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**LAW OF THE REPUBLIC OF LITHUANIA ON
EQUAL OPPORTUNITIES FOR WOMEN AND MEN**

in 1998 December 1 No. VIII-947
Vilnius

**CHAPTER I
GENERAL PROVISIONS**

Article 1 . Purpose and application of the law

1 . The purpose of this law is to ensure that the equal rights of women and men enshrined in the Constitution of the Republic of Lithuania are implemented, and to prohibit any discrimination based on a person's gender, especially when it is related to family or marital status.

2 . This law does not apply in the areas of family and private life.

3 . This law aims to ensure the application of the European Union legislation specified in the annex to this law.

Article 2 . Basic concepts of this law

1 . **Discrimination** - direct or indirect discrimination, sexual harassment, harassment, instruction to directly or indirectly discriminate against persons on the basis of gender.

2 . **Equal opportunities for women and men** is the implementation of human rights enshrined in international human and citizen rights documents and the laws of the Republic of Lithuania.

3 . **Violation of equal rights of women and men** - discrimination based on gender. The fact that a person rejects or submits to behavior that violates the equal rights of women and men cannot influence decisions concerning that person.

4 . **Indirect discrimination** is an action or inaction, legal norm, evaluation criteria or practice, which are formally the same for women and men, but when implemented or applied, persons of one sex may find themselves in a certain less favorable position than persons of the other sex, unless this action or inaction, legal norm, evaluation criterion or practice is objectively justified by a legitimate goal, and this goal is pursued by appropriate and necessary means.

5 . **Harassment** is unwanted behavior that is intended to offend or violate a person's dignity because of a person's gender and is intended to create or creates an intimidating, hostile, humiliating or offensive environment.

6 . **Sexual harassment** - unwanted offensive, verbal, written or physical behavior of a sexual nature towards a person, when such behavior is determined by the purpose or its effect of harming the dignity of the person, especially by creating an intimidating, hostile, humiliating or offensive environment.

7 . **Direct discrimination** is less favorable treatment of a person on the basis of gender than another person is, has been or would be treated in similar circumstances.

ARTICLE 3 . Burden of proof

When examining complaints and statements of natural persons in courts or other competent institutions, as well as disputes between persons regarding discrimination on the basis of gender, it is

presumed that there was a fact of direct or indirect discrimination. The complained person must prove that the principle of equal rights has not been violated.

CHAPTER II IMPLEMENTATION OF EQUAL RIGHTS OF WOMEN AND MEN

Article 4 . It is the duty of state and municipal institutions and bodies to implement the equal rights of women and men

1 . State and municipal institutions and institutions must:

1) to ensure that equal rights of women and men are enshrined in all legal acts prepared and adopted by them;

2) prepare and implement measures to ensure equal opportunities for women and men;

3) to support the programs of public institutions, associations and charitable foundations, which help to realize equal opportunities for women and men, in accordance with the procedure established by law;

4) not to violate the equal rights of women and men when providing administrative or public services.

2 . State institutions provide measures for ensuring equal opportunities for women and men in strategic planning documents. Municipal institutions provide measures for ensuring equal opportunities for women and men in the municipality's strategic development plan and /or in the municipality's strategic activity plan.

Article 5 . It is the duty of educational institutions, research and study institutions to implement the equal rights of women and men

1 . Educational and scientific institutions must:

1) to ensure equal conditions for women and men in admission to vocational training institutions, higher schools, raising qualifications, developing professional skills and providing practical work experience;

2) to ensure equal conditions for women and men when awarding scholarships and providing credits for studies;

3) to ensure equal conditions for women and men in the selection and selection of educational programs;

4) to ensure equal conditions for women and men in evaluating knowledge;

5) to ensure that pupils, students and employees of educational institutions, research and study institutions do not experience sexual harassment;

Amendments to the clause of the article:

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6) take measures so that pupils, students or employees of educational institutions, research and study institutions, who testify or provide explanations about discrimination, are protected from hostile behavior, negative consequences and other persecution when responding to a complaint or to another legal procedure regarding discrimination.

2 . According to their competence, educational and scientific institutions must ensure that curricula and textbooks do not promote discrimination between women and men.

Article 6 . It is the duty of the employer or the employer's representative to implement the equal rights of women and men at work

In implementing the equal rights of women and men, the employer or the employer's representative must:

1) apply uniform selection criteria and conditions when hiring or transferring to a higher position, except for the case specified in Article 10, point 5 of this law;

2) create equal working conditions, opportunities to raise qualifications, requalify, gain practical work experience, as well as provide equal benefits;

3) to pay equal wages for work of the same or equal value, including all additional earnings paid to the employee in any way by the employer or the employer's representative for the work performed by him;

4) ensure that a person seeking employment or an employee does not experience harassment and sexual harassment;

Amendments to the clause of the article:

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5) take measures so that the employee, employee representative, employee testifying or providing explanations regarding discrimination are protected from hostile behavior, negative consequences and other persecution when responding to a complaint or to another legal procedure regarding discrimination.

Article 7 . Implementation of equal opportunities for women and men in the field of consumer rights protection

A seller of goods, a manufacturer or a service provider, in implementing the equal rights of women and men, must:

1) to apply the same payment conditions or guarantees to all users, regardless of their gender, for the same products, goods and services of the same value;

2) when providing users with information about products, goods and services or advertising them, ensure that it does not express humiliation, disparagement or restriction of rights or granting of privileges due to a person's gender and does not form public attitudes that one gender is superior to another;

3) ensure equal conditions for purchasing goods and services and using them, without discriminating against persons on the basis of gender, including a less favorable attitude towards women due to pregnancy and childbirth and breastfeeding, except for the case specified in Article 10, Clause 8 of this Law.

ARTICLE 8 . Prohibition of discrimination based on gender in organizations and associations

It is prohibited to discriminate on the basis of gender in the admission to employees, employers' organizations or other organizations (associations) whose members have a certain profession, participation in the activities of the organizations (associations), including the benefits provided by these organizations (associations).

Article 9 . Prohibition of discrimination based on gender in social security systems

1 . It is prohibited to discriminate against persons on the basis of gender in determining and applying social security provisions, including in systems replacing or supplementing the state social insurance system (hereinafter referred to as social security provisions):

1) determining the possibilities of participation in social security systems and their use;

2) determining contributions and their amounts;

3) determining benefits, including additional benefits for spouses and dependents, as well as determining the duration of the right to benefits and the preservation of this right.

2 . Discrimination is prohibited in the establishment and application of social security provisions in the case of sickness, disability, old age, including early retirement, accidents at work and occupational diseases, unemployment, and social security provisions providing for any social benefits, including widow's and orphans' pensions, benefits and material benefits

3 . The prohibition of discrimination on the basis of gender applies to employed persons, including self-employed persons, persons who have stopped working due to illness, maternity, accident or forced unemployment, as well as to jobseekers, pensioners, disabled workers and persons entitled to claim benefits on their behalf.

CHAPTER III VIOLATION OF EQUAL RIGHTS OF WOMEN AND MEN

Article 10 . Actions that violate the equal rights of women and men

Any actions or other behavior that discriminates against a person on the basis of gender is considered a violation of the equal rights of women and men, except in cases where:

- 1) special protection of women during pregnancy and childbirth and breastfeeding is applied;
- 2) different cases of military service are established for men and women;
- 3) different retirement ages for women and men are applied, with the exception of occupational pension systems;
- 4) requirements for physical fitness, occupational safety and health at work are applied to women, which, taking into account the physiological characteristics of women, aim to preserve their health;
- 5) certain work is performed, which can only be performed by a person of a specific gender, when due to the nature of specific types of professional activity or due to the conditions of their performance, gender is a necessary (unavoidable) and decisive professional requirement, this treatment is legal and the requirement is appropriate (proportional);
- 6) special temporary measures established by law, which are applied in order to speed up the consolidation of actual equality between men and women and which must be canceled after the implementation of equal rights and equal opportunities for women and men;
- 7) different procedures and conditions for the execution of certain punishments are applied;
- 8) the sale of goods or the provision of services exclusively or primarily to persons of one gender is justified by a legitimate purpose, and this purpose is pursued by appropriate and necessary means.

Article 11 . Actions by the employer or the employer's representative that violate the equal rights of women and men

The actions of the employer or the employer's representative are recognized as violating the equal rights of women and men if, due to the gender of the person:

- 1) applies less (more) favorable terms of employment, transfer to other positions or payment for work of the same or equal value to the person;
- 2) when organizing work, creates worse (better) working conditions for the employee;
- 3) changes working conditions, transfers the employee to another job or terminates the employment contract concluded with him;
- 4) persecutes an employee, an employee's representative, an employee who testifies or provides explanations regarding a complaint or other legal procedure regarding discrimination;
- 5) does not ensure that a person seeking employment or an employee does not experience harassment and sexual harassment.

Amendments to the clause of the article:

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Article 12 . Actions of educational institutions, scientific and study institutions that violate the equal rights of women and men

The actions of educational institutions, scientific and study institutions are recognized as violating the equal rights of women and men, if, due to a person's gender:

- 1) different requirements and conditions are applied when accepting to learn or study, preparing teaching and study programs, evaluating knowledge, raising qualifications, developing professional skills or providing practical work experience;
- 2) different options for teaching subjects are determined;
- 3) pupils, students or employees, representatives of pupils, students or employees who testify or provide explanations regarding a complaint or other legal procedure regarding discrimination are persecuted.

Article 13 . Actions by the seller, manufacturer or service provider that violate the equal rights of women and men

The actions of the goods seller, manufacturer or service provider are recognized as violating the equal rights of women and men, if due to a person's gender, including a less favorable attitude towards women due to pregnancy and childbirth and breastfeeding:

- 1) different payment conditions or guarantees are applied for the same goods, services and products of the same value or different options for choosing goods and services are established;
- 2) when informing about or advertising products, goods and services, public attitudes are formed that one gender is superior to the other, as well as consumers are discriminated against because of their gender;
- 3) persecuted person who filed a complaint about discrimination;
- 4) unequal conditions for purchasing and using goods and services are created, except for the case specified in Article 10, point 8 of this law.

ARTICLE 14 . Gender discrimination in organizations and associations

Any actions that hinder, due to gender, becoming a member or participating in organizations (associations) of workers and employers or other organizations (associations) whose members have a certain profession, including the benefits provided by such organizations (associations), are recognized as violating women and men equal rights.

Article 15 . Gender discrimination in social security systems

Any action or inaction, rule of law, assessment criteria or practice that hinders the establishment and application of equal conditions in the implementation of social security provisions is recognized as a violation of the equal rights of women and men, if due to a person's gender:

- 1) mandatory or optional participation in social security systems is determined;
- 2) the person's ability to participate in social security systems is limited;
- 3) different conditions are established regarding the preservation of deferred benefits when the employee withdraws from the social security systems, except for the cases specified in clauses 8 and 10 of this article;
- 4) different rules are established regarding the minimum period of participation in social security systems;
- 5) different rules are established regarding the return of contributions or the preservation of rights to benefits when the employee ceases to participate in social security systems, except for the cases specified in points 8 and 10 of this article;
- 6) different conditions for awarding benefits and limiting their receipt are established;
- 7) the rights (their acquisition) to the part of the funds accumulated on behalf of the participants for the periods of maternity (paternity) leave or other targeted leave related to family reasons are determined differently, when the leave is granted according to the law or the contract and contributions are paid by the employer during that period;
- 8) the amounts of social security benefits are determined, taking into account the different expected life expectancy of women and men as an actuarial criterion;
- 9) different amounts of participants' contributions are determined, with the exception of contributions for biometric risk insurance, when it is necessary to take into account actuarial calculation factors that differ depending on gender;
- 10) different amounts of contributions are determined, except for the amounts of contributions in the case of the defined contribution system, where the aim is to equalize the amount of final benefits for participants of both sexes as much as possible, and in the case of defined benefit systems, when the contributions are intended to ensure the sufficiency of the funds needed to cover the costs of the guaranteed benefits.

Article 16 . Discriminatory ads

It is prohibited to specify requirements that give preference to one of the sexes in advertisements for employment, civil service or education, except for the case specified in Article 10, Clause 5 of this law, to require information from jobseekers about their marital status, age (except for the cases provided for in this law), private life or family plans.

Article 17 . The rights of the person being discriminated against and the persons representing him

1 . A person who believes that he has been subject to the discriminatory actions specified in this section, or who has become the object of sexual harassment or harassment, has the right to apply for objective and impartial assistance to the Equal Opportunities Controller of the Republic of Lithuania (hereinafter - the Equal Opportunities Controller).

2 . Organizations of employees and employers or other legal entities with a legitimate interest, after receiving the written consent of a person, may represent him in judicial or administrative proceedings in accordance with the procedure established by law .

ARTICLE 18 . Damage compensation

A person who has experienced discrimination, sexual harassment or harassment on the basis of gender has the right to demand compensation for material and non-material damage from the guilty persons in accordance with the procedure established by law.

**CHAPTER IV
LAW ENFORCEMENT SUPERVISION**

Article 19 . Law enforcement supervision

1 . Supervision of the implementation of the Law on Equal Opportunities for Women and Men is carried out by the Equal Opportunities Controller.

2 . Complaints about violations of equal opportunities for women and men are submitted to the Equal Opportunities Controller.

3 . Complaints regarding violations of equal opportunities for women and men are investigated and decisions are made in accordance with the procedure established by the Law on Equal Opportunities of the Republic of Lithuania.

I announce this law adopted by the Seimas of the Republic of Lithuania.

VALDAS ADAMKUS, PRESIDENT OF THE REPUBLIC

the Republic of Lithuania
women and men
equal opportunities law
attachment

EUROPEAN UNION LEGISLATION IS IMPLEMENTED

1 . in 2004 December 13 Council Directive 2004/113/EC implementing the principle of equal treatment of women and men with regard to the access to goods and services and the supply of goods and services (OJ 2004 L 373, p. 37).

2 . in 2006 July 5 Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities for women and men and equal treatment of women and men in the field of employment and professional activities (new version) (OJ 2006 L 204, p. 23).

3 . in 2010 July 7 Directive 2010/41/EU of the European Parliament and of the Council on the application of the principle of equal treatment to self-employed men and women, which repeals Council

Directive 86/613/EEC (OJ 2010 L 180, p. 1).

4 . in 2014 April 16 Directive 2014/54/EU of the European Parliament and of the Council on measures to make it easier for workers to exercise their rights to free movement of workers (OJ 2014 L 128, p. 8).

Changes:

1.

Seimas of the Republic of Lithuania, Law

No. [IX-272](#) , 19 April 2001, Gazette, 2001, No. [39-1343](#) (May 9, 2001)

LAW AMENDING AND SUPPLEMENTING ARTICLE 26 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

2.

Seimas of the Republic of Lithuania, Law

No. [IX-443](#) , 10/07/2001, Gazette, 2001, No. [64-2328](#) (2001-07-25)

LAW ON STATE CONTROL, LAW ON THE COURTS, LAW ON THE CONSTITUTIONAL COURT, LAW ON THE WORKING CONDITIONS OF SEIMAS MEMBERS, LAW ON THE PROSECUTOR'S OFFICE, THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN, THE LAW ON THE PROTECTION OF CHILDREN'S RIGHTS AMENDMENT AND AMENDMENT ACT

3.

Seimas of the Republic of Lithuania, Law

No. [IX-956](#) , 18-06-2002, Gazette, 2002, No. [68-2761](#) (07/03/2002)

AN ACT AMENDING AND SUPPLEMENTING ARTICLES 1, 2, 3, 8, 12, 24 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN AND SUPPLEMENTING THE LAW WITH ARTICLES 5(1) AND 7(1)

4.

Seimas of the Republic of Lithuania, Law

No. [IX-1433](#) , 04/03/2003, Gazette, 2003, no. [38-1678](#) (24-04-2003)

LAW AMENDING ARTICLES 21 AND 24 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN
This Law enters into force together with the Criminal Code of the Republic of Lithuania (Official Gazette, 2000, No. [89-2741](#)) and the Code of Criminal Procedure of the Republic of Lithuania (Official Gazette, 2002, No. [37-1341](#)), ie from 2003 May 1st

5.

Seimas of the Republic of Lithuania, Law

No. [IX-1771](#) , 10/14/2003, Gazette, 2003, no. [104-4641](#) (11/05/2003)

LAW AMENDING ARTICLE 27 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

6.

Seimas of the Republic of Lithuania, Law

No. [IX-2346](#) , 13-07-2004, Gazette, 2004, no. [115-4280](#) (2004-07-24)

AN ACT AMENDING ARTICLE 1 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN, AMENDING THE LAW WITH ARTICLE 2(1) AND APPENDIX

7.

Seimas of the Republic of Lithuania, Law

No. [IX-2551](#) , 11/09/2004, Gazette, 2004, no. [171-6305](#) (11/26/2004)

LAW AMENDING THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN WITH ARTICLE 24(1)

8.

Seimas of the Republic of Lithuania, Law

No. [X-304](#) , 07/05/2005, Gazette, 2005, No. [88-3281](#) (2005-07-21)

LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN , 24, 24(1), 25, 26, 27, 28 ARTICLES AND APPENDIX AMENDMENT AND SUPPLEMENT ACT

9.

Seimas of the Republic of Lithuania, Law

No. [X-596](#) , 05/04/2006, Gazette, 2006, No. [57-2026](#) (20-05-2006)

ACT AMENDING AND SUPPLEMENTING ARTICLES 14, 23, 24 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN AND SUPPLEMENTING THE LAW BY ARTICLE 14(1)

10.

Seimas of the Republic of Lithuania, Law

No. [X-1380](#) , 12/18/2007, Gazette, 2007, no. [140-5755](#) (12/29/2007)

AN ACT AMENDING AND AMENDING ARTICLES 2, 3, 4, 5, 6, 7, 9, 12, 24, 27 AND THE APPENDIX OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN AND AMENDING THE LAW BY ARTICLES 5(2) AND 7(2)

11.

Seimas of the Republic of Lithuania, Law

No. [X-1631](#) , 19-06-2008, Gazette, 2008, no. [75-2923](#) (07/03/2008)

LAW AMENDING ARTICLES 3, 12, 13, 25 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN AND SUPPLEMENTING THE LAW WITH ARTICLES 5(3), 7(3)

12.

Seimas of the Republic of Lithuania, Law

No. [X-1779](#) , 2008-11-06, Gazette, 2008, no. [131-5029](#) (11/15/2008)

LAW AMENDING ARTICLE 26 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

13.

Seimas of the Republic of Lithuania, Law

No. [XI-336](#) , 14/07/2009, Gazette, 2009, no. [87-3665](#) (2009-07-23)

LAW AMENDING SECTION 12 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

14.

Seimas of the Republic of Lithuania, Law

No. [XI-1926](#) , 13/03/2012, Gazette, 2012, no. [36-1769](#) (2012-03-27)

AN ACT AMENDING AND AMENDING ARTICLES 2, 3, 6, 25 AND THE APPENDIX OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN, SUPPLEMENTING THE LAW BY ARTICLE 6(1)

15.

Seimas of the Republic of Lithuania, Law

No. [XI-2270](#) , 10/03/2012, Gazette, 2012, no. [119-5979](#) (10/13/2012)

LAW AMENDING ARTICLE 11 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

16.

Seimas of the Republic of Lithuania, Law

No. [XII-472](#) , 2013-07-02, Gazette, 2013, No. [79-3993](#) (2013-07-23)

LAW AMENDING AND SUPPLEMENTING ARTICLE 3 OF THE LAW ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

This law enters into force in 2014. October 1

17.

Seimas of the Republic of Lithuania, Law

No. [XII-1023](#) , 15-07-2014, published in TAR on 22-07-2014, until 2014-10423

LAW OF THE REPUBLIC OF LITHUANIA ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN NO. VIII-947
LAW AMENDING ARTICLES 4, 5, 6-1, 7 AND 22

Changes:

1.

Seimas of the Republic of Lithuania, Law

No. [XII-2431](#) , 16-06-2016, published in TAR 2016-06-27, until 2016-17706

Law of the Republic of Lithuania on equal opportunities for women and men no. VIII-947 Law on Amendment of Articles 5, 5-1, 6-1, 7-1, 7-3, 8, 9 and Annex

2.

Seimas of the Republic of Lithuania, Law

No. [XII-2729](#) , 11/03/2016, published in TAR 11/09/2016, until 2016-26509

Law of the Republic of Lithuania on equal opportunities for women and men no. VIII-947 Article 24 amendment law

3.

Seimas of the Republic of Lithuania, Law

No. [XII-2767](#) , 11/08/2016, published in TAR 11/17/2016, up to 2016-26966

Law of the Republic of Lithuania on equal opportunities for women and men no. Act to amend VIII-947

4.

Seimas of the Republic of Lithuania, Law

No. [XIII-364](#) , 11/05/2017, published in TAR on 24/05/2017, up to 2017-08723

Law of the Republic of Lithuania on equal opportunities for women and men no. VIII-947 Law amending Articles 5, 6 and 11