the Programme on the Progress of Lithuania's Women (Order No. 1299).⁵ The programme addressed the principal problems facing women that needed an immediate solution and offered guidelines for governmental agencies to implement the plans. However, women's rights and opportunities were still considered as a "special interest" and were not given high priority. In the wake of the Beijing conference, the ministries made it clear that they understood the necessity of signing and ratifying the UN Convention on the

⁵ <http://www.lygus.lt/gm/article.php?id=3>

Elimination of All Forms of Discrimination against Women, which was done in 1995. However, the tone of certain ministries reflected a lack of understanding of women's issues. The Ministry of Justice⁶, for example, argued that equal opportunities for women and men can be guaranteed by states with a highly developed economy. Lithuania, due to its low level of economic development and limited economic and financial resources, was not in a position to guarantee equal opportunities. Therefore, the Ministry of Justice suggested that international foundations should support women's rights programmes in Lithuania. The Ministry of the Economy⁷ interpreted women's rights questions in terms of women's roles in the family (as wives and mothers) and their opportunities to re-enter the labour market after child-care leave. The Ministry of Health argued that given the Catholic Church's position of influence, its suggestions should be taken into consideration on the issue of reproductive rights.⁸ Thus, in the 1990s Lithuania society was not fully aware of importance of gender equality issues and frequently ignored or failed to address them.⁹

The development of civil society influenced the establishment of the first women's NGOs, which—with the support of international donors—started working to improve legislation and policies in the field of women's rights and equal opportunities. The Women's Information Centre, supported by UNDP, initiated in 1995 the drafting of the Law on Equal Opportunities, which was strongly criticised by local experts, lawyers, and civil servants. Nevertheless, international organizations have facilitated the introduction of new concepts such as gender, gender equality, and women's rights to the Lithuanian political discourse. The Law on Equal Opportunities for women and men, enacted in 1998, affected the policies on equal opportunities by addressing discrimination due to gender. The law bans gender-based discrimination in the public sphere and sexual harassment in the workplace. In 1999, the independent Office of the Ombudsperson for Equal Opportunities was established to oversee the implementation of the Law on Equal Opportunities for Women and Men.¹⁰ During the debates on the adoption of the law, parliamentarians argued the law was unnecessary because Lithuanian culture is a gender-balanced culture that does not need to adopt American feminists' ideology, which inspires gender-based conflicts rather than equality. Other attacks were directed against the proposed Office of the Ombudsperson of Equal Opportunities and questioned the competency of such an institution. The third argument against the law was based on the perception that

⁶ Letter of Ministry of Justice to the Government of Lithuania 10-07-1995 No. 01 05 864/095 (respond to 1995 06 23 Nr, 27-6760) signed by the Undersecretary G. Švedas

⁷ Letter of Ministry of Economy 10-07-1995 No. 12-05- 1950 (respond to 23-06-1995 No. 27-6760) signed by the Undersecretary A. Merčaitis

⁸ Letter of Ministry of Health 11-07-1995 No. 22-08 – 2493, signed by the Minister A. Vinkus

⁹ G. Purvaneckiene in her introduction to the Women's Progress programme in 1995 pointed out that society addressed the gender equality issues with an irony and smile. Purvancekiene G. Izanga, in *Moteru Pazangos programa*. MIC: 1995.

¹⁰ Exemplary note on draft Law on Equal Opportunities for Women and Men No.P-1078, March 10, 1998, E-text

Law on Equal Opportunities for Women and Men, No-P-1078, December 1, 1998. E-text
Parliamentarians' Debates on passing the law on Equal Opportunities for Women and Men, 38 (264) irregular session December 1, 1998 ; 36 (262) session, November 26, 1998, E-text

one law would not be able to resolve the inequalities between women and men.¹¹ In spite of the sceptical and opposing opinions, a majority of Parliament voted in favour of the Law on Equal Opportunities for Women and Men.

The discourse on gender equality as the norm of a democratic society was influenced by the EU accession requirements. In the beginning of the 2000s, the Ministry of Social Security and Labour drafted the labour code, which changed the Soviet law and included new provisions modelled on EU directives. The new labour code included the equal treatment of women and men with respect to recruitment, dismissal, annual leave, salary negotiation, and other aspects of employment; it also spelled out the sanctions to enforce in the case of sexual harassment at work. The debates on adopting the labour code in the parliament did not include discussions about gender, and the provisions on gender equality were accepted as a requirement of the EU.¹²

The Office of the Ombudsperson initiated the amendments to the Law on Equal Opportunities for Women and Men that were adopted in the period between 2002 and 2004. These included the missing EU Directives, including the new Equal Treatment Directive. In June 2002, the Parliament of the Republic of Lithuania adopted several supplementary provisions: First, indirect discrimination on the grounds of gender was defined; second, the possibility of implementing positive action strategies was introduced; third, the obligation to implement equal opportunities for women and men in the sphere of consumer services was included; and finally, the law addressed age discrimination by prohibiting employers from requesting job seekers' ages and family plans. Additionally, the list of areas of responsibility of the Ombudsperson was extended, and the concept of the reversal of the burden of proof introduced.¹³

Within the National Programme for Increasing Employment (2001-2004), the Ministry of Social Security and Labour coordinated the drafting of the **2003-2004 National Programme for Equal Opportunities for Women and Men**, which was approved by the government. The programme was the main legal tool for setting equal opportunities for women and men in practice; that is, it was the principal means for incorporating the legal framework into an appropriate national action plan. It was the first legal document in Lithuania to provide a definition of gender mainstreaming. The latter concept refers to the organization, improvement, development, and evaluation of political processes, legislation, and programmes to incorporate the

¹¹ Parliamentarians' debates on adoption of Law on Equal opportunities for women and men. Stenography:

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=68894&p_query=Lygi%F8%20galimybj%F8%20E1statymo%20projektas&p_tr2=2

¹² Explanatory Note on need to adopt the new Labour Code.

<http://www3.lrs.lt/cgi-bin/getfmt?C1=e&C2=156024>

Labour Code No. IX-926, adopted on June 4, 2002, entered into force on January 1, 2003

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=169334

Mackeviciute Indre. 2005. Equal opportunities for women and men. Monitoring law and practice in Lithuania. OSI/Women's Network Programme

¹³ Mackeviciute Indre. 2005. Equal opportunities for women and men. Monitoring law and practice in Lithuania. OSI/Women's Network Programme

perspective of gender equality into all areas of politics and by all actors normally participating in political activity, taking into consideration the impact to both women and men. The implementation of measures in the following activity areas – employment, education, politics and decision-making, human rights, violence against and trafficking in women, health, and environmental protection – as well as the improvement to institutional capacity and the consolidation of implementation methods is financed from general allocations from the state budget approved for the ministries and other institutions according to area of responsibility.¹⁴ The implementation of the programme, however, was very limited due to lack of funding and limited administrative capacities.

The National Programme for Equal Opportunities for Women and Men for 2005-2009, prepared under the framework of the Government action plan for 2004-2008, has continued the activities started under the 2003-2004 programme. The programme's main objectives are changing gender role stereotypes, reconciling family and professional life, improving employment conditions for women (especially long-term unemployed women), and developing gender equality and social dialogue in the labour market. The programme also aims to facilitate gender mainstreaming in education, the health system, environment and statistics and to enable women's access to top positions in the political and business leadership. The coordinating body of the Programme is the Ministry of Social Security and Labour. Other ministries are responsible for implementing measures that fall under their areas of accountability.¹⁵ The report on implementation of the programme in 2006 highlighted the biggest achievement that the employment of women in Lithuania reached 61% which is the requirement set in the Lisbon strategy (2000).¹⁶ However, other issues such as women's high long term unemployment and the pay gap between women and men remained unchanged.¹⁷

As a special task under this programme, the Ministry of Social Security and Labour is responsible for the development of the National Strategy for the Reduction of Violence against Women for 2006-2009. The strategy development was late and approved only for 2007-2009.

Lithuanian gender equality experts noted that the principle of gender equality was not the dominant issue debated in the negotiation process as Lithuanian politicians usually emphasized economic and social issues, distancing them from gender equality.¹⁸ Politicians in Lithuania have never adopted a consistent strategy

¹⁴ Government Decision No. 712 of June 3, 2003 on the Approval of the National Programme on Equal Opportunities for Women and Men, entered into force on June 7, 2003. E-text National Programme on Equal opportunities for Women and Men for 2003-2004. E-text

¹⁵ Government of the Republic of Lithuania Decision No. 1042 of the on September 26, 2005 www.socmin.lt

¹⁶ Report on implementation of the National programme of Equal Opportunities for Women and Men for 2006. Protocol of the Government of Lithuania No. 17, March 21, 2007. <http://www.socmin.lt/index.php?-1191824460>

¹⁷ Lietuvos Nevyriausybinu organizaciju kreipimasis i Lietuvos Respublikos Ministra Pirmininka (Lithuanian NGOs' Appeal to the Prime Minister). August 4, 2006

¹⁸ Reingardiene Jolanta. Lyciu lygybes strategija ir uzimtumo politika Europos Sajungoje. www.gap.lt/4

for gender equality nor assigned stable financing. In contrast, the analysis shows limited commitment to transformative gender equality policies, and a lack of professional capacities and sensitivity of the responsible officials to the issues of gender inequalities. A major obstacle to institutionalising gender-sensitive policies is the lack of continuity, since often-changing political fortunes influence such policies. When governments change after Parliamentary elections, political processes in the gender equality and equal opportunities policies frequently stop.¹⁹ These conclusions suggest that a feminist agenda is not a priority in state policies and responsible bodies.

Machinery

The Office of the Ombudsperson was established in January 1999, under the Law of Equal Opportunities for Women and Men. This state institution is accountable to the Parliament of Lithuania. Since 1999, the Ombudsperson has investigated individual complaints of discrimination due to gender. It also submits recommendations and proposals to the Parliament and governmental institutions on the priorities of gender equality policy, including recommendations on amendments to relevant legislation. The Ombudsperson also keeps an eye on the media in order to protect against discriminatory advertisements. The Office of the Ombudsperson was assigned as the coordinating body of the activities during 2002 to provide trainings, involve the media, and organise a public campaign on the elimination of all forms of discrimination.²⁰ In 2002, Parliament's Human Rights Committee drafted the law on Equal Opportunities. Parliamentarians argued that the law was necessary to harmonise Lithuania's legislation with EU directives on Race 2000/43/EB and Employment 2000/78/EB. Moreover, the parliamentarians argued that the Human Rights Committee received many letters and questions on discrimination due to age, disability, ethnicity, and sexual orientation and that these also had to be addressed by legal acts. The new law on Equal Opportunities expanded the mandate of the office of the Ombudsperson to include all types of discrimination.²¹ However, some women parliamentarians and women's NGOs were opposed to eliminating the gender aspect from the new Law on Equal Opportunities as an antifeminist action. In her petition to women's NGOs, parliament member Purvaneckiene raised the danger of ignoring women's rights and gender equality, because discrimination against gender would be considered as less important than other forms of discrimination.²² Her petition was supported by several women's NGOs²³ but was not enough to

¹⁹ Reingarde Jolanta and A. Tereskinas. P. 34.

²⁰ LYGIŲ GALIMYBIŲ MANDATO PLĖTRA <http://www.lygus.lt/mp/article.php?id=118>

²¹ Exemplary Note on the Draft law on equal opportunities
http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=194018&p_query=&p_tr2=

²² 2003 03 27 Laiškas moterims dėl Lygių galimybių įstatymo
<http://www.lygus.lt/mp/article.php?id=180>

²³ Atsakymas į G.Purvaneckienės laišką moterims <http://www.lygus.lt/mp/article.php?id=183>
Siūlymas <http://www.lygus.lt/mp/article.php?id=184>

prevent the adoption of the Law on Equal Opportunities in 2003, which has been enforced since 2005.²⁴

In 2000, under the Decree of the Government of Lithuania, the Inter-Ministerial Commission on Equal Opportunities for Women and Men was established, consisting of representatives of all ministries and the Department of Statistics.²⁵ The Commission is the main body responsible for gender mainstreaming policies. The Minister of Social Security and Labour is the coordinating body of this commission. It coordinates the implementation of the National Programme on Equal Opportunities for Women and Men as well as other gender-related measures at the ministerial level. In 2007, the Minister of Social Security and Labour issued an order on the composition of the commission. It includes representatives of all ministries and the Department of Statistics and two representatives of NGOs.²⁶ As gender experts have noticed, the commission's work is almost invisible and lacks sufficient expertise since ensuring equal opportunities for women and men is not the primary responsibility of commission members within their respective ministries.

Gender equality policies at municipal level are underdeveloped. The Office of Equal Opportunities has initiated the promotion of gender-equality action plans and established a position on equal opportunities in each municipality. However, only one municipality, the Vilnius municipality, instructed the head of its personnel department to undertake strategies to encourage gender equality. Between 2005 and 2007, a number of municipalities participated in international projects executed by the Office of the Ombudsperson for Equal Opportunities in cooperation with nongovernmental women's organizations. The actions were supported by SIDA (Swedish International Development Cooperation Agency) and EU funds that provided practical insights on the necessity of the implementation of gender equality in the everyday work of municipality.²⁷

On the civil society level, since 1995, an important network of women's NGOs has been organized under the Women's Information Centre in order to share information and call for unified actions in promoting gender equality. A number of women's organizations are united in the Informal Coalition for the Protection of Women's Rights, established in 2000. The coalition's objective is to improve women's position by influencing the public policy processes and monitor the gender equality situation in Lithuania. Though the coalition produced several petitions to the government, its activities are hardly visible.

²⁴ Law on Equal Opportunities. 18 November 2003 No IX-1826)

²⁵ Lietuvos Respublikos Vyriausybės 2000 m. kovo 7 d. nutarimo Nr. 266 "Dėl moterų ir vyrų lygių galimybių komisijos sudarymo ir jos nuostatų patvirtinimo" (Žin., 2000, Nr. 22-564)

²⁶ LR Socialinės apsaugos ir darbo ministres isakymas Nr: A1-131, 2007-05-24, "Dėl personalines lygių galimybiu komisijos sudarymo". www.socmin.lt

²⁷ Mackeviciute I. 2005. Lygiu lygybes aspektas savivaldybiu darbe. Vilnius: LGKT.

Frames

The dominant frame is the gender equality frame that is mainly understood as equal rights and equal treatment in employment and other spheres of public life. Civil society texts provide a broader understanding of gender equality and define it as a fundamental right, an EU value, and a necessary condition for economic growth and social cohesion. In most texts gender equality is identified only as the means to policy goals. This is particularly evident in civil society texts that combine gender equality and other political goals, such as increasing economic competitiveness in a knowledge-based society, combating gender-based violence, and enhancing democracy. Civil society texts usually include the broader understanding of social structural factors that reproduce inequalities between women and men. These mainly cover vertical and horizontal segregation of the labour market, inequality in the decision making process, gender role stereotypes, the feminization of poverty, and social exclusion. Only in policy debates is gender equality seen as a goal in itself. Sometimes policy documents and civil society texts refer to gender equality as strategy which is identified as equal treatment of women and men without which social well-being cannot be achieved.

In policy and civil society texts gender inequality occurs as the main problem. This is usually defined as unequal opportunities which must be eliminated for women and men in employment, education, and the provision of goods and services. Civil society texts cover structural inequalities in the labour market, pay gap, gender role stereotypes, women's family and childcare obligations, gender-based violence, and trafficking. The meaning of gender equality, therefore, occurs as a non-discrimination strategy against women and men. Most frequently it is named as equal rights and equal opportunities for women and men in the fields of economy and certain spheres of public life such as education and the provision of goods and services. This is evident in the description of the main problems that cover the issues of gender-based discrimination, inequality in labour market, and sexual harassment.

References in legal and policy documents to gender equality in international documents, such as the UN Convention on *Elimination of All Forms of Discrimination against Women*, ILO Conventions No. 100 on Equal Pay and No. 111 against Discrimination in the Labour Market and Professional Activities, and EU directives, can be interpreted in two ways. On the one hand, it shows the commitment of the Lithuanian state to follow international obligations. Frequent references to EU documents suggest the importance of EU pressure on policy development and grounded argumentation for civil society actions. On the other hand, it demonstrates formal justification by the state and government about the need to adopt gender equality documents that come from outside rather than being motivated domestically. This is evident in parliamentary debates when opposition voices criticise EU standards as imposing alien norms on the unique Lithuanian culture.

The objectives of law and policy documents are to stop discrimination and to improve gender equality policies. Gender mainstreaming is an important objective in the policy programme of the government. However, the understanding of gender

mainstreaming is not provided in detail. Concerning gender machinery, the objectives include improvement of multi-level institutional cooperation.

In policy documents gender equality mainly addresses women. Though the language tends to include both women and men, in many cases it either explicitly identifies women as the target group, especially in the field of economy, or implicitly. Men occur as a general category while women sometimes have specific characteristics such as age, marital, and employment status. Almost all texts invoke **gender**, including legal acts, national policy documents, parliamentary debates, and civil society texts. The document on regulations of the Office of the Ombudsperson for Equal Opportunities invokes de-gendered categories. The text mainly addresses equal rights and equal opportunities as a main strategy that should be implemented in public life. In the debates on gender equality machinery certain tensions occur due to the withdrawal of gender categories from the title of the equality machinery. Changing the title of the Office of Ombudsperson for Equal Opportunities was explained by a feminist MP as diminishing the importance of gender issues and eliminating women's problems from equality policies.

A general pattern that occurs is that the government is often mentioned as the **responsible body** in regards to the implementation of gender equality policies. Institutions, including state (Parliament and the Office of Ombudsperson for Equal Opportunities), educational, and training institutions are important bodies that are responsible for gender equality issues. NGOs are mentioned only once. Responsible individuals such as employers and service and goods providers appear in the legal acts on gender.

Norms underlying the policy documents and civil society texts are equality, equal treatment, and democracy, which are closely connected to the EU value system. Other norms such as efficiency, human rights, and the rule of law are significant. A marginal norm on the uniqueness of the traditional national culture shows the inconsistencies in the understanding of gender equality policies by conservative forces in the parliament. Some conservative voices in parliamentary debates address "natural gender equality" as a feature of the national traditional culture and as an argument against Western standards of gender equality.

Economy occurs as the main location for regulation of gender inequalities. Thus gender equality as equal opportunities and equal rights are mainly located in the employment sections of both state and civil society texts. Education is the other important location where equal treatment principles should be applicable.

The most important intersecting categories are class, age, marital/family status, ethnicity, and citizenship status. All these categories are most evident in the civil society text (Gender Equality). In policy documents and some debates, the intersection of gender with age and marital status is minor.

Consultations with civil society are most evident in the gender machinery sub-issue and civil society texts. The general pattern of identifying indicators usually occurs only in policy action plans, while civil society texts refer to statistics. Proposed actions also differ between civil society texts and policy documents. Civil society documents usually demand improved policies, enhanced machinery, and sustainable

funding, while policy documents emphasize legal change, the collection of statistics, and the delegation of tasks to state institutions and NGOs.

3.2 The range of the meanings or frames of gender equality in non employment

Brief context description

During the second half of the 1990s, Lithuania underwent difficult economic transformations and suffered from two huge economic crises. Benefits for motherhood, child-care services, health, education, and unemployment were reduced. Declining social allocations for motherhood and the transfer to families of the responsibilities for social services that were previously provided have increased women's unpaid work in the area of caring for dependents and increased women's economic dependence on their male partners. There has been no policy to develop equal parenting roles between women and men. Flexible working conditions were not elaborated due to economic hardship and the high unemployment throughout the 1990s.

In the period of accession to the EU, harmonization with EU employment legislation addressed equal pay and equality of women and men in the labour market. During this time, debates and discussions turned towards equal opportunities for women and men in employment.

The European Commission reports during the EU accession process generally positively evaluated Lithuania's social policies in adopting the EC Directives on the protection of pregnant women, women who recently gave birth, and breastfeeding women (2003 Law on Safety and Health at Work²⁸) and on equal share of child care benefits among parents (Law on State Benefits for Families Raising Small Children). However, the Commission pointed out that regardless of the progress in legal and institutional mechanisms, the implementation of social and economic rights and social dialogue is still weak.²⁹

Since 2004 the main documents on reducing unemployment have been drafted by the Ministry of Social Security and Labour's Employment and Gender Equality Department. Most policy debates focused on the issues of dividing childcare responsibilities between parents, increasing the involvement of fathers in child-care activities, and reconciling family and work obligations. Between 2004 and 2007 a number of policy documents were adopted, including the National Programme on Equal Opportunities for Women and Men for 2005-2009, the National Action Plan on Employment, the Single Programming document for EU Structural Support 2004-2006, the Equal Community Initiative Programme for Lithuania 2004-2006, and the National Lisbon Strategy Implementation Programme for 2005-2008. The

²⁸ Law on Safety and Health at Work

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=227568

²⁹ EK reguliarioji ataskaita apie Lietuvos pazanga rengiantis narystei ES, 2000: 46-49;
EK reguliarioji ataskaita apie Lietuvos pazanga rengiantis narystei ES 2001: 54-56;
EK reguliarioji ataskaita apie Lietuvos pazanga rengiantis narystei ES 2003: 69-73

programmes outlined in these documents were implemented following the European Commission's recommendation that Lithuania fulfil commitments made during the EU accession process to reduce unemployment and poverty and to introduce specific measures for the unemployed, of which women represent 60 percent. Additionally, the newly-adopted strategies were clearly based on the European Employment Strategy. All these documents define priorities for enhancing female employment, including encouraging elderly women, disabled women, and women working as caretakers at home to re-enter the labour market.

Focus on the reconciliation of family and work became the most recent issue in the gender equality policy debate. Introduction of reconciliation of family and work started under the National Programme on Equal Opportunities for Women and Men for 2003-2004 and was developed in policy goals under the EQUAL Community Initiative Programme for Lithuania 2004-2006.³⁰ The general goal of the document, to reduce discrimination and inequality in the labour market, could be achieved only by introducing the mechanisms of gender equality, flexible working time, and reconciliation of family and work. The government of Lithuania, in adopting the National Programme of Equal Opportunities for Women and Men for 2005-2009, emphasized the importance of the involvement of men in terms of parental leave, which became a clear landmark for the official policy discourse on the reconciliation of family and work.³¹ Similar provisions have been articulated by the Ministry of Social Security and Labour in other governmental documents, including the Lisbon Strategy and the National Demographic Policy Strategy on improving the family's welfare that covers favourable conditions for working parents to reconcile family and work. As a result the Ministry should draft the legislation on the expansion of social services between 2006 and 2007.³²

Measures to promote diversity in contractual and work arrangements, including flexible working time were not widely used in Lithuania since the country has very little experience in the organization of flexible forms of employment. There was no practice of part-time work and flexible working hours during the Soviet period. The situation has not changed much since then, despite changes to the law. Low wages, high taxes and complicated employment conditions prevent the wide adoption of flexible working and part-time arrangements.

In 2007, new initiatives on reconciliation of family and work were introduced in the Parliament of Lithuania. The chair of the Committee of Social affairs A. Sysas introduced the term *Flex-security* in the Lithuanian policy context and suggested making the amendments to the Law on Maternity and Sickness allowing mothers to return to work within the period of maternity leave insurance. Currently, the situation in Lithuania is that if a mother returns to the labour market she loses her maternity

³⁰ Pagrindinis EQUAL programos siekis – kova su nelygybe ir diskriminacija darbo rinkoje <http://www.lygus.lt/mp/article.php?id2=311>

³¹ Valstybinė Moterų ir Vyrų Lygių Galimybių 2005-2009 m. Programa (National Programme on Equal Opportunities for Women and Men for 2005-2009. E-text

³² Nacionalinės Demografinės (Gyventojų) politikos strategijos įgyvendinimas 2005-2007 m. priemonės <http://www.soomin.lt/index.php?1740116512>

benefits. The new amendment provides the possibility of returning to work part-time, while receiving a portion of maternity benefits. The provision is still pending. However, some parliamentarians of the liberal parties criticize this provision as detrimental for the child and mother, under the guise that she would neglect her childcare duties.³³

Throughout the Soviet period, Lithuania had a well-developed child care system. However, at the beginning of 1990s, it was nearly dismantled due to transition pressures, the lack of state resources to maintain childcare institutions, and policies encouraging the familiarization of care work. As a result, women's unpaid work caring for children has increased. Academic research on care and gender roles in Lithuania indicates that the main responsibility for care will continue to be shouldered by women, regardless of the possibility of creating more favourable legal and social conditions. Research has shown that the population highly values women's involvement in care work and strongly believes that mothers should devote themselves to child care during a child's first years.³⁴ Policies covering care work are rooted in paternalistic attitudes that strive to protect motherhood by developing favourable child leave schemes and encouraging mothers to devote themselves to childcare.

Until the end of 2005, there was no specific policy to develop more equal parenting roles between women and men. In 2005, at the initiative of Social Democrats in the parliament, the Committee of Social and Economic Affairs introduced an amendment to the Law on Maternity and Sickness to allow fathers of newborns a full paid month of paternal leave that is non-transferable to mothers. However, this effort was undermined by a successful conservative initiative to limit the provision only to those fathers married to the mother of the child.³⁵ Conservative forces justified this regulation as necessary to preserve a traditional family model. Though women parliamentarians later launched initiatives to change the discriminatory provision and NGOs wrote petitions and letters to parliamentarians, the provision was not changed. Trade unions were passive and ignorant in this respect.³⁶

In the fall of 2007, the government of Lithuania approved paid maternity/paternity leave until the child is one-and-a-half years old. These amendments were introduced to encourage demographic growth. Debates in the parliament centred around two main issues. Some Social Democrats warned that such amendments will not resolve demographic problems but will cause the long-term exclusion of women from the labour market. Conservative forces, especially

³³ Ligos ir motinystės socialinio draudimo įstatymo 6, 19, 20 ir 21 straipsnių pakeitimo ir papildymo įstatymo projektas Nr.XP-1894 (*pateikimas*). 2007 04 05 17(279) Stenograma http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=295158&p_query=t%EBvyst%EBs%20atostogos&p_tr2=2

³⁴ Maslauskaite Austra. Lytis, globa ir kultūriniai geroves kapitalizmo barjerai Lietuvoje. <http://www.gap.lt/lgk>

³⁵ Respublikos ligos ir motinystės socialinio draudimo įstatymo papildymo 18(1), 18(2), 18(3) straipsniais Nr. XP – 874

³⁶ 2006 07 11 Ar nauja įstatymo pataisa privilegijuoja susituokusius vyrus? <http://www.dadcomehome.org/old/news.php?strid=1335&id=5803>

Liberal Democrats, supported the extension of paid maternity leave until the child reaches the age of three, arguing that it is in the child's interest to be raised by family and that women, as mothers, have the responsibility to take care of the child's needs.³⁷ This proposal from the Liberal Democrats was not approved in the Parliament due to the high cost of the provision and the state's inability to pay for maternity leave for three years. The Liberal and Conservative parties successfully introduced amendments to the Law on Sickness and Maternity Leave.³⁸

Formally, equal treatment and equal pay for the same work exist in the legal system of Lithuania, as a result of harmonizing the legal code with EU legislation. In general, the violation of the norms of equal pay and equal treatment could often be treated as discrimination against gender. The Law on Wages and the Law on Equality for Women and Men prohibit unequal treatment of women and men in remuneration for the same work. The Labour Code includes the provision that wages cannot be reduced because of the employee's gender.³⁹ The Law on Wages also prohibits an increase or decrease in wages on the basis of an employee's sex, race, ethnic origin, marital status, or family obligations. Both the 2003-2004 and the 2005-2009 National Programmes on Equal Opportunities for Women and Men address the problem of unequal pay in the labour market due to vertical and horizontal segregation. However, no debates on the reduction of these problems occurred on the governmental or parliamentary levels, even though experts have repeatedly warned about the worrying extent of the gender gap in Lithuania. Female employees continue to earn up to 20 percent less than their male counterparts.⁴⁰

Another problem is that there has been no research done to define precisely how equal jobs should be measured. Although Lithuania ratified the International Labour Organization's (ILO) Convention on Equal Pay in 1994, further mechanisms in the national legislation have not been elaborated.⁴¹

³⁷ Amendments to the articles 3,5,6,8,10,15,16,17,18, 18¹, 19, 20 and 21 of the Law on Sickness and Maternity Leave. No. XP-2486, 4 September 2007

http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=303601

Minutes of the Sixth (327) Parliamentary session on the Amendments to the articles 3,5,6,8,10,15,16,17,18, 18¹, 19, 20 and 21 law on sickness and maternity leave in the parliament on April, 2007(279), September 2007 and debates on these amendments in the Seventh (344) Parliamentary session 6 November 2007

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=304466

http://www3.lrs.lt/pls/inter/w5_sale.fakt_pos?p_fakt_pos_id=-500026

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=295158&p_query=t%EBvyst%EBs%20atostogos&p_tr2=2

³⁸ Press release of G. Sileikis, the member of the Liberal Party. November 20, 2007. Seimas Liberal Fraction.

³⁹ Labour Code, Ar. 7, part 2.

⁴⁰ Kanopiene Vida. 2004. Report on the National Action Plan on Employment from a Gender Perspective.

Mackeviciute Indre. 2005. Monitoring Equal Opportunities for Women and Men. Report on Lithuania

WOMEN'S ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN REPUBLIC OF LITHUANIA. Independent Report for the thirty-second Session of the Committee on the Economic, Social and Cultural Rights (CESCR) April 26, 2004 <http://www.lygus.lt/gm/article.php?id=87>

⁴¹ Ratification of ILO Convention No. 100.

The right to social benefits for any person in gender neutral terms is enshrined in the 1992 Constitution of Lithuania. The main changes in the parental leave and childcare benefits' system were made in 2000. Following the suggestion of the Ombudsperson of Equal Opportunities, a member of the Commission of Family and Child Affairs drafted the amendment to the law on State Benefits for Families, which introduced childbirth benefits for mother or father and eliminated the provision allowing only mothers to obtain the parental leave benefit. It changed the existing provision that fathers were entitled to parental leave only in the case of a mother's death.⁴²

The discourse on demographic decline influenced the increase of child leave benefits beginning in 2004. The Ministry of Social Security and Labour initiated the increase in child leave schemes by increasing the paid maternity period for women eligible for social security (those who have a history of employment and have paid social insurance taxes). Benefits increased from 60% of the salary to 70% in 2004 and to 85% in 2006. In 2007, the child leave scheme was increased to 100% of the salary until child reaches 6 months age and 85% until child reaches one year. The promotion of demographic growth and helping families raise their children are the main justification. There is hardly any opposition from politicians and in the population.⁴³

Similarly tax benefits for working parents were introduced starting on January 1, 2003.⁴⁴ The amendments introduced to the Law on Individual Income Tax, drafted by the Ministry of Finance, were the main policy measures that were part of the EU accession process. The changes increased the non-taxable amount of income and added the increase of non-taxable minimums together with other measures— such as increasing the minimum wage and promoting self-employment through tax incentives. If both parents are employed, the child benefit is divided between them; if one parent works, she or he receives the childcare benefit.⁴⁵ The other tax benefits

Mackeviciute Indre. 2005. Monitoring Equal Opportunities for Women and Men. Report on Lithuania

Kanopiene V. 2004. Report on the National Action Plan on Employment from a Gender Perspective.

⁴² Explanatory Note on Amendments to the articles 1,2,4 and 4(1) of the Law on state benefits for families. 2000

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=113287&p_query=Lygi%F8%20galimyb%F8%20%E1statymo%20projektas&p_tr2=2

⁴³ Reingardiene, Jolanta and Arturas Tereskinas. 2006. Darbo ir šeimos gyvenimo suderinimas Lietuvoje bei lyčių lygybė: iššūkiai ir galimybės (Reconciliation of family and work and gender equality in Lithuania: challenges and opportunities). In *(Ne)apmokamas darbas: šeimai palanki darbo aplinka ir lyčių lygybė Europoje*, ed. Jolanta Reingardiene, 47-103. Vilnius: STI, Vytauto Ddžiojo Universitetas

⁴⁴ LR Seimas 2002 m. liepos 2 d. priėmė naują Gyventojų pajamų mokesčio įstatymą, kuris įsigalios nuo 2003 m. sausio 1 d.

<http://www.tax.lt/article6.html>

⁴⁵ Gyventojų pajamų mokesčio įstatymas

http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=171369

Explanatory Note on Amendments to the articles 1,2,4 and 4(1) of the Law on state benefits for families. 2000

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=113287&p_query=Lygi%F8%20galimyb%F8%20%E1statymo%20projektas&p_tr2=2

on minimal hourly pay rate and monthly salary are gender neutral though would have gendered impact given majority of low paid are women.

Since 2004, elderly pensions have increased gradually within the national government programmes. This issue has not produced much debate, except for political scientists' observation that pensions seem to increase only before municipal or parliamentary elections to strengthen the popularity of the ruling political party. There is concern about the differences in pensions between women and men, since more women than men receive a national pension, which is the lowest type of pension.

The pension age is different for women and men but this is not considered as discrimination under the *acquis*. Since 1995, the pension age has gradually risen for women to 60 and men to 62 years. A woman or a man has the right to receive a pension after 30 years of work. The time spent on parental leave counts towards the computation of pension benefits. The state provides social relief pensions for those persons who do not have a sufficient period of working history but who were taking care of children or disabled children to at least 15 years and mothers who gave birth to five or more children and took care of them until the age of 8 years old.⁴⁶

Frames

The European Commission and Council appear to recommend the use of all three gender equality strategies simultaneously. First, they posit a single standard of equality for women and men in employment that is based on minimizing gaps, that is achieving the same level of participation in employment, the same level of unemployment, and the same level of pay. This would appear to have significant similarities to the "sameness" approach to gender equality. Second, there is a reference to "specific policy actions" and the naming of policy domains that are focused on women's activities, which emphasises difference. These include targets for increased childcare, agreed at the Barcelona European Council, so that by 2010 childcare is available for at least 90% of children between 3 and 6 years of age and at least 33% of children under the age of 3. Third, this provision is combined with a vision of transformed relations between care and employment: "Particular attention will be given to reconciling work and family life, notably through the provision of care services for children and other dependants, encouraging the sharing of family and professional responsibilities and facilitating return to work after a period of leave" (European Council 2003).

How are these three strategies on gender equality of EU adopted and transformed in Lithuania? Analysis of policy documents and civil society texts suggests a limited commitment in Lithuanian policies to implement gender equality policies. On the one hand, the selected documents show the state's willingness to promote women's employment in order to reach the Lisbon goals on women's employability. The state covers family friendly policies and the possibility to reconcile

<http://verslas.banga.lt/lt/patark.full/3e172832ff.2>

⁴⁶ Zemaityte, Rita. Socialine apsauga. www.lygus.lt

family and career. A father's role in family care received special attention as a part of the equal opportunities policy. On the other hand, the policies are constructed to allow women to stay at home after child birth for long period (from one to one and a half years) and retain maternity leave payments of up to 80 percent of their salary. Thus, the policies have the impact of keeping women out of active employment. Analysis of civil society texts shows the position of NGOs is to criticise the government on the existing problems rather than suggest alternative solutions.

Frame analysis of Lithuania's policy documents demonstrates that policies on gender equality in non-employment issues are perceived and constructed as strategies to improve conditions for women's employment. This includes opportunities for professional training and self confidence building for young women after long maternity leaves and for elderly women who lost their professional capacities due to economic transformation. Structural inequalities continue to be emphasised in legal and policy documents. For example, the national programme for equal opportunities of women and men identifies the main goal in the employment section as improving the employability of women. In the government report on implementation of the programme in 2006 the main result highlighted by the government was that Lithuania had reached the Lisbon goal to make 61% of women of employable age employed.

However, the statistics show that women continue to be employed in low paid sectors and jobs. Statistics also show that long term unemployment among women continues to be a problem and that the pay gap between women and men is approximately 20%.⁴⁷ Though policy documents present the problem very clearly, the solution to the problem is poorly formulated. The context analysis shows the limited commitment of the government to transform structural inequalities in the labour market and to reduce the pay gap.

Similar tendencies occur in policy documents on the reconciliation of family and work. Discourse about paternity leave and family-work balance since 2004 evoke the deeply-rooted patriarchal norms of gender roles in family. In Lithuania it is seen as the women's responsibility to take care of her child for as long as possible after the child's birth. This is reflected in the legal and policy documents that established the provisions for extending paid maternity until a child reaches 24 months of age. Parliamentary debates focus on women's obligation to raise children and prolong paid maternity until the child reaches three years old. However, they also promulgate a return to the labour market. As a result Lithuania adopted the longest paid maternity/paternity leave in the EU to cover the child's first two years. Although the law extends the leave to both parents, statistics show that only 1.2% of fathers take paternity leave. Thus, the burden of child-care is a mother's responsibility.

The main **problems** on the issue on non-employment are women's long-term unemployment (more than 1 year), discrimination in the labour market, the expectation that women will be primary caretakers, and men's avoidance to take paternity leave due to gendered stereotypes and limited opportunities for the

⁴⁷ NGOs petition to the Prime Minister of Lithuania. August 4, 2006
<http://www.gap.lt/index.php?cid=292>

reconciliation of work and family. In several texts, the limited access to information and knowledge are mentioned. The most recurrent **objectives** are to stop discrimination in the labour market (which is closely connected to the promotion of gender equality policies); increase employment and opportunities to reconcile family and work by changing gender role stereotypes; and involve men in family care duties.

However, some politicians in policy debates oppose men's involvement in family care duties and defend women's traditional roles under the guise of protecting the family's and the child's welfare. This position is implicitly enshrined in legal acts. The analysed policy actions in legal documents show that legal acts enshrined the provisions for extensive, paid childcare leave. Bearing in mind the problems identified in diagnosis, these policies reinforce women's roles as carers of family and children and encourage women to drop out of the paid labour market.

Such inconsistencies also occur in policy actions of governmental action plans. This is most obvious in sub-issues of Tax-Benefit Policies and Care Work. On the one hand, policy actions call for developing a family friendly environment and services to ease the burden of childcare. On the other hand, the same documents refer to the necessity of developing measures to support and promote traditional childcare arrangements and family values based on marriage, implying that women are responsible for the burden of childcare.

Gender is invoked in all texts. Gender mainly occurs as a social category and is frequently connected to family status and duties. Biological categories are marginal. De-gendered categories are also important. Frequently employees are referred to in gender-neutral terms in policy documents on the reconciliation of family and work.

The dominance of women as **passive actors** is obvious. Women occur not only as a general category but are referred to in relation to biological functions (breastfeeding and pregnant women), social status (business women, educated women, unemployed women, women under maternity leave), age (elderly women and young women) and family/marital status (single women, women with children). Other individuals such as men, fathers, and parents with or without children are also important categories in diagnosis. Family is the only institution mentioned in connection with non-employment issues.

Institutions, however, dominate as **responsible bodies** in policy actions. The Ministry of Social Security and Labour is the leader in undertaking actions in the sphere non-employment. Policy documents include other ministries, municipalities, and a few NGOs for completing concrete tasks within the national programmes and actions plans. In legal acts and parliamentary debates the state in general is most often identified among responsible bodies. Civil society texts refer to government and parliament only once. The frequent reference to political parties occurs due to analysis of the political agendas of political parties by women's NGOs in the sub-issue on the reconciliation of family and work.

Employers are the most frequently named responsible individuals in the issue of non-employment. They are most often referred to in policy documents and civil

society texts. **Target groups** are very diverse and numerous. Individuals prevail over institutions. Groups of individuals cover both gendered (women, men, father, mother) and de-gendered (parent(s), employee, children) categories. Both women and men are sometimes addressed by their family status (single mother, women on maternity leave, father on paternity leave, men having care obligations). The other characteristics such as age (women above 45, young women) and employment status (unemployed women, women returning to employment after 3 years of maternity leave) are specified only for women. Only one reference to working fathers occurs within the issue of non-employment. In several texts, public opinion and society in general occur as a target group. Institutions are also mentioned, though are less present in comparison to individuals. Family is the most frequent institution; the others, namely NGOs and municipalities, are mentioned only a few times.

Civil society's voice is important in identifying the problems of discrimination against women in the labour market and presenting this evidence to international bodies and national government. However, some civil society texts present the statistical data, on the one hand, and attitudes and statements of political parties, on the other, without in-depth critical assessment of past policy actions. Additionally, recommendations for future policy lack detailed explanation regarding how problems will be resolved and how efficient these recommendations could be.

Gender equality framing is dominant and occurs in the majority of texts. It is usually seen as the means for economic or democratic development of the country. The texts also see gender equality as a vision that is understood through the sameness of women and men. Policy documents mainly identify gender equality as a strategy which is based on the promotion of equal treatment and elimination of discrimination against women.

The analyzed documents cover the period from 2002 to 2007. It shows the change of policy debates before and after joining the EU in regard to equality policies and equal opportunities in the labour market. After accession to EU, more conservative voices refer to patriarchal gender roles and traditional family values and thus promote policies that prolong maternity/paternity leave and exclude women from the active labour market.

3.3 The range of the meanings or frames of gender equality in intimate citizenship

Brief context description

The Constitution of Lithuania enshrined the importance of family in society. Since 1994, demographers and social scientists have analysed the tendencies of population development in Lithuania and have concluded that Lithuanian society has been experiencing demographic decline, a delay in the age of marriage, decline of the traditional family, the emergence of new family forms, high rates of divorce, increased use of birth control and a decrease in the number of children per family. Scientists have suggested introducing comprehensive and sustainable family

policies, including gender equality as one of the founding principles.⁴⁸ However, the policies in Lithuania include only strategies to preserve the traditional family, which is understood only as a married man and woman and their children.

The Catholic Church makes a crucial impact on politicians in shaping the concept of family and opposing civil partnership, homosexual relationships, and progressive policies on reproductive rights and health. Representatives of the Catholic Church, for example, participated in working groups on drafting the concept of sexual education and national family policy strategy. Moreover, the Catholic Church's Bishop Conference constantly interferes in policy debates and rallies against abortion, cohabitation, and homosexual partnership. According to public surveys, the population views the Catholic Church as an honest and trustworthy institution. Thus, political parties shape their policies in order to show solidarity with the Catholic Church and consequently win the confidence of the population. Conservative political parties openly support the position of the church and oppose homosexual partnerships, reproductive rights, and sexual education. Liberal forces also concede to conservative trends in these issues in order not to oppose the Catholic Church. In a survey of politicians' attitudes on homosexuality, for example, two thirds of parliamentarians (conservative parties, liberal-centrist parties and Social Democrats) expressed their support of the Church's position against homosexuality.⁴⁹ Though women's NGOs work together to encourage the recognition of reproductive rights and bring about gender equality—rather than moralising on the preservation of the traditional family—politicians hardly take their arguments into consideration.

From 1995 onwards, the **policies on family** were rather fragmented. Though in 1996 the concept of family policy was drafted by the Institute of Philosophy and Social Research and adopted by the government (No. 362 March 19, 1996) to improve the economic situation of the family and its social welfare, the strategy remained a formality that was hardly implemented in practical terms. Family policy in the late 1990s was not a priority. The beginning of 2000s and accession to EU saw a shift in priorities. By promoting only the traditional family, single parent families (mainly single mothers) are discriminated against by politicians. Currently single mothers have to prove in the court the absence of the father of their child in order to obtain child subsidies from the government. By implementing these measures, the politicians hoped to strengthen the traditional family institution and foster a sense of responsibility in fathers towards their children, but in practice the law has been detrimental to women. Since 2005, initiatives to define the concept of family were initiated by the conservative forces in Parliament. The leader of the working group is the chair of Parliament's Commission on Family and Child Affairs who openly supports the traditional family and negatively addresses any other form of

⁴⁸ Stankūnienė, Vlada, Aiva Jasiulionienė, and Raminta Jančaitytė. 2005. *Šeima, vaikai, šeimos politika: modernėjimo prieštaros* (Family, children, family policy: inconsistencies of modernization). Vilnius: STI

⁴⁹ Razmaite Inga. Homoseksualizmas: Baznycia jau pasmerke (Homosexuality is already condemned by the Church). *Respublika* 2005 m. gruodžio 3 d.

cohabitation. A survey in 2006 showed the existence of a broad variety of family forms in Lithuania, including cohabitation, homosexual partnerships, single parent households, and distant families (when one of the spouses or partners is a migrant worker abroad). However, politicians do not take into consideration the social context and push unrealistic and moralizing policies.⁵⁰

In the period from 2000 to 2004, legal acts were brought in line with EU directives. One of the most important laws on family—the regulation of spouses' relationships, property, child care and custody and other issues related to family life, its composition and dissolution—is enshrined in the Civil Code adopted in 2001. It changed the old Soviet Code and included new provisions and definitions, including the concept of **partnership**. It has also identified the necessity of further legislation to establish the procedures of registering, annulling, terminating, and ending of partnership. But, this draft law prepared in 2004 was not adopted and until now no attempt has been made to resume the debate. Since the law on registering partnership has not been adopted, civil partnership is not legally possible in Lithuania. Other legal acts related to spouses' relationships within the family provide different treatment to married persons and partners. Laws on property, social benefits, adoption and other family issues differ for married couples and couples living in partnerships.⁵¹ Though the Law on Equal Opportunities prohibits discrimination due to sexual orientation, it covers only the public sphere. The private sphere of intimate relationships is not regulated by any law or policy document. In policy discourse these issues are either ignored or presented as a threat to traditional and national values. In November 2004, Lithuania ratified the EU Constitution and EU Charter of Fundamental human rights. These documents were ratified without broad discussions among politicians and in society. Though some politicians warned that Lithuania could lose its independence, the majority of politicians voted for ratification. However, at that moment nobody took into consideration that the EU Constitution contradicts Lithuania's Constitution in terms of its family concept and partnership, including homosexual partnership.⁵² Politicians and lawyers were more concerned with political and economic regulations when adopting the EU Constitution. In 2006, the Parliamentary Commission on Family and Child Affairs expressed the opinion that the national traditions and moral standards in such sensitive cases as homosexuality should supersede any legal regulations and rules.⁵³

⁵⁰ RAIT population survey, completed under the project Innovative Education Strategies of Social Partners on Practical Implementation of Gender Mainstreaming www.gap.lt/lt/no

⁵¹ Vanagienė G. 2004. Sutuoktinių ir sugyventinių (partnerių) teisinės padėties Lietuvoje lyginamoji analizė (Comparative Analysis of Legal Aspects of Married Couples and Cohabiting Partners.) *Šeimos Politikos ir Teisės Iššūkiai Europoje*, ed. Algis Davidavičius and Eduardas Platovas. 33-48. Vilnius: ESTEP. LGL

⁵² Ramunas Ausrotas. Ar Lietuvoai gresia geju santuokos? <http://vilnius.ateitis.lt/node/407>

⁵³ Session of the Commission of the Family and Child Affairs investigating the complaints of the Catholic Bishopric Conference and Decision of the Ombudsperson of equal opportunities to punish the director of exhibition hall who cancelled the exhibition on tradition/nontraditional relationships, April 4, 2006

The issue of **reproductive rights** remains complicated. Abortion has been legal in Lithuania since 1957, and its legality was verified by the Decree of the Minister of Health of 1994, which adopted the Soviet system allowing abortion up to 12 weeks. Although Lithuania signed up to international treaties that guarantee protection of reproductive rights and undertook the commitment to implement the requirements of the Cairo Conference of 1994, conservative forces in the government and parliament have stalled the law on reproductive rights since the late 1990s. Family planning remains an issue for women's NGOs and some pharmaceutical companies. However, opposition in Parliament to medical abortion continues to be strong, and thus medical abortion has not yet been approved. In 2006 and 2007, new initiatives by conservative forces in Parliament proposed reducing the period allowed for legal abortion from 12 to 8 weeks and to gradually prohibit it, in order to counter Lithuania's decreasing population. Due to the efforts of women's NGOs, the conclusions of the Parliament's legal department regarding the violation of human rights, and Lithuania's commitments to international organizations, this and similar initiatives have thus far been unsuccessful.⁵⁴ Regardless of this positive achievement in the policies of reproductive health, Parliament has not yet included the draft of the Law on Reproductive Rights for debates in parliamentary sessions. Further, from the end of 2007 Parliament is considering abolishing abortion and is currently discussing this issue in the committees. Parliament's Human Rights Committee, for example, approved the law on the abolition of abortion as constitutionally acceptable in the Spring of 2008.

NGOs in the field of intimate citizenship mainly address the public discourse on diversity of family forms and homophobia and make an effort through public campaigns, petitions, and letters to contribute to the public's awareness on the complex context of Lithuanian society, the obligations of Lithuania's state to international organizations, and the commitment to promote democratic values. Intimate partnership is covered by academia in terms of diversity of family forms and homosexual relationships. The sociological research on attitudes to homosexuality at work and in public among the population and politicians reveals a deeply rooted culture of homophobia in Lithuania.

Frames

Analyzed policy documents in the section on intimate citizenship demonstrate very controversial policy developments in Lithuania. On the one hand, analysis suggests a commitment on the part of the Lithuanian government to implement anti-discrimination policies by transposing EU Directives. At the same time, the analysis shows that the government privileges individuals according to marital status and thus discriminates against others, such as unmarried individuals, single mothers, and homosexuals. Limited policy activities in the field of reproductive rights also suggest

http://www3.lrs.lt/pls/inter/w5_show?p_r=5126&p_d=53899&p_k=1

⁵⁴ Personal interview with Jurate Seduikė, Project manager at Women's Information center June 8, 2007.

a tendency to ignore women's rights issues, regardless of the obligations to international organizations such as the UN and Council of Europe, and to engender patriarchal views of control over a women's body.

The gender equality frame in the sub-issue on intimate citizenship disappears. Many of the discussions by politicians on the traditional family pattern based on marriage show the complete ignorance of the politicians about the real context of Lithuania. These discussions reproduce patriarchal norms and gender role stereotypes. The Bill on State Family Support, for example, clearly defines that the state recognises the exceptional role of women in giving birth and taking care of children as their most important function to the state. In return the state should protect women from economic hardship and release them from the necessity to be employed in order to help women with their family care duties.⁵⁵ The patriarchal power of the state to protect women is evident in the description of the main problems in the diagnosis. These are crises of the traditional family institution based on marriage, demographic crises, and limited family planning perspectives. Gender equality is understood as something unspecified in the family which closely overlaps with the natural duty and acquired powers in order to best complete the family mission. In the field of homosexual rights, the main problem is discrimination on the grounds of sexual orientation. Other forms of discrimination on grounds such as age, disability, religion, and ethnicity/race are also covered by the selected legislation on equal opportunities, but in gender-neutral terms. This happened due to the existing legislation on equal opportunities for women and men. In Lithuania then, legislation covers all forms of discrimination, but gender equality is evident only in the field of women and men's equal opportunities, and other forms are separated from the field of gender equality.

Objectives such as stopping discrimination, defending the family institution based on marriage, and controlling reproductive rights are the most frequently recurring. These objectives show inconsistencies among sub-issues. On the one hand, policies seek equality and non-discrimination, but on the other, by promoting traditional family values based on marriage, they provide a legal basis for discrimination due to marital/family basis. This is evident in the list of policy actions which are very diverse and cover a broad range, from legal definitions and sanctions against discrimination to policies on privileging the traditional family based on marriage and restricting reproductive rights. Awareness raising, sexual education and trainings are important policy actions as well.

The dominant frames are the traditional family and human rights in the sub-issue on homosexual partnership. Equality and democracy occur as important frames. The major frame in the reproduction sub-issue is health. Other frames are marginal (economic development, crime and justice).

Gender is significant and invoked in intimate citizenship and is closely tied to women's reproductive duties and care obligations in the family. Only one exception

⁵⁵ Bill on Family Support 2007 09 18 No. XP-2526

occurred in the sub-issue on sexual orientation, where legal acts, debates, and civil society texts apply gender neutral categories to homosexuals.

The general pattern is that heterosexuality and the traditional family based on marriage are the underlying norms in diagnosis and prognosis. This suggests that other possible family forms (cohabitation, single parent family, divorced parent with children) are considered as a deviation from the norms. Some conservative politicians openly express their opinion that partnership cannot be a family due to the lack of mutual responsibility. They also argue that domestic violence is so prevalent due to the high number of irresponsible individuals cohabitating together.⁵⁶

More tensions occur between state documents and civil society texts. In some sub issues (divorce, marriage and separation, and reproduction), the state documents explicitly promote discriminatory provisions against gender equality by privileging couples in wedlock and moralizing against single motherhood and homosexual couples. Civil society texts severely criticize the state's position showing the problems and consequences of such policies. Civil society texts address the policy makers and argue that their legal acts and documents contradict the principles of democracy, equality, and non-discrimination.

In the sub-issue on sexual orientation, legal acts and policy documents lay out the state's commitment to protect from discrimination due to sexual orientation and other grounds. But civil society texts demonstrate that the state is not fulfilling these commitments and therefore request the intervention of EU organizations for support in the struggle for equal rights for sexual minorities.

The reproduction sub-issue also shows tension between state and civil society. The moralistic principles of the legal acts that control artificial insemination and that value only the heterosexual, traditional family based on marriage show a lack of commitment to defending reproductive health and rights. Civil society texts address the ignorance of the state and Parliament to effectively protect women's rights and make men responsible for family planning.

Gender is used as a biological category, in most cases referring to family procreation (divorce, marriage and separation and reproduction sub issues). Marginal reference is made to gender as a social category. Significant de-gendering occurs in all sub-issues when the texts refer to children, family members, partners, homosexual couples, and youth. Gender equality is mentioned only in a few texts as a state commitment (reproduction) or as a secondary priority in regard to the state's objective of preserving the traditional family (divorce, marriage and separation). In the sub-issue on reproduction, one text views gender equality as a strategy to fully protect women's reproductive rights and health, while the other text treats gender equality as a vision for equitable decision-making in family planning.

Human rights compose the dominant framing in the issue on intimate citizenship. The other important frame falls under the category "other" and includes

⁵⁶Ieva Urbonaitė, I. Degutiene: Partneryste – ne seima. (I. Degutiene. Partnership is not a family). www.DELFI.lt 2007 balandžio mėn. 25 d. 10:13. Single mothers, for example, have been called also irresponsible individuals by some parliamentarians.

the traditional family frame (policy documents and legal acts in divorce, marriage and separation), heteronormativity (debates in reproduction, family policy and sexual orientation), and democracy (civil society texts in particular). Important frames are equality (sexual orientation) and health (reproduction). Very marginal frames are economic development, crime, and justice.

3.4 The range of the meanings or frames of gender equality in gender based violence

Brief description of the context

The issue of gender-based violence has not been a priority issue in Lithuania's policy for almost the entire period since the 1990s. Though feminists, academics, and NGOs have constantly discussed the issues of domestic violence, trafficking in human beings, prostitution and other issues that fall under gender-based violence, these have not resulted in policy documents. There is no legal act specifically and explicitly addressing gender-based violence. At the policy level, there were usually more 'urgent' matters to address, rather than to resolve domestic violence or trafficking. Despite the research of sociologists on the scope and spread of domestic violence and trafficking, society at large has been indifferent.⁵⁷ Lithuanian legislation is gender-neutral and officials, in particular the Ministry of Justice, refer to existing laws that treat women and men equally. Thus the term "violence against women" does not exist in the legal acts and policy debates because it is immediately interpreted as discriminatory against males or as privileging only females. Presently, domestic violence continues to be treated as a private issue in which the state has declared it has no right to interfere.

Cultural norms also influence the perception of domestic violence as a private matter. Women usually remain silent, because society in general would consider them as trouble-makers who provoke the violent behaviour. Many NGOs working in the field of domestic violence argue that since the 1990s the situation in this field has hardly changed.⁵⁸ Police often lack the motivation and resources to effectively address or stop domestic violence. In Lithuania, a preliminary investigation in the case of domestic violence is not started by police or another official body unless it is a murder case or the assault was extremely serious. Under the guideline of a private accusation, victims of domestic violence are responsible for filing the complaint to the court and providing evidence, witnesses, and other relevant documents. Very often

⁵⁷ Sipavičienė, Audra, Danutė Tureikytė, Rasa Erenaitė et al. 2004. *Prekyba žmonėmis: problemos, sprendimai, žvilgsnis iš vidaus* (Trafficking in women: problems, solutions, insight from Inside). Vilnius: Socialinių tyrimų institutas

Reingardienė, Jolanta. 2001. *Socialinis prievartos prieš moterį kontekstas Lietuvoje (Social context of violence against women in Lithuania)*. PhD diss. Kaunas. Vytauto Didžiojo Universitetas.

⁵⁸ Lietuvos moterų pažanga: issukiai ir realybe 1990-2005. Ketvirtasis Lietuvos moterų suvaziavimas. Vilnius, 2005.

victims do not embark on this long, expensive, and cumbersome procedure but instead apply to the court for divorce.

Trafficking in persons until 2000 was ignored in Lithuania. Even the term was hardly understood by society in general. Changes occurred in Lithuania when the UN and Council of Europe began discussing the issue, and Lithuania, as a candidate country to the EU, started ratification of the International Convention against Organized Crime and the Protocol on the Prevention of Trafficking in Women and Children. The International Organization for Migration (IOM) in Vilnius assumed an active role and fostered cooperation between NGOs and the Ministry of the Interior in drafting national programmes to prevent and control trafficking and prostitution.

Sexual harassment at work is a less-debated topic among women's NGOs and society. It is discussed only when cases attract public attention. It is framed by unambiguous legal regulations under the Criminal Code and the Law on Equal Opportunities that provide guidelines for responding to complaints. The introduction of the concept of sexual harassment in 1998 was greeted by a denial of its existence in Lithuania and decried as a foreign influence. The Office of the Ombudsperson argues that it is extremely difficult to prove harassment and make the guilty party accountable.

Domestic rape in terms of rape in marriage or intimate relationships is not a recognised phenomenon until it becomes a criminal act. Rape as a criminal act is regulated under the Criminal Code. No debates on this issue by government bodies and NGOs exist. Similarly, forced marriage and honour crimes are absent in the Lithuanian context.

In 2000, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) committee severely criticised the Lithuanian government for not dealing seriously with prostitution and trafficking. At the same time, the criminalization of trafficking became an important issue for international organizations, particularly IOM. IOM launched an information campaign to raise awareness of this issue as a violation of human rights and to show how high unemployment and poverty, by encouraging illegal immigration, worsen trafficking.

In 2002, Lithuania ratified the UN Convention on International Organized Crime and in 2003 the UN Protocol on Prevention of Trafficking of Women and Children. Bowing to international pressure from the United States' government and the governments of Nordic countries and recalling the commitments made during the EU accession process, the Control and Prevention of Trafficking and Prostitution Programme was put in place and subsequently extended from 2005 to 2008. Although the programme raised awareness of the issue on a national level and helped frame trafficking and prostitution as human rights violations, NGOs criticized the implementation of the programme because limited funding compromised its efficacy. However, the programme was able to effect a change in attitudes of the police towards human trafficking, and in 2006 a special police unit was established to combat trafficking.

The first political discussion about prostitution took place in 2004. Since 1996, NGOs have stressed the necessity of implementing policies to address prostitution.

However, there is no consensus on whether the strategy should be to legalize or ban prostitution.⁵⁹ Following the adoption of an amendment to establish penalties for consumers of prostitution, the Women's Information Centre—supported by the Ministry of Social Security and Labour—organized an awareness-raising campaign in 2005 that aimed to change the discourse about the accountability of consumers of prostitution. However, the issue of prostitution is still not widely discussed on a political level.

Although gender-based violence has been recognized as a serious issue for many years, the Lithuanian government paid little attention to this issue until 2006. Women's NGOs have been active in the field of domestic violence, providing shelters and psychological support for victims. Up until 2004 many women's NGOs received support from international donors (Open Society Fund-Lithuania, UNDP, and the Embassies of the US, UK, Netherlands, and the Nordic countries). When Lithuania joined the EU in 2004, international donors withdrew their funding, and limited government funding made it difficult for NGOs to continue providing services for victims.

Beginning in 2000, female parliamentarians repeatedly introduced an amendment to the Criminal Code to mandate the removal of the perpetrator from the home in domestic violence cases. Parliament approved the amendment in 2004; however, human rights organizations criticized the measure because no mechanism to apply the provisions was introduced alongside. In addition to pressure from the EU, the untiring efforts of several female parliamentarians were critical in passage of the bill.

The Council of Europe's Human Rights Commissioner Alvaro Gil-Robles criticized Lithuania in 2003 for failing to implement adequate measures to combat domestic violence. NGOs had been advocating for the adoption of the national action plan to reduce domestic violence and prepared recommendations in response to the government's action plan to fight domestic violence. The implementation of the 2005-2009 National Programme of Equal Opportunities for Women and Men compelled the government of Lithuania to enact a strategy to combat domestic violence by 2005. However, this was postponed until 2007. While drafting the programme, the Ministry of Social Security and Labour and the Ministry of Justice often clashed because the latter opposed changing legal acts to allow the state to launch an investigation without requiring that the victim file a formal complaint in domestic violence cases. In the final discussions with NGOs, the Ministry of Justice remained firm in its opposition to the proposal, and despite approval of the strategy, no legal changes were made until mid-2007.

Sexual harassment is defined in the Law on Equal Opportunities for Women and Men, as well as the Criminal Code and Labour Code. The Criminal Code includes an article on sexual harassment, which indicates that only vulgar and rough behaviour is

⁵⁹ Nevyriausybių organizacijų atstovių nuomonė apie faktinę moterų teisių padėtį Lietuvoje bei jų pasiūlymai moterų problemoms spręsti
http://www.moterukoalicija.webinfo.lt/dg_isvados.htm#0

considered a crime and that the abuser will be punished only if it can be proven that he intended to rape the victim. Other forms of sexual harassment—such as verbal abuse, psychological pressure or attempts to have sex with the victim—are not covered by the law.⁶⁰ Recently, however, the Ombudsperson for Equal Opportunities introduced an amendment to the Law on Equal Opportunities that would put the burden of proof on the accused in cases of sexual harassment.

Although the law unambiguously defines rape as a crime, it also limits rape to act existing outside of the domestic sphere. Rape in the family is not widely considered as a criminal act by society. In addition, existing rape statistics are very poor and do not include data about family rape. In the National Strategy on Reduction of Violence the government identified the invisibility of family rape in Lithuania as a result of deeply-rooted traditions regarding women's domestic obligations which create the conditions for the population to deny the existence of family rape. No domestic rape cases have been filed or brought to trial.⁶¹

Frames

Analysis of policy documents in Lithuania suggests that gender-based violence is a separate topic hardly falling under the frame of gender equality. Legislation on violence is gender neutral in Lithuania. The pressures of EU accession influenced the parliament and government of Lithuania to discuss publicly the problem of trafficking in persons and adopt legal acts and policy documents. These documents have identified the concept of trafficking in gender-neutral terms. However, the civil society text demonstrates the limits of these policies and the lack of political will to solve them. Unwillingness to effectively address gender-based domestic violence is evident in the debates on the amendments to Criminal Code that established measures for solving the problem of domestic violence. Gender-based stereotypes and a patriarchal culture are particularly evident in the policy development on sexual harassment and sexual assault, suggesting the existing obstacles for gender equality policies.

The main problems around the issue of gender-based violence are domestic violence in the form of physical, psychological, economic, and sexual violence; sexual assault; and trafficking, including trafficking for forced labour and sexual exploitation. In a few civil society texts domestic violence is defined as violation of human rights and an obstacle to gender equality. The objectives are to resolve these problems. In relation to policy actions, the problems are insufficient legal protection of victims of domestic violence; ineffective punishment of perpetrators; impunity of traffickers; and the lack of support by state institutions to provide constant psychological and social services for victims of domestic violence and trafficking.

⁶⁰ Vidmantas Dvilaitis, Sexual Harassment and Legal Liability of it" in *Jurisprudencija*, 2004 vol 60 (52)

⁶¹ LRV nutarimas Nr. 1330, 2006-12-22 del Valstybines smurto pries moteris mazinimo strategijos ir jos igyveninimo priemonių 2007-2009 m plano patvirtinimo. <http://www.socmin.lt/index.php?-1889589091>

Thus, the prognosis introduces stricter legal sanctions to ensure accountability of perpetrators; alternative measures to change their violent behaviour; and measures to protect victims effectively in terms of legal procedures and complexity of services. Referring to good practices in Western Europe, change in legal procedures is proposed in order to modify the traditional understanding of domestic violence as a private issue. Awareness-raising is also mentioned because it explicitly suggests changing societal norms and the “traditional” understanding that domestic violence is only a private issue. The other policy actions cover the need to collect gendered statistics and educational training in order to empower victims, change public ignorance, and contribute to the prevention of domestic violence. In regard to trafficking, some policy actions include harmonization of national legislation to the EU legal acts.

Different frames can be identified: a crime/justice as a dominant and sometimes single frame, human rights as a major frame, equality as significant, and health as marginal.

In the sub issues, there are some specific tensions. For example, though trafficking is defined as violation of human rights, a divide emerged between non-governmental institutions on the issue of understanding and legal treatment of prostitution. Some NGOs support the opinion that prostitution is a violation of human rights, while the others back legalization as a solution that would allow the authorities to exert some control over prostitution.

Though the government recognizes that the protection of victims of domestic violence is the obligation of state, the proposed policy actions are very ineffective, i.e. cover the analysis of legal acts and research and evaluation of services provided for victims of domestic violence. Some voices in parliamentary debates clearly identify that effective measures to combat domestic violence will contribute to gender equality, while others opposed to it state that equal opportunities will be violated if women are privileged as victims of domestic violence.

Not all the texts involve gender. Legal acts are mainly gender neutral addressing victims of domestic violence, sexual assault, or trafficking without identifying their gender. A few cases of domestic violence identify gendered categories of biological ties between family members (mother, father, and children) and their family status. Other categories such as marital spouse, cohabitating spouse, and close family members living together (step parents, step children) are gender neutral. Policy programmes, parliamentary debates, and NGOs usually include gendered aspects. However, even NGO texts sometimes speak in gender-neutral way when addressing policy makers about the problems of domestic violence (domestic violence).

In general, almost all legal acts omit diagnosis and emphasize prognosis. In the cases where voices oppose the suggested legal changes, the prognosis is ignored, and the weight is on diagnosis. In policy documents usually there is balance between diagnosis and prognosis; however certain inconsistencies in policy actions are present in terms of addressing gendered problems in diagnosis and referring to de-gendered target groups in future policy actions.

Active actors in the diagnosis are often omitted except in limited cases in legal documents or debates. When **active actors** are individuals they are referred to using gender-neutral categories such as perpetrators, close relatives, traffickers, and persons who sold or who committed a specific crime. Even when the active actor is a family member, the gender neutral category of a spouse or partner is used. Some institutions, such as the police and various ministries, are also mentioned.

In many cases, diagnosis highlights **passive actors**, who are mainly women, but other de-gendered categories such as victims, family member, children, and society are identified as well. Women and women with children often are identified in policy documents, debates, and civil society texts. Legal documents usually apply gender-neutral categories. In some debates passive actors were named such as elderly people, men, and unmarried women implying intersectionality along age and marital status. Policy documents mentioned women's NGOs, namely women's crises centres, as passive actors when the problems covered low funding opportunities for them.

In the prognosis, the **target groups** are not always mentioned in the objectives but are frequently identified in policy actions. Most often they are de-gendered victims of domestic violence, family members, children, juveniles, relatives, parents, and sometimes women. Women, women victims, and women as domestic victims occur in several cases. Minor attention is paid to men (in one policy debate). Usually, the de-gendered category of perpetrators is used in policy documents. Sometimes in policy action plans, NGOs and governmental institutions are mentioned in regard to the need for their mutual cooperation.

Not all texts invoke gender. Legal acts always are gender neutral. Other documents such as policy documents, civil society texts and debate include gender. Usually gender is used as a social category or expressed in de-gendered way (children, victims, perpetrators) and marginally as a biological category. Gender equality framing is marginal; it includes mainly the goal in itself. Only one policy text provides gender equality as a sole vision.

The most important intersecting categories are marital/family status and age. In one case, the class category occurred. Ethnicity, religion, sexual orientation, disability, and nationality are absent. The broader framing of the policy mainly covers crime and justice and human rights. The minor frame is equality, while health is marginal. Other framings are absent. Calls are distributed almost equally to meet international commitments, EU requirements, and national obligations. There are few references to consultations, including women's NGOs. Only policy action plans use indicators and statistics, the rest of the documents do not provide them. Additionally, policy action plans provide a broad range of proposed actions, including legal changes, improvement of the implementation of existing policies, and the collection of information and statistics. The other documents propose a limited number of actions. Legal acts, for example, address issues of legal violation and cover the improvement of legal mechanisms to deal with the problem. Civil society texts usually cover a broader context of problematic issues and usually provide recommendations to improve policies, increase budgets and gather gender disaggregated statistics.

Some debates refuse the proposals, suggesting that no policy actions should be undertaken.

3.5 Summary and comparison

Gender equality is not a priority in Lithuanian policies. In general it is framed under the problem of discrimination against women and the necessity to stop this discrimination. However, in the different sub-issues gender equality obtains different definitions, such as the necessity to overcome higher women's unemployment in order to reach the Lisbon strategy in the issue of non-employment. This understanding of gender equality in policy documents strongly contradicts conservative policy actors' voices, which have a huge impact on social policies in Lithuania. By referring to patriarchal gender roles and traditional family values, Lithuanian politicians (including Social Democrats and the Conservative Party) have promoted policies prolonging paid maternity/paternity leave up to 2 years and excluding women from the labour market because of cultural norms about traditional gender roles. Patriarchal gender roles and the traditional family frame are evident in the intimate citizenship issue. Thus gender equality as a term is not used but referred to as something unspecified in family which closely overlaps with the natural duties of a mother and naturally acquired powers of a father in order to complete a procreative family function. In the issue on reproduction, gender equality is understood as equitable decisions about family planning. Gender based violence is also hardly connected to the general gender equality meaning. Gender, in all the issues, usually means women, even when de-gendered categories are used. In the issue of non-employment, for example, parental leave implies women's duties to take care of children. Women are seen as target groups for whom gender equality has to be achieved in many policy documents and mainly in all civil society texts. However, in some parliamentarians' debates and by conservative voices, gender equality is identified as something alien to the Lithuanian culture. Therefore policies to protect the traditional national culture are emphasised. These policies are understood under the notion of the traditional family where gender roles are strictly divided along public (men) and private (women) spheres.

In general, it could be concluded that regardless of the existing legislation and the national programmes on gender equality which were adopted under the pressures of EU accession, the policies in Lithuania remain wrapped in the traditional culture of gender roles in society. The discourse on traditional gender roles was strengthened and assertively expressed after joining the EU.

4. The range of intersecting inequalities

This chapter provides evidence on the range of intersecting inequalities in Lithuania and refers to the analysis completed under the country contexts study (*QUING Deliverable No. 41: WHY Country Context Study. Lithuania*), the issue histories (*QUING Deliverable 19: Timelines of policy debates: Lithuania*), and the country study (*QUING Deliverable No. 40: Series of LARG country report. Lithuania*).

4.1. General gender equality legislation and machinery

The Lithuanian state's institutional bodies that deal with separate grounds of discrimination do not identify intersecting levels. Since January 2005, after the Law on Equal Treatment entered into effect, the Office of the Ombudsperson for Equal Opportunities became the most important organisation working in the field of discrimination in Lithuania. The Office of the Ombudsperson for Equal Opportunities currently investigates complaints relating to gender-based discrimination and sexual harassment under the Law on Equal Opportunities and those relating to discrimination and harassment based on age, ethnic origin, race, sexual orientation, religion, belief, and disability under the Law on Equal Treatment. This institution is fully financed by the state. This organisation is accountable to the Parliament and investigates complaints relating to discrimination on all grounds covered by Directives 2000/43/EC of 29 June 2000 and 2000/78/EC of 27 November 2000. The Ombudsperson for Equal Opportunities investigates complaints relating to direct or indirect discrimination, harassment, and sexual harassment.

Though some women MPs and women's NGOs publicly denounced merging gender-based discrimination and other grounds of discrimination under the supervision of the Office of the Ombudsperson for Equal Opportunities in 2002, complaints on gender-based discrimination continue to prevail. During the year 2005, the Office of the Ombudsperson for Equal Opportunities received 30 complaints of discrimination on the grounds of age, 18 complaints on the grounds of ethnic origin (none of them related to the Roma people), 27 complaints on the grounds of gender, 13 complaints on the grounds of disability, two complaints on the grounds of religion, two complaints on the grounds of sexual orientation, three complaints on the grounds of offensive advertisements, and three complaints on the grounds of sexual harassment. Since January 2006, the Office of the Ombudsperson for Equal Opportunities has received 23 complaints of discrimination on the grounds of age, 19 complaints on the grounds of ethnic origin, 26 complaints on the grounds of gender, 11 complaints on the grounds of disability, 7 complaints on the grounds of religion, 2 complaints on the grounds of sexual orientation, and 2 complaints on the grounds of sexual harassment.

Similarly at the ministerial level, intersectionality is not of primary importance. The divisions of the main governmental equality body – the Ministry of Social Security and Labour – are divided into two separate offices: 1) gender equality issues and 2) equal opportunities. These two separate divisions coordinate two separate

national programmes: 1) The National Programme on Gender Equality 2005-2009 and 2) The National Antidiscrimination Programme on Equal Opportunities 2006-2008. Thus, institutionally and politically gender equality is separated from other inequalities.

Intersectionality is hardly addressed by civil society organisations. The practice in Lithuania is that civil society organizations work by strand, dealing with a single inequality, and to a certain extent they tend to establish the affected group as “superior” over the others. This is most visible in civil society organizations that deal with women’s issues on the one hand and ethnic/racial issues on the other.

There are around 100 women’s NGO that deal with women’s issues, covering women’s inequality in employment, disproportionality in political representation, and gender-based violence. However, in general, the women’s movement is weak in Lithuania. There is no organized feminist movement nor any organization that would coordinate feminist and women’s NGOs. During the period from 1990 on, there were no public protests on women’s issues. Only in 2008 women tried to organize public protests against the State’s Family Concept Law, which defined family as a heterosexual, married couple with children. It was a legally sanctioned action. No gender-based violence women’s organizations or human rights’ organizations attended; very few women’s NGOs participated. The protest did not draw large crowds, but it catch the attention of the media. However, the outdated Family Concept Law was adopted in June 3, 2008.

A year earlier in 2007, the 100th anniversary of the first Women’s Congress in Lithuania was celebrated. It was organized by the Women’s Forum, composed of women’s organizations that were active in the 1990s and promoted legislation on gender equality. The ceremony started with a mass led by the Catholic Bishop and a blessing by the Church! It is impossible to expect a critical analysis from such women’s organizations.

Intersectionality is covered only by very few women’s NGOs. In general, there is a lack of solidarity and understanding of common objectives among women’s NGOs. For example, in 2007 during the final conference on the Year of Equal Opportunities for All, some conservative forces within the women’s movement opposed the discussion of homosexuality and refused to recognize this issue as being of equal importance to women’s problems. They argued that discrimination against women is still a problem in Lithuania, and other types of discrimination are of lesser importance. Some women’s NGOs (Centre for Equality Advancement, for example) tried to create an informal network of leading human rights, ethnic minority rights, and women’s rights organizations to address issues of multiple discrimination and provide a united front for campaigning and lobbying in 2006. The initiative failed at the beginning, but since the spring of 2007 cooperation between leading human rights organizations has developed. One of the first attempts by women’s NGOs to address gender inequality problems and raise awareness about multiple discrimination was the petition to the prime minister in June 2006 calling on the government to undertake effective measures to implement de facto gender equality policies. The petition addressed social structural inequalities linking them to gender

stereotypes, feminization of poverty (class), vulnerability of young mothers (age), discrimination of ethnic minority women (ethnicity), and the social exclusion of immigrant women (citizenship). Homosexuality was deliberately omitted from the petition due to the existing lack of sensitivity to the rights of sexual minorities in policy and society in general. No answer was received from the office of the prime minister.

Women's NGOs exercised independence and critical attitudes before joining the EU in 2004. At that time, they received support from international donors and could criticise the state. The state also followed the requirements of the EU and listened to the criticism. After joining EU in 2004, funding sources changed. The EU and national state bodies became the sources for NGOs, forcing them to adopt a mild rhetoric to ensure a constant funding stream (national governmental funds are needed to receive matching EU funds). Though cooperation between the state and women's NGOs continues, it is a formality and only of marginal importance. This formality is needed for politicians to refer to the voice of civil society in order to show the variety of attitudes in society, or to demonstrate their "cooperation" with civil society to international bodies.

There are approximately 200 non-governmental organisations representing national minorities in Lithuania. They bring together representatives of 19 different ethnic communities. The government maintains dialogue with non-governmental organisations representing national minorities through the Council of National Communities, which is part of the structure of the Government Department of National Minorities and Lithuanians Living Abroad. Seventeen national communities are represented on this council. The Council of National Communities holds regular meetings to discuss the issues faced by national minorities in Lithuania. In recent years, the Council has regularly met with the President of the Republic to exchange views on the situation of national minorities in the country. However, these meetings do not contribute significantly to the promotion of social dialogue. The Council has only an advisory voice in the decision-making process. Resistance from traditional minorities to the EU anti-discrimination discourse is an unintended consequence of international involvement, which was meant to empower ethnic minorities. During a public discussion of the minority situation in Lithuania, organized by Laima Andrikiene, a member of the European Parliament, Vitalijus Karakorskis, Chairman of the Council of Ethnic Communities, argued that the interests of traditional ethnic minorities (ethnic Poles and ethnic Russians) are often misrepresented. He argued that due to the new EU directives, ethnic minorities are often discussed in the same context as gays or lesbians. "We are rather conservative; we are interested in preserving traditions. Thus, any association with the 'other' minorities is unacceptable for us. Perhaps we should think about creating the position of an Ombudsperson just for (traditional) ethnic minorities?" Karakorskis went on to express his scepticism regarding the EU's ability to cater for his community.⁶²

⁶² Valdas Kilpys. 2007. "Vilniuje diskutuota apie tautinių mažumų padėtį Lietuvoje" <http://www.bernardinai.lt/index.php?url=articles/63088>

The government has set up a Council for Disabled People's Affairs. According to the Regulations of the Council⁶³, it is a collegial institution accountable to the government, and co-ordinates the medical, professional, and social rehabilitation and integration of the disabled. The council is composed of national non-governmental disability organisations and representatives of state institutions on a parity basis and functions in accordance with the Law on the Social Integration of the Disabled. The government, on the nominations of the Minister of Social Security and Employment, approves the composition of the council.

In 1995, the Government of the Republic of Lithuania, together with trade union representatives and employers, signed an agreement on tripartite partnership with a view to more effectively coordinate the interests of the parties in solving social, economic, and labour-related problems and promoting social cohesion. Based on this agreement, a Tripartite Council was established, with the participation of the secretariat of the Ministry of Social Security and Employment. There are no notable collective agreements that contain anti-discrimination provisions. The Tripartite Council has never referred to issues of discrimination.

This brief survey suggests that gender is separated from the other inequalities on a governmental and civil society level. Civil society's voice is rather weak as many NGOs work very narrowly in defining their field without considering broader inequalities. State policies are also structured to address separate different grounds of inequalities and to deal with them in an isolated way.

4.2. Non-employment

Intersectionality is more elaborated in civil society texts on non-employment. Major intersecting axis includes **gender and class**, and age and marital status. Intersectionality of gender and class are interwoven in the discussion on existing structural gender inequalities in society that create the conditions for the growth of women's poverty (particularly single mothers) and their social exclusion. The issues at this intersection of gender and class are connected to the general problems of economic development; vertical and horizontal segregation in the labour market along gender lines; the gender pay gap; the welfare state; and competitiveness in a global world. Civil society texts address the larger economic problems such as demographic crises, limited welfare possibilities for single mothers and women in general and imbalanced economic growth and explain that these macro economic problems cannot be resolved without a consistent gender equality policy. By pointing out these economic issues, the state is reminded of its commitment to implement the Lisbon strategy. As some leading feminists suggest, gender inequality issues should be incorporated into the broad context of economic problems in order to attract the attention of politicians as well as society in general and to encourage discussion. This is necessary because gender equality is not understood as a fundamental right

⁶³ Dėl Lietuvos invalidų reikalų tarybos prie Lietuvos Respublikos Vyriausybės nuostatų patvirtinimo. Government Resolution No. 420 of 29 April 1997. Official Publication Valstybės žinios, 1997, No. 40-973

or value in society and frequently is represented by politicians, media, and some other NGOs as something alien and dangerous for the traditional family and national culture.

Intersectionality between gender and class is addressed in policy documents as well. For example, the National Programme on Equal Opportunities for Women and Men aims to encourage long-term unemployed women to return to the labour market. Women in any policy document are a homogenous category in terms of ethnicity and citizenship status. Differences of women are identified in terms of age (employment of elderly women) and marital status (single mothers, pregnant women, women with children). In very few cases gender and disability intersect; most frequently disability is addressed in gender-neutral terms.

Very often, policy documents describe **age** in gender-neutral terms – persons of pre-retirement age who will reach the retirement age in 5 years, young people after graduation of secondary school, professional school, college or university, persons who are partially disabled (45 – 50 percent), mothers/fathers of children under the age of three, persons whose temporal, seasonal, or fixed labour contract ended, and persons who take care of family member under other legal provisions.⁶⁴ However, in some other documents, for example the *National Action Plan for Social Inclusion 2002-2004* and the *National Plan for Equal Opportunities of Women and Men, 2004 Single Programming Document for 2004-2006*, identify that specific measures are needed for the integration or reintegration into the labour market of pre-pension women, women aged 16-25, single mothers with children under 18, and women after maternity leave. This might suggest that though gender-neutral terms are used in policy documents the meaning is gendered. Additionally, the general culture of society is deeply patriarchal, fostering traditional gender roles – as described above.

The tendency to separate gender from other grounds of inequalities exists in the National Plans that were approved within the Governmental Action Plan for 2004-2008, along with the agreement between the European Commission and the Republic of Lithuania on enacting national action plans to combat poverty and provide conditions for integration to the labour market. Intersectionality is present but is hardly taken as a policy vision. The measures include immigrants, refugees, and Roma, as their poverty levels are the highest, but in gender neutral terms. Gender is mentioned in terms of providing equal opportunities for women and men to access the labour market.⁶⁵

⁶⁴ Amendment to the Law on Social Support of Low Income Families Nr. X-916, Žin., 2006, No. 130-4889; National Action Plan for Employment 2001-2004

⁶⁵ National Action Plan to combat poverty 2005-2006 approved by the Decision of the Government of Lithuania No. 1002, September 13, 2005.

http://www.socmin.lt/get_file.php?file=c29jL20vbV9maWxicy93ZmlsZXMvZmlsZTE4MTguaHRtO0tvdmEgc3Ugc2t1cmR1Lmh0bTs7

National Action Plan to combat poverty 2007-2008 approved by the Decision of the Government of Lithuania No. 46, January 17, 2007.

<http://www.socmin.lt/>

4.3. Intimate citizenship

The National Antidiscrimination Programme, for example, aims for in-depth and complex investigation into cases and the manifestations of discrimination due to age, sexual orientation, ethnicity/race, religious belief, and disability in all spheres of society. These are discussed in gender neutral terms. Usually, government officials refer to the programme on equal opportunities for women and men when gender issues are discussed and hardly cover the intersection between gender and other grounds of inequalities. One exception occurs in the National Antidiscrimination Programme, which includes the planned investigation on the conditions of ethnic minorities, women, and men and their different positions in society. The planned investigation was due to take place during 2007; however, it was postponed due to a lack of inter-institutional communication and coordination. The officer of the Department of National Minorities and Lithuanians Living Abroad announced that her department, which is the responsible body, did not allocate funds for the research because the coordinating body – the Ministry of Social Security and Labour- did not inform them about the planned action in time. The explanation is rather strange, because the national programmes are usually drafted in advance and distributed to governmental institutions for comments. This ignorance on the part of state officials to the intersectionality on gender and ethnicity suggests their incompetence on the issues of gender equality and a weak understanding of the interconnected problems of gender and other inequalities.

Homosexuality is neglected in the national antidiscrimination programme. No measures specifically address homosexuality. In the diagnosis, the problems of homophobia in society are highlighted, but no specific measures to solve it are included in the prognosis.

4.4. Gender based violence

In domestic violence, marital/family status and age, particularly in the cases of trafficking, are of great importance. Though the policy and civil society documents are gendered, intersectionality is hardly evident in the issues of domestic violence and sexual harassment, except for marital/family status. The issue on trafficking provides a number of the documents where intersections of gender and class and gender and citizenship are apparent. *The National Programme on the Prevention of Trafficking 2005-2008*, for example, mentions that young girls and women under 25 from poor families or rural regions are the most vulnerable group. Similarly, civil society texts address the problems of gender inequality and women's, particularly young women's, vulnerability to violence due to unemployment and low education.

4.5 Concluding remarks

In the conclusion of this section it is worth noting that neither civil society nor the state bodies commonly identified intersecting relationships between the separate inequalities. Both parties mainly articulate the intersection of gender and class, linking it to the broader context of economic development, demographic growth, and social inclusion by addressing inequalities in power relations, segregation of the labour market along gender lines, and the feminisation of poverty. This happens due to the lack of commitment of the state bodies to promote gender equality, negative attitudes to feminism in society, deeply rooted gender-role stereotypes, and the general misinterpretation of gender equality policies as a threat to the traditional family and national culture. Some civil society organizations try to address intersectionality between gender and other grounds of discrimination, but are also selective in the manifestation of the problems. Knowing the context of scepticism and ignorance towards gender equality, leading NGOs usually present the issues of gender and other inequalities by using the context of economic needs and the welfare state, arguments to which society and politicians are most receptive.

5. What are the implications of different versions of intersectionality for the meaning and practice of gender+ equality?

5.1 Inequalities in general gender equality legislation and gender machinery

On December 1, 1998, Lithuania passed the Law on Equal Opportunities for Women and Men. This law bans gender-based discrimination in the public sphere and sexual harassment in the workplace. It identifies administrative punishments in cases of discrimination due to gender and provides detailed procedures on conducting investigations of complaints due to gender discrimination. In 1999, the independent Office of the Ombudsperson for Equal Opportunities was established to oversee the implementation of the law on Equal Opportunities for Women and Men.⁶⁶

Since the Law on Equal Treatment came into force on January 1, 2005, the Equal Opportunities Ombudsperson's mandate was expanded, and it started fulfilling all the tasks listed in Article 13 of the Racial Equality Directive. These comprise providing independent assistance to victims of discrimination in pursuing their discrimination complaints; conducting independent surveys concerning discrimination; and publishing independent reports and making recommendations on any issue relating to such discrimination, in both the public and the private sectors. The Equal Opportunities Ombudsperson exists at the state level and is able to address multiple discrimination. The grounds covered are age, sexual orientation, disability, race or ethnic origin, and religion or belief. Due to the resistance of some women MPs and women's rights NGOs in 2002-2003 towards merging all grounds of inequalities under one mandate of the Ombudsperson of Equal Opportunities, the duties of the Office were separated into two laws: the Law on Equal Opportunities for Women and Men and the Law on Equal Opportunities. Though it seems that intersectionality should be covered by the gender machinery, the investigated cases, as mentioned above, show that gender and other grounds of inequalities are separated. Moreover, complaints are investigated along the separate grounds of gender, ethnicity, age, disability, and sexual orientation.⁶⁷

Though the main intersection might be expected in the general equality machinery, this brief survey composed from the research on Lithuania in Quing, suggests that intersection is missing in Lithuania.⁶⁸

⁶⁶ Exemplary note on draft Law on Equal Opportunities for Women and Men No.P-1078, March 10, 1998, E-text

Law on Equal Opportunities for Women and Men, No-P-1078, December 1, 1998. E-text
Parliamentarians' Debates on passing the law on Equal Opportunities for Women and Men, 38 (264) irregular session December 1, 1998 ; 36 (262) session, November 26, 1998, E-text

⁶⁷ www.lygybe.lt

⁶⁸ Deliverable No. 19: *Timelines of policy debates: Lithuania*; Deliverable No. 40: *Series of LARG COUntry reports: Lithuania*; Deliverable No. 41: *WHY Cuntry Context Study: Lithuania*

5.2 Intersections in non employment

The inequalities in the non-employment section most often present are: class (poverty, social exclusion), family/marital status (single mothers, pregnant women, father's rights to paternity when married to child's mother), and age (young women, pre-retired women, elderly women). Inequalities along ethnicity/race (2 cases), citizenship status (3 cases), and disability (1 case) are very rare. Sexual orientation and religion are not even mentioned in the texts on tax benefit, parental leave, and the reconciliation of family and employment.

Intersectionalities that occur in the frame analysis include gender and class (women having a university degree, unemployed women, women's poverty), family/marital status (single mothers, divorced couple, pregnant women, working fathers), and age (young women, elderly women, women above 45).

Statistics on employment, non-employment, and the pay gap are provided by the government of Lithuania's Department of Statistics. The department belongs to the structure of gender machinery and, since 2004, has released reports on women and men in Lithuania. The statistics provide a comparison between women and men in all public sectors, but do not include an intersectional analysis. For example, the report provides data on employment and unemployment, the pay gap, and other economic discrepancies between women and men, but does not analyse how these figures would appear when intersecting across ethnicity and gender in employment.⁶⁹

Ethnicity most frequently occurs in gender-neutral terms. In the field of the professional integration of the Roma, for example, the government drafted and adopted several documents. According to the Shortened Strategic Plan of Activities of the Department of National Minorities and Lithuanians Living Abroad, specific measures for supporting the integration of the Roma into Lithuanian society will be implemented. At a municipal level, the Vilnius City Municipality formulated a programme on the development of the Roma community in Vilnius and territories situated next to the Tabor. The main goals of this document are to reduce the segregation of the Roma, but no specific analysis in terms of gender and Roma is made. Additionally, when complaints of Roma on violation of rights to housing were submitted to the Office of Ombudsperson for Equal Opportunities, they were formulated in gender-neutral terms. The ombudsperson started investigating the complaint on the grounds of discrimination against Roma, ignoring the other possible discriminations such as discrimination against a single mother of Roma origin whose house was destroyed by the decision of the Vilnius municipality.

In sum the analysis suggests that national government and even the national machinery in Lithuania do not pay attention to the intersectionality of gender and ethnicity/race, disability, citizenship status, sexual orientation, and religion in non-

⁶⁹ (http://www.stat.gov.lt/lt/catalog/list/?cat_y=1&cat_id=3&id=1319)

employment. This is also evident in civil society texts. The most frequent intersections involve class, marital/family status, and age.

5.3 Intersections in intimate citizenship

The issue of intimate citizenship covers gender in the sub-issues on marriage/divorce and reproduction. The general equal opportunities legislation that covers sexual orientation, ethnicity/race, religion, age, and disability is gender-neutral.

The documents analysed in the frame and voice analysis show the importance of the intersection of gender and marital status in the field of family policy. The rhetoric of a traditional family based on marriage between a man and a woman excludes and openly discriminates against single mothers and heterosexual couples living out of wedlock and leaves no space for public discussion of homosexual couples. The issue of intimate citizenship thus shows contradictory public discourses on the traditional family that openly discriminates against homosexual people on the one hand, and an antidiscrimination policy that recognises equal rights and equal opportunities for sexual minorities on the other.

Analysis of academic literature on intimate citizenship in Lithuania shows the criticism of the discourse on the traditional family and traditional gender roles in family.⁷⁰ At the same time, within the general discourse of equal opportunities and non-discrimination, the issues of de-gendered sexual minorities are discussed.

How is gender constructed in the debates within the intimate citizenship issue? Gender is at stake in the issues of marriage/divorce and reproductive rights. Here, the gender roles and specifically women's role in reproduction and her role as mother are the most frequently highlighted within the debates on family policy. Conservative forces explicitly name women's role as giving birth and raising children. This is singled out as the most valuable contribution of women to society and state. Thus, intersectionality mainly occurs between gender and marital/family status. The debates on family policy and marriage demonstrate the privileged position that married women occupy when compared to single mothers or divorced mothers. Even though civil society criticised policies that privilege married couples, the criticism was ignored and opposed by the other groups in civil society that were supported by the influential Catholic Church. In the debates on reproductive rights, gender and marital/family status intersect. The general norm is heterosexuality and debates mainly consider the issues of artificial insemination in the context of heterosexual married couples.

Sexual minorities are presented in gender-neutral terms in the context of non-discrimination. Discussions about gay adoption or homosexual marriage are not on the agenda of Lithuanian society. Debates on the civil partnership bill shed light on the homophobic attitudes of parliamentarians who openly expressed their hatred for

⁷⁰ Deliverable No.8: LARG – state of the art and mapping of competences report: Lithuania. http://www.quing.eu/files/results/soa_lithuania.pdf

and intolerance to homosexuals. Within the selected documents for frame and voice analysis, the issues of ethnicity/race as well as disability, religion, and age are involved. However, all these grounds in the legal documents on anti-discrimination are gender neutral.

In sum, intersectionality between gender and marital/family status is the most evident intersection in the issue of intimate citizenship. Homosexuality is gender-neutral and dealt with in the context of non-discrimination; however, indirectly it might be noticed that the sexual minorities referred to are usually gays rather than lesbians.

5.4 Intersections in gender based violence

Gender based violence in Lithuania is a gender-neutral issue at the state and governmental level. However, civil society discusses domestic violence, sexual harassment, and trafficking as specifically gendered issues where women are victims due to the lack of political will to implement practical gender equality policies and gender mainstreaming.

There is no legislation in Lithuania that would approach domestic violence in gendered terms. Several proposals were made by women MPs to protect victims against domestic violence and impose stricter penalties for perpetrators. However, these proposals provoked male resistance in the parliament because of gender equality. Some male MPs expressed their opinion that any stricter sanctions for perpetrators, for instance eviction from the abode, would violate perpetrators' constitutional rights to private property and privilege women by granting them more rights than men. Thus, domestic violence is not explicitly punished. Though victims of domestic violence can apply to the court under the Penal Code, they must do it on the basis of a private accusation. This means that the victim should initiate the complaint and provide evidence and witnesses. The government, after a delay of two years, started the implementation of the National Programme to Reduce Violence against Women in 2007. This programme was launched within the framework of the National Programme on Equal Opportunities for Women and Men. It targets the general violation of women's human rights in the case of domestic violence.

Intersectionality in the issue of gender based violence occurs between gender and marital/family status and in trafficking along gender and age (The National Programme on Prevention of Trafficking, for example, targets young girls above 14 who might be potential victims of trafficking). In NGO reports to CEDAW intersectionality between gender and class is mentioned when arguing that poverty and unemployment force women into prostitution. However, there are no references to ethnicity or race. Thus, intersectionality along gender and ethnicity or race is absent in the Lithuanian context.

5.5 Summary and comparison

Intersectionality is missing in the texts on general gender equality legislation and machinery. The legal and policy documents address only gender inequality problems and gender-based discrimination. Only debates on equality machinery show that female politicians, who consider themselves as promoters of a feminist agenda, argue for the separation of different inequalities from gender. In their view, the gender equality machinery should not be merged into one state body to deal with all inequalities. These attitudes show that intersectionality is not even considered. Rather gender is presented as a “privileged” ground for considering discrimination and inequality policies.

The sampled texts on the non-employment issue show intersectionality along class, age, and marital/family status. In general, legal, policy, and civil society documents construct gender identities that merge inequalities: unemployed women, educated women, elderly women, breastfeeding women, and so on. However, it is hard to argue that this use of intersectionality is a ‘conscious’ approach that is adopted comprehensively. Rather these are specially targeted groups that need special policies in order to solve their underrepresentation in employment. The intersectionality that appears in the sampled texts is rather ephemeral.

The analysis in the issue on intimate citizenship provides evidence of intersectionality along gender and marital status. Homosexuality is gender-neutral within the context of antidiscrimination law and policies. Overall, the issue of intimate citizenship suggests that all grounds of inequalities are treated separately without any room for intersectionality.

Gender, age, and class are the grounds for intersection in the issue of gender-based violence. This use of intersectionality in policy and legal documents is hardly approached as a conscious decision that is comprehensively applied across the different areas. It is rather the result of special attention being paid to specific groups that are vulnerable in the cases of trafficking and prostitution.

It is not surprising that intersectionality is largely absent in Lithuania’s context, except for very clear grounds of economic-demographic-social characteristics such as class, age, and marital/family status. These characteristics are closely connected to gender equality issues and discrimination due to gender. Discrimination due to ethnicity, race, sexual orientation, disability, and religion is separated from gender issues in policy, academic, and civil society texts. In general, discourse on multiple discrimination is largely absent on the political, academic, and civil society levels. Each ground of inequality is treated separately without any attempts to merge and analyse the interactions between them.

6. Identifying changes and the relevance of different forms of intersectionality

Intersectionality is not a primary concern in Lithuanian gender+ equality policies. The chapters above in this report have demonstrated that the government and the majority of civil society groups separate inequalities instead of merging them. The main focus is on different inequalities and discrimination due to separate grounds such as gender, age, disability, ethnicity/race, and sexual orientation. The anti-discrimination legislation and policy documents, however, do not indicate that there is any interest in or special focus on the intersections of these inequalities.

The issue history and country context report (*Deliverable No. 19. Timelines of Policy Debate: Lithuania* and *Deliverable No. 41. WHY Country Context Study: Lithuania*) suggest that intersectionality has been opposed by feminist politicians and women's rights NGOs since the beginning of the 2000s.⁷¹ In 2002, Parliament's Human Rights Committee drafted the law on Equal Opportunities. Parliamentarians argued that the law was necessary to harmonise Lithuania's legislation with EU directives on Race 2000/43/EB and Employment 2000/78/EB. Moreover, the parliamentarians argued that the Human Rights Committee received many letters and questions on discrimination on the grounds of age, disability, ethnicity, and sexual orientation and that these also had to be addressed by legal acts. The new law on Equal Opportunities expanded the mandate of the Office of the Ombudsperson to include all types of discrimination.⁷² However, some women parliamentarians and women's NGOs were opposed to eliminating the gender aspect from the new law on Equal Opportunities. In her petition to women's NGOs, parliament member Purvaneckiene raised the danger of ignoring women's rights and gender equality, because discrimination against gender would be considered less important than other forms of discrimination.⁷³ Her petition was supported by several women's NGOs,⁷⁴ but it was not enough to prevent the adoption of the Law on Equal Opportunities in 2003, which has been enforced since 2005.⁷⁵ Intersectionality is not considered by conservative women's NGOs and they continue withdrawing intersecting relationships between various vulnerable groups from their discourse and agenda in 2007- the Year of Equal Opportunities for All. Some conservative activists of women's NGOs argue that as long as women's issues remain unresolved, other inequalities cannot be addressed (their statements are particularly targeted toward sexual minorities' rights).

The government of Lithuania also separates inequalities in policy action plans. Since 2003, the National Programme on Equal Opportunities for Women and Men has mainly addressed the issues of women's unemployment, reduction of

⁷¹ LYGIŲ GALIMYBIŲ MANDATO PLĖTRA <http://www.lygus.lt/mp/article.php?id=118>

⁷² Exemplary Note on the Draft law on equal opportunities http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_l?p_id=194018&p_query=&p_tr2=

⁷³ 2003 03 27 Laiškas moterims dėl Lygių galimybių įstatymo <http://www.lygus.lt/mp/article.php?id=180>

⁷⁴ Atsakymas į G.Purvaneckienės laišką moterims <http://www.lygus.lt/mp/article.php?id=183>
Siūlymas <http://www.lygus.lt/mp/article.php?id=184>

⁷⁵ Law on Equal Opportunities. 18 November 2003 No IX-1826)

women's vulnerability, and economic-social exclusion due to pregnancy, maternity, and child care duties. The programme includes raising awareness on women's human rights and reduction of violence against women and improving reproductive health among women. Thus intersection within the gender equality action plan mainly occurs along class and marital/family status. In 2006, the government adopted the National Antidiscrimination Programme 2006-2008 which covers such inequalities as ethnicity, age, disability, religion, and sexual orientation in gender-neutral terms.

Separation of the inequalities is evident in the cooperation between the government and NGOs. The Intergovernmental Commission on Equal Opportunities for Women and Men invites only women's NGOs for consultations on the issues of gender equality policies. Other policy issues on ethnic minorities, disability, and youth are covered by separate governmental and non-governmental bodies. For example, the Council of Ethnic Communities is a deliberative body in the Department of National Minorities and Lithuanians Living Abroad. Youth NGOs cooperate with the Department of Youth under the Ministry of Social Affairs and Labour, and the NGOs dealing with disability collaborate with the Department on Affairs of Disabled People under the Ministry of Social Security and Labour. Sexual minorities, elderly people, and, to some extent, religious minorities, are not covered officially by any governmental body. Usually the cooperation of NGOs from these groups takes place either within the general Equal Opportunity Department at the Ministry of Social Affairs and Labour or the Office of the Ombudsperson for Equal Opportunities.

As it was argued in chapter 2, the Lithuanian academic literature does not cover the issues of intersectionality and mainly researches the separate grounds of inequalities without the possibility of analysing the potential forms of intersection. Only a few human rights organizations have started to address the issue of multiple discrimination. Their activities were encouraged by the EU campaign *For Diversity, Against Discrimination* and the European Commission's initiatives calling for more effective measures to combat discrimination against any grounds under the *2007 Year of Equal Opportunities For All* campaign.

In sum, it should be noted that gender equality policies in Lithuania from 1995 to 2007 did not include analysis about other grounds of inequalities. Rather the policies of gender equality were separated from other inequalities and continued to be treated under separate national programmes, governmental, and nongovernmental bodies. Lithuanian academia also follows a similar trend and deals with inequalities separately.

7. Conclusions

The project Quality of Gender+ equality policies (QUING) raises ambitious questions to find out what gender equality means in practice in the national policies and regarding the quality of these current policies, especially in terms of their transformative potential and their attention to other inequalities. This report tried to identify the relationships between gender inequalities and inequalities originating in ethnicity, class, religion, age, and sexuality. In order to analyse these relationships, the project is based on frame and voice analysis where frame defined by Verloo is identified as the policy formation process in which the problems are formulated and the solution is proposed. Frame analysis provides the possibility to analyse the complexity of the formation of gender and equality policy processes. In Lithuania, this process relies heavily on international actors and national civil society voices in shaping and transforming the national policies and conservative voices that oppose and block gender equality policies. These contested voices within civil society and political circles show different understandings and interpretations of gender equality as a separate issue. The research also has demonstrated the power relations that intersect and construct the separateness of other grounds of inequalities, the hierarchy of inequalities, and the ignorance of the gender machinery in recognising the intersection of inequalities.

In Lithuania the gender equality law was adopted in 1998, while the equal opportunities law took effect in 2005. These two laws separated gender and other grounds of inequalities legally and institutionally. Each inequality has been treated separately by officials and advisers of the Office of Ombudsperson, on the one hand, and Ministry of Social Security and Labour on the governmental level, on the other. Gender is treated as a separate axis independent from other equality grounds. Intersectionality is hardly approached by the gender machinery.

Academic research has followed a similar trend by approaching gender as a separate object for investigation. Lithuanian academia treats the other inequalities, such as ethnicity/race, age, disability, and religion, as independent and consequently neglects consideration of any intersectionality.

Analysis of policy documents and civil society texts shows that the main intersections that do occur are between gender and class, gender and age, and gender and marital/family status. These intersections are evident in all four issues investigated under the QUING project, namely: general gender equality, non-employment, intimate citizenship, and gender based violence. Only one civil society text targeted intersectionality between gender and ethnicity by posing the problem of the possible double discrimination of ethnic minority women within the context of structural inequalities in the labour market. Intersectionality along gender and sexuality continues to be a contested issue for both policy actors and civil society. Both actors neglect the problems of discrimination against sexual minorities. Policy actors (conservative and populist parties such as the Peasants Populists' party, the

Labour Party, and the Party of Order and Justice) have adopted a traditional family discourse after Lithuania had joined the EU. The preservation of the traditional family has been interwoven into the discourse of the Lithuanian nation. Any diversity in the form of the family and control over fertility is often interpreted as a threat to the Lithuanian nation and statehood. As a result, policies on the family in Lithuania discriminate against unmarried homosexual couples, stigmatise single motherhood, deepen the poverty of single parents (usually single mothers) after divorce, and limit women's reproductive rights.

An analysis of tensions and debates between state and civil society in formulating the hierarchy of inequalities shows the weakness of civil society to oppose the political debates and approach the issue of multiple discrimination. It also shows their dependence on the state in terms of resources, which leads them to mute their criticism of the state. Civil society in Lithuania, as this report suggests, generally deals with and defends separate grounds of inequality. Only on rare occasions does civil society attempt to raise the issue of multiple discrimination. This draws attention to the context of Lithuania: the low social status of non-governmental institutions and majority society's limited understanding of and meagre support for the issue of anti-discrimination. This situation, to a large extent, depends on stereotypes about the social movement either as being the legacy of socialism (in the case of trade-unions, for example) or as imposing alien Western norms (in the case of the women's movement and protection of sexual minority rights, for example).

Gender-based violence in Lithuania is not covered under the general issue of gender equality. In policy documents, it is incorporated within the context of the violation of human rights. Civil society texts address gender based violence more explicitly in the general context of structural inequalities in Lithuania. Intersectionality along gender, age, and class is most evident, while ethnicity/race and religion is completely missing.

In sum, this report on intersectionality in Lithuania suggests that gender equality and equal opportunity policies are not of primary importance in Lithuania's policies. Each inequality tends to be treated separately and independently without thinking and theorising about the intersection of different inequalities. Consequently, gender equality policies in Lithuania do not manifest the transformative potential in covering the other inequalities originating in ethnicity, disability, religion, age, and sexuality. Equality policies in Lithuania are built around the hierarchy of gender over ethnicity, disability, religion, age, and sexuality.

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