



# Convention on the Rights of the Child

Distr.: General  
1 March 2012

Original: English

---

Committee on the Rights of the Child

## Consideration of the reports submitted by States parties under article 44 of the Convention

Consolidated third and fourth periodic reports of States  
parties due in 2009\* \*\*

### Lithuania

[25 February 2010]

---

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

\*\* The annex can be consulted in the files of the secretariat.

## Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction .....	1-6	4
Demographic characteristics .....	4-6	4
II. General implementing measures .....	7-26	5
III. Overview of the enforcement of the rights of the child by articles of the Convention .....	27-555	8
1. Definition of a child .....	27-28	8
Article 1 Definition of a child .....	27-28	8
2. General principles .....	29-85	8
Article 2 The principle of non-discrimination .....	29-45	8
Article 3 Best interests of the child .....	46-54	13
Article 6 The right to life and development .....	55-76	15
Article 12 Respect for the views of the child .....	77-85	18
3. Civil rights and freedoms .....	86-113	20
Article 7 The right to a name, nationality and parental care .....	87-92	20
Article 8 Preservation of identity .....	93-95	21
Article 13 Freedom of expression .....	96-97	21
Article 14 Freedom of thought, conscience and religion .....	98-99	21
Article 15 The freedom of association and peaceful assembly .....	100	22
Article 16 Protection of privacy .....	101-104	22
Article 17 Access to information .....	105-111	22
Article 37 (a) Prohibition of torture or other cruel, inhuman or degrading treatment or punishment .....	112-113	24
4. Family environment and alternative care .....	114-215	24
Article 5 Parental guidance .....	114-120	24
Article 18 Parental responsibilities and children care .....	121-128	26
Article 9 Separation from parents .....	129-137	28
Article 10 Family reunification .....	138-142	29
Article 11 Illicit transfer and non-return .....	143-151	30
Article 27 (para. 4) Recovery of maintenance for the child .....	152-162	32
Article 20 Children deprived of their family environment .....	163-175	35
Article 21 Adoption .....	176-184	39
Article 25 Periodic review of placement .....	185-187	41
Article 19 Protection from abuse, neglect or negligent treatment .....	188-215	43
5. Health and welfare .....	216-348	50

Article 23	Disabled children .....	216-256	50
Articles 6 and 24	Health and health services .....	257-296	57
Article 26	Social security .....	297-330	66
Article 27 (paras. 1-3)	Standard of living .....	331-348	73
6.	Education, leisure and cultural activities .....	349-411	77
Article 28	Education, including vocational training and guidance.....	349-371	77
Article 29	Goals of education.....	372-401	82
Article 31	Leisure, recreation and cultural activities.....	402-411	87
7.	Special protection measures.....	412-555	89
A.	Children in situations of emergency .....	412-450	89
Article 22	Asylum-seeking children.....	412-436	89
Article 38	Children in armed conflicts .....	437-450	93
B.	Administration of juvenile justice.....	451-462	96
Article 40	Juveniles in criminal proceedings .....	451-462	96
Article 37	Children deprived of liberty and imposition of punishments .....	463-472	100
Article 39	Physical and mental rehabilitation and social reintegration of the child.....	473-474	103
C.	Protection from exploitation, and physical and mental rehabilitation and social reintegration .....	475-527	103
Article 32	Protection from economic exploitation and child labour .....	475-487	103
Article 33	Use of narcotic and psychotropic substances .....	488-510	105
Article 34	Sexual exploitation and sexual abuse .....	511	109
Article 35	Child abduction, sale and trafficking.....	512-523	110
Article 36	Other forms of exploitation .....	524-527	112
D.	Article 30 Children belonging to a minority or an indigenous group.....	528-555	113

Annex to the Report on the Implementation of the United Nations Convention on the Rights of the Child

## Report on the implementation of the United Nations Convention on the Rights of the Child

### I. Introduction

1. In observance of article 44 of the United Nations Convention on the Rights of the Child acceded to by the Republic of Lithuania Government by Decree No. 11 of 8 January 1992 and ratified by Law No. I-983 of 3 July 1995 of the Seimas of the Republic of Lithuania, and having regard to Resolution No. 1540 of the Government of the Republic of Lithuania of 18 December 2001 Approving the Procedure of the Preparation and Submission of Reports on the United Nations Human Rights' Protection Conventions Acceded to by the Republic of Lithuania and of Establishment of Commissions, the Republic of Lithuania presents its consolidated third and fourth periodic reports on the Implementation of the United Nations Convention on the Rights of the Child (hereinafter referred to as "the Report").

2. The Report deals with measures undertaken by Lithuania between 2004 and 2008 for the purpose of implementation of the provisions of the United Nations Convention on the Rights of the Child and is aimed at providing an objective and comprehensive overview of the changes that took place in children's lives in Lithuania.

3. The Report has been developed in view of the general proposals adopted by the United Nations Committee on the Rights of the Child with regard to the periodic reports of Member States. Conclusions provided by the United Nations Committee on the Rights of the Child (CRC/LTU/CO/2) with regard to the second periodic report of Lithuania on the implementation of the provisions of the United Nations Convention on the Rights of the Child were also taken into account. The Report was prepared by joint effort of the Ministry of Social Security and Labour, the Ministry of Health, the Ministry of Culture, the Ministry of the Interior, the Ministry of Justice, the Ministry of National Defence, the Ministry of Education and Science, the Department of Statistics under the Government of the Republic of Lithuania, the Police Department under the Ministry of the Interior, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, the Drug Control Department under the Government of the Republic of Lithuania, the Lithuanian organisation for the protection of the rights of children "Save the Children", and the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania.

#### Demographic characteristics

4. Number of children. In early 2004, 775,200 children lived in Lithuania, accounting for 22.5 per cent of the entire population. By the start of 2008, this number had gone down to 673,800, totalling 20 per cent of the whole population.

5. Birth rate. Changes in the number of children and their proportion of the total population are caused by the birth rate and its changes. Since 2004, the birth rate has been steadily climbing – from 30,400 in 2004 to 32,300 in 2007. The total fertility rate increased from 1.26 to 1.35. Nearly a third of children are born out of wedlock. In 2007, compared to 2004, the share of children born to unwed parents went up from 28.7 to 29.2 per cent. Many children born out of wedlock are registered in accordance with a request from both parents.

6. According to the available statistical data, the traditional family is facing a crisis. Fewer people are getting married, divorces have become more frequent, and more couples prefer extra-marital life (see tables 1-9 of the annex to the Report).

## II. General implementing measures

7. The second periodic report of Lithuania on the implementation of the United Nations Convention on the Rights of the Child (CRC/C/83/Add.14), approved by Resolution No. 142 of the Government of the Republic of Lithuania of 9 February 2004, covered the main legislation governing the protection of the rights of children. One such legislative act is the Civil Code of the Republic of Lithuania adopted by Law No. VIII-1864 of 18 July 2000 and in force since 1 July 2001. Book Three of the Code is dedicated to family law.

8. In the reporting period, Lithuania adopted, amended or supplemented the legislation governing the protection of the rights of the child in the areas of social security education and health.

9. In the area of social security major attention was devoted to the reduction of child poverty and social exclusion through increasing financial assistance to families with very low incomes, also through expanding and improving the accessibility of social services to children. With the aim of establishing a uniform system of cash social assistance to low-income families and single residents and to tackle the family poverty problem, the Law of the Republic of Lithuania on Cash-Social Assistance to Low-Income Families and Single Residents (Law No. IX-1675 of 1 July 2003) came into effect on 1 January 2004. It ensures that families with children or single residents who, for genuine reasons, do not have the means to support themselves or to pay for public utilities receive cash social assistance, i.e. a social allowance and subsidies covering expenditure on heating as well as cold and hot water.

10. On 18 May 2004, a new version of Law No. IX-2237 of the Republic of Lithuania on Benefits to Children was passed to improve the system of assistance to families raising children. The provisions of the said Law govern public relations concerning State support to families raising children and children unattended by parents, establish the types of benefits to children and the amounts thereof as well as the categories of persons entitled to the benefits, and also define the conditions and procedure for granting and payment of such assistance as well as the funding sources.

11. Resolution No. 1350 of the Government of the Republic of Lithuania of 28 October 2004 approved the National Strategy for the Demographic (Population) Policy, which analyses the demographic problems, sets out the objectives of the key constituent parts of the demographic (population) policy (family welfare, public health and migration), its vision, State mission, as well as areas of activity for the period until 2015, and regulates the implementation of the strategy.

12. On 1 July 2006, the new Law of the Republic of Lithuania on Social Services came into force (Law No. X-493 of 19 January 2006). With a view to making social services accessible to the most vulnerable social groups, including children, paragraph 45 of the Procedure of Payment for Social Services, approved by Resolution No. 583 of the Government of the Republic of Lithuania of 14 June 2008, stipulates that long-term social care for children unattended by parents as well as for children at social risk shall be provided free of charge.

13. On 13 June 2006, Law No. X-686 of the Republic of Lithuania on Social Assistance for Pupils was adopted in order to reduce social exclusion of families raising children, to provide pupils with adequate nutrition at schools, to guarantee the same level of social assistance for pupils at schools of all founders and to ensure effective organisation of social assistance for pupils as well as proper use of State and municipal budget funds.

14. Order No. A1-195 of the Minister of Social Security and Labour of 17 July 2006 amended the Procedure of Granting Authorization to Foreign Institutions to Act in Respect of Intercountry Adoption in the Republic of Lithuania. As of 1 August 2006, the applications of foreign institutions for authorization to act in respect of intercountry adoption in the Republic of Lithuania shall not be accepted. The amended procedure also stipulates that, during a calendar year, a foreign institution having received an authorization to act in respect of intercountry adoption or the central adoption agency of the receiving country may lodge adoption requests of no more than two families (persons) with respect to a child (children) under six, except when the family wishes to adopt a child (children) with special needs.
15. On 28 June 2007, Law X-1238 of the Republic of Lithuania on Minimum and Medium Care for the Child was passed with the aim of establishing a system of minimum and medium child care measures in line with child rights and lawful interests as well as public safety requirements, intended for socialisation and education of a child with behavioural disorders as well as for the provision of social, pedagogical, psychological, special psychological, informational and other types of assistance, which would help a child to overcome the behaviour disorders and to develop the notion of a meaningful personal and public life. This Law sets out the principles of minimum and medium care, the measures of minimum and medium care, the fundamentals of and procedure for application, extension and modification and termination of these measures, also the main provisions for the application of the measures of medium care for children at socialization centres.
16. Order No. A1-145 of the Minister of Social Security and Labour of 28 May 2007 approved a new version of the Regulations of Temporary Child Guardianship (Care). This legislation solved the issue of assignment of the legal representative of a child when parents depart temporarily to work in a foreign State. The Regulations of Temporary Child Guardianship (Care) state that parents who plan to take up temporary employment in a foreign country must contact a municipal child rights protection agency and specify a person who could provide care for the child while the parents are absent from Lithuania.
17. Order No. A1-121 of the Minister of Social Security and Labour of the Republic of Lithuania of 22 April 2008 approved the Guidelines for the Guardianship (Care) and Administration of the Property of a Child under Guardianship (Care) and for Acceptance of Succession.
18. Resolution No. 724 of the Government of the Republic of Lithuania of 16 July 2008 amended the Procedure of Temporary Departure of a Child to Foreign States, making the consent of one of the parents obligatory only when a child goes to foreign States outside the Schengen area.
19. Ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol is planned in 2009.
20. Resolution No. 392 of the Government of the Republic of Lithuania of 24 April 2008 approved the National Programme for the Prevention of Violence against Children and for Assistance to Children 2008-2012, which aims to provide for integrated measures for preventing violence against children in all its forms.
21. In the area of health care, a new version of the Law of the Republic of Lithuania on the Social Integration of the Disabled (Law IX-2228 of 11 May 2004) came into effect on 1 July 2005). The level of disability of children is determined by the Disability and Working Capacity Determination Service under the Ministry of Social Security and Labour of the Republic of Lithuania instead of the medical consulting commission of a health care institution, which performed this function previously.

22. One of the priorities of drug abuse prevention and drug control, as identified in the National Programme of Drug Control and Prevention of Drug Abuse for 2004-2008, approved by Resolution No. IX-2110 of the Seimas of the Republic of Lithuania of 8 April 2004, is primary prevention of drug abuse among children and youth. Primary prevention of drug abuse among children and youth is coordinated with the prevention of alcohol and tobacco use, based on harmonious development in the family, school and community through promotion of and support for community preventive projects carried out by the community.

23. In 2008, the Resolution of the Seimas of the Republic of Lithuania Approving the National Programme of Drug Control and Prevention of Drug Abuse for 2009-2016 was drafted and should be adopted in 2009. It provides for measures aimed at implementing drug prevention and development of the rehabilitation services for children suffering from addiction.

24. Implementation of the State Family Health Programme 2008-2010, approved by Order No. V-513 of the Minister of Health of the Republic of Lithuania of 29 May 2008 has commenced. Promotion of a network of baby-friendly hospitals, improvement of health care for pregnant women and women having given birth and strengthening of mental health of children and teenagers in family and community are envisaged.

25. In 2004-2008, the following legislative acts were adopted in the area of child health:

(a) Resolution No. 695 of the Government of the Republic of Lithuania of 8 June 2004 on the Approval of the List of Indicators of Statistical Information on Children. Collection of statistical information about children according to the indicators identified in the list began in 2005. One of these indicators is the number of children entered on a narcotics register by reason of alcohol or drug abuse or addiction;

(b) Resolution No. 351 of the Government of the Republic of Lithuania of 27 May 2004 Approving the Programme for the Year of Child Health. One of the objectives of the programme is to promote a healthy life-style for children through the mass media and to perform educational activities;

(c) Resolution No. 537 of the Government of the Republic of Lithuania of 17 May 2005 on the Approval of the Conception for the Provision of Medical, Psychological and Social Rehabilitation Services for Children Using Psychoactive Substances. The conception aims to ensure accessibility and quality of rendered medical, psychological and social rehabilitation services in order to improve child health, and to help them overcome psychological and physical dependence on psychoactive substances and integrate into society;

(d) Resolution No. 1407 of the Government of the Republic of Lithuania of 22 December 2005 on the Approval of Implementing Measures for 2006-2008 for the Conception for the Provision of Medical, Psychological and Social Rehabilitation Services for Children Using Psychoactive Substances;

(e) Resolution No. 1071 of the Government of the Republic of Lithuania of 2 October 2007 Amending Resolution No. 437 of the Government of the Republic of Lithuania of 2 April 2002 on the Approval of the Procedure of Early Identification of the Use of Psychoactive Substances by Children (Pupils). This procedure covers the organization of identification of children using narcotic, psychotropic and other psychoactive substances at primary, basic, secondary and vocational schools as well as child care establishments and public places.

26. In the area of education, the objective of ensuring effective education for children with diverse educational needs was pursued by establishing job positions for education assistance specialists at pedagogical-psychological services and at pre-school education

establishments in line with the Programme for Pre-school and Pre-primary Education Development for 2007-2012, approved by Resolution No. 1057 of the Government of the Republic of Lithuania of 19 September 2007. Almost 60 job positions for educational assistance specialists for a total of over LTL 600,000 were established in 2008. Fourteen (14) publications and 10 leaflets dealing with various aspects of the provisions of the United Nations Convention on the Rights of the Child were prepared.

### **III. Overview of the enforcement of the rights of the child by articles of the Convention**

#### **1. Definition of a child**

##### **Article 1**

##### **Definition of a child**

27. Pursuant to Lithuanian law, a person reaches his/her majority at 18 years of age. In certain cases, the law establishes additional guarantees for persons aged 18 or grants persons under 18 years of age the same rights and obligations as adults. These rights and obligations were thoroughly discussed in the second periodic report of Lithuania submitted in 2004.

28. On 22 June 2006, Law No. X-711 of the Republic of Lithuania Amending and Supplementing Articles 149, 150, 151, 162, 260, 265, 266, 307, 308 and 309 and Annex to the Criminal Code and Supplementing the Code with Article 151(1) was adopted. It adds another criminal activity to the Criminal Code, namely satisfaction of sexual desires by violating a minor's freedom of sexual self-determination and/or inviolability. This article also imposes criminal liability on legal persons for the said illegal acts. No such cases were registered in 2006 and 2008 and two were registered in 2007.

#### **2. General principles**

##### **Article 2**

##### **The principle of non-discrimination**

29. Article 29 of the Constitution of the Republic of Lithuania stipulates that all persons shall be equal before the law, the court, and other State institutions and officials. The rights of a human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions or views. This constitutional principle of equality and non-discrimination of all persons is enshrined in many other laws of the Republic of Lithuania governing various societal relations.

30. Adopted on 17 June 2008, the new version of Law No. X-1602 of the Republic of Lithuania on Equal Opportunities prohibits all types of direct and indirect discrimination on grounds of age, sexual orientation, disability, race, ethnicity, religion or beliefs, and provides for the methods of enforcement of equal rights. The Law on Equal Opportunities sets out the main definitions provided by European Union directives, obliges public and local authorities and bodies, institutions of education, research and studies as well as employers to enforce equal rights, and demands enforcement of these rights in the area of consumer protection. The law clearly identifies the acts of government, administrative, educational and research institutions, employers, salespeople, producers and service providers that violate the principle of equal opportunities.



31. In order to inform the public about the phenomenon of discrimination in Lithuania and its negative impact on the opportunities of different groups of society to enjoy equal conditions of participation in public activities as well as about the remedies enforcing equal rights, also to promote public tolerance, the National Anti-Discrimination Programme for 2006-2008, approved by Order No. 907 of the Government of the Republic of Lithuania of 19 September 2006, was implemented. Its goal was to reduce discrimination on grounds of age, sexual orientation, disability, race, ethnicity, religion or beliefs in all areas of public life and to promote public tolerance. The objective is pursued through the development of the legal framework, initiation of research, reviews and studies and organization of public information campaigns, seminars, training and other educative instruments. In implementing the National Anti-Discrimination Programme for 2006-2008, the Ministry of Social Security and Labour carried out the following measures in 2008:

(a) Conducted a scientific study “Evaluation and Comparative Analysis of Possible Forms of Discrimination Envisaged in the Law on Equal Opportunities of the Republic of Lithuania as well as of Public Tolerance towards Various Social Groups”. This study contains two programme measures (measure 2.1: to conduct a study on possible forms of discrimination not envisaged in the Law on Equal Opportunities, and measure 2.3: to conduct a study and a comparative analysis of public tolerance towards various social groups). The study was carried out by the Institute of Labour and Social Research in cooperation with the Centre of Ethnic Studies of the Institute for Social Research. The value of the study amounted to LTL 50,000. The study was presented at the conference “National Anti-discrimination Programme: Results and Prospects”. This study is also placed on the website of the Ministry of Social Security and Labour;

(b) Organized training for labour market institutions on the subjects of discrimination, equal opportunities in acquiring a profession, and other issues. The training was organized on the 21st, 22nd and 29th of May 2008. Methodological materials intended for training on the issues of equal opportunities in acquiring a profession or a job and on the issues of efficient functioning of a person and assessment of professional interests were prepared. Upon completion of the course, the participants were granted the right to use the Lithuanian Professional Interests Questionnaire and Scale of Efficiency of Functioning of a Person in consultative work. Forty-five (45) persons took part in the training;

(c) Organized training on the subject of equal rights and defence thereof for representatives of trade unions and non-governmental organizations. On April 13 and June 19 of 2008, the training was organized by the Office of the Equal Opportunities Ombudsman. Thirty-seven (37) persons took part in the training;

(d) Two programme measures (measure 4.5: to organize round tables of social partners, and measure 4.8: to hold a round table for the discussion and evaluation of programme implementation results) were combined and a conference, “National Anti-discrimination Programme: Results and Prospects”, in which 100 persons participated, was held on 26 November 2008. The conference discussed the programme’s results and the necessity to continue it. LTL 8,950 was spend for the implementation of the said two measures of the programme.

32. The principle of non-discrimination is enshrined by Article 4 (3) of Law I-1234 of the Republic of Lithuania of 14 March 1996 on Fundamentals of Protection of the Rights of the Child. According to the said provision, every child shall enjoy equal rights with other children and can not be discriminated against for reasons of his parents’ or other legal child representatives’ gender, age, nationality, race, language, religion, convictions, social, monetary and family position, state of health or any other circumstances.

33. When developing integration programmes and taking part in the formation of the State policy on national minorities, the Department of National Minorities and Lithuanians

Living Abroad under the Government of the Republic of Lithuania aims to enforce the principle of non-discrimination and to ensure that all children who belong to the national minorities have an opportunity to exercise their rights and that neither the children, nor their parents experience discrimination. Implementation of the measures of the Strategy for the Development of the Policy on National Minorities until 2015, approved by Resolution No. 1132 of the Government of the Republic of Lithuania of 17 October 2007, and the Programme for the Integration of Roma People into the Lithuanian Society for 2008-2010, approved by Resolution No. 309 of the Government of the Republic of Lithuania of 26 March 2008, is intended to ensure respect for the rights, to protect them from infringements and to enforce them. Additionally, measures have been taken to develop consciousness with the help of necessary appropriations from the State budget. Other resources to reduce inequality have also been generated.

34. To implement the principles of education of national minorities, Order ISAK-1630 of the Minister of Education and Science of the Republic of Lithuania of 1 August 2006 approved the Description of Guidelines for the Organisation of the Teaching of National Minority Languages at Schools of General Education; methodological materials for teaching the Polish, Russian and Belarusian languages as a mother tongue have been prepared; the programme and methodological material "Multicultural Education at Schools of General Education in Lithuania" were prepared; three seminars, one conference and one international qualification advancement event were organized.

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

36. Consistent attempts have been made to ensure equal rights to education for children. Order No. ISAK-1180 of the Minister of Education and Science of 22 June 2005 approved the Procedure of Pre-primary Education Organization. The objective of pre-primary education is to ensure the development of the child's personality through building an active child who is confident in himself and his own abilities, with a strong motivation for cognition, also to create the preconditions for further successful development in school. A pre-primary education group includes up to 20 children; a pre-primary education group for children of national minority families, where some or all children cannot speak Lithuanian but intend to study at Lithuanian schools, includes up to 15 children. The said procedure requires a pre-primary education pedagogue planning the educational activities of a group to individualize the goals and the content of education with regard to the general specificity of the group as well as to the individual needs of children and the peculiarities of the school and the region, because it is of utmost importance not to harm the individuality of a child and to contribute to the development of his abilities at a young age.

37. To develop a person motivated to lead a healthy life at schools or pre-school education establishments, various prevention programmes are implemented, effective methods to tackle the problems of bullying and violence at school and to build a safe school are sought (methodological tools for school administrations, pedagogues, social

pedagogues, psychologists; informational materials for children and parents on the manifestations of violence and prevention thereof, ways and sources of assistance; training for school teams through cooperation with non-governmental organizations). Over 2006-2007, additional positions for 261 assistant teachers, 116 special pedagogues and 28 psychologists were established at schools. Since schools are short of psychologists, they have been authorised to establish a position of assistant psychologist to increase the availability of such help. Schools employ over 1,000 social pedagogues.

38. The principle of equal opportunities for persons with special educational needs in the system of education has been laid down in the new version of the Law on Education (No. IX-1630) of the Republic of Lithuania of 17 June 2003. Special education is defined in Article 15 of the Law of Education, while its Article 22 states that persons with special needs must be provided with special educational and instructional tools and should receive the necessary special pedagogical and special assistance.

39. Order ISAK-2275 of the Minister of Education and Science of 23 November 2007 approved the Procedure of Accreditation of Qualification Advancement Programmes for School Principals, Assistant Principals, Heads of Divisions Organizing Education, Teachers and Pupil Assistance Specialists, which requires each general education teacher to acquire both theoretical knowledge and practical skills in the area of educating pupils with special needs if the teacher aspires to a higher qualification category.

40. Article 34 of the Law on Education stipulates that children with special needs are entitled to education in fully or partially integrated form at a pre-school and general education school located as close as possible to their homes or at a school implementing a special education programme. Children are educated and taught taking into consideration their abilities, inclinations and the physical and mental condition at schools of general education, at home or at special establishments. In 2005, the pupil's "basket" was increased 10 to 35 per cent in respect of pupils with special needs attending general education schools in order to ensure education of pupils with special needs at general education schools. Order No. ISAK-122 of the Minister of Education and Science of the Republic of Lithuania of 30 January 2007 approved Methodological guidelines for the calculation of the pupil's basket for pupils with special needs attending general school within the ordinary groups of pupils. Order No. ISAK-1780 of the Minister of Education and Science of the Republic of Lithuania of 30 August 2005 amended the Procedure of Providing Special Pedagogical Assistance, while Order No. ISAK-1680 of the Minister of Education and Science of the Republic of Lithuania of 22 August 2007 modified the Model of Providing Pedagogical and Psychological Assistance. Each year a tendering procedure is published inviting municipal pre-school and general education schools to compete for financial support to the establishment of the positions of teacher assistant, psychologist and/or special pedagogue. Four hundred and fifty (450) newly established positions of pupil assistance specialists received funding in 2006-2007. Order No. ISAK-1953 of the Minister of Education and Science of the Republic of Lithuania of 7 December 2004 approved the programme "*Geltonasis autobusas*" (Yellow Bus), which addresses transportation of pupils with special needs in 2005-2008. Resolution No. 896 of the Government of the Republic of Lithuania of 17 August 2005 approved the Programme for the Use of the Lithuanian Sign Language and the Provision of Interpretation Services for 2005-2008. In preparation for the publishing of a Lithuanian sign language dictionary, a database containing 7,000 Lithuanian sign language samples was built. Two (2) explanatory dictionaries for geography and chemistry in the Lithuanian sign language as well as a grammar textbook are being developed (in computer media). The methodological facilities of schools for the deaf have been improved: three special teaching aids were prepared and published, another two have been prepared for press. Sign language rooms have been established at 10 schools. A visual training programme in the basics of the Lithuanian sign language has been developed for users

without hearing impairments, and the programme will be distributed in computer media to 60 municipalities, 10 counties, social services and other institutions.

41. Order ISAK-65 of the Minister of Education and Science of the Republic of Lithuania of 15 January 2007 approved the Bilingual concept of education for the deaf and launched formal education of people with hearing and speech impairments.

42. Implementation of the Special Education Service Provision Programme, approved by Resolution No. 1475 of the Government of the Republic of Lithuania of 22 November 2004, which aims to improve the education and learning conditions for persons with special needs and guarantee them equal rights and opportunities in the education system, continues. Each year, the amount of LTL 3.3-3.8 million is allocated for the implementation of the programme. Four hundred and fifty (450) positions for teacher assistants, special pedagogues, speech therapists and psychologists have been funded. Thirty (30) minibuses adapted for the transportation of the disabled were purchased. Major attention was devoted to the development of the competence of pedagogues teaching children with special needs. Support was provided for the programmes of education centres.

43. In 2003-2005, disabled access ramps were installed and restrooms adapted for the disabled at 62 educational institutions. Elevators or lifts were installed at six educational institutions. All newly built schools have lifts, wheelchair access and restrooms adapted for the needs of people with disabilities. Special education methodological centres will be established within 10 special schools, the premises of 46 pedagogical-psychological services will be renovated, and 46 services will be provided with assessment methodology materials and computer equipment. LTL 160,000 in 2007 and LTL 280,000 in 2008 were allocated for teacher and school principal qualification advancement programmes developed by education centres to address the issues of organization of education for persons with special needs and the use of special equipment and teaching aids. Research into organisation of education for persons with special needs and into the use of special equipment and teaching aids was conducted.

44. The new version of the Law of the Republic of Lithuania of 1 January 2008 on Vocational Education and Training (Law No. X-1065 of 3 April 2007) launched changes in the system of vocational education and training. A uniform infrastructure of vocational education and training is now in place. Resolution No. 608 of the Government of the Republic of Lithuania of 18 June 2008 approved the Plan of Measures for Combining the Initial Vocational Education and Training with Labour Market Vocational Training, which are intended to increase the productiveness of use of the available infrastructure for primary and continuous education of youth and adults and to improve the flexibility and accessibility of vocational education and training. The new infrastructure is expected to contribute to a more effective use of the funds, and encourage employers and employees to invest in vocational education and training as well as life-long learning. Competence-based modular education, the apprenticeship training form, a qualification system ensuring continuity among the qualification levels, as well novelties in the ways of obtaining qualifications have been introduced. Work to improve the compliance of vocational education and training with the requirements of the national economy continues through reinforcement of partnership: companies accepting students of vocational education institutions for practical training are being certified, a model test centre has been prepared, employee representatives participating in final qualification exams receive training. Eleven (11) legislative acts implementing the said law have been drafted. Over the last three years, the share of pupils of vocational schools in relation to all students of the secondary education level has stabilized. Regular attention is devoted to adult education. Attempts are being made to find out the reasons why the European Union (EU) indicator on adult education is still low, especially in respect of the rural population and the elderly. More accessible forms of education, creating better opportunities and motivation are being

introduced: innovative adult education models have been developed and applied; distance education services are being developed; integrated measures for the development of adult education in municipalities have been tested in practice; in order to reduce the shortage of andragogical literature, 19 publications were published in the country (series “*Suaugusiuju švietimas*” (Adult Education)).

45. A system of vocational information, consulting and guidance is being developed and introduced. EU structural assistance has been helpful in drafting legislation governing vocational information and consulting as well as training programmes and methods, and in preparing teachers and vocational information consultants for the provision of vocational guidance services.

### **Article 3**

#### **Best interests of the child**

46. The Civil Code contains a provision that in the Republic of Lithuania the legal regulation of family relationships shall be based on the priority of protecting and safeguarding the rights and interests of children and other principles. The principle of the priority of protecting and safeguarding the rights and interests of the child means that both when adopting and applying legislation, and also when dealing with the issues not covered by the legislation, any decision or another act must be evaluated in the light of the interests of the child to make sure they are not infringed upon.

47. The main duty and responsibility for the implementation of the rights and for the protection of the interests of the child falls on the parents and guardians (caretakers). However, the public and local authorities also bear the responsibility for safeguarding the interests of children. In municipality territories, the main provisions of the United Nations Convention on the Rights of the Child are enforced by child rights protection agencies. Pursuant to the regulations governing their activities, the primary tasks of these services are to ensure protection of the rights of the child and enforce the laws and other legislative acts governing such protection, to develop and implement measures for the protection of the rights of the child and for infringement prevention improvement, to represent the rights and lawful interests of children in court, to protect their rights in their biological and guardian families as well as at child care institutions, to cooperate with the legal representatives of children in eliminating the circumstances resulting in the infringements of the rights of children, and to organize guardianship and adoption of children unattended by parents.

48. The following data illustrate the workload of municipal child rights protection agencies in safeguarding the rights of the child: in 2006, these services brought 1,792 civil actions in court (lodged statements, applications). In the course of civil proceedings, the services submitted 21,468 conclusions (certificates) to the courts. In 2006, the specialists of these services attended 17,549 hearings in civil proceedings. In the same year, these services submitted to the competent pre-trial institutions 151 statements regarding the crimes committed against minors and lodged with the said institutions and the courts 485 certificates and conclusions. They were also present at 3,839 inquiries concerning minors in the course of pre-trial investigation or during court proceedings. In 2006, the specialists of the services issued 390 reports on administrative offences, presented 217 certificates and conclusions and took part in 79 inquiries concerning minors in the course of administrative proceedings.

49. In 2007, municipal child rights protection agencies, representing the interests of children, brought 1,720 civil actions (lodged statements, applications) in court. In the course of civil proceedings, the agencies submitted 26,665 conclusions (certificates) to the courts. In 2007, the specialists of these agencies attended 18,118 hearings in civil proceedings. In the same year, these agencies submitted to the competent pre-trial institutions 60 statements regarding the crimes committed against minors and lodged with

the said institutions and the courts 367 certificates and conclusions. They were also present at 3,585 inquiries concerning minors in the course of pre-trial investigation or during court proceedings. In 2007, the specialists of the agencies issued 408 reports on administrative offences, presented 202 certificates and conclusions and took part in 149 inquiries of minors in the course of administrative proceedings.

50. In 2008, municipal child rights protection agencies brought 1,473 civil actions (lodged statements, applications) in court, presented 20,457 conclusions (certificates) in the course of civil proceedings, and attended 18,083 hearings in civil proceedings. In the same year, these services submitted to the competent pre-trial institutions 45 statements regarding crimes committed against minors and lodged with the said institutions and the courts 348 certificates and conclusions. They were also present at 4,124 inquiries of minors in the course of pre-trial investigation or during court proceedings. In 2008, the specialists of the municipal child rights protection agencies issued 562 reports on administrative offences, presented 147 certificates and conclusions and took part in 220 inquiries of minors in the course of administrative proceedings.

	<i>Civil cases</i>			<i>Criminal cases</i>			<i>Administrative cases</i>		
	<i>Actions (statements, applications)</i>	<i>Conclusions, certificates</i>	<i>Hearings</i>	<i>Statements</i>	<i>Conclusions, certificates</i>	<i>Inquiries</i>	<i>Reports on administrative offences</i>	<i>Certificates, conclusions</i>	<i>Inquiries</i>
2006	1 792	21 468	17 549	151	485	3 839	390	217	79
2007	1 720	26 665	18 118	60	367	3 585	408	202	149
2008	1 473	20 457	18 083	45	348	4 124	562	147	220

51. The principle of the best interests of the child, enshrined in article 3 of the United Nations Convention on the Rights of the Child, requires that only highly qualified specialists work in the area of child rights protection. The workload of the specialists of municipal child rights protection agencies is growing with every year and each time they face increasingly complex problems. Therefore, regular qualification advancement is necessary.

52. In 2005, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (hereinafter referred to as “the State Child Rights Protection and Adoption Service”), together with the Italian accredited adoption associations AMU, AAA and La Primogenita as well as the public institution “Socialinės tarnystės savanoriai” (Volunteers in the Social Service) implemented the project “Child Abandonment Prevention and Improvement of Social Integration in Lithuania”. One of its goals was to organize training for social workers working at child care institutions, specialists in municipal child rights protection agencies and their social partners. With the aim of familiarizing more extensively the employees of municipal child rights protection agencies, judges, bailiffs, attorneys, representatives of ministries and other concerned persons with international child rights protection developments, the Hague international private law conventions governing these issues and the procedures established therein, which help ensure representation of property and non-property rights of children and protection thereof and define the competence of the authorities responsible for the implementation of the said conventions, the State Child Rights Protection and Adoption Service, in cooperation with the Ministry of Social Security and Labour organized an international conference “Protection of Children within the Framework of the International Conventions in the Area of Custody and Adoption” in 2005.

53. In 2007-2008, seminars on the issues of family and child psychology, legal representation, international protection of child rights, prevention of violence against children and improvement of supervision of guardianship were organized for the specialists of municipal child rights protection agencies and their social partners. Each year specialists advance their qualification and gain experience on various issues. In 2008, nearly every specialist in municipal child rights protection agencies had an opportunity to attend training three times.

54. No. ISAK-1374 of the Minister of Education and Science of the Republic of Lithuania of 12 July 2007 approved the Procedure of Crisis Management at Schools, which covers crisis management at schools (except for schools of higher education), building of crisis management teams, definition of their functions, work organization, funding, and cooperation among the authorities at the time of crises at schools. The projects carried out are intended to implement the Procedure of Crisis Management in Schools. (*More information is presented below, on the article on education*).

## **Article 6**

### **The right to life and development**

55. The child's right to life and development is discussed in section 5, Health and Welfare.

56. Annexes to the Description of Social Care Provisions, approved by Order No. A1-46 of the Minister of Social Security and Labour of the Republic of Lithuania of 20 February 2007, provide that a child's physical and mental development shall be ensured by adequate and timely organization of health care services, a child-friendly educational environment shall be created, help shall be provided to children in acquiring social skills and independent living skills, children shall receive nutrition in line with their physiological needs and health condition in view of their individual requirements, the need for diets and, if possible, in view of a child's preferences.

57. The system of education shall be oriented towards purposeful development of a person's principles and habits that would help him cherish and improve his health. All the levels of education follow the principle that health is a crucial value in life, that one is personally responsible for healthy life-style and that it is necessary to ensure full preventive health care for children at school, teach all pupils the basics of healthy life-style, build a network of healthy and safe schools, implement long-term preventive health improvement programmes at schools etc.

58. Schools are implementing the Life Skills Development Programme, which allows children to take constructive and safe decisions in developing their personal and social skills. The programme is aimed at preparing children for life outside of school and for adult life in a changing society through the development of problem solving, decision making, creative and critical reasoning, communication, self-awareness, coping with stress, ability to say "no", and other skills.

59. In 2006, a healthy life-style promotion project "Sveikuolių sveikuoliai" (The Healthiest of the Healthy) was implemented in cooperation with the Lithuanian Association of Social Pedagogues, the Lithuanian Teachers' Professional Development Centre, and the Public Health Promotion Centre of the Ministry of Health. The competition's objective was to promote the healthy life-style ideas among children and pedagogues, to increase the consciousness of children and pedagogues, and to protect, reinforce and develop responsibility for one's own health and that of others.

60. Order ISAK-494 of the Minister of Education and Science of the Republic of Lithuania of 17 March 2006 approved the Programme for the Prevention of the Use of Alcohol, Tobacco and Other Psychoactive Substances, the introduction of which into pre-

school and general education expands and deepens the presented information, and helps the teachers implementing the programmes of pre-school, pre-primary, primary, basic and secondary education and other pedagogues performing preventive activities at schools to find ways to achieve the desired goal. With respect to the peculiarities of different age groups and the related relevance of preventive activities as well as to the specificity of the education content programmes, the training provides guidelines for separate levels of education: pre-school and pre-primary, primary, basic and secondary education.

61. In implementing the National Programme of Drug Control and Prevention of Drug Abuse for 2004-2008, the Drug Control Department under the Government of the Republic of Lithuania has been supporting projects of public and local authorities and non-governmental organizations (NGOs) aimed at preventing the use of psychoactive substances since 2006.

62. The Law on Social Assistance for Pupils ensures organization of nutrition at schools as well as the opportunity for healthy development and building healthy nutrition habits for children.

63. In recent years, major attention has been directed to child protection from criminal activities and accidents (traffic accidents, fire). In different ways (publishing of special publications, posting information on websites, organization of campaigns, meetings of children with police officers, children's competitions, camps etc.), children were informed of ways of avoiding crime and accidents. It should be noted that in 2008 the number of children who died or sustained injuries in fire or traffic accident due to their own negligence was half that in 2004 (tables 80 and 81 of the annex to the Report). Since 2005, the downward trend in the number of children who are victims of criminal activities has also been observed (table 78 of the annex to the Report).

64. In March-April 2008, the Fire and Rescue Department under the Ministry of the Interior of the Republic of Lithuania, together with the Ministry of Education and Science, organized a pupils' drawing competition, "Safe Childhood", which was expected to encourage children's interest in fire prevention issues and in the profession of fire rescuer, to promote fire safety habits, to stimulate their creative capacities, to promote ingenuity and imagination, instil safe living principles and civil awareness in the sphere of fire prevention.

65. In pursuance of the measures of the State Programme for Road Traffic Safety 2005-2010, approved by Order No. 759 of the Government of the Republic of Lithuania of 8 July 2005, the Programme for Safe Traffic Education is implemented at schools based on the education plans: in primary grades, traffic safety is integrated into the subjects taught, while in grades 5 to 8 traffic safety is part of the discipline "Human Safety". Teachers may also rely on the prepared methodological guidelines for the first lesson in traffic safety for grades 1 to 12, which is placed on the website [www.atsvaitas.lt](http://www.atsvaitas.lt).

66. Additionally, the Ministry of Education and Science, in cooperation with the Lithuanian Road Administration under the Ministry of Transport and Communications held a competition for Lithuanian pupils "Save Young Lives on the Road" in 2008. The "Safe Road to School" campaign has been implemented as of 1 September 2008. The campaign includes organization of volunteer traffic regulation at intersections and crossings near schools. Seventy (70) schools and 600 volunteer regulators participated. Three hundred and sixty (360) "STOP" signs used for requiring drivers to stop as well as reflective vests were produced for the participants. In 2008, around 385 schools and nearly 1,954 volunteer regulators from 43 towns and districts expressed their wish to take part in the "Safe Road to School" campaign. Another 1,000 "STOP" signs and reflective vests will be produced and distributed to the participants of the campaign.

67. In order to develop informed and disciplined young road users who are responsible for their own behaviour on the roads, a "Save Young Lives on the Road" competition for



Lithuanian pupils has been organized each year since 1995. This competition is published by the Ministry of Education and Science and organized by the authorities concerned: The Lithuanian Road Administration under the Ministry of Transport and Communications, the Lithuanian Information and Technical Creativity Centre for Pupils, the Lithuanian Police Traffic Supervision Service and territorial police offices.

68. A constituent part of the competition is the activities of junior traffic patrol officers (the Regulations of Junior Patrol Activities were approved by Order No. R1-69 of the Director of the Lithuanian Information and Technical Creativity Centre for Pupils of 26 February 2008). The goals of the activities of junior traffic patrol officers are to help educational establishments to teach pre-school children as well as pupils traffic rules and to encourage them to obey their orders; to develop a sense of duty and responsibility among pupils and to teach them how to behave safely on the roads. Together with police officers, junior traffic patrol officers take part in the safe traffic measures intended for pupils (for instance, distribute reflectors or hold quiz shows) and stand watch as regulators on the intersections and crossings near schools together with the supervisors of pupils' hobby groups.

69. The activities of the junior traffic patrols date back to 1998.

70. In 2007, the Police Department under the Ministry of the Interior compiled and published a methodological manual "*Kaip mokyti saugaus eismo*" (Teaching Traffic Safety) intended not only for police officers but also for teachers. It also published a teaching aid "*Aš – eismo dalyvis*" (I Am a Part of Traffic).

71. In 2007, a public police traffic supervision officer, responsible for traffic safety instruction to the pupils of senior grades at general education schools, was designated in all regional police headquarters. Seminars on various relevant topics were held for the said officers. The trained officers organized 520 traffic safety lessons throughout the country to schoolchildren attending grades 10-12 at schools of general education. The project continued in 2008.

72. Police officers keep regular cooperation contacts with educational institutions by organizing traffic safety lessons, events, quiz shows, drawing and composition competitions aimed at developing the awareness of young people and teaching safe behaviour on the road.

73. In implementing the "Safe and Healthy at School" prevention project, the safe traffic (safe behaviour) classroom was set up at Vilnius County Police Headquarters in 2007. Such classrooms will be set up at the police headquarters of Klaipėda, Šiauliai, Panevėžys and Utena counties. The classrooms are being set up in order to create the conditions for children of pre-school education institutions, general education schools and other members of society to improve and develop their safe traffic competencies as road users (whether pedestrians, passengers or drivers), to learn and improve theoretical and practical knowledge of safe behaviour on the road, to promote respect for human life and its preservation as well as respect for other traffic participants and responsibility for one's actions on the road, and to understand the traffic system "Traffic participant-vehicle-road-traffic environment".

74. Over the last several years, the Lithuanian Information and Technical Creativity Centre for Pupils, in cooperation with the police, has been organizing week-long safe traffic recreational camps for children who participate in the "*Saugus ratas*" (Safe Circle) game of the Lithuanian pupils' competition "Save Young Lives on the Road".

75. Together with other institutions, organizations and businesses concerned, the police regularly organize preventive traffic safety measures to distribute preventive items, such as reflectors, leaflets etc., to traffic participants.

76. To implement paragraph 8.2.1 of the Implementing Measures for the State Programme for Road Traffic Safety 2005-2010, Order No. 5-IL-100 of the Police Commissioner General of 3 March 2008 approved the Plan of Measures for the Control of Traffic Participants of the Police Department under the Ministry of the Interior for the Year 2008. This document will guide the implementation of the main national police prevention measures. All territorial police units also carry out their own projects and preventive instruments aimed at ensuring traffic safety.

#### **Minors killed or injured in road accidents**

<i>Year</i>	<i>Fatalities</i>	<i>Of them, due to child negligence</i>	<i>Injuries</i>	<i>Of them, due to child negligence</i>
2004	50	16	1 660	603
2005	74	21	1 672	599
2006	65	17	1 582	485
2007	70	23	1 584	417
2008	33	7	1 163	315
<b>Total</b>	<b>242</b>	<b>68</b>	<b>6 001</b>	<b>1 816</b>

*Data provided by the Lithuanian Police Traffic Supervision Service.*

#### **Article 12**

##### **Respect for the views of the child**

77. Article 3.164 of the Civil Code establishes that a minor can participate in guaranteeing his rights. Paragraph 1 of the said article provides that:

(a) In considering any question related to a child, the child, if capable of formulating his or her views, must be heard directly or, where that is impossible, through a representative;

(b) Any decisions on such a question must be taken with regard to a child's wishes unless they are contrary to the child's interests;

(c) In making a decision on the appointment of a child's guardian/caretaker or on a child's adoption, the child's wishes shall be given paramount consideration.

78. A child must be heard only when he is capable of formulating his views. In each particular case when a child is not a newborn and is capable of expressing his opinion, but is under ten years of age, the conclusion on whether or not he can be heard must be provided by a specialist (normally, a psychologist). The laws of the Republic of Lithuania usually specify the cases and the manner of asking a child's opinion. For example, Article 3.249 of the Civil Code covers the principles of establishing child guardianship (care). Paragraph 2 of that article provides that when child guardianship/childcare is established or ended, or a guardian is appointed to a child capable of expressing his or her views, the child shall be provided an opportunity to be heard and to influence the decision making. It is noteworthy that the above provision applies both when establishing temporary child guardianship (care), which shall be established by a decision (decree) of the director of the Municipality Administration, and also when establishing regular guardianship (care), which shall be established by a court order.

79. Pursuant to the Law on Minimum and Medium Care for the Child, the minimum and medium care for the child shall be based on the following principles:

(a) The priority of child interests and welfare. When any actions are taken in respect of a child, his interests shall be the primary concern. A child must be provided with protection to the extent that is necessary to ensure his welfare. Adequate legal and administrative measures shall be employed to secure this objective;

(b) Child participation in making decisions that concern him. A child must be offered an opportunity to be heard during any related judicial or administrative proceeding directly or via a representative in accordance with the procedure established by the laws. A child's opinion, unless it contradicts his interests, must be taken into account;

(c) Individualization. When decisions concerning a child are adopted, the child's age and maturity as well as physical and mental characteristics, needs, social environment and other important circumstances must be taken into consideration.

80. In accordance with Article 10(4) of the Law on Minimum and Medium Care for the Child, a child's opinion must be heard during a hearing that concerns the assignment of minimum or medium care for the child. In order to protect a child from a harmful effects, he may be absent from a hearing that deals with the assignment of supervision for him; however his opinion must be heard in advance by a child rights protection agency and taken into consideration at the hearing. The child rights protection agencies shall also hear the opinion of a child if he avoids participation in a hearing organized by the director of the Municipality Administration or by a person authorized by him concerning the assignment of a supervisory measure, and shall inform the participants of the hearing about such an opinion.

81. The provision of social services is based on the participation principle. Therefore, pursuant to the Description of Social Care Provisions, children under social care shall be entitled to full participation in the planning, management and provision of social services. These provisions grant children an opportunity to freely express their opinions, views and preferences in solving the issues related to their development as full personalities.

82. The education system of the Republic of Lithuania also gives a lot of attention to the principle of respect for the child's opinion.

83. Since 2000, the Lithuanian Schoolchildren's Parliament has been operating in Lithuania. Its main functions are to represent the interests of schoolchildren; to reflect their views on the steps in the education reform; to analyse the laws of importance to pupils and youth and to draft laws or amendments to the current legislation and present them to the Seimas; and to keep contacts with similar institutions of pupils in other countries. The Lithuanian Schoolchildren's Parliament is an active participant of various workgroups. The members of the Lithuanian Schoolchildren's Parliament actively work in their respective municipalities between the sessions. Having gathered into a session, they adopt decisions that are significant for schoolchildren. The activities of the Lithuanian Schoolchildren's Parliament have demonstrated that democratic elections and a pupils' parliament are very important for Lithuanian schools, as they represent the interests of Lithuanian pupils, help develop the skills of pupils' participation in public life, strengthen pupils' self-government and serve the needs of the civil and patriotic education of youth.

84. The Lithuanian Youth Centre and the Lithuanian Union of Pupils organize the annual Action Week, in the course of which Lithuanian pupils all over the country initiate discussions, drawing and photography contests, concerts, sports events, film viewing and film making, meetings with the employees of municipalities and education divisions, and campaigns inviting children to express their opinions regarding school problems.

85. In 2007, the State Child Rights Protection and Adoption Service collaborated with Mykolas Romeris University in organizing a two-day conference on the rights of the child to take part in decision-making. The speakers of the conference and participants of its

discussions included children from child care institutions, their educators, teachers, lawyers and psychologists. The topics discussed during the event covered child rights and duties, participation in making the decisions that concern a child, the importance of the opinion of a young person and of hearing it, a child's competence to make decisions, and the limits of obedience and responsibility.

### **3. Civil rights and freedoms**

86. The main rights of the child, enshrined in the Civil Code and in the Law on Fundamentals of Protection of the Rights of the Child, were previously discussed in the second periodic report of Lithuania on the Implementation of the United Nations Convention on the Rights of the Child submitted in 2004.

#### **Article 7**

##### **The right to a name, nationality and parental care**

87. The child's right to a name and surname from birth is enshrined in Article 9 of the Law on Fundamentals of Protection of the Rights of the Child and paragraph 1 of Article 3.161 of the Civil Code.

88. The child's naming procedure is established under Articles 3.166-3.167 of the Civil Code. A name and surname (when surnames differ) to each child is given on agreement of parents. In case of disagreement between the father and the mother on the child's name/surname, a decision on the child's name/surname is passed by the court. In addition, when registering the birth of a child whose parents' identity is not known, the child shall be given a name by the State child rights protection institution.

89. Paragraph 3 of Article 3.161 of the Civil Code directly establishes the child's right to know his parents unless that contradicts his interests or the laws provide otherwise. This law is also established in Article 9(1) of the Law on Fundamentals of Protection of the Rights of the Child: from birth the child shall have the right to a name, surname, nationality and citizenship, a right to family and other ties linked to his individual identity and their preservation. Chapter X of Part IV of the Third Book of the Civil Code governs the general principles of establishing the legitimate affiliation of the child, which is the basis of the mutual rights and duties of the child and his parents.

90. On 15 July 2008, a new version of the Law on Citizenship of the Republic of Lithuania (No. X-1709) was adopted. One of the objectives of adopting this law was to redefine the requirements for acquiring Lithuanian citizenship through birth and, pursuant to the principle of acquiring Lithuanian citizenship through birth enshrined in Article 12(1) of the Constitution of the Republic of Lithuania, to establish that a child who acquires through birth the citizenship of both the Republic of Lithuania and another State retains his Lithuanian citizenship, i.e. he may have more than one citizenship.

91. It should be mentioned that there have been no changes to the provisions concerning children born in the territory of the Republic of Lithuania to persons without citizenship permanently residing in Lithuania, also concerning children whose parents are unknown.

92. This law provides that not only a child whose both parents are Lithuanian citizens but also a child whose parents have different citizenship, one of them being Lithuanian, is a citizen of the Republic of Lithuania regardless of whether or not he was born in the territory of the Republic of Lithuania (Article 9(1)).

**Article 8****Preservation of identity**

93. The provisions of Article 3.228 the Civil Code as regards the issues of a child's name and surname in the case of adoption have not been modified. With respect to the fact that Article 3.227 of the Civil Code states that the adoptive parents shall be treated as the child's parents under the law from the day on which the court judgement on the adoption became *res judicata*, the issues of the name and surname of an adopted child shall be treated in the same way as those of a child. According to Article 3.228 of the Civil Code, the adopted child is given the surname of the adoptive parents by a court judgement; the child's name may be changed with the consent of the child capable of expressing his or her views. However, the second paragraph of the same article provides for the possibility of retaining the surname of his or her natural parents at the request of the adoptive parents and the adopted child. Nevertheless, when there is a dispute between the adoptive parents or the adoptive parents and the adopted child over the change of the child's surname or name, the dispute shall be resolved by the court taking account of the child's interests.

94. Pursuant to Article 11(2) of the Law on Citizenship, a child who is found or is residing in the territory of the Republic of Lithuania, both of whose parents are unknown, both parents or the single parent the child had are/is dead or declared missing, or both parents or the single parent the child had are/is declared, according to the established procedure, incapacitated, parental (paternal or maternal) authority is indefinitely restricted and the child is put under permanent guardianship/childcare, shall be a citizen of the Republic of Lithuania unless circumstances come to light under which the child would acquire a different status.

95. Under Article 8(2) of the said law, if both parents lose citizenship of the Republic of Lithuania, the citizenship of their children who have not reached the age of 18 years (14 years under the old version of the law) shall change accordingly. Yet, this provision shall not apply if due to the change of the parents' citizenship the child would remain without citizenship.

**Article 13****Freedom of expression**

96. Articles 167 and 168 of the Criminal Code impose liability for illegal collection, disclosure and use of information on the private life of a person.

97. According to Article 4(2) of the Law on Social Services, the issues of the management, granting and provision of social services shall be settled following the principle of participation, i.e. in co-operation with recipients of social services and/or representatives thereof. The fact that children are entitled to freely express their opinion is also attested by the requirement contained in the annexes to the Description of Social Care Provisions requiring an environment motivating and stimulating full development of a child's personality. A child shall be granted the opportunity to freely express his opinion, views and preferences in solving the issues related to his development as a full personality. *See also comments on Articles 12 and 29 of the Convention.*

**Article 14****Freedom of thought, conscience and religion**

98. A child may freely choose to express his religious views. This right is guaranteed to children by Article 31 of the Law on Education, "The Right to Study Religion". A school shall provide religious instruction requested by the learners or parents (foster parents, guardians) in line with the beliefs of their recognized traditional religious community or association. If it is unable to do that, it shall grant credit for the learners' religious

instruction provided at a Sunday school or another religious instruction class, subject to the requirements in paragraphs 4 and 5 of that Article.

99. The Program for the Development and Promotion of Christian Values and Human Scientific and Cultural Values was developed and implemented. The revised General Programme for Teaching Religion (Catholic) was approved by Order No. ISAK-1484 of the Minister of Education and Science of the Republic of Lithuania of 13 July 2006.

#### **Article 15**

##### **The freedom of association and peaceful assembly**

100. The freedom of association for children is addressed by the Law on Education, whose Article 43(10) stipulates that learners' and youth organizations that stimulate learners' and students' moral, national and civil consciousness and patriotism, foster their cultural and social development, and help satisfy their self-development and self-expression needs may operate at school. Article 43(11) of the said law provides that schools shall create favourable conditions for the functioning of learners' and youth organizations. *See also comments on Article 12 of the Convention.*

#### **Article 16**

##### **Protection of privacy**

101. Pursuant to Article 1.114 of the Civil Code, the civil law protects non-property rights and values, including human honour and dignity. A more elaborate regulation of the protection of an individual's honour and dignity is provided by Article 2.24 of the Civil Code.

102. The Criminal Code establishes criminal liability for libel and insults (Articles 154 and 155), while Article 9 of the Code of Criminal Procedure of the Republic of Lithuania, adopted by Law No. IX-785 of 14 March 2002, provides for closed hearings for cases concerning criminal acts committed by individuals aged under 18.

103. With the aim of ensuring protection of privacy of the child, Article 4(5) of the Law on Fundamentals of Protection of the Rights of the Child states that no child may be left without a home, minimum funds of subsistence and care or guardianship.

104. The social care provisions contained in the Annexes to the Description of Social Care Provisions provide children with guarantees of access to premises ensuring privacy, a private space in the living room etc. *See also comments on Articles 5, 20 and 26 of the Convention.*

#### **Article 17**

##### **Access to information**

105. Law No. IX-1067 of the Republic of Lithuania of 10 September 2002 on the Protection of Minors against the Detrimental Effect of Public Information establishes the criteria for public information that has a detrimental effect on the mental health of minors, their physical, intellectual or moral development, the procedure for making available to the public and dissemination thereof, and the rights, obligations and liability of the information producers, disseminators and their owners, journalists and institutions regulating their activities. The Procedure of Making Public and Dissemination of Information Having a Detrimental Effect to the Development of Minors Which Belongs to the Category of Public Information Making Public and Dissemination of Which is Limited, also the Description of Marking Public Information Having a Detrimental Effect on the Development of Minors and of the System of Audio and Video Equipment, approved by Resolution No. 681 of the Government of the Republic of Lithuania of 2 June 2004, set the criteria for determining whether making public and disseminating certain information should be limited; the

procedure for making public and disseminating information whose making public and dissemination is limited; the requirements concerning the marking of the said information in order to protect minors; administrative penalties for failure to comply with the established requirements (depending on a specific case, the fine may vary from LTL 500 to LTL 10,000).

106. In response to infringements of the Law on the Protection of Minors against the Detrimental Effect of Public Information, the Radio and Television Commission of Lithuania and the Inspector of Journalist Ethics imposed 4 penalties on broadcasters and 3 penalties on publishers in 2005, 3 penalties on broadcasters and 11 penalties on publishers in 2006, and 6 penalties on broadcasters and 15 penalties on publishers in 2007.

107. In implementing the Law on Cinema (No. IX-752) of the Republic of Lithuania of 5 March 2002, Resolution 722 of the Government of the Republic of Lithuania of 3 June 2003 approved the Regulations of the Film Indexing Commission, the Procedure of Payment for the Services of Film Indexing Commission Members, and the Procedure of Film Indexing According to the Age of Viewers. The Film Indexing Commission is responsible and accountable for its activities to the Ministry of Culture. In 2005-2007, the Film Indexing Commission indexed around 200 films per year.

108. The Annexes to the Description of Social Care Provisions establish the right of children to safe use of information technologies and other instruments.

109. Bearing in mind the fact that in Lithuania and around the world IT users are increasingly young people, it has become very important to protect children from harmful and detrimental information on the internet. With the aim of achieving these objectives, the programme “Safer Internet Plus”, coordinated by the European Commission, has been implemented in EU member States. Accordingly, the Ministry of Education and Science in cooperation with the Communications Regulatory Authority are continuing the implementation of the “Safe Internet LT” project in Lithuania. This project is a consistent continuation of the project carried out in 2005-2006. The project aims to attract public attention to illegal information on the internet, to restrict the detrimental content of this information, to promote safer use of the internet and new internet technologies, and to improve public awareness with a special emphasis on child protection. Implementing this project, the Ministry of Education and Science educates pedagogues, schoolchildren and parents and trains pedagogue-lecturers who organize project promotion in the regions. Information about this project as well as other relevant information has been posted on the website [www.draugiskasinternetas.lt](http://www.draugiskasinternetas.lt). This website also provides advice to parents, teachers and pupils on safe use of the internet. The website [www.draugiskasinternetas.lt](http://www.draugiskasinternetas.lt) contains an anonymous internet hotline, where noticed illegal web content can be reported. This hotline is administered by the Communications Regulatory Authority, which examines reports received and delivers them to the police or to the Office of the Inspector of Journalist Ethics according to the competence. The Communications Regulatory Authority has entered into respective cooperation agreements with the said institutions. In 2007, the Communications Regulatory Authority examined 326 received reports.

110. In May 2008, Lithuania was accepted into the international association of internet hotlines, INHOPE. This association was founded in 1999 pursuant to the European Commission’s Safe Internet Action Plan. The mission of the association is to reinforce the activities of internet hotlines around the world, ensuring rapid response to reports on illegal information on the internet and thus ensuring internet safety. These actions are aimed to combat, on the international level, the dissemination of child pornography, illegal activities on web chat rooms, as well as promotion of racism and xenophobia on the internet. At present, 33 INHOPE hotlines operate in 29 countries. Participation in the activities of this association enables transmission of reports received to the hotlines of other countries when the illegal content is related to information that is not stored in Lithuania.

111. With a view to developing child informational education, Order No. ISAK-424 of 6 March 2006 approved the Program of Instructing the Pupils of General Education Schools on the Processes of Information Provision to the Public and Human Rights. This program aims to improve schoolchildren's informational literacy through the stimulation of critical reasoning and their abilities to evaluate and use information, understand and analyze the media phenomena critically, and use the internet and other sources of information, advertising and entertainment, while promoting pupils' consciousness, civil and cultural maturity and social skills. In the course of program implementation, pupils are taught to search for and find the information, advertising and entertainment presented in the press, in radio and TV programs, in cinema films, on the web and in other sources, to evaluate this information critically and use it responsibly. Additionally, pupils are introduced to the information placed on the internet, and also get acquainted with and learn to evaluate the threats posed and the damage caused by the internet. Schools may integrate the said program into other disciplines or teach it as a separate subject. Teaching is conducted during lessons, group and individual projects and extracurricular activities. Parents are encouraged to assist pupils with their homework and to help the school in developing children's informational literacy and critical reasoning.

#### **Article 37 (a)**

##### **Prohibition of torture or other cruel, inhuman or degrading treatment or punishment**

112. Article 21 of the Constitution of the Republic of Lithuania makes it illegal to torture, or injure a human being, degrade his dignity, subject him to cruel treatment as well as establish such punishments. The Criminal Code imposes criminal liability on a person who intentionally or through negligence (such as beating or other violent actions) causes a bodily injury and illness to another person. It should be noted that the Criminal Code also covers other torture-related crimes: murder (paragraphs 6 and 12 of Article 129(2), abetting or procuring a suicide (Article 133), severe (Article 135) and non-severe (Article 138) health impairment, and forced labour (Article 147<sup>1</sup>). The Criminal Code considers it to be an aggravating circumstance when the act has been committed by torturing the victim or subjecting him to taunting (Article 60(1)(4)). Analogous prohibitions are laid down in Articles 10 and 56 of the Law on Fundamentals of Protection of the Rights of the Child.

113. It should be noted that the prohibition of cruel treatment and torture is also found in Article 11(2) of the Code of Criminal Procedure. The procedure law contains imperative provisions stating that procedural measures of enforcement and performance of investigation must not involve violence, threats or acts degrading human dignity or impairing human health. Failure to comply with these imperative provisions means an infringement of the principles of the criminal procedure.

## **4. Family environment and alternative care**

#### **Article 5**

##### **Parental guidance**

114. Enforcement of provisions of this Article of the United Nations Convention on the Rights of the Child in the legislation of the Republic of Lithuania is discussed in the second periodic report of Lithuania on the Implementation of the United Nations Convention on the Rights of the Child, submitted in 2004.

115. By virtue of Article 3.163 of the Civil Code the primary responsibility for ensuring the enforcement of the rights of minors rests upon parents.

116. Parents are legal representatives of their legally capable minors, except for parents who by court judgment are recognised as legally incapable. Legally capable under-age



parents also enjoy all individual rights and obligations with regard to their children. Under-age parents who are legally incapable or of limited legal capacity are allowed to live with their child and take part in his education and in such cases a guardian (caretaker) is assigned to the child. By virtue of Article 3.155 of the Civil Code the contents of parental authority means that children until they reach adult age or emancipation should be cared for by their parents and the parents have the right and obligation to afford adequate education and care for their children, take care of their health and maintenance, creating favourable conditions for their full-fledged and harmonious development in a manner consistent with the child's physical and mental condition so that the child gets ready to live a responsible life in the society. Lithuanian laws also establish the principle of parental equality, i.e. a father and a mother enjoy equal rights and duties with regard to their children irrespective of whether the child was born in wedlock or is an extra-marital child, or was born after divorce, after marriage dissolution or to parents who live separately.

117. Pursuant to the provisions laid down in the United Nations Convention on the Rights of the Child, the family is the main and natural environment for the growth and well-being of all society members and particularly children as the child, for the full and harmonious development of his personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding. In this connection it is desirable for the family in Lithuania to be the main institution of community where the child would enjoy a full life and which would ensure child protection and development. The aim is to encourage strong positions of a democratic and independent family, based on mutual care and responsibility of its members, ensuring the replacement and continuity of generations, and therefore the intention is to strengthen families and full functioning thereof that will encourage families to exercise their mandatory functions to family members and society.

118. Recognizing the right of parents to exercise their duties and responsibilities so that appropriate direction, through instructions and guidance, is provided to their child with the help of such fostering and education as meet the child's legitimate interests, the State also aims to enhance the responsibility of the child's natural and legal guardians (caretakers) or other persons legally responsible for the child to educate the child they care or are responsible for, in a manner consistent with the evolving capacities of the child.

119. With the aim of ensuring efficient activities of legal persons, the execution of institutional guardianship (care) by State and municipal child care homes, General Regulations of State and Municipal Child Care Homes were approved by Order No. A1-68 of the Republic of Lithuania Minister of Social Security and Labour of 3 March 2005. These Regulations define the key objective of children's care homes – to ensure that the child placed under guardianship (care) receives guardianship (care), education (teaching, training and upbringing) and social services, to create other appropriate conditions for the child and to maintain an environment which would facilitate the child's safe growing-up, development and progress so that the child gets ready to live an independent life in the society. Child upbringing and preparation for an independent life and integration into society must be so organised that the child feels a full-fledged personality, assuming responsibility for his behaviour, is dignified and secure with regard to his racial, cultural, national or religious identity, is capable of taking care, in an adequate manner, of himself and close relatives in daily life and develops his social interpersonal relations and confidence, respects the rights, freedoms, work and property of other individuals, acquires general education and vocational training, and acquires the skills of self-reliance, personal hygiene and preparedness for a family life.

120. Protecting the rights and lawful interests of the child placed under guardianship (care) the State also aims to ensure protection of property owned by the child or acquired by him while living in a child care home. To this end Guidelines on the Guardianship (Care) and Administration of Property of the Child under Guardianship (Care) and

Receiving Inheritance were approved by Order No. A1-121 of the Republic of Lithuania Minister of Social Security and Labour of 22 April 2008. The objective of these Guidelines is to help the child's guardians (caretakers) execute the guardianship (care) and administration of the child's property and receive inheritance in due manner. The child's property is understood as immovable and movable things, cash, the funds intended for the child's maintenance, income and other assets owned by the child. Emphasis is laid on the obligation of the child's guardian (caretaker) to take care of the property of children under guardianship (care) with prudence, honestly and solely in the best interests of the child, and transfer all income derived from the children's property to their bank accounts, and to maintain separate accounts for the fruits of the property in excess of the expenses for the child's education, and provide municipal institutions for the protection of the child rights with information about income derived from this property, expenses and the current state of the child's property.

### **Article 18**

#### **Parental responsibilities and children care**

121. The provisions of Article 18 of the United Nations Convention on the Rights of the Child are complied with by the general principle that parents shall be jointly and severally responsible for the care and education of their children, established in Article 3.159(2) of the Civil Code. Article 3.156(1) of the Civil Code also specifies that the father and the mother shall have equal rights and duties in respect of their children. Legal regulation of parental authority in the law of the Republic of Lithuania is governed by these particular provisions, which are observed in implementing mutual rights and duties of parents and children.

122. The Civil Code enforces the principle of equality of both parents in exercising parental authority in respect of their children. Pursuant to Article 3.163(1) of the Civil Code, the rights of minor-aged children shall be assured by the parents. As laid down in Article 3.165(3) of the Civil Code, parents shall decide all questions related to the education of their children by mutual agreement. In the event of the lack of agreement, the disputed matter shall be resolved by the court. In accordance with the law of the Republic of Lithuania, regulation of issues related to parental authority in fact is not conditioned by whether the child's parents are married or not. Pursuant to Article 3.161(5) of the Civil Code, children born within or outside marriage shall have equal rights, and paragraph 6 of the same Article establishes that children's rights shall not be affected by their parents' divorce, separation or nullity of marriage. Pursuant to Article 3.156(2) of the Civil Code, parents shall have equal rights and duties in respect to their children irrespective of whether the child was born to a married or unmarried couple, after divorce or judicial nullity of the marriage or separation. It should be noted that these provisions of the Civil Code correspond to the principle of equality of all persons enshrined in Article 29(1) of the Constitution of the Republic of Lithuania as well as the provisions of Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and of Article 6(1) of the European Convention on the Legal Status of Children Born out of Wedlock. It is also worth noting that the above-mentioned provisions do not imply that, for instance in the case of marriage dissolution, the court has no right to decide on the peculiarities of implementing certain rights and duties of parents in respect of their children. The provisions of the Civil Code ensure the statutory equality of parents in exercising parental authority in respect of a particular child.

123. The Catalogue of Social Services, approved by Order No. A1-93 of the Republic of Lithuania Minister of Social Security and Labour of 5 April 2006, identifies the types of services which provide assistance to parents in the performance of their child-rearing responsibilities. For instance, families at social risk receive social services of general interest such as provision of information, counselling, mediation and representation,

organisation of catering, provision of necessary clothes, organisation of personal hygiene and care services, etc., as well as special social services. Social workers working with families at social risk provide services for the development and maintenance of social skills to them. *For more information on assistance to families raising children see comment on Article 26 of the Convention.*

124. The second periodic report of Lithuania on the implementation of the United Nations Convention on the Rights of the Child, submitted in 2004 (CRC/C/83/Add.14) notes that the Lithuanian Supreme Court Senate in its Review of the Application of Laws in Court Practice in Determining the Place of Residence of Minors Whose Parents Live Separately pointed out that the principle of the best interests of the child was also not guaranteed in case of parents' departure abroad (as a rule for the purposes of long-term work) who leave their minors alone or under the care of other persons. In such a way the child's right to live together with his parents/one parent is violated and social problems arise, because the care for children left by parents is to be taken over, and their maintenance must be guaranteed, by the State.

125. When increasing parental responsibility for the implementation of the child rights, Law No. X-641 Amending and Supplementing Articles 1, 3, 4, 5, 6, 8, 9, 10, 12, 13, 18 of the Law on Benefits to Children of the Republic of Lithuania was passed on 1 June 2006, and sets forth that a child guardianship (care) benefit shall not be allocated if, at the parents' request, a child is placed under temporary guardianship (care) as a result of their temporary moving from the Republic of Lithuania. Accordingly, a new version of the Regulations of Temporary Child Guardianship (Care) was approved by Order No. A1-145 of the Republic of Lithuania Minister of Social Security and Labour of 28 May 2007 supplementing the Regulations with the clause setting forth the establishment of temporary child guardianship (care) at the parents' request when the parents temporarily move from Lithuania to live or work abroad, obligating the parents to apply to a municipal division for the protection of the child rights for the appointment of a temporary guardian (caretaker) to the child. Otherwise, the mentioned institution for the protection of the child rights is entitled to apply to court for the restriction of parental authority by a court decision.

126. In 2007, an agreement was signed with the United States association CWLA (Child Welfare League of America), whereby Lithuania became the first official licence holder of the programme PRIDE and was granted the exclusive right to apply this training programme to train and evaluate prospective foster and adoptive families, also to provide qualified support for foster and adoptive families. The key objective of training under this programme is to familiarise families with the needs of children, help the families to decide on their own whether they are really able to satisfy the needs of children deprived of parental care and come to objective conclusions on their possibilities and preparedness for the responsible role in life – to become an important person for a child who is in need of attention, care and love.

127. The program materials are translated into Lithuanian and in 2008 were adapted pursuant to legislation applicable in the Republic of Lithuania as well as the current practice. Implementing the Strategy of Reorganization of the System of Child Care (Fosterage) and the Plan of Implementing Measures 2007-2012, approved by Resolution No. 1193 of the Government of the Republic of Lithuania of 31 October 2007, methodological guidebooks and visual training materials were issued for a joint training program for guardians (caretakers) and adoptive parents.

128. In 2007, 16 employees completed a Train-the-Trainer course under the adoptive parent and guardian (caretaker) training program PRIDE and 4 out of them were awarded the Train-the-Trainer qualification under the program. In 2008, specialists with the Train-the-Trainer qualification launched training courses for 46 employees of the projects which won the tender for the services of search, training, selection and counselling of guardians

(caretakers) and adoptive parents as well as the provision of support for them, organized by the Ministry of Social Security and Labour.

#### **Article 9**

##### **Separation from parents**

129. The primary obligation and liability for the implementation of child rights and protection of the child's interests rests upon his parents and guardians (caretakers) but the responsibility for the protection of the child's interests is also vested in State and municipal institutions. In municipal territories, the child rights protection agencies implement the key provisions of the United Nations Convention on the Rights of the Child. In accordance with Regulations governing the activities of such agencies, their key tasks are to ensure the protection of child rights, to guarantee the implementation and supervision of laws and other legal acts regulating the protection of child rights, to develop and implement measures aimed at improving the protection of child rights and preventing the violation thereof, to represent child rights and legitimate interests before courts, to protect children's rights in their biological or guardians' families and child care institutions, to remove, together with the child's legal representatives, circumstances in consequence of which child rights are violated, to organise guardianship and adoption of children deprived of parental care in the manner prescribed by legislation.

130. Pursuant to the provisions laid down in the Law on Social Services, if there is no need to establish civil guardianship (care) for a child but, due to objective circumstances beyond the child's control, he has to be temporarily separated from his biological parents, conditions are created for the minor to live in a social care establishment for a maximum of 8 weeks and receive the necessary social services.

131. Pursuant to annexes to the Description of Social Guardianship Standards, the child is guaranteed maintenance and strengthening of social relations with his parents (guardians, caretakers) and, when necessary, with family members or close relatives, and community members or institutions.

132. Pursuant to Paragraph 21 of the Methods of Establishment of the Need for Social Care in Respect of a Child at Social Risk and a Child Deprived of Parental Care, approved by Order No. A1-179 of the Minister of Social Security and Labour of 27 June 2006, a decision on the establishment of short-term social care for a child at social risk may be adopted only upon receiving from the municipal child rights protection agency the conclusions and decision on the appointment of a legal person or a guardian family the guardian of the child. Pursuant to paragraph 29 of these Methods, long-term social care for a child deprived of parental care shall also be established upon receipt of the conclusion from the child rights protection agency. This is aimed at achieving the maximum coordination of institutional activities so that the child's separation from his parents is applied only as a measure of last resort. It should be noted that with the aim of restoring the social skills of a family, Paragraph 34 of the Methods establishes that in cases of granting short-term care for the child deprived of parental care who is placed under temporary guardianship, a service of development and maintenance of social skills shall be granted and provided to a family at social risk.

133. Order No. A1-207 of the Republic of Lithuania Minister of Social Security and Labour of 17 December 2003 On the Approval of Methodological Guidelines regarding Work with Families at Social Risk is designed for the specialists who organise and carry out social work with families at social risk. From 1 January 2007, for work with families at social risk, 612.5 new posts for persons doing social work, financed with the funds of the budget of the Republic of Lithuania, were established in municipalities. These social workers carry out both prevention and intervention work with families and children at

social risk and aim to help them develop their capacities to address social problems on their own, maintain relations with their community members and overcome social exclusion.

134. Social workers working with families at social risk focus on three areas, i.e. the safety of a child, the well-being of a child and the efficient functioning of a family. In order to help a family to overcome the crisis, it is granted intensive services aimed at providing the family with knowledge of how to acquire the necessary child care and communication skills.

135. Children at social risk are provided with special social services, social attendance and social care. When providing social attendance services to these children at both social care establishments and their homes the children's social skills are developed and maintained, they receive intensive assistance in crisis intervention at the place of the event (through mobile crisis intervention teams) or at social services establishments. If social attendance services are not sufficient for the child, he is provided with social care. Children at social risk are provided with short-term social care, until they are returned to the family, at crisis centres, group living homes for children deprived of parental care or children at social risk, psychological or social rehabilitation establishments for minors addicted to psychoactive substances, and other establishments of social services.

136. Only in exceptional cases, when no obvious positive results are achieved within the period of intervention, when the family is not motivated to undergo a change and the securing of the child's safety and stability is not guaranteed, the team may take the decision to take the child from his family and, after placing him under temporary guardianship (care), to continue working with the family members with the aim of returning the child to his family.

137. A child's withdrawal from the family means the child's isolation from social risk/harmful environment. A child should be taken from the family in the case of continued violence or neglect at home and inability (e.g. a mother does not know how to stand up to a husband using violence or her plan is totally unrealistic) or reluctance of a non-violent father/mother to protect the child from behavior that hurts him physically.

## **Article 10**

### **Family reunification**

138. According to Article 24 of Republic of Lithuania Law No. IX-2206 of 29 April 2004 on the Legal Status of Aliens, a residence permit in the Republic of Lithuania shall grant an alien the right to reside in the Republic of Lithuania, to choose a place of residence in the Republic of Lithuania, to change the place of residence, to depart from and return to the Republic of Lithuania during the period of validity of the residence permit.

139. Pursuant to Article 43(1)(2) of the same Law, a minor child is eligible to obtain a permit of temporary residence in the Republic of Lithuania provided the parents of the minor alien or one of them or the spouse of one of them, who are citizens of the Republic of Lithuania or hold the residence permit, in whose guardianship the minor alien is, are residing in the Republic of Lithuania.

140. According to Article 31 of the same Law, an alien in possession of a residence permit, for whom a child is born during the period of his residence in the Republic of Lithuania, must within three months from the date of the birth of the child apply to the institution authorised by the Minister of the Interior for the issue of a residence permit to a child. A child born during the period of the alien's residence in the Republic of Lithuania shall be issued a residence permit of the type held by both or one of its parents. The permit shall be valid for the period of validity of one of the child's parents.

141. In accordance with the Rules regarding the Issue for Aliens of Permits for Temporary Residence in the Republic of Lithuania as well as Assessment of the Entry into a Marriage of Convenience, Fictitious Registered Partnership and Fictitious Adoption, approved by Order No. IV-329 of the Republic of Lithuania Minister of the Interior of 12 October 2005, parents or other legal representatives of minors have the right to apply for issuance of a permit of temporary residence in the Republic of Lithuania for an alien aged below 16 years. The application shall be completed by one of the parents or legal representatives and submitted to a consular post or migration service along with a document confirming legitimate representation and a personal identification document. Minors aged above 16 years shall complete and sign the applications on their own. A permit of temporary residence issued to a child aged below 16 years shall be collected by one of the parents or other legal representative under his signature.

142. An application for the issue to a minor alien of a permit of temporary residence in the Republic of Lithuania must be examined not later than six months after the date of filing it with the appropriate institution, whereas an application for the replacement of a residence permit – not later than two months after the date of filing it with the appropriate institution. An application by a national of the European Union member State or by a family member of such a national must be examined no later than one month after filing. Such applications are deliberated having regard to the principles of non-discrimination, best interests of the child, respect for the child's views, and the child's right to life and home.

#### **Applications to issue/replace a permit of temporary residence in the Republic of Lithuania to a minor alien**

<i>Grounds of arrival</i>	<i>Received applications to issue/replace a permit of temporary residence in the Republic of Lithuania</i>		<i>Adopted decisions to issue/replace a permit of temporary residence in the Republic of Lithuania</i>	
	<i>2007</i>	<i>2008</i>	<i>2007</i>	<i>2008</i>
The parents (adoptive parents) of the minor alien or one of them or the spouse of one of them, who are citizens of the Republic of Lithuania or hold the residence permit, in whose guardianship the minor alien is, are residing in the Republic of Lithuania	395	426	353	408

Data provided by the Migration Department under the Ministry of the Interior.

#### **Article 11 Illicit transfer and non-return**

143. According to Article 3.168 of the Civil Code, a child may not be separated from his parents against his will, except in cases provided for in this Code and parents shall have a right to demand the return of their children from any person who keeps them against the law or a court judgement. Where the parents are separated, the child's place of residence shall be decided by the mutual agreement of the parents. In the event of a dispute over the child's place of residence, the child's place of residence shall be determined by a residence order awarded by the court in favour of one of the parents. If the circumstances change or one of the parents with whom the child's place of residence has been established allows the child to live with, and to be cared for by, other persons, the other parent may lodge a repeat claim for establishing the place of residence of the child.

144. Article 156 of the Criminal Code, regulating child abduction or exchange of children, establishes criminal liability for a person who abducts another person's young

child or exchanges infants, a father, mother or a close relative who abducts their own or their relatives' young child from a children's establishment or from a person with whom the child lawfully resides.

145. The Convention on the Civil Aspects of International Child Abduction (Hague Abduction Convention), ratified by Law No. IX-793 of 19 March 2002, has been in force in Lithuania since 1 September 2002 and is applicable only with regard to countries, which have approved Lithuania's accession to the Convention. Until 2005, 9 States had expressed their approval of the Lithuania's ratification of the Convention. During the reporting period, approval of Lithuania's accession to the Hague Abduction Convention was expressed by another 40 States: Ireland, Brazil, Argentina, Turkey, Chile, Italy, Sweden, Estonia, Malta, Luxembourg, Slovenia, Netherlands, Australia, Greece, Czech Republic, Germany, New Zealand, Finland, Venezuela (Bolivarian Republic of), Croatia, United Kingdom of Great Britain and Northern Ireland, Switzerland, France, Spain, Latvia, Hungary, Portugal, Cyprus, Bahamas, Austria, China, Belize, Peru, Panama, Honduras, United States of America, Mexico, Colombia, Monaco.

146. By Order No. A1-87 of the Republic of Lithuania Minister of Social Security and Labour of 24 March 2006, the State Child Rights Protection and Adoption Service was designated the Central Authority responsible for discharging functions in the area of the protection of the child rights and lawful interests covered by the Hague Abduction Convention.

147. Republic of Lithuania Law No. X-169 of 21 April 2005 on the Implementation of Council Regulation (EC) No. 2201/2003 of 27 November 2003 Concerning Jurisdiction and the Recognition and Enforcement of Judgments in Matrimonial Matters and the Matters of Parental Responsibility, Repealing Regulation (EC) No. 1347/2000 establishes the peculiarities of hearing cases concerning return of a child illicitly transferred or kept in a member State other than the one where he lived permanently, and examination of applications to exercise the rights of care, related to the implementation of Council Regulation (EC) No. 2201/2003. The Ministry of Justice and the Ministry of Social Security and Labour were designated the Central Authorities responsible for the discharge of the functions covered by Council Regulation (EC) No. 2201/2003.

148. Pursuant to the Hague Abduction Convention, the State Child Rights Protection and Adoption Service, as the Central Authority, shall be appealed to regarding both the abduction of children from Lithuania to foreign States and the contrary – the illicit bringing of a child to Lithuania from other States. The State Child Rights Protection and Adoption Service received 6 notices regarding children removed to or kept in foreign States in violation of the rights of care in 2005 and 7 such notices in 2006; and 4 notices regarding children brought to Lithuania from foreign States in violation of the rights of care. In 2007 compared with 2006, the number of applications regarding return of children illicitly transferred (held) abroad, to Lithuania increased more than twice – 15 such applications were received. Meanwhile fewer notices regarding children transferred from foreign States to (held in) Lithuania in violation of the rights of care were received in 2007 – 3 such notices. In the first half-year of 2008, 11 notices regarding children transferred to or kept in foreign States in violation of the rights of care and 4 notices regarding children transferred from foreign States to (held in) Lithuania in violation of the rights of care were filed with the State Child Rights Protection and Adoption Service. During the reporting period the majority of applications were filed regarding children illicitly transferred to Great Britain and Ireland.

149. Measures for the protection of children provided for in the Hague Abduction Convention were also applied in resolving international cases regarding violations of the rights of accesses to children. All the instances addressed in 2007 were related to the circumstances in which the child's parents residing in Lithuania aimed to restore violated

rights of access to children who had moved to foreign States. In 2006, 6 applications regarding the restoration of violated rights of access to children were examined, in 2007, 3, and during the first half-year of 2008 one such application was filed.

150. New forms of application for return of the illicitly transferred and held child and of application to see the child were approved by Order No. BV-13 of Director of the State Child Rights Protection and Adoption Service of 28 June 2007.

151. While addressing cases of illicit transfer of a child and violations of the rights of access to a child, the State Child Rights Protection and Adoption Service communicates with the Central Authorities of foreign States, and the International Social Service. In Lithuania, communication with parties to the dispute is maintained either directly or via the municipal child rights protection agencies. In discharging the functions of the Central Authority, the Service, upon receiving a notice regarding illicitly transferred children, takes measures to resolve the dispute peacefully so that the parents agree between themselves and children return to the State of their domicile without judicial procedures being involved. Bone fide agreement between the parents in dispute may be facilitated by a mediation service. In family disputes mediation should be carried out by a competent mediator having special knowledge and experience. It should be noted that an in-court mediation pilot project was launched at the Court of Appeal of Lithuania, and Kaunas County, Šiauliai County, Vilnius City 2nd District, Vilnius City 3rd District, Druskininkai Town District, Šalčininkai District, Molėtai District, Vilkaviškis District, and Pasvalys District Courts on 1 January 2008. The project is aimed at helping the parties to resolve their dispute peacefully through the mediation of one or two mediators. In-court mediation is carried out by in-court mediators, i.e. specially trained judges, judge assistants or other persons with appropriate qualifications who are entered on a list of in-court mediators. After Lithuania joined the Schengen area and the internal borders were abolished, the Government of the Republic of Lithuania by its Resolution No. 724 of 16 July 2008 amended the Procedure of Temporary Movement of Children to Foreign States. This Procedure establishes that children, travelling with their parents or alone, are permitted to go to the countries of the Schengen area without obtaining a written permit from one of the parents. However, a written permit from one of the parents is necessary in the case of travelling to the countries not covered by the Schengen area. In the case of crossing the external border of the Schengen area in another State (other than Lithuania), a written permit from one of the parents or a guardian shall be submitted only upon request of a border guard officer of that State.

#### **Article 27 (para. 4)**

##### **Recovery of maintenance for the child**

152. Article 3.192 of the Civil Code enforces the obligation of parents to provide material maintenance for their minors and to secure the living conditions necessary for the child's development. The amount for maintenance must be proportionate to the needs of minors. Both parents must provide material maintenance for their minors in proportion to their material standing.

153. Pursuant to Regulation (EEC) No. 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and their families moving within the Community, and Regulation (EEC) No. 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No. 1408/71 on the application of social security schemes to employed persons, to self-employed persons and their families moving within the Community, family benefits, i.e. all cash benefits intended to cover family expenses shall also be granted in cases when one of the child's parents is employed in another State and the other parent is not employed. In this case, when granting benefits for the family the competent State shall be the State of the



place of employment irrespective of the fact that other members of the family reside in another State.

154. Upon discharging their marriage or beginning to live separately, the parents must agree on material maintenance of their children. If the minor's parents fail to reach agreement on the maintenance of their children or both of the parents (or one of them) default(s) on the obligation to materially maintain their children, such maintenance is awarded by court.

155. The obligation of parents to maintain their minors is retained by parents after separation of children or restriction of parental powers, excluding cases of the child's adoption.

156. The maintenance intended for the child must be used only for the child's best interests.

157. Pursuant to Article 3.204 of the Civil Code, the State shall maintain underage children receiving no maintenance longer than a month from their father (mother) or other adult close relatives who are in a position to maintain the child. Implementing this provision of the Civil Code and with the aim of developing a new mechanism ensuring the child's right to maintenance from both parents, the Children's Maintenance Fund was set up by Resolution No. 814 of the Republic of Lithuania Government of 8 August 2007 On the Implementation of the Law of the Republic of Lithuania on Children's Maintenance Fund on 1 January 2008. This Resolution also changed the name of the Administration of the Guarantee Fund under the Ministry of Social Security and Labour to the Administration of the Guarantee and Child Maintenance Funds under the Ministry of Social Security and Labour, and the Administration of the Guarantee and Children's Maintenance Funds under the Ministry of Social Security and Labour was empowered to execute the functions of the administrator of the Children's Maintenance Fund.

158. Republic of Lithuania Law No. X-987 of 19 December 2006 on Children's Maintenance Fund, which came into force on 1 January 2008, was aimed at ensuring a child's right to social security and guaranteeing the State's commitment to pay a fixed maintenance allowance to a child in the presence of the grounds stipulated in this Law. The State thereby acquires the right to require that the persons who are liable to provide child maintenance would repay to the State the child maintenance allowance paid by the State.

159. From the beginning of the Fund's operation (i.e. from 1 January 2008) until 30 June 2008, the Administration of the Guarantee and Children's Maintenance Fund received 14,002 applications for payments from the Children's Maintenance Fund (for comparison: at the start of 2007 Lithuania's population stood at 3.38 million, including around 21 per cent of children; around 30 per cent (or nearly 200,000) of children live in single parent families; according to preliminary estimations, around 50,000 children are deprived of maintenance from their parents as a consequence of their parents' divorce or partnership dissolution). From 400 to 500 new applications for the allocation of payments are filed in a month. The activity of applicants (around 10,000 applications to allocate the payments were filed in January-February 2008) was preconditioned by the provision of the Law laying down that the amount of the payment from the Fund shall be calculated as of the day of applying to the Administration of the Guarantee and Children's Maintenance Fund. Therefore, as a result of a very big workload (in addition to the mentioned high activity of the applicants, organisational works aimed at ensuring proper operation of the Children's Maintenance Fund were carried out; and, as practice has shown, often not one decision is taken in the case of the payment recipient, as for instance, when the amount of the maintenance allowance is changed by a court's decision or when the debtor is paying a different amount every month, which makes it necessary to change the adopted decisions by fixing new amounts of the payments to be made) and limited human resources (as a

large number of applicants (from all parts of Lithuania) was not envisaged and evaluated, 19 new posts were established in order that the agency could discharge the newly entrusted functions, and presently 30 posts are approved in the Administration of the Guarantee and Children's Maintenance Funds which is the administrator of two different funds), the adoption of decisions on making payments is delayed. As of 30 June 2008, 7,615 decisions were taken, of which: 618 – to make the payment; 226 – not to make (refuse to pay) the payment; 372 – to replace the previously adopted decision; 55 – to suspend making the payment; 442 – to terminate making the payment; 1 – to resume making the payment; 1 – to repeal the previously adopted decision. Over 1,000 decisions are adopted a month on average (in 2008, 713 decisions were adopted in January, 1,868 – February, 763 – March, 1,394 – April, 1,395 – May, 1,482 – June).

160. A total of LTL 93.7 million (0.35 per cent of the total State budget appropriations approved for 2008) was allocated for the Children's Maintenance Fund from the State budget. The Children's Maintenance Fund's plan of appropriations of the first half of the year 2008 amounted to LTL 47 million. During the first half-year of 2008, the cash expenses totalled LTL 3.3 million. The budget estimate of expenses was not implemented due to imperfection of computer software and hardware used for the accounting of the payments from the Children's Maintenance Fund. Furthermore, owing to a large workload at the beginning of 2008 and the limited number of employees who could enter information in the database for a certain time, the data of applicants, children and debtors were processed without observing the time limits set forth in the Description of the Procedure for the Registration of Data about Applicants, Children who Received the Payments from the Fund and Debtors, approved by Order No. A1-11 of the Republic of Lithuania Minister of Social Security and Labour of 9 January 2008. After upgrading the software at the end of the half-year, the number of cases with non-registered data was gradually reduced. During the first six months of 2008, 6,154 children received the payments: 4,947 received the payments for the month of January, 5,977 – February, 5,926 – March, 5,807 – April, and 5,554 – May. Presently, according to calculations, the average payment from the Children's Maintenance Fund for one child amounts to around LTL 150, but, in view of the observed tendency to seek a new court decision with regard to the maintenance amount (its increase) and the envisaged indexing of the maintenance amounts ordered in the form of regular payments in the manner prescribed by legislation, the average payment will undoubtedly grow.

161. As mentioned before, there were 14,002 payment recipients in the first-half year of 2008; however, owing to an enormous workload, limited human resources, and the absence of office equipment and the software conforming to the specificity of the Children's Maintenance Fund's activities, the payments were allocated only to 6,154, or 44 per cent, children on whose behalf the maintenance allowances were applied for.

162. In 2008, in view of the current practical activities of the Children's Maintenance Fund, the question of issuing bailiff certificates to the applicants and the recognition of these certificates in the case of execution of executive documents in foreign States was addressed. The foreign State's institution enforcing the decision may certify that the applicant does not receive the child maintenance awarded by a court's decision; however, pursuant to the applicable law, such certification does not serve as sufficient grounds for receiving the payment from the Children's Maintenance Fund. In addition, if the legislation provided for the possibility for the applicant to present a certificate from the foreign State's institution enforcing the decision, this would help tackle the issues of its recognition and the regulation of the conversion of the maintenance allowances paid by the debtors to the national currency of the Republic of Lithuania. Other issues to be addressed in future include the recovery of the payments made from the Children's Maintenance Fund from debtors who reside or work abroad (in these cases the decision regarding recovery from the debtor of the payments made will have to be executed in foreign States), the possibility of

obtaining information about the place of residence and/or work in a foreign State of these debtors, as well as other issues related to international cooperation in the areas of the implementation of the child's right to maintenance and the realisation of the right acquired by the State to the reimbursement by the debtor of the paid funds (i.e. recovery).

## Article 20

### Children deprived of their family environment

163. With the aim of guaranteeing children's protection and assistance to them, the Law on Social Services enforces the provision of social services to a child deprived of parental care and a child at social risk.

164. According to the data of the Ministry of Social Security and Labour, children deprived of parental care accounted for 1.6 per cent of the total number of children in Lithuania in 2005, compared to 1.72 per cent in 2006 and 2007, and 1.69 per cent in 2008.

### Children deprived of parental care, 2006-2008

<i>Year</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Number of children residing in Lithuania (at the beginning of the year)	774 442	748 311	725 806
Number of children deprived of parental care (at the end of the year)	13 337	12 910	12 306
Number of children deprived of parental care (per year)	3 006	2 824	2 691

*Data provided by the Ministry of Social Security and Labour.*

165. The system for the protection of the rights of the child in Lithuania must ensure protection to every child living in our country. When adopting any decision related with the child, the best interest of the child should always prevail. The child's inherent and primary right is to grow up in a family. It can be unquestionably stated that the family creates the best conditions for full development of the child. Unfortunately, not all families ensure the legitimate interests of their children for a number of reasons. It should be noted that due to various objective and subjective reasons 2,691 children were deprived of parental care in 2008. As analysis of the tendencies of the number of children deprived of parental care for the past three years shows, this number has decreased from 2006. During 2006, 3,006 children were deprived of parental care, compared to 2,824 during 2007 and 2,691 during 2008. In 2008, the number of children without parental care fell by more than 600.

166. The number of children deprived of parental care in the country is predetermined by a variety of reasons. For several years already, one of the main reasons predetermining necessity to establish guardianship (care) for the child has been negligent treatment or neglect of a child, maltreatment or wrongful educational measures as well as violence used by parents. This endangered the child's physical, mental, spiritual or moral development and safety and therefore the child was withdrawn from his family in the manner prescribed by law. For this reason, 1,902 children were deprived of parental care in 2005, compared to 559 in 2006, 354 in 2007, and 1,605 in 2008. The cases of the restriction of parental authority decreased. The conclusion can be made that the authorities protecting the rights and interests of the child tend to apply the restriction of parental authority only when all applicable methods to ensure the rights of the child in his parents' family and to restore the family's capacity to look after the child have not proven to be successful.

**Children placed under guardianship (care), by reason of establishment of guardianship (care) in 2005-2007 (in a year)**

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Number of children deprived of parental care per year (total)			
Of them, <i>by reasons of deprivation</i> :	3 209	3 006	2 824
Negligent treatment or neglect of a child, maltreatment or wrongful educational measures as well as violence used by parents	1 902	1 733	1 846
Restriction of parental authority	429	559	354
Orphaned children	259	288	234
Children were separated from the parents in the manner prescribed by law	–	52	31
Parents are missing and attempts are made to trace them	53	37	38
Parents used violence	90	–	–
Parents are declared legally incapable	23	9	8
The child's parents or close relatives are not identified within a 3-month period after the child's finding	27	1	1
Parents have been declared missing or dead by a court judgement	15	1	1
Parents were temporarily unable to take care of the child	411	327	311

Data provided by municipal child rights protection agencies (departments).

167. Guardianship is established for children who cannot live in their families and a guardian is appointed to them. In Lithuania, children may be cared for in families, foster families and institutions. It can be unambiguously stated that for full-fledged development of the child the most suitable is the family. Consequently, the establishment of institutional guardianship (care) for children deprived of parental care should be applied only in exceptional cases. Unfortunately, comparison of the data of the recent years shows that the situation in the area of child care has not essentially changed and still a very large number of children live in institutions for the care of children. Institutional guardianship (care) but not guardianship (care) in families or foster families is established for the majority of children deprived of parental care.

168. Comparison of the data of recent years shows that the number of children for whom institutional guardianship (care) is established is decreasing. Five thousand four hundred (5,400) children were placed under institutional guardianship (care) in 2006, 5,088 – 2007, and 4,802 – 2008. It seems likely that these statistical indicators were influenced by a developing social services sector, more intensive social work and assistance provided to families at social risk. It should be noted however that a large number of children still live in care institutions. Institutional guardianship (care) but not guardianship (care) in families or foster families is established for the majority of children deprived of parental care. This fact demonstrates the lack of guardian (caretaker) families in Lithuania. It is important to note that until 2007 there was no general practice of training guardianships (caretakers) and adoptive parents in our country. On 24 July 2007, Lithuania acquired a general license for training guardians (caretakers) and training courses were started in the country with the aim of properly preparing families for child guardianship or adoption. In 2008 this programme

was implemented in 9 counties, 36 municipalities. One of the programme's aims is to disseminate information aimed at promoting guardianship and adoption. As the implementation of this programme started not long ago it is probable that in future the number of guardian (caretaker) or adoptive parent families will increase and institutional guardianship (care) will be established for fewer children deprived of parental care.

**Placement of children deprived of parent care, by place of care 2005-2008 (in a year)**

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Number of children deprived of parental care per year (total), by the place of care of the child:	3 209	3 006	2 824	2 691
Families	1 383	1 309	1 216	1 216
Foster families	31	27	25	40
Infant homes	245	229	245	205
County child care homes	678	587	393	406
Institutions for the care of the disabled and youth	19	18	15	19
General education and special schools, special education centres*	56	19	6	0
Municipal child care homes	345	421	543	437
Municipal child care groups	292	235	215	232
Child care homes of public organisations and parishes	160	161	166	136

*Data provided by municipal child rights protection agencies (departments).*

\* Schools and centres that cared for the child and provided social services with accommodation.

169. In 2005, 5,819 out of 13,313 children deprived of parental care were placed under institutional guardianship, compared to 5,994 out of 13,337 in 2006, 5,088 out of 12,910 in 2007, and 4,802 out of 12,306 in 2008.

170. The aim is that the placement of children into care institutions should be applied only as a measure of last resort, i.e. when recommended by specialists and this is not contrary to the best interests of the child. The aim is to ensure that children growing up in care institutions enjoy conditions of living in small groups and a family-friendly environment, that placement in care institutions does not negatively affect relations between parents and children and that priority is given to family unification or creation of a family environment. Comparison of 2005 and 2008 data shows that the number of institutions was similar. In 2008, there were 105 institutions for the care of children in Lithuania. They included 5 infant homes, 33 county child care homes, 3 county child care homes for children with disability, 1 municipal child care home for children with disability, 30 municipal child care homes, 11 municipal child care groups and 22 non-governmental child care homes.

171. At the end of 2007, pursuant to the Plan of Optimisation of the Network of Child Care Institutions, approved by Order No. A1-282 of the Republic of Lithuania Minister of Social Security and Labour of 11 October 2007, the optimisation of the network of child care institutions was launched. According to this legal act, State child care institutions will be transferred to municipalities by 2010. In the period from 2011 to 2015, the number of places in child care institutions will be reduced and work with the child at child care institutions will be organised solely on the family principle.

### Number of children placed under institutional guardianship (care) in 2005-2007

<i>Children placed under guardianship (care)</i>										
<i>Year</i>	<i>Total</i>	<i>Infant homes</i>	<i>Special schools</i>	<i>Child care homes for disabled children</i>	<i>County child care homes</i>	<i>Municipal child care homes</i>	<i>Non-governmental child care homes</i>	<i>Temporary child care homes</i>	<i>Foster families (family-type child care homes)</i>	<i>Special correction and care homes</i>
2005	<b>5 819</b>	412	771	108	2 674	878	390	269	276	41
2006	<b>5 994</b>	415	775	148	2 754	899	400	265	270	68
2007	<b>5 692</b>	390	442	161	2 609	1 013	439	308	257	73

Data provided by the Department of Statistics.

### Children placed under guardianship (care) in the family, by guardian (caretaker), 2005-2008 (per year)

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<b>Total</b>	<b>1 383</b>	<b>1 309</b>	<b>1 216</b>	<b>1 216</b>
Grandparents	628	651	560	640
Uncle, aunt	278	269	230	240
Sibling	124	158	158	132
Other persons	353	231	268	204

*Data provided by municipal child rights protection agencies (departments).*

172. The priority for a child deprived of parental care is his guardianship (care) in the family. This form of guardianship (care) allows maintenance of contacts with the biological family of the child. Maintenance of contacts with the child deprived of parental care can be facilitated by his relatives. In recent years, this group has made up the majority of guardians (caretakers) of children deprived of parental care. The number of persons having no family connections with the child under their care is not large, and comparison of 2005 and 2008 data shows that it decreased.

173. Pursuant to the Law on Benefits to Children, legal or natural persons, appointed guardians (caretakers) of children deprived of parental care in the manner prescribed by law, shall be paid a monthly benefit of 4 basic social benefits (1 basic social benefit is equal to LTL 135) for the maintenance of the children under their guardianship during the period of such guardianship (care).

174. Information about financial support for a child deprived of parental care is provided in the comment on Article 26 of the Convention.

175. In recent years, the number of persons emigrating from Lithuania has been rapidly growing. Recently more and more families going to work abroad leave their children under the care of their close relatives or friends, but these persons are not considered statutory representatives of a child and therefore have no right to represent the child's interests. The Regulations of Temporary Child Guardianship (Care) govern the procedure for the establishment of temporary child guardianship (care) at the parents' request. Pursuant to this legal act, if the child's parents plan to go to a foreign State for temporary work and leave their child in Lithuania, they must apply to the municipal child rights protection agency specifying the person who could take care of their child at the time of their absence. After these Regulations came into force, temporary care at the parents' request was established for 343 children in 2006, 916 children in 2007, and 1,152 in 2008.

**Establishment of care for children at parents' request**

	<i>As of 31 December 2006</i>	<i>As of 31 December 2007</i>	<i>As of 31 December 2008</i>
Children placed under temporary guardianship (care) in the family by reason of their parents' movement from the Republic of Lithuania	343	916	1 952
By gender: Boys	180	481	971
Girls	163	435	981
By age: 0-3	37	99	131
4-6	50	171	275
7-9	82	164	354
10-14	122	295	674
15-17	52	187	518

Date provided by municipal child rights protection agencies (departments). More statistics are provided in the annex to this report, tables 23-32.

### **Article 21 Adoption**

176. 144 children were adopted in 2005. Out of them, 88 children deprived of parental care were adopted by nationals of the Republic of Lithuania; and 56 children were adopted by a spouse of the child's biological father or mother. One hundred and seventy-five (175) children were adopted in 2006. Of them, 106 children deprived of parental care were adopted by nationals of the Republic of Lithuania; and 69 children were adopted by a spouse of the child's biological father or mother. One hundred and thirty-seven (137) children were adopted in 2007. Out of them, 81 children deprived of parental care were adopted by nationals of the Republic of Lithuania; and 56 children were adopted by a spouse of the child's biological mother (father). One hundred and fifty-six (156) children were adopted in 2008. Out of them, 101 children deprived of parental care were adopted by nationals of the Republic of Lithuania; and 55 children were adopted by a spouse of the child's biological mother (father) and the child's relatives.

177. Comparison of 2005 and 2008 data shows that the largest number of children were adopted in 2006.

### **Number of children from the Republic of Lithuania adopted by nationals of the Republic of Lithuania 2005-2008**

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
<b>Total number of adopted children:</b>	<b>144</b>	<b>175</b>	<b>137</b>	<b>156</b>
Of them:				
Children deprived of parental care	88	106	81	101
Children of spouses, and relatives	56	69	56	55

Data provided by the State Child Rights Protection and Adoption Service.

178. The State Child Rights Protection and Adoption Service is empowered to execute the functions designated to the Central Authority pursuant to the 1993 Hague Convention

on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention), ratified by Law No. VIII-457 of 16 October 1997, and to organize a preliminary intercountry adoption procedure according to requirements laid down in this Convention.

179. The State Child Rights Protection and Adoption Service organizes the preliminary adoption procedure through the central authorities or accredited bodies of foreign States. The Specification of the Procedure for Granting Authorization to Foreign Institutions in Respect of Intercountry Adoption in the Republic of Lithuania was approved by Order No. A1-162 of the Republic of Lithuania Minister of Social Security and Labour of 3 June 2005, whereby non-profit institutions of foreign States are entitled to operate in the Republic of Lithuania, and, in the established manner, are granted authorisation to operate by the State Child Rights Protection and Adoption Service. This requirement is in line with the provisions of Article 21(d) of the United Nations Convention on the Rights of the Child, and Article 8 of the Hague Adoption Convention stating that all appropriate measures must be taken to ensure that, in intercountry adoption, the placement does not result in improper financial gain for those involved in it. The above-mentioned Procedure Specification sets forth the rights, duties, responsibilities and activity control of authorised authorities of foreign States. This Procedure Specification aims at ensuring proper implementation of provisions laid down in the 1993 Hague Adoption Convention.

180. An increasing number of foreign authorised institutions having authorisation to act in Lithuania in the field of intercountry adoption was likely to have a negative effect on the quality of the process of adoption and to weaken the control mechanism for foreign authorised institutions. In view of that, there was adopted Order No. A1-195 of the Republic of Lithuania Minister of Social Security and Labour of 17 July 2006 whereby the Specification of the Procedure for Granting Authorization to Foreign Institutions in Respect of Intercountry Adoption in the Republic of Lithuania was amended by establishing that as of 1 August 2006 new applications for authorization in respect of intercountry adoption in the Republic of Lithuania shall not be accepted from institutions of foreign States.

181. With the number of children adopted and cared for in Lithuania growing, the number of healthy children under the age of six offered for adoption to foreign nationals is decreasing and therefore the preliminary intercountry adoption procedure is dragged out and foreign nationals have to wait for available children of this age for 3 years or more. In order to make the implementation of the intercountry adoption procedure more expeditious and efficient, the requirement was laid down that within one calendar year the institution of a foreign State granted authorization to work in the field of inter-country adoption or the central adoption institution of a receiving country may submit not more than two applications of families (persons) wishing to adopt a child (children) under the age of six, except for cases when a family wishes to adopt a child (children) with special needs.

182. Pursuant to Article 23 of the United Nations Convention of the Rights of the Child, States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. Article 9 of the Hague Adoption Convention also establishes that Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures to facilitate, follow and expedite proceedings with a view to obtaining the adoption. In view of that and seeking proper implementation of the rights of children with special needs, the Specification of the Pre-trial Procedure Regarding the Adoption of Special Needs Children Eligible for Adoption was approved by Order No. A1-32 of the Republic of Lithuania Minister of Social Security and Labour of 1 February 2007. The provisions of this Specification are in line with international and national legislation governing intercountry adoption and are aimed at creating possibilities for such children to more quickly find families that are best



for their needs. Authorised institutions of foreign States are specifically encouraged to implement the Programme on Special Needs Children Eligible for Adoption. This is one of the key criteria used to evaluate the efficiency of activities of a foreign authorised institution in Lithuania. The State Child Rights Protection and Adoption Service, on a regular basis, provides information to foreign State institutions and Central Adoption Authorities about the quota introduced for adopting children under six years of age and about the fact that the majority of children offered for adoption to foreign nationals are children with special needs. Therefore, most families of foreign nationals having submitted applications to include them on the waiting list of foreign nationals or of Lithuanian nationals residing abroad are determined to adopt children with special needs.

183. In 2005, foreign nationals adopted 108 children deprived of parental care, in 2006 – 125, 2007 – 148, and 2008 – 108 children. During the reporting period the largest number of children were adopted by nationals of Italy, the United States and France. The majority of children offered for adoption to foreign nationals are special needs children. It is difficult to find families for such children as all these children have special psychological and physiological needs because of their age, state of health or relations with their siblings.

**Number of children adopted from the Republic of Lithuania by nationals of the Republic of Lithuania habitually resident abroad and by foreign nationals in 2005-2008**

<i>Year</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>
Number of adopted children	108	125	148	108

*Data provided by the State Child Rights Protection and Adoption Service.*

184. To ensure proper implementation of requirements laid down in the Hague Adoption Convention, the State Child Rights Protection and Adoption Service maintains close liaison with foreign central authorities and foreign authorized institutions. On 3-4 October 2007, the State Child Rights Protection Service held the 13th conference of the European Central Authorities in charge of intercountry adoption. The conference was attended by representatives from the central authorities of intercountry adoption of 18 European States (Andorra, Belgium, Cyprus, Denmark, Finland, Germany, Hungary, Iceland, Latvia, Lithuania, Luxembourg, Malta, Monaco, Norway, Slovakia, Sweden, Switzerland, and Netherlands) and 3 international organisations (the Permanent Office of the Hague Conference on Private International Law, the International Social Service and the European Network of National Observatories on Childhood (ChildONEurope)). The conference was aimed at discussing arising problems and sharing experience in the field of intercountry adoption. *More statistics are provided in the annex to this report, tables 33-37.*

**Article 25**

**Periodic review of placement**

185. In the coming years, the creation of a healthy environment for children remains the key priority of the measures for 2004, approved by Resolution No. 321 of the Republic of Lithuania Government of 24 March 2004, for the implementation of the National Programme of Healthy Environmental Promotion Measures for 2003-2006. The implementation of the Children's Environment and Health Action Plan for Europe, adopted by the European Ministers at the Fourth Ministerial Conference on Environment and Health of the World Health Organisation, held on 23-25 June 2005, is in progress. The aim of the Plan is to prevent and significantly reduce child morbidity and mortality arising from gastrointestinal disorders, unsafe water, accidents and injuries, lack of adequate physical activity or unfavourable living or working environment, outdoor and indoor air pollution,

and exposure to hazardous chemicals. An interim report on the implementation of the Plan was prepared in 2007. It was determined that the share of residents who had uninterrupted access to clean drinking water in the Republic of Lithuania accounted for 75.5 per cent in 2007. Hot meals are available to children at schools. Food sections of retail shops are selling and public catering companies as well as bakeries are using only iodinated white salt with an iodine content of 20-40 mg/kg. With the aim of ensuring access to clean and affordable drinking water and adequate sanitation throughout the country, it is envisaged to increase the number of users of centralised water-supply and wastewater treatment services by 3 per cent in urban areas and by 20 per cent in rural areas by 2015 in Lithuania. During recent years legal acts were drafted and approved to regulate a healthy and safe environment in children's education institutions, and safe products intended for children: Lithuanian Hygiene Norm HN 21:2005 "General Education School. General Health Safety Requirements" approved by Order No. V-476 of the Republic of Lithuania Minister of Health of 9 June 2005; Lithuanian Hygiene Norm HN 20:2006 "Non-formal Children's Education School: General Health Safety Requirements" approved by Order No. V-13 of the Republic of Lithuania Minister of Health of 5 January 2006; Lithuanian Hygiene Norm HN 75:2008 "Pre-school Education Institution: General Health Safety Requirements" approved by Order No. V-366 of the Republic of Lithuania Minister of Health of 30 April 2008. Legal acts regulating the environment of educational institutions establish the provision that the education environment should also be adapted for children with special needs.

186. In view of the conclusions of the investigation into minors' attendance at access points of computer networks for public use carried out by the Children's Rights Ombudsman of the Republic of Lithuania, the Republic of Lithuania Minister of Health by his Order No. V-713 of 31 August 2007 approved the Lithuanian Hygiene Norm 18:2007 "Access Points of Computer Networks of Public Use: Health Safety Requirements", which provides for special requirements regarding minors' attendance at access points of computer networks for public use by restricting the time of attending with the aim of protecting children against factors doing harm to the child's physical and psychosocial development. Collection of data on minors' attendance at access points of computer networks for public use on the national scale was started by the State Public Health Service under the Ministry of Health in 2008.

187. The Strategy of State Policy on Child Welfare and the Plan of Implementing Measures for 2005-2012, approved by Resolution No. 184 of the Republic of Lithuania Government of 17 February 2005, envisages the measure "to develop a network of health promoting schools". Health promotion activities are integrated into the institutional level, and the necessity of disseminating the ideas of health promoting schools, sharing of best practices and developing a network of health promoting schools have been acknowledged. To that end, the Description of the Procedure for the Recognition of Schools as Health Promoting Schools, setting forth the criteria and procedure for the recognition of pre-school education, general education and vocational training schools as health promoting schools, was approved by joint Order No. V-684/ISAK-1637 of the Republic of Lithuania Minister of Health and the Republic of Lithuania Minister of Education and Science of 16 August 2007. Commission on the Recognition of Schools as Health Promoting Schools was approved by Order No. V-832 of the Republic of Lithuania Minister of Health of 16 October 2007. In 2007, Lithuania had 383 establishments for children's education carrying out the activities of health promoting schools. After another 41 establishments for children's education joined the network of health promoting schools in 2007-2008, there are 424 establishments for children's education pursuing the activities of health promoting schools in Lithuania. Implementing Article 23 of the Law on Education, primary public healthcare is provided in schools, the Description for the Procedure of Healthcare in Schools was approved by Order No. V-1035/ISAK-2680 of the Republic of Lithuania

Minister of Health and the Republic of Lithuania Minister of Education and Science of 30 December 2005; the Description of the Qualification Requirements for a Public Health Specialist Providing Healthcare in Schools was approved by Order No. V-630 of the Republic of Lithuania Minister of Health of 1 August 2007. It was decided that public health specialists but not personal health specialists should work in schools. Sixty-nine (69) such specialists worked in schools in 2006 compared to 75 in 2007. Even though nurses still constitute a majority, 596, they are gradually undergoing re-qualification. The number of specialists having completed public health studies has increased in schools. At present schools have 175 such specialists. In general, 882 specialists are working in schools. Out of them, in 2006-2007, specialists carrying out public health care at 308 schools in all municipalities acquired knowledge of the health care at schools, application of new technologies and telecommunications in the field of public health information, children, teenagers and youth health, disease prevention, the development of life skills, health promoting activities, work with community, inter alia.

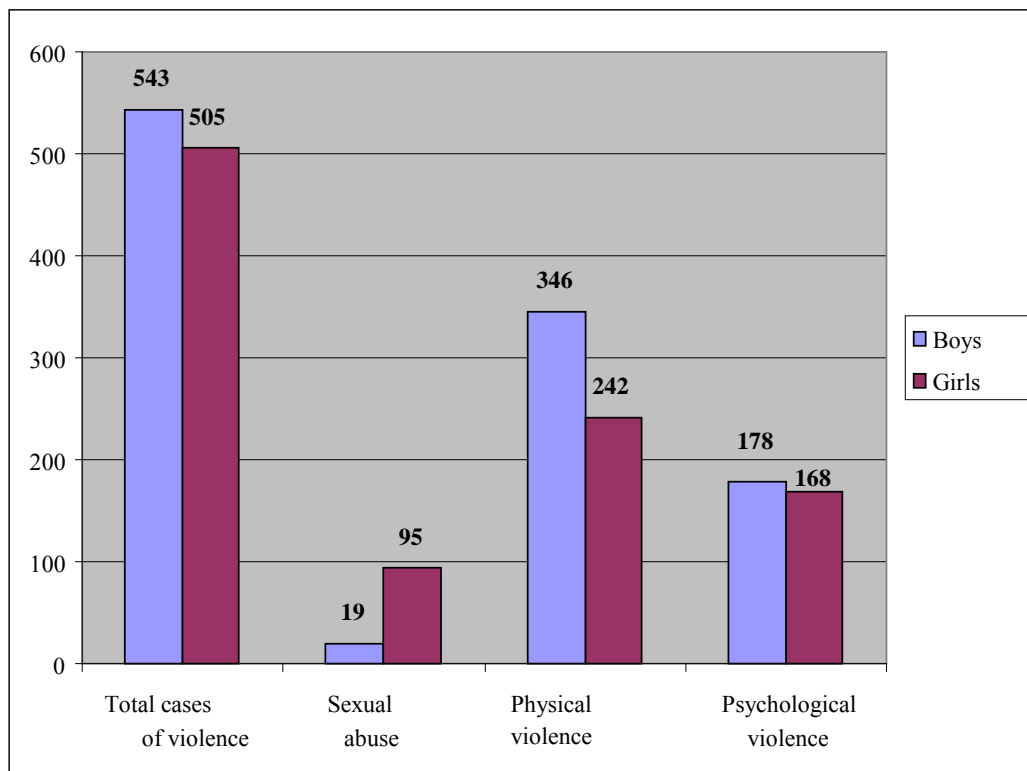
### **Article 19**

#### **Protection from abuse, neglect or negligent treatment**

188. Violence against children is a social phenomenon which emerges as a result of various circumstances such as poverty, unemployment, public values. There are several forms of violence against children: physical, emotional and sexual abuse, and neglect. Violence may also be related to the media and the spread of new information or communication technologies. The Internet, too, contributes to the spread of various kinds of violent material. This most heavily impacts teenagers. As it was observed, children most often suffered violence in the family. Perpetrators, as a rule, are one of the parents, stepparents, older brothers or sisters, relatives, or guardians. The number of cases of violence at schools in which the perpetrators are children is also growing. According to the data of the municipal child rights protection agencies, 1,048 children suffered violence in 2008. This is the smallest number of children having become victims of violence in four years: 2,359 children suffered violence in 2004, compared to 2,311 in 2005, 1,639 in 2006, and 1,178 in 2007. The data provided by the municipal child rights protection agencies and the measurement in per cent of the spread of abuse against children in the population show that 0.14 per cent of all children living in Lithuania suffered violence in 2008 (0.24 per cent in 2007). The greatest spread of violence against children was registered in the counties of Šiauliai, Kaunas, Vilnius, and Utena, whereas the least – in the counties of Panevėžys, Marijampolė, and Alytus. Comparison of 2007 and 2008 data shows that the cases of sexual abuse doubled (11 per cent). In 2007, cases of sexual abuse accounted for 6 per cent of the total cases of committed violence, whereas the number of cases of psychological violence fell from 38 to 33 per cent.

189. Analysis of the data about the distribution of cases of violence between genders shows that in 2008, unlike in previous years, a slightly larger number of boys suffered violence than girls – 543 boys and 505 girls became victims of violence.

190. Meanwhile in 2007, 637 boys and 351 girls faced violence compared to 880 boys and 759 girls in 2006. Analysis of the data about the spread of violence between genders shows that girls suffer sexual abuse nearly five times more often than boys, but boys more often face physical violence, whereas both girls and boys equally suffered psychological violence in 2008.



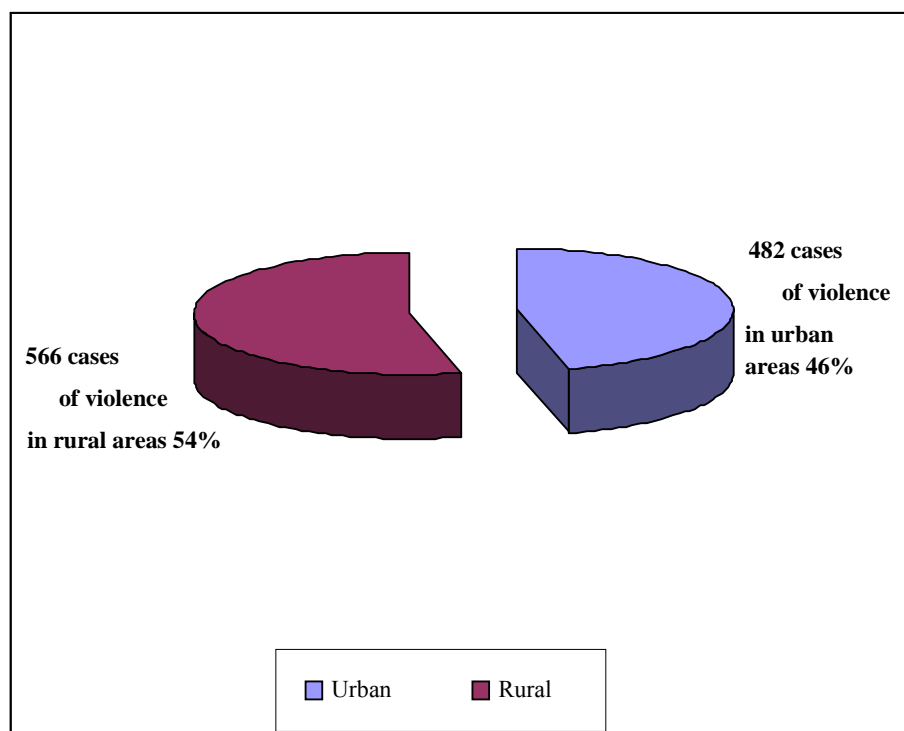
*Data provided by municipal child rights protection agencies (departments).*

191. Thus, physical violence against children is more widespread than other forms of violence.

192. Summary of the data received from the municipal child rights protection agencies shows that physical violence against children was for the most part used by adult relatives (the child's family members or other relatives) in 2006 and 2008. Meanwhile in 2007, physical violence was inflicted on children mainly by unrelated adults. Children suffered psychological violence from adult relatives more often – 234 cases of psychological violence were registered. As a rule, children were subjected to sexual abuse more often by unrelated adults and unrelated minors – 50 and 32 sexual abuse cases, respectively. However, the number of cases of child sexual abuse committed by adult relatives and minor relatives considerably increased – 19 and 13 such cases, respectively.

193. It has also been noticed that the majority of children subjected to sexual, physical and psychological violence were 10 to 14 years old.

194. Analysis of the collected data about the spread of violence against children in the population shows that the scope of the spread of violence in urban and rural areas was nearly the same for several years with the exception of the year 2008 when the number of cases of violence against minors in rural areas was slightly larger than in urban areas.



*Data provided by municipal child rights protection agencies (departments).*

195. Out of all the crimes committed against minors, 54 per cent were registered in rural areas and 46 per cent in urban areas in 2008; 59 per cent cases of violence against children were registered in urban and 41 per cent in rural areas in 2007; and 54 per cent of such cases were registered in urban and 46 per cent in rural areas in 2006. According to the data of the municipal child rights protection agencies, the number of children who suffered violence considerably decreased in 2007-2008. During 2008, the number of children living in urban areas who were subjected to sexual abuse doubled. In 2007 and 2008, victims of sexual abuse in rural areas accounted for 8 per cent and 9.2 per cent of all children who suffered violence, respectively. The tendencies of psychological violence remain similar both in urban areas and rural areas – 34 and 38 per cent, respectively. Thus, the number of children who were subjected to physical and psychological violence decreased, but the number of sexual abuse cases increased.

<i>Distribution of types of violence in urban and rural areas</i>		<i>Sexual abuse</i>	<i>Physical violence</i>	<i>Psychological violence</i>
2007	Urban	6 per cent	58 per cent	36 per cent
	Rural	8 per cent	52 per cent	40 per cent
2008	Urban	13 per cent	55 per cent	32 per cent
	Rural	9 per cent	56 per cent	35 per cent

*Data provided by municipal child rights protection agencies (departments).*

196. In Lithuania, assistance to child victims of violence is provided by municipalities. Social work is carried out with families, and children receive consultations with psychologists and school social pedagogues. Psychologists' consultations in the majority of cases are provided to children in urban areas as it is rather difficult to organise and provide

this type of assistance to the child and his family in rural areas because of the lack of day centres, non-governmental organisations and other agencies providing such assistance to minors having suffered violence and their family members in rural areas.

197. According to the data provided by the municipal child rights protection agencies, assistance to child victims of violence and their families in all municipalities is mainly organised in the territory of the municipality (97 per cent); in other cases (3 per cent) assistance and services were provided by agencies and organisations operating in other municipalities.

198. The National Programme for Prevention of Violence against Children and for Assistance to Children for 2005-2007 was approved by Resolution No. 491 of the Republic of Lithuania Government of 4 May 2005. The underlying objective of the Programme is to provide for complex and coordinated actions as well as measures (prevention, intervention, postvention) aimed at eradicating violence. These measures are intended for children who are potential or actual victims of violence, their family members and violent under-age offenders. This Programme does not address the problem of children's exploitation for commercial purposes and trafficking of children. The Programme is coordinated by the Ministry of Social Security and Labour. Implementing the National Programme for Prevention of Violence against Children and for Assistance to Children for 2005-2007 and organising short-term and long-term complex assistance to children having suffered violence and their family members, LTL 700,000 were spent, and around 1,500 children and their family members received fee-free complex social, medical, legal and psychological assistance; consequently the assistance was available to poorer families as well. Qualified experts provided training on how to recognise various forms of violence and select the mechanism of assistance to 649 specialists employed with various agencies – educational, child rights protection, social care, and law enforcement institutions.

199. After the National Programme for Prevention of Violence against Children and for Assistance to Children for 2005-2007 was implemented, the National Programme for Prevention of Violence against Children and for Assistance to Children for 2008-2010 was approved by Resolution No. 392 of the Republic of Lithuania Government of 24 April 2008. The purpose of the Programme is to provide for complex measures aimed at eradicating all forms of violence against children. The measures of the Programme are intended for children who are potential or actual victims of psychological, physical or sexual violence and neglect as well as their families, and the prevention of bullying at schools. It is expected that the number of cases of violence against children in families and educational institutions will decrease, and public intolerance to various forms of violence will be encouraged, and efficient assistance will be provided to victims of violence.

200. Having regard to the fact that the cases of crimes against a child's freedom of sexual self-determination and inviolability have become common in Lithuania, the Ministry of Social Security and Labour initiated drafting of the Law Amending Article 49 of the Law on Fundamentals of Protection of the Rights of the Child and supplementing this Law with Article 47<sup>1</sup>, which was approved by Resolution No. 404 of the Republic of Lithuania Government of 24 April 2008. The purpose of the draft Law is to supplement the Law on Fundamentals of Protection of the Rights of the Child with a provision prohibiting persons convicted of crimes against a child's freedom of sexual self-determination and inviolability, irrespective of expiration of the conviction, to work at children's social, healthcare, sport and educational institutions and organisations, independent of his working functions, if he is related (regularly or temporarily) with education of the children cared for and ensuring their safety.

201. Neglect or negligent treatment of a child, maltreatment or wrongful educational measures used by parents as well as violence are the main reasons for the establishment of guardianship (care) for children deprived of their family environment. In 2007, due to this

reason 1,846 children were deprived of parental care or 65 per cent of the total number of such children. In 2002, 2.7 per cent of all the aforementioned children lost parental care due to physical or mental violence exerted by parents. *See annex to the Report, table 27.*

202. Pursuant to the Official Job Description for Police Officers for Juvenile Affairs, police officers establish the facts of violation of the child's rights, determine the parents or guardians (caretakers) failing to perform their duty to properly educate and bring up their children, abusing their rights and duties, exerting detrimental effect on their children by their behaviour, subjecting their children to cruel treatment or sexual abuse, and inform in writing the child rights protection agency; determine the children who have lost the care of their parents or guardians (caretakers), the children in need of prompt assistance due to their health state or other causes, and without delay inform the child rights protection agency about them and, if necessary, upon receiving approval from the child rights protection agency, place them into institutions ensuring appropriate child care and maintenance.

**Number of protocols on administrative offences drawn up by police officers, and examination of applications concerning violation of child rights**

	2005	2006	2007
1. Pursuant to Article 181 of the Code of Administrative Offences (CAO) (the failure to use parental powers, or their use in violation of the child's best interests)	6 785	6 655	6 673
2. Pursuant to Article 181-1 of CAO (the default on the obligations of the child's guardian (caretaker) or their discharge in disregard of the child's best interests)	236	198	226
3. Pursuant to Article 181-2(2) of CAO (the failure to provide information to the Child Rights Protection Agency, police, or prosecutor's office about violations of the child's rights committed by the parents, other legal representatives and other persons)	42	29	24
4. Pursuant to Article 181-3 of CAO (violation of the child's rights)	95	113	156
5. Number of applications on the negative influence of parents on their children deliberated by police officers	2 453	2 689	2 877

*Data provided by the Police Department under the Ministry of the Interior.*

203. In 2005, one crime in accordance with Article 158 of the Criminal Code (child abandonment) was registered and one criminal case was referred to court. No such crimes were registered in 2006 and 2007. Three crimes in accordance with Article 158 of the Criminal Code (child abandonment) were registered in 2004 and one criminal case was referred to court in 2005. No such crimes were registered in 2006 and 2007.

204. Criminal liability for acts committed against children practically did not change. However, after adoption of Law No. X-711 Amending and Supplementing Articles 149, 150, 151, 162, 260, 265, 266, 307, 308, 309 and the Annex of the Criminal Code of the Republic of Lithuania and Supplementing the Code with Article 151<sup>1</sup>, a list of crimes against a person's freedom of sexual self-determination and inviolability was supplemented with a new act – satisfaction of one's sexual desire in violation of a minor's freedom of sexual self-determination and/or inviolability. The Criminal Code also establishes the

criminal liability of legal persons for sexual coercion against children. It should be noted that pursuant to Article 60(1)(5) of the Criminal Code, a criminal act committed against a minor is recognised as an aggravating circumstance. Many Articles of the Criminal Code establishing criminal liability for crimes against human health or freedom define qualifying elements of crime and stricter sanctions for crimes committed against minors.

205. *More statistics are provided in the annex to this report, tables 20-22.*

206. Increasing attention is directed to preventive work with families at social risk. As of 1 January 2007, 556 new social workers started working with families at social risk in Lithuania. These posts are financed with the funds of the State budget, which are transferred to municipality budgets as targeted subsidies. In 2008, another 56.5 posts were established (a total of 612.5 posts). These workers contribute to the social reintegration of a child who becomes a victim of any type of neglect, exploitation, abuse, and inhuman or degrading treatment.

207. Since 1998, the Ministry of Social Security and Labour has been implementing the measure “To support psychological assistance services providing good quality telephone services” under the programme “Support for Socially Vulnerable Groups of Population”. Every year support is allocated from the State budget funds for psychological telephone assistance services by paying for telephone calls from residents calling the psychological assistance services for which Service 800 has been granted. The amount of funds allocated for the Programme implementation was growing every year: in 2005 the allocated amount totalled LTL 380,000, in 2006 — LTL 420,000, in 2007 — 400,000, and in 2008 — 605,000. In 2007, 207,900 telephone calls were received compared to 245,900 in 2008. Thus, children are guaranteed assistance in the case of crises.

208. With a view to protecting the child when he is suffering physical or psychological violence or in case of threat to his physical or emotional safety, a decision to allocate social services to him without establishing the need for social services is taken pursuant to Paragraph 7 of the Methods of Establishment of the Need for Social Care in Respect of a Child at Social Risk and a Child Deprived of Parental Care, approved by Order No. A1-179 of the Minister of Social Security and Labour of 27 June 2006. Thus, the provision of the necessary social services to the child who needs assistance is ensured without involving additional procedures related to the establishment of the need for social services.

209. In view of Recommendation Rec(2006)19 of the Committee of Ministers of the European Council to member States on policy to support positive parenting, parenting should be based on positive approaches, and the Plan of Measures for the Implementation of the Strategy of State Policy on Child Welfare for 2005-2012 was approved by Resolution No. 184 of the Republic of Lithuania Government of 17 February 2005. The Plan provides for measures related to the provision of assistance to a family with the aim to encourage the taking of all the necessary measures to support parenting and the creation of the conditions necessary for positive parenting, increase of parental responsibility towards their children by orientation toward the development of positive parenting, i.e. teaching parents the culture of non-violent parenting.

210. Violence against children is a problem faced by Lithuanian and other societies and therefore in order to reduce violence against children, it is important not only to maintain close contacts between municipal child rights protection agencies and develop an assistance network in Lithuania, but also to promote transnational cooperation and have the possibility of exchanging best practices between specialities related to the protection of child rights. One such example is cooperation between the Baltic Sea States in creating a network of institutions including competent authorities from all States of this region, initiated back in 1999. The internet portal [www.childcentre.baltinfo.org](http://www.childcentre.baltinfo.org) for exchange of information between specialists working with risk group children with a particular focus on assistance



to child victims of sexual abuse was developed and launched. One of the priorities of this transnational cooperation is cooperation in organising assistance to children who have suffered violence. In 2004, the creation of another network of transnational cooperation on children's issues, *ChildONEurope*, was started. One of its priorities is cooperation in the field of violence against children in European Union States. With the aim of improving the protection of child rights in the States of the European Union, experts from European Union States every year organize a working group, which discusses urgent issues with regard to preventing violence against children; and a publication where participating countries share their experience in the field of the prevention, intervention and postvention of violence against children is issued. *ChildONEurope* members analyse this information when drafting their national programs and legislation.

211. The Specific Program to Prevent and Combat Violence against Children, Young People and Women and to Protect Victims and Groups at Risk (Daphne III program) is being implemented. The objective of the Program is to prevent and combat all forms of violence occurring in the public or private domain against children, young people and women by taking preventive measures and by providing support for victims and groups at risk, to encourage transnational cooperation aimed at developing networks of transnational cooperation, to ensure the expansion of the knowledge base, to improve public understanding of violence and study phenomena related to violence, to analyse the main causes of violence and combat them in all society levels.

212. Implementing the National Program for Prevention of Violence against Children and for Assistance to Children for 2005-2007, nine projects of short-term and long-term complex support for the children having suffered violence and their families were supported in the amount of LTL 250,000. In 2006, 15 Lithuanian agencies received co-financing by way of tender in the amount of LTL 200,000, and in 2007 the amount of LTL 200,000 was allocated to 10 agencies. In 2005-2007, around 1,500 children and their family members were provided with complex social, medical, legal and psychological assistance. Qualified experts provided training on how to recognise various forms of violence and select the mechanism of support to 649 specialists employed at various agencies – educational, child rights protection, social care, and law enforcement institutions.

213. Implementing the National Program for Prevention of Violence against Children and for Assistance to Children for 2005-2007, the Ministry of Education and Science prepared five methodological guides for school administrations, teachers, children and parents, and organized over 60 training courses for school pedagogues and specialists providing educational assistance. Pre-school education institutions in Lithuania and general education schools started implementing some of the world's most efficient target programs of violence and bullying prevention (*Zipio draugai*, Second Step, OLWEUS).

214. With the aim of tackling the problems of bullying and violence at schools, and to modify and implement new violence prevention programs with worldwide success at educational institutions, the Description for the Procedure of Crisis Management at Schools was approved by Order No. ISAK-1374 of the Republic of Lithuania Minister of Education and Science of 12 July 2007.

215. Implementing the 2005-2006 Measures of Implementation of the National Action Plan against Poverty and Social Exclusion of the Republic of Lithuania in 2004-2006, approved by Resolution No. 1002 of the Republic of Lithuania Government of 13 September 2005, courses for school communities were organized.

## 5. Health and welfare

### Article 23

#### Disabled children

216. Article 28 of the Law on Fundamentals of Protection of the Rights of the Child establishes that a disabled child shall have equal rights with normal children to lead an active life, develop and acquire education suiting his/her physical and mental potentials and desires, to be engaged in work according to his/her abilities and to participate in creative and social activity. Article 30 of the above-mentioned Law lay down legal norms governing the adaptation of the environment to the needs of a disabled child.

217. The principle of equal opportunities of learners with special educational needs is enforced in the Law on Education. Article 15 of this Law provides for the opportunity for a person with special needs to develop, to learn according to his abilities, to acquire education and a profession, and to overcome social exclusion; Articles 19, 20, 21, 22 and 23 of the Law establish the possibility of providing informational, psychological, social-pedagogical, special pedagogical and special assistance and medical aid to every child (learner) who needs it; and Articles 33, 34 and 35 of the Law guarantee accessible education to socially excluded persons and to children (learners) with special needs and with limited mobility.

218. The basic goal of the Law on the Social Integration of the Disabled is to guarantee equal rights and opportunities for disabled persons within society, to establish the principles of social integration of the disabled, to define the system of social integration as well as its prerequisites and conditions. By implementing this Law, a new legal base was established to regulate the determination of the level of working capacity, the level of disability, and special needs. The organisation of the social integration of the disabled is based on the principles of equal rights and opportunities and the prevention of discrimination.

219. The National Program of Social Integration of the Disabled for 2003-2012 approved by Resolution No. 850 of 7 June 2002 of the Government of the Republic of Lithuania envisages a set of measures aimed at ensuring equal opportunities and assistance to families and persons with disabilities (including children); these measures are expected to ensure that disabled children and their parents receive the necessary social, medical and other services as close to their place of residence as possible, thus creating the conditions for disabled children to grow in their families and doing away with the need to place them under social care.

220. In 2006, social integration programs for the disabled were implemented under seven priorities of the National Program of Social Integration of the Disabled for 2003-2012: rehabilitation (psycho-social, vocational, development of independent living skills), social services, accessible environment (adaptation of public physical environment, housing and living environment, also informational environment), education, occupation (employment and other forms of occupation), public awareness-raising, culture, sports, recreation. The programs were implemented by 34 associations for the disabled, nine health-care institutions, vocational training, education and science, also by the Lithuanian Choir of the Blind "Vilnius" and the Department for the Affairs of the Disabled under the Ministry of Social Security and Labour.

221. As part of social integration programs for the disabled, associations for the disabled provide the following support to disabled children and their family members: provide social services to disabled children and their families within the community, or help, as partners, municipalities to organize such services; initiate the establishment and the development of a network of social servicing and activity day centres, educational establishments, groups and/or mainstream classes in municipalities; organize non-formal education for the

disabled; implement other educational programs for the disabled; provide psychological assistance to families; organize active leisure for disabled children and their families; act on behalf of the disabled and protect their rights; promote, in various forms, civil initiatives at community level, i.e. protect the interests of the disabled and collect data on the disabled and their special needs, on the services needed by them, on employment and education, and represent the rights of the disabled with a view to ensuring that their special needs are satisfied and the required services are provided, also that the conditions are created for proper implementation of educational and employment measures at community level.

222. In 2006, 16 associations for the disabled and the Lithuanian Educational Centre for Deaf and Hard of Hearing provided services to disabled children and implemented measures aimed at their social integration. These projects and measures benefited over 7,000 disabled children who received a wide range of services and participated in social integration measures. It is almost impossible to calculate the exact amount of funds used for social integration of disabled children because many operations and measures involved not only disabled children but also disabled adults. However, by preliminary estimations, over LTL 6,500 thousand were spent on the social integration of disabled children.

223. Programs and measures targeted at disabled children and young persons were financed through programs of social integration of people with disabilities in the field of education, which were aimed at developing the education of children, young persons and adults with disabilities (with special needs), adapting teaching programs and providing the social services necessary for the educational process. Financing was focused on the following two main measures: education of children, young persons and adults with disabilities (with special needs), and non-formal education of the disabled.

224. In 2006, LTL 2,062.2 thousand were spent on the education of children and young persons with disabilities (with special needs). With this money, nine education programs for children and young persons with disabilities (with special needs) with over 6,000 participants were financed.

225. As a result of such educational projects for children and young persons with disabilities (with special needs), 13 existing educational institutions, centres and establishments were adapted and supported (these were attended by 661 disabled children and young person), and 3 mainstream classes were set up in schools (attended by 60 disabled children). Support was also given to 2 pre-school educational establishments attended by 115 deaf and hard of hearing children. Three (3) educational establishments were adapted to the needs of the disabled; their services are now used by 140 disabled persons. Regular transportation to educational establishments was provided to 190 disabled persons.

226. Two hundred and thirty-seven (237) children and young persons with disabilities were provided with disability aids, teaching aids (FM systems facilitating hearing), interactive books and books in Braille, hardware and software, and teaching materials for young persons with serious mobility disorders.

227. To support the education of disabled students in colleges and higher schools and to satisfy their special needs, LTL 491.2 thousand were spent in 2006.

228. The Lithuanian Association of the Disabled, the Lithuanian Union of the Blind and Visually Impaired and the Lithuanian Association of the Deaf supported 178 disabled persons studying in colleges and higher education establishments.

229. On 29 August 2006, the Government of the Republic of Lithuania adopted Resolution No. 831 to approve the procedure for providing financial assistance to disabled students of higher schools. Pursuant to this procedure, disabled students receive the following financial assistance: a targeted monthly benefit equal to 50 per cent of the basic

State social insurance pension, to satisfy their special needs; a targeted benefit equal to 3.2 basic social benefits established by the Government of the Republic of Lithuania payable per semester to students in public higher schools whose studies are only partially financed from the State budget of the Republic of Lithuania or not financed at all, to subsidize a part of their studying costs.

230. From September 2006, when this procedure was launched into action, to the end of the year, spending to satisfy special needs of disabled students and to co-finance their studies totalled LTL 372 thou. Support was given to 542 disabled students in 34 higher schools, including 489 students in 29 public schools and 53 students in 5 non-public schools. Targeted benefits for partial subsidies for studying costs were paid to 292 students in public schools. Benefits for special needs were paid to all disabled students, both in public and non-public higher schools (542 students in total).

231. Disabled children and young persons also participated in other measures and programs aimed at social integration of the disabled; they received various services through social integration programs for disabled people financed and implemented in other fields of the Program.

232. The goal of social integration programs for disabled people in the field of rehabilitation is to restore, by consistent application of rehabilitation measures (vocational, development of independent living skills, psychosocial), their biosocial functions, enhance their independence, restore vocational (occupational) skills or teach new skills. To this end, financing was allocated to the following three main measures: psychosocial rehabilitation, development of independent living skills, and vocational rehabilitation. Thanks to these funded programs, disabled children and young persons received rehabilitation services, improved their independence, and were provided with disability aids.

233. As part of psychosocial rehabilitation measures, the Lithuanian Welfare Society for People with Intellectual Disability “*Viltis*” (Hope) supported the activities of the psychosocial assistance service of the Child’s Development Centre, which provided services to 290 children with development disorders and 200 family members, and allocated funds for the acquisition of aids and equipment necessary for psychosocial rehabilitation. Operations under this project included the application and improvement of a sensorial stimulation technique for the improvement of social adaptation of children with autistic disorders, the introduction of diagnostics of children’s sleep disorders, the adaptation and supplementation of the program of rehabilitation for children with impaired development with a view to improving the quality of life of the child and the family, and the provision of psychological, social and methodological advice to 200 family members as to how children with impaired development should be taken care of and educated. Also, a psychosocial rehabilitation program was organized for people with impaired development, which benefited 71 disabled children.

234. The Lithuanian Union of People with Disabilities supported the activities of mutual assistance groups of the disabled; 10 disabled children attended sessions of these groups. The Lithuanian Association of Families with Deaf and Hearing-Impaired Children “*Pagava*” implemented a project for psychological assistance to deaf children and their family members, and provided assistance to 29 deaf and hard-of-hearing children and their family members. Twenty (20) deaf children and young persons were provided with psychological services, and the parents of 25 deaf children received psychological advice on the issue of educating their children from a psychologist at the Lithuanian Association of the Deaf. Two (2) self-assistance groups of the Lithuanian Association of Epilepsy Patients’ Integration (LESIA) were supported; 16 epileptic children were kept busy and participated in a children’s camp.

235. As part of implementing measures aimed at developing independent living skills, the Cerebral Palsy Association organized independent living skills development camps for disabled children, young persons and adults, which were attended by 57 children with cerebral palsy. Also, activities of the diabetes school of the Lithuanian Diabetes Association were supported, a number of seminars in regional diabetes clubs were held, and five diabetes training camps for children and young persons were organised and attended by 126 children and young persons. The Lithuanian Union of People with Disabilities organised independent living skills development camps and a number of other measures aimed at developing skills to lead an active and full life for 58 children with disabilities. Three (3) independent living skills development camps were organized by the Lithuanian Orienteering Sport and Tourism Association for the Disabled; in these camps, 17 disabled children learned to get accustomed to water and live in outdoor conditions. The Lithuanian Association of the Hearing-Impaired organised group sessions for 22 hearing-impaired adolescents to develop their social communication skills.

236. As part of measures aimed at providing disabled people with disability aids, the Lithuanian Association of the Blind and Visually Impaired and the Lithuanian Association of the Deaf supplied disability and technical aids to people with hearing and sight disabilities. Disability aids were provided to 61 children, including 1 child with hearing disability (hearing aid) and 60 children with sight disability (Braille typewriters).

237. Since 2007, disabled people have been provided with technical aids through technical aid centres for the disabled. In 2008, the Centre of Technical Aid for Disabled People under the Ministry of Social Security and Labour started providing technical aids to people with hearing and sight disabilities. Before that, this function was the responsibility of non-governmental organisations for the disabled.

238. The goal of social integration programs for the disabled in the field of social services is to satisfy special disability-related needs by providing social services at community level. Funding was allocated for one main measure, social services. As a result of programs financed, disabled children and young persons were provided with general and special social services in outpatient and inpatient social care institutions, day-care centres and rehabilitation centres run by municipalities and NGOs.

239. As part of social servicing measures, the Lithuanian Welfare Society for People with Intellectual Disability “*Viltis*” (Hope) supported the activities of 30 community-type centres, social servicing centres and family support centres; 13 social servicing centres provided specialised regular and single transportation services for mentally-impaired people from/to educational and activity centres to/from home. Outpatient social services were provided to 4,213 disabled persons, including disabled children and their families. The Lithuanian Union of People with Disabilities provided outpatient social services to 20 disabled children in 6 social servicing centres.

240. The goal of social integration programs for disabled people in the field of accessibility of the environment is to reduce social exclusion of the disabled, and to adapt public, housing and informational environment to their needs. For this purpose, three main measures were financed: adaptation of the public physical environment, adaptation of the housing and living environment, and adaptation of the informational environment. As a result of these programmes, public buildings frequently visited by disabled children, also their homes, were adapted to their needs; disabled children were given access to adapted informational and communicational instruments and publications designed specially for them and adapted to their abilities.

241. As part of measures aimed at adapting the public physical environment, 41 public facilities (educational, day-care and activity centres, sport clubs for the disabled), of which 39 social facilities were fully adapted to the needs of the disabled; automated stop

announcement systems were installed in 350 trolleybuses and 30 buses; and 18 public-purpose objects were partially adapted, of which 4 educational establishments attended by 311 disabled children, 9 social servicing and activity centres and sport clubs for the disabled, 2 health-care and rehabilitation centres attended by 216 disabled children a year, and 2 urban residential districts populated mostly by the blind. A program for monitoring planned new constructions and reconstructions was implemented in 10 counties of the country (pre-approval of designs and participation in the process of acceptance of the buildings by a State commission): designs for 889 buildings of public use were reviewed and approved, 720 acts of a State commission of acceptance of the buildings were co-signed, and 819 consultations regarding adaptation of the environment were provided.

242. As part of housing and living environment adaptation measures, 20 flats were adapted to the needs of disabled children.

243. Since 2007, municipalities have been implementing the Program of Adaptation of Housing to the Needs of the Disabled for 2007-2011 approved by Resolution No. 638 of 28 June 2006 of the Government of the Republic of Lithuania. The Program authorises municipalities to organise and carry out housing adaptation to meet the special needs of the disabled. Legal acts governing the adaptation of housing require that priority in adapting housing be given to disabled children and young persons between 7 and 24 years of age. In 2007, the Program of Adaptation of Housing to the Needs of the Disabled was carried out in 49 municipalities.

244. By implementing informational environment adaptation measures, the Lithuanian Association of the Disabled set up 16 informational centres, while the Lithuanian Association of the Deaf supported the activities of 6 informational centres which provided services to about 4,750 disabled persons, including children. The Lithuanian Association of the Blind and Visually Impaired published 4 periodicals adapted to the disabled, in Braille and enlarged font, which were used by 7,500 disabled persons, including children; also, a digital archive of publications was created, a number of digital publications were published, and information in Braille was provided to the visually-impaired. Supporting the introduction of a digital audio book in Lithuania, 240 publications were digitalised and placed into the archive of the Lithuanian Library for the Blind; these are expected to be used by about 4,000 visually-impaired people, including children. The Lithuanian Association of the Hearing-Impaired organised a computer-literacy course which was attended by 30 children and young persons with impaired hearing. The Lithuanian Association of the Deaf supported the operation of information centres and 6 computer rooms in rehabilitation centres for the deaf, where children and young persons with hearing disability learn to use the computer, search for information, and communicate. Support was also provided to maintain internet websites of associations of the disabled. The Lithuanian Association of Families with Deaf and Hearing-Impaired Children "*Pagava*" provided technical aids to 44 deaf and hearing-impaired children (personal FM transmitters, behind-the-ear digital hearing aids, vibrating alarm clocks, mobile phones).

245. LTL 694 thousand were spent on the implementation of measures under the Program for the Use of the Lithuanian Sign Language and the Provision of Interpretation Services for 2005-2008 approved by Resolution No. 896 of 17 August 2005 of the Government of the Republic of Lithuania. The Program is targeted at hearing-impaired people, both adults and children, also at their families and professionals working with the disabled. Nine hundred and fifty-nine (959) hearing-impaired children benefited from the measures under this Program and used the publications released as part of it.

246. As part of the Program for the Use of the Lithuanian Sign Language and the Provision of Interpretation Services for 2005-2008, 10 items were released (1 methodological kit for teachers of the deaf, 1 teaching kit for social workers, 2 videotapes,

and 6 teaching-methodological publications (dictionaries, textbooks, exercise-books) for hearing-impaired school-age children).

247. Six (6) training courses of the Lithuanian sign language were organised and conducted for 105 parents of deaf children and for other users of the Lithuanian sign language. Eight (8) interpreters of the Lithuanian sign language provided interpretation services at 6 rehabilitation centres for the deaf; the services were used by 1,000 deaf persons and 300 hearing persons.

248. There was also an investment project “Installation of Sign Language Training Rooms in Rehabilitation Centres and Schools for the Deaf”, with the result of 5 Lithuanian sign language training rooms installed in rehabilitation centres and 1 training room of the Lithuanian sign lexis and grammar in the Surdology Centre, which will be capable of providing services to 5,000 deaf persons and about 500 professionals and family members of the deaf. Ten (10) educational establishments for the deaf performed minor repairs of their sign language training rooms, benefiting about 800 deaf children.

249. Under Measure 2.2 of the Plan of Implementing Measures for the National Programme of Social Integration of the Disabled for 2003-2012, a universal database for the rehabilitation and integration of the disabled was set up to collect, systemise, store and regularly update specialised information accessible to all users and relevant for the rehabilitation and social integration of the disabled, on disabled people and their rehabilitation, services, institutions, enterprises and measures taken in the fields of health-care, social security, education and science, employment, accessibility of the environment, and culture and sports. The database is also used by disabled children, their family members, and professionals working with disabled children.

250. The goal of social integration programmes for the disabled in the field of employment is to integrate the disabled into the labour market by helping them to find a job, promoting work at home and self-employment, encouraging the use of new information technologies, and applying general and individualised programmes, and to introduce and develop alternative forms of activity such as work therapy and activity in general. For this purpose, three main measures were financed: employment in the free labour market, work therapy, and activity in general. Through these programmes, disabled children and young persons participated in employment measures, and were engaged in work therapy and other forms of activity.

251. As part of work therapy measures, 22 work centres for mentally-impaired people run by the Lithuanian Welfare Society for People with Intellectual Disability “*Viltis*” (Hope) were supported by purchasing the necessary equipment and tools and by providing transportation services to the centres, benefiting 564 disabled persons, including children. Support was also provided to non-formal artistic activities (theatre, music, painting) for the disabled at 2 activity centres (in Alytus and Druskininkai) of the Lithuanian Special Creative Association “*Gubojas*”, attended by 20 disabled children.

252. As part of activity measures in general, 7 activity camps for 120 disabled children were organised by the Lithuanian Association of the Deaf in cooperation with Telšiai Association of the Deaf “*Tyla*” (Silence), Vilnius Rehabilitation Centre, Kaunas Rehabilitation and Education Centre “*Linqua*” for Deaf and Hard of Hearing Children, Vilnius Pre-School Education Centre for Hearing-Impaired Children, Klaipėda Basic Boarding School for the Deaf and Hard of Hearing, Vilnius Vocational Training Centre for the Deaf and Hard of Hearing, and Kaunas Kindergarten-School for Deaf Children and Youngsters. To support self-expression for the disabled, the Lithuanian Union of People with Disabilities organized various contests and supported participation of disabled people in dance, art, theatre and other events; 10 disabled children participated in such events. In support of the activities of Raseiniai Activity Centre for Mentally-Impaired Young People

within the Cerebral Palsy Association, funds were allocated for acquisition of workshop machinery and tools.

253. The goal of social integration programs for the disabled in the field of public awareness is to enhance understanding of social integration of the disabled within the society, to form positive attitudes towards disabled people, and to provide information on public policies in this area, on disabilities and their prevention, and on the available services. For this purpose, three main measures were financed: publishing; conferences, training, and seminars; and other awareness-raising measures. As a result of implementation of the programs financed, disabled children and young persons received publicly accessible information and other relevant information on such issues as disabilities and diseases, their prevention, rehabilitation, social services, education, employment and legal matters.

254. The goal of social integration programs for the disabled in the field of culture, sports and recreation is to promote participation by the disabled in cultural, sporting and recreational activities. Three main measures were financed in this area: culture, sports and recreation. These programs engaged disabled children and young persons in active sports, and promoted their attendance at cultural, sporting and recreational events.

255. Pursuant to the new version of the Law of the Republic of Lithuania on State Social Assistance Benefits No. X-210 of 19 May 2005, families with disabled children are eligible to support from the State budget in the form of social assistance benefits. Before 1 April 2004, all disabled children irrespective of the severity of disability were eligible to a flat-rate equal social assistance benefit in the amount of one basic State social insurance pension (hereinafter referred to as "the basic pension"). Upon numerous requests by parents of disabled children to differentiate social assistance benefits according to the severity of disability, the following assistance benefits for disabled children were set, with effect from 1 April 2004:

- (a) Children with severe disability: 2 basic pensions (LTL 720, from 1 August 2008);
- (b) Children with moderate disability: 1.5 basic pensions (LTL 540, from 1 August 2008);
- (c) Children with mild disability: 1 basic pension (LTL 360, from 1 August 2008).

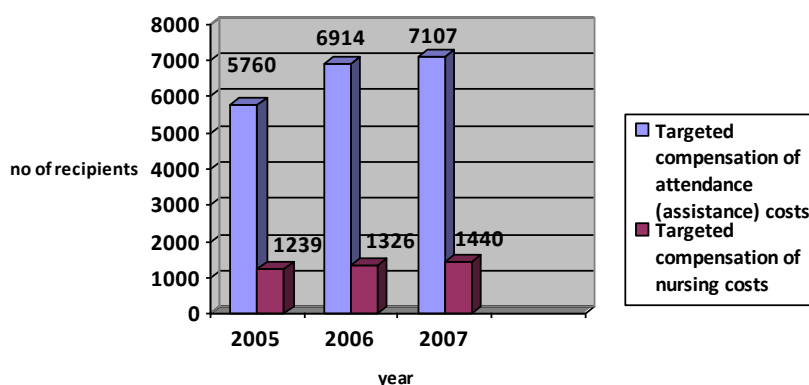
<i>Year</i>		<i>Mild disability</i>	<i>Moderate disability</i>	<i>Severe disability</i>
2004	Number of recipients	2 380	2 455	2 045
	Funds (LTL thou.)	1 202	1 867.3	2 141
2005	Number of recipients	4 389	3 943	2 360
	Funds (LTL thou.)	9 948.7	13 447.3	10 653.2
2006	Number of recipients	6 339	5 742	2 767
	Funds (LTL thou.)	15 799.9	21 191.4	13 667.7
2007	Number of recipients	4 741	4 368	2 058
	Funds (LTL thou.)	14 801.8	20 334.2	12 730.2

*Data provided by the Ministry of Social Security and Labour.*



256. Apart from that, disabled children are eligible to additional benefits aimed at subsidizing a least a part of nursing and attendance costs. With effect from 1 July 2005, nursing allowances for persons with full disability and targeted compensations for nursing expenses were replaced with targeted compensations for nursing or attendance (assistance) costs. Children with severe or moderate disability are eligible to targeted compensations of attendance (assistance) costs in the amount of 1 basic pension (LTL 360, from 1 August 2008) or 0.5 basic pension (LTL 180, from 1 August 2008), respectively. Disabled children with a special need for permanent nursing are eligible to a targeted compensation for nursing costs in the amount of 2.5 basic pensions (LTL 900, from 1 August 2008), not for attendance (assistance) costs.

**Recipients of targeted compensations (children under 18), 2005-2007**



Data provided by the Ministry of Social Security and Labour. For more statistics, see tables 43-45 in the annex.

#### Articles 6 and 24 Health and health services

257. Health-care services to children under 18 years of age are provided by family doctors, pediatricians and specialized doctors. The number of children subjected to preventive health examinations remained stable in the reporting period (91 per cent). Figures relating to preventive health examinations of children are given in the table below.

#### Dynamics of preventive health examinations of children and breastfeeding results, 2005-2007

Year	Number of children	Share of children between 0-17 years of age subjected to preventive health examinations (%)	Of which: children under 1 year		
			Share of children subjected to preventive health examinations (%)	Of which: breastfed until 3 months of age (%)	Of which: breastfed until 6 months of age (%)
2005	732 500	90.9	93.7	51.5	32.9
2006	707 200	91.2	93.1	52.7	34.8
2007	684 700	91.2	95.4	53.5	32.2

258. The number of children breastfed until the age of three months has been growing.

259. The Minister of Health of the Republic of Lithuania issued Order No. V-613 of 27 August 2004 to approve the Provisional Rules for the Assessment of Inpatient Health-Care Institutions against Requirements for Baby-Friendly Hospital. So far, five baby-friendly hospitals have been registered, with another four aspiring to the status.

260. The Plan of Implementing Measures for the National Food and Nutrition Strategy for 2003-2010 approved by Resolution No. 1325 of 23 October 2003 of the Government of the Republic of Lithuania envisages a set of measures aimed at promoting healthy nutrition in Lithuania. Among other goals, the Program sets a target of exclusive breastfeeding for the first six months, and supplemented breastfeeding in the second year of life. Two publications with recommendations, "Breastfeeding of Infants and Young Children" and "What Expectant Mothers Must Know", were published and distributed in primary health-care institutions. Also, "Breastfeeding of Infants and Young Children" was released as a methodological guide for professionals. In 2009-2010, Lithuania plans to conduct infant and young children breastfeeding surveys.

261. The volumes of preventive vaccinations change only slightly; they are performed on nearly all children.

**Preventive vaccination of children according to preventive vaccination schedule, 2005-2007 (%)**

<i>Diseases</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>
Tuberculosis	99.4	99.4	99.3
Hepatitis B	99.0	99.4	99.0
Diphtheria, tetanus	94.0	94.0	94.9
Whooping-cough	94.0	94.0	94.9
Poliomyelitis	97.3	97.3	97.8
Measles	97.2	96.6	96.9
Epidemic parotitis	97.2	96.6	96.9
German measles	97.2	96.6	96.9

262. The mortality of infants and children under five years of age has been constantly decreasing.

**Mortality of children aged 0-5 Years in Lithuania, 2005-2007**

	<i>2005</i>	<i>2006</i>	<i>2007</i>
Mortality of infants under 1 year per 1,000 live births	6.9	6.8	5.9
Mortality of children aged 0-4 years per 1,000 live births	8.55	8.48	7.1

263. As part of the Plan of Implementing Measures for the National Strategy for the Demographic (Population) Policy for 2005-2007, the Ministry of Social Security and Labour commissioned a study into the reasons for child mortality and mutilation in 2007. The need for the study was prompted, *inter alia*, by the fact that Lithuania had one of the highest mortality rates for children aged between 1 and 17 years caused by external factors (car accidents, traffic accidents, poisoning, drowning, fire, suicide, etc.) among the European Union member States. The study aimed at investigating the structure of mortality

caused by external factors in the 1-17 years age group, age-specific causes of death, the effectiveness of first and emergency medical aid provided on the site, and the scope and quality of outpatient and inpatient health-care services. Apart from the above aspects, the study looked into the Lithuanian legal base regulating the prevention of accidents, and into the competences of public administration institutions responsible for the safety of people and for the prevention of accidents. The outputs of the study included the description of the experience of other countries in the field of accident prevention and mortality reduction, as well as recommendations and proposals for competent authorities concerning action to be taken to reduce child mortality caused by external factors.

264. In the light of the epidemiological situation in Lithuania, the Government of the Republic of Lithuania approved, by Resolution No. 1611 of 10 October 2002, and implemented the National Tuberculosis Prevention and Control Program for 2003-2006. The purpose of the Program was to implement a set of measures at the national and local levels to protect the population from the source of infection of tuberculosis. The diagnostics and treatment of tuberculosis in children is based on the same principles as those applied with respect to adults. A mother who is not suffering from open tuberculosis can breastfeed her child. While a mother is sick with tuberculosis and expelling tuberculosis bacteria into the environment, her baby is vaccinated and isolated from the source of infection.

265. The main sources of infection with tuberculosis mycobacteria for children are infected parents and other frequent contacts. With a view to protecting children from exposure to tuberculosis, efficient treatment of adult patients suffering from pulmonary tuberculosis and expelling tuberculosis bacteria into the environment is a must. Therefore, in order to reduce the incidence of tuberculosis and the spread of drug-resistant forms of the disease, the Government of the Republic of Lithuania has approved, by Resolution No. 509 of 23 May 2007, and is implementing the National Tuberculosis Prevention and Control Programme for 2007-2010. On 16 October 2007, the Minister of Health of the Republic of Lithuania approved, by Order No. V-833, the Procedure for Compensating the Cost of Outpatient Treatment and Control of Tuberculosis. This Procedure serves as the basis for compensating travel costs for doctors and nurses who visit patients to provide controlled outpatient treatment services, for purchasing visual monitoring equipment and respirators 3M with HEPA filters for personal health-care institutions providing tuberculosis diagnostics and treatment services, and for individual and group training sessions for tuberculosis patients.

266. The total allocation for the implementation of the National Tuberculosis Prevention and Control Programme amounted to LTL 966,000 in 2007, of which LTL 280,000 were investment funds. The successful implementation of the Programme resulted in the improved epidemiological situation of tuberculosis and better morbidity indicators.

267. Vaccination of children from tuberculosis and its timely identification helped to reduce the incidence of severe local forms of tuberculosis among children. Certain positive trends in the area of child morbidity from tuberculosis were noticed in 2007. Not a single case of child death caused by tuberculosis has been recorded since 2004.

#### **Incidence of tuberculosis among children under 15 years in Lithuania, 2005-2007**

<i>Year</i>	<i>In absolute figures</i>	<i>Per 100,000 children</i>
2005	123	16.8
2006	138	19.5
2007	104	~14.95, to be confirmed

268. Order No. 666 of 22 December 2001 of the Minister of Health of the Republic of Lithuania “Concerning the Approval of the Lithuanian Hygiene Norm HM 107:2001 ‘Special Purpose Foodstuffs’”, which governed the issuance of recommendations for supplemented feeding of infants, was reviewed and brought up to date. A representative study on the shortage of iodine in foods and thyroid diseases caused by iodine metabolism problems was conducted in 2005, involving 1,000 respondents. The study reported that 67 per cent of the population consumed iodized salt and did not face the risk of suffering from diseases caused by iodine deficiency. To promote consumption of iodized salt so as to boost iodine intake, iodized salt is exempt from VAT. All newborns in Lithuania are, like before, examined for congenital thyroid disorders. Leaflets “Healthy Diet Recommendations” about iodized salt were published and distributed to the public.

269. On 27 August 2008, the Government of the Republic of Lithuania approved, by Resolution No. 538, Children Health Promotion Programme for 2008-2012, which provides that LTL 1,065 thousand will be allocated for the implementation of measures aimed at promoting a healthy environment for children, health education, and preventing diseases and traumas.

270. In the reporting period, psychiatry and psychotherapy services to children/adolescents and their parents (guardians/legal representatives of the patient) were provided, like before, at municipal mental health centres or at the psychiatrist’s, also at the secondary and tertiary level health-care establishments. These services are available both to urban and rural children, adolescents and their families.

271. For the purpose of treatment of mental disorders in children, the Programme of Reducing Morbidity and Mortality from the Most Frequent Non-Contagious Diseases for 2007-2013 approved by Order No. V-799 of 9 October 2007 of the Minister of Health of the Republic of Lithuania provides that the European Union Structural Funds will be used in 2007-2013 to finance the following action: the setting up of five differentiated centres of complex assistance to the child and the family, the setting up of psychiatry day-care inpatient departments (centres) and crisis prevention centres, and the upgrading of the infrastructure for monitoring mental health-care services.

#### Children with mental and behavioural disorders, end of year

	<i>Total number of children aged 0-17 years</i>	<i>Of which: aged 0-14 years</i>	<i>Aged 15-17 years</i>			
			<i>Boys</i>	<i>Girls</i>	<i>Urban</i>	<i>Rural</i>
In absolute figures	<b>9 298</b>	6 698	1 461	1 139	1 836	764
2005 Per 100,000 children	<b>1 293.5</b>	1 195.2	1 808.9	1 467.0	1 826.7	1 319.5
In absolute figures	<b>9 214</b>	6 669	1 460	1 085	1 815	730
2006 Per 100,000 children	<b>1 324.8</b>	1 239.3	1 816.7	1 408.7	1 827.0	1 257.7
In absolute figures	<b>8 972</b>	6 406	1 569	997	1 845	721
2007 Per 100,000 children	<b>1 331.4</b>	1 239.1	1 961.2	1 296.7	1 871.0	1 237.2

272. The Seimas of the Republic of Lithuania approved, by Resolution No. X-1070 of 3 April 2007, the Mental Health Strategy, which aims at creating a mental health-care system capable of improving public mental health effectively and efficiently by applying the latest

scientific knowledge and values, and providing full assistance to people with mental and behavioural disorders and to their families. The National Programme for the Implementation of Mental Health Strategy for 2008-2010 approved by Resolution No. 645 of 18 June 2008 of the Government of the Republic of Lithuania provides for the development and implementation of special programmes for children with mental and behavioural disorders and their parents. Municipalities will be invited to set up more special classes for children with impaired development, in general education schools. Moreover, a set of methodological guidance concerning complex assistance to pre-school age children and families with children with mental and behavioural disorders, and concerning the provision of outpatient and inpatient services to children with severe mental, behavioural and development disorders, will be developed and put into action. Other plans include the preparation and application of procedures governing the organisation of the provision of psychiatry and psychotherapy services to children and the provision of psychological and psychotherapy assistance in pre-school education establishments. It is also planned to hold annual academic practical conferences on specific child mental health issues. Pursuant to Resolution No. X-1185 of 14 June 2007 of the Seimas of the Republic of Lithuania "Concerning the Announcement of Year 2008 as the Year of Sobriety", a Programme of the Year of Sobriety was developed and approved by Resolution No. 19 of 9 January 2008 of the Government of the Republic of Lithuania. The goal of the Programme is to promote the culture of sobriety among the public, especially among children and young people, promote a sober way of living, and develop cooperation among central government and municipal authorities, non-governmental organisations and the community, by spreading sobriety ideas within the society and by fostering healthy living virtues in children and youth. As part of implementing the Programme of the Year of Sobriety, a publication on the harmful effects of alcohol, "Pregnancy and Alcohol", was published for future parents, a contest for the best community programme aimed at prevention of the use of alcohol was organised, and a conference was dedicated to the Year of Sobriety and held in the Seimas of the Republic of Lithuania. In addition to that, a competition for the best video clip produced by schoolchildren under the title "Be Sober" was organised, a campaign targeted at high-school children, "Advantages of Living without Alcohol" was conducted, and a call for tenders for the creation and promotion of sober environment for youth was announced.

273. As part of the Plan of Implementing Measures for 2007-2010 for the National Tobacco Control Programme, approved by Resolution No. 1117 of 17 October 2007 of the Government of the Republic of Lithuania, a campaign for International Non-Smoking Day and a lecture-discussion "Harmful Effects of Smoking on a Young Body" were organised and conducted, and leaflets "Smoking is out of Style" and "Risk of Passive Smoking" were published and distributed to schoolchildren. The State Mental Health Centre in cooperation with the Centre of Assistance to Addicted Youth of Kaunas organised an eight-hour training course for health-care professionals engaged in the provision of consulting services to those who want to quit smoking. The training was attended by 51 health-care professionals.

274. As part of implementing the National Alcohol Control Programme approved by Resolution No. 212 of 25 February 1999 of the Government of the Republic of Lithuania, a study of the intensity of alcohol advertising and public attitudes towards alcohol advertising in the form of a representative poll of 1,104 permanent residents of Lithuania aged between 15 and 74 years, and a study of the peculiarities of harmful alcohol use and its effects on public health in the form of a representative poll of 3,302 permanent residents of Lithuania aged between 15 and 74 were conducted in 2007. The studies revealed that one-third of men aged 15-74 and 9.5 per cent of women of this age group were harmful alcohol users. A publication "Alcohol and Pregnancy" and an informational documentary film for adolescents and young people "Alcohol is 'Cool'!?" on the harmful effects of alcohol were produced and released.

275. With a view to improving health-care services for addicts, enhancing the accessibility of specialised services, ensuring a high quality of medical and psychological services to both children and adolescents suffering from addictive disorders and to adults, pregnant women and women with young children, and improving the rehabilitation of such patients and their integration into society, financial allocations for the implementation of the Addictive Disorders Programme for 2005-2008 approved by Order No. V-182 of 22 March 2005 of the Minister of Health of the Republic of Lithuania have been increased every year.

276. Treatment for addictive disorders and rehabilitation services are provided to children at mental health centres and primary health-care establishments. Centres for addictive disorders have detoxification and short-term rehabilitation units and sub-units for children using psychoactive substances. These units and sub-units deliver detoxification, medical treatment, and psychological and social rehabilitation services. Addictive disorders centres operating in the largest towns of the country (Vilnius, Kaunas, and Klaipėda) can provide accommodation for eight children at a time, for medical treatment and short-term rehabilitation purposes. In April 2008, the Centre for Addictive Disorders of the Kaunas County was the first in the country to open a State-funded long-term rehabilitation unit with 10 places for children and young people which delivers psychotherapy services to children addicted to psychoactive substances.

277. A set of methodological guidelines for assessing psychological and social rehabilitation measures were developed to be used by providers of psychological and social rehabilitation services to children.

278. As part of the Implementing Measures for 2007 of the National Programme of Drug Control and Prevention of Drug Abuse for 2004-2008, the State Mental Health Centre organised, in cooperation with the Teachers' Professional Development Centre, a series of 36-hour seminars under the title "Programme for the Prevention of the Use of Alcohol, Tobacco and Other Psychoactive Substances, and Implementation of the Programme at Educational Establishments" for public health specialists and other staff of educational establishments working to prevent the use of psychoactive substances. The seminars were attended by 63 specialists in total.

279. Ten (10) training courses were organised for staff of child care homes in the counties. In total, 178 workers at child care homes were trained. Two two-day seminars on the topic "Organisation of Assistance to Children Addicted to Psychoactive Substances" were attended by 31 workers at child care homes; three follow-up seminars were organised; three seminars on the topic of early intervention were attended by 74 professionals; a training course on the topic "Complex Diagnostics and Treatment of Mental Disorders and Addictions of Adolescents" was conducted; 66 children participated in the training sessions, apart from psychiatrists, psychologists, and social workers working with adolescents; two training sessions on the topic "Prevention of the Use of Psychoactive Substances and Principles of Early Intervention" were organised and attended by 40 primary health-care professionals.

280. The Lithuanian Association of Psychological Telephone Assistance Services organised two seminars for workers of child care homes in accordance with the LIONS Quest methodology under the title "Crossroads of Adolescence: Life Skills Development Programme". Two sets of methodological material were developed: methodology for early identification of children addicted to narcotic, psychotropic and other psychoactive substances and their medical treatment at primary health-care institutions, and methodological guidelines for the assessment of psychological and social rehabilitation measures, for providers of psychological and social rehabilitation services to children addicted to psychoactive substances.

281. A qualitative review of services provided by health-care institutions to addicted children was performed and recommendations for better organisation of the services were issued.

282. The number of children entered on the narcotics register for using drugs and other toxic substances has been constantly decreasing.

283. The Tables below give the relevant data provided by the State Mental Health Centre.

**The number of children entered on the narcotics register in 2005-2007 for using drugs and other toxic substances, by age, sex, place of residence**

<i>Age groups</i>	<i>Total</i>		
	<i>2005</i>	<i>2006</i>	<i>2007</i>
Under 15	2	-	-
15-17	19	12	5
<b>Total number of children aged 0-17</b>	<b>21</b>	<b>12</b>	<b>5</b>
Per 100,000 children (0-17)	2.9	1.7	0.7

284. One 17-year-old rural boy and two 15-year-old urban boys were entered on the narcotics register for abusing alcohol in 2006, and one 16-year-old urban boy in 2007.

**Registered cases of abuse of narcotic and/or toxic substances among children, 2005-2007**

	<i>Total number of children aged 0-17</i>	<i>Of which:</i>			
		<i>Boys</i>	<i>Girls</i>	<i>Urban</i>	<i>Rural</i>
In absolute figures	44	32	12	43	1
2005 Per 100,000 children	6.1	8.7	3.4	9.4	0.4
In absolute figures	21	17	4	18	3
2006 Per 100,000 children	3.0	4.8	1.2	4.0	1.2
2007 In absolute figures	13	10	3	11	2
Per 100,000 children	1.9	2.9	0.9	2.6	0.8

285. In Lithuania, 15.7 per cent of young people under 15 years of age have sexual relations, and are therefore exposed to higher risks. The risk is particularly high for girls who have sexual relations with older men. Studies have shown that over a quarter of women in the 15-24 age group in Europe did not use contraceptives during first sexual intercourse, while in Lithuania this figure stands at 56 per cent. Here, as many as 85 per cent of girls learn about contraceptives from friends, and from the following main sources of information: the Internet (75%), magazines (70%), radio stations (58%), and, a less influential source of information, mothers (39%).

286. In implementing health promotion and disease prevention measures as part of national public health promotion programmes, public health centres in counties conduct awareness-raising campaigns and measures aimed at improving the skills of the public (schoolchildren, parents, etc.) and professionals in different fields (schools, health-care) in the area of health promotion.

287. Unplanned pregnancies in the 15-19 age group account for 25 per cent (by the data provided by the Lithuanian Health Information Centre for 2006, covering public institutions

only). Two thousand five hundred (2,500) children are born to women in the 15-19 age group every year, and 900 abortions are performed annually to women under 20 years of age in Lithuania. Thirteen (13) per cent of the total number of abortions are performed on girls aged 15-19 (by the data provided by the Lithuanian Health Information Centre for 2006). About 24 per cent of all abortions are first pregnancy abortions; in the 15-19 age group, this figure stands at 72 per cent (from the data provided by the Lithuanian Health Information Centre for 2006, covering public institutions only).

### Induced abortions

Year	Total number of induced abortions	Of which before the age of 15 years:	
		In absolute figures	As a share of the total number of induced abortions, %
2004	10 644	3	0.03
2005	9 972	8	0.08
2006, of which:	9 536	6	0.06
Rural women	2 332	1	0.01
2007, of which:	9 596	7	0.1
Rural women	2 294	3	0.1

Year	Total number of induced abortions	15-17 age group	
		In absolute figures	As a share of the total number of induced abortions, %
2004	10 644	905*	8.5*
2005	9 972	820*	8.2*
2006, of which:	9 536	213	2.2
Rural women	2 332	55	0.6
2007, of which:	9 596	228	2.4
Rural women	2 294	52	0.5

\* Aged 15-19 years.

288. Three to four new cases of HIV among people aged 15-19 are recorded in Lithuania every year on average. Because the spread of HIV was successfully curbed in Lithuania, no increase of HIV prevalence among children and adolescents was recorded. As of 1 July 2008, 55 new cases of HIV among people aged 15-19 were recorded in Lithuania. Forty-six (46) of them were caused by unsafe use of intravenous drugs. Various prevention measures are being implemented under the National HIV/AIDS Prevention and Control Programme for 2003-2008 approved by Resolution No. 1273 of 14 October 2003 of the Government of the Republic of Lithuania, including lectures, discussions and contests for schoolchildren and higher school students about HIV/AIDS and related infections, and the prevention of drug addiction; production of informational printed matter; and film demonstrations. Every year, a national knowledge contest for young people, "We are against AIDS", is organised. Also, drawing and composition competitions and quiz contests dedicated to the prevention of HIV/AIDS and drug abuse for schoolchildren ("Schoolchildren against AIDS", "What do you know about AIDS"), and events dedicated to World AIDS Day and International AIDS Memorial Day, are organised. The progress made in the country and the inter-



institutional cooperation between health and education sectors as well as non-formal education initiatives were positively evaluated by international experts from the United Nations Children's Fund, who performed a study on the opportunities and obstacles for raising HIV/AIDS awareness among young people in Lithuania in 2001. With a view to improving accessibility of services for young people, a campaign "Test for HIV Free of Charge" is organised regularly.

289. The Lithuanian AIDS Centre (hereinafter referred to as "the LAC") participates in 25 to 30 discussions, lectures and meetings with youth groups annually. To raise awareness among adolescents and to make sure that they receive sufficient information on how to protect themselves from violence, coercion, HIV/AIDS and other sexually transmitted diseases, drugs, depression and other factors that could ruin life, the Lithuanian AIDS Centre set up, in December 2003, and successfully runs, with support from a charity foundation of the Queen of Sweden, a day-care centre for adolescent girls "Pasaka" (Fairytale). A methodological kit "A Trip to a Fairytale: Group Work Manual: Methodological Guidance for Professionals Working with a Group of Girls" was prepared and published.

290. In 2007, the first case of mother-to-child HIV transmission was recorded. To prevent mother-to-child transmission of HIV, all pregnant women are tested for HIV twice during pregnancy. All HIV-positive women are subjected to mother-to-child HIV transmission prevention measures. In 2007, two educational-methodological publications, "Mother-to-Child Transmission of HIV" and "Characteristics of HIV Infection in Children", were released. The LAC gives training courses "Multisectoral HIV Management System" to obstetricians-gynaecologists and training workshops (conferences) to family doctors, nurses and health administrators on the issues of perinatal transmission of HIV, its prevention and consequences.

291. The implementation of the National Prevention and Control Programme for Sexually Transmitted Diseases for 2006-2009 approved by Resolution No. 1273 of 21 November 2005 of the Government of the Republic of Lithuania helped to reduce the prevalence of sexually transmitted diseases among children and young people. Still, despite the fact that all pregnant women are tested for syphilis, one or two new cases of congenital syphilis are recorded every year.

292. The incidence of syphilis in the 15-19 age group is not growing (19 cases in 2005, 20 cases in 2006, and 20 cases in 2007). Four point three (4.3) per cent of new patients with syphilis in 2007 were schoolchildren.

293. The incidence of gonorrhoea in the 15-19 age group is growing slightly (31 cases in 2005, 38 cases in 2006, and 40 cases in 2007). Schoolchildren accounted for 4.9 per cent of new patients with gonorrhoea in 2007.

294. Sixteen to 19 cases of chlamydiosis are recorded in the 15-19 age group every year, but the number of is not growing. Schoolchildren accounted for two per cent of new patients with chlamydiosis recorded in 2007.

295. The LAC has prepared and released an informational publication for youth about sexually transmitted diseases under the title "Let's Talk". A number of awareness-raising campaigns under the slogan "Be Safe All Summer Long" were organised for residents and visitors of the resort town of Palanga, and "Come and Test for STD" for students, in cooperation with the florist shops "Florisima", taxi companies "Marselita" and "Translata", "Lukoil" petrol stations in major towns of the country, clubs (bars) in Vilnius as well as with the company "Copy 1". Twelve (12) campaigns, "Protect Yourself and Your Partner" (topics: HIV, human papillomavirus, sexual health, etc.), were launched in cooperation with Cosmopolitan magazine.

296. The country has four youth centres which provide consulting assistance and are engaged in awareness-raising activities. Analysis of the data presented in the study performed by the State Environmental Health Centre in 2004, "Youth-Friendly Services in Six Municipalities", about services provided by health-care institutions has revealed the following youth-friendly aspects: efforts are made to focus on the needs of an individual, family and society in providing assistance to children with mental, behavioural and development disorders and to their families; institutions are open beyond school hours and during weekends, and a comfortable and friendly atmosphere is created there; sufficient time is allowed for consultations; medical doctors working in municipal polyclinics also have offices in urban districts and neighbourhoods, which reduces waiting lines; there is a special stand for young people, with interesting and relevant information about other institutions and organisations; there are social workers to take care of persons not covered by social insurance and drug addicts.

## **Article 26**

### **Social security**

297. Due to their exceptional situation, children are considered a special group of persons the welfare of whom is the responsibility not only of the family but also of the State when the family cannot shoulder this responsibility for practical reasons.

298. To mitigate the threat of demographic disproportions caused by the decreasing birth rate, financial support to families with children was strengthened to make sure that a determination to have a child does not ultimately result in the aggravated economic position of the family.

299. With the society sharing a part of child-rearing costs, support to families with children has become more targeted, resulting in a better material situation for many families with income below the average subsistence level, and thus in an improved quality of life for children. Thus, the Government of the Republic of Lithuania has implemented efficient measures to boost the birth rate and achieved positive demographic results, i.e. 35,272 children were born in 2008, which was nearly 5,000 more than in 2004. The number of births per 1,000 population grew from 8.8 in 2004 to 10.5 in 2008.

300. Pursuant to the Law on Benefits to Children, all families with children and all children deprived of parental care are entitled to the following benefits: a one-off child benefit, a child benefit, a benefit to a conscript's child, a guardianship (care) benefit, a one-off grant for housing or settlement (from 1 August 2008 – a one-off settlement grant), and a one-off pregnancy grant. These benefits required about LTL 300 million in 2004, and over LTL 350 million in 2005-2007 annually (see table 18 in the annex), while spending on these benefits in 2008 amounted to about LTL 600 million on average.

301. From the data provided by the Ministry of Social Security and Labour, spending on benefits to families with children totalled LTL 361.04 million in 2005, having increased by a quarter (24 per cent) compared to 2004. Of this amount, spending on child benefits accounted for LTL 260.73; these were paid on a monthly basis to about 323 thousand children or 43 per cent of the total number of children in Lithuania. In 2006, expenditure on benefits to families with children totalled LTL 358.22 million, of which LTL 254.5 million was paid as monthly child benefits to 320.6 thousand children. In 2007, expenditure on benefits to families with children totalled LTL 398.75 million, of which LTL 286.1 million was spent on monthly child benefits to 350.7 thousand children. In 2008, when universal entitlement to child benefits was introduced in favour of all children until they reach adult age or beyond, if they are still studying, expenditure on benefits to families with children totalled LTL 596.5 million, of which LTL 481.9 million were paid as monthly child benefits to 624.2 thousand children.

302. To motivate families to bear and rear children, a one-off payment of eight basic social benefits (referred to as the BSB, previously referred to as MSL, Minimum Subsistence Level) has been introduced by the Law on Benefits to Children for every child at birth. An adopted child is also entitled to a one-off benefit of eight BSBs regardless of whether the benefit has already been paid for the same child at birth. It must be noted that with the adoption of amendments to the above-mentioned Law in 2008, the one-off child benefit at birth and at adoption was raised from eight to 11 BSBs, effective from 1 January 2009.

303. The Law on Benefits to Children establishes benefits for every child in the family (“child money”) which are payable irrespective of the level of income of the family but in relation to the age and the number of children in the family. In the light of the financial capacities of the State, a phased-in benefit for every child in the family was opted for. With effect from 1 July 2004, families with one or two children were entitled to a monthly benefit of 0.75 BSB for every child under 3 years of age, and a monthly benefit of 0.4 BSB for every child between 3 and 7 years of age. With effect from 1 September 2006, “child money” (a monthly benefit of 0.4 BSB) was payable to families with children under 9 years of age, and from 1 September 2007 – to families with children under 12 years of age, while from 1 January 2008 the benefit was payable to all families with children under 18 years of age or older as long as they were studying full-time at a general education school, irrespective of the level of income of the family and irrespective of whether the beneficiary was covered by State social insurance or not. A new law that came into force on 1 August 2008 established that “child money” shall be payable to families with children under 18 years of age and older as long as they are studying full-time for general and/or vocational education to acquire their first profession but not beyond the age of 21 years.

304. A family with three or more children is eligible for a benefit of 1.1 BSBs for every child under 3 years of age and 0.4 BSB for every child between 3 and 18 years of age or older as long as they are studying full-time at a general, vocational or higher education school or college but not beyond the age of 24 years. With effect from 1 August 2008, the benefit for a family with three or more children was raised from 0.4 BSB to 0.75 BSB for every child between 3 and 18 years of age or older as long as they are studying full-time at a general education school or continuing in formal vocational or higher education full-time (including the period of academic leave, if any) but not beyond the age of 24 years.

305. In the light of the changed economic situation in the country, amendments to the Law on Benefits to Children were passed by Law No. XI-90 of 19 December 2008, which amended Articles 6, 8, 12, 13 and 20, and repealed Article 22, of the Law on Benefits to Children. Seeking to improve the system of family benefits, the amended Law establishes that with effect from 1 March 2009, the child benefit for children under 3 years of age who are raised in a family shall be payable irrespective of the level of income of the family; for older children, the benefit shall be income-tested. That means that child benefit shall be awarded and payable if the total income of the family divided by the number of members in the family is below the level of State-supported income (hereinafter referred to as “the SSI”) times three. Income-tested benefit to a child shall be awarded for a 12-month period. It should be mentioned here that the size of the benefit did not change.

306. It should also be noted that restrictions placed by the above-mentioned amended Law on the entitlement of families with children to child benefits are temporary, i.e. the period of applicability of the Law is linked to the economic crisis (applicable until 31 December 2010), after which the previous system will be reverted to.

307. Pursuant to the Law on Benefits to Children, every child of a conscript is entitled to a monthly benefit of 1.5 BSB during the period of service of the conscript.

308. In 2004-2008, guardianship (care) benefits were paid, as before, to children placed under guardianship, in the amount of 4 BSBs a month during the period of guardianship (care). In 2004-2008, spending on these benefits averaged over LTL 60 million annually.

309. In the effort to enhance State support to children deprived of parental care and to promote their social integration, the system of benefits to children under guardianship was improved in 2008. From 1 January 2009, child benefit (“child money”) is also payable to a child placed under guardianship (care). Child benefit payable to a child under guardianship is of the same size as the benefit for families with one or two children irrespective of whether the family receives any other support from the State, i.e. every child under guardianship is entitled to a monthly benefit of 0.75 BSB from birth to the age of 3 years, and 0.4 BSB from the age of 3 to the age of 18 years or older as long as the child is studying full-time to acquire general and/or vocational education for a first qualification, but not beyond the age of 21 years.

310. Pursuant to the Law on Benefits to Children, persons placed under guardianship (care) are entitled to a one-off grant of 50 BSBs for buying housing or for settlement upon expiry of the child’s guardianship (care) due to attaining the legal age, emancipation or marriage. In the light of the goal of the State to help persons deprived of parental care to start an independent life and buy the necessary things, and to help them finance their studies and buy or rent housing, the one-off settlement grant was raised from 50 to 75 BSBs, effective from 1 January 2009.

311. Moreover, to guarantee support to foster families and to promote this form of guardianship (care) as well as to improve living conditions for children in foster families, the guardianship (care) benefit for children in foster families was raised from 4 to 8 BSBs, effective from 1 January 2009.

312. With a view to creating better conditions to reconcile maternity and studies and to guarantee higher support to studying pregnant women who are not eligible for maternity benefit pursuant to the Law on Sickness and Maternity Social Insurance No. IX-110 of 21 December 2000, a one-off benefit of 2 BSBs is payable to pregnant women 70 calendar days before the expected date of delivery.

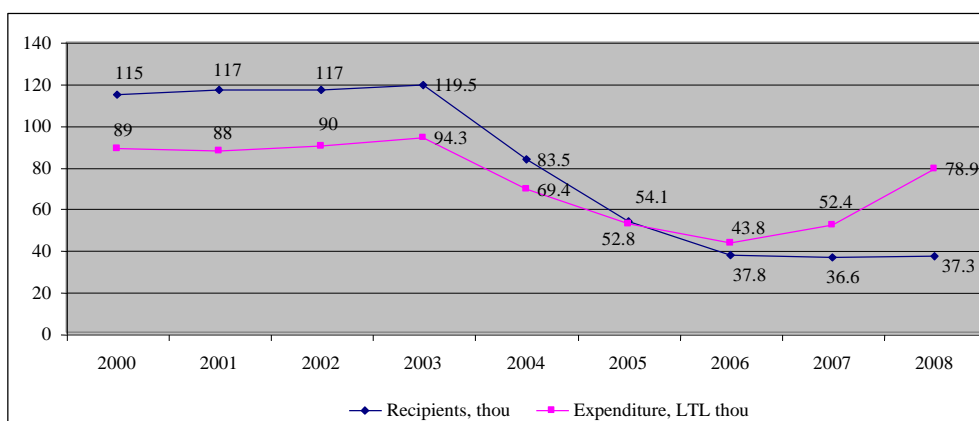
313. The Law on Cash-Social Assistance to Low-Income Families and Single Residents provides for social support to families whose income, for genuine reasons, is insufficient to subsist. The main goal of this financial social support is to support low-income families and persons so that minimum income for subsistence is guaranteed for every citizen of the country. With a view to enhancing support to low-income families with children, reducing the differentiation among individual social groups, providing equal opportunities to children and protecting them from the negative effects of poverty on their development, social benefits and subsidies for heating and cold/hot water supply expenses are paid to such families in accordance with laws.

314. Pursuant to the Law on Cash-Social Assistance to Low-Income Families and Single Residents, a family whose assets are worth less than the approved limit and whose income per member of the family is below the SSI and parents have or do not have a job for genuine reasons (are registered with a labour exchange, study, nurse a member of the family, receive pensions, take care of underage children. etc.) is eligible to social benefit equal to 90 per cent of the difference between the SSI payable to the family or lone person and the average monthly income of the family or lone person concerned. For the most part, recipients of this kind of benefit are incomplete families (one-parent families), large families, social risk families, unemployed families and the like. In 2008, this social benefit was paid to about 37.3 thousand people a month; LTL 78.9 million were spent. In 2008, the social benefit amounted to LTL 17.6 per member of a family a month on average, while in 2004 this figure stood at LTL 69.5. In 2008, the number of recipients of this benefit was 55

per cent lower than in 2004. This change in the number of recipients was triggered by the growth of personal income (higher minimum monthly salary, average old-age pension, average wages), reduction of unemployment and migration.

315. As part of the efforts to improve the social support system, provisions of the Law on Cash-Social Assistance to Low-Income Families and Single Residents governing the calculation of family income were amended in 2008 to facilitate the provision of financial social support to low-income families whose children receive child benefits under the Law on Benefits to Children or work after school and receive employment-related income, and who receive social grant and aid money. As a result of the above-mentioned amendments and the fact that the SSI was raised to LTL 350 in 2008, expenditure on social benefits grew by 49 per cent in 2007 compared to 2007.

#### Dynamics of the number of beneficiaries and expenditure on social benefits, 2000-2008



*Data provided by the Ministry of Social Security and Labour.*

316. In addition to social benefit, low-income families are also eligible to subsidies for heating expenses and expenses on cold and hot water supply.

317. Considering that at the start of a new school-year poor families need support to prepare their children for school and seeking to ensure that children of such families receive education irrespective of the social and material situation of their parents, the State provides support to children of low-income families to prepare for school. The Law on Social Assistance for Pupils establishes two types of social assistance for pupils: free meals and school supplies at the start a new school-year. The right to free meals is income-tested. Amendments to the Law on Social Assistance for Pupils that came into force on 1 July 2008 establish that all pupils in pre-primary or primary education shall be entitled to free lunches. Other pupils are entitled to free meals according to the family income. It should be noted that income-tested social assistance for pupils may be provided in other situations too, which are determined by municipalities. In addition, children of low-income families may also be given free meals at summer day camps organised by schools.

318. In 2006, free meals in general education schools cost the State budget the same amount as in 2004 and 2005, i.e. about LTL 61 million, while in 2007 this figure stood at LL 55 million. It should be noted that with the growth of personal income levels the number of children eligible for free meals at schools has been decreasing in 2004-2007: free lunches were provided to about 115 thousand children a month on average in 2005, 99 thousand children in 2006, and 83 thousand children in 2007. Free breakfasts were provided to about 22 thousand children in 2005, 39 thousand children in 2006, and 25 thousand children in 2007. Free meals at summer day camps organised by schools were provided to

about 11.5 thousand children in 2005, 19 thousand children in 2006, and 15 thousand children in 2007.

319. In 2008 compared to 2007, the number of pupils receiving free lunches grew from 83 to 210 thousand, while the number of those receiving free breakfasts grew from 25 to 58 thousand. This growth was an outcome of the provision of the Law on Social Assistance for Pupils that was applicable from 1 July to 31 December 2008, which provided that all pupils in pre-primary or primary education shall be entitled to free lunches. From 1 July 2008, the right to free breakfasts was given to all pupils from low-income families. For these reasons, spending on this type of support grew from LTL 54.7 million to LTL 93.8 million in 2008.

320. Spending on support for pupils from low-income families for acquisition of school supplies at the start of a new school-year amounted to LTL 2 million in 2005, which was twice as much as in 2004 but four times less than in 2006. In 2007, spending for this purpose totalled LTL 8.9 million. This type of support for pupils to get prepared for a new school-year was provided to about 56 thousand children in 2005, 79 thousand children in 2006, and 57 thousand children in 2007. The number of recipients of support for pupils for acquisition of school supplies grew from 53 to 93 thousand children in pre-primary and general education in 2008, so did spending on this support, from LTL 8.9 to 14.5 million over 2008. It should be noted that State support per pupil grew nearly four times over the period of 2005-2008, from LTL 40 in 2005 to LTL 156 in 2008.

321. In the light of the limited financial capacities of the State and the economic situation in the country, due to which the State could not afford to spend as much as required to finance free lunches for all children in pre-primary and primary education any more, and with a view to ensuring that free meals are provided at least to all pupils from low-income families, Articles 1, 5, 6, 7, 8, 10, 11 and 14 of the Law on Social Assistance for Pupils were amended (by Law No. XI-103 of 22 December 2008) to revert to the previous regime when free lunches were provided only to those pupils whose average family income per family member was below 1.5 SSI a month. The amendments aimed at improving the system of social assistance for pupils, i.e. ensuring that free meals at school are provided to those who need them most, i.e. children of low-income families, and ensuring that State budget allocations for social assistance for pupils are used efficiently and in a targeted manner.

322. It should be mentioned that restrictions placed by the above-mentioned amending law on the entitlement of families with children to free meals at school are temporary, i.e. the period of applicability of the law is linked to the economic crisis (applicable until 31 December 2010), after which the previous system will be reverted to.

323. Continuous improvements are being made in the system of sickness and maternity social insurance to facilitate reconciliation of work and family life, including childcare, thus seeking to promote births. The Government of the Republic of Lithuania seeks to improve the material situation of families with young children and to guarantee adequate social security for insured persons as well as to raise progressively State social insurance allowances. The Law on Sickness and Maternity Social Insurance provides that women who have, as of the first day of maternity leave, a sickness and maternity social insurance record of at least 3 months in the past 12 months or at least 6 months in the past 24 months shall be entitled to 100 per cent of their reimbursable remuneration for the whole period of pregnancy and delivery leave, which is set at 126 days, following which insured persons with a sickness and maternity social insurance record of at least 7 months in the past 24 months are entitled to a maternity/paternity and paternity allowance.

324. Maternity/paternity social insurance allowances have been gradually increasing in the past years. With effect from 1 March 2004, maternity/paternity allowance payable to one of the parents who has taken childcare leave until the child is one year old was raised

from 60 to 70 per cent of the reimbursable remuneration of the recipient of the allowance; the period of entitlement to the allowance remained unchanged. To improve the material situation of families with children under one year of age, a decision was made, with effect from 1 July 2006, to pay a maternity/paternity social insurance allowance of 100 per cent of the reimbursable remuneration of the recipient when two or more children are born to the insured person and the person is on childcare leave. With effect from 1 July 2006, a new type of social insurance allowance was introduced, a paternity social insurance allowance. It is payable for the period until the child is one year old to working fathers who have taken paternity leave and who have, as of the first day of paternity leave, a sickness and maternity social insurance record of at least 7 months in the past 24 months. The allowance is 100 per cent of the reimbursable remuneration of the recipient. With effect from 1 January 2007, maternity/paternity social insurance allowance payable to the parent who has taken childcare leave until the child is one year old was raised from 70 to 85 per cent of the reimbursable remuneration of the recipient; with effect from 1 July 2007, maternity/paternity social insurance allowance payable for the period from the expiry of maternity leave to the date when the child is 6 months old was raised from 85 to 100 per cent of the reimbursable remuneration of the recipient, with 85 per cent of the reimbursable remuneration of the recipient payable for the remaining part of the childcare leave (until the child is one year old).

325. Amendments to the Law on Sickness and Maternity Social Insurance passed on 4 December 2007 (Law No. X-1339 Repealing the Law Amending Articles 5, 6, 19, 20 and 21 of the Law on Sickness and Maternity Social Insurance) established that maternity/paternity social insurance allowance of 100 per cent of the reimbursable remuneration of the recipient shall be payable for the period from the expiry of maternity leave to the date when the child is one year old, and 85 per cent until the child is two years old. The minimum monthly maternity social insurance allowance may not be lower than one-third (previously, one-fourth) of the current year's insured income applicable in the month when maternity leave is granted. Those entitled to a sickness, maternity, paternity and maternity/paternity social insurance allowance shall be insured persons under 26 years of age who do not have the required record of sickness and maternity social insurance because they were, at the time concerned, full-time students of higher educational establishments, vocational schools and general education schools, and the interval between completion of the studies (according to a document testifying the completion of studies) and the date when they became insured persons does not exceed three months; the same applies to insured persons who do not have the required record because they were, at the time concerned, statutory civil servants and the interval since their change of status does not exceed three months. Maternity/paternity social insurance allowance is directly linked to the number of children born from the same pregnancy (two allowances shall be payable if twins are born, three allowances if triplets, and so on). Moreover, if more than one child is born from the same pregnancy, maternity social insurance allowance is paid depending on the number of children born. Where a woman on childcare leave acquires the right to maternity social insurance allowance (during maternity leave) in favour of another child, two allowances are payable, i.e. maternity and maternity/paternity social insurance allowances.

326. In 2007, LTL 437 million worth of maternity, maternity/paternity and paternity social insurance allowances were payable. This was an increase of LTL 170 million or 64 per cent compared to 2006. The growth of this expenditure was a result of growing wages and a growing number of recipients as well as higher rates of maternity/paternity social insurance allowances. In 2007, maternity allowances were paid to 25,704 mothers, which was 23.5 per cent more than in 2006. Maternity/paternity allowances were paid on a monthly basis to 16,911 insured persons (2.4 per cent more than in 2006). In 2007,

paternity social insurance allowances were paid to 9,185 fathers, costing the State Social Insurance Fund budget LTL 19.2 million.

#### Use of State Social Insurance Fund budget resources

	<i>Maternity allowances</i>	<i>Maternity/paternity allowances</i>	<i>Paternity allowances</i>
2005	LTL 75 163 thou.	LTL 135 681 thou.	-
2006	LTL 99 323 thou.	LTL 164 179 thou.	II half – LTL 5 497 thou.
2007	LTL 140 239 thou.	LTL 277 701 thou.	LTL 19 162 thou.
2008 forecast	LTL 155 397 thou.	LTL 513 035 thou.	LTL 24 557 thou.

327. Because a new value for the current year's insured income (LTL 1,414) was approved with effect from 1 January 2008 and raised by another LTL 74 (to LTL 1,488) with effect from 1 September 2008, the minimum average monthly maternity allowance is expected to grow to LTL 481.61. This would mean an increase of LTL 222.36 (from LTL 259.25 to LTL 481.61) or 86 per cent compared to 2005. Thus, average monthly maternity allowance is expected to reach LTL 1,702.95 in 2008. This would mean an increase of 76 per cent compared to 2005 (from LTL 967.05 in 2005 to LTL 1,702.95 in 2008).

#### Maternity allowances, 2005-2008, LTL

	<i>Minimum (average annual)</i>	<i>Average</i>	<i>Growth compared to the previous year, in absolute figures</i>	
			<i>Minimum</i>	<i>Average</i>
2005	259.25	967.05	-	-
2006	287.00	1 154.63	27.75 (11%)	187.58 (19%)
2007	336.00	1 428.30	49.00 (17%)	273.67 (24%)
2008 forecast	481.61	1 702.95	145.61 (43%)	274.65 (19%)
Absolute figure, 2008 compared to 2005	-	-	222.36 (86%)	735.90 (76%)

328. Minimum average monthly maternity/paternity allowance was LTL 481.61 in 2008, having increased by LTL 135.94 or 40 per cent compared to 2005. Average monthly maternity/paternity allowance payable until the child is one year old is expected to reach LTL 1,715 in 2008, meaning a growth by LTL 1,006.82 or 142 per cent compared to 2005. Thus, the minimum average monthly maternity/paternity allowance payable until the child is two years old would amount to LTL 1,520.22 in 2008.

#### Maternity/paternity allowances 2005-2008, LTL

	<i>Minimum (average annual)</i>	<i>Average</i>	<i>Growth compared to the previous year, in absolute figures</i>	
			<i>Minimum</i>	<i>Average</i>
2005	345.67	708.18	-	-
2006	382.67	815.07	37.00 (11%)	106.89 (15%)



	Minimum (average annual)	Average	Growth compared to the previous year, in absolute figures	
			Minimum	Average
2007	448.00	1 489.60	65.33 (17%)	674.53 (83%)
		1 715, until the child is 1 year old		225.40 (15%) until the child is 1 year old
2008 forecast	481.61	1 520.22, until the child is 2 years old	33.61 (8%)	1 006.82 (142%) until the child is 1 year old
Absolute figure, 2008 compared to 2005			135.94 (40%)	

329. From the data for the 1st half of 2008, the minimum average paternity allowance was LTL 471.33. From the preliminary data for the 1st half of 2008, the average paternity allowance was LTL 2,378.40.

#### **Paternity allowances 2006-2008, LTL**

	Minimum (average annual)	Average	Growth compared to the previous year, in absolute figures	
			Minimum	Average
2006, II half	382.67	1 782	-	-
2007	448.00	2 086.26	65.33 (17%)	304.26 (17%)
2008, I half	471.33	2 378.40	23.33 (5%)	292.14 (14%)

330. From 1 April 2004, all orphan children who are not entitled to State social insurance orphan's pensions because their deceased parents (or one of the parents) had not acquired the required record of pension insurance, or who are entitled to State social insurance orphan's pensions but which are very small, are entitled to an orphan's social assistance pension. An orphan's social assistance pension is awarded and paid in the amount of 0.5 basic pension per child (LTL 180 from 1 September 2008). When 4 or more children (adopted children) of a deceased person are entitled to such pension, all such children equally share an orphan's pension, which is equal to 1.5 basic pensions. The number of recipients of an orphan's social assistance pension under the age of 18 years grew from 3,122 in 2004 to 4,763 in 2007 (*from the data provided by the Ministry of Social Security and Labour*). For more statistics on benefits to persons with children, see table 18 in the annex.

#### **Article 27 (paras. 1-3) Standard of living**

331. Article 11 of the Law on Fundamentals of Protection of the Rights of the Child provides that the right of the child to decent living conditions vital for his/her physical, intellectual, spiritual and moral development shall be ensured by parents, other legal representatives of the child and municipal institutions.

332. Implementation of article 27 of the United Nations Convention on the Rights of the Child depends mainly on the economic situation and social conditions in the country.

**Dynamics of disposable income, 2005-2007**

	Average monthly disposable income per capita, LTL			Growth in 2007 compared to 2006, %
	2005	2006	2007	
<b>All households</b>	<b>579.7</b>	<b>680.8</b>	<b>859.3</b>	<b>26.2</b>
Urban households	636.3	729.2	943.0	29.3
Rural households	467.0	583.9	691.0	18.3

333. By the data of a survey on household budgets conducted by the Department of Statistics under the Government of the Republic of Lithuania, the disposable income of households went up by 16.9 per cent in 2005 compared to 2004, while in 2007 per capita monthly disposable income grew by 26.2 per cent compared to 2006. *For more statistics on disposable income, see Table 10 in the annex.*

334. Consumption expenditure. In 2004, monthly consumption expenditure in households with underage children accounted for LTL 453 per capita, before growing to LTL 657 in 2007 (see table 11 in the annex).

335. Living conditions. The majority of households covered in the survey owned housing (a flat or a house), with the exception of households with children, which were less numerous among flat- or house-owners. The conclusion can be drawn that the more children in a household, the worse their living conditions. As a rule, the rural population owned larger but not so well furnished housing (flats or houses).

**Living space of households with children**

	Ownership, %			
	Personal ownership	Municipal or corporate ownership	Rented from a private person	Ownership of relatives or friends
2004	79	3	4	14
2005	81	3	4	12
2006	82	3	4	11
2007	82	2	4	11

*For more statistics, see tables 12-17 in the annex.*

336. With a view to enhancing the standard of living for poor people and reducing poverty and social exclusion of families, the SSI was raised on several occasions during the period 2005-2008. The SSI is a base rate used to calculate the volume of financial social assistance for the poor, to determine the right of children from poor families to free meals at school and support for acquisition of school supplies at the start of a new school-year, to determine the right to free legal counselling, and to calculate unemployment insurance benefits to unemployed persons registered with a labour exchange. With effect from 1 February 2006, the SSI was raised by LTL 10 to LTL 165 per person a month, and further by LTL 20 to LTL 185 per person a month, with effect from 1 October 2006, followed by subsequent increases: by LTL 20 to LTL 205 per person a month from 1 January 2007, by LTL 20 to LTL 235 per person a month from 1 October 2007, to LTL 285 from 1 January 2008, and to LTL 350 from 1 September 2008. This resulted in higher volumes of financial social assistance payable to low-income persons (social benefits and subsidies for heating costs), higher numbers of beneficiaries, higher unemployment insurance benefits to

unemployed persons registered with labour exchanges, and higher numbers of pupils entitled to free meals.

337. More information on financial assistance to families with children is given in the comment on article 26 of the United Nations Convention on the Rights of the Child.

338. It has been decided that social assistance to social risk families will be provided in alternative forms of assistance, such as foodstuffs, clothes and other goods, food shopping cards, etc., in accordance with the procedure to be established by municipalities.

339. One-off benefits are available for families struck by poverty, diseases, accidents or in other cases. This type of support is decided and provided by the relevant municipality according to the rules established by itself and from its own municipal budget.

340. Furthermore, food supply was organised for poor people in Lithuania as part of implementing the Programme of Food Supply from Intervention Stocks to the Most Deprived in the Community. LTL 8.6 million and LTL 11.3 million worth of food products were distributed to poor families in 2006 (247,082 persons) and in 2007 (to 266,240 persons), respectively.

341. In the effort to solve the housing problem, the State supports acquisition of housing. Municipalities implement the Social Housing Stock Development Programme for 2008-2010 approved by Resolution No. 548 of 5 June 2008 of the Government of the Republic of Lithuania. They provide social housing according to differentiated lists (young families, families with three or more children, orphans and persons who have lost parental care, disabled persons, etc.) on the "first come, first served" principle.

342. To guarantee the right of a child deprived of parental care or a child at social risk to adequate living conditions, guardianship standards have been approved, as an annex to the Description of Social Guardianship Standards, to regulate the creation of an environment adequate for the development needs of a child as well as a close-to-family living environment. These social guardianship standards apply to social care homes for children deprived of parental care, children at social risk, and disabled children.

343. In 2005-2006, special attention was paid to the improvement of the institutional child care system. The Government of the Republic of Lithuania approved, by Resolution No. 1193 of 31 October 2007, a Guardianship (Care) System Reorganisation Strategy and a Plan of Implementing Measures for 2007-2012. The goal of the Strategy is to create the conditions for a child to live in his/her biological family with regard to the best interests and needs of the child, or, for a child deprived of parental care, adequate guardianship (care) or adoption conditions that serve the best interests of the child and are in line with the principle that the child should live in a family or in a close-to-family environment and to get properly prepared for independent life in a family and society. To achieve the goal of the Guardianship (Care) System Reorganisation Strategy, i.e. to reform the guardianship (care) system so that it serves the best interests of the child under guardianship (care), the target for placement of children deprived of parental care into guardians' (caretakers') families is set at 55 per cent for 2012 compared to 43.5 per cent in 2006, while the target for reducing the number of institutionalised children is set at 30 per cent for 2012 compared to 40 per cent in 2006.

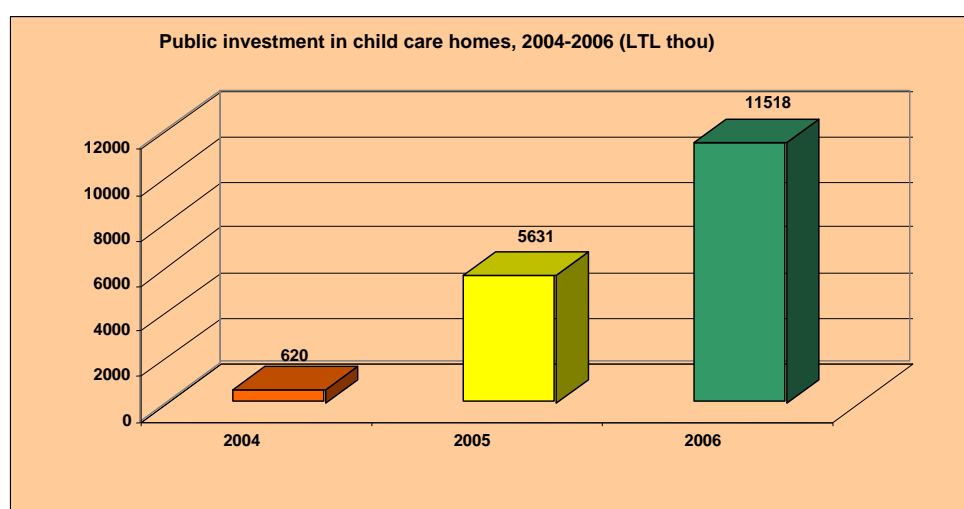
344. Following the concluding observations of the United Nations Committee on the Rights of the Child (CRC/C/LTU/CO/2) regarding the second periodic report of Lithuania on the Implementation of the United Nations Convention on the Rights of the Child, in particular those regarding the organisation of guardianship (care) in Lithuania, the following groups of actions have been identified: preventive, focused on stronger parental responsibility; interventional – reorganisation of the guardianship (care) system; and

integrative as a set of measures aimed at helping children and adults who have been placed under guardianship (care) before adult age.

345. Public capital investment in child care homes totalled LTL 17,769 thousand in 2004-2006; with these funds, 54 investment projects were financed. It should be noted that in principle no renovation of buildings of child care homes was performed under public investment programme before 2003, and first investments reached child care homes in 2004 only. Therefore, most buildings of child care homes needed capital repairs.

346. In the period of implementation of the Strategy of State Policy on Child Welfare for 2005-2006, not only the number of investment projects proposed by child care homes grew but also public financial appropriations for the implementation of such investment projects. In 2006, investment in child care homes was twice as large as in 2005 and 18 times larger than in 2004.

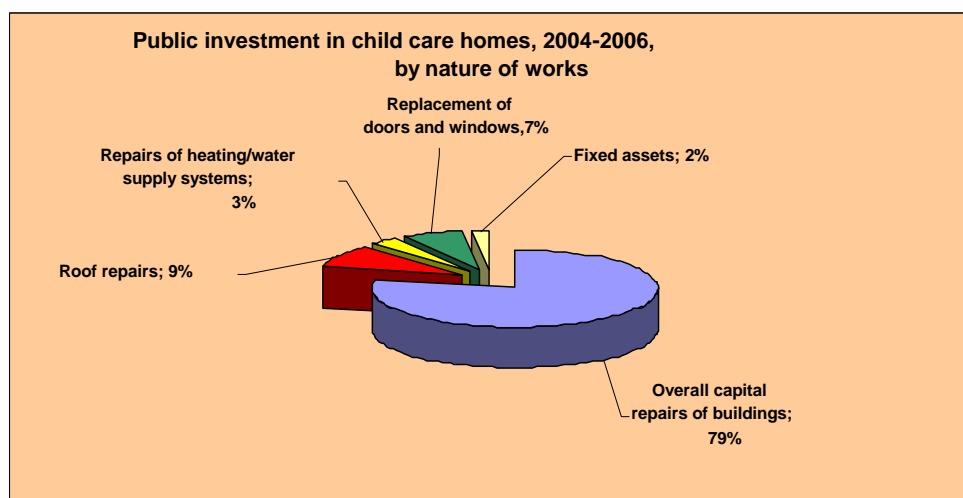
### Dynamics of public capital investment



*Data provided by the Ministry of Social Security and Labour.*

347. By the nature of works, public capital investment projects in child care homes in 2004-2006 were classified into five main groups: overall major repairs of buildings and premises, repairs of roofs, repairs (renovation) of heating, water supply and sewage systems, replacement of doors and windows, and acquisition of fixed assets. The largest share, 79 per cent, of the total allocation for such projects was spent on overall repairs of buildings. It should be mentioned that projects proposed by child care homes usually covered full renovation of the institution concerned: replacement of windows, repair of roofs and heating systems, etc. The second largest group by the amount of allocations was the repair of roofs, costing LTL 1,591 thousand or 9 per cent of total allocations. LTL 1,179 thousand or 7 per cent of the total amount of public capital investment in child care homes were allocated for the replacement of windows and repairs of doors, LTL 500 thousand or 3 per cent for the repair of heating and water systems, and LTL 400 thousand or 2 per cent for the acquisition of fixed assets.

### Distribution of public capital investment



*Data provided by the Ministry of Social Security and Labour.*

347. The share of current expenditure per child in a child care home a month increased in the period of 2005-2007. The largest growth of current expenditure per child was recorded in State child care homes with the largest numbers of institutionalised children: from LTL 1,246 per child a month in 2004 to LTL 1,560 in 2006 and further to LTL 1,794 in 2007. The same applies to other institutionalised care sectors: a growth from LTL 910 in 2000 to LTL 1,618 in 2007 was recorded in municipal child care homes, from LTL 967 in 2000 to LTL 1,405 in 2007 in non-governmental child care homes, and from LTL 807 in 2000 to LTL 1,543 in 2007 in temporary child care homes. This higher financing resulted in a higher quality of services provided by State child care homes because the environment was improved, staff qualifications were advanced, etc.

## 6. Education, leisure and cultural activities

### Article 28

#### Education, including vocational training and guidance

349. The Constitution, the Law on Education, and other legal acts of the Republic of Lithuania guarantee compulsory free-of-charge primary and basic education to all citizens of the Republic of Lithuania and aliens having the right to live on a permanent or temporary basis in the Republic of Lithuania under 16 years of age, and the right to learn in the official language and their native language if parents and children wish so.

350. Among recent legal acts is Order No. ISAK-386 of 15 March 2007 of the Minister of Education and Science approving the Methodological Guidance for Redistribution and Use of the Pupil's Basket Funds for Payments for Non-Formal Education of Children, which regulates the transfer of these funds to providers of non-formal education of children, the accounting of the funds received and transferred, and the transfer of unexpended funds back.

351. Programme of Implementation of the Compulsory Early Teaching of Foreign Languages was approved by Order No. ISAK-1519 of 17 July 2006 of the Minister of Education and Science to stipulate that all second-year pupils will be taught a foreign language under the General Programme of Early Teaching of Foreign Languages. In the 2007/2008 school-year, Lithuanian universities offered re-qualification programmes for

primary school teachers to be able to teach a foreign language (English, French or German) in primary school.

352. In 2005, schools started a project of enhanced possibilities for 14-19 year-old learners to select the line of learning: first, a Model of Enhanced Possibilities to Select the Line of Learning for 14-19 Year Old Learners was approved by Order No. ISAK-1 of 2 January 2008 of the Minister of Education and Science; second, draft versions of integrated programmes covering such subjects as technologies, arts and physical training, with examples, were developed and adapted for 9-10 grade pupils with practical inclinations; third, methodological guidance for advising pupils on selecting the line of learning and for giving vocational guidance was developed. Corrections were made in the programmes of six subjects (Lithuanian language, mathematics, geography, chemistry, physics, and biology), including their modules with examples, of the second part of the basic education curriculum; 22 seminars for teachers of these subjects and for school teams were organised and attended by 660 teachers; 26 promotion seminars were organised for school communities participating in the project; a leaflet and a brochure were released; a website on this issue was launched; participating schools were visited; the process of providing schools with information and communication technologies (ICT) was started.

353. Project “Assessment in the Process of Education” is being implemented as part of the programme “Quality Basic Education for Everybody”.

354. Also, an investment programme “Provision of Schools with Yellow Buses 2006-2008” approved by Resolution No. 1110 of 19 October 2005 of the Government of the Republic of Lithuania is in progress. A number of school buses are purchased every year and transferred to municipalities on trust, to make sure that pupils living more than 3 km away from school can reach the school within the time limit set for the travel to school.

355. Secondary Education Curriculum was approved by Order No. ISAK-1387 of 30 June 2006 of the Minister of Education and Science to facilitate further individualisation of training; its dissemination was organised.

356. A plan of measures for 2008-2010 for the organisation of technological training in general education schools, “Concerning the Improvement of Technological Training in General Education Schools”, was developed.

357. Vocational information, counselling and guidance measures play an important role in individualising training, adapting it to the needs and abilities of every pupil, and helping pupils select the training content and the line of further studies and activities. In this regard, specification for a website, and the programme and methodology for vocational guidance, promotion of career-planning skills and distance learning were developed.

358. Although distance learning is not widely popular in Lithuania yet and few schools have distance learning centres (classes), an increasing number of such training courses are offered to the public every year. The on-line distance learning school set up at the request of Lithuanians living abroad offers the possibility for 6 to 13 years aged children to learn the Lithuanian language, to study Lithuanian history and traditions, to communicate with each other, and to keep contacts with Lithuania, thus facilitating integration of potential returnees into the Lithuanian education system.

359. A vocational information, counselling and guidance system was developed and set up, and the Plan for the Implementation of the Vocational Guidance Strategy was approved by Order No. ISAK-415/A1-71 of 23 March 2004 of the Minister of Education and Science of the Republic of Lithuania and implemented with the following outputs: the Lithuanian Vocational Guidance Council set up and its work regulations prepared; two projects of national importance co-financed from the European Structural Funds, “Creation and Implementation of Vocational Guidance System” and “Creation and Development of Open

Information, Counselling and Guidance System (AIKOS)”, implemented; a comparative study of AIKOS and similar portals of the EU member States performed; a standard for the contents of information to be placed on the AIKOS portal, specification for an interim version of AIKOS software, and nine normative documents (standards, methodological guidelines) produced; a number of studies (analyses, models) conducted; an interim version of the AIKOS software developed; a specification for the final version of AIKOS produced; about 4,000 specifications for the AIKOS portal developed; 8-type training organised (attended by over 4,600 persons); hardware for vocational guidance centres in 250 general education schools provided; contracts between the Ministry of Education and Science and municipal administrations, vocational schools, labour exchanges and other institutions concerning the establishment of 640 vocational information points concluded.

360. In the area of developing universal support for schoolchildren, the Programme of Reconstruction of General Education and Vocational Training Schools and Their Provision with Teaching Aids for 2006-2008 approved by Resolution No. 1230 of 16 November 2005 of the Government of the Republic of Lithuania was successfully implemented. As part of this Programme, 37 school buildings were reconstructed, the reconstruction of 3 school buildings that was started in 2006 was completed, and 360 sets of school furniture were bought.

361. Since 2005, the National Centre for Special Needs Education and Psychology of the Ministry of Education and Science has been implementing a project of national importance financed from European Union funds “Returning Young People Who Dropped out of School back to Educational System” in six pilot municipalities; currently, this project is being continued as the MTP+ component. The aim of the project is to bring dropouts back into the general education system, by improving the accessibility, efficiency and quality of pedagogical-psychological support, advancing the professional qualifications of staff of pedagogical-psychological services, and strengthening the methodological base of these services. The outputs of the project include:

(a) Education and occupation groups were set up in six pilot municipalities (regions of Akmenė, Pasvalys and Ukmergė, towns of Panevėžys, Šiauliai and Vilnius) in the period from 2005 to the 1st quarter of 2008. Assistance was provided to 278 children in total;

(b) Six education groups were set up for primary schoolchildren with special educational needs. Special pedagogical-psychological assistance was provided to 213 children;

(c) School supplies (exercise books, foreign language textbooks, also clothes and footwear) were provided to 327 children;

(d) In the field of advancement of the professional qualifications of staff of Lithuanian pedagogical-psychological services dealing with dropouts, 42 pedagogical-psychological services were supplied with methodological materials and psychological assessment methodologies (Achenbach’s questionnaires and WISC-III) concerning pedagogical-psychological assessment, education, development and implementation of preventive programmes;

(e) 162 seminars and 12 conferences with 2,725 participants were organised during the period of implementation of the project. Two thousand and seventy-seven (2,077) teachers and school staff and 291 specialists of pedagogical-psychological services have advanced their professional qualifications;

(f) Methodological guidelines were prepared for educators in general on the issue of cooperation in addressing problems faced in school, on the problem of school absenteeism, and on work with schoolchildren in risk groups, also on the promotion of

tolerance and respect in class, as well as for teachers on the issue of educating schoolchildren with special needs (four publications);

(g) The return of dropouts to school and dropout prevention were modelled in the six pilot municipalities, on the basis of which a project for the return of dropouts to school and dropout prevention was developed together with recommendations for implementation.

362. The Government of the Republic of Lithuania adopted Resolution No. 1261 of 24 November 2008 approving the Programme for the Return of Children Not Attending School Back to School. The goal of the Programme is to reduce the number of children who do not attend school at all or who attend school irregularly. The Programme is expected to deliver the following results: greater responsibility of municipalities for ensuring that children living in their territories attend compulsory education, better coordination of the provision of assistance in education, greater accessibility of such assistance, wider network of social services and support to families, improved training of teachers and other professionals and their higher qualifications, and greater responsibility of the school and parents (guardians, caretakers) for ensuring that children attend compulsory education. The Government of the Republic of Lithuania has approved, by Resolution of 22 October 2008, a new version of the Procedure for Keeping a Record of the Number of Children in the Municipal Territory, aimed at keeping as accurate record of the number of children living in the municipal territory concerned as possible, with the help of special software enabling automated comparison of the data of the Residents' Register of the Republic of Lithuania and the Schoolchildren's Register. This automated comparison of the data stored in the two registers will make it possible to identify children who do not attend compulsory education and to set up an informational system concerning children who are not studying and not attending school.

363. Targeted campaigns are organised regularly, such as "*Egzaminai. Nesinervink*" (Examinations. Don't Be Nervous), "*Mokyklon. Pakeliui*" (To School. On the Way), and a project "Friendly School"; three vocational guidance programmes for general education dropouts have been developed.

364. Guidelines for the Return of Dropouts to School were approved by Order No. ISAK-2571 of 14 December 2005 of the Minister of Education and Science. The aim of the Guidelines is to set up a system for the return of dropouts to school and reduce the number of children who are not studying in compulsory education. The Guidelines set the directions for action aimed at returning early school-leavers to schools and at preventing the re-occurrence of the problem. This document will play a role in setting up a system for returning a child to school as it envisages child identification, motivation, re-socialisation and other measures. The expected results include: higher diversity of schools and forms of education; the creation of "an interim link in the chain" between the street and an educational establishment where a child will take up learning, communicational and social skills again in a safe and caring environment; an expanded network of institutions providing social, pedagogical and psychological assistance to the child and the family; higher quality of such assistance; improved intercommunication among State and municipal authorities, institutions, associations, non-governmental organisations and the society in dealing with children not attending school; an improved system of keeping a record of the number of children not attending school; enhanced competences of teachers and other professionals providing assistance to children not attending school; and a new approach to such children.

365. Two new documents were prepared and approved to regulate the activities of youth schools: the Conception of Youth Schools approved by Order No. 2549 of 12 December 2005 of the Minister of Education and Science of the Republic of Lithuania, and the Procedure for Pre-Vocational Training approved by Order No. ISAK-1841 of 17 September 2007 of the Minister of Education and Science of the Republic of Lithuania. Lithuania has such institutions as youth schools, children's socialisation centres, and youth homes. The



purpose of youth schools is to create the conditions for children and young people between 12 and 16 years of age who prefer practical activities and have learning difficulties, lack motivation to learn and need re-socialisation assistance to complete compulsory education programmes. These schools offer daytime, evening and mixed forms of learning. Youth schools and children's socialisation centres have the right to increase or reduce the number of lessons fixed in general education plans for individual subjects by up to 20 per cent, depending on the experience, inclinations and needs of their pupils.

366. Assistance to children with behavioural disorders is being strengthened. On 1 January 2008, a Law on Minimum and Medium Care for the Child came into force; the purpose of the Law is to set up a system of minimum and medium child care measures serving the rights and legitimate interests of the child and public safety requirements and aimed at ensuring socialisation and education of children with behavioural disorders and at providing social, pedagogical, psychological, special pedagogical, informational or other types of assistance to such children, with a view to helping the child to break bad habits and to develop the notion of a meaningful personal and public life. The Law defines the key principles and measures of minimum and medium child care, the bases and the procedure for application, extension, modification and termination of such measures, and the key principles of application of medium childcare measures at child socialisation centres. Implementation of the Law on Minimum and Medium Care for the Child is set out in the Plan of Implementing Measures approved by Order No. ISAK-2244 of 19 November 2007 of the Minister of Education and Science.

367. Every school concludes a teaching contract with parents (guardians) to set out the agreements between the parties concerning the conditions of the implementation of pre-primary education programme and/or education assistance. Under the contract, parents (guardians) assume the following responsibilities: to ensure that the child attends school regularly and arrives in school on time; to select a moral education subject (religion or ethics); to cultivate respect for peers, older people and other members of the school community; to follow the child's learning results regularly; to have the child undergo medical examinations on time and to provide the required information to the school; to cooperate with teachers and school management in monitoring and correcting the child's behaviour; to reimburse any damage done by the child to the school; to assist the school in maintaining/cleaning its environment and in organising school cultural events; to make sure that the child has the required learning materials (exercise books, writing instruments, calculators, etc.); to make timely payments set by the founder of the school for extra services provided to the child at the parents' (guardians') request (after-school classes, after-school supervision, study, club, extra-curricular activity, camp, excursion, etc.); to participate actively in the events for parents and in parents' meetings, also in the school management process, and so on.

368. To contribute to international cooperation in analysing education problems and making decisions, the Ministry of Education and Science participates in PIRLS – an international study of reading skills of fourth graders, and PISA – an international assessment of the reading skills and mathematical and scientific literacy of fifteen-year-old students, and other international studies. Three projects co-financed by the EU Structural Funds and other sources have been carried out, aimed at developing modern teaching and learning services and at developing school curricula based on information and communication technologies (ICT): “Development and Implementation of ICT-Based School Curricula on the Example of an Integrated Course of Natural Sciences for Learners in Grades 5-6”, “A Breakthrough in the Implementation of IT in Grades 7-8”, and “Enhancing the Possibilities for 14-19 Year Old Learners to Select the Line of Learning”.

369. As part of the implementation of the Education Plan for Children of Migrant Families, several instruments have been adopted: a draft Concept for the Provision of the

Lithuanian Language and Socio-Cultural Education for Children of Aliens Living in Lithuania and for Children of Lithuanians Living Abroad, the Lithuanian Language Programme for Remedial Classes and Remedial Mobile Groups, and three teaching aids for alien children in Lithuania’s general education schools and for Lithuanian children abroad.

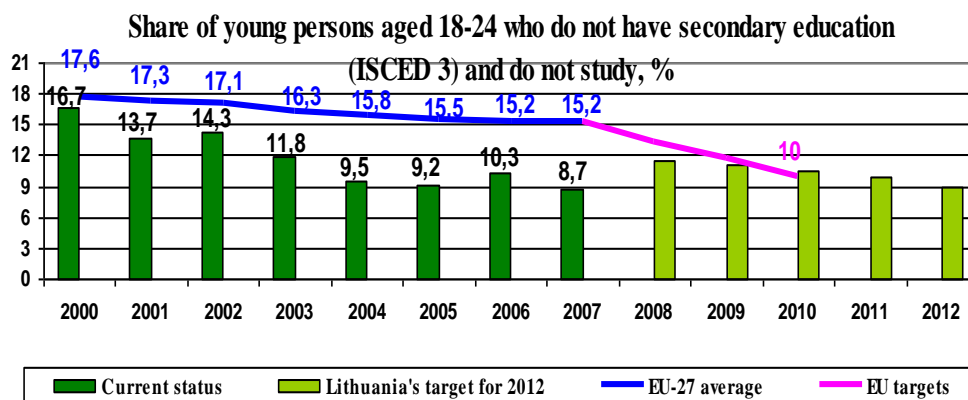
370. Schools have been expanding the range of services provided to the public and the pupils, i.e. they provide access to their computers, sports base, library, etc. Like every year, a wide range of support has been regularly provided to learners and teachers in schools for foreign Lithuanians and national minorities. With distance learning becoming increasingly popular, a virtual school was set up in Vilnius Ozas Secondary School. In the 2007/2008 school-year, the school had 292 distant learners, 113 of whom lived in foreign States.

371. Persons serving a sentence of deprivation or restriction of liberty have the right to study in special educational establishments or in places for serving the penalty, in accordance with the procedure established by the Government or an institution authorised by the Government. Vocational training offered for persons of these groups is complemented by social integration measures. *Related statistics are provided in tables 46-57 in the annex.*

**Article 29**

**Goals of education**

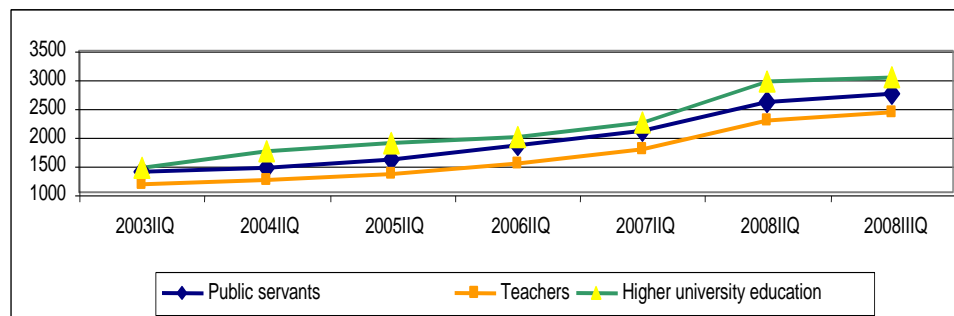
372. Education in Lithuania is developed in a targeted manner as provided for in the National Education Strategy for 2003-2012 approved by Resolution No. IX-1700 of 4 July 2003 of the Seimas of the Republic of Lithuania. The findings of benchmark studies carried out for education monitoring purposes and national and international assessments of pupils’ achievements provide an assessment of impact the Strategy has made on the performance of general education schools and their communities. According to EUROSTAT, we have already reached the benchmark set for 2012, i.e. to reduce the rate of early school-leavers to 9 per cent (actual achievement is 8.7 per cent), and are close to reaching the benchmark set for 2012, i.e. to raise the share of young people with secondary education to 90 per cent (actual achievement is 89 per cent). By these indicators, which are among the best in the European Union (5-6 place), we have reached the targets set for 2010 in the Lisbon Strategy. General education and vocational training schools have reached the EU target of 10 computers per one hundred pupils.



373. In principle, public financing of the system of education is based on financing per pupil: by the data provided by the Ministry of Education and Science, the basic basket per one contractual pupil grew by LTL 474 (20.3 per cent) on average in 2008 compared to 2007. Teachers’ salaries grew by 45 per cent in 2008, as provided for in the Long-Term Programme for Increasing Salaries for Pedagogical Staff approved by Resolution No. 193 of 5 March 2008 of the Government of the Republic of Lithuania as amended by Resolution

No. 397 of 29 April 2008 of the Government of the Republic of Lithuania. Pursuant to the Programme for Increasing Salaries for the Staff of Science and Studies Institutions for 2009-2011 approved by Resolution No. 509 of 28 May 2008 of the Government of the Republic of Lithuania, salaries for the staff of science and studies institutions are raised by 20 per cent a year on average.

#### Dynamics of the average monthly gross salaries of public servants and teachers and lecturers



Data provided by the Department of Statistics under the Government of the Republic of Lithuania.

374. A Concept of the System of Quality Assurance in Formal Education was approved by Order No. ISAK-3219 of 24 November 2008 of the Minister of Education and Science, and, consequently, a number of legal acts were updated to regulate the monitoring of the quality of activities carried out by vocational training, science and studies institutions, and the assurance of the quality of studies. With a view to higher quality, international cooperation is being developed, through more active participation in various working groups set up in the European Union, joint solution of education problems, and exchange of information.

375. To foster the education of talented children and young people, various projects for educating talented children and young people are implemented, artistic education curricula followed in schools are analysed, good practices are disseminated, and virtual communication among talented children is facilitated.

376. The Minister of Education and Science has approved, by Order No. ISAK-258 of 13 February 2006, the Programme of Education of Talented Children and Young People pursuant to which a number of seminars aimed at dissemination of foreign best practices in educating talented children have been organised, an international conference held, artistic education curricula of different schools of the country compared, and a website for talented children launched. Eighteen (18) national projects and 130 municipal projects for educating talented children and young people were supported and 2 methodologies for identifying talented children were developed as part of implementing the Procedure for Supporting Projects of Education of Talented Children and Young People in 2007 approved by Order No. ISAK-180 of 7 February 2007 of the Minister of Education and Science.

377. TIMSS studies are regularly performed and various data collected. Lithuania participated in the IEA PIRLS coordinators' meeting and 2 ICCS meetings; the national task for PISA international surveys is underway. Findings of the studies have been examined. Lithuania started participating in another two international education assessment projects, the Teaching and Learning International Survey (TALIS) and the International Civic and Citizenship Education Study (ICCS).

378. These goals and ideas are reflected in the general curricula and education plans prepared in 2008 for such subjects as the basics of civic society, history, ethics, geography, natural sciences and other.

379. Notions of cultural values are developed in children in general education with the help of programmes for the integration of national minorities. Action taken to implement the Programme of Integration of National Minorities into the Lithuanian Community for 2005-2010 approved by Resolution No. 703 of 8 June 2004 of the Government of the Republic of Lithuania included the preparation of a questionnaire and tests for assessing knowledge of the official language; funding for 3 knowledge competitions, 2 festivals and 2 contests; assessment of the need for training and qualification advancement courses for teachers in schools teaching in the languages of national minorities; development of qualification advancement programmes for teachers working with children belonging to national minorities; development of programmes for teachers to advance their qualifications or acquire new competences in the field of tolerance and multicultural education; release of a set of literature about ethnic diversity in Lithuania; assessment of the contents of textbooks in terms of multicultural education.

380. As part of the National Programme for Ethnic Cultural Development approved by Resolution No. 793 of 19 June 2003 of the Government of the Republic of Lithuania, a concept of ethnic cultural education in general education schools was drafted and three seminars organised.

381. As part of the Education Plan for Children of Migrant Families, typescripts of a Lithuanian language textbook for 6-7 year old children and 2 teaching aids have been prepared, a seminar for teachers of Lithuanian schools in the Kaliningrad region was organised, a project for an integrated general course in the Lithuanian language, Lithuania as a country and its ethno-culture for 7-11 year old children in a foreign Lithuanian school was implemented, and a study into this area was performed.

382. In the field of education of national minorities, two conferences, "Education in a Multicultural Environment. The European Dimension" (in cooperation with Vilnius County Governor Administration) and "Bilingual Education for School Change", were organised for teachers of general education schools, in addition to two seminars for teachers of foreign Lithuanian schools and four seminars for teachers of schools of national minorities; and two methodological publications were produced.

383. A Procedure for Supporting Ethno-Cultural Expression Projects of Saturday and Sunday Schools of National Minorities in 2007 was approved by Order No. ISAK-2082 of 25 October 2007 of the Minister of Education and Science of the Republic of Lithuania. Support was given to 19 projects. An international seminar-trip to the Czech Republic to see how education of national minorities is organised there and a seminar for teachers of Saturday schools were organised.

384. The Ministry of Education and Science, implementing the Long-Term Civic and National Education Programme approved by Resolution No. X-818 of 19 September 2000 of the Seimas of the Republic of Lithuania, initiates and supports civic and national education projects developed and implemented by school communities. In this area, the Ministry plans to update the contents of formal and non-formal civic and national education in local Lithuanian and foreign Lithuanian schools, to foster and promote democratic culture in schools, to improve teachers' and lecturers' competences in the field of civic and national education, to raise and promote national and civic awareness among local Lithuanian and foreign Lithuanian youth and adults, to stimulate civic and political involvement of local Lithuanian and foreign Lithuanian youth and adults, to preserve the national identity of Lithuanians living abroad, and to conduct surveys of civic and national developments in the society.

385. As part of implementing the National Programme of Equal Opportunities of Women and Men for 2005-2009 approved by Resolution No. 1042 of 26 September 2005 of the Government of the Republic of Lithuania, the Ministry of Education and Science has mainstreamed the issue of equal opportunities into formal and non-formal education and regularly organises qualification advancement courses for teachers and social pedagogues on the issue of equal opportunities; the Ministry has also developed a strategy “Women and Science”.

386. In implementing the National Anti-Discrimination Programme for 2006-2008 approved by Resolution No. 907 of 19 September 2006 of the Government of the Republic of Lithuania, the Ministry of Education and Science regularly organises training for teachers, and plans to conduct a survey on potential manifestations of discrimination in general education schools.

387. A book “Development of Life Skills” was released for children in grades 5-8 and 9-10 as part of implementing the European health promoting schools project coordinated by the Regional Office for Europe of the World Health Organisation (WHO/EURO), a forum “Success for Every Child” was organised in 2006, and a Promotional Programme for Preparation of Children and Youth for Family Life and Sexual Education was developed.

388. The Minister of Education and Science of the Republic of Lithuania has approved, by Order No. ISAK-261 of 14 February 2006, the Methodological Guidelines for the Development of Programmes of Preparation of Children and Youth for Family Life, which set out the principles governing the development and implementation of such programmes and the requirements for the contents of such programmes.

389. On 7 February 2007, the Minister of Education and Science of the Republic of Lithuania issued Order No. ISAK-179 approving the Preparation for Family Life and Sexual Education Programme. The purpose of this Programme is to prepare young people for independent life and marriage, to present the universal concept of sexuality, to promote mature interpersonal relations, to carry out prevention of premature sexual relations and related problems, etc. The minimum knowledge of this issue acquired in the pre-school period is deepened and widened in the subsequent tiers of education but on a different level already, until it becomes an integral whole. Here, consideration must be, and is, given to the age of children and social and psychological factors.

390. A Plan of Implementing Measures for the Preparation for Family Life and Sexual Education Programme was approved by Order No. ISAK-1469 of 23 May 2008 of the Minister of Education and Science of the Republic of Lithuania. The Plan envisages the adaptation of textbooks for teaching pupils with special educational needs under the Preparation for Family Life and Sexual Education Programme, and the development of methodological guidelines for teachers regarding the use of textbooks and other teaching aids in teaching children with special educational needs.

391. The Minister of Education and Science of the Republic of Lithuania has also approved, by Order No. ISAK-1715 of 29 August 2007, a Promotional Programme for Preparation of Children and Youth for Family Life and Sexual Education. Developing action plans for the preventive work carried out in development institutions, educational establishments of the country incorporate knowledge of health-friendly environment and healthy lifestyles. Health promotion is mainstreamed mostly in the subjects of ethics, biology, chemistry, and history, but also in summer camps for children and pupils where events are organised under the slogan “Healthy Lifestyle is a Way of Living from the Early Days” to which public health professionals are invited.

392. In 2006, the Lithuanian Association of Social Pedagogues, the Lithuanian Teachers’ Professional Development Centre, and the Public Health Promotion Centre of the Ministry of Health implemented a joint project “*Sveikuolių sveikuoliai*” (The Healthiest of the

Healthy) in the form of a contest. The idea behind the contest was to promote the spreading of healthy lifestyles among children and teachers, to raise their awareness, and to preserve, strengthen and promote responsibility for one's own health and the people around one.

393. General programmes define the abilities, competences and values related to the promotion of notions of healthy living and feeling of security of an individual. Schools are implementing the Life Skills Development Programme. The Programme aims at fostering the personal and social skills of children, thus promoting their ability to take constructive and safe decisions. The Programme is aimed at preparing children for life outside school and for adult life in a changing society, by developing problem-solving, decision-making, creative and critical thinking, communication, self-awareness, stress-management, how to say "no" and other skills.

394. The Minister of Education and Science has approved, by Order No. ISAK-494 of 17 March 2006, the Programme for the Prevention of the Use of Alcohol, Tobacco and Other Psychoactive Substances, the implementation of which in pre-school, pre-primary and general education widens and deepens the information already given, and helps teachers of pre-school, pre-primary, primary, basic, and secondary education programmes and other pedagogical staff carrying out preventive activities in schools to find ways to achieve the desired goal. In consideration of the specificities of different age groups and the related relevance of preventive activities as well as the specificity of the education content programmes, the training provides guidelines for separate levels of education: for pre-school, pre-primary, primary, basic and secondary education.

395. The Ministry of Education and Science participates in the implementation of the European School Survey Project on Alcohol and Other Drugs (ESPAD 07).

396. Seminars are organised regularly for pedagogical staff of municipal educational units, pedagogical-psychological services and social pedagogues, dedicated to discussions on the opportunities and forms of inter-institutional cooperation, and the role of public health-care professionals in carrying out preventive work in school communities. Here, drug prevention, healthy lifestyles, and preparation for family life programmes are also discussed and examined, and recommendations for improvements are proposed.

397. Guidelines for integrative programmes such as learning-to-learn, communication and ICT technologies, civic education, entrepreneurship, cultural education and sustainable development competences, have been drafted and made available to the public for comments.

398. National Sustainable Development Education Programme for 2007-2015 was approved by Resolution No. 1062 of 2 October 2007 of the Government of the Republic of Lithuania. The Programme is aimed at promoting sustainable development through formal and non-formal education, at learning and self-education, setting up a legal base and institutional framework to ensure the implementation of sustainable development education policy, upgrading competences of civil servants and workers engaged in sustainable development education activities, ensuring accessibility of sustainable development education measures, conducting research and introducing innovations in the field of sustainable development education, promoting international cooperation at all levels in the area of sustainable development education.

399. As part of the implementation of the Programme of Education of Talented Children and Young People approved by Order No. ISAK-258 of 13 February 2006 of the Minister of Education and Science, a set of methodological guidelines has been drafted for teachers and educational assistance professionals to teach them to recognise a talented child. A website dedicated to the issues of education of talented children has been launched ([www.gabusvaikai.lt](http://www.gabusvaikai.lt)).

400. Children who study under vocational training programmes with a view to acquiring their first profession, also students of vocational training schools of the system of interior affairs, are eligible to student grants and other material assistance, in the manner prescribed by the Government. Children with special needs studying for their first profession and not receiving student grants are entitled to free meals and other material assistance as established in legal acts.

401. The Procedure for Recognising the Achievements in Prior Studies approved by Order No. ISAK-72 of 11 January 2008 of the Minister of Education and Science requires that any prior studies completed by a person are recognised for the purpose of the person's subsequent studies.

### **Article 31**

#### **Leisure, recreation and cultural activities**

402. The Government of the Republic of Lithuania has approved, by Resolution No. 926 of 21 September 2006, a Children and Youth Cultural Education Programme for 2006-2011. The aim of the Programme is to pursue the systematic cultural education of Lithuanian children and young people to help them acquire the artistic, aesthetic and cultural skills and cultural competences which are needed to be able to be receptive to cultural experience and lead an active cultural life. The Programme is expected to generate the following results: a country-wide system of cultural education activities organised by State and municipal cultural and educational institutions for children and youth will be set up; the conditions for cultural figures and artists to develop and implement long-term cultural education projects targeted at children and young people will be created; and more children and young people will be attracted into cultural activities.

403. The Ministry of Culture has been launching tenders for projects proposing cultural educational programmes for children and young people for two years now. Therefore, some original ideas on how to keep children busy not only in major towns but in any part of the country can already be singled out: almost throughout the country young people were attracted into creative workshops and were themselves organising conferences and seminars, producing films and staging performances, participating actively in various debates, learning cultural activities in camps, arranging exhibitions and round-up discussions.

404. In 2006, the Ministry of Culture financed 46 cultural education projects for children and youth, allocating LTL 400,000 for this purpose from the State budget in total.

#### **Implementation of cultural education projects for children and young people, 2007-2008**

<i>Year</i>	<i>Allocations (LTL thou)</i>	<i>Number of applications submitted</i>	<i>Number of projects co-financed</i>
2007	475	398	131
2008	550	300	127
<b>Total</b>	<b>1 025</b>	<b>698</b>	<b>258</b>

Data provided by the Ministry of Culture.

405. Five awards for the best-developed and best-implemented child and youth cultural education projects were established by Order of IV-723 of 14 December 2007 of the Minister of Culture of the Republic of Lithuania.

406. Every year, the Ministry of Education and Science organises tendering procedures for child and youth activity programmes. The State supports, by way of tender, summer

recreation and other activities organised for children to keep them busy throughout a school-year, as well as projects aimed at organising prevention of addictions. Every year, over 50 per cent of the total number of schoolchildren participate in such programmes supported by the Ministry of Education and Science. A number of legal acts were passed to promote meaningful leisure occupations for children: the Procedure for Organising Children Tourism Activities approved by Order No. ISAK-330 of 1 March 2005 of the Minister of Education and Science of the Republic of Lithuania (to regulate the procedure for organising and conducting tourism activities, ensuring the safety of children participating in the activities, drawing up programmes for individual tourism activities, etc.); General Regulations of Children's Summer Recreation Camps approved by Order No. ISAK-612 of 31 March 2006 of the Minister of Education and Science (to regulate the organisation of children's summer recreation camps, functions of camp workers, etc.); Methodological Guidelines for the Use of Funds Allocated for Cognitive Activities of Schoolchildren approved by Order No. ISAK-1934 of 2 October 2007 of the Minister of Education and Science (cognitive activities are one of the forms of non-formal education aimed at promoting the national, civic and cultural development of children and young people). Funds for this type of activity are allocated per child and channelled through the pupil's basket. Cognitive activities are organised first by exploiting the opportunities offered by the territory in which the school is located, and then moving gradually to a wider territory to cover sightseeing attractions in the municipality, county or country.

407. Non-formal education is directed towards meaningful occupation of children and youth and their high social participation, with particular focus on children from poor families and those who need it most due to social conditions, as well as towards reconciliation of different types of activities. In 2008, 2,864 socialisation programmes were carried out with the participation of 358,214 children, 101,614 of whom participated in summer recreation camps (cf. 86,000 children in 2004, 87,000 children in 2005, 100,188 children in 2006, and 103,000 children in 2007).

408. The following studies commissioned by the Ministry of Education and Science were conducted: Efficiency of the Use of Funds Allocated for Cognitive Activities in General Education Schools (2007), the Impact of Schoolchildren's Self-Governance on Socialisation Projects (2006), Participation of 16-24 Year Old Youth in Public Life (2006), Addressing Children's Needs for Cultural Education (2007). Every study gives recommendations for the improvement of the situation, which are taken into account while organising occupation and meaningful leisure for children.

409. Every four years, Lithuania organises a universal Song Festival; making preparations for the festival is the responsibility of the Ministry of Culture, charged with this task by Resolution No. 607 of 19 June 2006 of the Government of the Republic of Lithuania. The following preparatory events are organised periodically: a competitive festival of Lithuanian children and youth "*Mes Lietuvos vaikai*" (We are the Children of Lithuania) (over 700 participants), a festival of Lithuanian boys' choirs "*Lietuvos berniukai prieš smurtą ir narkomaniją*" (Lithuanian Boys against Violence and Drugs) (about 2,000 participants), "*Dainų dainelė*", championships and festivals of wind-instrument bands "*Vario audra*", folklore festivals "*Atitaria lamzdžiai*", "*Žemaitijos dūdos*", "*Baltica*", "*Skamba skamba kankliai*", "*Griežynė*", and a contest of children/youth folklore performers "*Tramtatulis*".

410. Every year, the Ministry of Culture co-finances the publication of fiction in the Lithuanian language and other literature important for Lithuanian culture, Lithuanian literature promotion projects and reading promotion projects, to promote the creative and literary activities of Lithuanian authors, publish new pieces of Lithuanian literature and other publications important for Lithuanian culture, improve their accessibility to the public, present and disseminate Lithuanian literature and culture in foreign countries,



translate works by Lithuanian authors into other languages, and promote reading among adults, adolescents and children. Every year, co-financing is granted to children's literature publication projects, too.

#### **Children's literature publications co-financed in 2005-2008**

<i>Year</i>	<i>Number of publications co-financed</i>	<i>Allocations (LTL thou)</i>
2005	12	75
2006	23	201
2007	21	258
2008	19	215.5
<b>Total</b>	<b>75</b>	<b>749.5</b>

Data provided by the Ministry of Culture.

411. Vilnius Book Fair is a place where, among other things, the prizes for the Lithuanian Book Art Competition are awarded. These competitions are organised every year by the Ministry of Culture in cooperation with the Lithuanian Artists' Union and Lithuania's Art Academy to nominate the best books published in Lithuania in the previous calendar year in terms of design and graphic fulfilment. Prizes for children's literature works have also been awarded. The yearly Vilnius Book Fair also offers events specifically for children.

## **7. Special protection measures**

### **A. Children in situations of emergency**

#### **Article 22**

##### **Asylum-seeking children**

412. The principle of non-discrimination is enshrined in the Law of the Republic of Lithuania on the Legal Status Aliens (No. IX-2206 of 4 April 2004) which establishes that aliens are equal before law without distinction as to gender, race, nationality, language, origin, social status, religion, beliefs or opinions. This principle applies with respect to asylum-seeking children, too. Pursuant to Article 71 of the above-mentioned Law, asylum-seeking children have the right:

- (a) To be provided with accommodation at the Foreigners' Registration Centre or Refugee Reception Centre and to use the services provided by them;
- (b) To have their documents processed and notarised in relation to the examination of the asylum application;
- (c) To make use of legal aid guaranteed by the State, unless laws of the Republic of Lithuania establish otherwise;
- (d) To receive compensation for the use of public transport where the use is linked to the examination of the asylum application;
- (e) To receive interpretation services free of charge;
- (f) To receive free immediate medical aid and social services at the Foreigners' Registration Centre or Refugee Reception Centre;

(g) To receive a monthly monetary allowance in the manner laid down by the Minister of Social Security and Labour;

(h) To contact and meet representatives of the Office of the United Nations High Commissioner for Refugees;

(i) To study at general education and vocational training schools;

(j) To exercise other rights guaranteed under international treaties, laws and other legal acts of the Republic of Lithuania.

413. Pursuant to Article 43 of this Law, a child who has been granted refugee status and a permanent residence permit has a right to invite his/her parents to live in the Republic of Lithuania.

414. Article 67(2) of the Law sets out that an underage child has the right to apply for asylum personally or an application for asylum can be filed in the name of the child by any member of the family who is of adult age. In accordance with Article 67(3) of the Law, an unaccompanied underage child who has applied for application shall be taken into temporary custody according to the procedure established by laws of the Republic of Lithuania.

415. Pursuant to Article 77(3) of the Law on the Legal Status of Aliens, the principle of a safe third country does not apply to unaccompanied underage asylum-seekers (a safe third country is defined as a State which is not the alien's country of origin but is a State party to the 1951 Convention relating to the Status of Refugees and/or the 1967 Protocol relating to Refugee Status as well as the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms and/or the 1966 International Covenant on Civil and Political Rights, and is implementing the provisions of the above-mentioned instruments and providing a real possibility under its national laws of applying for and being granted asylum according to the established procedure). Article 77(3) of the Law also establishes that unaccompanied underage asylum-seekers are neither subject to the principle of a safe country of origin (defined as the alien's country of origin in which, by virtue of its legal system, applicable legal norms and political relations, a person is not threatened by the risk of persecution on the grounds of race, religion, nationality, belonging to a certain social group or political opinions, or inhuman or degrading treatment or punishment or violation of the fundamental human rights and freedoms, nor is there a risk of chaotic acts of violence at times of international or internal armed conflicts) nor the principle of manifestly unfounded asylum application. That means that asylum applications filed by unaccompanied underage children are examined with particular scrutiny and accelerated examination procedures may not be applied; the deadline for examination of such applications is three months and can be extended, if necessary, to up to six months.

416. Pursuant to the provisions of the Law, an underage alien may be detained only as a measure of last resort, in consideration of the best interests of the child. Asylum applications filed by unaccompanied underage persons are examined as a matter of priority. Public servants responsible for examining asylum applications from unaccompanied underage persons must contact different authorities of the Republic of Lithuania or foreign countries other than the asylum-seeker's country of origin to find out the whereabouts of the unaccompanied underage asylum-seeker's parents or other close relatives, unless this is against the child's interests.

417. Pursuant to the Rules of Providing Accommodation to Unaccompanied Underage Asylum-Seekers at the Refugee Reception Centre approved by Order No. 1V-21/A1-2 of 2 February 2005 of the Minister of the Interior of the Republic of Lithuania and the Minister of Social Security and Labour of the Republic of Lithuania, unaccompanied underage asylum-seekers are provided with accommodation at the Refugee Reception Centre, if the

temporary guardian (caretaker) of the unaccompanied underage asylum-seeker does not object. The temporary guardian (caretaker) of the unaccompanied underage asylum-seeker, or the Refugee Reception Centre if the asylum-seeker is placed into temporary custody (care) there, represent the interests of the unaccompanied underage asylum-seeker pending decision on the asylum application. Where possible, siblings may not be separated, in the best interests of the underage children and their age and maturity in particular. There is also a requirement to refrain, as far as possible, from moving unaccompanied underage children from one place of accommodation to another.

418. The Procedure for Examining Asylum Applications, and Adopting and Enforcing Asylum Decisions approved by Order No. 1V-361 of 15 November 2004 of the Minister of the Interior of the Republic of Lithuania establishes that the guardian (caretaker) and an authorised representative of the child must be present in interviews and other action taken in relation to the examination of unaccompanied underage asylum-seekers' applications, except where the authorised representative cannot arrive for the interview due to circumstances beyond his/her control. Interviews are conducted by competent and experienced public servants of the Migration Department under the Ministry of the Interior of the Republic of Lithuania who are aware of the requirements of the United Nations Convention on the Rights of the Child. Pursuant to Article 123 of the Law on the Legal Status of Aliens, if public servants who examine asylum applications from underage persons have reasonable grounds to doubt the asylum-seeker's age, they have the right to demand that the asylum-seeker undergo an age determination test. This age determination test requires the prior consent of the child's parents, other legal representatives or temporary guardians (caretakers).

419. Children who have been granted asylum in the Republic of Lithuania are eligible to integration support provided by the State of Lithuania in the procedure laid down in legal acts. This support includes: teaching of the official language, education, employment, provision of accommodation, social protection, health-care, provision of information to the public on aliens' integration.

420. All unaccompanied alien children are accommodated at the Refugee Reception Centre irrespective of whether they have actually applied for asylum in the Republic of Lithuania or not. Here, they can receive qualified pedagogical, psychological and social services.

421. With a view to addressing effectively any problems encountered by asylum-seekers and by those who have already been granted asylum, public authorities and institutions of the Republic of Lithuania cooperate with the Office of the United Nations High Commissioner for Refugees, create conditions for the Office to monitor the implementation in the Republic of Lithuania of the requirements of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to Refugee Status, and provide the required information and statistics on asylum-seekers and aliens who have been granted asylum, on the implementation of the above-mentioned Convention and Protocol, and on the current and pending legislation concerning asylum.

422. Statistical tables in the annex to this Report give information on children who filed initial applications for asylum in the Republic of Lithuania in the period from 2005 to mid-2008. In 2005, 46 children arrived in Lithuania or were born here to successful asylum-seekers. In 2006, 54 children applied for asylum, 11 of whom were born in Lithuania. In 2007, the number of asylum-seeking children dropped to 23; 10 of them were born in Lithuania. In the 1st half of 2008, 16 applications were received (5 newborns).

423. The percentage share of asylum-seeking children compared to adults did not change much and stood at about 35 per cent in 2005 and 2006, and 20 per cent in 2007 and 2008.

424. The number of unaccompanied underage asylum-seekers remains stable. In the past three and a half years, 18 unaccompanied underage persons arrived in the Republic of Lithuania. Most of them were nationals of different States, aged 16-17: Chechens, Uzbeks, a Nigerian, a Pakistani, a Vietnamese, and a Congolese. But in 2007, there were also three 10-13-year-old boys from Uzbekistan who applied for asylum in Lithuania.

425. In 2005-2008, two forms of asylum were available in Lithuania for underage asylum-seekers: refugee status or subsidiary protection.

426. At the Refugee Reception Centre, essential social, health-care and legal services are provided and intensive Lithuanian language courses and courses about life in Lithuania are organised for aliens; together with a territorial labour exchange and territorial labour market training and counselling service, the Refugee Reception Centre organises identification of a suitable job and assessment of personal qualities, training for a profession and re-qualification, and job-search courses.

427. In addition to other assistance and services, foreign nationals accommodated at the Refugee Reception Centre are entitled to free legal aid concerning asylum in Lithuania, to have their documents processed and notarised in relation to the granting of asylum in Lithuania, and to use medical services. Underage asylum-seekers (including unaccompanied children) may study at general education schools and have the right to attend pre-school education establishments. At the Refugee Reception Centre, asylum-seekers may use the Centre's library, watch TV and listen to the radio, go in for sports, take part in cultural events, engage in community work, attend Lithuanian language courses.

428. The provision of State support for integration of aliens who have been granted asylum is governed by the Procedure for Granting State Support for Integration of Aliens who have been Granted Asylum in the Republic of Lithuania approved by Order No. A1-238 of 21 October 2004 of the Minister of Social Security and Labour. State support for integration can take the following forms:

(a) Temporary accommodation (rent a housing for the period of integration, and organise acquisition of the necessary pieces of furniture and home appliances, with a one-off allowance (in the amount from 10 BSBs per adult member of family and 7 BSBs per child, up to 25 BSBs in total, i.e. LTL 3,250 per family));

(b) Organisation of education: official language training courses of 190-290 hours for adults, education for children of pre-school age (LTL 120 a month) and school age (LTL 130 per school-year);

(c) Organisation of employment (employment assistance, re-qualification, etc.);

(d) Social protection (monthly allowance for essential needs, LTL 184.50);

(e) Health protection (the amount of LTL 428.10 is allocated for the mandatory health insurance of unemployed adult aliens);

(f) Provision of information to the public about aliens who have been granted asylum, with a view to preventing their isolation and xenophobic attitudes towards them and supporting tolerance in the society.

429. A successful asylum-seeker is eligible to support for integration only once.

430. In 2007, 480 applications for asylum in the Republic of Lithuania were received, 402 of which were satisfied: 3 asylum-seekers were granted refugee status, and 393 subsidiary protection. Aliens who have been granted asylum in Lithuania are eligible to State support.

431. Initially, support for aliens is provided at the Refugee Reception Centre from State budget allocations for the current expenditure of the Centre, and later on, in a municipal territory from State budget allocations for integration.

432. Support in the Refugee Reception Centre is available for a period of up to 6 months. If an alien who has been granted asylum fails to prepare, for genuine reasons, for integration in the relevant municipal area during the fixed period, the integration period may be extended to up to 18 months.

433. Upon expiry of the integration period at the Refugee Reception Centre, support for integration is provided in the relevant municipal area (for a period of 12 months from the date of abandonment of the Refugee Reception Centre but no longer than for the period of validity of the temporary residence permit in the Republic of Lithuania or until the person concerned exits the Republic of Lithuania).

434. If a person who is a member of a vulnerable group fails to achieve integration in the municipal area within the fixed period, support may be extended further, to up to 60 months but to no longer than the period of validity of the residence permit in the Republic of Lithuania; in this case, the amount of State support is adjusted accordingly and a new contract is concluded, or the existing one renewed, with the institution responsible for integration.

435. Provision of State support for integration of aliens who have been granted asylum is organised on the basis of cooperation agreements between the Refugee Reception Centre and municipalities or non-governmental organisations. In January-September 2007, the Refugee Reception Centre maintained cooperation with the following institutions and organisations involved in the integration of aliens who have been granted asylum: the Lithuanian Red Cross Society, "Caritas" of the Archdiocese of Vilnius, Kaunas City Municipality, Klaipėda City Municipality, Telšiai District Municipality, Marijampolė City Municipality and Elektrėnai Municipality.

436. In the Regulations of the Refugee Reception Centre approved by Order No. A1-234 of 18 August 2005 of the Minister of Social Security and Labour to regulate the organization of reception and accommodation at the Centre, unaccompanied underage aliens who have applied for and have been granted asylum in the Republic of Lithuania are classified as a separate group of the Centre's customers. Pursuant to the Rules of Accommodating Unaccompanied Underage Asylum-Seekers at the Refugee Reception Centre, the Refugee Reception Centre is obliged to represent the best interests of unaccompanied underage asylum-seekers pending decision on their asylum applications. Every unaccompanied underage asylum-seeker can receive services of a social worker or, if necessary, a psychologist. This way, non-governmental organisations providing assistance to refugees have the possibility of contacting unaccompanied underage asylum-seekers accommodated at the Refugee reception Centre and implement social education and assistance projects. Related statistics are given in tables 60-62 in the annex.

## **Article 38**

### **Children in armed conflicts**

437. On 12 November 2002, the 2000 Optional Protocol on the Involvement of children in armed conflicts to the 1989 United Nations Convention on the Rights of the Child (hereinafter referred to as "the Protocol") was ratified in Lithuania by Law No. IX-1196. Its provisions entered into force for the Republic of Lithuania on 20 March 2003. As required by Article 8 of the Protocol, the initial report on the implementation of the Protocol in Lithuania was delivered in 2005 and defended in 2007.

438. Coordination of implementation of the international humanitarian law is the responsibility of the Ministry of National Defence. In 2001, an International Humanitarian

Law Enforcement Commission was set up as an advisory body to the Minister of National Defence, with the main task of assisting the Ministry of National Defence in discharging its function of coordinating enforcement of international humanitarian law in Lithuania. The Commission is composed of representatives from different ministries and institutions. It deals with any matters related to the enforcement of international humanitarian law in Lithuania, performs case analysis, makes proposals for amendments to the applicable national legislation, and coordinates dissemination of information on international humanitarian law. International humanitarian law is one of the subjects in the training programmes of the Armed and Police Forces of Lithuania. International humanitarian law is also taught at the Lithuanian War Academy, the School of Non-Commissioned Officers, Mykolas Romeris University, the Law Faculty of Vilnius University, and the Institute of International Relations and Political Sciences.

439. The duty to defend the State is enshrined in the Constitution of the Republic of Lithuania. Pursuant to the first paragraph of Article 139 of the Constitution, defence of the State of Lithuania against a foreign armed attack is the right and duty of every citizen of the Republic of Lithuania, and the second paragraph of the same Article requires that citizens of the Republic of Lithuania perform military or alternative national defence service according to the procedure established by law.

440. Under applicable legal acts of the Republic of Lithuania, a person must be at least 18 years of age to be able to volunteer for military service; thus, the Lithuanian Armed Forces do not have servicemen younger than 18 years.

441. Mandatory military service in Lithuania is regulated by the Law on Military Conscription No. I-1593 of 22 October 1996, which lays down that citizens of the Republic of Lithuania may be drafted to initial mandatory military service at the age of between 19 and 26 years, or at the age of 18 years if the person himself makes a written request to a municipal selection commission or regional military conscription centre. The period of initial mandatory military service is 12 months. In the state of emergency or in the case of war, the duration of initial mandatory military service may be extended and citizens of the Republic of Lithuania may be drafted into initial mandatory military service from the age of 18 years.

442. On 13 March 2008, the Seimas of the Republic of Lithuania passed the Resolution “On the Principles of Organisation of the Lithuanian Army” which states that it is reasonable to organise the Lithuanian Army as a professional and volunteer military service. In the Law on the Principal Structure of the Armed Forces in 2009, the Planned Principal Structure of the Armed Forces in 2014, and the Number of Statutory Civil Servants in the Civil National Defence Service (No. X-1701, of 15 July 008), the number of servicemen in initial mandatory military service is set at up to 600. The Minister of National Defence has issued a decision to suspend conscription to initial mandatory military service, with effect from 15 September 2008, and to set the number of servicemen in initial mandatory military service at 0, with effect from 1 July 2009.

443. Forced recruitment of children under the age of 18 years to military service in the armed forces incurs criminal liability.

444. Article 105(1) of the Criminal Code lays down that a person who, in time of war, during an armed international conflict, or occupation or annexation, forces, in violation of international humanitarian law, civilians or prisoners of war to serve in the armed forces of their enemy, uses them as a human shield in a military operation, conscripts or recruits children under the age of 18 years into the armed forces or uses them in a military operation shall be punished with imprisonment for a term of 3 to 10 years; pursuant to Article 105(2), a person who conscripts or recruits children under the age of 18 years into military service in a military group not belonging to the armed forces of the State or uses them in a military

operation shall be punished by imprisonment for a term of 3 to 12 years. The provisions of Article 105 of the Criminal Code have a retroactive effect (Art. 3(3) of the Criminal Code) and are not subject to time limitations (Art. 95(5)(7) of the Criminal Code).

445. Institutions of the system of national defence make much effort to foster civic and national virtues in children, youth and adults:

(a) The Ministry of National Defence, the National Defence Volunteer Forces and the Ministry of Education and Science organise a yearly competition, “What Do We Know about Lithuania’s Armed Forces”;

(b) Civic education of young people from the perspective of national security and defence policy and promotion of understanding of fundamental values and the national identity are among the main tasks of the Civil Resistance Centre under the Ministry of National Defence. A number of various events are dedicated for this purpose, such as conferences, seminars, summer camps for schoolchildren, and “survival” treks; active cooperation is maintained with non-governmental organisations, the business community, the Lithuanian Schoolchildren’s Parliament, the Civil Society Institute and other institutions.

446. Representatives of the system of national defence take part in the process of updating civic and national education programmes in schools; possibilities for mainstreaming defence education in other subjects are being considered; the Ministry of National Defence has financed the writing of a textbook for civic and national education in schools, which is currently being revised to incorporate defence issues.

447. Institutions of the national defence system regularly organise various events aimed at providing information to children and youth on the Armed Forces and military service and at promoting their interest in national defence. For instance, quite a number of the events organised on the Commemoration of Partisans, the Army and Public Unity Day are dedicated to children in order to familiarise them with the Armed Forces at closer range. Every year, military units assist public authorities, county administrations, municipalities, schools, child care institutions and non-governmental organisations to organise over 30 camps throughout Lithuania. In such camps, children and young people are not only engaged in recreational activities or sports but they also tidy up the environment, take care of cultural and historical heritage objects, learn to be responsible and disciplined persons and acquire healthy living skills. An exceptional campaign was launched in 2007: children of several Lithuanian schools sent their drawings and toys to children of the Ghor Province of Afghanistan where Lithuanian troops are deployed. As a thank-you gift, Afghan children sent over 100 drawings to Lithuania. The exhibition of these drawings at Vilnius Teachers’ House under the title “Coloured Letters to Lithuania” got huge attention from the public and the media.

448. The system of national defence contributes to the civic and national education of youth by financing a wide range of projects carried out by non-governmental organisations.

449. Several inter-institutional agreements were signed to promote civic and national education of children and youth:

(a) A trilateral cooperation agreement between the Ministry of National Defence, the Ministry of Education and Science, and the Lithuanian Riflemen’s Union (9 April 2008). In this agreement, the Ministry of National Defence undertook to contribute to the improvement of children’s education on national defence, to supply information on the armed forces and the military service so that general education schools and vocational guidance centres can provide adequate information to schoolchildren on the possibility of opting for a military profession, to organise qualification advancement courses for teachers, and to promote cooperation among education and national defence institutions in the field

on non-formal education of children and youth. The Ministry of Education and Science undertook to complement the general education curriculum with issues of national defence, to invite the Ministry of National Defence to take part in assessing new textbooks, teaching aids and methodological literature, to urge general education schools, vocational training institutions and vocational guidance centres to inform and advise schoolchildren on the possibility of opting for a military profession, and to encourage teachers from general education schools and other educational establishments to participate in the activities of the Lithuanian Riflemen's Union. The Lithuanian Riflemen's Union undertook to inform teachers and schoolchildren on the possibility of participating, and to encourage them to actually participate, in the activities of the Lithuanian Riflemen's Union, to train riflemen for pedagogical activities, to organise joint competitions of the Lithuanian Riflemen's Union, schoolchildren and students;

(b) A cooperation agreement between the Ministry of National defence and the Lithuanian Riflemen's Union (11 June 2008), whereby the parties have undertaken to cooperate in cultivating civic virtues and patriotism in young people in the field of national defence, in trying to arouse the interest of young people in professional or voluntary military service in the armed forces, and in training citizens for armed defence of the State. The parties have also undertaken to promote cooperation among riflemen and national defence institutions and their subunits with regard to informal youth activities and to organise joint sporting and cultural events. The Ministry of National Defence and the Lithuanian Riflemen's Union cooperate regularly. The Ministry of National Defence, the Lithuanian Armed Forces and the Lithuanian Riflemen's Union are implementing a joint project "Mobile Summer Camps" for young riflemen, young riflemen applicants, schoolchildren, children from higher risk groups, and other young people, who spend time meaningfully there. The Armed Forces send military instructors to such camps, to teach young riflemen the basics of topography, first medical aid, communications, etc., and provide logistic support.

450. Civic education on defence issues will be strengthened further. A new concept of the Law of the Republic of Lithuania on Military Conscription was approved by Resolution No. 620 of 18 June 2008 of the Government of the Republic of Lithuania, which provides for a set of measures aimed at the civic and national education of military conscripts: "With a view to enhancing education of military conscripts on defence issues, mandatory participation of military conscripts in the events dedicated to the National Defence Day will be introduced. This one-day national defence educational event organised to explain to military conscripts the importance of defence of the Homeland, the essentials of military conscription, and the armed forces and military service, would be an integral part of military conscription. This would be mandatory for all young people (men) from the age of 16 years, with the exception of disabled people, members of the Riflemen's Union and/or those who have completed a "Defender of the Homeland" course (this would be a short course attended on a voluntary basis, where young people would acquire basic theoretical knowledge of the Homeland's defence and basic practical skills of military defence; these young people would participate in the National Defence Day event on a voluntary basis)." A new version of the Law on Military Conscription is planned to be drafted.

## **B. Administration of juvenile justice**

### **Article 40**

#### **Juveniles in criminal proceedings**

451. Legislation governing criminal liability of juveniles, their procedural rights and guarantees, and the procedure for enforcing criminal liability was already covered in the



2004 Report on the implementation of the United Nations Convention on the Rights of the Child in Lithuania.

452. For the purpose of protection of human rights in criminal proceedings, the Code of Criminal Procedure provides for the following principal procedural rights and guarantees:

(a) No one shall be deprived of his/her liberty otherwise than in the cases and in the manner laid down in the Code of Criminal Procedure;

(b) Anyone who is deprived of liberty by arrest or detention must be promptly informed of the reasons of detention or arrest in a language understandable to him/her;

(c) Anyone who is deprived of liberty by arrest or detention shall be entitled to initiate proceedings in courts to question the lawfulness of his/her arrest or detention;

(d) Anyone who is deprived of liberty by unlawful arrest or detention shall be entitled to damages in the procedure established in legal acts;

(e) Anyone who is accused of having committed a criminal act shall have the right to a just, fair and public trial by an independent and impartial tribunal in the shortest possible time;

(f) Anyone who is suspected or accused of having committed a criminal act shall be presumed innocent until proved guilty in the procedure established in the Code of Criminal Procedure and until his/her guilt is recognised by an effective court judgement;

(g) Anyone who is suspected or accused of having committed a criminal act shall have the right to be informed promptly and in detail and in a language understandable to him/her, of the nature and basis of charges brought against him/her, and have adequate time and facilities to prepare for defence, to question witnesses in person or to have witnesses questioned by other persons, and to use interpretation services free of charge if he/she cannot understand or speak the Lithuanian language;

(h) Anyone who is suspected or accused of having committed a criminal act shall have the right to self-defence or defence by a defender at his/her own choice, and, if he/she is not in possession of sufficient means to pay for the services of the defender, have the right to free legal aid in the procedure established in a law governing the provision of State-guaranteed legal aid;

(i) Anyone shall have the right to full respect of his/her personal or family privacy, as well as the right to inviolability of his/her home and confidentiality of his/her correspondence, telephone conversations, telegraph messages and other communication. During criminal proceedings, such rights may be restricted in the cases and in the procedure established in the Code of Criminal Procedure;

(j) Anyone who is recognised as a victim shall have the right to demand that the offender be identified and duly punished and to claim damages. It must be noted that in the cases established in legal acts a victim has the right to receive compensation from the Crime Victims Fund, as well as the right to State-guaranteed legal aid in the procedure established by the law. It should also be noted that pursuant to Article 12 of the Law on State-Guarantee Legal Aid (No. VIII-1591, of 28 March 2000), minors who independently apply, in the cases established by laws, to courts for the defence of their rights or interests protected under law, with the exception of those who have entered into marriage in the procedure established by legal acts or have been recognised by the court as legally capable (emancipated), shall be eligible to secondary legal aid regardless of the property and income levels established by the Government of the Republic of Lithuania for eligibility to legal aid.

453. The Code of Criminal Procedure limits the duration of detention to up to six months. The procedural law provides for a court's discretion to determine the exact duration of detention but it also imperatively requires that the first period of detention may not be longer than three months. If the case concerned is extremely complicated or voluminous, the detention period may be extended but to no more than eighteen months overall in the pre-trial investigation stage. For juvenile suspects, this period is limited to twelve months. It must be mentioned that Lithuania's case-law shows that detention as the most severe preventive sanction has been applied to juvenile suspects in very exceptional cases. Types of preventive sanctions that can be imposed on juveniles include the placement of the juvenile into the custody of parents, caretakers or other natural or legal persons engaged in childcare activities. Before taking a decision on the extension of the period of detention of a suspect, the judge must check whether any pre-trial investigation actions were taken in the past two months of detention, and, if not, why such actions were not taken, as these circumstances play a major role in making the decision on the extension.

454. Individual articles of the Code of Criminal Procedure regulate the process and the specifics of questioning of underage witnesses and victims. The Code of Criminal Procedure establishes that a witness or victim under the age of eighteen years may be questioned by a pre-trial investigation judge if a representative of the juvenile requests so in the interests of the child or at the request of a prosecutor or defender, as well as in other cases provided in the Code. The procedural law also provides that, as a rule, such witnesses or victims may be questioned only once during the pre-trial investigation and the questioning shall be video- and audio-taped. A witness or victim under eighteen years of age may be called to the trial only once. The Code of Criminal Procedure of the Republic of Lithuania obliges the questioning officer to ensure protection of the underage witness or victim against illegal influence from other participants in the proceedings. Moreover, at the request of participants of the proceedings or on the initiative of the pre-trial investigation officer, prosecutor or pre-trial investigation judge, a representative of a State child rights protection agency or a psychologist must be invited to the questioning of a witness or victim under 18 years of age to help question him/her in the light of his/her social and psychological maturity. To ensure effective protection of the rights of juvenile suspects, the procedural law provides for mandatory participation of the defender. It should be noted that in this case the mandatory presence or absence of the defender does not depend on the (un)willingness of the juvenile suspect.

455. It should be mentioned that a new version of Article 186 of the Code of Criminal Procedure came into force on 1 January 2009 providing that:

(a) If there are suspicions that a witness or victim under eighteen years of age can be influenced by the suspect, the pre-trial investigation judge may rule that the suspect may not be present at the questioning;

(b) In the interests of a witness or victim under eighteen years of age, the suspect or other participants of the proceedings, other than a representative of a State child rights protection agency or a psychologist, may be banned, by a ruling of the pre-trial investigation judge, from being present at the questioning. In this case, audio- and video-taping of the questioning is mandatory, and the suspect and other participants of the proceedings must have the possibility of watching and hearing the questioning from another room and asking questions to the person being questioned through the pre-trial investigation judge. If it is impossible to provide the suspect and other participants of the proceedings with the possibility of watching and hearing the questioning from another room, the questioning shall be conducted in the absence of the suspect or other participants of the proceedings. In this case, the audio and video record of the questioning shall be shown immediately after the questioning to the suspect and other participants of the

proceedings who shall then have the right to ask questions through the pre-trial investigation judge to the person being questioned.

456. Considering the specifics of dealing with juveniles and with a view to ensuring adequate preparedness of police officers to perform criminal procedural actions with respect to juvenile offenders and underage victims, and pursuant to Order No. 5-N-13 of 29 December 2007 of the Lithuanian Police Commissioner General “Concerning Nomination of Police Officers (Investigators) to Specialise in Criminal Matters Involving Juvenile Offenders and Underage Victims”, all police institutions of the country have nominated (by Orders of their top managers) police officers who have the right and the duty to conduct a pre-trial investigation into a criminal matter involving a juvenile offender or underage victim.

457. Seeking to minimise the risk of causing emotional traumas to children during criminal proceedings and reduce the need for any repeated questionings, and seeking to ensure that children who are victims or perpetrators of sexual or other crimes, or who are victims, witnesses or suspects of violence in the family, are questioned in special questioning rooms with special facilities, the Police Department under the Ministry of the Interior has prepared Standard Requirements for Child Questioning Rooms in Territorial Police Institutions and the List of Equipment in Child Questioning Rooms, which were approved by Order No. 5-V-543 of 16 August 2007 of the Lithuanian Police Commissioner General. Such special child questioning rooms have been set up in police headquarters in Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys.

458. In 2005, as part of implementing the Juvenile Justice Programme for 2004-2008 approved by Resolution No. 600 of 19 May 2004 of the Government of the Republic of Lithuania, the Ministry of the Interior commissioned the preparation of Legal Guidelines for Pre-Trial Investigation Officers Dealing with Juveniles (published on the website of the Ministry of the Interior, [www.vrm.lt](http://www.vrm.lt)). These Guidelines give a list of principal provisions of the United Nations Convention on the Rights of the Child (namely, Articles 9, 12, 16, 37, and 40) that must be followed by pre-trial investigation officers in dealing with children in criminal proceedings. In addition, psychological guidelines were developed in 2005 to increase competences of pre-trial investigation officers dealing with children. These guidelines are used in training police officers at the Lithuanian Police Training Centre. The guidelines have been posted on the website of the Ministry of the Interior and have been published as a hard copy (2000 copies) and distributed to police officers, prosecutors and other institutions working with children.

459. A sociological study was carried out in December 2005-January 2006 to analyse the juvenile justice situation in Lithuania, with four representative opinion polls conducted as part of it: Lithuanian population; criminal justice officers dealing with juvenile offenders (police officers, prosecutors, judges, officers of penal and correctional institutions); children of risk groups; and juveniles serving a sentence of imprisonment at Kaunas Juvenile Interrogation Isolator – Correctional Facility. The study was commissioned by the Ministry of the Interior as part of the United Nations Development Programme project “Facilitation of the Delivery of an Effective Juvenile Justice System in Lithuania”. The key goal of the study was to analyse the relationship between juvenile offenders and criminal justice officers, to name major problems encountered by criminal justice officers and delinquents, and to identify weaknesses of juvenile justice in Lithuania. The study revealed the following major problems in juvenile justice: inadequate qualification of officers dealing with juvenile offenders, negative attitudes of officers towards juveniles, weak inter-institutional cooperation, inefficient prevention of juvenile offences.

460. Since 2005, the Lithuanian Police Training Centre has been organising training for officers under the following qualification advancement programmes: the Qualification Advancement Programme for Police Officers for Juvenile Affairs and the Qualification

Advancement Programme for Pre-Trial Investigation Officers in Child Questioning (training topics include: “Communication with Children Affected by Violence”, “Advancement of Qualifications of Pre-Trial Investigation Officers in Child Questioning”, “Specifics of On-Site Communication between Criminal Police Intelligence Officers and Children Affected by Violence Immediately after the Act”, etc.). In 2005-2007, qualification advancement courses organized by the Lithuanian Police Training Centre were attended by 326 police officers dealing with juvenile offenders.

461. In 2008, the Lithuanian Police Training Centre organised three seminars, “Juvenile Criminal Justice” (attended by 56 officers), a seminar, “Implementation of the Concept of Child Welfare. Police Officers’ Working Practices” (attended by 25 officers), a course aimed at improving professional skills of police officers dealing with juvenile affairs (attended by 24 officers), two courses on the topic “Specifics of On-Site Communication between Criminal Police Intelligence Officers and Children Affected by Violence Immediately after the Act” (attended by 36 officers).

462. With the Ministry of Education and Science pursuing further the measures under the Juvenile Justice Programme for 2004-2008, a set of methodological guidelines was developed under the title “Preconditions for the Prevention of Psychological Drug Addiction and Crime: Basic Principles of Working with Juvenile Offenders”. Twenty-six workers of child education and care homes were trained to apply these guidelines in 2005. Four seminars, “Psychological Assessment of an Offender” (16 academic hours), were organised in November 2007 and attended by 68 workers. The participants were familiarised with the concept of delinquent behaviour of children and adolescents, the trends of development of such behaviour, risk and protective factors, and principles of psychosocial assessment of a juvenile offender by applying the OASys technique (2007); also, a programme for the development of social skills of adolescents, “*Tiltai*” (Bridges), was released (5,555 copies, 2007).

### **Article 37**

#### **Children deprived of liberty and imposition of punishments**

463. The Constitution of the Republic of Lithuania establishes that the freedom of a human being shall be inviolable, and no one may be arbitrarily detained or held arrested, and no one may be deprived of his freedom otherwise than on the grounds of and according to the procedures established by law.

464. The Criminal Code sets the minimum age of 16 years at which a person may be held criminally liable under criminal laws, although certain crimes or offences incur criminal liability at a younger age, i.e. from the age of 14 years, whereas a person who is younger than fourteen years of age at the time of committal of a dangerous act as defined in the Criminal Code may be subjected to reformatory or other kind of sanctions in accordance with legal acts of the Republic of Lithuania.

465. Article 44 of the Code of Criminal Procedure provides that no one shall be deprived of his/her liberty otherwise than in the cases and in the procedure established in this Code. Any detainee or arrestee must be promptly informed of the reasons of detention or arrest in a language understandable to him/her; any detainee or arrestee has the right to go to court claiming that the detention or arrest was unlawful, also the right to a just, fair and public trial by an independent and impartial tribunal in the shortest possible time, and the right to claim damages.

466. Article 140 of the Code of Criminal Procedure sets the maximum period of provisional detention at 48 hours. However, if a person has been questioned as a suspect, the provisional detention may not be longer than 24 hours, but may be extended by a ruling of the prosecutor to the maximum period of provisional detention.

467. Pursuant to the Instruction for the Organisation of Work of Police On-Duty Stations approved by Order No. 278 of 25 June 2001 of the Lithuanian Police Commissioner General, on-duty stations are a place where juveniles suspected of having committed a criminal or administrative offence, or children who have committed an act against the law and who are younger than of the age of criminal or administrative liability, or children who need emergency aid, are delivered. Police officers must take immediate actions to identify parents or other legal representatives of such children and to inform them (or a child rights protection agency, if the child has no parents or legal representatives or if police officers have failed to identify them within a reasonable period of time) of the delivery of the child to the police institution and to transfer the child to them as soon as possible.

468. When a juvenile is placed into custody in detention premises in a police on-duty station, the juvenile shall be held separately from adults.

469. The Law on Police Activities of the Republic of Lithuania (No. VIII-2048, of 17 October 2000) establishes that a police officer has the right to use coercion when this is necessary in order to prevent offences, apprehend perpetrators and, in other cases, protect and defend legitimate interests of a person, society and the State. Coercion that can cause bodily injury or death may be used only to the extent necessary for the discharge of official duty and only provided that all possible measures of persuasion and other measures have been exploited but proved ineffective. When using coercion, police officers must seek to avoid serious consequences. The Law prohibits the use of a firearm, martial arts and special equipment against a person who is obviously a minor (if the age is known to the police officer or appearance of the person matches the age, unless the person resists in a manner dangerous to life or health, or a group of such persons attack thus posing a threat to life or health).

470. The Rules of Operation of Lockups in Local Police Stations approved by Order No. 5-V-356 of 29 May 2007 of the Lithuanian Police Commissioner General, and the Instruction for Guarding and Supervising Lockups in Local Police Stations approved by Order No. 5-V-357 of 29 May 2007 of the Lithuanian Police Commissioner General contain special provisions concerning juveniles. They provide that juveniles shall be held in lockups separately from adults. Lockups shall be selected by taking account of the juveniles' age and the degree of physical and mental maturity. While under custody in a lockup, juveniles are allowed to have a one-hour walk twice a day. They are given four meals a day, in accordance with physiological nutrition norms set for adolescents.

471. Below are statistics on the dynamics of the number of juveniles detained and convicted in the period of 2005-2008.

**Dynamics of the number of detained and convicted juveniles, 2005-2008**

	<i>Number</i>			
	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>First half of 2008</i>
<b>Juveniles, total</b>	<b>179</b>	<b>171</b>		<b>164</b>
of which female	2	7	6	7
Juveniles detained	56	57	61	40
of which female	0	4	1	1
Juveniles convicted	123	114	131	124
of which female	2	3	5	6

**Dynamics of the number of convicted juveniles, by length of sentence, 2005-2008**

<i>Length of sentence</i>	<i>Number</i>			
	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>First half of 2008</i>
Up to 6 months	5	3	17	15
From 6 months to 1 year	14	6	13	12
From 1 to 3 years	72	65	64	62
From 3 to 5 years	18	25	20	24
From 5 to 10 years	14	15	17	11
<b>Total</b>	<b>123</b>	<b>114</b>	<b>131</b>	<b>124</b>

**Number of juveniles, by place of serving sentence\***

<i>Institution</i>	<i>Number of places</i>	<i>Number of juveniles</i>	
		<i>1st half of 2008</i>	
Kaunas Juvenile Interrogation Isolator – Correctional Facility	108	58	
Lockup of Kaunas Juvenile Interrogation Isolator – Correctional Facility	150	83	
Panevėžys Correctional Facility	17	7	
Lockup of Panevėžys Correctional Facility	408	5	
	26	1	

\*Plus 5 juveniles in Lukiškės Interrogation Isolator-Prison and 5 juveniles in Šiauliai Interrogation Isolator, held there for the purpose of various procedural actions.

*Data provided by the Prison Department under the Ministry of Justice.*

472. It must be underlined here that in line with the recommendation given in the conclusions of the United Nations Committee on the Rights of the Child to ensure that children who have been sentenced to imprisonment and who are serving sentences in a juvenile prison are allowed to see their families regularly, Section III of the Code on the Enforcement of Sentences of the Republic of Lithuania approved by Law No. IX-994 of 27 June 2002 provides that juveniles serving a sentence of imprisonment shall have the right to one short and one long meeting a month (for convicts of the ordinary group – once every second month), and to a telephone conversation (for convicts of the ordinary group – once a week), in addition to the right to go home for a three-day period once every third month provided that they have served at least one-third of the sentence awarded by the court.

Juveniles who serve sentence of detention in lockups have the right to daily walks of at least two hours long. Also, juveniles serving sentence in juvenile correctional facilities may be allowed to go, unescorted, outside the territory of the correctional facility if this is necessary for general education, vocational training or employment purposes, provided that they have served at least three months of their sentence of imprisonment. Besides, 1.5 BSBs are allocated for free meals to juveniles.

### **Article 39**

#### **Physical and mental rehabilitation and social reintegration of the child**

473. The Government of the Republic of Lithuania has approved, by Resolution No. 491 of 4 May 2005, the National Programme for the Prevention of Violence against Children and for Assistance to Children for 2005-2007, with the purpose of providing for an integrated set of measures aimed at eliminating violence against children, whatever form it may take. The measures envisaged in the Programme are targeted at children who are potential or actual victims of psychological, physical or sexual abuse and negligence, and at their families, and for the prevention of violence and bullying in schools.

474. Because it was felt that there was a need to continue the Programme, the Government of the Republic of Lithuania approved, by Resolution No. 392 of 30 April 2008, the National Programme for the Prevention of Violence against Children and for Assistance to Children for 2008-2010.

*For recovery and social integration of children, see also the comment on article 19 of the Convention.*

## **C. Protection from exploitation, and physical and mental rehabilitation and social reintegration**

### **Article 32**

#### **Protection from economic exploitation and child labour**

475. Legal acts governing labour issues were covered in the 2004 second periodic report on the Implementation of the United Nations Convention on the Rights of the Child in Lithuania.

476. The Labour Code of the Republic of Lithuania, which was approved by the Law No. IX-926 of 4 June 2002 and came into force on 1 January 2003 establishes that at the age of 16 years a person acquires full legal capacity in labour relations and ability to acquire labour rights and undertake labour duties. Exceptions to this rule are established in the Labour Code or other labour laws.

477. Article 36 of the Law of the Republic of Lithuania on Safety and Health at Work (No. IX-1672 of 1 July 2003) establishes that child labour shall be prohibited, with the exception of light work that suits the child's physical capabilities and does not harm his/her safety, health, physical, mental, moral or social development, and is in compliance with the conditions of employment established by the Government. Employers must guarantee working conditions to young people appropriate to their age. The work for which a young person is hired must be safe and must not pose a threat to his/her health or physical or mental development, nor jeopardise education.

478. The Government of the Republic of Lithuania has issued Resolution No. 138 of 29 January 2003 to approve the procedure governing the employment of persons under the age of 18 years, their health examination, assessment of their capacity to perform specific work, regulating their working time and approving a list of prohibited work and factors dangerous and hazardous to health.

479. The Labour Code lays down special conditions which must exist in order to employ persons of the age between 14 and 16 years for light work. Article 104(2) of the Labour Code specifies the documents which the employer must demand from candidates of the age between 14 and 16 years. In 2008, Article 104 of the Labour Code was amended (by the Law Amending Articles 104 and 136 of the Labour Code of the Republic of Lithuania, No. X-1610 of 17 June 2008) to provide that an employer seeking to employ an underage person from 14 to 16 years of age must require that the person deliver his/her birth certificate, the written consent of one of the parents or another statutory representative of the child, permission from the child's attending paediatrician, and, if during a school-year, the written consent of the school attended by the person concerned.

480. Below are the data from the Department of Statistics under the Government of the Republic of Lithuania on the employment of children aged between 15 and 18 years.

#### Employment in the 15-18 age group

	2005	2006	2007
<b>Total</b>	<b>2 545</b>	<b>3 495</b>	<b>4 004</b>
Boys	1 928	2 309	3 274
Girls	563	1 186	730

Data provided by the Department of Statistics under the Government of the Republic of Lithuania.

481. Every year, at the start of the period of seasonal work, when young persons seek employment more actively, the State Labour Inspectorate under the Ministry of Social Security and Labour (hereinafter referred to as "the State Labour Inspectorate") carries out measures aimed at controlling and publicizing young persons' employment problems.

482. In May 2008, a press release about employment of children and young persons was disseminated (and posted on the website of the e-newspaper Business News, on the BNS Terminal, and the State Labour Inspectorate's website); an article "*Apie įžengiančiuosius į darbo pasaulį. Tėvams. Vaikams. Darbdaviams*" (About Newcomers to the World of Labour. For Parents. For Children. For Employers) was published in 16 different publications to inform the public about rights and duties of the employer and young employee; and an audio-clip was broadcast on the Lithuanian National Radio inviting parents whose young or adolescent children were seeking employment to consult the State Labour Inspectorate. This topic was also covered in a special radio programme hosted by the State Labour Inspectorate which gave answers to questions asked by listeners on the air. It should be noted that as a result of information dissemination efforts made by the State Tax Inspectorate, the society is becoming increasingly aware of legal regulation of employment of children and young people as demonstrated by the fact that at the start of a summer period, labour inspectors are frequently invited to radio programmes and interviewed by newspapers on this issue.

483. In August 2008, targeted inspections were conducted in all counties in order to find possible cases of failure to ensure safe conditions at work and other guarantees to young employees. Findings of such inspections were summarised in a press release and described in more detail in an article "*Vaikų ir paauglių darbas – nuolat inspektorių akiratyje*" (Child and Adolescent Labour Always on the Watch of Labour Inspectors) published in national and regional press.

484. In 2008, local units of the State Labour Inspectorate received over 312 notifications from employers about employment of young persons as required by legal acts. By using the available information, inspections were carried out in nearly 60 per cent of enterprises,



institutions or organisations which employed young persons in 2008. Of the inspections performed, 17 per cent were in the processing industry and 17 per cent in trade, 14 per cent in agriculture and forestry, 9 per cent in hotels and restaurants, and 6 per cent in construction companies; other inspections were carried out on a random basis.

485. According to the results of the inspections, irregularities were found in 13 per cent of the companies inspected. Thirty-six (36) per cent of the irregularities were related to working and non-working time, and 18 per cent were found in employment contracts. Other types of irregularities accounted for 1.5-2 per cent of the total number of irregularities found. Non-compliant employers were given written lists of requirements to be fulfilled, and the fulfilment of such requirements was monitored. For a failure to fulfil requirements of legal acts governing safety and health at work and labour relations, protocols of administrative offences were drawn up for top managers of three enterprises, incurring an aggregate penalty of LTL 4.5 thou.

486. Since the start of the year, five complaints have been received concerning employment of young persons.

487. In 2008, 6 instances of illegal labour were detected, involving 14 illegally employed young persons. For these violations, protocols of administrative offences were drawn up and referred to courts.

### **Article 33**

#### **Use of narcotic and psychotropic substances**

488. At end-2004, a study of the prevalence of the use of psychoactive substances in Lithuania was conducted on the initiative of the Drug Control Department under the Government of the Republic of Lithuania (hereinafter referred to as “the Drug Control Department”). The findings showed that 8.2 per cent of the population (aged 15-64) have tried drugs at least once in their lifetime. Younger population used drugs more frequently: 16.9 per cent of people aged 15-24 years have tried drugs. The highest use of drugs was among men aged 18-24 years (29.8 per cent).

489. Among children aged 15-18 years, 12 per cent have tried drugs at least once in their lifetime, 11.3 per cent have tried marijuana and hashish, 1.2 per cent have tried ecstasy, and 1.6 per cent have tried amphetamine. The most popular drug is cannabis and its preparations. Sixty-four point nine (64.9) per cent of children aged 15-18 years have smoked tobacco at least once in their lifetime, of whom 56.7 per cent were children aged 15-16 years. Alcohol use among the respondents aged 15-18 years in the past 12 months accounted for 70.9 per cent, including 59.2 per cent of children aged 15-16 years.

490. In spring 2006, the Drug Control Department initiated a representative study of the prevalence of the use of psychoactive substances in municipal and county child care homes. The study was representative of children aged 15-17 years living in municipal or county child care homes (a full-coverage poll of the target group was conducted, i.e. 700 respondents who were all children aged 15-17 years living in municipal or county child care homes were interviewed).

491. The findings of the study revealed:

(a) One-fifth (19 per cent) of the respondents have tried drugs at least once in their lifetime, 12 per cent had used drugs at least once in the past 12 months, and 8 per cent in the past 30 days;

(b) There was a higher prevalence of at least a single use of any type of drugs among boys (23 per cent compared to 16 per cent among girls) and in urban areas (25 per cent of children in urban child care homes compared to 11 per cent in rural child care homes);

(c) The most popular drugs among adolescents in child care homes were marijuana/hashish, amphetamine or methamphetamine, and ecstasy.

492. The most frequent drug used for the first time was marijuana or hashish, as responded by 6 per cent of the respondents. More boys (8 per cent) than girls (4 per cent) responded that they had tried marijuana or hashish as their first drug ever used. More urban than rural institutionalised children tried marijuana or hashish and amphetamines as the first drug (marijuana was tried for the first time by 8 per cent of urban and 4 per cent of rural institutionalised children, and amphetamine by 5 per cent and 1 per cent respectively).

493. The study also reported that users of psychoactive substances missed classes more frequently than others (50 per cent of all respondents), ran away from child care homes for more than one day (31 per cent of all respondents), participated in a group which inflicted bodily injury on a person (19 per cent of all respondents), tried to commit suicide (16 per cent of all respondents) or intended to harm themselves (29 per cent of all respondents), or participated in a group which started a fight with another group (24 per cent of all respondents).

494. On the question of the damage caused by psychoactive substances, 77 per cent of the respondents attributed regular intravenous drug users to a high-risk group. Slightly fewer respondents associated high risk with the use of inhalants (76 per cent), cocaine, "crack", ecstasy (75 per cent each). More respondents indicated casual smoking as the least harmful form of addiction, and only 25 per cent of the respondents thought casual smoking was very harmful.

495. Seeking to ascertain the prevalence of use of narcotic and psychotropic substances among nightclub visitors, a survey on this issues was carried out in March-May 2008 in five major towns of the country on the initiative of the Drug Control Department. The key purpose of the study was to ascertain accessibility of narcotic and psychotropic substances, and the prevalence and manner of use of these substances among nightclub visitors in major towns of Lithuania. The study revealed that every third visitor at youth entertainment places had tried drugs. Cannabis was the most popular drug in nightclubs – it had been tried at least once by 31 per cent of the respondents, followed by ecstasy (17 per cent), amphetamine (12 per cent), and LSD (10 per cent). These figures are several times lower among the total population. The survey of nightclub visitors showed that drugs were most frequently obtained from friends, as indicated by 70 per cent of the respondents who used drugs. Another disturbing source of narcotic substances is club workers, as indicated by 6 per cent of the respondents. Nearly a half of nightclub visitors (43 per cent) acquire narcotic substances before entering a club, and one-fifth of the respondents (19 per cent) while in the club.

496. Asked about the reasons of the use of drugs, almost a half of nightclub visitors responded they used drugs for relaxation, and one-third for pleasure or as a means of helping to solve or forget problems (about 20 per cent). The study also reported that many young people preferred mixing narcotic substances and using them together with alcohol for maximum emotions (14 per cent).

497. The findings of the survey can be viewed on the website of the Drug Control Department at [www.nkd.lt](http://www.nkd.lt).

498. For the purpose of ascertaining the attitude of young persons to narcotic and psychotropic substances, students are distinguished as a separate group. Using the standard questionnaire recommended and adapted by the European Monitoring Centre for Drugs and Drug Addiction, the Drug Control Department conducted a study "Prevalence of the Use of Psychoactive Substances among Students of Higher Schools in Major Towns of Lithuania" in 2007. The main goal of the study was to ascertain the prevalence of the use of psychoactive substances among Lithuanian higher school students, to find out students'

attitudes towards the use of psychoactive substances, and to ascertain differences in the use of psychoactive substances in terms of socio-demographic factors. One thousand and twenty-five (1,025) first-to-fourth year students of Lithuanian higher schools were interviewed. Sixty-three (63) per cent of the respondents said they had never tried narcotic substances, and, consequently, 37 per cent had. The study reported that cannabis was the most popular drug among students. Nearly one-third of the respondents confessed having tried cannabis at least once. Almost half of the respondents said cannabis was easily accessible and that they had received at least one offer to buy it. The findings of the study are available on the website of the Drug Control Department.

499. Seeking to ensure that prevention of the use of psychoactive substances is consistent and targeted at risk groups and tailored to the age and needs of the target group, and that preventive measures are streamlined not only against narcotic and psychotropic substances but also other psychoactive substances as well as risk behaviour, the Drug Control Department pursues three types of primary drug prevention: general, selective and targeted, in conformity with research-based recommendations. These three directions of prevention are also distinguished in the Implementing Measures for 2007 of the National Programme of Drug Control and Prevention of Drug Abuse for 2004-2008 approved by Resolution No. 1310 of 21 December 2006 of the Government of the Republic of Lithuania, which envisage, apart from general prevention of the use of psychoactive substances, the implementation of projects of selective and targeted prevention of the use of psychoactive substances targeted at children in risk groups and at individual persons, as well as the provision of early intervention services to children at social risk, particularly at children in child social care homes.

500. The Drug Control Department has been financing projects of selective and targeted prevention of the use of psychoactive substances since 2006, and early intervention projects, since 2007.

501. Assistance to children addicted to psychoactive substances was being strengthened further. Consulting and medical treatment services to children with mental and behavioural disorders caused by addiction to psychoactive substances were provided by mental health centres and centres for addictive disorders.

502. Four centres for addictive disorders (in Vilnius, Kaunas, Klaipėda, and Panevėžys – 22 beds altogether) provided inpatient treatment and short-term (1 to 2 months) psychological and social rehabilitation services to children with mental and behavioural disorders caused by addiction to psychoactive substances. In 2008, short-term rehabilitation and reintegration services to children were provided also in Kaunas Juvenile Interrogation Isolator – Correctional Facility and in Panevėžys Correctional Facility.

503. As of the end of 2008, 17 long-term-rehabilitation institutions (312 places altogether) operated in Lithuania, 2 of which were specialising in the rehabilitation of children and young people. The Centre for Addictive Disorders of the Kaunas County was the first in the country to set up a unit for long-term psychological and social rehabilitation of children addicted to psychoactive substances; the unit started operations in March 2008.

504. Every year since 2006, the Drug Control Department has been launching tendering procedures for the selection of projects of psychological and social rehabilitation of persons addicted to psychoactive substances; priority has always been given to projects targeted at children addicted to narcotic and psychotropic substances. Therefore, projects implemented by public institution “*Apsisprendimas*” (Self-Determination) have been financed every year, as the institution is specialising in the provision of long-term psychological and social rehabilitation services to children. There is also a public institution “*Gyvybės versmė*” (Fount of Life) which provides rehabilitation services to women addicted to psychoactive substances by providing them and their underage children with accommodation.

505. Medical treatment and psychological-social rehabilitation services to children with mental and behavioural disorders caused by the use of psychoactive substances are provided free of charge.

506. In November 2007, the Drug Control Department launched a new platform on its existing website, [www.nkd.visuomene](http://www.nkd.visuomene), under the heading “*Specialisto klausk drąsiai*” (Do Not Hesitate to Ask a Professional), where both parents and teachers, as well as children and other persons concerned, may ask for advice from 11 professionals in the fields of prevention, medical treatment, rehabilitation, and law. Answers are given within 48 hours and are posted publicly on the website so that the information reaches the widest audience possible.

507. By the data provided by the State Patients’ Fund under the Ministry of Health of the Republic of Lithuania, the prevalence of children (under 18 years) addicted to drugs is decreasing (54 children in 2004, 44 in 2005, 19 in 2006, and 11 in 2007), as is the incidence, with 16 new cases recorded in 2004, 22 in 2005, 12 in 2006, and 6 in 2007.

508. Article 160 of the Criminal Code provides for criminal liability for involving a child in the use of medicines or other intoxicating substances, Article 161, for involving a child in the abuse of alcohol, Article 264(2), for inducing a minor in the use of narcotic or psychotropic substances, and Article 261, for distribution of narcotic or psychotropic substances among minors.

#### Recorded crimes and offences against a child, 2004-2008

	2004	2005	2006	2007	2008
Involvement of a child in the use of medicines or other intoxicating substances (Art. 160 of the CC)	0	1	0	0	0
Involvement of a child in abuse of alcohol (Art. 161 of the CC)	11	16	7	10	10
Distribution of narcotic or psychotropic substances among minors (Art. 261 of the CC)	4	2	5	8	14
Inducing a minor into the use of narcotic or psychotropic substances (Art. 264(2) of the CC)	0	4	7	4	7

*Data provided by the Information Technology and Communication Department under the Ministry of the Interior.*

#### Juveniles suspected (accused) of having committed criminal acts repeatedly or under the effect of alcohol, or narcotic and psychotropic substances

	2004	2005	2006	2007
Repeatedly	440	416	323	254
Under the effect of alcohol	696	674	698	672
Under the effect of narcotic or psychotropic substances	20	6	14	7

Data provided by the Department of Statistics under the Government of the Republic of Lithuania.

#### Detained and convicted juveniles addicted to narcotic or psychotropic substances

	2006	2007	2008
<b>Addicted to narcotic or psychotropic substances, total</b>	<b>42</b>	<b>51</b>	<b>39</b>

	2006	2007	2008
Detained (pending court's judgement)	17	41	16
Convicted	25	10	23

*Data provided by the Department of Statistics under the Government of the Republic of Lithuania.*

509. Seventy-five juveniles were punished by police officers in 2005, 33 in 2006, and 36 in 2007, for violations under Articles 44(1) and 44(2) of the Code of Administrative Offences of the Republic of Lithuania (illegal acquisition and possession of narcotic or psychotropic substances in small quantities, and use of narcotic or psychotropic substances without medical prescription); 6 juveniles were punished in 2005 and 2007 each, and 10 in 2006, for violations under Article 44(3) of the Code of Administrative Offences (illegal acquisition and possession by minors between 14 and 16 years of age of narcotic or psychotropic substances in small quantities, and use of narcotic or psychotropic substances without medical prescription). Forty-six (46) juveniles committed 33 criminal acts related to possessing narcotic or psychotropic substances in 2005, (47 to 55 in 2006, and 46 to 49 in 2007, respectively).

510. Implementing the National Programme of Drug Control and Prevention of Drug Abuse for 2004-2008 approved by Resolution No. IX-2110 of 8 June 2004 of the Seimas of the Republic of Lithuania, the Ministry of Education and Science regularly organises training for teachers and educational assistance specialists, publishes methodological publications, drafts legislation on this issue, and analyses situation in schools. Tenders for the prevention of the use of psychoactive substances are organised annually, to support projects benefiting educational establishments and school communities. Financial allocations for such projects have increased almost four times since 2004 (from LTL 258,000 in 2004 to LTL 1,500,000 in 2008). Outputs of these projects included recommendations for a series of lectures on harmful effects of alcohol for parents of schoolchildren in grades 6-8, issued in 2006; a brochure for parents about harmful effects of alcohol; a brochure about harmful effect of smoking for schoolchildren in grades 5-8, produced and released in 2006; methodological guidelines "Prevention of the Use of Psychoactive Substances and Assessment of its Efficiency", released in CD format (2,200 copies) in 2007; a leaflet "Assistance to Persons with Addictive Disorders" (15,000 copies) to inform children and their parents (also guardians and caretakers) and other family members about availability of medical, psychological and social rehabilitation services provided by medical and rehabilitation institutions in the country; a needs assessment with respect to the existing qualification advancement programmes for social pedagogues and psychologists, and recommendations for the preparation of such programmes; draft instructions for preventive work groups and specialists in schools concerning the provision of early intervention services, and a project for a training programme for parents on the issue of primary prevention of the use of psychoactive substances, prepared in 2007; an awareness-raising campaign aimed at forming negative attitudes among young people towards the use of psychoactive substances and informing about the programme of prevention of the use of alcohol, tobacco and other psychoactive substances.

#### **Article 34** **Sexual exploitation and sexual abuse**

511. At its 49th session held on 18 September 2008, the United Nations Committee on the Rights of the Child considered the initial report of Lithuania on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The report gave full coverage of legal acts of the Republic of Lithuania prohibiting the sale and sexual exploitation of children, including information on the enforcement of these legal acts in Lithuania.

**Article 35****Child abduction, sale and trafficking**

512. Lithuanian legislation is in principle consistent with international legal requirements, i.e. those set by the United Nations, the European Union, the Council of Europe, and other international institutions, concerning trafficking in human beings and control and prevention of prostitution. Moreover, with a view to consolidating the system of social assistance to victims of trafficking in human beings and contributing to international efforts to combat trafficking in human beings, the Republic of Lithuania signed, in February 2008, the Council of Europe Convention on Action against Trafficking in Human Beings. It should be noted that the U.S. Department of State, acting pursuant to the Victims of Trafficking and Violence Protection Act of 2000 annually assesses efforts made by governments world-wide to combat trafficking in people, and in these ratings, Lithuania has been listed, for five years running, as a country which makes particular efforts to combat human trafficking.

513. The Criminal Code defines the crime of trafficking in human beings (Art. 147) and the crime of purchase or sale of a child (Art. 157) and imposes harsh sanctions: imprisonment for up to 12 years for trafficking in human beings, and imprisonment for up to 15 years for purchasing or selling a child. Legal persons are also subject to criminal liability for the said crimes. This is particularly important when it comes to criminal prosecution of top managers of model, employment or tourist agencies who are suspected of being involved in trafficking in human beings. In line with international and EU legal acts against slavery, trafficking in human beings and other economic exploitation, the Criminal Code of the Republic of Lithuania was supplemented in 2005 with a new article imposing criminal liability for exploitation for forced labour (Art. 4711).

514. In 2008, 18 pre-trial investigations were initiated under Article 157 of the Criminal Code “Purchase of Sale of a Child” (as amended with effect from 30 June 2005) (cf. 17 in 2007, 3 in 2006, and 0 in 2005). In 2005, the Code of Administrative Offences established administrative liability for the use of prostitution services for a payment. Administrative liability does not apply if a person is engaged in prostitution because he/she was enticed into prostitution by another person by virtue of his/her being materially, officially or otherwise dependent or was enticed into prostitution through the use of physical or mental coercion or by fraud or otherwise, being a minor and/or a victim of trafficking in human beings and having been acknowledged as a victim in criminal proceedings.

515. In 2006, the Law of the Republic of Lithuania on the Legal Status of Aliens was supplemented by Article 491 “Issue of a Temporary Residence Permit to an Alien who Cooperates with the Pre-trial Investigation Body or the Court in Combating Trafficking in Human Beings or Crimes Linked to Trafficking in Human Beings” to provide that an alien in favour of whom a pre-trial investigation body or a court mediates in issuing a temporary residence permit, shall be issued a temporary residence permit for six months. The Law was also supplemented by the provision that an alien shall not be deported from the Republic of Lithuania or repatriated to a foreign State if he/she has been granted the cooling-off period, during which he/she, as the present or former victim of human trafficking, has to take a decision to cooperate or not with a pre-trial investigation body or a court (Art. 130(4)).

516. The Government of the Republic of Lithuania gives much attention to the trafficking problem. To continue with actions started under the Programme of Control and Prevention of Trafficking in Human Beings and Prostitution for 2002-2004 approved by Resolution No. 62 of 17 January 2002 of the Government of the Republic of Lithuania, the Government adopted a follow-up programme, the Programme of Prevention and Control of Trafficking in Human Beings for 2005-2008, which was approved by Resolution No. 558 of 19 May 2005 of the Government of the Republic of Lithuania and implemented since 2005. In 2008, preparation of a new human trafficking prevention and control programme

was started. Particular focus in this new programme will be placed on the prevention of trafficking in children and on social assistance to child victims of trafficking.

517. As part of the Programme of Prevention and Control of Trafficking in Human Beings for 2005-2008, a system of law enforcement institutions for the fight against trafficking in human beings was set up: a specialised division for the investigation of cases of trafficking in human beings was established within the Criminal Police Bureau in 2006; by Order of the Prosecutor General, 32 prosecutors of the general, regional and some district prosecution offices were designated to specialise in coordinating, organising and leading investigations of criminal acts involving trafficking in human beings. To strengthen this system, 10 positions were established in 2007 in 10 higher-level police commissariats to act in the field of trafficking in human beings. This way, prevention and control of trafficking in human beings has been decentralised and is now better coordinated.

518. Special qualification advancement courses are organised for specialists of various fields to enhance their capacities in working with victims of trafficking. In 2007, the Vilnius Office of the International Organisation for Migration together with the Office of the Prosecutor General prepared and released a methodological tool “Methodology of Investigating Crimes of Trafficking in Human Beings” for the use by pre-trial investigation officers and prosecutors investigating crimes related to human trafficking.

519. As part of the Programme of Prevention and Control of Trafficking in Human Beings for 2005-2008, a set of guidelines was issued for social pedagogues and teachers–form-masters on how to organise a series of lectures for parents of schoolchildren in grades 11-12 on the issue of prevention of trafficking in human beings; leaflets “*Man taip neatsitiks!*” (This is not going to happen to me!) on the dangers of trafficking in human beings and on organisations providing assistance were prepared and released for high-school graduates (13,000 copies), plus 50,000 copies of other leaflets on the dangers of trafficking in human beings for high-school graduates.

520. Annual allocations are made in the State budget of the Republic of Lithuania to support projects implemented by public authorities and non-governmental organisations aimed at providing social assistance to victims of trafficking in human beings, their protection and reintegration into the society. Eleven (11) projects were supported from the State budget of the Republic of Lithuania in 2005, 13 projects in 2006 and 2007 each, and 15 projects in 2008. In 2002-2007, LTL 2,212 thousand were allocated from the State budget for such projects in total.

521. Much attention is paid to the system of identification of victims of trafficking in human beings, and improvements are being made in the collection of data on the victims. By joint efforts of public authorities, NGOs and international organisations, a system of identification and calculation of victims of trafficking in human beings was set up. The system consists of:

(a) Data provided by the Information Technology and Communication Department under the Ministry of the Interior on victims of criminal acts under Article 147 of the Criminal Code “Trafficking in Human Beings”;

(b) Data from the depersonalised database of Vilnius Office of the International Organisation for Migration on victims of trafficking in human beings. In this database, a victim of human trafficking is identified in accordance with Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime, regardless of participation of the victim in a pre-trial investigation. The database enables non-governmental organisations to exchange the available information about victims of trafficking. The statistical and analytical information which is updated biannually can be accessed by public authorities, too. The database is a collection of not only quantitative data

about victims of trafficking, such as age, level of education, destination country and the like, but also of qualitative data about methods of recruiting, assistance already provided to the victim by non-governmental organisations, and the like. Data on 25 persons under 18 years of age was fed into the database in 2006, and on 12 persons in 2007;

(c) Data provided by the Ministry of Social Security and Labour on potential and actual victims of prostitution and trafficking in human beings who were given State-funded social, legal, medical or other assistance through social integration and reintegration projects implemented by non-governmental organisations.

522. It should be noted that by the data provided by various institutions of Lithuania, non-governmental and international organisations, consular offices and diplomatic missions, the number of known victims of trafficking in human beings has been decreasing every year, from 800-1000 victims in 2002 to 50-70 victims in 2008.

523. Active measures are being taken to prevent trafficking in human beings. Awareness-raising campaigns aimed at combating human trafficking are organised every year (posters put up, video and audio clips broadcasted), with quite a number of them being targeted at children.

### **Article 36**

#### **Other forms of exploitation**

524. Article 105 of the Criminal Code establishes criminal liability for recruiting children under the age of 18 years into the armed forces or using them in a military operation in time of war, during an armed international conflict, occupation or annexation, while Article 159 establishes criminal liability for involving a child in a criminal act.

525. The problem of involvement of underage persons in criminal activity deserves special mention. This problem is particularly acute in municipalities located at the State border with the Kaliningrad Region of the Russian Federation (e.g. municipalities of Pagėgiai or Tauragė, etc.), where underage persons are frequently involved in the business of smuggling tobacco products from the Kaliningrad Region of the Russian Federation. This border region is number one in terms of volumes of smuggled tobacco products intercepted. The main reason underlying smuggling is a large difference in tobacco prices in the Russian Federation and Lithuania. In the business of smuggling, underage persons act, for a small remuneration, as watchers (lookouts), collectors and transferors of information, transporters and loaders of smuggled goods. In 2007-2008, much attention was paid to the solution of this problem.

526. The State Border Guard Service under the Ministry of the Interior cooperates closely with child rights protection agencies, municipalities, educational establishments and child care homes, to prevent the involvement of underage persons in smuggling-related offences. In 2008, the State Border Guard Service organised open door days in all its border posts in Pagėgiai and Lazdijai regions. During these days, discussions were held on the negative consequences of smuggling and on the harmful effects of these criminal acts on a child's physical and mental health, also on the society and the family. To stop the practice of involving underage persons in smuggling or other illegal activities in border regions, border officers take part in various events and competitions organised by schools and other institutions. A leaflet "For Parents and the Public about Involvement of Children into Criminal Groups" was distributed during all events.

527. A separate mention should also be made of State border guard measures aimed at preventing illegal border crossings, including for smuggling purposes. To ensure efficient protection of the European Union's external border, border protection and surveillance infrastructure have been upgraded radically at the border with Russia, new hardware for border protection was bought and modern transport and other technical means were



supplied to border guards in recent years with support from the State budget and the European Union. Even before joining the Schengen area, border guard forces that were freed as a result of removal of border controls at the internal borders of the European Union were deployed for stronger protection of the border with Russia. Works to strengthen State border controls will be carried out in the future.

#### **D. Article 30**

##### **Children belonging to a minority or an indigenous group**

528. The rights of the child belonging to a national, religious or linguistic minority are guaranteed by a number of legal acts of the Republic of Lithuania, some of which have already been described in the second periodic report of Lithuania on the implementation of the United Nations Convention on the Rights of the Child, submitted in 2004.

529. For national minorities living in Lithuania, the law of the Republic of Lithuania guarantees the right to study at general education and/or non-formal education schools in the language of the national minority and to learn to foster the culture of the national minority.

530. By the data provided by the Ministry of Education and Science, as of the start of the 2007/2008 school-year, there were 63 general education schools where Polish was the language of teaching and 41 general education schools with Russian as the language of teaching, plus classes with Polish as the language of teaching in 35 other schools and classes with Russian as the language of teaching in 30 schools in Lithuania. Thirty-six thousand two hundred and ninety-two (36,292) schoolchildren attended these schools. In addition, there is one Belarusian-speaking school, one German/Lithuanian-speaking school, and one school with a component of Jewish culture.

531. Article 30(3) of the Law on Education creates legal preconditions for a person who belongs to a national minority to study his/her mother tongue at any school even if the language of teaching used in the school differs from his/her mother tongue. This means that persons belonging to national minorities can learn their native languages not only in schools where Polish, Russian or Belarusian is traditionally used as the language of teaching but also in any other school in Lithuania. A 10 per cent higher coefficient is applied per pupil at a general education school of a national minority so as to cover higher expenses of teaching related to higher educational needs of national minorities (teaching plans for national minorities allocate more teaching hours a week because children there study their mother tongue in addition to the subjects taught in regular schools). Furthermore, 10 per cent more funds in the so-called pupil's basket are allotted for acquisition of textbooks. With the growth of the pupil's basket, more funds can correspondingly be allocated to financing education in national minorities' schools. In 2007, a separate coefficient, which was 20 per cent higher than that set for regular Lithuanian-speaking schools, was introduced for mixed-language schools in the county of Vilnius and in the south-eastern part of Lithuania.

532. Every year, the Department of National Minorities and Lithuanians Living Abroad under the Government of the Republic of Lithuania (hereinafter referred to as "the Department of National Minorities and Lithuanians Living Abroad") discharging the functions assigned to it gives financial support to cultural and educational projects implemented by general education schools of national minorities. In 2007, 14 schools applied for support and ultimately shared about LTL 15 thou, while in 2008, 14 schools shared about LTL 24 thou.

533. Currently, there are 43 Saturday/Sunday schools in Lithuania (Armenian, Belarusian, Greek, Karaites, Latvian, Polish, Romanian, Russian, Tartar, Ukrainian, Uzbek, German, and Jewish). The Department of National Minorities and Lithuanians Living

Abroad considers organisational and financial support to these schools as one of its priorities. The financial assistance provided by the Department to these Saturday/Sunday schools totalled LTL 19.4 thousand in 2003, LTL 55.1 thousand in 2004, LTL 48.4 thousand in 2005, LTL 56.43 thousand in 2006, LTL 60 thousand in 2007, and LTL 70 thousand in 2008.

534. The Department of National Minorities and Lithuanians Living Abroad together with the Ministry of Education and Science support annual Sunday school festivals that have been organised since 2001. Every year this festival, which has already become traditional, brings together over 200 participants from various Saturday/Sunday schools, who perform folk dances, sing, act and otherwise present their ethnic culture and customs.

535. Roma (gypsies) deserve special mention as a specific ethnic group in Lithuania. The Roma community living in Lithuania is not numerous; by the data of population and housing census conducted in 2001, the Roma community consisted of 2,571 persons, 46 per cent of whom were children and young persons under 20 years of age.

536. 73.2 per cent of the Roma consider the Romani language as their mother tongue. Roma children mostly attend Lithuanian schools, although the exact number of Roma children who regularly attend such schools is not known. Information collected by the Department of National Minorities and Lithuanians Living Abroad from municipal offices of education in 2005 shows that Roma are becoming increasingly involved in education: in the 2007/2008 school-year, 531 Roma children attended school in Lithuania, whereas in the 1996/1997 school-year, this figure was only 276.

537. Roma education tops the list of goals pursued by the Programme for the Integration of Roma People into the Lithuanian Society for 2008-2010 approved by Resolution No. 309 of 26 March 2008 of the Government of the Republic of Lithuania. The Programme envisages 10 measures aimed at motivating Roma to step into the public education system: to organise extra pre-school, pre-primary and other non-formal education of Roma children; to develop training materials and methodological guidance for educating Roma children of pre-school, pre-primary and school age; to organise events aimed at motivating Roma children and youth to engage in non-formal education; to organise qualification advancement seminars for teachers working with Roma children; to motivate socially-disadvantaged Roma to pursue vocational and higher education; to help them satisfy their basic needs (by helping to buy learning aids, covering travel expenses, paying one-off allowances); to organise official language and computer courses; to employ assistant teachers in schools which have Roma children who do not know the official language or who have medium, high or very high special educational needs, etc. Responsibility for the implementation of these measures lies with the Ministry of Education and Science and the Department of National Minorities and Lithuanians Living Abroad. Municipalities which are home to Roma people are advised to contribute to the organisation of pre-school, pre-primary and other non-formal education of Roma children.

538. The Roma Community Centre in the Kirtimai area in Vilnius gives daily pre-school and pre-primary education classes, provides free meals to the children, organises extra-curricular activities such as fine arts, dancing and singing. Here, adolescent and adult Roma can attend computer courses (with free-of-charge Internet access) and study the official language. Special methodologies and teaching aids have been developed to make language learning easier. In 2004, financial support was given to the release of a compact disk "Afternoon with the Lithuanian Language" specially produced for Roma. The Roma Community Centre is financially supported from the State budget and from the budget of Vilnius City Municipality. State budget allocations to the Roma Community Centre were LTL 215 thousand in 2005, LTL 218 thousand in 2006, LTL 235 thousand in 2007, and LTL 304.8 thousand in 2008.

539. According to the data provided by Vilnius City Municipality, 117 Roma children attended Vilnius schools in 2005. Additional measures are being taken to create favourable conditions for Roma children to attend general education schools according to their age and the level of prior education (selecting among general, adapted or modified programmes). Vilnius City Municipality has allocated funds for providing all Roma children with textbooks free of charge. Children from socially-disadvantaged families are entitled to free meals. In schools, speech therapy, psychology and social pedagogy services are available for Roma children. Roma children are also encouraged to engage in after-school activities (in their own schools, in sport schools, in the Schoolchildren's Health Centre). Social pedagogue positions are being established for working with Roma schoolchildren. Such positions have already been established in Vilnius Saulėtekis Secondary School (67 Roma children), Senamiestis Secondary School (23 Roma children), and Naujininkai Secondary School (16 Roma children) (data of 2005). Social pedagogues cooperate with the staff of the Roma Community Centre. They have organised, by joint effort, the seminar "Roma Educational Needs, Problems and Solutions". Lithuania also draws on foreign experience of working with Roma children. Roma parents are regularly informed of the administrative liability for not having their children attend school.

540. The Ministry of Education and Science together with representatives of the Roma community has published a bilingual textbook "*Romani bukvi*" which has laid down the foundations of the written Romani language in Lithuania. The textbook is intended not only for Roma children but also for Roma classmates or schoolmates. The textbook contains many authentic songs, fairy tales, proverbs and sayings, both in the Roma and Lithuanian languages.

541. The Programme for the Integration of Roma People into the Lithuanian Society for 2008-2010 envisages the creation of conditions for the Roma to preserve their language, customs, traditions and their tangible cultural heritage. For this purpose, Lithuanian authorities plan to organise events aimed at promoting Roma amateur arts and preserving Roma culture, to set up and develop a museum of history and folk life of Lithuanian Roma, to collect information about Roma victims of the 1941-1945 period and to build a remembrance monument for them.

542. Working towards satisfaction of the needs of national minorities, the Department of National Minorities and Lithuanians Living Abroad is implementing the National Minorities Policy Development Strategy until 2015 approved by Resolution No. 1132 of 17 October 2007 of the Government of the Republic of Lithuania. One of the goals of the Strategy is to seek to preserve the identity of national minorities. To support efforts made by national minorities to preserve their language, customs, traditions and their tangible cultural heritage, the following measures are envisaged: to organise events aimed at fostering cultures of national minorities; to collect the musical heritage of national minorities and present it to the public; to collect, store and promote the folklore and ethnography of Lithuania's national minorities; to compile a collection of electronic files depicting and describing valuable objects of culture and literature of national minorities; to produce TV shows dedicated to national minorities; to develop and publish informational material on culture, history and customs of national minorities; and to organise multicultural camps.

543. Children belonging to national minorities are active participants in cultural life. There were about 100 amateur groups of various kinds in Lithuania in 2008, 30 per cent of which were children and youth art groups. These groups represent a wide spectrum of creative activities: dances and songs, folklore, choirs, popular music, theatre. A number of children and youth festivals have become traditional and are organised every year.

544. Children and youth belonging to national minorities participate in various social circles, too. Every year, children and youth organisations organise and participate in more

than 100 cultural events and festivals, which promote the interest of young people in their culture and traditions.

545. The Department of National Minorities and Lithuanians Living Abroad not only finances but also organises various events aimed at promoting tolerance in children and youth and fostering cultural dialogue. To mark International Human Rights Day, a competition “*Piešiu įvairiatautę Lietuvą*” (Drawing a Multinational Lithuania) for all schoolchildren of Lithuania was organised in 2006. The aim of the competition was to promote tolerance and respect for different views, cultures and religions, and to arouse interest in the multicultural heritage of Lithuania. About 1,500 drawings were sent by children. In 2007, a composition competition was organised for schoolchildren under the title “*Mano draugas romas*”(My Roma Friend). Over 200 compositions participated in the competition.

546. With a view to paying more attention to the cultural needs of Lithuanian national minorities, a number of social activities centres of national minorities were set up: the House of National Communities in Vilnius, the Centre of National Cultures in Visaginas, the Cultural Centre of Various Nations in Kaunas, the Roma Community Centre, and the Ethnographic and Folklore Centre of Lithuania’s National Minorities. This network goes a long way to preserving the cultural and ethnic identity of Lithuania’s national minorities.

547. Every year, a number of cultural and educational projects implemented by national minorities’ NGOs are financed, and the activities of centres of national minorities are supported.

#### Allocations for cultural and educational projects, 2004-2008 (LTL)

	Amount (LTL)				
	2004	2005	2006	2007	2008
For non-governmental organizations of national minorities	207 840.00	267 300.00	326 580.00	347 980.00	508 500

*Data provided by the Department of National Minorities and Lithuanians Living Abroad.*

#### Allocations for national community centres, 2004-2008 (LTL thou.)

	2004	2005	2006	2007	2008
House of National Communities	250	252.7	265	295	340 405
Kaunas Cultural Centre of Various Nations	116.85	170.9	193	136	190
Roma Community Centre	210	212	218	235	304 775
Visaginas Official Language Centre	2 000	200	200	200	225
Ethnographic and Folklore Centre of Lithuania’s National Minorities	-	-	17.17	85	118.14
Visaginas Centre of National Cultures	-	-	31	32	15

*Data provided by the Department of National Minorities and Lithuanians Living Abroad.*

548. In June 2006-September 2007, Lithuania’s public authorities, including the Department of National Minorities and Lithuanians Living Abroad, were actively involved in the European youth campaign “All Different – All Equal”. The campaign was organised by the Council of Europe in cooperation with the European Commission and the European

Youth Forum. The aim of the campaign was to encourage young people to take part in building peaceful communities based on diversity and social inclusion and on respect, tolerance and mutual understanding.

549. Legal acts of the Republic of Lithuania guarantee to all citizens of the country a universally recognised and unrestricted freedom of thought, conscience and religion, and prohibits any restrictions of human rights or any privileges on the grounds of religion.

550. By the data of the population and housing census of 2001, 93 per cent of Poles, 85 per cent of Lithuanians, 13 per cent of Ukrainians, and 47 per cent of Belarusians attributed themselves to the Roman Catholic community, and 11 per cent of Russians to the community of Old Believers. Affiliation to other religious communities (e.g. Muslim, Judaist, Karaites) was declared by people of various nationalities, but their shares were not large.

#### **Religious communities of national minorities in Lithuania in 2007**

<i>Religious communities</i>	<i>2007</i>
Orthodox (mostly Russians)	51
Old Believers (mostly Russians)	58
Sunni Muslims (mostly Tartars)	7
Judaists (Jews)	8
Greek Catholics (mostly Ukrainians)	2
Karaites	1
Armenian Apostolic Church (mostly Armenians)	2
Romanian Orthodox Church (Romanians)	1
Ukrainian Autocephalous Orthodox Church (Ukrainians)	1

Data from the Register of Legal Persons.

551. It should be noted that the religious communities of Orthodox, Old Believers, Sunni Muslims (Tartars), Jews, Greek Catholics and Karaites are considered traditional religious communities forming a part of Lithuania's social, cultural and historical heritage (Art. 5 of Law of the Republic of Lithuania on Religious Communities and Associations, No. I-1057 4 October 1995). Moreover, Article 6 of the Law on Religious Communities and Associations provides that other religious associations may be recognised by the State as being a part of Lithuania's historical, spiritual and social heritage, provided, however, that they enjoy public support and that their teachings and rites are not contrary to the law and morality. State recognition means that the State supports spiritual, cultural and social heritage of the religious communities. So far, not a single ethno-confessional community has applied to the Seimas of the Republic of Lithuania for the status of a State-recognised religious association.

552. Once registered, a religious association acquires legal personality; even so, religious associations do not necessarily need registration to operate in Lithuania. Religious associations, both registered and non-registered, are not subject to any restrictions of their right to practice their religion or faith.

553. In accordance with laws, traditional religious communities of Lithuania may be granted financial assistance. The Table below gives information on financial assistance allocated from the State budget in 2004-2007.

**Allocations for religious communities, 2004-2007 (LTL thou)**

<i>Religious communities</i>	2004	2005	2006	2007
Lithuanian Bishops' Conference	2 609.7	2 609.7	2 982.6	2 982.6
Lithuania's Russian Orthodox Diocese	144	144	163.2	163.2
Supreme Council of Lithuania's Church of Old Believers	35.6	35.6	39.2	39.2
Consistory of Evangelical Lutheran Church of Lithuania	28.6	28.6	31.2	31.2
College of Lithuanian Evangelical Reformed Church Synod	12.7	11.6	12.3	11.1
Synod of the Evangelical Reformed Church – Unitas Lithuaniae	4	5.1	5.3	6.5
Spiritual centre of Lithuania's Sunni Moslems – Muftiate	12.7	12.7	13.1	13.1
Jewish religious community of Lithuania	9.1	9.1	9.4	8.4
Jewish religious community of Kaunas	1.1	1.1	1	2
Jewish religious community of Vilnius "Chassidie Chabad Lubavitch"	1	1	1	1
Lithuania's Greek Catholic Church (centre Vilnius Monastery of the Basilian Order of St. Josaphat)	10.3	10.3	10.4	10.4
Lithuania's Karaites religious community	10.2	10.2	10.3	10.3
<b>Total</b>	<b>2 879</b>	<b>2 879</b>	<b>3 279</b>	<b>3 279</b>

554. Every year, the Government adopts a resolution concerning the distribution of funds among religious communities.

555. In 2006, the Department financed reconstruction of the Karaites Centre in Trakai, and in 2007, reconstruction of the Karaites Community House. In addition, funds were allocated in 2007 for the repair in the Tartar Mosque in Kaunas and for the construction of Tartar Community House in Nemėžis.