

Key words: youth rights, age based discrimination, youth unemployment, and mental health.

Introduction

Lithuania is a country which continues its efforts to ensure the fulfilment and protection of fundamental human rights to all its citizens. It has a strong institutional structure to ensure implementation of human rights standards including Governmental bodies and three Ombudsmen institutions for general competences, equal opportunities and children's rights. However, Lithuania still fails to ensure that young people (according to legislature a young person in Lithuania is an individual from 14 to 29 years old¹) would be able to fully enjoy fundamental rights which belong to them in the fields of employability and health care in particular. Therefore, this report will focus on the main areas which need to be improved regarding youth in Lithuania.

The right to work

Related to recommendation 88.10. Reinforce the Ombudsman on Equal Opportunities, including through providing this office with adequate funding in order to ensure its compliance with international standards in this regard (Algeria)

The Law on Equal Treatment in Lithuania requires governmental institutions to draft and implement the programmes and measures, designated for ensuring equal treatment regardless of age, sexual orientation, disability, racial or ethnic origin, religion or beliefs², and furthermore, the EU Employment Equality Directive prohibits age-based discrimination in employment and occupation³. However, young people in Lithuania still experience age-based discrimination while looking for a job. Some job advertisements as one of the requirements indicate age criteria which closes the door for younger people to apply for the position even though the position itself might not require years of experience, especially entry level jobs e.g. "we are looking to hire an education manager assistant, not younger than 24 years old", "required clothing seller, not younger than 30 years old", or "in Vilnius city looking for people in removal field. Desired age is from 23 to 45"⁴. Age is not always an indicator for certain skills- while still being in school or university young people start various activities in youth organizations, youth centres, extra-curricular classes and have a colourful range of valuable experiences. Even though Lithuania took steps in order to strengthen institution of the Ombudsman on Equal Opportunities it still has neither capacity nor authority in Lithuania in terms of examining and preventing age-based discrimination of young people in the labour market, leaving them as a result in a less favourable position than older people applying for the same positions.

The 'Support for the first job' initiative that was implemented from 2012 to 2015 (funded by the European Union) providing partial compensation for the salaries paid by employers to young people

¹ Republic of Lithuania, "Law on Youth Policy Framework", definition of a young person, Vilnius, 2003, <<http://www.youthforum.org/assets/2014/10/Lithuania-EN-law-on-youth-policy-framework.pdf>>, [Accessed 2016 03 06].

² Law on Equal Treatment, Nr. IX – 1826/2003 (in force since 2005) (amended by Law Nr. X-1602/2008 07 05), Article 3, <http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_127927.pdf>, [Accessed 2016 03 06].

³ Directive 2000/78/EC – <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML> [Accessed 2016 03 18]

⁴ European Foundation of human rights, 2014<<http://en.efhr.eu/2014/09/24/discrimination-in-advertised-vacancies/>>, [Accessed 2016 01 28], report of Equal Opportunities Ombudsman, 2014, <<http://www.lygybe.lt/data/public/uploads/2016/01/lgkt-ataskaita-2014.pdf>>, [Accessed 2016 02 15].

Universal Periodic Review, 26th Session: Lithuania

employed for the first time and for no longer than 12 months⁵ did not contribute much to reducing age-based discrimination against young workers. This initiative applies only for the first job which creates additional shortages- if a person once got a job under this programme for a short term employment e.g. unqualified summer time job, he or she cannot use programme's benefits for the first job related to education or specialization the one has received as you only can use it once. Moreover, quite a small number of organizations asked for this kind of support⁶ due to difficult administrative procedures which not all of the potential employers are willing to go through.

According to Article 23 of the Universal Declaration of Human Rights (UDHR), "Everyone, without any discrimination, has the right to equal pay for equal work (2)"⁷. In Lithuania it is still common that young people are not always paid equally for the same job as their older colleagues⁸. Because of the struggle to find a job young people are more eager to work for a lower salary than a position would normally require. There are no smoothly working mechanisms to ensure that young people would not be underpaid.

Lithuania has yet to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. This was recommended during the review in 2011⁹ and Lithuania took it into consideration. It could motivate the state to strengthen national monitoring as more attention should be given to ensuring fair access to the labour market, avoiding any forms of discrimination, but especially age-based discrimination which so often applies to the cases of young people in Lithuania.

Recommendations:

- 1. Accept and implement the recommendation to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, as recommended Lithuania's 1st UPR Cycle Review.**
- 2. Ensure sufficient financial and human resources to perform the monitoring function to the Ombudsman on Equal Opportunities to efficiently address age-based discrimination of young people in the labour market.**
- 3. Focus the programme "Support for the first job" not on a first job as such but on education or specialization related jobs that would provide a person with future benefits pursuing a desired career path and lessen administrative procedures and requirements for potential employers in order to encourage them to apply for the support more actively.**

⁵ Lithuanian Labour Exchange Under the Ministry of Social Security and Labour, 2013, <<http://www.ldb.lt/informacija/veikla/naujienos/UserDisplayForm.aspx?ID=6750>>, [Accessed 2016 01 28].

⁶ Invega, <<http://archyvas.invega.lt/lt/statistika/parama-pirmajam-darbui.htm>>, [Accessed 2016 01 29]. during the period of four years when it was in place 2600 organizations which employed 19,7 thousand young people applied for compensation.

⁷ The Universal Declaration of Human Rights, <<http://www.un.org/en/universal-declaration-human-rights/>>, [Accessed 2016 02 03].

⁸ There is no coherent data available specifically on Lithuania, however, according to data provided by the Organisation for Economic Co-operation and Development young workers belonging to member states of OECD aged 15-24 earned on average around 62 per cent the wages of older workers. In Damian Grimshaw, "At work but earning less: Trends in decent pay and minimum wages for young people", 2014, <http://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/publication/wcms_340067.pdf> [Accessed 2016 03 19].

⁹ Recommendation by Spain, 90.3, Report of the Working Group on the Universal Periodic Review

These recommendations correspond with Goal 8 of the Sustainable Development Goals (SDGs) on good jobs and economic growth. More specifically, they correspond with the following target which Lithuania should be encouraged to implement:

- 8.5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value

Right to the highest attainable health care (including mental health)

Lithuania is a country with one of the highest suicide rates in the EU and the whole world¹⁰, each year in Lithuania approximately 150 young people commit suicide¹¹, and among them almost 30 are children under 18 years old. According to HBSC (Health Behaviour in School Aged Children) in Lithuania in 2014 in a group of 15 years old teenagers, 11, 2% of boys and 20, 8% of girls didn't feel happy. Among the main reasons listed are stress, intense living style, bad mood and feeling down. The number referred is several times higher than the average statistics within the European Union¹². Despite the fact that the number outlines a dramatic situation in Lithuania, there is still no coherent theory and good practices based nationwide suicide prevention strategy, no ensured psychological services for the ones belonging to risk groups, and the ones available are not put into one system¹³. The infrastructure of mental health of children and youth is fragmented, human and financial resources are not sufficient and the treatment is too much based on medicaments¹⁴. A number of non-profit organizations that assist young people belonging to risk groups are forced to work mainly on voluntary basis because they do not receive continuous long-term financial support. Organizations apply for grants but as a number of them is very limited, administrative procedures complicated and there are even cases when decision depends on certain sympathies or antipathies organizations are never ensured with necessary funding which would ensure stability and quality of their activities.

Lithuania is party to the United Nations Convention on the Rights of the Child (CRC), which covers young people up to 18 years old. Despite this there is no efficient system providing appropriate mental health care for youth and children, and according to Article 24 of the CRC, State Parties "recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health". Mental health centres in Lithuania have full-time specialists working with children only when there are more than 100 000 people

¹⁰ Data Source: World Health Organization, Eurostat.

¹¹ The Institute of Hygiene, „Death reasons“, <http://stat.hi.lt/default.aspx?report_id=193>, [Accessed 2016 03 07]. According to the Hygiene institute, in 2014 in Lithuania 156 young people committed suicide (in 2013-186, in 2012-126, under 18 were 27 in 2014, 39 in 2013, 29 in 2012 and 18 in 2011).

¹² Ministry of education and science, „Jaunimo psichinė sveikata ir savižudybės“. Vilnius, 2013. <<http://www.nmva.smm.lt/wp-content/uploads/2012/12/Jaunimo-psichin%C4%97-sveikata-irsavi%C5%BEudyb%C4%97s>>, [Accessed 2016 01 29].

¹³ Mental health perspectives, „Lietuvos psichikos sveikatos strategijos ir savižudybių prevencijos alternatyvus priemonių planas 2016-2018 m.“ 2015, Vilnius, <http://www.perspektyvos.org/xinha/plugins/ExtendedFileManager/demo_images/AlternatyvusPlanas.pdf>. [Accessed 2016 02 05].

¹⁴ Mental health perspectives, „Lietuvos psichikos sveikatos strategijos ir savižudybių prevencijos alternatyvus priemonių planas 2016-2018 m.“ 2015, Vilnius, <http://www.perspektyvos.org/xinha/plugins/ExtendedFileManager/demo_images/AlternatyvusPlanas.pdf>. [Accessed 2016 03 07].

registered at a given centre.¹⁵ Therefore, in smaller communities a person working on a part-time basis cannot efficiently satisfy the needs of that community. The equal right to public services is not fully ensured in Lithuania given that the number of qualified professionals working with children and youth depends not on the existing needs but rather on the general number of registered people.

Recommendations

1. **Support access of children and young people to mental healthcare services by, inter alia, ensuring that the number of mental health specialists capable of working with children and young people in specialised centres is calculated not according the general number of patients but according to actual need and number of children and young people in the area.**
2. **Ensure that young people with mental health problems have access to the highest professional consultancies and treatment methods.**
3. **Ensure stable and continuous funding for non-profit organizations working with mental health issues in relation to young people and children.**

These recommendations correspond with SDG target 3.8: Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.

About the Contributing Organisations

Lithuanian Youth Council (LiJOT) is the biggest non-governmental, non-profit umbrella structure for Lithuanian national youth organizations and regional unions of youth organizations. LiJOT was founded on the 19th of September 1992. Currently LiJOT has 68 members (non-governmental youth organizations), and represents more than 200 000 young people in Lithuania.

Didžioji str.8-5, LT-01128 Vilnius, Lithuania. Contact person Rita Jonušaitė, international@lijot.lt, +37065955153, www.lijot.lt.

The **European Youth Forum (YFJ)** is an independent platform of 100 youth organisations in Europe, to which LiJOT is a full member. Founded in 1996 and bringing together National Youth Councils and International Non-Governmental Youth Organisations, YFJ represents the common interests of tens of millions of young people in Europe.

Rue de l'Industrie 10, 1000 BRUXELLES, Belgium. Contact person George-Konstantinos Charonis, george-konstantinos.charonis@youthforum.org, +3227937525, www.youthforum.org.

¹⁵ The United Nations Convention on the Rights of the Child, Article 24, <<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>>, [Accessed 2016 03 07].