



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Forty-first session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding observations: Lithuania**

1. The Committee considered the second periodic report of Lithuania (CRC/C/83/Add.14) at its 1101st and 1103rd meetings (see CRC/C/SR.1101 and 1103), held on 18 January 2006, and adopted at its 1120th meeting, held on 27 January 2006, the following concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the State party's second periodic report as well as the written replies to its list of issues (CRC/C/LTU/Q/2/Add.1). The Committee also notes with appreciation the frank and open dialogue with the high-level delegation of the State party, which included experts from relevant State institutions.

**B. Follow-up measures undertaken and progress achieved by the State party**

3. The Committee welcomes several laws and regulations adopted during recent years aimed at protecting and promoting the rights of children, inter alia:

- (a) The Republic of Lithuania Civil Code (18 July 2000, No. VIII-1864);
- (b) The Code of Civil Procedure (28 January 2002, No. IX-743);
- (c) The Criminal Code of the Republic of Lithuania (26 September 2000, No. VIII-1968);
- (d) The Republic of Lithuania Code of Criminal Procedure (14 March 2002, No. IX-785);

- (e) The Republic of Lithuania Code of Serving Punishments (27 June 2002, No. IX-994);
  - (f) The Law on the Legal Status of Aliens in the Republic of Lithuania;
  - (g) Recent legislative amendments to secure access to free health-care services for vulnerable persons, including all separated and unaccompanied children irrespective of their legal status in the country;
  - (h) Regulations for Organizing the Childcare and Foster Families; and
  - (i) General Regulations of the Child's Rights Protection Agencies.
4. In addition, the Committee notes with appreciation the establishment of new institutions aimed at protecting and promoting the rights of the child, such as the Ombudsman for Children, and the restructuring of the municipal child's rights protection agencies.
5. The Committee welcomes the ratification of or accession to a number of international human rights instruments, including:
- (a) The European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, on 24 January 2003;
  - (b) The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, on 20 February 2003, and the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, on 5 August 2004;
  - (c) The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, on 23 June 2003;
  - (d) The ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, on 29 September 2003; and
  - (e) The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, on 20 May 2004.

### **C. Principal subjects of concern, suggestions and recommendations**

#### **1. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)**

#### **Committee's previous recommendations**

6. The Committee regrets that some of the concerns it expressed and the recommendations it made (CRC/C/15/Add.146) after its consideration of the State party's initial periodic report

(CRC/C/11/Add.21) have been insufficiently or only partly addressed regarding, inter alia, coordination, allocation of budgetary resources, violence against children, alternative care, adolescent health and adequate standard of living.

**7. The Committee urges the State party to make every effort to address the previous recommendations that have been only partly implemented or not implemented at all, and the list of recommendations contained in the present concluding observations.**

#### **Legislation**

8. While welcoming measures taken to bring national legislation into conformity with the Convention, notably the Strategy of State Policy on Child Welfare and its implementation plan for 2005-2012 (hereinafter the Action Plan for 2005-2012 on Child Welfare), the Committee notes that the national legislation in some areas, inter alia, protection from violence, corporal punishment and physical and psychological recovery and reintegration of the child victim, has still not been brought into full conformity with the Convention.

**9. The Committee invites the State party to take all necessary measures to ensure that national legislation satisfies the requirements of the Convention in all respects.**

#### **Coordination**

10. The Committee notes measures taken by the State party to improve the coherency and coordination of implementation of the Convention at both central and local levels, including the establishment of the Youth Division of the Family, Children and Youth Department and the State Child Rights Protection and Adoption Service, both under the Ministry of Social Security and Labour. Nevertheless, the Committee is concerned at the lack of coordination and coherency of the implementation of the Convention both at central and local levels, especially with regard to local authorities.

**11. The Committee recommends that the State party continue and strengthen its efforts to improve the coherency and coordination of the implementation of the Convention so as to ensure adequate cooperation among central and local authorities as well as cooperation with children, young people, parents and non-governmental organizations.**

#### **National Plan of Action**

12. The Committee takes note of several programmes that strive to achieve fuller implementation of children's rights and welcomes the National Plan of Action for the Promotion and Protection of Human Rights in the Republic of Lithuania as well as the Action Plan for 2005-2012 on Child Welfare. Nevertheless, the Committee is concerned that inadequate resources have been allocated for the implementation of these plans and programmes, including the Action Plan on Child Welfare.

**13. The Committee recommends that the State party:**

**(a) Ensure that the Action Plan on Child Welfare is clearly oriented towards the rights of the child as enshrined in the Convention, that it covers all areas of the Convention and takes into account the outcome document of the 2002 United Nations General Assembly Special Session on children, “A World Fit for Children”;**

**(b) Provide an adequate budget for its implementation; and**

**(c) Place all other action plans and programmes under the coordination of the Action Plan on Child Welfare in order to overcome a fragmented approach to the implementation of child rights.**

**Independent Monitoring Structures**

14. The Committee welcomes the establishment of the post of Ombudsman for Children on 1 September 2000 and the comprehensive mandate extended to the Office. However, it is concerned that insufficient resources have been allocated in order to enable it to effectively carry out the mandate and monitor the implementation of the Convention throughout the country.

**15. The Committee recommends that the State party, taking into account its general comment No. 2 (2002) on the role of independent human rights institutions (CRC/GC/2002/2), continue to strengthen its support to the Office of the Ombudsman for Children, including by providing sufficient human and financial resources to the Office to enable it to effectively carry out its mandate and monitor the implementation of the Convention throughout the country.**

**Allocation of resources**

16. While noting a general increase in funds allocated to expenditures relating to children, the Committee is concerned that the budgetary allocations are inadequate to ensure the implementation of the Convention, including the effective implementation of the significant number of programmes and reforms undertaken by the State party. The Committee is also concerned at regional disparities between rural and urban areas and is also concerned that a large number of families with children who live in poverty do not have enough support.

**17. The Committee recommends that the State party:**

**(a) Continue to increase its budgetary allocations to key areas for children, including education;**

**(b) Develop an adequate monitoring system to ensure that budgetary allocations effectively reach the most vulnerable groups and reduce regional disparities, in particular between rural and urban areas;**

**(c) Undertake a study on the impact of the Government’s budgetary resources allocated for children and their families in order to assess their effectiveness; and**

**(d) Develop a comprehensive strategy to ensure the full implementation of the economic, social and cultural rights of children to the maximum extent of available resources, in particular at the local level and with respect to children belonging to the most vulnerable groups in society.**

#### **Data collection**

18. The Committee welcomes efforts made by the State party with regard to data collection, including the List of Indicators of the Statistics on Children, but it regrets the lack of disaggregated data regarding the situation of children belonging to the most vulnerable groups, including minority groups, and children victims of trafficking.

**19. The Committee recommends that the State party continue its efforts to develop a system for the comprehensive collection of data on children, and that these are disaggregated, inter alia, by age for all persons under 18 years, gender, urban and rural areas and by those groups of children who are in need of special protection, in order to allow detailed analysis of their living conditions and the implementation of their rights.**

#### **Training/Dissemination of the Convention**

20. The Committee welcomes the translation of the Implementation Handbook for the Convention on the Rights of the Child into the Lithuanian language and acknowledges the efforts of the State party in training professionals working with and for children. The Committee nevertheless notes with concern that the principles and provisions of the Convention are not disseminated at all levels of society, notably in rural areas and among children and that training on the Convention remains insufficient.

**21. The Committee encourages the State party to widely disseminate the Implementation Handbook and to disseminate the Convention further, including through incorporating human rights education in the curricula of both primary and secondary schools. The Committee also recommends that the State party continue its efforts to provide adequate and systematic training and/or sensitization on children's rights of professional groups working with and for children such as judges, lawyers, law enforcement officials, civil servants, local government officials, teachers, social workers, health personnel and especially children themselves.**

#### **Cooperation with civil society**

22. The Committee welcomes efforts made by the State party to establish relationships between the Government and civil society and increase mutual cooperation. However, the Committee remains concerned at insufficient efforts made by the State party to involve and support civil society in the implementation of the Convention.

**23. The Committee emphasizes the important role that civil society plays as a partner in implementing the provisions of the Convention and encourages closer cooperation with NGOs. In particular, the Committee recommends that the State party involve NGOs and other sectors of civil society working with and for children more systematically throughout all stages of the implementation of the Convention.**

## **2. Definition of the child (art. 1 of the Convention)**

24. The Committee notes with concern the lack of clarity on the legal minimum age of sexual consent as there is no provision to this effect in the State party's domestic legislation.

25. **The Committee recommends that the State party review and amend as appropriate the existing legislation to establish one minimum age for sexual consent.**

## **3. General principles (arts. 2, 3, 6 and 12 of the Convention)**

### **Non-discrimination**

26. The Committee reiterates its concern at the fact that the principle of non-discrimination is not being fully implemented for children living in vulnerable families and in institutions, children with disabilities, Roma children, refugee and asylum-seeking children and children living in rural areas, in particular with regard to their access to adequate health and educational facilities.

27. **The Committee recommends that the State party take more effective measures to ensure that all children within its jurisdiction enjoy all the rights enshrined in the Convention without discrimination, in accordance with article 2 of the Convention, by effectively implementing the existing laws which guarantee the principle of non-discrimination. The Committee also recommends that the State party prioritize social and health services and equal opportunities to education for children belonging to the most vulnerable groups.**

28. **Furthermore, the Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, also taking into account the Committee's general comment No. 1 (2001) on article 29, paragraph 1, of the Convention (aims of education) (CRC/GC/2001/1) and general comment No. 4 (2003) on adolescent health (CRC/GC/2003/4).**

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

29. While the Committee notes that the principle of the best interests of the child is often taken into account in legislation, it is concerned that this principle is not adequately respected and implemented in practice in all domains of policy affecting children, including detention of asylum-seeking children.

30. **The Committee recommends that the State party strengthen its efforts to ensure that the general principle of the best interests of the child is understood, appropriately integrated and implemented in all legal provisions as well as in judicial and administrative decisions, and in projects, programmes and services that have direct or indirect impact on children.**

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

31. The Committee welcomes the efforts made by the State party to promote the respect of the views of the child, including the establishment of the Lithuanian Youth Parliament in 2000. It also notes the efforts made as regards children's participation in the schools. However, the Committee is concerned that these efforts are insufficient and that article 12 of the Convention may not be fully taken into account in practice in judicial and administrative decisions.

32. **The Committee recommends that the State party:**

(a) **Take further steps to promote and facilitate respect for children's views and ensure their participation in all spheres of society, including in the family and schools;**

(b) **Take the necessary measures to ensure effective implementation of article 12 of the Convention, not only in court proceedings but also in various administrative decisions, including with respect to child protection services, custody proceedings and the placement of children in institutions;**

(c) **Effectively promote and encourage respect for the views of children below the age of 12 years, according to his/her evolving capacities;**

(d) **Provide educational information to, among others, parents, teachers, government administrative officials, the judiciary, children themselves and society at large, on children's right to be heard and to have their views taken into account; and**

(e) **Undertake a regular review of the extent to which children's views are taken into consideration and of the impact this has on policy, programme implementation and on children themselves.**

### **4. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)**

#### **Right to a nationality**

33. The Committee reiterates its concern that children born to stateless persons who have no right of permanent residence in Lithuania do not automatically obtain a nationality.

34. **The Committee encourages the State party to take all appropriate measures to ensure that all children born in Lithuania are protected from statelessness.**

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

35. The Committee is concerned that not enough programmes and books for children are being produced and disseminated in the country. The Committee is also concerned about the exposure of children to violence, racism and pornography, especially through the Internet.

36. **The Committee recommends that the State party provide regular funds to publish adequate quality and professional literature for children. The Committee also recommends that the State party strengthen its measures to effectively protect children from being exposed to violence, racism and pornography through mobile technology, video movies and games and other technologies, including the Internet. The Committee further suggests that the State party develop programmes and strategies to use mobile technology, media advertisements and the Internet as means of raising awareness among both children and parents about information and material injurious to the well-being of children. The State party is encouraged to develop agreements and projects with journalists and the media with a view to protecting children from being exposed to harmful information in the media and improving the quality of information addressed to them.**

### **Corporal punishment**

37. While welcoming the commitment from the State party during the dialogue to prohibit corporal punishment in the family, the Committee remains concerned at the continued use of corporal punishment, in particular within the family, due to the generally tolerant attitude towards this practice.

38. **The Committee recommends that the State party:**

**(a) Explicitly prohibit corporal punishment in the family and implement existing prohibitions;**

**(b) Conduct a comprehensive study to assess the causes, nature and extent of corporal punishment as well as an evaluation of the impact of measures undertaken so far by the State party to reduce and eliminate corporal punishment; and**

**(c) Develop measures to raise awareness on the harmful effects of corporal punishment with a view to changing the general attitude towards this practice and promote positive, non-violent, participatory forms of childrearing and education.**

### **5. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4); and 39 of the Convention)**

### **Separation from parents**

39. The Committee is concerned that a large number of children are placed outside their homes and that many parents lose parental authority over their children when they are placed in foster care or in institutions by the courts.

40. **The Committee recommends that the State party take all possible measures, including establishment of precise criteria for the limitation of parental rights, in order adequately to protect parental rights and the parent-child relationship and thereby ensure that a child is not separated from his or her parents against their will except when**

**competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. The Committee also recommends that the State party take all necessary measures to ensure that both parents and children are given an opportunity to participate in the proceedings and make their views known in accordance with article 9 of the Convention.**

#### **Alternative care for children**

41. The Committee welcomes the efforts made to implement its previous recommendations, in particular through the expansion of the foster care system. However, the Committee remains concerned that institutionalization is prioritized as a form of alternative care and that the foster care system is insufficiently regulated and resourced.

42. **The Committee recommends that the State party:**

(a) **Ensure that institutionalization is used only as a measure of last resort, meaning that it is professionally indicated and in the best interests of the child;**

(b) **Systematically conduct periodic reviews of the placement of children, in conformity with article 25 of the Convention;**

(c) **Carry out a reform of the alternative care system and ensure that there are enough qualified supervisors and adequate resources for the proper functioning and monitoring of the system;**

(d) **Ensure that children, if they are raised in institutions, live in small groups and are individually cared for, that the parent-child relationship will not be negatively affected by placement in alternative care, and that family reunion or establishment of family environment is prioritized;**

(e) **Provide targeted services to children who will soon become adults and leave the institutions and encourage their reintegration into society;**

(f) **Strengthen and support the system of foster care, develop quality standards for foster care and significantly decrease the time spent in institutions by children without parental care;**

(g) **Provide adequate social and economic support to the social risk families, including through the establishment of a support network and the creation of job opportunities for these families;**

(h) **Consider creating a special fund to provide social service for a family in a crisis situation; and**

**(i) Adopt and implement the recommendations presented in the regional monitoring report “A Decade of Transition” (2001) of the UNICEF *Innocenti* research centre on the children under the State guardianship.**

### **Violence, abuse and neglect**

43. While welcoming the 2005-2007 National Programme for the Prevention of Child Abuse and for the Assistance for Children, the Committee reiterates its concern at the acute problem of violence against children and abuse within families which is one of the most serious obstacles to the full implementation of child rights in Lithuania. The Committee is also concerned about the lack of data, appropriate measures and mechanisms to address the problem.

44. **The Committee urges the State party to:**

**(a) Strengthen awareness-raising and education campaigns with the involvement of children in order to prevent and combat all forms of child abuse;**

**(b) Increase its support to and collaboration with the toll-free national helpline and thereby ensure that the helpline reaches more children by: extending hours to a 24-hour daily service with a 3-digit toll-free number, raising awareness amongst children, allocating resources to the marginalized child, and including greater child participation in the development of programmes;**

**(c) Strengthen measures to encourage reporting of instances of child abuse, including by giving opportunities to this end to children in alternative care, and to prosecute the perpetrators of these acts; and**

**(d) Continue to provide care, full physical and psychological recovery and social reintegration for child victims of violence.**

45. **In the context of the Secretary-General’s in-depth study on the question of violence against children and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party and its participation in the Regional Consultation for Europe and Central Asia held in Ljubljana, Slovenia, from 5 to 7 July 2005. The Committee recommends that the State party use the outcome of this regional consultation in order to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence and to generate momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

**6. Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)**

### **Children with disabilities**

46. The Committee reiterates its concern that children with disabilities living in rural areas do not have access to the same level of services and medicines as children living in other parts of the country. Furthermore, it is concerned at the number of children with disabilities who are institutionalized and the general lack of resources and specialized staff for these children.

47. **The Committee recommends that the State party:**

(a) **Allocate the necessary resources for programmes, medicines, trained staff and facilities for all children with disabilities, especially the ones living in the rural areas;**

(b) **Develop community-based programmes in order to allow these children to stay at home with their families;**

(c) **Further encourage their inclusion into the mainstream educational system and their integration into society;**

(d) **Consider creating an inter-institutional plan with the support of local government and civil society and thereby strengthen cooperation between teachers, school management, parents, children and the society at large; and**

(e) **Give due attention to the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69).**

#### **Health and health services**

48. The Committee welcomes the information provided by the State party on legislative and other measures aimed at contributing to the protection of mothers, infants and school-age children, such as the Action Plan for 2005-2012 on Child Welfare with regard to the health of children and access to health-care services. However, the Committee remains concerned at the number of cases of tuberculosis and of children suffering from iodine deficiency, as well as the exclusive breastfeeding rate in the country. It also expresses its concern at the limited access to clean and safe drinking water in the country.

49. **The Committee recommends that the State party undertake all necessary measures to ensure that all children enjoy the same access and quality of health services, with special attention to children belonging to vulnerable groups. Furthermore, the Committee recommends that the State party strengthen its efforts in improving the health situation of children, including through:**

(a) **Ensuring that all children have access to basic health-care services;**

(b) **Allocating appropriate resources to implement the Action Plan for 2005-2012 on Child Welfare;**

(c) **Strengthening its efforts to implement the National Tuberculosis Prevention and Control Programme for 2003-2006;**

**(d) Addressing the issue of iodine deficiency through, inter alia, education and promotion of healthy feeding practices;**

**(e) Ensuring the implementation of the National Food and Nutrition Strategy for 2003-2010 and encouraging exclusive breastfeeding for six months after birth with the addition of an appropriate infant diet thereafter; and**

**(f) Ensuring access to safe and clean drinking water and sanitation in all areas of the country.**

### **Adolescent health**

50. The Committee is concerned about the frequency of unplanned pregnancies and abortions among adolescents and notes the limited availability of programmes and services in the area of adolescent health at school. The Committee is also concerned at information that abortion is used as a primary method of family planning. Furthermore, the Committee is concerned at the high number of children who consume drugs and alcohol in the State party. While noting the programme on prevention of suicides, the Committee notes with concern the high suicide rate among adolescents.

51. **The Committee recommends that the State party:**

**(a) Strengthen its reproductive health education programme(s) for adolescents in order to prevent adolescent pregnancy and the spread of HIV/AIDS and other STDs. Such programmes should provide access to sexual and reproductive health services, including family planning, contraception and adequate and comprehensive obstetric care and counselling;**

**(b) Intensify its measures to raise awareness about and prevent suicide among adolescents, including by providing adequate resources to the implementation of the programme on prevention of suicides, and continue to improve the quality and capacity of child psychiatry in the country, paying special attention to mental health provisions, both preventive and interventional;**

**(c) Strengthen measures to address the problem of alcohol consumption and drug abuse among children and implement the projects in this area; and**

**(d) Pay due attention to the Committee's general comment No. 4 (2003) on adolescent health (CRC/GC/2003/4).**

### **Standard of living**

52. The Committee notes with concern the high number of children living in households below the national poverty line and that financial assistance and support has not always kept pace with economic growth.

53. **The Committee recommends that the State party strengthen its support for families living in economic hardship in order to ensure that poverty is reduced and children are protected against the negative impact of economic hardship on their development by providing financial and non-financial assistance. The Committee also recommends that the State party adopt the draft law on Social Services and consider accepting the provisions of the European Social Charter regarding welfare of children and families.**

#### **7. Education, leisure and cultural activities (arts. 28, 29 and 31)**

##### **Education, including vocational training and guidance**

54. The Committee notes with appreciation the Law on Education (2003) as well as the State Educational Strategy for the years 2003-2012 and its implementation programme. However, the Committee notes with concern the high number of children who are not enrolled in or who drop out of school. The Committee is also concerned that there exists discrimination regarding access to education by ethnic and/or national minorities, especially Roma, and that other marginalized groups of children, including children with disabilities, as well as children in the socially and economically vulnerable families face difficulties of access to schooling. Furthermore, the Committee is concerned at the small number of children attending preschool.

55. **The Committee recommends that the State party:**

(a) **Take all necessary measures to ensure that articles 28 and 29 of the Convention are fully implemented, in particular with regard to children belonging to the most vulnerable groups (i.e. Roma children, those living in poverty, children with disabilities, etc.);**

(b) **Further improve the State Educational Strategy for the years 2003-2012 and its implementation programme to ensure that the principles behind “A School for All” are effectively implemented;**

(c) **Improve the efficiency of the educational system, paying particular attention to the high dropout rates;**

(d) **Strengthen the support to children of the rural communities, minority groups and risk group families so that these children are able to attend school;**

(e) **Ensure that social pedagogues and social workers are available in all schools with special skills to work with children belonging to the most vulnerable groups, as well as children with emotional and development disorders; and**

(f) **Improve access to preschool education throughout the country, including to children living in rural areas.**

56. The Committee notes with deep concern reports that violence (bullying) in schools is widespread, particularly among students.

57. **The Committee recommends that the State party develop a comprehensive strategy addressing the culture of violence and its correlation with high levels of bullying amongst schoolchildren. The Committee also recommends that the State party establish adequate programmes and activities with a view to creating an environment of tolerance, peace and understanding of cultural diversity shared by all children to prevent intolerance, bullying and discrimination in schools and society at large.**

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

58. The Committee notes with concern that the State party has not given adequate consideration to the rights of children to rest and leisure, to engage in play and recreational activities appropriate to their age and to participate freely in cultural life and the arts. The Committee is also concerned at the increase in the school workload, which causes stress and tension among students.

59. **The Committee recommends that the State party pay adequate attention to planning leisure and cultural activities for children, taking into consideration the physical and psychological development of the child. The Committee also recommends that the State party further develop after school activities for all children and allocate adequate budget funds for their effective functioning. Furthermore, the Committee recommends that the State party review the school programmes to reduce the stress level of students and help them deal with its effects.**

#### **8. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

#### **Asylum-seeking and refugee children**

60. The Committee is concerned about reception conditions for families and in particular children seeking asylum in Lithuania. The Committee is also concerned about reports that children seeking asylum are detained and that they share facilities with undocumented migrants.

61. **The Committee recommends that the State party:**

**(a) Take urgent measures to further improve the reception conditions for families and in particular children seeking asylum in Lithuania by, inter alia, providing psychosocial and recovery services for traumatized children and children arriving from armed conflict as well as by improving the environment of the reception facilities;**

**(b) Ensure that asylum-seeking children, including separated children, are not detained;**

**(c) Create training programmes about the principles and provisions of the Convention for police, border guards and judiciary in the State party; and**

**(d) Pay due attention to the Committee's general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin (CRC/GC/2005/6).**

62. The Committee is also concerned that persons granted temporary residence permits, including children, are excluded from the Social Welfare system once the two-year integration support period is over.

63. **The Committee recommends that the State party secure access to appropriate Social Welfare guarantees for all refugee children, irrespective of their legal status in the country.**

#### **Sexual exploitation and sexual abuse**

64. The Committee expresses its concern at the increase in the number of reported cases of sexual abuse and exploitation of children.

65. **The Committee urges the State party to reinforce its measures to combat sexual abuse of children and adolescents, including by:**

(a) **Ensuring that children's testimony is recorded in an appropriate way and that the persons carrying out the hearing have the necessary specialists qualifications;**

(b) **Making prevention of violence and sexual abuse a compulsory subject in all relevant training programmes;**

(c) **Conducting a comprehensive study to assess the causes, nature and extent of abuse of children;**

(d) **Ensuring that perpetrators are prosecuted;**

(e) **Strengthening its efforts, including adequate financial resources, to provide care, full physical and psychological recovery and social reintegration for child victims of sexual abuse; and**

(f) **Giving due attention to the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (ECOSOC Resolution No. 2005/20).**

#### **Sale, trafficking and abduction**

66. While welcoming the Programme for the Prevention and Control of Trafficking in Human Beings for 2005-2008 and recent amendments in the national penal code, the Committee is concerned at the information that a high number of children under 18, especially adolescent girls, are still being trafficked for the purpose of sexual exploitation.

67. **The Committee recommends that the State party further strengthen its efforts to identify, prevent and combat trafficking in children for sexual and other exploitative purposes, including by undertaking studies to assess the nature and magnitude of the problem and allocating sufficient resources to the field. Furthermore, the Committee recommends that the State party:**

(a) **Provide adequate and systematic training to all professional groups concerned, in particular law enforcement officials;**

**(b) Launch awareness-raising campaigns for children, parents and other caregivers in order to prevent trafficking, sexual exploitation and pornography involving children, and sensitize officials working with and for victims of trafficking;**

**(c) Consider establishing a public care home for the victims of trafficking; and**

**(d) Provide adequate programmes of assistance, psychosocial recovery and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the First and Second World Congresses against Commercial Sexual Exploitation of Children.**

### **Administration of juvenile justice**

68. While the Committee welcomes all the efforts made by the State party in the context of the Programme on Juvenile Justice Reform to bring about positive changes in its juvenile justice system, the Committee is concerned at the lack of courts with specialized juvenile judges and that judges and lawyers lack appropriate training for the application of the Convention. The Committee also regrets that children can be detained for a long period of time in police stations and detention centres before trial. Furthermore, the Committee is concerned by the fact that in connection with the corrective measures provided for in the State party report no clear mention has been made of an alternative to deprivation of liberty.

69. **The Committee recommends that the State party continue to strengthen its efforts to bring the administration of juvenile justice fully into line with the Convention, in particular articles 37, 40 and 39 and with other United Nations standards in the field of juvenile justice including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System and the recommendations of the Committee made at its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238). In this regard, the Committee recommends in particular that the State party:**

**(a) Establish courts with specialized juvenile judges;**

**(b) Provide systematic training on children's rights and special needs for judges, councils for persons under 18, penitentiary staff and social workers;**

**(c) Ensure that persons below 18 are only deprived of liberty as a last resort and for the shortest appropriate period of time;**

**(d) Ensure that children deprived of their liberty remain in regular contact with their families while in the juvenile justice system; and**

**(e) Establish a functional system with alternative measures to deprivation of liberty, such as probation, mediation, community service or suspended sentences.**

## **9. Follow-up and dissemination**

### **Follow-up**

70. **The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by transmitting them to relevant Ministries, the Seimas and the municipalities, when applicable, for appropriate consideration and further action.**

### **Dissemination**

71. **The Committee further recommends that the second periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively), through Internet, to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.**

## **10. Next report**

72. **The Committee invites the State party to submit its next periodic report before the due date established under the Convention for the fourth periodic report, i.e. 28 February 2009. This report should combine the third and fourth periodic reports and should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report thereafter every five years, as foreseen by the Convention.**

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