

Making domestic violence against women a criminal offence – a Lithuanian case

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In Lithuania there is no specific legislation on domestic violence, no laws, which focus on the gender base of domestic violence, though 87 % of inhabitants recognize that violence exists in Lithuanian families. The statistical analysis done by women researchers and women's centres in 1997 and 2002 show that 2 out of 3 women have experienced physical, psychological and sexual violence from the men they live with. That 57 % of women are killed by men at home. 63,3 % of women stated that they suffered from physical and sexual violence, but only 10,6 % of them reported to the law enforcement institutions.

56 % of women complained of psychological violence, which so far is not considered as a criminal offence and is not included in the legislation of Lithuania, except threat. It is interesting to note, that 70 % of women in the maternity home expressed the wish to be consulted by a psychologist on the domestic violence. 17 % of women said that they had been forced to have sexual intercourse. Marital rape in Lithuania has not yet been recognized as a crime. According to the data, taken from the doctoral thesis, *Sexual violence and its effects on woman's reproductive health*, written in 2004 by a gynaecologist Kornelija Mačiulienė, from 20 % to 50 % of women are raped at home. 35 % of them do not report on this kind of violence, because women are ashamed and prefer suffering alone to public shame or still believe that husbands have their conjugal rights. The data taken from the Ministry of Interior Affairs for 2006 does not classify the peculiarities of violence. The given data reveals that 403 women were victims of sexual abuse, and 42 men. That 276 children were victims of sexual abuse, 87 % of them girls. And that 350 people were killed as victims of criminal offence. Here is no reference to victims of domestic violence.

In Lithuania only from 2 % till 20 % of victims of domestic violence dare seek help and address the state law enforcement institutions or women non-governmental organizations. Majority of women in Lithuania still lack self-awareness and self-confidence, sexual education and information on equal opportunities policy. 57 % of victims of domestic violence do not know where to look for help. 59 % of women know

nothing of the first judicial help in municipalities, 70 % of women have no information on the second judicial help when court states woman's status as a victim.

As a contradiction to the mentioned passivity of women in combating domestic violence, the divorce rate in Lithuania is one of the highest in the European Union: with 57 divorces out of every 100 marriages. Women are the initiators of the divorce. Urban women especially have courage to break from violent husbands and change the quality of their life. However, the registered data of divorce does not reflect the rate of separation of people who lived in cohabitation. In a country of radical catholicism, as Lithuania is, the attempt to pass the law of cohabitation had been stopped, as well as the amendment to grant the right to a cohabitating father to get fatherhood vocation for care of a child. The amendment, according to which a perpetrator is to leave the residence, also had been rejected.

Nowadays in Lithuania a severe fight has started among progressive and conservative politicians and citizens on the ground of The Concept of State Family Policy and The Law of Family Support prepared by the conservatives. Conservative forces, backed up by the Catholic church, identify marriage and family, suggest all kinds of social privileges and financial support only to married people and their children. If the Law of Family Support is adopted, victims of domestic violence may stay in the residence only for promised financial help for the family.

I would like to attract your attention to the fact that it is not so easy to convert into reality the democratic, gender equality, equal opportunities policies in the new member states of the European Union, where the catholic church strenghtens its grip of influence on the population, where the euphoria of getting political independence is waning and the problems of economical survival, deepening social differences, emigration become too evident.

Lithuanian parliamentarians have written the concept of The Law of Protection Against Domestic Violence. This concept has been included into the work programme of the Seimas and will be presented to the parliament on the 18th of October.

Though the government of Lithuania adopted *The State Programme of Equality between Women and Men* (2005-2009) and in 2006 adopted *The State Strategy and Plan of Actions for Lessening Violence against Women*, the country lacks comprehensive

research and statistical data on domestic violence and violence against women. There are not enough women shelters and women crisis centres in our country. Women NGOs do a great amount of work consulting victims of domestic violence, but for their work they do not get constant financial support from the government. Money comes only on a project basis. There is only one women help line in the country, financed by the state and three women shelters financially backed up by municipalities. Other shelters in the country are of the mixed kind; mothers with children are live together with asocial persons.

Lithuania still faces home terrorism, which is not defined as criminal offence. Lithuania still lives in a vicious circle of patriarchal mentality and domestic violence and of a strong influence of the Catholic church. Therefore, our working group decided to put into one law a multidimensional approach to domestic violence, to create measure that protect not only women but all members of a family and people who live in nonmarital cohabitation.

The National Association of Families and Parents wrote to the parliament an address, in which the working group that formulated the concept, is condemned for ruining the traditional family, for interpreting family as a space of evil. Lithuanian traditionalists and conservatively thinking people still consider that their home is their castle. The Association asked the parliamentarians to reject the concept. It means to reject one of the main values of the European Union.